

A hand holding a red marker is shown writing the word "Transparency" in white cursive on a blue background. A red oval is drawn around the word. The background is split into a red vertical bar on the left and a blue area on the right.

**Transparency of gas transmission system operators
in the Energy Community Contracting Parties
Status Review**

December 2021

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INTRODUCTION

1. About ECRB

The Energy Community Regulatory Board (ECRB) operates based on the Energy Community Treaty. As an institution of the Energy Community,¹ the ECRB advises the Energy Community Ministerial Council and Permanent High Level Group on details of statutory, technical and regulatory rules and makes recommendations in the case of cross-border disputes between regulators. ECRB is the independent regional voice of energy regulators in the Energy Community. ECRB's mission builds on three pillars: providing coordinated regulatory positions to energy policy debates, harmonizing regulatory rules across borders and sharing regulatory knowledge and experience.

2. Background

Transparency was an element of every legislative package adopted on EU level since the beginning of market liberalization, as it is understood to be a necessary precondition for market functioning. With the experience gained during the establishment and development of cross-border wholesale natural gas markets in the EU, awareness for the need of a harmonised and comprehensive set of rules for transparency arose. Transparency provisions of Regulation (EU) 715/2009² provide a comprehensive set of definitions of the data to be published.

This is the fourth transparency review prepared by the ECRB Gas Working Group³ for the purpose of identifying the level of compliance of the transmission system operators with the transparency requirements of Directive (EU) 73/2009,⁴ Regulation (EU) 715/2009 and Regulation (EU) No 460/2017.

¹www.energy-community.org. The Energy Community comprises the EU and Albania, Bosnia and Herzegovina, North Macedonia, Georgia, Kosovo*, Moldova, Montenegro, Serbia and Ukraine. Armenia, Turkey and Norway are Observer Countries. [*Throughout this document the symbol * refers to the following statement: This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Advisory Opinion on the Kosovo declaration of independence.].

² https://www.energy-community.org/dam/jcr:31f64003-5c68-4f2a-9c1861927a6a61ec/Regulation_715_2009_GAS.pdf. Adapted and adopted for the Contracting Parties by Decision 2011/02/MC-EnC of the Ministerial Council.

³ The latest report was published in December 2018: https://www.energy-community.org/dam/jcr:bc8949bf-ada8-4925-a201-588bdc27c8eb/ECRB_gas_transparency_122018.pdf

⁴ https://www.energy-community.org/dam/jcr:004b3ca7-fa52-4633-875e-8ac1b2cea021/Directive_2009_73_GAS.pdf Adapted and adopted for the Contracting Parties by Decision 2011/02/MC-EnC of the Ministerial Council.

The present report covers the Contracting Parties, namely Albania, Bosnia and Herzegovina (Republika Srpska entity), North Macedonia, Georgia, Moldova, Serbia and Ukraine. This monitoring activity shall assist the National Regulatory Authorities (NRAs).

Data presented in this report refers to status quo in September 2021. Data and analysis are based on information provided by the NRAs of the analyzed markets relating to the transparency requirements of Gas Directive 2009/73/EC, Gas Regulation (EC) 715/2009 and Regulation (EU) No 460/2017 (gas tariff network code, NC TAR). Each publication item, as listed in the tables and Annex I of this report, is treated with equal weight for the results presented.

The results presented in the following chapters are sorted along the following lines:

- Implementation of transparency requirements of Directive (EU) 73/2009
- Implementation of transparency requirements of Regulation (EU) 715/2009
- Overall scoring in terms of publication of data pursuant to Regulation (EU) 715/2009;
- Implementation of transparency requirements of Regulation (EU) No 460/2017 (TAR NC)

One of the main goals of the TAR NC is to increase transparency of transmission tariff structures. The present report focuses on the publication requirements imposed by Articles 29 and 30 of the NC TAR, namely on information to be published before the annual yearly capacity auctions and information to be published before the tariff period. Each publication requirement, as listed in Annex II of this report.

In addition, the Annexes provide detailed analysis of the level of compliance with the individual publication requirements of Regulation (EU) 715/2009 as well as the NC TAR per Contracting Party.

FINDINGS

1. General overview

Limited progress has been achieved in transposition of the transparency requirements of Third Energy Package in the Contracting Parties during the last year. Also, the implementation, i.e. the publication of the complete set of information as required, is lagging behind.

The present report focuses on analyzing the factual level of compliance with Directive (EU) 73/2009 and of Regulation (EU) 715/2009 transparency requirements, however to complete the picture it is worth to also provide an overview of the status of **legal compliance** in the first place. This information is relevant as lack of a legal basis requiring data publication must be accepted as one of the reason of poor factual compliance.

- Albania: There is no developed gas market at present. Nevertheless, in September 2015 Albania transposed the Third Energy Package and established a general legal framework for further developing the gas market in compliance with the acquis. The regulatory framework established so far in Albania is at a much higher level than its infrastructure development progress. Albania's gas sector is characterized by marginal domestic production of gas, the majority of which is consumed for own use in oil production and refining industry. The country is not connected to international gas networks. Albgaz, a state-owned company, has been unbundled and certified under the ownership model. The other certified transmission system operator, TAP, has to fulfil the certification conditions before the commercial operational date, in November 2020.
- Bosnia and Herzegovina: Bosnia and Herzegovina failed to adopt a state law which would transpose the Third Energy Package in the absence of a single legislative framework, Bosnia and Herzegovina's two entities have adopted two distinct regulatory regimes. In the Federation of Bosnia and Herzegovina the gas related legislation does not transpose the major principle of the gas acquis which resulted in several infringement cases launched by the Energy Community Secretariat against Bosnia and Herzegovina. Republika Srpska has in general transposed the Third Package by the Gas Law 2018 and at same time decoupled its legal and regulatory framework from the State level.
- Georgia transposed the Third Energy Package in national legislation in December 2019. For the regulation of interconnection points, Georgia benefits from exemptions until 2026 which benefit also the South Caucasus Pipeline and the North South Gas Pipeline. Even though, Georgia in 2018 adopted network codes that will assist in increasing data publication to certain extent. A system of transparent and non-discriminatory third party access is in place however, an entry/exit transmission tariff methodology is not yet applied. In 2020, amendments

were introduced to the Natural Gas Network Rules establishing rules for natural gas balancing. Based on Article 52 of the Balancing Network Code,⁵ Georgia used the possibility to postpone implementation of balancing mechanism by two years.⁶ In September 2021, the concept of the natural gas market model was approved by the Government of Georgia. The concept identifies natural gas wholesale market segments and lays down the guidelines for the organization and functioning of the natural gas market. Based on the main principles of the natural gas market concept design, natural gas market rules are in the process of development. Deadline defined for the approval of natural gas market rules is 4 months after approval of the concept. Establishment of the organized gas market in Georgia is expected in the beginning of 2023, after the deadline for implementation of Balancing Network Code expires.

- Kosovo*: following the adoption of the Law on Natural Gas Sector, Kosovo* is to a large extent compliant with the Third Energy Package in the gas sector but has no functional gas sector. No activities took place in adopting gas market secondary legislation. Even though, Kosovo* has not achieved notable progress in development of a gas market and interconnection with neighbors. However, Kosovo* started engaging in developing a feasible and realistic supply route from North Macedonia, in addition to or instead of the favored connection with Albania's gas network.
- Moldova: has transposed Third Energy Package by adopting the Natural Gas Law and the relevant normative acts on transparency (Regulation on access to the transmission networks and congestion management no. 321/2019, network codes, Regulation on connection to the network and provision of transmission and distribution services 112/2019). Moldova experienced important changes in its regulatory framework and the pattern of gas flows. The transmission system operator Moldovatrangaz has concluded an interconnection agreement with the TSO of Ukraine.
- Montenegro: There is no developed gas market at present. The country has transposed the majority of the Third Energy Package obligations in the gas sector via the 2015 Energy Law and the 2016 Law on Cross-Border Exchange of Electricity and Natural Gas. However, certain provisions are still missing.
- North Macedonia: Implementation of the gas acquis is still slow. The main pending issue continues to be setting up and certifying an unbundled transmission system operator, which will unlock progress on other pending issues, such as the proper implementation of the EU Network Codes, including on interconnectivity and cooperation with neighboring transmission system operators.
- Serbia: Serbia's gas sector is governed by the Energy Law, which transposes the Third Energy Package, and numerous secondary legislation adopted by the national regulatory authority AERS. The Energy Law amendments of April 2021

⁵ https://www.energy-community.org/dam/jcr:0c739eda-a10f-4e0e-bfb6-aa2c0ba7a0b2/Regulation_312_2014_NC_B.pdf

⁶ Therefore, the final deadline for the implementation of balancing provisions is 12 December 2022.

define the legal framework and deadlines for transposition of the EU Gas Network Codes into Serbian legal system. In line with the new law, the regulatory authority adopted guidelines for network code implementation and gave its consent to transmission system operators' rules transposing network code provisions. However, the adoption of these rules by the Government is still pending.

- Ukraine: During the last reporting period, Ukraine made significant progress in several areas of the gas market: unbundling of the transmission system operator, deregulation of prices and implementation of the gas network codes. The deregulated segment of the wholesale gas market increased significantly from 40% to 80% by releasing household customers from the Public Service Obligation regime. The transmission system is well interconnected with vast capacity on all country borders. The majority of interconnection points are covered by interconnection agreements aligned with the Network Code on Interoperability and Data Exchange.

Tables 1 and 2 below⁷ provide information on compliance of the Energy Community Contracting Parties with the transparency requirements of Directive 2009/73 EC and Regulation 715/2009. Links to the relevant publications as well as details on compliance with detailed provisions of Annex I of the Regulation 715/2009 are provided in Annex 1 of this report.

⁷ Bosnia and Herzegovina didn't provide update on current progress of transparency obligation and thus the relevant data stayed the same as the last year.

Table 1 Implementation of transparency requirements of Directive 2009/73/EC

Relevant Art. of Directive 2009/73/EC	Short description of information that has to be published	Body responsible for publishing	Albania	Bosnia and Herzegovina	North Macedonia	Georgia	Moldova	Serbia	Ukraine
5 (Monitoring of SoS)	Report outlining the findings resulting from monitoring of security of supply, as well as any measures taken or envisaged to address them	TSO, NRA	No	No	√	No	No	No	√
8 (Technical rules)	Technical rules establishing the minimum technical design and operational requirements for the connection to the system of LNG facilities, storage facilities, other transmission or distribution systems and direct lines	TSO, NRA	No	No	No	No	√	√	√

Relevant Art. of Directive 2009/73/EC	Short description of information that has to be published	Body responsible for publishing	Albania	Bosnia and Herzegovina	North Macedonia	Georgia	Moldova	Serbia	Ukraine
13(3) Tasks of transmission, storage and/or LNG system operators	Terms and conditions, including rules and tariffs, for the provision of balancing services by the TSOs	TSO ; NRA methodology for charges	√	√	√	No	√	√	√
15(2d) Unbundling of transmission system owners and SSOs	Annual report, setting out measures taken to ensure that discriminatory conduct is excluded	person/body responsible for monitoring the compliance program	No	No	No	No	√	No	NAP
16(3) Confidentiality for TSOs and transmission system owners	Information necessary for effective competition and the efficient functioning of the market	TSOs, SSOs, LNG operators and transmission system owners	No	No	No	No	No	√	NAP

Relevant Art. of Directive 2009/73/EC	Short description of information that has to be published	Body responsible for publishing	Albania	Bosnia and Herzegovina	North Macedonia	Georgia	Moldova	Serbia	Ukraine
22(4) Network development and powers to make investment decisions	Results on consultation process regarding TYNDP, in particular possible needs for investments	NRA	No	No	No	No	No	√	√
23(1) Decision-making powers regarding connection of storage facilities, LNG regasification facilities and industrial customers to the transmission system	Procedures and tariffs for connection of storage facilities, LNG regasification facilities and industrial customers to the transmission system	TSO	√	√	No	√	√	√	√
31(2) Unbundling of accounts	Annual accounts in accordance with the rules of national law concerning the annual account of LLC...	NRA, TSO	No	No	No	No	No	√	√

Relevant Art. of Directive 2009/73/EC	Short description of information that has to be published	Body responsible for publishing	Albania	Bosnia and Herzegovina	North Macedonia	Georgia	Moldova	Serbia	Ukraine
32(1) Third- party access	Transmission, distribution and LNG tariffs or methodologies, where only methodologies are approved	TSOs, DSOs, LNG operators, NRAs	√	√	√	√	√	√	√
33 (1)	Criteria according to which the access regime applicable to storage facilities and linepack may be determined	TSOs, LNG operators, NRAs	No	No	No	No	No	√	√
33 (3)	Main commercial conditions for the use of storage, linepack and other ancillary services, on annual basis	TSOs, LNG operators, NRAs	No	No	No	No	No	√	√
33 (4)	Storage tariffs in case of regulated access to storage	TSOs, LNG operators, NRAs	No	No	No	No	No	√	√

Table 2 Implementation of transparency requirements of Regulation 715/2009

Relevant Art. of Regulation 715/2009	Short description of information that has to be published	Body responsible for publishing	Albania	Bosnia and Herzegovina	North Macedonia	Georgia	Moldova	Serbia	Ukraine
Art.3 Certification of TSOs	Decision on TSO certification, and, in case the decision different from the opinion of the ECS, the reasoning underlying such decision	NRA	√	X	X	X	X	√	√
Art.15 Third- party access services concerning storage and LNG facilities	Data on the use and availability of services, in a time-frame compatible with the LNG and storage facility users' reasonable commercial needs	LNG and SSO operator	X	nap	nap	X	nap	nap ⁸	√
Article 16 (2) Principles of CAM and CMP concerning TSOs	Capacity allocation mechanisms	TSO	X	√	x	X	√	√	√
Article 16 (3) Principles of CAM and CMP concerning TSOs	Congestion management procedures	TSO	X	√	x	X	√	√	√
Article 17 (2) Principles of CAM and CMP concerning storage and LNG facilities	Capacity allocation mechanisms	LNG and SSO operator	X	nap	x	X	nap	nap	√

⁸ Storage system operators in Serbia function under non- regulated regime.

Relevant Art. of Regulation 715/2009	Short description of information that has to be published	Body responsible for publishing	Albania	Bosnia and Herzegovina	North Macedonia	Georgia	Moldova	Serbia	Ukraine
Article 18(1) Transparency requirements concerning TSOs	Detailed info. regarding services offered and the relevant conditions applied, technical information necessary for network users to gain effective network access	TSO	√	√	√	√	√	√	√
Article 18(2) Transparency requirements concerning TSOs	Reasonably and sufficiently detailed information on tariff derivation, methodology and structure	TSO or NRA	√	√	√	√	√	√	√
Article 18(3) Transparency requirements concerning TSOs	Info. on technical, contracted and available capacities on a numerical basis for all relevant points including e/e points on a regular and rolling basis, in a user- friendly and standardized manner	TSO	X	√	X	X	X	√	√
Article 18(6) Transparency requirements concerning TSOs	Ex- ante and ex- post supply and demand information, based on nominations, forecasts and realized flows in and out of the system	TSO	X	X	X	X	X	X	X ⁹

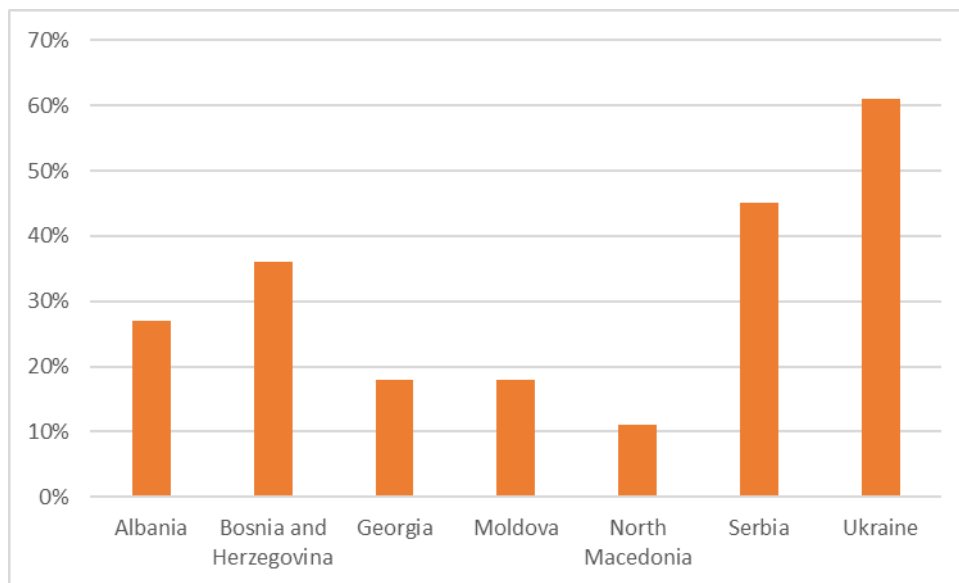
Relevant Art. of Regulation 715/2009	Short description of information that has to be published	Body responsible for publishing	Albania	Bosnia and Herzegovina	North Macedonia	Georgia	Moldova	Serbia	Ukraine
Article 18(7) Transparency requirements concerning TSOs	Measures taken as well as costs incurred and revenue generated to balance the system	TSO	V	X	X	X	√	X	√
Article 19 (1) Transparency requirements concerning storage and LNG facilities	Info. regarding services offered and the relevant conditions applied, technical information necessary for new LNG and storage facility users to gain effective network access	SSO and LNG operator	X	nap	nap	X	nap	nap	√
Article 19 (2) Transparency requirements concerning storage and LNG facilities	Info. on contracted and available storage and LNG facility capacities on a numerical basis, on a regular and rolling basis and in a user-friendly standardized manner	SSO and LNG operator	X	nap	nap	X	nap	nap	√
Article 19 (4) Transparency requirements concerning storage and LNG facilities	The amount of gas in each storage and LNG facility, inflows and outflows, and the available storage and LNG facility capacities, including for those facilities exempted from TPA.	SSO and LNG operator	X	nap	nap	X	nap	nap	√
Article 19 (5) Transparency requirements concerning storage and LNG facilities	Sufficiently detailed information on tariff derivation, the methodologies and the structure of tariffs for infrastructure under regulated TPA	SSO and LNG operator or NRA	X	nap	nap	nap	nap	√	√

Relevant Art. of Regulation 715/2009	Short description of information that has to be published	Body responsible for publishing	Albania	Bosnia and Herzegovina	North Macedonia	Georgia	Moldova	Serbia	Ukraine
Article 21(2) Balancing rules and imbalance charges	Calculation methodology for imbalance charges as well as final tariffs	TSO or other competent authority	X	X	√	X	X	√	√

Regarding the implementation of the transparency requirements of Regulation 715/2009, data publication checks were conducted on both – relevant articles of Regulation 715/2009 and Annex I of Regulation 715/2009. The overall scoring indicator of Annex I of 715/2009 Regulation was calculated as ratio of published data items by all data items required by the Annex.

For the in-depth understanding of overall scoring indicator of Annex I of 715/2009 Regulation in 2020, please refer to Annex I.

Figure 1 Overall scoring in terms of publication of data pursuant to Annex I of Regulation 715/2009 in 2020



2. Summary of findings

In general, it can be concluded that during the past years, a certain level of transparency has been established among the Contracting Parties and that it was slightly improved in 2020. However, improvements and further progress are needed. In particular, the implementation of transparency provisions of Regulation 460/2017 is at substantially low level and the ECRB invites regulatory authorities and transmission system operators of the Contracting Parties to increase efforts towards full implementation of the rules.

Primary and secondary legislation setting the rules for gas market functioning in Moldova, Serbia and Ukraine provide a solid background for fulfilling transparency requirements of Directive 73/2009, Regulation 715/2009 and Regulation 460/2017. Nevertheless, implementation of transparency-related rules by the transmission system operators in these Contracting Parties is still at a moderate level. Primary and secondary legislation implementing Third Package in other analyzed Contracting Parties is still under



preparation and currently implemented transparency provisions are based on the existing gas market related rules.

Annex 1: List of Publication Items of Annex I of Regulation (EU) 715/2009

The following table provides a detailed assessment of the compliance status with the individual publication requirements of Annex I of Regulation (EU) 715/2009. Fulfilled requirements are marked green, whereas lack of compliance is marked red. Statuses are based on the survey answers of Contracting Parties. Note that, red color means non-compliance, green color means compliance, while yellow color means compliance status change compared to the previous year.

Relevant Article of Annex I of Regulation 715/2009	Short description of information that has to be published	Albania	Bosnia and Herzegovina	North Macedonia	Georgia	Moldova	Serbia	Ukraine
1.9.	Planned maintenance periods that might affect network users' rights from transport contracts and corresponding operational information with adequate advance notice; changes to planned maintenance periods; updated regularly	no	yes	yes	no	yes	yes	yes
3.1.2.a	Detailed and comprehensive description of the different services offered and their charges	no	yes	no	yes	yes	yes	yes
3.1.2.b	Different types of transportation contracts available for these services	no	no	yes	yes	Yes	yes	yes

	Network code and/or the standard conditions outlining the rights and responsibilities of all network users including:	yes	yes	yes	yes	yes	yes	yes
	1. Harmonized transportation contracts and other relevant documents;	no	yes	yes	yes	yes	yes	yes
	2. if relevant for access to the system, for all relevant points as defined in paragraph 3.2 of this Annex, a specification of relevant gas quality parameters, including at least the gross calorific value and the Wobbe index, and the liability or costs of conversion for network users in case gas is outside these specifications;	no	yes	no	yes	yes	yes	Yes (not for each point, but for territory regions)
	3. if relevant for access to the system, for all relevant points information on pressure requirements;	no	yes	yes	yes	yes	yes	no
	4. the procedure in the event of an interruption of interruptible capacity, including, where applicable, the timing, extent, and ranking of individual interruptions (for example pro-rata or first-come-last-interrupted);	no	yes	no	no	no	no	yes
3.1.2.d	Harmonised procedures applied when using the transmission	no	yes	yes	yes	yes	yes	yes

	system, including the definition of key terms							
3.1.2.e	Publish provisions on:							
	1. capacity allocation	no	yes	no	no	yes	yes	yes
	2. congestion management	no	yes	no	no	yes	yes	yes
	3. anti-hoarding	no	no	no	no	no	yes	yes
	4. reutilization procedures	no	no	no	no	yes	yes	yes
3.1.2.f	Rules applicable for capacity trade on the secondary market vis-à-vis the transmission system operator	no	no	no	no	yes	yes	yes
3.1.2.g	Rules on balancing and methodology for the calculation of imbalance charges	no	yes	no	yes	no	yes	yes
3.1.2.h	the flexibility and tolerance levels included in transportation and other services without separate charge, as well as	no	yes	no	yes	no	yes	yes
3.1.2.h	any flexibility offered in addition to this and the corresponding charges	no	no	no	no	no	no	nap
3.1.2.i	Detailed description of the gas system of the transmission system operator and its relevant points of interconnection as defined in paragraph 3.2 of this Annex	no	yes	no	no	yes	no	yes

3.1.2.i	Names of the operators of the interconnected systems or facilities	no	no	no	no	yes	no	yes
3.1.2.j	Rules applicable for connection to the system operated by the transmission system operator	yes	yes	yes	yes	yes	yes	yes
3.1.2.k	Information on emergency mechanisms, as far as it is the responsibility of the TSO, such as measures that can lead to the disconnection of customers groups and other general liability rules that apply to the transmission system operator	no	yes	no	no	no	yes	yes
3.1.2.l	Procedures agreed upon by TSOs at interconnection points, of relevance for access of network users to the transmission systems concerned, relating to interoperability of the network	no	yes	no	no	no	yes	yes
3.1.2.l	Agreed procedures on nomination and matching procedures	no	yes	no	no	yes	yes	yes
3.1.2.m	Detailed and comprehensive description of the methodology and process, including information on the parameters employed and the key assumptions, used to calculate the technical capacity	no	yes	no	no	no	no	no
3.3.1 3.3.2	At all relevant points the following information for all services and ancillary services:							

3.3.3	(a) the technical capacity for flows in both directions;	no	yes	yes	no	yes	yes	yes
	(b) the total contracted firm and interruptible capacity in both directions	no	no	no	no	no	yes	yes (contracted capacity only from EU member states to Ukraine)
	(c) the nominations and re-nominations in both directions;	no	no	no	no	no	no	yes
	(d) the available firm and interruptible capacity in both directions;	no	yes	no	no	no	no	yes ¹⁰
	(e) actual physical flows;	no	no	no	no	yes	no	yes
	(f) planned and actual interruption of interruptible capacity;	no	no	no	no	no	no	yes
	(g) planned and unplanned interruptions to firm services as well as the information on restoration of the firm services (in particular, maintenance of the system and the likely duration of any interruption due to maintenance).	no	no	no	no	no	no	yes

¹⁰ Historical information is published for 3 last years (since 2019).

3.3.4.	Measured values of the gross calorific value or the Wobbe index at all relevant points, on a daily basis	no	no	no	yes	no	no	yes, but partly at ENTSOG TP
	Preliminary figures at the latest 3 days following the respective gas day	no	no	no	yes	no	no	GCV - on the following day
	Final figures within 3 months after the end of the respective month	no	no	no	yes	no	yes	GCV - on the following day
3.3.5.	Available capacities, booked and technical capacities, on an annual basis, for all relevant points,	no	yes	no	no	no	no	yes
	over all years where capacity is contracted plus 1 year, and	no	no	no	no	no	no	yes
	at least for the next 10 years.	no	no	no	no	no	no	no
	(a) interconnection point where the capacity is sold;	no	no	no	no	no	no	yes
	(b) type of capacity, i.e. entry, exit, firm, interruptible;	no	no	no	no	no	no	yes
	(c) quantity and duration of the capacity usage rights;	no	no	no	no	no	no	no
	(d) type of sale, e.g. transfer or assignment;	no	no	no	no	no	no	no
	(e) the total number of trades/transfers;	no	no	no	no	no	no	no

	(f) any other conditions known to the TSO as mentioned in 3.3.	no	no	no	no	no	no	no
3.4.1	TSOs shall ensure the publication on a daily basis and updated every day the aggregated amounts of capacities offered, and contracted on the secondary market (i.e. sold from one network user to another network user), where the information is available to the TSO:	no	no	no	no	no	no	no
	(a) interconnection point where the capacity is sold;	no	no	no	no	no	no	no
	(b) type of capacity, i.e. entry, exit, firm, interruptible;	no	no	no	no	no	no	no
	(c) quantity and duration of the capacity usage rights;	no	no	no	no	no	no	no
	(d) type of sale, e.g. transfer or assignment;	no	no	no	no	no	no	no
	(e) the total number of trades/transfers;	no	no	no	no	no	no	no
3.4.2.	(a) a description of standardised products which can be sold on the secondary market;	no	no	no	no	no	yes	yes
	(b) lead time for the implementation/acceptation/registr	no	no	no	no	no	yes	yes

	ation of secondary trades. In case of delays the reasons have to be published;							
	(c) the notification to the transmission system operator by the seller or the third party as referred to under 3.4(1) about name of seller and buyer and capacity specifications as outlined in 3.4(1).	no	no	no	no	no	yes	no
3.4.3.	Regarding the balancing service, does the TSO provide to each network user, for each balancing period, its specific preliminary imbalance volumes and cost data per individual network user, at the latest 1 month after the end of the balancing period?	no	no	no	no	no	yes	yes
	Is final data of customers supplied according to standardised load profiles within 14 months later provided?	no	no	no	no	no	yes	yes
3.4.4.	Are flexibility services, other than tolerances, for third party access offered?	no	no	no	no	no	no	no
	Is ex-post information on the aggregate utilization of every flexibility service at the end of each gas day published?	no	no	no	no	no	no	no
3.4.5.	Per balancing zone:							

	The amount of gas in the transmission system at the start of each gas day and	no	nap	no	no	no	no	no
	The forecast of the amount of gas in the transmission system at the end of each gas day	no	nap	no	no	no	no	no
	Is amount of gas in the transmission system published on an hourly basis?	no	nap	no	no	no	no	no
	Alternatively, per balancing zone:							
	The aggregate imbalance position of all users at the start of each balancing period	no	nap	no	no	no	no	no
	The forecast of the aggregated imbalance position of all users at the end of each gas day	no	nap	no	no	no	no	no
3.4.6.	Are user-friendly instruments for calculating tariffs provided?	no	nap	no	no	no	yes	yes

Annex 2 List of publication items of Regulation (EU) No 460/2017

The following table provides a detailed assessment of the compliance status with the publication requirements set in Regulation (EU) No 460/2017. Fulfilled requirements are marked green, whereas lack of compliance is marked red. Statuses are based on the survey answers of the NRAs of Contracting Parties.

Relevant Article Regulation 2017/460	Short description of information that has to be published	Albania	Bosnia and Herzegovina	North Macedonia	Georgia	Moldova	Serbia	Ukraine
29	Information to be published before the annual yearly capacity auction:							
29.(a)	for standard capacity products, firm capacity:							
	(i) the reserve prices applicable until at least the end of the gas year beginning after the annual yearly capacity auction	no	no	no	no	no	yes	no
	(ii) the multipliers and seasonal factors applied to reserve prices for non-yearly standard capacity products;	no	no	yes	no	no	yes	yes
	(iii) the justification of the NRA for the level of multipliers;	no	no	no	no	no	no	yes

	(IV) where seasonal factors are applied, the justification for their application.	no	no	no	no	no	no	nap
29.(b).	for standard capacity products for interruptible capacity:							
	(i) the reserve prices applicable until at least the end of the gas year beginning after the annual yearly capacity auction;	no	no	no	no	no	yes	yes
	(ii) an assessment of the probability of interruption including:	no	no	no	no	no	no	no
	(1) the list of all types of standard capacity products for interruptible capacity offered including the respective probability of interruption and the level of discount applied;	no	no	no	no	no	no	no
	(2) the explanation of how the probability of interruption is calculated for each type of product referred to in point (1);	no	no	no	no	no	no	no
	(3) the historical or forecasted data, or both, used for the estimation of the probability of interruption referred to in point (2).	no	no	no	no	no	no	no
30	Information to be published before the tariff period							
30.1.(a)	Information on parameters used in the applied reference price methodology that are related to the technical characteristics of the transmission system, such as:							

	(i) technical capacity at entry and exit points and associated assumptions;	no	no	yes	no	yes	no	yes
	(ii) forecasted contracted capacity at entry and exit points and associated assumptions;	no	no	yes	no	no	no	no
	(iii) the quantity and the direction of the gas flow for entry and exit points and associated assumptions, such as demand and supply scenarios for the gas flow under peak conditions;	no	no	yes	no	no	no	no
	(iv) the structural representation of the transmission network with an appropriate level of detail;	no	no	no	no	yes	no	no
	(v) additional technical information about the transmission network, such as the length and the diameter of pipelines and the power of compressor stations.	no	no	no	no	no	no	yes
30.1.(b)	the following information:	no	no	no	no	no	no	no
	(i) the allowed or target revenue, or both, of the transmission system operator;	no	no	no	no	no	no	no
	(ii) the information related to changes in the revenue referred to in point (i) from one year to the next year;	no	no	yes	no	no	no	no
	(iii) the following parameters:	no	no	no	no	no	no	no

(1) types of assets included in the regulated asset base and their aggregated value;	no	no	no	no	no	no	no	no
(2) cost of capital and its calculation methodology;	no	no	yes	no	no	no	no	no
(3) capital expenditures, including:		no	yes	no	no	no	no	yes
(a) methodologies to determine the initial value of the assets;	no	no	yes	no	no	no	no	yes
(b) methodologies to re-evaluate the assets;	no	no	no	no	no	no	no	yes
(c) explanations of the evolution of the value of the assets;	no	no	no	no	no	no	no	yes
(d) depreciation periods and amounts per asset type.	no	no	yes	no	no	no	no	no
(4) operational expenditures;	no	no	no	no	no	no	no	no
(5) incentive mechanisms and efficiency targets;	no	no	yes	no	no	no	no	yes
(6) inflation indices.	no	no	yes	no	no	no	no	yes
(iv) the transmission services revenue;	no	no	no	no	no	no	no	yes
(v) the following ratios for the revenue referred to in point (iv):	no	no	no	no	no	no	no	no
(1) capacity-commodity split, meaning the breakdown between the revenue from capacity-based transmission tariffs and the revenue from commodity-based transmission tariffs;	no	no	no	no	no	no	no	no

	(2) entry-exit split, meaning the breakdown between the revenue from capacity-based transmission tariffs at all entry points and the revenue from capacity-based transmission tariffs at all exit points;	no	no	no	no	no	no	no
	(3) intra-system/cross-system split, meaning the breakdown between the revenue from intra-system network use at both entry points and exit points and the revenue from cross-system network use at both entry points and exit points calculated as set out in Article 5.	no	no	no	no	no	no	no
	(vi) where and to the extent that the transmission system operator functions under a non- price cap regime, the following information related to the previous tariff period on regarding the reconciliation of the regulatory account:	no	no	no	no	no	no	no
	(1) the actually obtained revenue, the under- or over-recovery of the allowed revenue and the part thereof attributed to the regulatory account and, if applicable, sub-accounts within such regulatory account;	no	no	yes	no	no	no	no
	(2) the reconciliation period and the incentive mechanisms implemented.	no	no	no	no	no	no	yes

30.2 30.2.(a)	(vii) the intended use of the auction premium.	no	no	no	no	no	no	no
	(c) the following information on transmission and non-transmission tariffs, accompanied by the relevant information related to their derivation:	no	no	no	no	no	no	no
	(i) where applied, commodity-based transmission tariffs referred to in Article 4(3); (ii) where applied, non-transmission tariffs for non-transmission services referred to in Article 4(4);	no	no	no	no	no	no	no
	(iii) the reference prices and other prices applicable at points other than those referred to in Article 29.	no	no	no	no	no	yes	no
	Information on transmission tariffs:	no	no	no	no	no	no	no
	explanation on:	no	no	no	no	no	no	no
	(i) the difference in the level of transmission tariffs for the same type of transmission service applicable for the prevailing tariff period and for the tariff period for which the information is published;	no	no	no	no	no	no	no

30.2.(b)	(ii) the estimated difference in the level of transmission tariffs for the same type of transmission service applicable for the tariff period for which the information is published and for each tariff period within the remainder of the regulatory period.	no	no	no	no	no	no	no
	at least a simplified tariff model, updated regularly, accompanied by the explanation of how to use it, enabling network users to calculate the transmission tariffs applicable for the prevailing tariff period and to estimate their possible evolution beyond such tariff period.	no	no	no	no	no	no	yes
30.3.	The information on the amount of forecasted contracted capacity and the forecasted quantity of the gas flow for the points excluded from the definition of relevant points	no	no	no	no	no	no	no