

PC_2024_G_03 Public consultation on CAM NC revision

Fields marked with * are mandatory.

Identification

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Energy Traders Europe

*** Type of organisation / company**

- TSO and their associations
- DSO and their associations
- shippers/traders and their associations
- civil society organisations
- national regulatory authorities
- other national competent authorities
- other

*** Country**

- EU-27
- Other

*** Please specify the country**

- AT - Austria
- BE - Belgium
- BG - Bulgaria
- HR - Croatia
- CY - Cyprus
- CZ - Czechia

- DK - Denmark
- EE - Estonia
- EU - European Union, for associations covering all EU
- FI - Finland
- FR - France
- DE - Germany
- EL - Greece
- HU - Hungary
- IE - Ireland
- IT - Italy
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- NL - Netherlands
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- PT - Portugal
- RO - Romania
- SK - Slovak Republic
- SI - Slovenia
- ES - Spain
- SE - Sweden

Data protection

ACER will process personal data of the respondents in accordance with [Regulation \(EU\) 2018/1725](#), taking into account that this processing is necessary for performing ACER's consultation tasks. More information on data protection is available on [ACER's website](#) and in [ACER's data protection notice](#).

ACER will not publish personal data.

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I hereby consent that my contact details, as referred within the [ACER Data Protection Notice on External Webinars / Online Events](#), will be used by the Agency to send me an [invitation to the technical workshop on 9 June 2024](#).

Confidentiality

Following this consultation, ACER will make public:

- the number of responses received;
- company names, unless they should be considered as confidential;

- all non-confidential responses; and
- ACER's evaluation of responses. In the evaluation, ACER may link responses to specific respondents or groups of respondents.

You may request that the name of your company or any information provided in your response is treated as confidential. To this aim, you need to explicitly indicate whether your response contains confidential information.

You will be asked this question at the end of the survey.

I have read the information on data protection and confidentiality provided in this section.

How to navigate through the survey

This consultation is a 'policy consultation', which explores further the amendment proposals to be considered, building on ACER's scoping activity as well as on the Commission's invitation to submit reasoned proposals on revising the CAM NC.

The consultation is based on the present policy paper that introduces issues as well as improvement options, and asks stakeholders for their views and concrete proposals that will guide ACER further in making amendment proposals. Stakeholders are invited to share their technical reflections as well as concrete text proposals for amending CAM NC provisions.

The consultation consists of a **survey** and a **technical workshop** (by invitation only). **Only the participants to the survey will be invited to the technical workshop** as the objective of the workshop is to discuss and clarify further the responses to the survey.

Respondents should read the policy paper before completing the survey. The survey questions follow the structure of the policy paper. Each part of the survey corresponds to a chapter in the policy paper. Sub-chapter references are provided in the survey to facilitate navigation back to the relevant part of the policy paper.

For a smoother experience, we recommend that you keep the policy document open while you complete the survey.

When responding to the questions, consider that the network code harmonises the rules that are essential for efficient functioning of the internal market.

Please use the contact form if you have any questions.

Chapter 1: Maximising the offer of firm capacity

This section deals with maximising the offer of firm capacity in accordance with *Article 6* of the CAM NC. We kindly ask that you read **Chapter 1** of the policy paper first in order to provide a reasoned response to the questions set out below.

1.1 Reporting on the system integrity margin

Please refer to chapter 1.2.1 in the policy paper

1.1 How is the 'system integrity margin' determined in your system? Please include a description of the elements considered. [question addressed primarily to TSOs]

By monitoring and maintaining an adequate 'system integrity margin', TSOs ensure the overall stability and security of their gas network.

1800 character(s) maximum

1.2 How could the system integrity margin be reported (e.g. as a percentage of capacity, probability of failure...) in a way that gives clarity on the physical capability of the system, the calculated technical capacity (which has commercial nature) and the relationship between them?

1800 character(s) maximum

We believe it is most productive to disclose information on the percentage of capacity reserved for the "integrity margin". Information of this sort would help shippers understand the actual possible size of the flows at times of scarcity.

1.3(a) Do you consider this information should be made available to neighbouring TSOs, to regulatory authorities, or market participants?

More than one option can be selected.

- neighbouring TSOs
- regulatory authorities
- market participants

1.3(b) Please explain why.

1800 character(s) maximum

This information should be made available to the market participants as well, particularly since it can help evaluating the impact that this "margin" has on size of firm bundled capacity and efficiency of the TSO in maximizing the capacity made available e.g. through interruptible products.

1.2 Reporting on the joint method for calculating and maximising capacity

Please refer to chapter 1.2.2 in the policy paper

Joint method for capacity calculation and maximisation – capacity calculation process

1.4 Which steps in the capacity calculation process would you find essential to facilitate your contribution as a concerned party (e.g., market participant, regulatory authority, TSO)?

The capacity calculation process would inform you about key steps and timelines, e.g. when and how to provide your input. It could take the form of a process diagram. You may refer to the generic example in Figure 2 in the paper.

1800 character(s) maximum

An open and constructive dialogue on the capacity calculation process would be much in the spirit of CAM NC. We therefore support the generic process outlined in the policy paper (figure 2) and believe consultation on both inputs and outputs is in order. We further believe that more detailed information on the system parameters and scenarios need to be published for the network users to be able to comment on them. In particular, we believe that information on the notified/agreed “integrity margin” would be helpful in understanding and evaluating the calculation results.

1.5(a) Should the (same) information on the capacity calculation process be available to market participants, to concerned TSOs and concerned regulatory authorities?

More than one option can be selected.

- concerned TSOs
- concerned regulatory authorities
- market participants

1.5(b) Please explain why.

1800 character(s) maximum

We believe that, as long as this does not threaten the security of operations of the concerned TSOs, same information should be made available to all stakeholders, encouraging collection of a variety of views.

Joint method for capacity calculation and maximisation – capacity calculation steps

1.6 Which information on calculation steps would you find essential to facilitate your understanding of how capacity is maximised (e.g., a mathematical description of each calculation step with a quantitative explanation, or a qualitative explanation that provides a more descriptive understanding, a simplified capacity calculation model)?

1800 character(s) maximum

All the information necessary to understand and follow the calculation process should be deemed needed. This includes information on the infrastructure, variables and parameters used in the mathematical model (with justification where needed), the stated objective (particularly if different to capacity maximization) and scenarios used. We believe that maximum transparency and clarity should be at the heart of any consultation process, hence any simplified models, quantitative examples or qualitative descriptions that support these principles should be encouraged.

1.7(a) Should the (same) information on the capacity calculation process be available to market participants, to concerned TSOs and concerned regulatory authorities?

More than one option can be selected.

- concerned TSOs
- concerned regulatory authorities
- market participants

1.7(b) Please explain why.

As per our response to question 1.5 we support maximizing the amount of information made available to all stakeholders. That said, we do recognize that certain country-specific, detailed information may be required and should be made available to the adjacent TSOs/NRAs upon request.

Detailed capacity calculation steps

The following questions provide a more detailed examination of the elements that should be considered in the capacity calculation steps.

1.8 Please share your view on the role of the network topology in the capacity calculation (e.g. compressor stations, diameter of pipelines, inlet pressure etc.)?

1800 character(s) maximum

More detailed information on network topology help understanding the physical constraints the TSOs are facing in their work. Since these constraints are used to justify limited capacity availability, curtailment of capacity etc. we believe these information are essential for understanding the calculation process that follows.

1.9 Please share your view on the role of the input assumptions (i.e. boundary conditions such as demand and supply scenarios and expected future flows) and the decision variables (the elements under control by the TSO) of the capacity calculation?

1800 character(s) maximum

Information about future scenarios is something that market participants can provide valuable comments on, since they often hold a better picture of the supply and demand trends on the market. Related decision variables should also be disclosed and consulted on.

1.10 Please share your view on making available numerical examples of the capacity calculation in a transmission system, e.g. in the form of a simplified capacity calculation model?

1800 character(s) maximum

A simplified version of the calculation model would be a welcome addition in support of transparency of the process. We understand, however, that the possibility to simplify the process considerably cannot always be possible or useful.

Joint method for capacity calculation and maximisation – common reporting template

1.11 Would a common reporting template be useful to increase transparency of the joint capacity calculation and maximisation? Please explain why.

1800 character(s) maximum

A common transparency template has proved to be useful in different applications, hence, its introduction would be supported.

1.12 What are the essential elements (e.g. calculation values, methodology) to be included in such a template?

1800 character(s) maximum

Information on the system parameters, scenarios for the future along with the associated variables and the integrity margin applied. In addition, link to the simplified capacity calculation model (where available) should be provided along with up-to-date information necessary to use it (such as assumed booking and flow levels).

1.3 Dynamic re-calculation – frequency and timing of calculation

Please refer to chapter 1.2.3 in the policy paper

1.13 Please share your views on the benefits and drawbacks of a ‘time-dependent re-calculation’ schedule, and which option—annual re-calculation or seasonal adjustments (or even more granular) —do you find more beneficial. Please explain why.

1800 character(s) maximum

Revisions of technical capacity affect booking strategies and the amount of capacity on offer according to the set-aside rules. While no major issue is created whenever the technical capacity is revised upwards, downward updates can cause distortions. Without detailed information available on the calculation methodologies, it is difficult to establish why cyclical recalculations would be advisable. In any case it seems that periodic, time-dependent revisions would be burdensome to both the TSOs and the market participants who would need to engage in the consultation processes even if there would be no outright need to recalculate the capacities. This would be particularly the case for recalculations with granularity greater than annual. The recalculation process should also give due consideration to the impact the results may have on existing contractual arrangements.

1.14 Please share your views on the benefits and drawbacks of ‘occasional re-calculation’ triggered by specific events, and on which events would require a re-calculation. Please explain why.

1800 character(s) maximum

Occasional, event-triggered recalculations are a reasonable approach to the process. Revisions should be made in the spirit of maximizing the technical capacity available to the market in view of changing technical /market conditions. Currently it seems a revision should be triggered after notable changes are made to the gas transmission network (new investment, decommissioning, repurposing) and when major changes in the expected throughput are envisaged. Also in these cases, the adjustments need to be introduced in advance of the capacity auctions, to allow market participants adjust their booking strategies. The recalculation process should also give due consideration to the impact the results may have on existing contractual arrangements.

1.15(a) Which approach do you prefer?

- Time-dependent re-calculation
- Occasional re-calculation
- No preference

1.15(b) Please explain why.

1800 character(s) maximum

We note that the information on technical capacity available to the market is an factor important in developing the booking strategies by the market participants. Frequent revisions of this value may be difficult to manage and have a discouraging effect on bookings in the medium- and long-term horizon. Therefore, we believe that event-triggered approach is more pragmatic, that would encourage optimal network use without a potentially distortive effect frequent capacity revisions might have on the market. In any case, we believe that extensive use of interruptible products can help ensuring the necessary level of flexibility around the stated technical capacity, that both the TSOs and the market participants need.

1.16 Considering the improvement options discussed in this chapter, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section.

Please ensure that all your proposed amendments are in one document, clearly identifying each article and paragraph affected. It would be helpful if you could include the existing text of the Network Code and highlight your proposed changes using track changes or a similar feature.

1800 character(s) maximum

Chapter 2: Maximising the offer of interruptible capacity

This section deals with maximising the offer of interruptible capacity in accordance with *Article 32* of the CAM NC.

We kindly ask that you read **Chapter 2** of the policy paper first in order to provide a reasoned response to the questions set out below.

2.1 Options to improve the offering of interruptible capacity

Please refer to chapter 2.2 in the policy paper

2.1 Which information would you find essential to understand how the interruptible capacity is determined and maximised, how the system can manage those volumes and what is the probability of interruption?

The CAM NC does not provide guidance on the amount of interruptible capacity that TSOs can offer to the market. Article 32(1) of the CAM NC only provides that yearly, quarterly and monthly interruptible capacity can be offered.

1800 character(s) maximum

We support greater transparency around the process of offering interruptible products and we believe due justification should be given by the TSOs whenever the availability of these products is restricted. In this spirit we would like to receive reassurance that the interruptible products on offer properly reflect, as appropriate, the level of capacity that may not be used by primary holders at a given point in time or the level of forecasted flows in terms of virtual reverse flow.

Probability of interruption associated with these products and how it is established should also be indicated so that shippers have a good understanding of the risk of not being able to nominate gas flows when needed. We believe the following information would improve the transparency of the process and provide valuable information about actual capacities available in the network, alongside the disclosures on the “integrity margin”:

- How much firm and interruptible capacity has been sold at each entry point.
- Expected demand at seasonal normal temperature.
- Historical flow information (on supply by entry point and on demand), including information on historical interruption.
- Information on grid constraints in-country that would limit the extent to which capacity at one entry point can be substituted by another
- Information on how curtailment is to be managed (e.g. pro-rata, last-in-first-out, other)

2.2 Building on your response to the above question, would there be any specificities to determining and maximising interruptible capacity in the case of virtual reverse flow?

1800 character(s) maximum

We believe that virtual reverse flow should ensure that the nominations in the direction opposite to the physical flows should be possible up to the level of these flows and we see no reason why availability of interruptible products in this respect should be restricted. If such reasons exist, they should be disclosed and duly justified as per our answer to question 2.1.

2.3(a) Which of the listed metrics do you consider more appropriate for explaining how the level of interruptible capacity products has been determined?

- Option 1 - set the limit to the technical capacity level
- Option 2 - set the limit to the sum of the technical capacity and the system integrity margin
- Option 3 - set the limit to the maximum between technical capacity and the recorded maximum physical flow in the last ‘x’ months
- Option 4 - base the limit on the probability of interruption

2.3(b) Please explain why.

1800 character(s) maximum

We believe that a very prescriptive approach to setting a limit on the level of interruptible capacity products can prove to be counterproductive and against the main goal of CAM NC. We believe the process of offering interruptible capacity can be self-limiting, through reflecting the incremental probability of interruption and deterring excess demand. With additional transparency as described under point 2.1, more detailed information on how that probability changes along with the booking level on a congested point will be available and this could help optimizing the demand.

2.4 Considering the improvement options discussed in this section, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section.

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1800 character(s) maximum

2.2 Bundling of interruptible products

Please refer to chapter 2.2 in the policy paper

2.5 Which merits and drawbacks do you see in mandatory bundling of interruptible capacities?

A further improvement to maximising the offer of interruptible capacity could be to bundle it at interconnection points. Bundling would cover firm-interruptible combinations as well as interruptible-interruptible combinations.

1800 character(s) maximum

As per our previous consultation responses, we note that obligatory bundling of products has led to mismatches on borders due to different reasons (different levels of capacity offered, historical bookings, issues with bundling of products between different legal entities holding the bookings at either side of the border). With this problem remaining unaddressed, we do not see the gains in bundling interruptible products, which so far enabled utilizing the mismatched, otherwise stranded products. While we recognize that the problem of mismatches on border might not be widespread, we believe bundling of interruptible products would cause issues on points where it exists, potentially offering few gains in return.

We further note that if firm and interruptible products become bundled, their interruption would in most cases likely entitle the holder to an ex-post discount only, without remuneration for the firm product. This transfers the risks further onto the shippers and no evidence was given of the expected benefits.

2.6 Considering the improvement options discussed in this section, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

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1800 character(s) maximum

Chapter 3: Improving the offering of capacity

This section deals with improving the offering of capacity. We kindly ask that you read **Chapter 3** of the policy paper first in order to provide a reasoned response to the questions set out below.

3.1 Improving the efficiency of ascending-clock auctions

Please refer to chapter 3.2.1 in the policy paper

3.1 Please provide your views on the advantages and drawbacks of Option 1, Option 2(a), Option 2(b) and Option 3 to amend the termination rule in Article 17(22)?

Article 17(22) of the CAM NC sets out the termination rule which provides that “if an ascending clock auction has not ended by the scheduled starting point (according to the auction calendar) of the next auction for capacity covering the same period, the first auction shall close and no capacity shall be allocated”.

	Advantages	Drawbacks
Option 1: termination rule of article 17(22) is amended to explicitly apply to the auction for the following capacity product, as is the case now (excluding additional UPA auctions)	This option can be deemed feasible if a decision is taken to allow TSOs adjust the price step levels during the auction, so that they can close in due course.	As could be observed during the crisis, no limit set to the duration of the auction could lead them to close without any capacity being allocated. With no concurrent UPA possible, shippers are left with booking shorter-term products at a higher cost.
Option 2(a): provide that the ACA auction needs to close before the scheduled date of the first UPA auction	This option leaves considerable flexibility to book capacities via UPAs. Concurrent start of the UPAs could also help streamlining the booking process across different borders.	Less room is left for the ACA, that needs to be force shut at a given point in time.
Option 2(b): provide that the ACA auction needs to close before the scheduled date of the last UPA auction	More room is left for ACAs, even if no successful conclusion of these auctions can be guaranteed.	On some IPs only one UPA round may be offered and the offering of capacity products under UPAs may be taking place at a different point in time throughout Europe. This would be adding to the complexity of the booking process from a market participant’s perspective.
Option 3: termination rule of article 17(22) is amended to close the ACA auction by using an UPA mechanism in the last round of the ACA, starting the UPA using the price level of the last round of the ACA process.	This option allows allocating all of the capacity in the last round.	The mechanism does not take account of instances where a shipper needs to pull out of an auction at some point, potentially alleviating the congestion identified. In this case the UPA would allocate the capacities at a premium that no longer reflects the market conditions and the remaining bidders would not be able to move onto subsequent UPAs.

3.2(a) Which option to amend the termination rule in Article 17(22) do you prefer?

Maximum 1 selection(s)

- Option 1
- Option 2(a)
- Option 2(b)
- Option 3

3.2(b) Please explain why.

1800 character(s) maximum

Mixed views are represented by Member Companies of Energy Traders Europe in terms of the preferred approach, although many agree that some sort of adjustment (including adjustments to the auction price steps as such) might be needed to ensure UPAs and ACAs are not held concurrently for the same network points. Some also see benefit in ensuring that ACAs close at a time allowing sufficient room for subsequent UPA auctions, ensuring that missing capacities can be acquired.

3.3 Would you consider any other improvement for the ACA algorithm?

1800 character(s) maximum

No issues with the algorithm have been reported.

3.4 Considering the improvement options discussed in this section, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section.

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1800 character(s) maximum

3.2 Additional auction dates for yearly, quarterly and monthly capacity products

Please refer to chapter 3.2.2 in the policy paper

3.5 Please share your views on ACER's proposal to complement the 17 current yearly (1), quarterly (4), and monthly (12) auctions with additional auctions for the respective capacity products.

1800 character(s) maximum

Proposed additional auctions largely reflect the proposal our association has raised via the FUNC platform and we support it. Weekly frequency of the auctions is an acceptable consensus resulting from the previous discussions.

3.6 Do you agree that the additional UPA auctions should be launched using the regulated tariff as the reserve price? Please explain.

1800 character(s) maximum

We agree that the UPA should be launched with the regulated tariff as the reserve price, so that the price at which such auction clears reflects the value of capacity at the time when the auction is run.

3.7 Do you agree that only the yearly/quarterly/monthly product for the front year/ front quarter/ front month should be offered via subsequent UPA auctions? Please explain.

1800 character(s) maximum

We understand that the proposed approach is set to respect the cascading principle and to ensure that once a product is offered under an UPA, it can no longer be auctioned via ACA again. We find this approach acceptable, particularly since additional flexibility would be offered through additional ACA rounds organized for monthly products.

3.8 Do you agree that a weekly frequency would be a suitable option for additional auctions?

1800 character(s) maximum

Although daily frequency was suggested in our initial FUNC submission, we believe that weekly frequency of the UPAs is a reasonable consensus.

3.9 Are the improvement options feasible in terms of implementation cost and time? Please explain.

1800 character(s) maximum

The additional capacity booking flexibility concept is long supported by the Members of our association. We have not been notified about any additional extra costs that would be deemed unreasonable in this context. When our initial FUNC submission was tabled, we also understood from the booking platforms that implementation should not be challenging at their end.

3.10 Considering the improvement options discussed in this section, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

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1800 character(s) maximum

3.3 Advanced booking opportunities for monthly capacity products

Please refer to chapter 3.2.2 in the policy paper

3.11 Please share your views on the advantages and drawbacks of Option 1 (independent ACA auction on 12 monthly auction dates) and Option 2 (independent ACA auctions on 4 dates)?

ACER proposes to apply to monthly products the same logic which currently applies to the offer of quarterly products. Namely, all monthly products within a given quarter would be auctioned in independent auctions before the start of the quarter and during the quarter, in order to respect the cascading principle.

	Advantages	Drawbacks
Option 1 (12 ACA auction dates, additional weekly UPA auctions for the forthcoming month only)	This option offers additional flexibility vis-à-vis the current calendar and is similar to the setup currently in place.	Since the ACA is retained on 3rd Monday of the month, little room is left for holding the UPA for the forthcoming month.
Option 2 (4 ACA auction dates, additional weekly UPA auctions for for each month until the end of a given quarter)	This option allows for more opportunities to book monthly products, since more UPA rounds would be held for second and third month of a given quarter.	Availability of ACA auctions becomes limited in favour of UPAs. Also under this option scheduling the monthly auction for 3rd Monday of the month leaves little room for the uniform price auction for the upcoming month.

3.12(a) Which option for enabling advance booking of monthly products do you prefer?

- Option 1
- Option 2
- No preference

3.12(b) Please explain why.

1800 character(s) maximum

Option 1 is preferred by many shippers, as it allows for marketing monthly products more frequently via ACAs and enables to hold UPAs for the front month, when it is clearer that an ACA may not conclude.

3.13 Are the improvement options feasible in terms of implementation cost and time? Please explain.

1800 character(s) maximum

3.14 Considering the improvement options discussed in this section, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

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1800 character(s) maximum

3.4 Market participants should be able to book capacity products that better match their commodity contracts

Please refer to chapter 3.2.3 in the policy paper

3.15 Please share your views on the advantages and drawbacks of Option 1, Option 2, Option 3 and Option 4. Please explain.

	Advantages	Drawbacks
<p>Option 1 (New standard capacity product 'Balance of month')</p>	<p>Many of our Members support the idea of introducing BoM products. BoM is traded in commodity markets and this would allow matching capacity to be bought.</p>	<p>Additional capacity product requires making changes to the auction calendar. Offering of the product would also exclude the option of buying other, selected days in a month and some Members signaled they would favour that approach.</p>
<p>Option 2 (Offer all daily products in one auction until the end of the month - excluding the day-ahead product for the front day)</p>	<p>Many of our Members have supported the idea of introducing BoM products. Therefore, the proposed approach that not requires establishing additional capacity product categories.</p>	<p>Similarly to option 1, offering this product would restrict the ability to book individual days in a month more selectively.</p>
<p>Option 3 (Offer all daily products in individual auctions until the end of the month)</p>	<p>This approach offers ample flexibility catering for a variety of needs without creating new capacity products.</p>	<p>We recognize that the exponential increase in the number of auctions held can prove to be operationally complex to manage, particularly for entities that book capacity occasionally. It would also increase the risk of not being able to obtain a full series of capacity to match a BoM commodity product.</p>
<p>Option 4 (Offer daily products individually up to 7-days ahead, until the end of the month)</p>	<p>This option improves the ability to book daily capacities and is a solution that was supported by some of our Member Companies.</p>	<p>This solution does not address the request for introducing BoM products.</p>

3.16(a) Which option do you prefer?

- Option 1 (New standard capacity product 'Balance of month')
- Option 2 (Offer all daily products in one auction until the end of the month)
- Option 3 (Offer all daily products in individual auctions until the end of the month)
- Option 4 (Offer daily products individually up to 7-days ahead, until the end of the month)
- No preference

3.16(b) Please explain why.

1800 character(s) maximum

Many of our Members have signalled the need for BoM capacity products.

Question 3.17 is to the particular attention of booking platform operators:

3.17 Please share your views on the feasibility of Option 1, Option 2, Option 3 and Option 4, particularly in terms of implementation costs and time?

	Feasibility, particularly in terms of implementation costs and time
<p>Option 1 (New standard capacity product 'Balance of month')</p>	
<p>Option 2 (Offer all daily products in one auction until the end of the month)</p>	
<p>Option 3 (Offer all daily products in individual auctions until the end of the month)</p>	
<p>Option 4 (Offer daily products individually up to 7-days ahead, until the end of the month)</p>	

3.18 Considering the improvement options discussed in this section, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section.

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1800 character(s) maximum

3.5 Evaluation of set-aside rule with more opportunities to book capacity

Please refer to chapter 3.2.4 in the policy paper.

3.19 Do you agree with ACER's proposal to make more explicit that regulatory authorities may approve, on a case-by-case basis, higher percentages, or a specific split per capacity product? (Article 8 of the CAM NC)

1800 character(s) maximum

For the avoidance of doubt we support the proposal to make it more explicit that NRAs can allow for higher volumes to be set aside, or that a specific split may be introduced per capacity product.

3.20 How would you amend the CAM NC to reflect this? Please specify your proposed revisions to the legal text.

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1800 character(s) maximum

3.5 Options to improve the offering of interruptible capacity products

Please refer to chapter 3.2.5 in the policy paper.

3.21(a) Please share your view on the advantages and drawbacks of removing the conditions under which interruptible capacity can be offered. Please explain.

1800 character(s) maximum

We support broad application of interruptible products, since in many cases they enable optimal network use, help managing capacity mismatches and congestion. However, the intention to offer interruptible products unconditionally and concurrently with firm products, may results in a number of operational problems (similar to those discussed under point 3.1), not least because in most cases, a discount on interruptible products is offered ex-post. Considering that indeed the usefulness of interruptible products is most apparent after firm products are sold out or are not offered at all, the revision in this spirit may not be necessary.

3.21(b) What is your preference?

- Retaining the conditions as they currently are applied
- Removing the conditions
- No preference

3.22(a) Please share your view on the advantages and drawbacks of using UPA for allocating all (or selected) interruptible capacity products? Please explain.

1800 character(s) maximum

Organizing interruptible products via UPAs can improve the flexibility of capacity products offering.

3.22(b) What is your preference?

- Retaining ACA as they are currently applied
- Changing to UPA (for all or selected products)
- No preference

3.23 Considering the improvement options discussed in this section, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section. Please ensure that all your proposed amendments are in one document, clearly identifying each article and paragraph affected. It would be helpful if you could include the existing text of the Network Code and highlight your proposed changes using track changes or a similar feature.

1800 character(s) maximum

3.6 Publication of the auction calendar

Please refer to chapter 3.2.6 in the policy paper.

3.24 Do you agree that ENTSOG should publish the auction calendar by 1st January of year Y for auctions taking place during the period of July Y until June Y+1?

1800 character(s) maximum

We strongly support the realignment of the auction calendar with the current setup of the auction dates. This will give market participants more time to prepare.

3.25 Considering the improvement options discussed in this section, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

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1800 character(s) maximum

Chapter 4: Improving the offering of capacity: adapting the rules to the market

This section deals with with the adapt-to-market procedure (to increase more flexibility inside CAM NC).

We kindly ask that you read **Chapter 4** of the policy paper first in order to provide a reasoned response to the questions set out below.

Please refer to chapter 4.2 in the policy paper.

4.1 Do you agree that the parameters and rules listed in the policy paper would benefit from more flexibility in the CAM NC? Please explain why or why not.

- a. auction dates
- b. number of auctions
- c. frequency of auctions
- d. duration of bidding rounds
- e. auction algorithm to be applied (whether to use ACA or UPA)

ACER sees the need to introduce in the CAM NC a possibility to adapt some of the parameters and rules of the capacity allocation process so that they are always in line with the changing market context and needs of the market participants.

1800 character(s) maximum

We agree that an “adapt-to-market” process should be encoded in NC CAM to ensure that the stakeholders have the possibility to change criteria and parameters accordingly in case they no longer fit the needs of the

market. We underline, however, that a single, open and transparent process should be set to govern the amendments, which needs to be communicated sufficiently in advance (as described in paragraph 131 of the policy paper). We further note that the revision process should involve NRAs from the outset.

4.2 Do you see any other parameters or rules of the CAM NC which should be more flexible and able to be modified depending on the market conditions? Please list them and explain why and how.

1800 character(s) maximum

4.3 Should there be a single ‘adapt-to-market’ process for deciding whether to modify these rules and parameters, or should certain parameters or rules require specific processes? Please explain.

1800 character(s) maximum

A single, public process should be organized to collect views on the need to adapt the rules and parameters. Since it is difficult to predict how far-reaching changes might be necessary, attempts to establish separate, dedicated procedures might be counterproductive.

4.4 How to design the ‘adapt-to-market’ process to make it simple, practical and time-efficient while, at the same time, sufficiently transparent, predictable and ensuring sufficient stakeholder involvement?

1800 character(s) maximum

The process should clearly state what rules and parameters may be included in the “adapt-to-market” process. The timeline envisaged should ensure that any amendments envisaged are announced to the public at latest alongside the publication of the auction calendar, as suggested in the policy paper. Any amendment considered should be justified and released for public consultation.

4.5 Do you see any risks with devising such a process (e.g. insufficient certainty, insufficient regulatory oversight) and if yes, how would you address them?

1800 character(s) maximum

We believe that the NRAs should be involved in the revision process from the moment a potential need for amendment is flagged up. First phase of the process could be organized in a manner similar to the FUNC process, whereby the need for a change is discussed between ACER & ENTSOG in the first instance.

4.6 Considering the improvement options discussed in this chapter, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section.

Please ensure that all your proposed amendments are in one document, clearly identifying each article and paragraph affected. It would be helpful if you could include the existing text of the Network Code and highlight your proposed changes using track changes or a similar feature.

1800 character(s) maximum

Chapter 5: Improving the incremental capacity process

This section deals with with the incremental capacity process.

We kindly ask that you read **Chapter 5** of the policy paper first in order to provide a reasoned response to the questions set out below.

Streamlining the incremental capacity process

Please refer to chapter 5.2 in the policy paper.

5.1 Please share your views on the advantages and drawbacks in charging administrative fees to avoid speculative expressions of interest? Do you have other ideas regarding assuring credibility of demand expressions?

The introduction of administrative fees for the placement of non-binding interest, subject to regulatory approval, already exists as a possibility in the current rules. This measure could be more widely adopted, achieving a balance between charging process costs and not unduly discouraging shippers from expressing their interest.

1800 character(s) maximum

In terms of introducing a fee, it would be good to understand whether existing experiences with such solution have addressed the potential problem with verifying the credibility of market interest.

5.2 Please share your views on the advantages and drawbacks of the options for adjusting the frequency of the process? Which is your preferred option?

1800 character(s) maximum

We believe that a combination of options 1 and 2 would offer a good approach to the incremental process, whereby the TSOs could either start it out of their own initiative and judging by the observed/expected market demand, or they could decide to act upon receiving a request from market participant(s).

5.3 Which elements of the process should remain fully harmonised? How would you simplify the existing process?

1800 character(s) maximum

5.4 Do you have any other ideas on how to streamline the incremental capacity process? Please explain the possible advantages and drawbacks of your ideas.

1800 character(s) maximum

5.5 Considering the improvement options discussed in this chapter, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section.

Please ensure that all your proposed amendments are in one document, clearly identifying each article and paragraph affected. It would be helpful if you could include the existing text of the Network Code and highlight your proposed changes using track changes or a similar feature.

1800 character(s) maximum

Chapter 6: Further amendment proposals

This section deals with topics for further discussion on proposals to be considered for amendment

We kindly ask that you read **Chapter 6** of the policy paper first in order to provide a reasoned response to the questions set out below.

6.1 Implicit allocation: ensuring case-by-case assessment where implicit allocation is considered

Please refer to chapter 6.1 in the policy paper.

6.1 Do you agree that, for new procedures, the concerned regulatory authorities should jointly assess the internal market impacts on a case-by-case basis before deciding, in coordination, to apply an implicit allocation mechanism? Please explain your reasoning.

1800 character(s) maximum

We agree that an impact assessment should be prepared jointly by the NRAs involved and the results should be consulted with the market participants.

6.2 Which impacts would you deem essential to be assessed before deciding on the application of an implicit allocation mechanism?

1800 character(s) maximum

Impact on existing contractual arrangements, impact on liquidity at the hubs in scope, consequences of inter-TSO compensation agreement on the tariffs in both systems, need for resorting to an implicit mechanism in view of additional flexibility that would be offered under the revised CAM NC.

6.3 Considering the improvement options discussed in this section, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section.

Please ensure that all your proposed amendments are in one document, clearly identifying each article and

paragraph affected. It would be helpful if you could include the existing text of the Network Code and highlight your proposed changes using track changes or a similar feature.

1800 character(s) maximum

6.2 Application of the CAM NC to interconnection points, entry points from and exit points to third countries

Please refer to chapter 6.2 in the policy paper.

6.4 Please provide your view on possible reasons for an entry point from and/or exit point to third countries to be derogated from the application of the CAM rules? Please explain.

Article 70(2)(d) of the recast gas Regulation provides that the network codes and guidelines shall apply to all interconnection points within the Union and entry points from and exit points to third countries. Article 70 (3) provides a possibility for the regulatory authorities to submit a request to the Commission for a temporary derogation from the application of the network codes and guidelines at entry points from and exit points to third countries.

1800 character(s) maximum

Single-sided application of CAM NC may do little to improve accessibility of interconnections with third countries and the ability to flow gas in either direction. That said, we recognize that such application is now envisaged under the recast Gas Regulation and we believe this can be particularly useful on the borders with Energy Community Contracting Parties. Derogations from applying the Network Code by a Member State at any of interconnections with third countries should only be considered in instances where it is clear that, for different reasons, the process would not enable booking of capacities that could be subsequently used to flow gas through such points, while involving considerable financial burdens at the same time.

6.5 Please provide your view on introducing the possibility for regulatory authorities to apply CAM rules to distribution points that are part of an entry-exit system. Please explain.

1800 character(s) maximum

6.6 Do you have any other comments on the scope of application of the CAM NC?

1800 character(s) maximum

6.3 Default procedure for selecting a joint booking platform

Please refer to chapter 6.3 in the policy paper.

6.7 Please provide your view on adding to the CAM NC an annex setting out a default procedure for jointly selecting a booking platform. Please explain.

1800 character(s) maximum

We understand that the default procedure for the selection of the booking platform would be a free option for the TSOs involved, as they may choose not to apply it (according to paragraph 159 of the policy paper). In that sense, we believe there is no need to annex such a form to CAM NC.

6.8 Should the maximum validity of designations of booking platforms by the regulatory authorities be extended from 3 years (currently) to 5 years?

1800 character(s) maximum

In the spirit of regulatory stability, we believe that the validity of the NRA-designated booking platform could be even indefinite, but its validity should be set to expire as soon as TSOs are able to jointly decide on the booking platform of their choice.

6.9 Considering the improvement options discussed in this section, do you have concrete proposals to amend the CAM NC? Please specify your proposed revisions to the legal text.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section.

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1800 character(s) maximum

6.4 Within day auctions: modifying timings of WD24

Please refer to chapter 6.4 in the policy paper.

6.10 Do you agree with the proposal to move earlier the closing of the (first) WD24 auction?

1800 character(s) maximum

The timing of the first within-day auction is currently a considerable operational problem to some of our Members and we strongly support moving the closing time of the first auction to 21:00 UTC D-1.

6.11 Do you agree with introducing additional auction rounds for WD24 after the initial one?

Additional auction rounds would be welcome, provided that they don't create additional unnecessary costs or limit the time for the required maintenance.

6.12 How would you amend the CAM NC to modify the WD24 auction? Please specify your proposed revisions to the legal text.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section.

Please ensure that all your proposed amendments are in one document, clearly identifying each article and paragraph affected. It would be helpful if you could include the existing text of the Network Code and highlight your proposed changes using track changes or a similar feature.

1800 character(s) maximum

6.5 Capacity conversion model

Please refer to chapter 6.5 in the policy paper.

6.13(a) Do you agree with ACER's view that no further harmonisation of the conversion model is needed?

According to Article 21(3) of the CAM NC, TSOs must offer a capacity conversion service for unbundled capacity based on the conversion model developed by ENTSOG.

- I agree (no amendment needed)
- I disagree (amendment would be beneficial)
- No preference / not relevant for my organisation

6.13(b) In case you do not agree, please share your detailed proposals for amending the CAM NC.

You can submit your response directly in the provided text box. Alternatively, you can upload a document in Word or PDF format in the final section.

Please ensure that all your proposed amendments are in one document, clearly identifying each article and paragraph affected. It would be helpful if you could include the existing text of the Network Code and highlight your proposed changes using track changes or a similar feature.

1800 character(s) maximum

Chapter 7: Reflections on aligning the CAM NC with the decarbonisation package

This sections deals with the reflections on the new regulatory elements introduced in the decarbonisation package. In answering the other questions, we hope you have kept these elements in mind.

*Please refer to the **Background chapter** and **Chapter 7** in the policy paper.*

ACER invites your further reflections on aligning the CAM NC with the decarbonisation package, not already shared in the preceding questions in this consultation.

7.1 Please share your views on how the capacity allocation rules might align with the decarbonisation objectives, potential capacity decrease and its management.

1800 character(s) maximum

The policy paper rightly considers options to adjust the technical capacity on offer as the network setup changes. With CAM NC focused on maximizing capacity allocation, no additional alterations might be required. In particular, we note that introduction of a conditional product will add to the complexity of managing the capacity rather than “boost commercial capacity on specific flow paths”.

7.2 Please share your views on how certain allocation configurations might maximise the use of the network in relation to security of supply considerations.

1800 character(s) maximum

Intended improved flexibility encoded in CAM NC (i.e. the ability to adjust the price steps, the set aside level, and the “adapt to market” process) should allow for the possibility to adapt to the changing market conditions and encourage maximized network utilization rate.

7.3 Please share your views on how the rules in the code interact with and facilitate regional cooperation initiatives and market mergers.

1800 character(s) maximum

We view market mergers as a bottom-up process and not something outright facilitated or fostered by the network code. In any case, regional cooperation can already be facilitated within the merit of CAM NC, as can be observed on the example of the Baltic countries and the use of implicit allocation. Coordinated incremental process is now also promoted by the TSOs in the CSEE region.

7.4 Please signal essential interactions between possible amendments to the CAM NC and other network codes and guidelines.

1800 character(s) maximum

Other comments and file upload

Other comments

8.1 Do you have any other comments on ACERs process on the revision of the Network Code you wish to share with us?

1800 character(s) maximum

8.2 We value your input on the survey's design. Kindly share your thoughts on how the survey is structured and any suggestions you may have for improvement.

1800 character(s) maximum

File upload - amendment proposals

You can upload your proposed amendments (in Word or PDF) here.

Please ensure that all your proposed amendments are in one document, clearly identifying each article and paragraph affected. It would be helpful if you could include the existing text of the Network Code and highlight your proposed changes using track changes or a similar feature.

Maximum file size is 1 MB. If your file is bigger, please use the functional mailbox: gas_cam_nc@acer.europa.eu.

Question on confidentiality

*** Does your submission contain confidential information?**

- Yes
 No

Useful links

[Policy paper on the CAM NC revision \(https://www.acer.europa.eu/sites/default/files/documents/Official_document/Public_consultations/PC_2024_G_03/CAM_NC_revision_policy_paper_2024.pdf\)](https://www.acer.europa.eu/sites/default/files/documents/Official_document/Public_consultations/PC_2024_G_03/CAM_NC_revision_policy_paper_2024.pdf)

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