



Consultation 58 report



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1 Introduction

From 30 August to 19 September 2022 included, Fluxys Belgium consulted the market on its proposed changes in the regulatory documents.

The proposed modifications in the regulatory documents aim at:

- i. Implementing the dispositions of the Gas Security of Supply Regulation for storage;
- ii. Measures when deviating from these dispositions;
- iii. Measures to avoid termination of contract during a storage year;
- iv. Remove the 'default SBU' (including conditional capacity);
- v. Adjust the allocation rule when using Auction Forms and;
- vi. Some other technical improvements

Fluxys Belgium launched this market consultation by publishing the proposed documents on its website - at the usual location for such consultations, supported by an announcement on the homepage -, via direct e-mailing to all registered market participants and associations and via an information session on the 13th of September. During the period from 30 August to 19 September 2022 (included), stakeholders were invited to submit their written feedback and if needed, seek additional information through bilateral contacts with Fluxys Belgium.

Taking into account the different comments received, Fluxys Belgium submits for approval to the CREG, the so amended version of the SSA, SP and ACS.

2 Outcome of consultation process

All comments received are listed and individually treated in the "Q&A's", included in the consultation report submitted to the CREG – see appendices.

Feedback was received from two different parties.

The first party commented that instead of monitoring the Gas In Storage (GIS) level of each shipper separately, it would create more flexibility to the market to monitor the overall GIS level of the storage facility to assess the compliancy with the filling trajectory rule. As the filling trajectory is defined by the EU Regulation at member state level and not per storage user, Fluxys Belgium agrees with this proposition and will adapt the filling trajectory rule accordingly.

For the sake of clarity, it remains the responsibility of the storage users to monitor that they collectively comply to the filling trajectory rule. Indeed, it remains the responsibility of each storage user to ensure that its GIS is higher than the current filling trajectory target¹ applied to its seasonal storage volume.

In addition, the party suggested that when calculating the unutilized storage capacity of a shipper, Fluxys Belgium should take into account not only the firm injection capacity subscribed by the shipper but the total physical injection capacity (incl. booster capacity). Fluxys Belgium wants to stress that it is important as a storage operator to detect as soon as possible when there is a risk that a filling target cannot be reached and as a result unutilized storage capacity should be released. Fluxys Belgium will therefore keep the calculation based on the firm injection capacity. However, Fluxys Belgium

¹ Means from May to November the requested filling percentage of the last control point of the Filling Trajectory crossed minus 5 percentage points and from November to February the requested filling percentage of the upcoming control point of the Filling Trajectory minus 5 percentage points.

proposes not to release automatically the unutilized storage capacity. It will first investigate the available injection capacity before making a decision on the releasement of unutilized capacity.

Another party stressed that it is crucial that the filling target and filling trajectory targets should be validated and published prior to any storage capacity offer for a given storage year. Fluxys Belgium understands the need to have a view on the future constraints. However, Fluxys Belgium also has to take into account the needs of the storage market. Should potential storage users express the willingness to buy storage capacity, Fluxys Belgium reserves the right to commercialize part or all its storage capacity even if the filling trajectory is not yet officially published. Awaiting for the Commission's decision on the filling trajectory, Fluxys Belgium will publish on its website the proposal for filling trajectory as communicated by Belgium on 15th September each year.

Moreover, the party suggested a penalty of 5% of ZTP DA price instead of 10% in case the filling trajectory target is not reached. As the filling trajectory plays a role in the European security of supply, Fluxys Belgium considers it important to have a strong incentive for storage users to start filling the storage installation soon enough. Considering the tolerance of 5% applied on the filling trajectory, Fluxys Belgium will keep the penalty of 10%. Compared to other neighbouring countries, a penalty of 10% seems reasonable.

3 Appendices

3.1 *Appendix I: Market consultation – public material*

3.2 *Appendix II: Market consultation – confidential material*

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