

# CONSULTATION RESPONSE

## Energy Traders Deutschland and Energy Traders Europe consultation response on the extension of the determination (BK9-22/601-[1 to 5], “VOLKER”)

19.04.2024

Energy Traders Deutschland and Energy Traders Europe (hereafter EFET D) would like to thank the Federal Network Agency for the opportunity to comment on the draft extension of the VOLKER determination. Owing to the non-automatic extension of the legislation, the offer of bundled capacity at VIP France Germany has been interrupted since late March. We stress that this is not only a French-German border issue, but also affects more broadly EU security of supply. The offer by GRTgaz, GRTgaz Deutschland and OGE, since October 2022, of up to 100 GWh/d at a critical interconnection point for supply to German industrial consumers has been mandated by the ACER Opinion to ENTSOG’s Summer Supply Outlook 2022<sup>1</sup>.

First of all, EFET D welcomes the extension of operative part 1 d) of the determination until 30.09.2026. Without this, it would be very likely that the transmission system operators (TSOs) would not allow odorised gas from France to enter Germany, as they would not be allowed to include costs for any damage caused by the odorised gas to the equipment of (industrial) customers as volatile costs in the network charges. However, since 2022, the entry capacities from France to Germany have served to further diversify the sources of supply and thus liquidity and security of supply on the German gas market. At this point in time, shippers hold capacity at the French exit side of the VIP for several months ahead in order to continue this, but without having the matching capacity any longer on the German end.

EFET D would therefore like to suggest that the time purchased by the extension of the scheme should be used to discuss once again in principle the inclusion of odorised gas from France in order to diversify Germany’s sources of supply and downstream markets, even beyond a supply crisis, taking into account the risk of damage and its distribution. To date, EFET D is not aware of any adverse events caused by the injection of odorised gas from France. Therefore, it should also be checked whether the provisions of worksheet G 260 of the German Technical and Technical Association for Gas and Water e.V. (DVGW)

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<sup>1</sup> <https://acer.europa.eu/news-and-events/news/acer-assesses-entsogs-gas-summer-supply-outlook-view-risks-russian-supply-disruptions>

should be adapted to such an extent that, on the one hand, they are not more restrictive than existing European standards and, on the other hand, reflect the actual potential for harm. In order to reassess this, the experience gained from the then extended period of determination of the operative part 1 d) can be used.

EFET D calls on the Federal Network Agency to start a corresponding dialogue with all relevant stakeholders (TSOs, transport customers, DVGW, etc.). All technical discussions on liability allocation in case of damage to end-users resulting from the use of odourised gas should be properly finalised and communicated to market participants in due course. More importantly, in the course of these discussions, the daily firm technical capacity at VIP France Germany should continue to be offered in an uninterrupted manner and with full transparency on the offered levels, considering gas quality and adaptations of the interconnector between France and Germany for acceptance of odourised gas, so that shippers are able to conclude transactions that make use of this new capacity.

We thank the Federal Network Agency for receiving this response in English language as it represents the combined view of Energy Traders Deutschland and Energy Traders Europe.

For questions or further clarifications, please do not hesitate to contact us.

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