#### Autoriteit Consument & Markt

# CMP-regulation in the Netherlands

Training Energy Community on CMP-regulation 23 september 2019

Meinoud Hehenkamp

# Inhoud

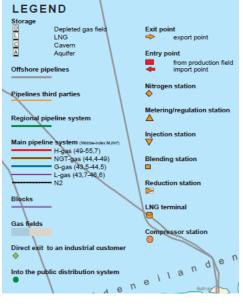
- About the gas transmission system in The Netherlands
- Implementation of CMP
- Surrender of capacity
- Oversubscription and buy back
- LT UIOLI

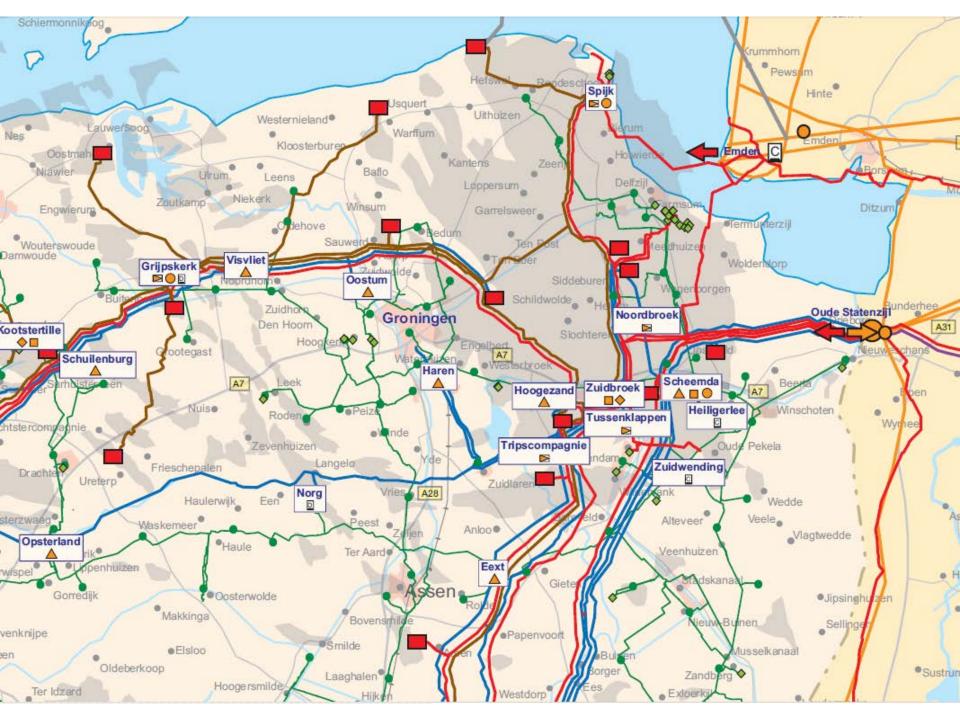


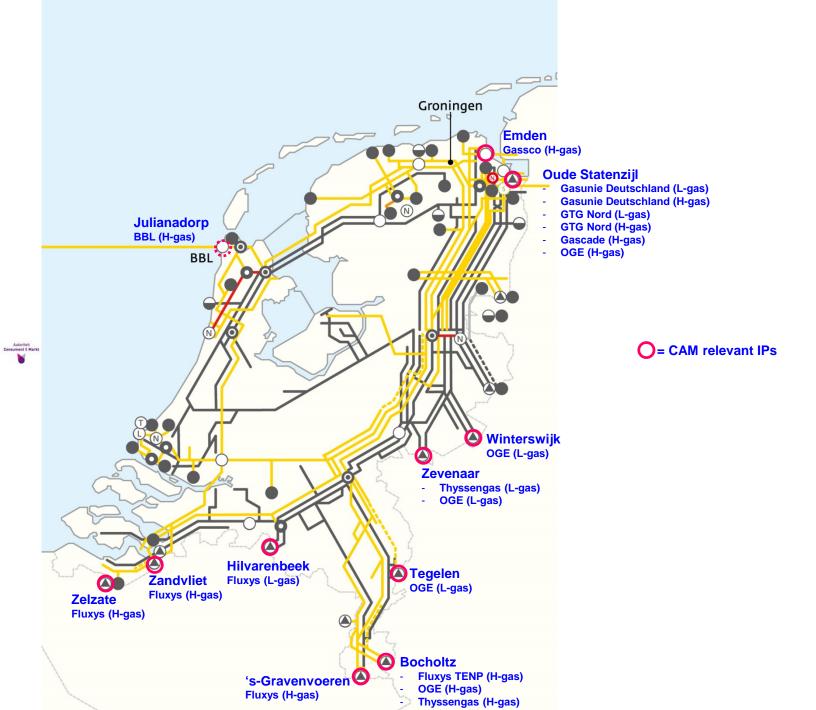
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Pipelines: ca. 13.000 km Transporting volume: ca. 930 TWh/y Regulated revenue: ca. €900 mln/y







# **CMP-regulation**

- Measures to counter and prevent contractual congestion
  - Surrender of capacity
  - Oversubscription & buy back

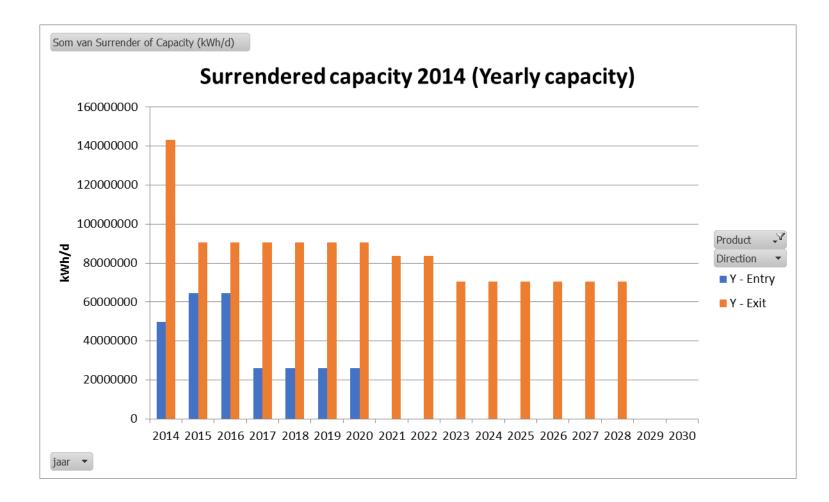
Implemented by change to national codes in 2013

- Long term use-it-or-lose-it  $\rightarrow$  'Vision paper' with guidelines published in 2015
- Day-ahead use-it-or-lose-it  $\rightarrow$  not applicable
- Currently no congestion

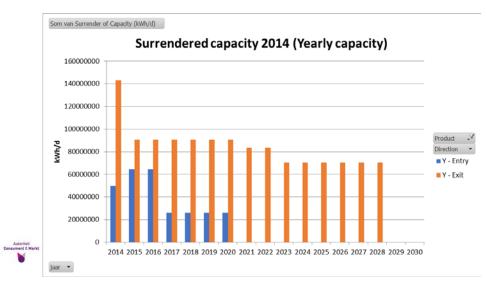
- TSO accepts any surrender of firm capacity (except DA and WD)
- Shipper retains rights and obligations until reallocation
- TSO allocates surrendered capacity only after available capacity is fully allocated

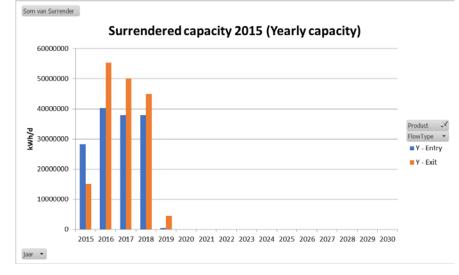


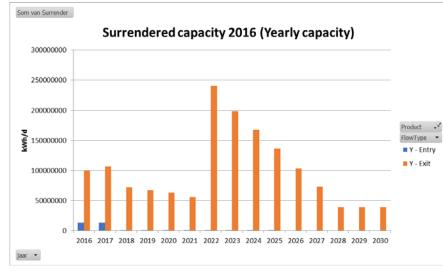
- Additional conditions for SoC in national codes:
  - GTS offers the surrendered capacity in the corresponding auction
  - Shipper is not allowed to trade surrendered capacity until after the auction
  - If more than one shipper surrenders capacity for the same auction, but not all surrendered capacity is reallocated, the reallocation will take place based on the time of offering (fcfs)
  - Payment obligation is cancelled for the amount of surrendered capacity that is reallocated

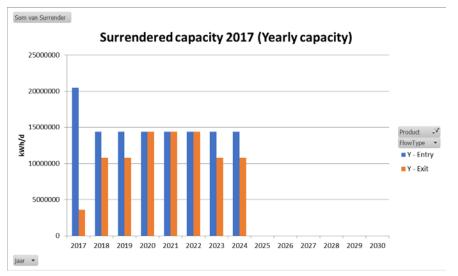










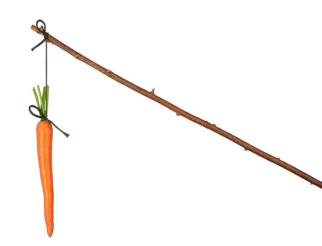


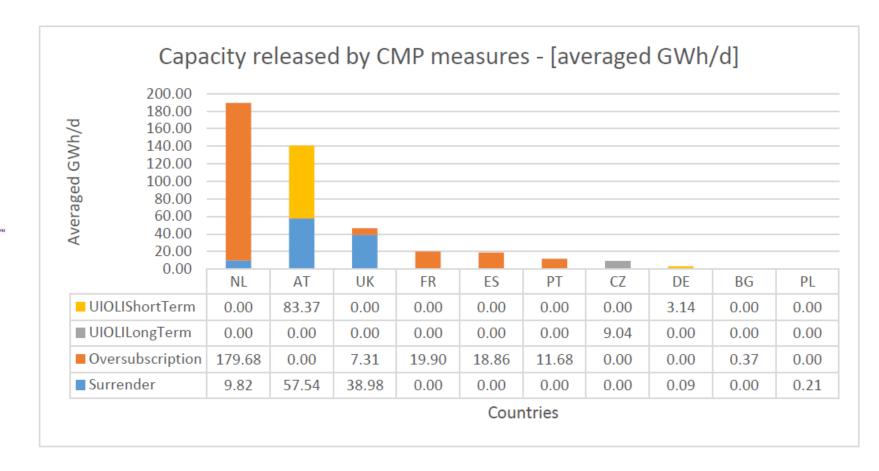
#### Allocated: 0

- Incentive-based scheme for offering additional capacity
- Dynamic approach for recalculating technical/additional capacity
  - Statistical scenario's for determining the amount of unused capacity
  - No excessive buy-back obligation
- Market-based mechanism for buying back this capacity
  - Buy back for maintaining system integrity, and no alternative measures are more cost-efficient
  - Revenues and costs must be shared between TSO and network users

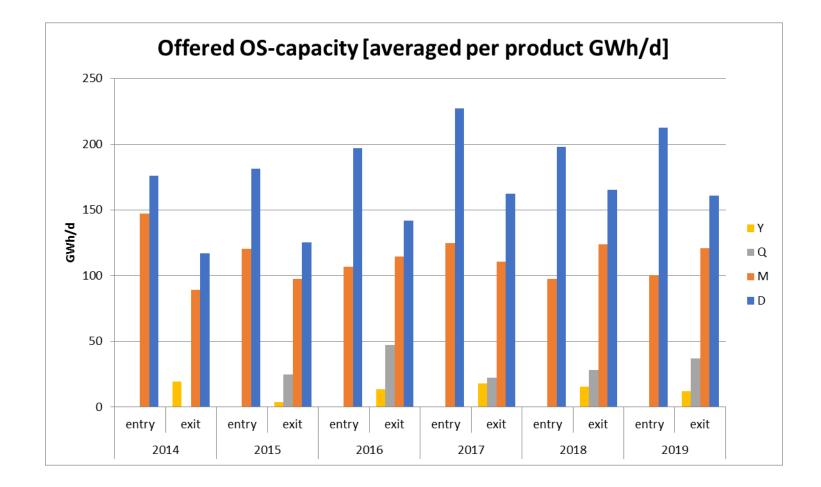
- Difficulty: Technical capacity vs. Oversubscription
  - o maximum firm capacity vs. additional firm capacity
- Additional conditions in national codes:
  - Detailed description of process calculating technical capacity: scenario-planning
  - Dynamic approach: per D/M/Q/Y GTS determines the additional capacity taking into account statistical scenario's for the concerning product
  - Details on buy back procedure:
    - Based on uniform price auction
    - Auction result leads to obliged renominations

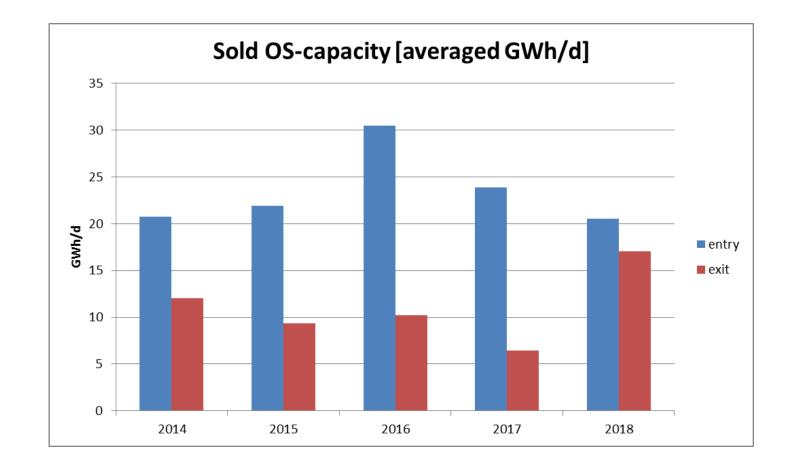
- Incentive via Method of regulation
  - Currently: 50-50 split between GTS and market, revenues and costs
- Buy back not occurred yet



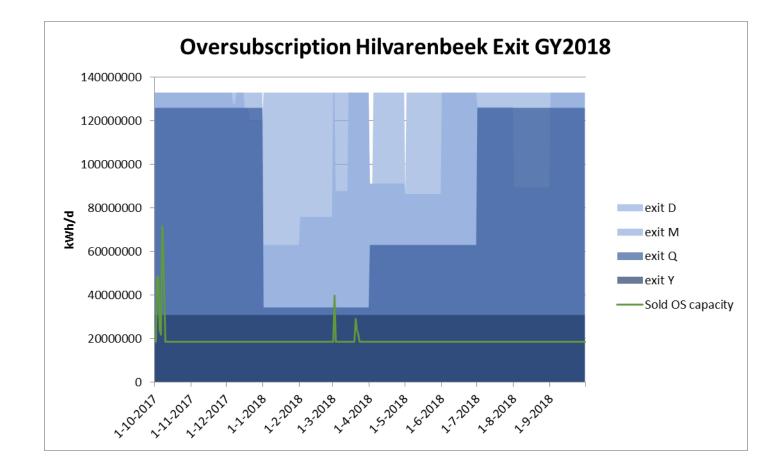


Graph from ACER's congestion report

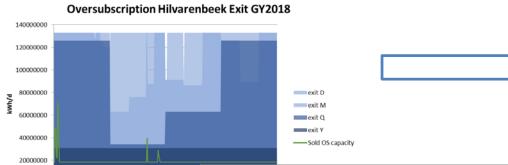




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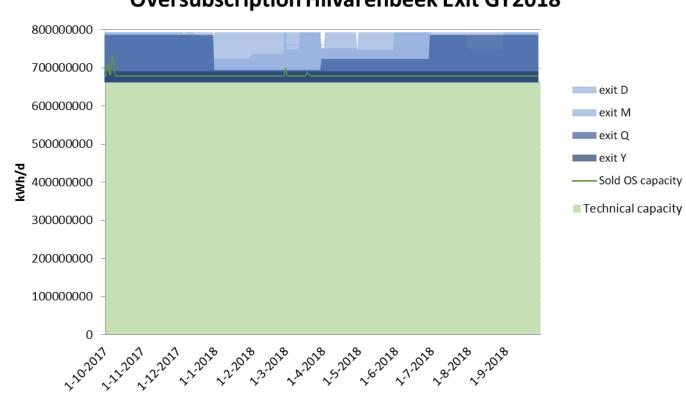


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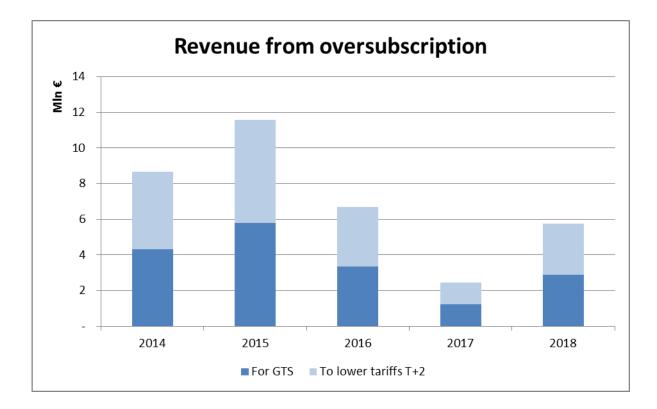


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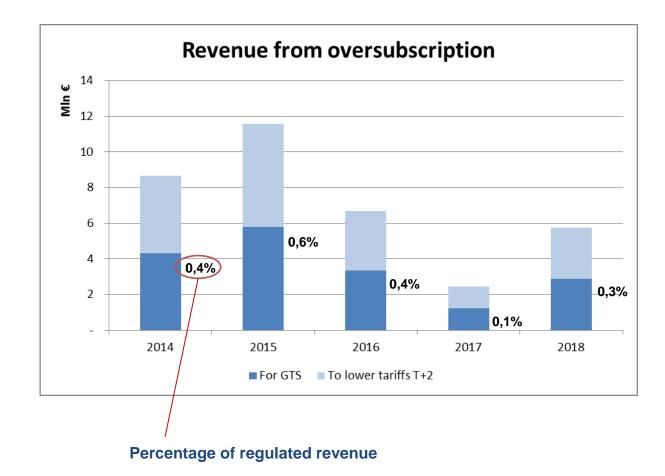
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#### **Oversubscription Hilvarenbeek Exit GY2018**



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# LT-UIOLI

• NRA requires TSO to fully or partially withdraw contracted capacity when:

- capacity is systematically underutilised without proper justification
  - utilisation must be at least 80% (both in April October and October April)
- other shippers request firm capacity
- shipper has not sold or offered capacity under reasonable conditions



"Absolute power is a tricky thing, Son — You've got to use it or lose it."

# LT-UIOLI

 ACM published a Vision Paper together with CREG and Ofgem (see: <u>www.acm.nl</u>)

- Following questions need to be answered:
  - Is there contractual congestion? (Yes)
  - Is there a request for firm capacity by another shipper? (Yes)
  - Is the utilization rate of the contracted capacity < 80%? (Yes)</li>
  - Did shipper offer his capacity under reasonable conditions? (No)
  - Can shipper provide a proper justification for not using capacity? (No)

# LT-UIOLI

- Withdrawing capacity
  - Decision per case by NRA: instructing TSO to withdraw capacity
  - Amount to withdraw depends utilisation rate and offered capacity (up to the 80% threshold)
  - Maximum duration for withdrawing capacity: 2 years

