

DECISION NO.1872/19.12.2017

on establishing derogatory measures from the provisions of the binding Open Season Rulebook for the Open Season to be jointly performed by the National Gas Transmission Company Transgaz S. A. Medias and Földgázszállító Zártkörűen Működő Részvénytársaság – FGSZ Ltd. for the allocation of incremental capacity at the Csanadpalota interconnection point between the Romanian and the Hungarian gas transmission systems, approved by Decision No. 1123/28.07.2017 of the ANRE President

Considering:

- the provisions of Decision No. 1123/28.07.2017 of the ANRE President on the approval of the provisions within the competence of the National Energy Regulatory Authority established in the binding Open Season Rulebook for the Open Season to be jointly performed by the National Gas Transmission Company Transgaz S. A. Medias and Földgázszállító Zártkörűen Működő Részvénytársaság – FGSZ Ltd. for the allocation of incremental capacity at the Csanadpalota interconnection point between the Romanian and the Hungarian gas transmission systems,
- the provisions of Decision No. 1397/26.09.2017 of the ANRE President on the amendment of the binding Open Season Rulebook for the Open Season to be jointly performed by the National Gas Transmission Company Transgaz S. A. Medias and Földgázszállító Zártkörűen Működő Részvénytársaság – FGSZ Ltd. for the allocation of incremental capacity at the Csanadpalota interconnection point between the Romanian and the Hungarian gas transmission systems approved by the Decision of ANRE President no 1123/2017,

Taking into account:

- the electronic message, registered at ANRE under number 77068/13.11.2017, sent on 09.11.2017 by the representative of Földgázszállító Zártkörűen Működő Részvénytársaság – FGSZ Ltd., assigned as person of contact for the application of the binding open season to be jointly performed by the National Gas Transmission Company Transgaz S. A. Medias and Földgázszállító Zártkörűen Működő Részvénytársaság – FGSZ Ltd. for the allocation of incremental capacity at the Csanadpalota interconnection point between the Romanian and the Hungarian gas transmission systems, according to which *the Supervisory Board of FGSZ Zrt. decided to decrease the level of financial guarantee in the ROHU Open Season procedure required for the transmission services from 5 gas years to 1 gas year in order to improve the chances of the project. This requires the prolongation of the registration period in order to give a chance for potential shippers to register, that may not have registered due to the previous amount of the financial guarantee. FGSZ's proposal is therefore to prolong the registration period*

until 15 November 2017, which was anyway the deadline for confirming the earlier registrations. This prolongation would not affect any other part of the ROHU Open Season timeline.

- Transgaz Medias Letter No. 56060/21.11.2017, registered at ANRE under number 80402/24.11.2017, by which Transgaz Medias Letter No. 54262/13.11.2017 to Földgázszállító Zártkörűen Működő Részvénytársaság – FGSZ Ltd. was sent to ANRE, according to which *Transgaz analysed FGSZ's request and it deems that the period for the registration of applicants interested to participate in the Binding Open Season Procedure may be extended until 15.11.2017 provided that ANRE agrees/approves the amendment of the Timeline of this Procedure, illustrated in chapter 3.4. Binding Open Season Procedure Overview of the Binding Open Procedure Rulebook.*
- The announcement of Földgázszállító Zártkörűen Működő Részvénytársaság – FGSZ Ltd. - *Important notice – ROHU Open Season Update*, published on 13.11.2017 on its website – www.fgsz.hu at Press - Newsletters, according to which *[...]Due to this important amendment, FGSZ and Transgaz prolong the registration period until 15 November 2017, while the rest of the internal scheduling of the Open Season procedure remains unchanged.*
- Letter No. 60639/15.12.2017 of the National Gas Transmission Company Transgaz SA Medias, registered with ANRE under number 85606/15.12.2017, according to which:
 - Until 15.11.2017 the companies interested to participate in the Procedure had sent the registration form and had notified Transgaz about the payment of the registration fee;
 - FGSZ confirmed the registration of the companies interested to participate and they are waiting for Transgaz to confirm the registration as well;
 - Transgaz requests for the reanalysis of the opportunity for extending the period for the registration of participants to the open season procedure,
- The importance of the Bulgaria-Romania-Hungary-Austria (BRUA) project for Romania and for the entire region, reflected in the significant interest of the players in the region in this binding open season procedure as well as,
- The fact that a great number of registered participants may contribute to obtaining potential positive outcomes as the successful completion of the ROHU Binding Open Season procedure in its early stage,

Pursuant to:

- Art. 5 (1) (f) and Art. 10 (1) (a) of Governmental Emergency Ordinance No. 33/2007 on the organisation and operation of the National Energy Regulatory Authority, approved as subsequently amended and supplemented by Law No. 160/2012,

The President of the National Energy Regulatory Authority adopts the following

DECISION

Art. I – By way of derogation from the provisions of Art 3.4 `Binding Open Season Procedure Overview` from the Binding Open Season Procedure Rulebook to be jointly undertaken by the National Gas Transmission Company Transgaz SA Medias and Földgázszállító Zártkörűen Működő Részvénytársaság – FGSZ Ltd. for the allocation of incremental capacity at the Csanadpalota interconnection point between the Romanian and the Hungarian gas transmission systems, approved by Decision No. 1123/28.07.2017 of the ANRE President, as further amended, the registration applications of the undertakings interested to participate in such binding open season procedure may be submitted by them and confirmed by the National Gas Transmission Company Transgaz SA Medias until 19 December 2017, 23:59 CET.

Art. II – This Decision is sent to the National Gas Transmission Company Transgaz SA Medias and will be published on the company`s website.

Art. III - The National Gas Transmission Company Transgaz S.A. Medias will carry out the provisions of this Decision, and the specialist divisions of the Authority will monitor compliance with such provisions.

President
of the National Energy Regulatory Authority
Dumitru Chirita