



**ACCESS CODE FOR STORAGE**

**FOR THE STORAGE INSTALLATION OF**

**LOENHOUT**

# 1. INTRODUCTION

## 1.1. Purpose

This Access Code for Storage consists of a standard set of terms and conditions governing regulated access to the Storage Services offered by Fluxys Belgium (the Storage Operator) to any Storage User using the Storage Installation operated by Storage Operator in Loenhout. The Access Code for Storage is a document that is legally prescribed by the Code of Conduct.

The purpose of the Access Code for Storage is to define the set of rules and procedures governing the Storage Services offered by Storage Operator to Storage Users at the Storage Installation. In addition to being governed by the Access Code for Storage, the Storage Services offered by Storage Operator to any Storage User at the Storage Installation shall be subject to the terms and conditions set out in the Standard Storage Agreement entered into between Storage Operator and any such Storage User (the SSA).

## 1.2. Scope

This Access Code for Storage shall apply to all Storage Users subscribing for the Storage Services from Storage Operator.

## 1.3. Definitions

Unless given any different meaning in this Access Code for Storage, any capitalised term in this Access Code for Storage shall have the meaning given to it in the Glossary of Definitions, in Attachment A of this Access Code for Storage.

## 1.4. Severability

The invalidity of any provision of this Access Code for Storage or of any schedule, attachment, or part of a schedule or attachment does not affect the validity of the Access Code for Storage in its entirety. If any provision of this Access Code for Storage is held to be invalid or unenforceable, then such provision shall (so far as it is invalid or unenforceable) be given no effect and shall be deemed not to be included in this Access Code for Storage but without invalidating any of the remaining provisions of this Access Code for Storage. Storage Operator shall then consult any Storage User in accordance with the applicable regulation and legislation in order to replace the invalid or unenforceable provision by a valid and enforceable substitute provision the effect of which is as close as possible to the intended effect of the invalid or unenforceable provision and integrate such modification into this Access Code for Storage.

## 1.5. Status and coherence of the Access Code for Storage

### 1.5.1. Consultation and submission of the Access Code for Storage

Pursuant to the Code of Conduct, approval of the Access Code for Storage (first version and its amendments) takes place as follows(\*):

- 1) the Storage Operator must consult the market;
- 2) the Storage Operator must submit the proposal of the Access Code for Storage to the formal approval of the CREG;
- 3) CREG must make a decision on the content of this proposal.

*(\*) Notwithstanding the procedure set out here, the Storage Operator reserves the right to introduce minor changes (such as typos) without prior consultation of Storage Users. These minor changes shall be formally reported to the Storage Users and shall also be published on the website [www.fluxys.com](http://www.fluxys.com). The Storage Operator shall inform CREG of the minor changes and the arguments for introducing these changes unless the CREG requests a formal approval.*

### 1.5.2. Publication of the status of the Access Code for Storage

The Storage Operator shall inform the Storage Users of the CREG's decision.

The changed version of the Access Code for Storage and the date from which this version shall apply, shall be communicated by the Storage Operator to the Storage Users by means of a publication on the website [www.fluxys.com](http://www.fluxys.com).

The applicable version of the Access Code for Storage is always available on the website [www.fluxys.com](http://www.fluxys.com). ~~Moreover, each version is given a unique version number.~~

### 1.5.3. Interpretation of the Access Code for Storage

In this Access Code for Storage:

- 1) all references to a *clause*, unless specified otherwise, are references to a *clause* in this Access Code for Storage; references to a *paragraph* in a Section are references to a *paragraph* in the same Section in this Access Code for Storage, and references to a *Attachment* are references to a *Attachment* in this Access Code for Storage. The attachments constitute an integral part of this Access Code for Storage.
- 2) all terms and names are to be interpreted according to the “Glossary of Definitions” in Attachment A of the Access Code for Storage.
- 3) the layout, heading and table of contents are only for the benefit of the reader and are inconsequential as regards the interpretation of content of the Access Code for Storage.
- 4) any reference to a statute, associated act, regulation, rule, delegated legislation or decree, is issued to the same one as amended, modified or replaced over the course of time, and to any associated act, regulation, rule, delegated legislation or decree among them.
- 5) references to time, unless specified otherwise, are references to local Belgian time. References to Day, Month and year, unless specified otherwise, are references to a day, month and year of the Gregorian calendar, respectively.
- 6) The description of rules, conditions and provisions only relates to the Storage Services offered at the Storage Installation.

## 1.6. Structure of the Access Code for Storage

ACCESS CODE FOR STORAGE	Access Code for Storage
ATTACHMENT A	Glossary of definitions
ATTACHMENT B	Services fee
ATTACHMENT C	C1. Subscription & allocation of services   general C2. Subscription & allocation of services   primary market C3. Subscription & allocation of services   secondary market
ATTACHMENT D	D1. Operating procedures D2. Specific Requirements
ATTACHMENT E	Metering and test procedures
ATTACHMENT F	Congestion management
ATTACHMENT G	Incident management
ATTACHMENT H	H1. Forms H2. Data Platforms