Puławy, date: 30th April, 2019

Agency for the Cooperation of Energy Regulators
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Document regarding the position of stakeholders – public consultation.

Grupa Azoty Zakłady Azotowe "PUŁAWY" S.A. (further: GA PUŁAWY) as an active participant in the Polish and European gas markets is extremely interested in choosing the right tool for booking capacity in gas transmission systems, including in particular the interconnectors on the Polish-German border. For this reason, we welcomed published in October 2018 decision of the ACER on the selection of the GSA Platform as an online platform for booking bundled capacities on the border between Germany and Poland. Unfortunately, the cancellation of this decision and the re-execution of the entire platform selection procedure delays the resolution of the current situation on the Polish-German border, and does not allow us to use solutions that have been available for market participants in other regions of the European Union for a long time.

Taking active part in previous consultations, GA PUŁAWY would like to express its views in the ongoing consultation procedure regarding the selection of a bundled capacity reservation platform on the border between Poland and Germany.

Below please find the answers of GA PUŁAWY to the questions mentioned in the questionnaire.

Annex 1

Question 1

All requirements are still valid;

Question 2

The GSA Platform complies with all 22 requirements specified in Annex No. 1. We do not know what requirements are met by the PRISMA and RBP Platforms.

Annex 2

Question 1

From GA PUŁAWY perspective, the most importance factors are security and reliability of the platform. Due to that we want to be sure, that the auctions will be held timely and without interruptions enabling us to plan our business strategy. Moreover, we pay attention to the user friendliness and flexibility of the platform. Hence we want to make sure that in case there is a problem to be solved or the market needs a new solution to be implemented, we have the right to submit our views to the platform and such remarks will be considered and feedbacked. From the GA PUŁAWY perspective as a market participant the booking platform should be a simple, reliable tool providing solely required services for which is established i.e. capacity auctioning.

Question 2

As far as GA PUŁAWY is concerned, there is no such requirement deriving from the EU law. We considered as very useful for us prepared workshops and regular meetings with shippers, where the features of the platform were discussed and explained or important upcoming dates and issues e.g. regarding the auction calendar were presented.

Question 3

We are not aware of any requirements deriving from the EU law with regard to ensuring independence between platform and the TSO being its operator and we believe that the EU law creates the framework for TSOs to be capacity booking platform operators.

Question 4/ Question 5

As in our opinion the capacity booking platforms function on the competitive European market, we do not see the justification for putting more obligations on the platforms being operated by TSOs than on other functioning platforms which are not operated by TSO. We are of the opinion that EU law sets explicit right for TSOs to operate the booking platforms so any restrictions put on TSOs in this regard may be considered as violation of the EU law and competition rules.

Annex 3

GA PUŁAWY is not able to provide a professional opinion on the subject of IT requirements highlighted in Annex 3. From our perspective the general quality and safety of conducted auctions is very important but we lack the knowledge to judge about the details. We trust that the methodology proposed by the Agency will be sufficient.

Annex 4

We think that the method proposed by the Agency is fit for the assessment on how the booking platforms improve functionalities. However, we would propose to increase the share of the price offer in the ratio.

Grupa Azoty Zakłady Azotowe „Puławy" S.A.