



TIGF

Coordinated implementation of the Network Code on Capacity Allocation Mechanisms

January 2014

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Disclaimer

The aim of this document is to describe in detail the procedures for the implementation of the Network Code on Capacity Allocation Mechanisms at cross-border capacity between France and Spain, to ensure a coordinated and consistent implementation of the referred procedures. This document has been approved by the competent regulatory authorities in Spain and France.

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1 **Background**

The South Gas Regional Initiative Work Plan 2011-2014ⁱ establishes that the final goal on CAM for 2014 would be having in place joint coordinated capacity allocation mechanisms for the allocation of cross-border capacity in all the interconnections between the balancing zones in the region.

For reaching this goal, Enagás and TIGF committed to develop an early implementation of the Commission Regulation 984/2013 of 14 October 2013 establishing a Network Code on Capacity Allocation Mechanisms in Gas Transmission Systems and supplementing Regulation (EC) 715/2009 of the European Parliament and of the Council (CAM NC)ⁱⁱ.

2 Auctions

From 2014 onwards capacity at the Spanish-French border shall be allocated according to the rules established in the CAM NC. Auctions will be carried out for both firm and interruptible products, if any, and bundled and unbundled products. The auctions listed in the CAM NC are:

1. Annual yearly capacity auctions (Article 11)
2. Annual quarterly capacity auctions (Article 12)
3. Rolling monthly capacity auctions (Article 13)
4. Rolling day ahead capacity auctions (Article 14)
5. Within-day capacity auctions (Article 15)

2.1 2014 auctions

Until the binding application of the CAM NC as from November 2015 only the following auctions will be held for bundled and, if applicable, unbundled products in the VIP:

1. Annual yearly capacity auctions
2. Annual quarterly capacity auctions
3. Rolling monthly capacity auctions

TIGF will also carry out rolling day-ahead capacity auctions for unbundled products on the French side from October 2014.

Daily products on Enagás side will be allocated on First Come First Served basis until November 2015 (*See section 10.2.1*).

Thus, until November 2015 day-ahead capacity will be offered and allocated in an unbundled way.

2.2 2015 auctions and onwards

From November 2015, since the full implementation of the CAM NC, Enagás and TIGF will implement all the auctions included in the CAM NC. Thus, no capacity will be allocated through OSP or under FCFS basis.

2.3 Booking platform

All auctions will be carried out on PRISMA booking platform:

<https://primary.prisma-capacity.eu/>

2.4 Auction algorithms

2.4.1 *General principles*

Auctions shall be used for the allocation of capacities at the VIP. Enagás and TIGF will implement the auctions included in the PRISMA booking platform which are in line with the CAM NC.

2.4.2 *Ascending clock auction algorithm*

For annual yearly, annual quarterly and rolling monthly capacity auctions, an ascending clock algorithm with multiple bidding rounds shall be applied.

The ascending clock auction algorithm to be applied is described in Article 17 of the CAM NC.

2.4.3 *Uniform-Price auction algorithm*

For rolling day-ahead and within-day capacity auctions a uniform-price auction algorithm with a single bidding round shall be applied.

The uniform-price auction algorithm to be applied is described in Article 18 of the CAM NC.

3 Description of capacity products

3.1 Virtual Interconnection Point

The Virtual Interconnection Point (VIP) is the commercial point where capacity is offered between Spain and France.

According with the CAM NC *‘virtual interconnection point’ means two or more interconnection points which connect the same two adjacent entry-exit systems, integrated together for the purposes of providing a single capacity service’*;

Available capacity at the two existing physical IPs between Spain and France, Irún-Biriatou and Larrau, will be offered at a single VIP, named PIRINEOS. This will imply that as from October 2014 for commercial and operational purposes the physical IPs will no longer exist.

Two different types of products, depending on their characters, firm and interruptible, can potentially be offered to the market at the VIP.

For the calculation of capacities at the VIP between France and Spain, existing technical capacities at the two existing physical IPs between Spain and France have been aggregated. VIP capacities will be published on Enagás and TIGF websites as from January 2014.

3.2 Management of the capacity booked before the entry into force of auctions

From 1 October 2014 all existing contracts at the physical interconnection points, Larrau and Irún/Biriatou, will be transferred into the virtual interconnection point between France and Spain.

This should not be understood as the application of the *Best Efforts Clause* included in Article 20 of the CAM NC. Shippers will not be forced, unless otherwise stated in national regulations, to bundle their contracts at both sides of the IPs.

On the Spanish side, capacity booked before 1 October 2014 will maintain the term and conditions included in the contracts. However, if through the application of the CMP guidelines capacity is released, this capacity will be allocated under the conditions and procedure contained in this document ([Section 9 Congestion Management Procedures](#))

On the French side, capacities booked before 1 October 2014 will maintain their current characteristics (seasonality, duration ...). The price of these capacities is

defined in the 11 December 2013 CREs deliberation. However, if through the application of the CMP guidelines there is some capacity released, then this capacity will be allocated under the conditions and procedure contained in this document (*Section 9 Congestion Management Procedures*).

3.3 Bundled capacity

Enagás and TIGF will jointly offer the maximum possible amount of bundled capacity between Spain and France in both flow directions. According to the CAM NC bundled capacity means a standard capacity product offered on a firm basis which consist of corresponding entry and exit capacity at both sides of every interconnection point. This implies:

- Each standard product offered includes the same amount of capacity on both sides of the VIP
- Capacities will be booked through a single allocation procedure.
- Capacities will be allocated to the same shipper on both sides of the VIP. (Same shipper on PRISMA will be understood as a company which has an EIC code).

Transactions held on the secondary market must not result in unbundling capacities that were previously offered and allocated as bundled capacities.

Shippers will have to sign two contracts, if they want to participate in bundled capacity auctions, one with each TSO (*see Section 4*).

A joint nomination procedure for bundled capacity providing registered network users with the means to nominate the flows of their bundled capacity via a single nomination will be envisaged from November 2015 onwards.

Thus until November 2015, automatic data exchanges of nomination and matching procedures will be based on current practices.

3.3.1 Bundling of capacities on PRISMA

Before an auction starts, and after a coordinated work to define the maximum possible amount of bundled capacity, Enagás and TIGF will individually upload on PRISMA the capacities to be auctioned. Then PRISMA will automatically make the bundled capacity to be auctioned taking into account the lesser value (lowest common quantity) of the capacities sent by each TSO. Each TSO will decide if the capacity mismatch (difference between the values uploaded on PRISMA and the lesser value) could be offered as unbundled capacity.

3.4 Unbundled capacity

The auction for the bundled and unbundled capacity for the same standard capacity product will be carried out simultaneously at PRISMA, in the same slot.

Firm capacity mismatches (therefore where there is more available firm capacity on one side of the interconnection point than on the other side for any period considered) may be offered as unbundled products in accordance with the auction calendar and the following rules:

- a) where there is an existing unbundled transport contract at the other side of the interconnection point, capacity may be offered on an unbundled basis not exceeding the amount and duration of the existing transport contract at the other side;
- b) where such extra capacity would not fall under rule (a), it may be offered for a maximum period of one year;

If on one side of the VIP the capacity available is firm and on the other side of the VIP the available capacity is interruptible, then capacity will be offered in an unbundled way.

If there are interruptible products on both sides of the border, they will be offered in an unbundled way as the conditions for interruption in principle are different on both sides of the IP.

For the gas year 2014 day-ahead capacity will be also offered in an unbundled way as mentioned in chapter 2.1.

3.5 Products

3.5.1 *Standard capacity products*

The standard capacity products offered by Enagás and TIGF will be those included in Article 9 of the CAM NC.

The following standard capacity products will be offered from November 2015:

- Yearly standard capacity products
- Quarterly standard capacity products
- Monthly standard capacity products
- Daily standard capacity products

- Within-day standard capacity products

During the gas year 2014, Enagás and TIGF will offer all standard capacity products except within-day standard capacity products, which will be available from November 2015.

3.5.2 Firm products

All products will be firm unless otherwise stated.

3.5.3 Interruptible products

If there are interruptible products on both sides of the border, they will be offered in an unbundled way as the conditions for interruption in principle are different on both sides of the IP.

Once the auction for the corresponding firm bundled and unbundled product has finished, each TSO will decide whether to offer the corresponding interruptible product in the second slot. Interruptible capacity will be offered through daily products, and could be as well offered through quarterly and monthly products from 2014, based on each TSO's decision (interruptible products will be offered as unbundled products). On the Spanish side only, interruptible capacity could be offered as well through yearly products (only for the year N+1).

The default rule, unless otherwise stated, will be that interruptible products will only be offered if 98% of the corresponding firm technical capacities have previously been allocated.

If within-day interruptible capacity is to be offered it will be allocated by means of overnomination procedures.

3.6 Units and reference conditions.

According to the Network Code on Interoperability and Data Exchange Rulesⁱⁱⁱ (INT&DE NC), for the parameters of pressure, temperature, volume, gross calorific value, energy, and Wobbe-index the transmission system operators shall use:

| | |
|------------------------------|---------------------|
| pressure: | bar |
| temperature: | °C (degree Celsius) |
| volume: | m ³ |
| gross calorific value (GCV): | kWh/m ³ |
| energy: | kWh (based on GCV) |

Wobbe-index:

kWh/m³ (based on GCV)

For pressure, the transmission system operators shall indicate whether it refers to absolute (bar (a)) or gauge (bar (g)).

The reference conditions for volume shall be 0°C and 1.01325 bar(a). For GCV, energy and Wobbe-index the default combustion reference temperature shall be 25°C.

This units and reference conditions will be used for all the process related in this document.

Capacity will be offered on PRISMA in kWh/h at 25°C. However, contracts will be signed in kWh/day at 0°C with Enagás and in MWh/day at 0°C with TIGF.

Taking into account this difference, conversion factors shall be used to upload on PRISMA the capacity to be offered, in such case capacity in kWh/day at 0°C and in MWh/d at 0°C will be converted in capacity in kWh/h at 25°C trough the following formulas:

- On Enagás side: $ENT \text{ (kWh/d (0°C))} / 1,0026 / 24 = \text{kWh/h (25°C)}$
- On TIGF side: $ENT \text{ (MWh/d (0°C))} / 1000 / 1,0026 / 24 = \text{kWh/h (25°C)}$

Besides, conversion factors shall be used to download from PRISMA the capacity allocated in the auctions, in such case capacity in kWh/h at 25°C will be converted in capacity in kWh/day at 0°C and in capacity in MWh/d at 0°C trough the following formulas

- On Enagás side: $ENT \text{ (kWh/h (25°C))} * 1,0026 * 24 = \text{kWh/d (0°C)}$
- On TIGF side:
- $ENT \text{ (kWh/h (25°C))} * 1000 * 1,0026 * 24 = \text{MWh/d (0°C)}$

4 Requirements to participate in auctions

In order to participate in an auction, shippers and eligible customers licensed in France and Spain (“Shippers”) shall be registered on PRISMA booking platform.

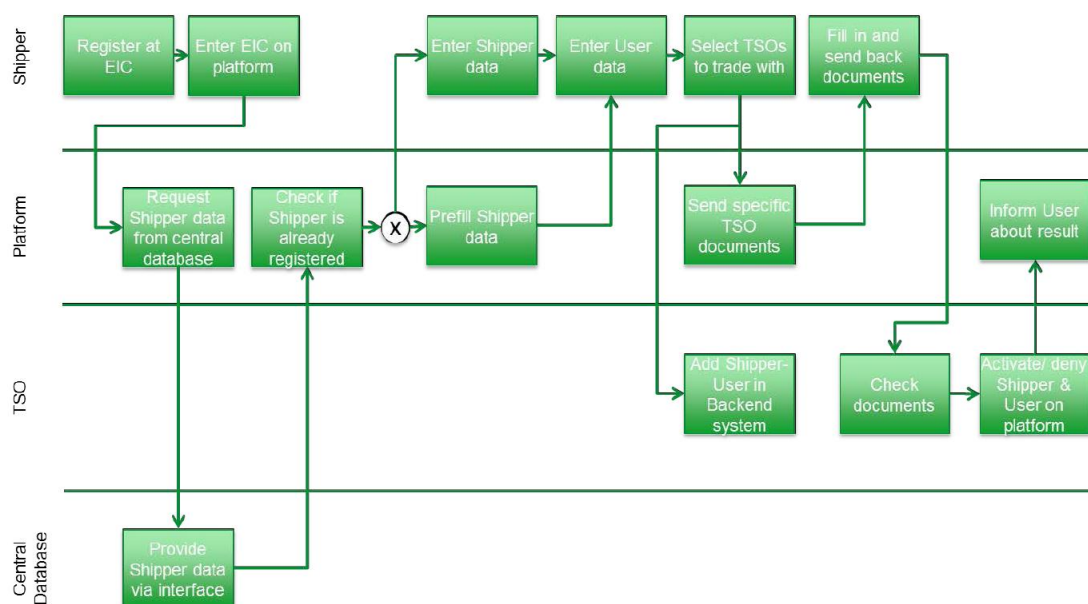
This section establishes the requirements that Shippers must fulfil in order to successfully register on PRISMA and with each TSO.

In order to participate in any auction Shippers must be registered on Prisma with each TSO since different conditions can apply. The registration process consists of two steps which are both executed on the platform:

- Registration to use the platform
- Registration to conclude bookings and to participate in auctions

Shipper registration process is detailed in the figure below, further information will be provided by PRISMA.

Figure 1: Shipper registration process with PRISMA



Source: PRISMA

4.1.1 Requirements to participate in auctions on the Spanish side

In order to be able to participate in an auction Shippers must be registered at licensed Shippers in the Spanish system. The requirements and procedure to get the license

are detailed by the Ministry of Industry, Energy and Tourism (MINETUR) at the following link:

<http://www.minetur.gob.es/energia/gas/Requisitos/Paginas/comercializador.aspx>

Once Shippers have been accredited as licensed Shippers to operate in the Spanish system, they will be included in the “List of Natural Gas Shippers” (i.e. “*Listado de comercializadores de gas natural*”) published by CNMC according to article 80 of the Hydrocarbons Law, modified by Law 25/2009. This List is available at:

http://www.cne.es/cne/contenido.jsp?id_nodo=558&&keyword=&auditoria=F

Once Shipper have been included in the “List of Natural Gas Shippers”, they will have to get in touch with Enagás in order to have access to the SL-ATR platform (i.e. IT platform to operate in the Spanish system) and to the electronic platform where access contracts are signed.

Once Shippers have successfully carried out the previous steps, then, and 1 day before any auction starts, Shippers will have to sign the Standard Contract (“****”) with Enagás in advance in order to participate in the auctions. Shippers will have to sign one Standard Contract per flow direction they are willing to bid. Shippers having signed the Standard Contract Enagás will be able to participate in any auction carried out at PRISMA. The Standard Contract will only be signed once during the registration process to conclude bookings and to participate in auctions with Enagás at PRISMA booking platform.

Capacity allocated to a Shipper at PRISMA booking platform will be automatically introduce at the SL-ATR, thus this allocation will be binding for shippers and it will not be necessary to sign any additional document.

Once the shipper has been informed of the allocation of capacities, it will be informed of the financial guarantees associated to the contracted capacity he has to put in place in favour of Enagás. These financial guarantees are detailed in Royal Decree 949/2001.

4.1.2 Requirements to participate in auctions on the French side

In order to be able to participate in auctions Shippers must be registered as licensed Shippers in the French system. The requirements and procedure to get the license are detailed by the DGEC at the following link:

<http://www.developpement-durable.gouv.fr/Liste-des-fournisseurs-autorises.html>

Then, Shippers will have to sign the Transport Contract with TIGF in advance in order to participate to the auctions.

Capacity allocated to a Shipper at PRISMA booking platform will be automatically introduced in the Transport Contract ("*Bordereau de Capacités*"), thus this allocation will be binding for shippers and it will not be necessary to sign any additional document.

Once the shipper has been informed of the allocation of capacities, it will be informed of the financial guarantees associated to the contracted capacity he has to put in place in favor of TIGF. These financial guarantees are detailed in Article 8 Guarantee of Transport Contract General Terms available on TIGF web site.

No financial guarantees to participate in the auctions will be required.

4.1.3 Single Shipper

Only one shipper, identified by a unique and specific EIC code which must be identical on both sides of the VIP, can participate in an auction for a bundled product. This means that transfer to affiliates will only be possible through secondary market.

4.2 Financial guarantees to participate in the auctions

Neither on the Spanish side nor in the French side, there will not be any need to establish additional financial guarantees for participating in the auctions.

5 **Capacities offered**

5.1 **Existing contracts**

Capacities assigned (subscribed and signed) by each TSO before the announcement to the market by the regulator(s) and/or the TSO(s) of the intention to early implement the CAM NC as from March 2014 between France and Spain will be fully respected and considered in the future, according to the provisions in the existing contracts.

5.2 **Additional capacities in the meaning of Annex I of Regulation 715/2009.**

Additional capacities made available through the application of the Congestion Management Procedures included in the Commission Decision of 24 August 2012 on amending Annex I to Regulation N° 715/2009^{iv} (CMP Guidelines) will be reallocated through the procedures included in [Section 9](#).

5.3 **Calculation of capacities**

Bundled capacities offered will be the lesser value (lowest common quantity) of the capacities considered by each TSO.

For the calculation of capacities at the VIP between France and Spain, existing technical capacity at the two existing physical IPs between Spain and France has been aggregated.

The capacity considered by each TSO will be the result of the following calculation:

| |
|---|
| $\text{Capacities offered} = \text{technical capacities} - \text{booked capacities} + \text{additional capacities, if any}$ |
|---|

5.4 **Split of capacities**

According to Article 8 (6) of the CAM NC, *an amount at least equal to 20 % of the technical capacity at each interconnection point shall be set aside, provided that the available capacity, at the time the CAM NC enters into force, is equal to or greater than the proportion of technical capacity to be set aside. If the available capacity, at the time the CAM NC enters into force, is less than the proportion of technical capacity to be set aside, the whole of any available capacity shall be set aside.*

At the French-Spanish VIP, for any capacity set aside, as a general rule:

- 10% of the technical capacity shall be offered as quarterly products through the annual quarterly capacity auction during the gas year preceding the start of the relevant gas year,

- If capacity remains available, a further amount of 10% of the technical capacity shall be offered no earlier than in the annual yearly products auction during the fifth gas year preceding the start of the relevant gas year
- If capacity remains available, it shall be offered as yearly products until year $n+15$ through the annual yearly capacity auctions,

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Table 1: Bundled capacities offered at VIP in the 2014 firm annual yearly capacity auctions from Spain to France

| Firm annual yearly bundled capacity auctions - VIP | | | | | | | | | | | | | | | |
|--|--------|--------|--------|--------|--------|-------|-------|-------|-------|---------|---------|---------|---------|---------|---------|
| MWh/d | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
| Capacity offered | 19.501 | 19.501 | 24.201 | 24.201 | 24.201 | 1.701 | 1.701 | 1.701 | 1.701 | 117.193 | 131.113 | 131.113 | 177.413 | 177.413 | 177.413 |

Table 2: Bundled capacities offered at VIP in the 2014 firm annual yearly capacity auctions from France to Spain

| Firm annual yearly bundled capacity auctions - VIP | | | | | | | | | | | | | | | |
|--|-------|-------|-------|-------|-------|------|------|------|------|--------|--------|--------|---------|---------|---------|
| MWh/d | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
| Capacity offered | 1.980 | 1.980 | 1.980 | 1.980 | 1.980 | - | - | - | - | 54.480 | 54.480 | 54.480 | 128.000 | 128.000 | 128.000 |

Table 3: Unbundled firm capacities at VIP from Spain to France

| Available firm yearly unbundled capacity - VIP | | | | | | | | | | | | | | | |
|--|--------|--------|--------|--------|--------|--------|--------|--------|--------|------|------|------|------|------|------|
| MWh/d | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
| Available unbundled cap FRANCE | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Available unbundled cap SPAIN | 50.371 | 50.371 | 50.371 | 50.371 | 50.371 | 50.371 | 50.371 | 50.371 | 50.371 | - | - | - | - | - | - |

Table 4: Unbundled firm capacities at VIP from France to Spain

| Available firm yearly unbundled capacity - LARRAU IP | | | | | | | | | | | | | | | |
|--|------|------|------|------|------|------|------|------|------|--------|--------|--------|-------|-------|-------|
| <i>MWh/d</i> | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | 2028 |
| Available unbundled cap FRANCE | - | - | - | - | - | - | - | - | - | - | - | - | 4.000 | 4.000 | 4.000 |
| Available unbundled cap SPAIN | 251 | 251 | 251 | 251 | 251 | 251 | 251 | 251 | 251 | 73.520 | 73.520 | 73.520 | - | - | - |

Note that the capacities are calculated at 0°C.

6 Calendar

The auction calendar will be published by ENTSOG by January of every calendar year for auctions taking place during the period of March until February of the following calendar year and consisting of all relevant timings for auctions, including starting dates and standard capacity products to which they apply.

For year 2014 the auction calendar is available at PRISMA website:

<https://primary.prisma-capacity.eu/center/auctionCalendar.xhtml?conversationContext=1>

Table 5: Indicative auctions calendar for 2014

| AUCTIONS CALENDAR FOR 2014 | | | | | |
|---------------------------------|------------------------------------|-----------------------------------|------------|------------|------------|
| Annual yearly capacity auctions | Annual quarterly capacity auctions | Rolling monthly capacity auctions | | | |
| | | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER |
| 03/03/2014 | 02/06/2014 | 15/09/2014 | 20/10/2014 | 17/11/2014 | 15/12/2014 |

7 Price

Participants which gain capacity in the auctions will pay the TPA tariff access in force in France and in Spain plus the premium resulting from the auction, according to the capacity assigned.

7.1 Regulated tariff

On the Spanish side, the TPA access tariffs for firm products will be those established in the Ministerial Order in force in the moment of the utilization of the capacity, tariffs for annual products will be those established for long term contracts, tariff for quarterly and monthly products will be those established for short term contract as monthly tariffs, while tariff for daily and within-day products will be those established for short term contract. The TPA access tariffs for interruptible products will be those established in the Resolution, or the legislation replacing it, ruling the interruption regime in the Spanish system (in particular the provision regarding interconnections) in force at the moment of the utilization of capacity.

On the French side the TPA access tariffs for all products will be those established by the French regulator in force in the moment of the utilization of the capacity.

7.2 Price steps

According to the CAM NC two different price steps should be defined one called Large Price Step (LPS) and the other one called Small Price Step (SPS).

Price increments should be the same on both sides of the border.

The current envisaged increment of a LPS represents the sum of 5% of the corresponding regulated tariff for each TSO, with the SPS being 1/5 of the large price step in each country.

However, under common agreement by Enagás and TIGF, TSOs can inform the NRAs of the price increments envisaged, at the latest one month before the start of the relevant auction. NRAs will have one week to oppose the TSOs' proposals if deemed necessary.

7.3 Revenue split: capacity premium payments

In line with Article 26 of the CAM NC, if, as a result of the auction, a premium over the TPA access tariffs is going to be paid by capacity holders, this premium will be distributed 50% for each national system.

Consequently, TSOs in each country will invoice users the regulated TPA access tariffs in force in the country, plus 50% of the premium resulting of the auction, over the TPA access tariffs, corresponding to each national system.

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8 Transfer of capacity in the secondary market

Enagas and TIGF will put in place a coordinated procedure to allow shippers to trade their bundled capacity in the secondary market. This procedure will be temporary and will remain valid until the coordinated implementation of the secondary booking platform.

The capacity allocated in the auction is allowed to be transferred by the primary users to other users in the secondary market. Primary holders will be able to transfer the total allocated capacity or part of it, and for the total or partial duration of the period for which it was allocated in the auction, starting the first day of a calendar month and for a complete number of calendar months.

The firmness of the allocated capacity remains the same after transfer, irrespective of the period of transfer.

However, capacity traded in the secondary market must remain bundled and allocated at the VIP. To that aim, capacity trades on the secondary market will only be accepted by TSOs if performed in both systems, French and Spanish, at the same time, for the same amount of capacity and period, referred to the VIP and if transferred to the same Shipper.

Starting from five working days since the final results of the auction for which the capacity that is subject to be traded in the secondary market have been published, the allocated capacity, may be fully or partly transferred at a given moment by a Shipper, the Transferor, to another Shipper, the Beneficiary, under the condition that this transfer is notified to TIGF and Enagás in accordance with following paragraphs.

Notification of transfer is done via electronic means. The notification of a transfer to TIGF and Enagás must include, among others, the following information:

- the Transferor's company name;
- the Beneficiary's company name;
- the Period of Transfer – i.e., the dates concerned for the transfer, including start and end dates;
- the volume of transferred capacity.

In order to be considered valid, the transfer notification must be sent by the Transferor to TIGF and Enagás and must be confirmed by the Beneficiary through an acceptance notification sent to TIGF and Enagás, via electronic means, including the above mentioned information. To allow for TSOs to manage capacity requests in due time and thus enable Shippers to perform the corresponding programming and nominations, the

Transferor and the Beneficiary must send the transfer notification no later than ten working days before the initial day of the capacity period.

When receiving a transfer notification, TIGF and Enagás will check:

- that the Transferor and Beneficiary are entitled up to the end of the transfer period; and
- that the Transferor holds the capacity he wishes to transfer at the time of notification of that transfer; and
- the Beneficiary holds the necessary financial guarantees related to the transferred capacity, according with art. 6 RD949/2001 on the Spanish side, according to the art 8 Guarantee of Transport Contract general terms available on TIGF web site

The response sent by TIGF and Enagás to the Transferor and the Beneficiary after receiving this transfer notification includes:

- a message accepting the transfer if the notification meets the aforementioned conditions; or
- a message rejecting the transfer identifying the reasons for rejection.

If the transfer is accepted by TIGF and Enagás, the capacity of the Transferor is reduced and allocated to the Beneficiary.

As from the moment of the acceptance of the transfer by both TSOs, the Beneficiary of the transferred capacity will also assume all financial obligations towards TIGF and Enagás for the corresponding amount of capacity transferred and will simultaneously release the Transferor from such responsibilities.

This process does not release Shippers, both the Transferor and the Beneficiary, of any obligations related to the procedures and timelines established at national level in each country in relation to the secondary market.

For bundled products, only complete transfers are possible until further notice. On the French side, unbundled products can be traded on the secondary market through complete transfers (quarterly products) and/or through transfers of rights to use (monthly and daily products).

9 Congestion Management Procedures

9.1 Surrender of contracted capacity

In line with point 2.2.4. of the CMP Guidelines, Enagás and TIGF shall accept any surrender of firm capacity which is contracted by the network user at an IP, with the exception of capacity products with a duration of a day and shorter.

Detailed CMP rules on the Spanish side are contained in Circular ***

9.1.1 *Types of products to be surrendered*

Enagás will accept surrender of:

- firm yearly products from 1 October Y¹ to 30 September Y+1 and
- firm quarterly products from 1 October Y to 30 September Y+1

The surrendered capacity will be reoffered to the market as firm quarterly standard capacity products (4 consecutive products) and firm monthly capacity products during the relevant auctions.

In accordance with the 27 June 2013 CREs deliberation, TIGF will accept surrender of yearly, quarterly and monthly products, without any limitation of volume and without any limitation of duration (with the exception of capacity products having a duration of a day or shorter). Those products will be reoffered through quarterly (up to 4 consecutive products) and monthly products.

9.1.2 *Deadlines to surrender capacity*

Shippers may surrender both bundled and unbundled capacity, which in the latter case shall always be combined, if possible, with available unbundled capacity on the other side of the border, before it is reallocated.

Enagás and TIGF will accept requests to surrender a yearly capacity product to be reoffered as quarterly products from the following day after the annual yearly capacity auctions ends until 20 days before the annual quarterly auctions starts, and

¹ For the purpose of this document Y means a natural year (1 January to 31 December). However, noted that the gas year Y starts 1 October year Y and ends 30 September year Y+1

- to be reoffered as monthly products from the following day after the annual yearly capacity auctions ends until 10 working days before the rolling monthly capacity auctions for the respected month starts

Enagás and TIGF will accept requests to surrender quarterly capacity products (1 October Y to 30 September Y+1) to be reoffered as monthly products from the following day after the annual quarterly capacity auctions ends until 10 days before the rolling monthly capacity auctions for the respected month starts.

Surrendered capacity shall not be offered by shippers at the secondary market from the date they have communicated the TSOs their wish to surrender capacity until they received the notification from the TSOs regarding the re-allocation or not of the capacity at the respective auction.

When surrendering capacity shippers must inform both TSOs about the related contract number.

9.1.3 Reallocation rules

Surrendered capacity shall be considered to be reallocated only after all the available capacity has been allocated, but before the allocation of any capacity released through any other CMP.

Surrendered capacity products shall be definitively surrendered until the TSOs communicate the results of the respective auction. If unsold, surrendered capacity is given back to the original capacity holder after the auction.

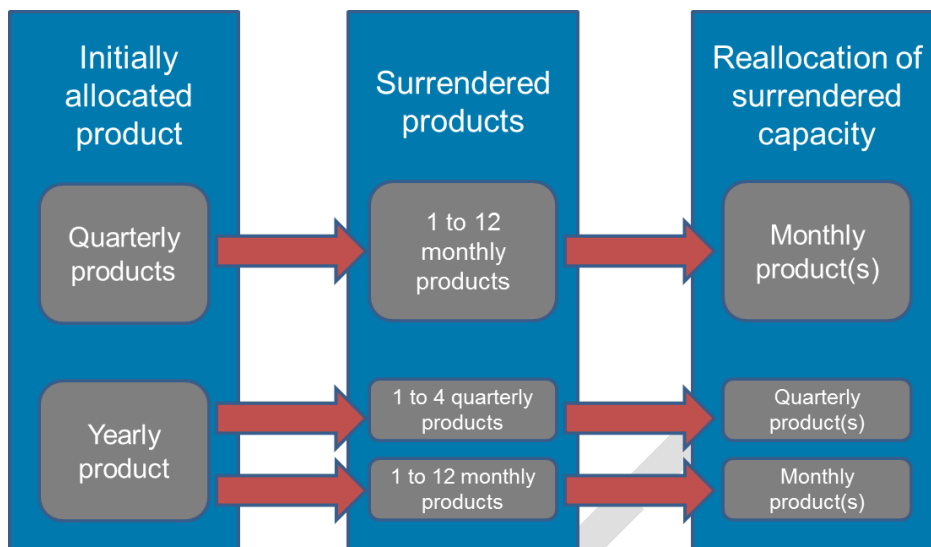
The network user shall retain its rights and obligations under the capacity contract until the capacity is reallocated by the TSOs and to the extent the capacity is not reallocated by the TSOs.

In case that more than one shipper surrenders capacity, the allocation priority will be the time stamp of surrendering.

If the clearing price of the reallocated capacity is lower than the clearing price of the capacity initially allocated, the initial holder of the capacity will retain its payment obligations for the difference of clearing prices.

If the clearing price of the reallocated capacity is higher than the clearing price of the capacity initially allocated, the initial holder of the capacity will be released of all its rights and obligations under the capacity contract, including all payment obligations.

Figure 2 : Capacity products related to the surrender of booked capacities



9.2 Long Term UIOLI

This section describes the coordinated application of the LT UIOLI procedure which would be put in place by April 2015. In the meantime, the valid rules of long-term UIOLI in the French and the Spanish markets are those defined by their respective NRA.

Detailed CMP rules on the Spanish side are contained in Circular ***

9.2.1 When will be the LT UIOLI triggered

The LT UIOLI procedure will be triggered in April each year.

9.2.2 Systematic underutilisation

Enagás and TIGF will review the utilization level in two periods: from 1 April Y-1 to 30 September Y-1 and from 1 October Y-1 to 30 March Y.

Contracted capacity shall be considered to be systematically underutilised in particular if at least one of the following conditions is met:

1. the network user uses less than on average 80% of its long-term contracted capacity in both periods mentioned above and for which no proper justification could be provided; or
2. in both periods there are, at least, 60 days when the network user firstly nominates above 80% of the contracted capacity, and later renominates half or less than its initial nomination

To calculate the rate of utilization of contracted capacity, it will be taken into account the last nomination/renomination sent by the network user to the TSOs.

In case of systematically underutilization of contracted capacity, the respective network user may lose part or the whole of its contracted capacity for the period from 1 October Y to 30 September Y+1, which will be subject to offer at the following quarterly capacity auction.

For each network user two different types of contracted capacity shall be subject to the LT UIOLI procedure:

- Contracted capacity before the implementation of the CAM NC with a duration of one year or more.²
- Contracted capacity at the annual yearly capacity auctions after the implementation of the CAM NC.

For the purpose of the LT UIOLI procedure both types of contracted capacity will be defined as Long-term Contracted Capacity.

Only capacity related to Long-term Contracted Capacity will be subject to the LT UIOLI analysis and will be released.

9.2.3 Amount of capacity to be released

Long-term Contracted Capacity during the period from 1 April Y-1 until 31 March Y, divided in two semesters, will be analysed.

For each network user two different percentages of systematic underutilised capacity shall be calculated: one for summer period, from 1 April Y-1 until 30 September Y-1, and another one for winter period, from 1 October Y-1 until 31 March Y.

The percentage of systematic underutilised capacity for summer period will be defined as Summer Percentage, and percentage of systematic underutilised capacity for winter period will be defined as Winter Percentage.

The Summer Percentage shall be calculated as the average of:

- daily Long-term Used Capacity from 1 April Y-1 until 30 September Y-1
- divided by

² This classification will covered all capacity contracts with a duration of one year or more, both signed before and after the implementation of the Network Code on Capacity Allocation Mechanisms.

- daily Long-term Contracted Capacity from 1 April Y-1 to 30 September Y-1.

The Winter Percentage shall be calculated as the average of:

- daily Long-term Used Capacity from 1 October Y-1 until 31 March Y,
divided by
- daily Long-term Contracted Capacity from 1 October Y-1 until 31 March Y.

Withdrawal may result in the network user losing its Long-term Contracted Capacity from 1 October Y to 30 September Y+1.

For each network user, the potential Long-term Contracted Capacity to be withdrawn will be:

$$(1 - \text{Maximum (Summer Percentage, Winter Percentage)}) * \text{Long-term Contracted Capacity from 1 April Y+1 to 30 September Y+1}$$

If a single network user has more than one contract affected by this situation the capacity to be retired will be, firstly, the one related to the most expensive contract.

9.2.4 Reoffered of released capacity

The potential Long-term Contracted Capacity to be withdrawn will be again offered to the market in the annual quarterly capacity auctions, and afterwards in the respective rolling monthly capacity auction.

TSOs will check if unused capacity has been offered in the secondary market under reasonable conditions: the user has offered the capacity at a price equal to or lower than the maximum between the price paid by the user and the reserve price at the moment the user offered the capacity in the secondary market

If the withdrawn Long-term Contracted Capacity is bundled, then it will be reoffered in a bundled way, whereas if the withdrawn Long-term Contracted Capacity is unbundled, then TSOs will make their best efforts in order to offer it in a bundled way.

Released capacity through the LT UIOLI procedure will only be allocated once all the available capacity and surrender capacity offered in the annual quarterly capacity auctions and in the respective rolling monthly capacity auction has been exhausted.

When in the allocation process demanded capacity is not enough to allocate all the capacity withdrawn, then pro-rata mechanism will be applied between all the capacity withdrawn.

9.2.5 Contractual obligations

In order for TSOs to offer the withdrawn capacity in the ordinary allocation processes, withdrawn capacity will not be offered in the secondary market or surrender since the shipper has informed about the withdrawn of the capacity.

If withdrawn capacity is not reallocated by the TSO after the annual quarterly capacity auctions or in the respective rolling monthly capacity auctions, the network user will recover its rights under the capacity contract.

If the clearing price of the reallocated capacity is lower than the clearing price of the capacity initially allocated, the initial holder of the capacity will retain its payment obligations for the difference of clearing prices.

If the clearing price of the reallocated capacity is higher than the clearing price of the capacity initially allocated, the initial holder of the capacity will be released of all its rights and obligations under the capacity contract, including all payment obligations.

9.2.6 Reasons for not using the long-term contracted capacity

On the Spanish side, the only reason provided by network users for not using the capacity contracted should be a technical unavailability of the network.

Nevertheless, any reason to refuse a reallocation must be duly justified vis-à-vis of TSOs and NRAs.

10 Other

10.1 Gas day

From 5:00h to 5:00h UTC the following day for winter time and from 4:00 to 4:00 UTC the following day when daylight saving is applied.

10.2 Allocation of spare capacities at the VIP after the auctions

From November 2015, all capacities will be allocated by auctions. Thus, after November 2015 neither Enagás nor TIGF will accept allocation of capacity by any other means.

On TIGF side, all capacities, excluding within-day capacities, will be allocated by auctions.

Daily products on Enagás side will be allocated on First Come First Served basis until November 2015.

10.2.1 *Allocation of daily standard capacity products on Spanish side until November 2015*

From 1 October 2014 until November 2015, daily standard capacity products will be allocated under FCFS basis on the Spanish side.

Shippers will only be allowed to request and book daily capacity products for the following month once the rolling monthly capacity auction has finished for that month. Enagás will accept requests for daily capacity products from the day after the end of the rolling monthly capacity auction until day-ahead for which the daily product is requested.

Each capacity request after the rolling monthly capacity auction will be understood as a request for daily standard capacity products and billed accordingly.

11 Contact

Any requests for additional information should be sent to:

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