Market Consultation 72
Summary Note

Alignment of Regulated Storage Framework in response to Amended EU Rules on Gas Storage

Following the entry into force of European Regulation (EU) 2025/1733 in September 2025, which introduces greater flexibility to the existing European Gas Storage Regulation while maintaining the objective of timely storage filling ahead of the winter season, Fluxys Belgium is proposing adjustments to its regulated storage documents and associated storage services.

These adjustments primarily focus on aligning the current regulated framework with the provisions of the latest European Storage Regulation to bring regulatory consistency and legal clarity.

At the same time, the opportunity was taken to introduce a limited number of minor corrections and clarifications to the existing regulated documents.

The Market Consultation starts on 2 February 2026 and ends on 23 February 2026 (COB)

1. Alignment of the current regulated framework with the provisions of the latest European Storage Regulation

In the context of continued volatility and uncertainty in the global energy landscape, the Commission proposed in March 2025 to extend the existing Regulation (EU) 2017/1938 on Gas Storage until the end of 2027 while recommending the introduction of greater flexibility in its application. This resulted in the entry into force of Regulation (EU) 2025/1733 in September 2025, which retains the binding 90% Filling Target while allowing it to be met at any point in time between 1 October and 1 December, instead of by the fixed date of 1 November as previously required. In addition, the Filling Trajectories set annually by Member States to ensure compliance with this target are now indicative, allowing for greater flexibility for market participants throughout both injection and withdrawal seasons.

Therefore, Fluxys proposes to:

1. Remove the following definitions:
   - **Current Filling Trajectory Target**
   - **Filling Trajectory Penalty**

2. Introduce two new terms:
   - **Filling Target Rule** (previously defined as "Filling Target"): Storage User, having subscribed Seasonal Storage Services, must ensure that its Gas In Storage by 1 December is not less than the value of the Filling Target applied to Storage User's Seasonal Storage Volume that it has at its disposal. Storage Operator will inform the Storage User that it no longer needs to comply with the Filling Target Rule if, between 1 October and 1 December, the sum of the Gas In Storage of all Storage Users is higher or equal to the value of the Filling Target applied to the sum of their Seasonal Storage Volume.

Commented [SA1]: la regulation ne réfère pas à "Filling Obligation" ? J'ai toujours cru qu'il y avait la référence à 'Filling' - mais je peux me tromper

Commented [TV2R1]: Non dans la manière de nommer les régulations, l'Europe utilise généralement le terme "Rule on Gas Storage" ou "Gas Storage Regulation" dans ses publications

Commented [SA3]: trajectory or trajectories ?

Commented [TV4R3]: Dans le texte européen on réfère aux différentes trajectoires des Etats Membres

Commented [SA5]: Idem, est-ce que cette phrase est une reprise de la régulation ? Car sinon, sommes nous certain de la formulation ? "set by Member States --> est ce que ce n'est pas plutot "set to the Member States" ? A revoir, soit ca provient de la régulation directement, soit à reformuler pour gagner en clarté. De mon coté, je ne comprends pas très bien la formulation

Commented [TV6R5]: Oui elle est reprise telle quelle de la régulation

- **Indicative Filling Trajectory** (previously defined as "Filling Trajectory")**:** Storage Users having subscribed Seasonal Storage Services are encouraged to ensure collectively that the sum of their Gas In Storage is not less than the Indicative Filling Trajectory applied to the sum of their Seasonal Storage Volume.

Commented [SA7]: Je ne comprends pas cette phrase. Somme de leurs Seasonal Storage Volume ? Quelle est la différence avec le Gas in Storage ?

Commented [TV8R7]: Il s'agit de la même formulation que ce qui a été amendé dans l'ACS

2. Monitoring of the mandatory Filling Target and decision-making on capacity release based solely on Firm Capacities, with the introduction of an additional alert threshold

As already set out in Section 3 of Attachment F of the Access Code for Storage (ACS), during the injection period and in accordance with the Security of Supply Regulation, the competent authority, in consultation with CREG, may decide to release subscribed Seasonal Storage Services that remain unused by a storage user.

To ensure clarity in the process of assessing whether the Filling Target can be achieved[1], Fluxys Belgium proposes to exclude Interruptible Capacities, namely Booster Capacities, from this assessment and to consider solely the Firm Injection Capacity held by each Storage User. This clarification is intended to avoid potential disputes and to ensure robust and accurate monitoring, given the uncertain nature of Interruptible Capacities.

An additional alert threshold of 80% has been introduced alongside the existing 90% threshold in order to warn storage users at an earlier stage, given that there is no longer a binding Filling Trajectory requiring them to meet the Filling Target by following a predefined path. This additional threshold is purely indicative and does not introduce any additional constraint for Storage Users.

3. Correction of typos in formulas related to the calculation of Real Capacities

A few terms used in the formula for calculating Real Injection and Withdrawal Capacities in Attachment D1 of the ACS do not fully reflect the calculation currently implemented in the operational systems and are not aligned between the two modes. In addition, one term still refers, for example, to legacy conditional storage services that are no longer offered. Fluxys Belgium therefore proposes to amend these terms, while ensuring that this clarification will have no operational impact.

[1] This refers to the procedure already set out in Section 3 of Attachment F of the ACS, pursuant to which the Storage Operator checks whether a Storage User is still able to meet the Filling Target, based on 80% of its average firm Injection Capacity

4. Clarification of the term “Emergency”

In response to a comment raised during Consultation 65, the definition of “Emergency” in the Standard Storage Agreement (SSA) has been clarified and divided into three distinct categories to avoid any ambiguity, namely: a Storage Emergency, a Transmission Incident, or an SOS Emergency.

5. Substitution of the term “Penalty” with “Indemnity Clause” to align with latest amendment of Belgian Civil Code

In order to comply with the latest amendment to Article 5.88 of the Belgian Civil Code, whereby the term “Penalty” has been replaced by “Indemnity Clause”, the terminology used in the regulated documents consulted as part of this market consultation has been updated accordingly.

6. Update of the reference to the “Code of Conduct”

Some references to the CREG Code of Conduct for Natural Gas have been updated to align with the latest version of the Code.

7. Minor linguistic corrections

This market consultation has also provided the opportunity to make minor linguistic corrections to the documents under consultation, notably replacing the pronouns “he” and “his” with “it” and “its”, respectively.