

Deliberation of the French Energy Regulatory Commission (CRE) of 28 June 2012 regarding the tariffs for using the Fos Tonkin and Montoir-de-Bretagne LNG terminals

Present: Philippe de LADOUCKETTE, chairman, Olivier CHALLAN BELVAL, Frédéric GONAND and Jean-Christophe LE DUIGOU, commissioners.

1. CRE context and analysis

The current tariffs for using the Fos Tonkin and Montoir-de-Bretagne Liquefied Natural Gas (LNG) terminals operated by the company Elengy came into force on 1 January 2010, for a period of three years.

The tariff for using the Fos Cavaou terminal, operated by Fosmax LNG, came into force on 1 April 2010, the day it entered into commercial service, also for a period of three years.

Furthermore, the CRE envisages new tariffs for using the GRTgaz and TIGF transmission networks applicable as of 1 April 2013.

The CRE considers as appropriate that the date for the changes of the new tariffs for using LNG terminals should be brought into line with the date for changes of the next tariffs for using the transmission networks. In fact, such a development allows the limitation of the deadlines for renewing the different gas infrastructure access tariffs and the harmonization of the services proposed by the different operators.

As a result, the next regulated tariffs for using LNG terminals will be issued on 1 April 2013 and will be set in such a way to cover operators' costs with effect from 1 January 2013 to the extent that these costs correspond to those of efficient operators.

The *Conseil Supérieur de l'énergie*, consulted by the CRE on the deliberation regarding the project of decision on the tariffs for using the Fos Tonkin and Montoir-de-Bretagne, has given an advisory opinion on 26 June 2012.

2. Decision

The CRE hereby decides to extend the Fos Tonkin and Montoir-de-Bretagne LNG terminal tariff levels by three months until 31 March 2013.

In accordance with article L. 452-3 of the French Energy Law, this deliberation will be published in the *Journal officiel de la République Française*.

Paris, 28 June 2012

For the French Energy Regulatory Commission
The Chairman,

Philippe de LADOUCKETTE