







Next set of gas network codes

Nina Grall-Edler

Energy Community Secretariat

Gas			
Legal act ¹	Content	remarks	PHLG adoption
IO NC  Regulation 2015/703	Interoperability and data exchange	<ul style="list-style-type: none"> Consolidated versions online available List of to dos (ECS, ECRB, ENTSOG, ACER available) <u>Next steps</u>: letter on implementation to Ministries Regulatory School 3.5. 	Adopted Decision 2018/02/PHLG-EnC [Title II]
CMP GL  EC Decision 2015/715	Congestion management		Adopted Decision 2018/01/PHLG-En [Title II]
 CAM NC Regulation 2017/455	Capacity allocation	<ul style="list-style-type: none"> 1st WG meeting 2018 on draft adapted version: 26.2.2018 12.2.: providing draft adapted version to WG – in parallel: informal consultation with ACER, ENTSOG (any remarks to be shared with WG before meeting of 26.2.) After WG agreement: formal consultation with ACER, ENTSOG, ECRB before submission to EC 	11 12/2018 or 1 st PHLG in 2019 ² ideally the CAM and TAR codes are adopted together [Title II]
 TAR NC Regulation 460/2017	Transmission tariffs	<ul style="list-style-type: none"> 2nd WG meeting 2018 on draft adapted version: 12.4.2018 before: draft consultation with ACER, ENTSOG After WG agreement: formal consultation with ACER, ENTSOG, ECRB before submission to EC 	11 12/2018 or 1 st PHLG in 2019 ¹ ideally the CAM and TAR codes are adopted together [Title II]
BAL NC Regulation 312/2014	Balancing	Start negotiations with WG after WG agreement on the CAM and TAR NC in autumn 2018: first meeting to be scheduled back to back to Gas Forum	Last PHLG in 2019 [Title II]

Already adopted gas codes

notification to ECS: + 2 weeks

14.11.2017

12.1.2018

GAS: 1.10.2018

GAS: 1.10.2018

WG

EC

proposal

PHLG

Transposition
into national
legislation

implementation

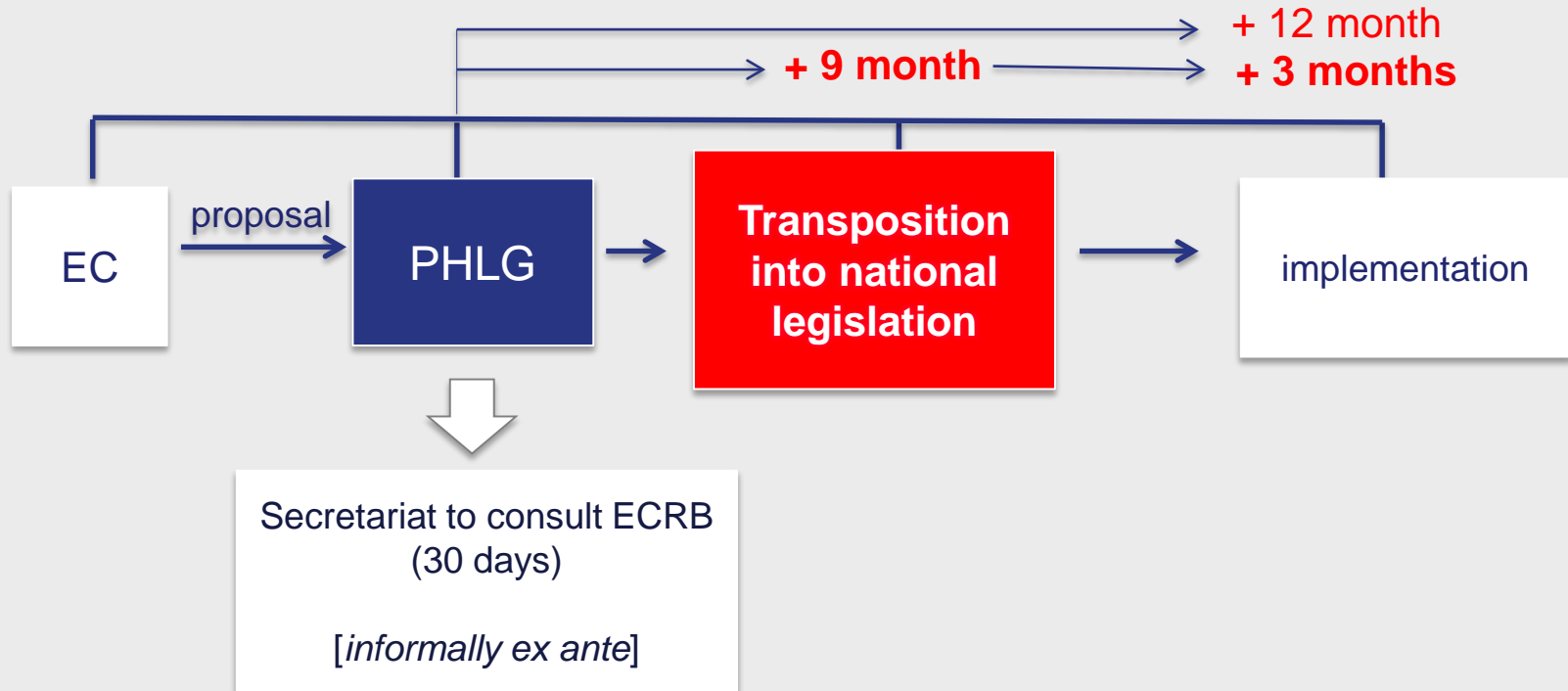
Art 28 Decision 2011/02/MC-EnC:

- “network codes shall be adopted by the PHLG”
- „PHLG shall adopt a procedural act on application”

PA 2012/01/PHLG-EnC:

„[...] Guidelines and Network Codes be transposed **without changes to their text or their structure** of the Decision, other than translation.”

Timeline new gas codes



Let me re-call that the adopted Regulations need to be transposed without changes to the structure and text other than translation in order to comply with the PHLG Decisions. We assume that the incorporation of the above mentioned Decisions into your country's legal framework can be accomplished by the adoption and/or adaptation of acts by the regulator and do not require approval by Parliament. In this case, we recommend the following approach to comply with the Energy Community requirements:

1. In a first step, the national regulatory authority to adopt a text corresponding to the Network Codes translated into the official languages.
2. In a second step, the national regulatory authority to adapt the existing regulatory acts to bring them in line with the (incorporated) Network Codes.

Both steps must be accomplished within the transposition deadline. The PHLG Decisions oblige the Contracting Parties to notify the Energy Community Secretariat of completed transposition within two weeks following the adoption of such measures.

We are ready to support your national regulatory authority (or any other authority competent for transposition) in incorporating the five Network Codes into national law. For this purpose, the national regulatory authority (or any other competent) authority are invited to address the Secretariat (Deputy Director Dirk Buschle, dirk.buschle@energy-community.org, and Head of ECRB Section Nina Grall-Edler, nina.grall@energy-community.org by **23 March 2018** about the envisaged legal modus for transposing the Network Codes and any requests for assistance.