

Milano, March 13<sup>th</sup> 2019  
Prot. n. 398/19

*Commission de Régulation de l'Énergie (CRE)*  
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c.c: *ARERA*  
*Divisione Energia*  
Ing. Massimo Ricci  
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**Subject: Anigas comments on Consultation Publique N. 2019-003 on French Transport Tariffs**

**Premise – Introducing Anigas**

Anigas, the Italian National Association of the Gas Industry, represents roughly 70 companies engaged in activities such as storage, transportation, distribution, sale of natural gas on retail and wholesale markets, trading and regasification of liquefied natural gas.

The association was founded in 1946 and has, since then, been a member of Confindustria (Confederazione Generale dell'Industria Italiana). Since its inception, the main objective has been to protect and support the interests of member companies, conduct labor union activities, promote and foster understanding and create consensus on economic aspects.

Among the members are the largest industry players, as well as small and medium-sized companies, which together represent more than 70% of the Italian gas market.

Member companies distribute over 50 billion cubic meters of gas each year for public use, small crafts, commercial and industrial applications.

The same member companies, that serve 12 million customers throughout Italy, are present in more than 4,000 municipalities both large and small, including several provincial capitals.

**Comments**

ANIGAS members are concerned about the implementation of and compliance with the Commission Regulation (EU) 2017/460 of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas (NC TAR) in France.

The public consultation presents the envisaged evolutions of the principles of the tariff framework common to all the next regulated infrastructure tariffs, which will come into effect gradually as from 2020.

In particular, in application of the provisions of the NC TAR, the CRE plans:

- to shorten by one year the 6° French transport tariff regulatory period (ATRT6): instead of being applied over the period 2017-2020, it will be applied over the period 2017-2019;
- to deliberate the criteria and tariffs for the use of natural gas transmission networks of GRTgas and Terega for the 7° regulatory period (ATRT7): the new ATRT7 tariff will come into force no later than April 1, 2020.

CRE furthermore published a calendar planning to carry out three consultations in the next months and to adopt the ATRT7 final decision between November and December 2019.

These consultations are seemingly being done, at least partially, to comply with NC TAR. Our understanding of the NC TAR is that, regarding transportation tariffs, the following two deadlines should be met:

1. Article 29 (TAR NC) states that one month before the yearly auctions (July 2019), “the reserve prices applicable until at least the end of the gas year beginning after the annual yearly capacity auction” should be published;
2. Article 27, par. 5 (TAR NC) states that “the procedure consisting of the final consultation on the reference price methodology [...], the decision by the national regulatory authority [...], the calculation of tariffs on the basis of this decision, and the publication of the tariffs [...] shall be concluded no later than 31 May 2019”.

The timeline provided by CRE, with a final decision expected only at the end of 2019, does not seem to meet any of these two TAR NC deadlines. This is of particular concern considering that, if the new tariff period (ATRT7) were to commence in April 2020, the French gas system would be exposed to higher regulatory uncertainty with respect to ATRT7 tariffs – uncertainty also possibly spreading on the level of gas prices in Italy and impacting all the Italian system – and the general reliability of French gas transmission tariffs would diminish.

With this letter, we kindly ask you to provide clarifications on the above.

Yours faithfully

General Manager  
Ing. Marta Bucci

