

## Consultation Report 35

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## **INTRODUCTION**

As from 15 April to 03 May 2019, Fluxys Belgium consulted the market on amendments of the transmission regulatory framework, i.e. the Standard Transmission Agreement (STA), the Access Code for Transmission (ACT) and the Transmission Programme (TP).

The proposed modifications in the regulatory documents aim at :

- (i) simplifying and aligning the L/H capacity service with the other substitution services
- (ii) indicating the balance to be paid to the TSO or to be reimbursed to the network user on the payment of the summary note
- (iii) ensuring compliancy with GDPR and some technical changes

## **CONSULTATION PROCESS**

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 - and via direct e-mailing to all registered market participants and associations.

Considering the current regulatory situation with regards to the balancing activities in the Belux area, the consultation has been exceptionally conducted simultaneously on two sets of documents, which are available on our website via the following link <https://www.fluxys.com/en/products-services/empowering-you/customer-interactions/fluxys-belgium-market-consultation-35> :

- For the phase 1- current (Fluxys Belgium operates as Balancing operator for the Belux area) : the last version of the regulated documents as approved by the CREG on 11 April 2019.
- For the phase 2 – pending (Balansys becomes Balancing operator in the BeLux area) : the last version of the regulated documents as approved by the CREG on 11 April 2019.

During the period from 15 April until 03 May 2019 (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 STA, ACT and TP.

## **OUTCOME OF CONSULTATION PROCESS**

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

Feedback was received from 1 individual Grid User (Gazprom Marketing & Trading) and 1 representing organisation (FEBEG) on the following topics.

### ***L/H capacity switch***

The market welcomes Fluxys Belgium’s proposal to improve and simplify the L/H capacity switch service. The changes will be at three levels as briefly explained hereafter. For simplicity, the transfer of entry capacity from L-gas to H-gas will only be offered for the upcoming gas year (Y+1). In addition, the eligible quantity will be increased with an amount equal to the exit capacity of the converted end user domestic exit points. And finally, the process will be aligned with diversion and capacity conversion services by removing the obligation to surrender the capacity to be switched.

### ***Invoicing***

The market has no remarks on Fluxys Belgium’s proposal to simplify the invoicing process. In practice, Fluxys Belgium proposes to communicate an overview of the consolidated invoices (total monthly fee(s) and/or the total monthly self-billing fee(s)) to the network users, including a summary indicating the balance to be paid to Fluxys Belgium or to be reimbursed to the network user. So network users don’t have to pay any longer the total monthly fee(s) and Fluxys Belgium don’t have to pay any longer the total monthly self-billing fee(s), but the summary of both invoices have to be paid by the owed party.

### ***Technical changes***

The market welcomes Fluxys Belgium’s proposal and understands these are in line with the recent changes to recent data protection laws and progressive changes to the market. Fluxys Belgium proposes to modify Art. 8 of attachment G in the Standard Transmission Agreement concerning the processing of personal data in compliance with GDPR. In addition, the term “Domestic Point” is from now on used as a coherent term in all regulatory documents. At last, ‘VIP BE-NL’ has been renamed to the official name ‘VIP BENE’.

## **APPENDICES**

***Appendix 1: Market consultation – public material***

***Appendix 2: Market consultation – confidential material***