

**ACTS OF THE NATIONAL ENERGY REGULATORY****AUTHORITY**

NATIONAL ENERGY REGULATORY AUTHORITY

**ORDER****on the amendment and supplementation of orders of the President of the National Energy Regulatory Authority**

Considering the provisions of Art. 99 letter l), of Art. 130 para. (1) letter s) and of Art. 130<sup>1</sup> of Electricity and Gas Law 123/2012, as further amended and supplemented,

pursuant to the provisions of Article 5 para. (1) letter c) and Art. 10 para. (1) letter o) point 2 and letter q) of the Government Emergency Ordinance no. 33/2007 on the organization and operation of the National Energy Regulatory Authority, approved as amended and supplemented by Law no. 160/2012, as amended and supplemented,

**the President of the National Regulatory Authority for Energy issues the following Order:**

**Art. I.** — The Network Code for the National Gas Transmission System, approved by Order 16/2013 of the President of the National Energy Regulatory Authority, published in Official Journal of Romania, Part I, no. 171 and 171 bis dated 29 March 2013, Part I, as amended, shall be amended as follows:

— in annex 1<sup>4</sup>, article 1, paragraph (3) shall be amended and shall be read as follows:

(3) The NUs are required to enter on day D+1, for the gas day D-1, selling and purchasing orders in the sense and within the limit of the daily imbalance communicated by the TSO, i.e. selling in case of surplus and purchasing in case of deficit.”

**Art. II.** — The Order of the President of the National Energy Regulatory Authority No 158/2019 on the amendment of Article 1 of the Methodology for transmission capacity booking and setting tariffs for the activity of natural gas transmission services through the Isaccea - Negru Voda transmission pipelines, approved by Order of the President of the National Energy Regulatory Authority No. 34/2016, and for the approval of the Methodology for transmission capacity booking for the activity of natural gas transmission services supply through the points located on the Isaccea 1 - Negru Voda 1 natural gas transmission pipeline intended for the transmission of natural gas on the Russian Federation - Bulgaria corridor and for the supply of natural gas to certain localities on the territory of Romania, published in the Official Gazette of Romania, Part I, No 534 of 28 June 2019, as subsequently amended and supplemented, is hereby amended and supplemented as follows:

1. The title of the Order is amended and shall be read as follows:

**„ORDER**

**on the amendment of Article 1 of the Methodology for transmission capacity booking and setting tariffs for the activity of gas transmission services supply through the Isaccea - Negru Voda transmission pipelines, approved by Order of the President of the National Energy Regulatory Authority No 34/2016, and for the approval of the Methodology for transmission capacity booking for the activity of natural gas transmission services supply through interconnection points located on the Isaccea 1 - Negru Voda 1 natural gas transmission pipeline”**

2. Article II is amended and shall be read as follows:

„Art. II. — The Methodology for transmission capacity

booking for the activity of natural gas transmission services supply through interconnection points located on the Isaccea 1 - Negru Voda 1 natural gas transmission pipeline, as set out in the Annex forming an integral part of this Order, is hereby approved.”

3. The title of the Annex is amended and shall be read as follows:

**„METHODODOLOGY**

**for transmission capacity booking for the activity of natural gas transmission services supply through interconnection points located on the Isaccea 1 - Negru Voda 1 natural gas transmission pipeline”**

4. In the annex, Article 3, paragraphs (3), (4) and (6) are amended and shall be read as follows:

(3) At the interconnection point Isaccea 1, in the exit direction, the network user (NU) may book firm/interruptible capacity without access to the virtual trading point (VTP) only if, at the interconnection point (IP) Negru Voda 1, in the entry direction, the same NU books a capacity at least equal to the capacity requested without access to the VTP at IP Isaccea 1.

(4) At IP Negru Voda 1, in the exit direction, the NU may book firm/interruptible capacity without access to the VTP only if, at IP Isaccea 1, in the entry direction, the same NU books a capacity at least equal to that requested without access to the VTP in IP Negru Voda 1.

.....  
(6) In IP Negru Voda 1, on the exit direction, the NU can book firm/interruptible capacity with access to the VTP, taking into account the minimum transmission capacity of 2.2 bcm/year offered by the TSO.”

5. In the Annex, at Article 3, after paragraph (6), a new paragraph is inserted, paragraph (7), with the following content:

„(7) Once the conditions for competing capacity for IP Negru Voda 1 and IP Isaccea 1, as set out in Article 8(2), have been met, the following conditions shall apply of Commission Regulation (EU) 2017/459 of 16 March 2017 laying down a network code on capacity allocation mechanisms of gas transmission systems and repealing Regulation (EU) No 984/2013, the transmission capacity specified in paragraph (6) shall be offered as competing capacity between IP Negru Voda 1 and IP Isaccea 1.”

6. In the Annex, Article 7, paragraph (3) is repealed.

7. In the annex, Annex No. 2 to the Methodology shall be amended and shall have the following content:

„ANNEX No. 2  
to the Methodology

DECLARATION

I, the undersigned ..... [name and identification data of the person filling in the declaration: personal identification number, series and number of identity card, address, telephone, e-mail],

.....  
as legal/conventional representative\*) of ..... [Network User name and identification data: registered office, telephone, fax, e-mail address, Trade Registry registration number, tax identification number, bank account and bank with which the account is opened] .....,

hereby declare to my best knowledge that:

- I have entirely read and agree to all the provisions of the `Operational Rules of the Regional Booking Platform operated by Foldgazzallito Zartkoruen Mukodo Reszvenytarsasag – FGSZ Ltd`, compliant with which the transmission capacity booking auction to be held on .....[to be filled in with the auction date] ....., the auction for the standard capacity product booking.....[to be filled in with the type of product; transmission direction, bundled or not, annual, quarterly, monthly or daily] ....., offered for the period [year, quarter, month or day] ..... at the points of the transmission pipeline at Art. 1 of the Methodology for transmission capacity booking for services of natural gas transmission through the interconnection points related to the Isaccea 1 — Negru Vodă 1 gas transmission pipeline, approved by Order No. 158/2019 of the President of the National Energy Regulatory Authority, as amended;

- I have entirely read and agree to all the provisions of the Framework gas transmission contract concluded as a result of the auctions for capacity booking at the points related to transmission pipeline at Art. 1 of the Methodology for transmission capacity booking for services of natural gas transmission through the interconnection points related to the Isaccea 1 — Negru Vodă 1 gas transmission pipeline, approved by Order No. 158/2019 of the President of the National Energy Regulatory Authority, as amended, and the specific terms and conditions of the gas transmission contracts concluded as a result of the auctions for capacity booking at the points related to the transmission pipeline at Art. 1 of the Methodology for transmission capacity booking for services of natural gas transmission through the interconnection points related to the Isaccea 1 — Negru Vodă 1 gas transmission pipeline, approved by Order No. 158/2019 of the President of the National Energy Regulatory Authority, as amended, under Annex No. ....[to be filled in accordingly] ..... and .....[to be filled in accordingly] ..... to the Order.

I hereby declare that I know and undertake to comply with the provisions of Art. 326 of Law No. 286/2009 on the Criminal Code, as amended (`Misrepresentation), according to which `Misrepresentation of the truth made to a person such as stipulated at Art. 175 or to a unit where such person performs his or her activity with a view to producing a legal consequence, for oneself or for another, when, according to the law or circumstances, the statement helps to produce the said consequence, is punished with imprisonment from 6 months to 2 years or with a fine (...)`.

Date: .....

Network User

Stamp

Legal/conventional representative\*)

Signature:

\*)The conventional representative must accompany the declaration by its special power of attorney.

**Art. III** - The National Gas Transmission Company Transgaz - S.A. Mediaş and the network users shall carry out the provisions of this order, and the specialized units of the National Energy Regulatory Authority shall ensure compliance with them.

**Art. IV** - This Order shall be published in the Official Journal of Romania, Part I.

The President of the National Energy Regulatory Authority,  
Dumitru Chiriță

Bucharest, 15 June 2022.

No. 80.