

The summary of proposals and comments received within the process of Public Consultation on the Amendments to the Common Regulations for the Use of Natural Gas Transmission System (carried out from 10.11.2022 till 18.11.2022)

No.	Relevant regulation norm or initial proposal for the amendments	Comment or proposal	The opinion of TSOs regarding the comments or proposals
1.	<i>n/a</i>	It's not clear from the document from which gas day exactly the ban of the imports from Russia starts as Estonian regulation refers to December 31st, 2022 and Latvian regulation to January 1st, 2023. Document dub paragraph 19.5 says that the Regulation shall come into force on 31.DECEMBER 2022. Does it mean that it's not allowed to import from December 31st gas day including or from December 30th gas day (ends at 7:00 in the morning of December 31st)?	As defined by regulation of the Government of Estonia "Vabariigi Valitsuse sanktsiooni kehtestamine maagaasi ja veeldatud maagaasi ostu keeluks seoses Venemaa Föderatsiooni agressiooniga Ukrainas, mida toetab Valgevene Vabariik" the ban of import of gas goes into effect from the beginning of the calendar day of the 31st of December 2022. However, because the gas day of 30th of December ends only at 7 o'clock AM, on the 31th of December, the network rules should enter into force on the December 30th , to ensure no import takes place on the calendar day of the 31st of December.
2.	<i>1.1 This Regulation sets out the rights and obligations and the information exchange procedure between the natural gas (hereinafter – gas) transmission system operators of Estonia and Latvia (hereinafter – the TSO and, where</i>	When submitting the new version of the Regulations, the word here must be singular. <i>1.1 This Regulation sets out the rights and obligations and the information exchange</i>	Taken into account

	<i>appropriate, jointly TSOs) and the gas transmission network users (hereinafter – network user) in relation to the use of the gas transmission systems (hereinafter – transmission system), capacity booking, nominations and allocation in the common balancing zones consisting of Estonia and Latvia.</i>	<i>procedure between the natural gas (hereinafter – gas) transmission system operators of Estonia and Latvia (hereinafter – the TSO and, where appropriate, jointly TSOs) and the gas transmission network users (hereinafter – network user) in relation to the use of the gas transmission systems (hereinafter – transmission system), capacity booking, nominations and allocation in the common balancing <u>zone</u> consisting of Estonia and Latvia.</i>	
3.	<i>1.5 The transmission service agreement and any amendments contained therein shall be consistent with this Regulation</i>	When submitting the new version of the Regulations, here must be full stop. <i>1.5 The transmission service agreement and any amendments contained therein shall be consistent with this Regulation.</i>	Taken into account.
4.	<i>2.31 Third country within the meaning of this Regulation means Russian Federation.</i>	Sub-paragraph 2.31 of the Regulations states that there is only one third country - Russia. Consequently, the plural is no longer required in this sub-paragraph. The word "countries" should be replaced by the word "country".	Taken into account.
5.	<i>2.32 Transit within the meaning of this Regulation means the transport of natural gas originating from a third country and</i>	We propose the following editorial changes to improve the clarity of the provision and	Taken into account. <i>2.32. Transit within the meaning of this Regulation means the <u>transportation (or</u></i>

	<i>intended for transportation to a third country across the territory of the common balancing zone.</i>	to avoid repeated use of the word "transport", "transportation": <i>2.32. Transit within the meaning of this Regulation means the <u>transportation (or transmission) of natural gas originating in a third country to a third country through the territory of the common balancing zone.</u></i>	<i><u>transmission) of natural gas originating in a third country to a third country through the territory of the common balancing zone and other adjacent balancing zones.</u></i>
6.	<i>4.3.2. exit capacity is allocated by FCFS principle in accordance with sub-paragraph 4.7 of this Regulation;</i>	"shall be allocated" is used in the previous sub-paragraph, so "shall be allocated" should be used here as well. <i>4.3.2. exit capacity <u>shall be</u> allocated by FCFS principle in accordance with sub-paragraph 4.7 of this Regulation;</i>	Taken into account.
7.	<i>4.3.34. if the capacity to be allocated exceeds the capacity booked by the network user it shall be deemed that network user has booked day-ahead capacity product at the respective entry/exit point for capacity exceeding the booked capacity for the respective gas day. The additional capacity booking, described in this point, shall not exceed 5% of allocated daily quantity for the respective gas day.</i>	In order to comply with the CAM regulation and sub-paragraph 4.7.1.5 of the Regulation, the word "day-ahead" should be replaced by the word "daily". <i>4.3.34. if the capacity to be allocated exceeds the capacity booked by the network user it shall be deemed that network user has booked <u>daily</u> capacity product at the respective entry/exit point for capacity exceeding the booked capacity for the respective gas day. The additional capacity</i>	TSOs agrees. Will be taken into account in the following future amendments.

		<i>booking, described in this point, shall not exceed 5% of allocated daily quantity for the respective gas day.</i>	
8.	<i>4.9. Capacity allocation for the transit</i>	Sub-paragraph 4.3.1 determines that entry capacity shall be allocated in accordance with sub-paragraph 4.9 of this Regulation. So the title should also mention the entry capacity: <i>"Entry capacity allocation for the transit"</i>	Taken into account.
9.	<i>4.9.1 Capacity is allocated to the network user as a day-ahead capacity product, in accordance with the transit notification received from the transmission system operator TSO of the third country regarding the planned transit of network user's natural gas (hereinafter – transit notification), provided that the corresponding exit capacity of the common balancing zone is booked by the same network user; 4.9.1.1 Transit notification shall contain information regarding the required transit flow (entry point, exact transit period, required transit capacity kWh/d, exit point of transit, EIC code of the network user to which transit applies) and shall be submitted to the TSO in writing at least two weeks in advance the actual commencement</i>	Although the title says that the norms are about entry capacity allocation for the transit, for the clarity it can also be specified here. In CAM regulation and also sub-paragraph 4.7.1.5 of the Regulation it is determined that there is a daily standard capacity product - the capacity offered on day ahead basis in the same amount for a whole gas day. Here too "daily standard capacity product" should be used instead of "day-ahead capacity product". We propose to express the sub-paragraph as follows: <i>4.9.1. The TSO shall allocate entry capacity for the transit as daily standard capacity</i>	Partially taken into account. Regarding standard product - TSOs agrees. Will be taken into account in the following future amendments. Proposal to express sub-paragraphs is taken into account.

	<p><i>of transit, which is confirmed by the network user identified in the transit notification;</i></p> <p><i>4.9.2 Capacity at the entry point with a third country:</i></p> <p><i>4.9.2.1. is allocated provided that the corresponding exit capacity of the common balancing zone is booked by the same network user and, if required for the need of ensuring transit, allocations can be altered by TSO in amount of the booked exit capacity.</i></p>	<p><i>product in accordance with the transit notification submitted by the TSO of the third country provided that the corresponding exit capacity of the common balancing zone is booked by the system user requiring transit.</i></p> <p><i>4.9.2. The third country TSO shall submit a transit notification to the TSO in writing, confirmed by the system user requiring transit, at least two weeks before the actual commencement of the transit. The transit notification shall include the following information:</i></p> <p><i>4.9.2.1 transit entry point;</i></p> <p><i>4.9.2.2. transit exit point;</i></p> <p><i>4.9.2.3 time period when transit must be provided;</i></p> <p><i>4.9.2 4 required transit capacity per day within time period when transit must be provided kWh/day;</i></p> <p><i>4.9.4.5 the EIC code of the network user requiring transit.</i></p>	
10.	<i>n/a</i>	<p>There should be another sub-paragraph about informing the network user that the capacity for transit has been allocated, (norm similar to the 4.8.6. sub-paragraph).</p>	<p>Taken into account.</p> <p><i>4.9.3. TSO shall, not later than three working days after submission of the transit notification, inform the network user of the allocated firm capacity and make the capacity available for network user in</i></p>

			<i>conformity with the standard communications protocol.</i>
11.	<p><i>4.9.2 Capacity at the entry point with a third country:</i></p> <p><i>4.9.2.1. is allocated provided that the corresponding exit capacity of the common balancing zone is booked by the same network user and, if required for the need of ensuring transit, allocations can be altered by TSO in amount of the booked exit capacity.</i></p>	<p>1) Unnecessary sentence because it has already been said in sub-paragraph 4.9.1.</p> <p>2) It is necessary to clarify this because the purpose of this norm is not clearly understood. In sub-paragraph 4.9.1. of the Regulations, it is already stated that the transit entry capacity is allocated if the corresponding exit capacity is booked. Maybe it is necessary to determine that if the entry capacity indicated in the transit notification exceeds the capacity of the relevant transit exit point booked by the network user, then the TSO allocates the entry capacity in the amount of the exit capacity, or that the transit notification is rejected.</p>	<p>Taken into account, changed to “<i>Transit exit allocations can be altered by TSO in case of mismatch of transit entry allocations with exit nominations.</i>”</p>
12.	<i>n/a</i>	<p>Transit flows are usually of significant share (>50%) compared to the exit technical capacity. This could create significant impact on the market suggest planning transit flows on interruptible basis.</p> <p>Proposal to supplement by a new clause 4.9.3.</p>	<p>Partially taken into account. The maintenance works shall be planned to the extent possible in a manner that would reduce the limitations on gas flows and capacities at EU interconnection point, taking into account the requirements set in Point 1(8) of Annex I of Regulation (EC) No 715/2009 of the European Parliament</p>

		<i>4.9.3 Transit flows are offered on interruptible basis on exit from common zone.</i>	and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 and Article 4 of Commission Regulation (EU) 2017/459 of 16 March 2017 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 984/2013. Therefore, the TSO shall have the right to reject the capacity allocation request for transit in order to minimize impact to other network users and facilitate the security of supply, for instance, in case of congestion at EU interconnection point.
13.	<i>7.1.5 For entry points referred to in sub-paragraph 4.3 of this Regulation a nomination for gas day D is equal to daily amount foreseen in the transit notification.</i>	Propose to express as follows: <i>[7.1.5 For entry points referred to in sub-paragraph 4.3 of this Regulation a nomination for gas day D is equal] quantity of gas per day specified in the transit notification in accordance with sub-paragraph 4.9.2.</i>	Taken into account.
14.	<i>8.1.4 Allocation to network user at entry points from third countries or exit points to third countries shall be determined based on the following criteria:</i>	In our opinion, these sub-paragraphs should be amended, rather than supplementing the Regulations with sub-paragraph 8.1.6, because these sub-paragraphs determine	Not taken into account. There are no changes foreseen of calculation of total transported flow from third country points. Currently it is impossible to ensure allocations equal to

	<p><i>8.1.4.1 allocation to network user with fixed delivery agreement shall be equal to the last confirmed quantity of gas indicated in nomination or re-nomination;</i></p> <p><i>8.1.4.2 if there is an agreement establishing operational balancing account between adjacent operator or network user(s) and TSO, allocation to network user shall be equal to last confirmed quantity. The difference between the nominated flow and measured quantity shall be allocated to operational balancing account;</i></p> <p><i>8.1.4.3 if there is no agreement establishing operational balancing account TSO shall allocate the difference between the nominated flow and the measured quantity pro-rata to nominated gas quantity of all network users proportionally unless proven by terms of delivery agreement to have fixed agreement for the relevant period. Allocated gas quantity shall not exceed flexibility limits specified in network user's flexible delivery agreement;</i></p> <p><i>8.1.4.4 Final allocation shall be completed no later than eight calendar days after the end of the reporting period (month).</i></p>	<p>how allocation is done at entry and exit points with third countries:</p> <p><i>8.1.4.1. Allocation to network user at entry point shall be equal to the quantity of gas specified in the transit notification in accordance with sub-paragraph 4.9.2;</i></p> <p>Regarding the allocation at the exit point, probably nothing needs to be changed. Please check and clarify if necessary.</p>	<p>quantities in notifications or nominations as there is no agreement with third country natural gas operators how to deal with differences between measured flows and nominated quantities.</p>
15.	<p><i>8.1.6 If the network user has received an allocation for the transit, the principle set</i></p>	<p>The sub-paragraph should be deleted. See comment on sub-paragraph 8.1.4.</p>	<p>Not taken into account, considering feedback in response No 14.</p>

	<i>out in paragraph 4.9. of this Regulation shall apply.</i>		
16.	<i>10.1. Gas quality</i>	Please evaluate whether in the new version of the Regulations, regarding the quality of gas, it is not necessary to separate the requirements for the transportation of biomethane.	TSOs agrees. Will be taken into account in the following future amendments.
17.	<i>n/a</i>	In essence we feel that the transit should be allowed as long as it does not interfere with gas flows within European Union. So far, the gas flows in our region, and corresponding capacity nominations, have headed from south to north. As the LNG regasification unit in Finland is about to be commissioned soon, the gas flow direction and volume will change. Consequently, there might occur congestions in the gas flows heading south, from Latvia to Lithuania. As it's the most important to guarantee security of supply and fair prices in EU countries, such internal gas flows should have precedence over transit.	Taken into account. The maintenance works shall be planned to the extent possible in a manner that would reduce the limitations on gas flows and capacities at EU interconnection point, taking into account the requirements set in Point 1(8) of Annex I of Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 and Article 4 of Commission Regulation (EU) 2017/459 of 16 March 2017 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 984/2013. Therefore, the TSO shall have the right to reject the capacity allocation request for transit in order to minimize

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