New EU Gas SoS Regulation

EU Russia Gas Advisory Council
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What is new since 1 November 2017?

• Shift from MS to regional cooperation (Annex I)
  ► Risk assessments, Preventive Action Plans (PAP) and Emergency Plans (EP)

• Corridor approach for reverse flow (art 5)
  ► Benefits measured along the supply corridor

• Explicit mechanism for solidarity (art 13)
  ► When market measures and EP measures are exhausted

• Improved exchange of information and transparency (art 14)
  ► Adequate information in risk assessments and plans (PAP, EP)

• Closer cooperation with Energy Community (art 16)
  ► Ensure consistency across border of risk assessments
Regional cooperation

• Defined risk groups of MS for risk associated cooperation
  ► 13 risk groups based on gas corridors (e.g. Algeria, Baltic Sea, Belarus, Denmark, Eastern Mediterranean, Low-cal gas, Libya, North-Eastern, Norway, Southern Gas Corridor, Trans-Balkan, Ukraine, UK)
  ► MS may be member of several risk groups (e.g. Latvia in 2, BE in 5, DE in 7)

• Risk assessments and plans (update 4y)
  ► national risk assessments & common risk assessments for each risk group
  ► regional chapters in each MS‘ Preventive Action Plan (PAP)
  ► regional chapters in each MS‘ Emergency Plan (EP)

• Obligatory cooperation and deliverables
  ► Agreement on a cooperation mechanism for preparation of risk assessments and plans
  ► Appropriate and effective cross-border measures
  ► Commission Opinion on Plans after consulting Gas Coordination Group
Reverse flow

• Benefits measured along the supply corridor
  ► Infrastructure standard: N-1 Definition (remains the same) and Reverse flow

• Consistency with TEN-E process:
  ► Joint submission
  ► Cost-benefit analysis
  ► Cross-border cost allocation
  ► Role of NRA and ACER

• TSOs to submit joint proposal or exemption request
  ► For all interconnections (existed on date of entry into force of the Regulation, 1 November 2017) before 1 December 2018 (unless valid exemption)

• Commission to publish

• Exemptions can be revised upon request of a MS or Commission
固有机制

- **Explicit mechanism for solidarity from 1 December 2018**
  - 优先为受保护的客户（家庭，基本社会服务）在成员国A情况下，提供紧急情况下非受保护客户的市场外安排（直接，间接）。

- **Solidarity as a last resort, only after:**
  - 增加的供应标准恢复正常水平
  - 市场措施尽可能长时间
  - 非市场措施耗尽

- **In exchange of fair and prompt compensation**
  - 请求和公平补偿
  - 要求的MS可以自由接受互助提议

- **Bilateral arrangements between MSs**
  - COM非约束指导在技术，法律和财务安排方面（OJ 6.2.2018）
  - MS间的协议
Improved transparency

• Main purpose: regular inflow of contract related information in order to reflect information in risk assessments and plans (PAP, EP)

• Enhanced access to (contractual) information irrespective of declaration of emergency (art 14(4))

• Notification of details of all contracts with cross-border dimension and longer than 1 year (art 14(6(a)))
  ▶ Each natural gas undertaking to relevant Competent Authority (CA)
  ▶ CA to COM in anonymized form, new & modified contracts to be sent every September
  ▶ Non-aggregated, excluding price information
  ▶ Indication whether it falls under the 28% threshold

• Automatic ex-post notification of gas supply contracts relevant for SoS (art 14(6(b)))
  ▶ All existing contracts (after 12 months); new and modified
  ▶ 28% threshold based on annual consumption of most impacted MS
  ▶ 2-step approach: to CA, and if doubts, to COM
  ▶ CA to submit ist SoS assessment to COM
  ▶ Discretionary powers to request contracts for CA and COM (art 14(7))
  ▶ Whole contract but only details of accompanying commercial agreements
  ▶ No price information
  ▶ Infrastructure contracts not included (unless relevant for the supply contract)

• Confidentiality of commercially sensitive information
Energy Community

- Closer cooperation with the Energy Community Contracting Parties
- Capacity building and cooperation: to ensure consistency across border of risk assessments and Plans
- Participate in Gas Coordination Group
- Amendment of the Energy Community Treaty with a view to implement reciprocal obligations under the Gas SoS Regulation
Thank you for your attention!