What next after cancellation of South Stream & decision on Turkish Stream. Gazprom's plans and possible EU reaction

Andrey A. Konoplyanik,

Co-Chair, Work Stream 2 "Internal Markets", Russia-EU Gas Advisory Council/Coordinator from Russian side, Russia-EU Informal Consultations on EU Regulatory issues

15th WS2 GAC meeting/22nd round of Informal Consultations, Vienna, E-Control, 11 May 2015

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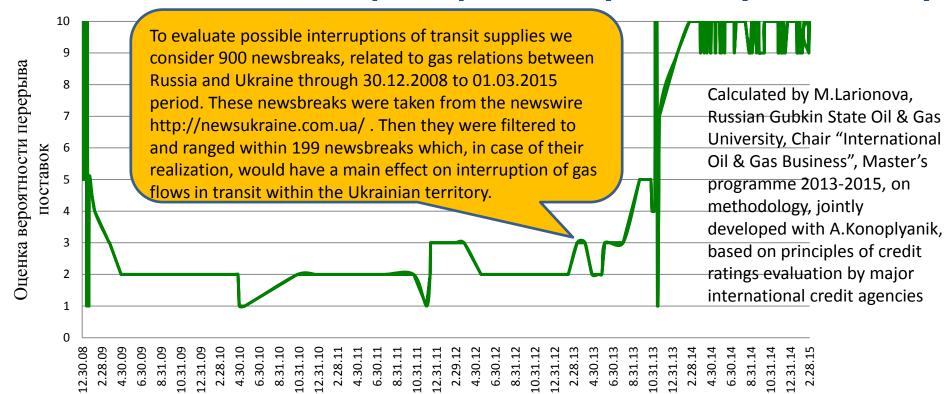
- 1) Some myths & realities on Turkish Stream & new EU infrastructure
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Some myths & wrong perceptions about Turkish Stream concept

- As if new delivery point for Russian gas at Turkish-Greek border..., but
 - Rerouting of existing supply contracts to EU (some last till 2035)
 - Their delivery points stays deep inside EU (Baumgarten, etc.)
- As if liquid hub in Turkey at Turkish-Greek border..., but
 - What is "hub"? (see eg EIA terminology 1996)
 - No market, no diversified infrastructure, no UGS for liquid hub here yet...
- As if transit through Ukraine will stay post 2019..., but (+ slides 5-6)
 - Each sovereign state has its sovereign right:
 - Importing state (e.g. EU) has its sovereign right to define its targeted fuel mix, level of state support for alternative fuels (e.g. RES), architecture of its energy markets, etc. thus changing risks & uncertainties for other players within crossborder gas value chain,
 - Resource-owning state-energy exporter (e.g. Russia) has its sovereign right to define end-market-related (to EU) &/or transit-related (via Ukraine) risks & uncertainties (like e.g. non-delivery risk)
 - In unbundled gas world no obligation for exporter to stay with same transportation/transit route for given supply contract after expiration of its transportation/transit component
- As if Turkish Stream concept competes/conflicts with EU Southern Gas Corridor..., but (slide 7)

Ukraine: "transit interruption probability" index (2009-2015)



The very fact that two states (Russia & Ukraine) cannot solve issues between them bilaterally; at least one of them (Ukraine) need third party (EU as arbiter / mediator / conciliator) for searching temporary compromises & it also files a case against Russia in SCC, means its systematic mistrust to contractual partner => permanent transit risk for supplier since it is his responsibility to provide timely delivery of contracted volumes to delivery points deep inside the EU non-dependent issues with third parties => sovereign right of resource owner (Russia) or its agent (Gazprom) to evaluate such risk & undertake adequate measures for its mitigation (incl.by-passes)

Turkish Stream & UA transit: EU views

- Preferred option for EU is that Russia/Gazprom continue gas transit via Ukraine post-2019 enabling:
 - continued financing of Ukraine by Russia by paying transit tariffs (despite continued transit risks in currently unfriendly to Russia political regime in Ukraine),
 - financing/guaranteeing pay-back of UA-EU-USA GTS consortium acc.to UA Law 4116a (RUS participation in consortium forbidden by UA law, but transit of RUS gas is the ONLY way to make consortium financeable)
- Three indirect ways for EU to implement this strategy:
 - (1) To prevent Russia/Gazprom to shift transit from Ukraine to another route at 2019, after transit contract expire, by:
 - i. slowing down/prolongation of Amended CAM NC (Am.Reg.984) implementation till post-2019, plus
 - ii. "no go" with full utilization by Gazprom of OPAL capacity
 - (2) continue with Amended CAM NC (Reg.984) in its version non-financeable for cross-border new capacity (like former South & current Turkish Stream) i.e. without Art.20(h)
 - (3) To push to Art.36 route (exemptions) which is a handy & lengthy management dependent on NRA preferences & preconditions

EU Southern_Gas_Corridor: two visions

Narrow vision

- Source: Azeri gas [+ Turkmen + Iraqi ???]
- Infra: TANAP + TAP
- Rules: Art.36
 exemption
 (offer of
 capacity)

Source: all available gas sources coming to EU via Turkey:

Broad vision

- Azeri (new): yes, EU the only target market
- Turkmen (new): no, target markets in Asia
- Iranian (new): maybe, target markets can be both EU & Asia dependent on...but LNG as a target, not pipeline
- Iraqi (new): yes, EU the only target market (but Kurdistan?)
- East Med (new): yes, EU the only target market (if pipeline)
- Russian (existing): maybe, but EU market is mature & stagnating with not-friendly rules for LT supplies which are obligatory for LT CAPEX into huge RUS reserves of conventional gas & its long-distant large-volumes transportation (economy of scale) to EU
- Infra: EU TSOs to decide on best effective composition of existing available & new capacity inside EU from EU-Turkish border (demand for capacity)
- Rules: for multiple sources, routes, suppliers rules shall be standard, multiplicity of exemptions is not commercially financeable (Amended draft Reg.984/2013)
- (i) EU consumers, (ii) non-EU gas producers aimed to EU & (iii) transit states (Turkey) have common interest: that EU rules for new infra are financeable & manageable => only then:
- non-EU producers (who have such choice) will prefer to aim their gas to EU, not elsewhere,
- Turkey will receive its transit fees from supplies destined to EU,
- EU will receive its gas from diversified sources, routes & suppliers from non-EU

Some key EU wrong perceptions on new capacity

Some key 20 mong perceptions on new capacity				
Wrong perception - as if	Why it is wrong			
No significant new capacity	(1) Infrastructure density in CEE much lower than in NEW: 40Y+			
is needed in EU since	time-gap; (2) new entry points to EU in SEE require new			
average utilization rate of	transportation routes inside EU to major EU markets, due to (i)			

existing capacity in EU appr.

Auction as universal default

procedure for capacity

new (not yet existing)

NC for **existing** capacity

default procedure is

border routes (2+ IPs)

As if **OSP with auction** as

financeable, esp. for cross-

allocation - for creation of

capacity the same as in CAM

70%

time-gap; (2) new entry points to EU in SEE require new transportation routes inside EU to major EU markets, due to (i) new transportation routes to EU from new suppliers in South-East (Azeri, etc.), & (ii) by-passes to diminish transit risk of external (Rus) supplies to EU

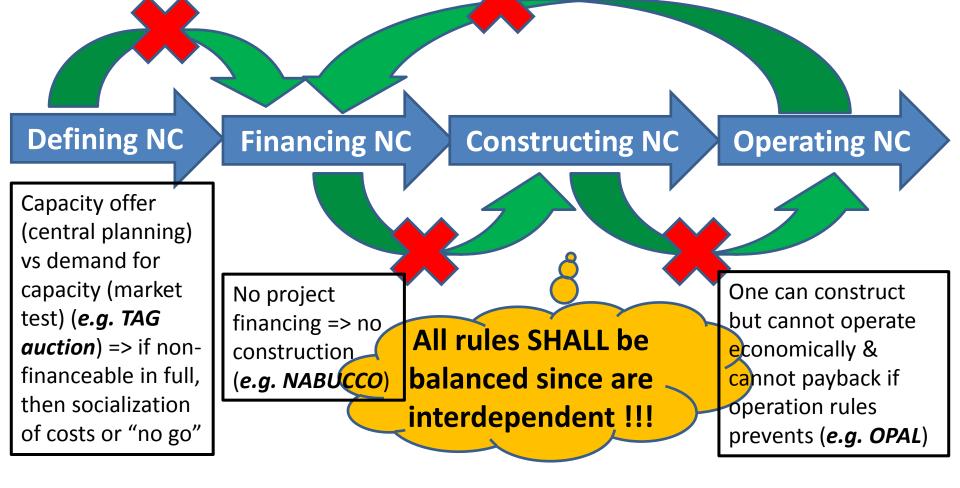
To deviate from Russian gas due to risk of unstable Russian gas supplies to EU and to risk of unstable of Russian gas supplies to EU attention to new sources, not to transportation risks

In 2009 wrong decision was taken to split preparation of CAM NC first for existing then for new capacity instead of preparation of consolidated CAM for infrastructure development. CAM NC for existing capacity first - to save time & report quick results in TEP implementation. Auction works as MTPA for existing deficit capacity, but OSP is a CAPEX MTPA for non-existing new capacity.

TEP implementation. Auction works as MTPA for existing deficit capacity, but OSP is a CAPEX MTPA for non-existing new capacity Such OSP is non-financeable under project financing rules (segmented cross-border project, no single operator, floating tariffs, no booking guarantees, WTP as auction not NPV, cost socialization, etc.)

Defining, financing, constructing, operating NC: to exclude repetition of past negative experience within EU

Operation rules **SHALL** be financeable to raise finance to start construction => if no adequate operation rules => no shipping contracts => no project financing => no construction => capacity deficit continues (*e.g. NABUCCO*)



Development of new capacity in the EU: project financing, draft Amended Reg.984 & Art.20(h)/COS

Guarantees to shipper for transportation of his contracted supply volumes (100% of booked capacity - volumes, duration, profile) at predictable tariffs => security for TSO to pay-back its project CAPEX ("project financing" + double guarantee by congestion management procedures: "ship &/or pay", UIOLI) => security for lenders (commercial financiers) to pay-back their "debt financing" to TSO => draft Art.20(h) to Amended Reg.984 on effective "Coordinated Open Season" (COS) for cross-border new capacity

Financing NC

"TSO shall invest" (Third Gas Directive, Art.13.2) => only "project financing" as a financial & financeable tool to develop cross-border new capacity => commercial financial institutions (lenders) to define prospects & risks for pay-back of their debt financing => shipper's contracts give 100% security

Constructing NC

Non-discriminatory open & competitive bidding leads to cost decrease

Effective rules of operating NC as precondition & guarantee for raising CAPEX & to pass "economic test" (project financeability)

Operating NC

To be financeable & effectively manageable, cross-border transportation the following states are the financeable with the financeable w

- ring-fencing (unitization),
- ITSO for unitized project,
- fixed/predictable tariffs (project-based, but not system/"market zone"based),
- no cost socialization...

Turkish stream: given realities as a starting point (Gazprom plans - summary)

- Rerouted existing supply contracts from UA transit
- Demand for capacity at Turkish-EU border = (63 16) = 47 BCM at 2019
- Gazprom as a shipper after new entry point inside EU
- No intention from Gazprom to ask for Art.36 procedure (he is just a shipper)
- Third Energy Package standard rules on new infrastructure to act (they are being developed)
- EU to define standard procedure for development of new capacity (yet under approval/in the making)
 => it shall be financeable & manageable

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27.02.2015 DG ENERGY to ENTSOG: PCI route proposed for Turkish Stream extension inside the EU?



Brussels, 2 7 FEB. 2015 ENER B/KDB/MZ (2015) 975241

Mr. Stephan Kamphues President ENTSOG Avenue de Cormennerg 10

BE - 1000 Brussels stephan.kamphues@entsog.eu

Subject: SouthStream cancellation

Dear Mr Stephan Kamphues,

Lists Styphan,

The cancellation of the SouthStream project has triggered the rethinking of the i market situation in many countries but especially in the Central and South-Eastern regi of the EU. In particular it has a considerable impact on infrastructure development pla some projects need to be adapted, some cancelled and new ones may need to be defin You may have heard that an initiative to tackle these gas connectivity issues in Sou East Europe has recently been launched by Vice-president Sefčovič and Commission Arias Cañete, so this topic is high on the political agenda.

With this in mind, I would like you to explore whether the TYNDP can be opened to short period of time in order to allow some of these potential projects, if any, to be s included. We need to ensure that such an action is done in a transparent and no discreminatory way.

I am aware that the preparation of the TYNDP has already suffered a delay of one mor due to necessary adjustments also stemming from the cancellation of SouthStream a that the project-specific modelling of the candidate PCIs is already orgoing. For the sa reason, I would enquire whether the potential inclusion of future projects can be done a way that there are no further delays to the TYNDP, and consequently, to the P selection process.

Looking forward to your views on this

Yours sincerely,



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I am aware that the preparation of the TYNDP has already suffered a delay of one month due to necessary adjustments also stemming from the cancellation of SouthStream and that the project-specific modelling of the candidate PCIs is already ongoing. For the same reason, I would enquire whether the potential inclusion of future projects can be done in a way that there are no further delays to the TYNDP, and consequently, to the PCI selection process.

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22591111

Source:

http://www.entsog.eu/public/uploads/files/publications/TYNDP/2015/COM_20150227_Ares975241SouthStream.pdf





1 April 2015

Press Release

European Network of Transmission System Operators for Gas (ENTSOG) launches an exceptional call for information on infrastructure projects to be included in an addendum of TYNDP 2015. This call is a follow-up of the European Commission request to consider new

projects in South-East Europe further mitigating the withdrawal of South Stream. (PR0082-15, Brussels, 1 April for Gas was asked by the Euro

launches today a public call fo

eligible for entry in this excep

Data will be collected exclus Project promoters having alre

The European Commission lett

Should you require credentials Olivier Lebois (+32 2 894 5105

01.04.2015 ENTSOG call for projects to prolong Turkish Stream in SEE: how it corresponds with CAN NC INC (Amend.Reg.984/2013) draft procedure & whether it goes in a best effective way

(PR0082-15, Brussels, 1 April 2015) The European Network of Transmission System Operators TYNDP 2015 published on 161 for Gas was asked by the European Commission to re-open the TYNDP 2015 to new projects in This call is strictly limited to p South East Europe that would mitigate the withdrawal of South Stream. As a result ENTSOG All promoters that considers launches today a public call for gas infrastructure projects to be included in an addendum of the TYNDP 2015 published on 16 March 2015. This addendum will constitute in an additional list of existing credentials. New proi projects in the Annex A but without update of the main report and assessment.

This call is strictly limited to projects in South-East Europe mitigating the withdrawal of South

Stream. Concerned submitted projects will fulfil the eligibility criteria of being part of TYNDP for

the second selection of Projects of Common Interest.

PCI route, not CAM NC INC (Amend.Reg.984/2013) route

All promoters that considers their projects (new ones or updated version of existing ones) eligible for entry in this exceptional call should submit all mandatory information by 22 April

2015. Source:

http://www.entsog.eu/public/uploads/files/publications/Press%20Releases/2015/PR0082 150401 Press%20Release

The gap between practical line of action of SEE MS & line of action acc.to Amend.Reg.984/2013 seems to increase

- What happened in practice (<u>Political</u> line of action?):
 - 09.02.2015, Sofia Ministers of Energy SEE
 - 04.04.2015, Budapest Foreign Ministers SEE
 - The Ministers seems trying to put together a puzzle of existing draft projects (interconnectors, etc.) competing with each other, their sponsors/promoters & mother states of SEE for preferred – Eastern/Western – route...
 - PCI route = "a long a winding road..."
- What might be a more proper alternative <u>legal</u> line of action acc.to 3rd Energy Package rules (CAM NC INC = Amended Reg.984/2013, with/without Art.20(h)):
 - TSOs to organise COSP => since more than 2 IP (Art.20.a3)
 - Based on market demand for capacity, TSOs to define best effective combination of existing available (not yet contracted) & new capacity for future periods:
 - If COSP in 2015: for the period next 20/25Y (till 2035/2040)
 - Demand for capacity, incl. Turkish Stream et al = 47BCM+(?)

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ENTSOG 10YNDP-2015: 259 projects submitted by Sept'2014, FID for many projects postponed, ENTSOG asked promoters to identify major challenges...

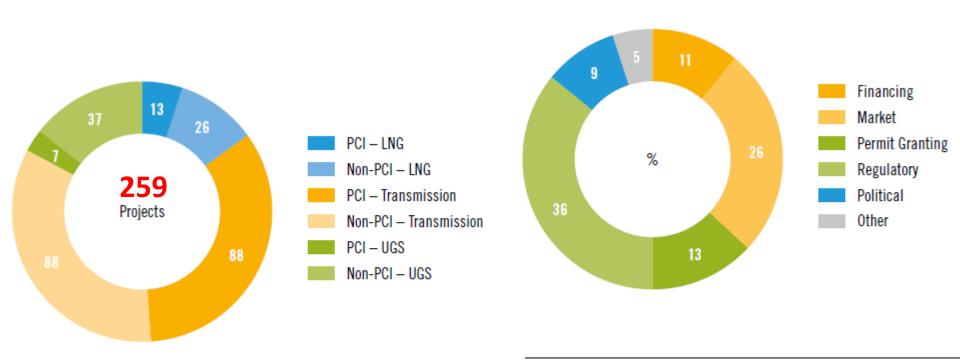


Figure 2: Investment barriers identified by promoters

Figure 1: Projects submitted to the TYNDP 2015 (PCI refers to the 2013 approved list)

ENTSOG 10YNDP-2015 on Investment barriers by project type & barrier category

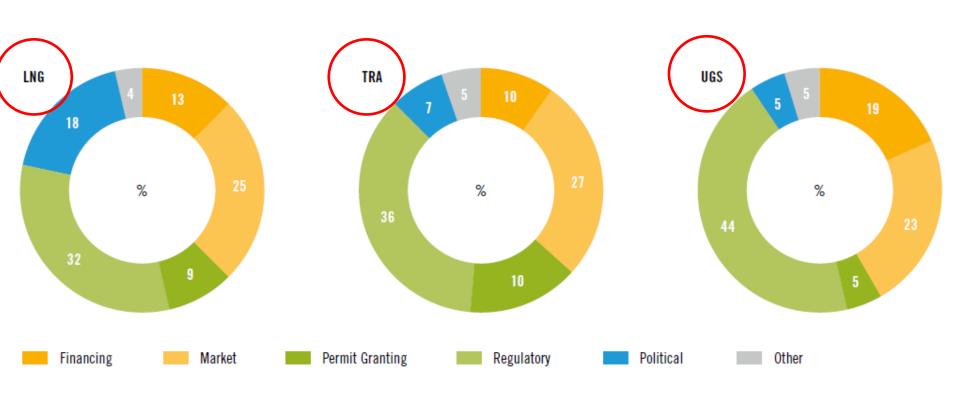


Figure 3.2: Overview of project barriers by project type, as submitted by the promoters (LNG-TRA-UGS)

Source: 10YNDP-2015, Main Report, p. 30

ENTSOG 10YNDP-2015 on categories of **Investment barriers & regulatory-related ones**

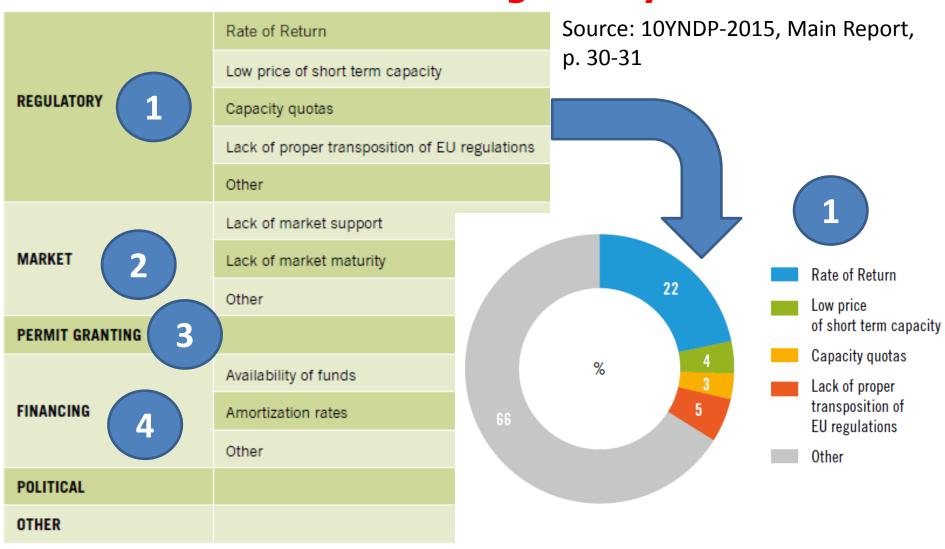
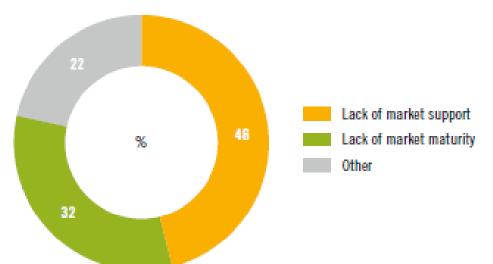


Table 3.1: Categories of barriers to investment

Figure 3.3: Overview of Regulatory related project barriers



ENTSOG 10YNDP2015 on marketrelated Investment barriers - & SEE

Source: 10YNDP-2015, Main Report, p. 32

2

Figure 3.4: Overview of the Market related project barriers

The difficulty in receiving sufficient market commitment is one of the main barriers highlighted by promoters. The focus on short-term capacity products as a result of the way European regulation has been implemented, the current economic situation and unclear signals from EU energy policy, do not deliver the necessary investment signals and long-term financial commitment to trigger new infrastructure projects. The lack of market maturity is also identified as a barrier with regard to the number of users and the development of the commercial arrangements.

In some regions, promoters are facing additional challenges as the gas market is not sufficiently mature to give the appropriate signals and provide sufficient financial commitment. These regions are often at the same time suffering from a lack of infrastructure integration compared to the rest of the European gas market.

A.Konoplyanik, 22Consultations-15WS2GAC, Vienna, 11 May 2015

SEE

ENTSOG 10YNDP-2015 on permitting-related investment barriers - & proposed draft solution

3

Nabucco: 28 months for permission granting (exemptions) – this exceeds FS/FID, permissions, financing, construction of Turkmen-Uzbek-Kazakh-China gas pipeline

Draft solution (Art.20(h)):
ring-fencing of IPs within crossborder transportation route +
unitization of TSOs within such
route + creation of ITSO for such
route

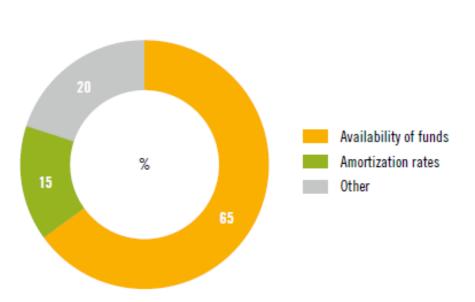
The streamlining of the permitting process (e.g. "one-stop-shop") is a long-awaited improvement by promoters. Nevertheless many Member States are late in establishing such arrangements.

Such situation would be detrimental to the development of necessary infrastructures as streamlined permitting is especially important for cross-border projects where the phasing of stages in each country is a key factor in delivering the benefits of the projects.

These arrangements are intended to strike a balance between public consultation and certainty on the duration of the process. If these arrangements deliver expected benefits, they should be enlarged to Non-PCI projects as well.

Source: 10YNDP-2015, Main Report, p. 33

Gas infrastructure projects are capital intensive assets with a very long economic lifetime therefore project financing is a major part of the process of enabling the investment. Financial tools put in place to support new investments are not always attractive to investors



ENTSOG 10YNDP-2015 on financingrelated Investment barriers => key role of Project Financing

Source: 10YNDP-2015, Main Report, p. 32

Figure 3.5: Overview of the Financing related project barriers



The number of proposed projects submitted for TYNDP 2015 illustrates the willingness of promoters to invest in European gas infrastructures. There is sufficient capital in the financial market to fund a significant proportion of these projects, the challenge is to ensure that these projects access funding. The main prerequisite to unbridle this financial potential is a stable and attractive regulatory framework for investors; however, not all Member States offer a regulatory environment with conditions favouring investments.

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Solution for new cross-border capacity within EU E zones: project financing approach (COSP, ringfencing, ITSO, fixed tariffs till pay-back, etc.) Parameters of new IPs/CBPs to be Húb B coordinated within chain **Hub A** of the zones and with supply contracts backing demand for new 5 Hub D capacity within Hub C each zone Pipelines-interconnectors between two neighbouring EU zones = = single IPs with bundled products Supplies to EU from non-EU **New Capacity** = multiple IPs with bundled products to be Non-EU producer

Its EU

customer

ITSO

balanced, cross-border coordination of TSOs to avoid two types of contractual mismatches:

- (1) at each IP: between term supply & transportation contract, and
- (2) at all IPs on the route from zone to zone: between bundled products at each IP 24



Project-based" financeable & manageable proposal for COSP: draft Art.20(h) for draft Amended EU Reg.984/2013 (not included yet by ENTSOG/ACER)

New cross-border capacity project life-cycle

Investment + pay-back period

Post-pay-back period

Coordinated Open Season Procedure (COSP) = project-based proposal (Art.20(h))

- 1.Project-based approach through pay-back
- 2. Tariff as swing parameter in economic test
- 3.NPV as criteria for economic test
- 4. Fixed tariff through pay-back period
- 5.F-factor =100% (90% = shippers demand, 10%
- = NRA guarantees, securitized by EU Fin. Inst.)
- 6. No cost socialization
- 7.Cross-border unitization, ITSO for unitized project, TSOs coordination within single project
- 8.Costs/revenues reallocation within project
- 9.No contractual mismatch

Amended EU Reg.984/2013 (CAM NC INC+ draft NC HTTS)

- 1.System-based approach
- 2. Volume as swing parameter
- 3.WTP as criteria
- 4. Floating tariff
- 5.F-factor established by NRA, florible, loss 100%
- flexible, less 100%
- 6. Huge cost socialization (1-F)
- 7. Cross-border coordination for existing & not yet existing cap.
- 8....between diff. market areas
- 9. Risk contractual mismatch high

Cross-border new capacity ("transportation route") principle: until capacity is built & paid-back – OSP procedure based on project-based (not system-based) approach



Project-based" financeable & manageable proposal for COSP: draft Art.20(h) for draft Amended EU Reg.984/2013 (not included in it by ENTSOG/ACER)

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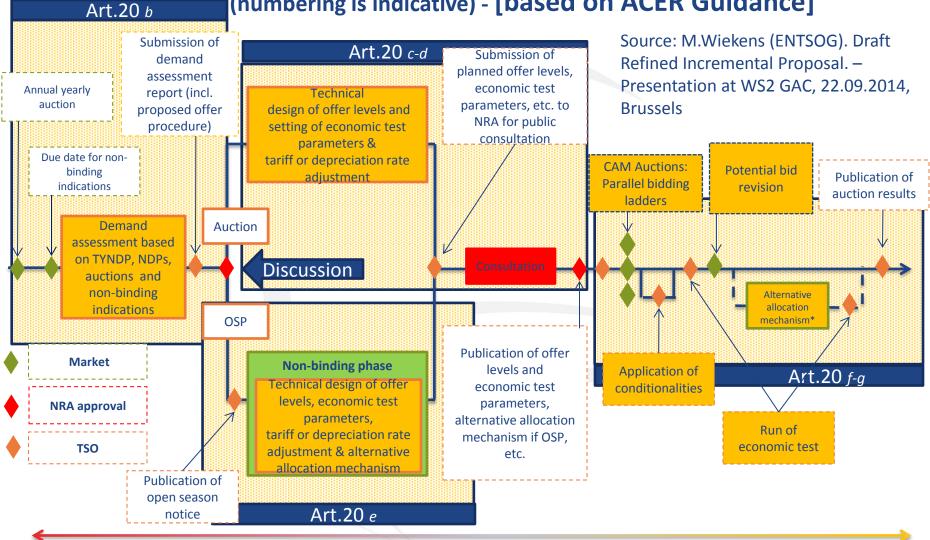
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Cross-border new capacity ("transportation route") principle: until capacity is built & paid-back – OSP procedure based on project-based (not system-based) approach

ENTSOG: Refining the order of articles to reflect process (numbering is indicative) - [based on ACER Guidance]



Ongoing co-ordination among TSOs and NRAs involved along the process



^{*} An alternative allocation mechanism can only be applied in Open Season Procedures and if the default allocation mechanism prevents a positive economic test

ENTSOG: "Proposed streamlining of INC process" - & proposal for Based on: M. Wiekens (ENTSOG). Draft improvement within given text structure Refined Incremental Proposal. – Art.20 b Presentation at WS2 GAC, 22.09.2014, Brussels Submission of Art.20 *c-d* Art.20a(3) = formal criteria Submission of demand planned offer levels, assessment for cross-border OSP - to economic test Annual yearly report (incl. **Technical** distinguish it from auction: auction parameters, etc. proposed offer design of offer levels and NRA for public procedure) setting of economic test if 20a(3), then 20(h) consultation parameters & Due date for nontariff or depreciation rate **CAM Auctions:** Potential bid binding **Publication of** adjustment Parallel bidding indications revision auction results ladders **Demand** Auction assessment based on TYNDP, NDPs, Discussion auctions and non-binding **Alternative** indications **OSP** mechanism³ Market Publication of offer Non-binding phase levels and Application of Art.20 f-g Technical design of offer economic test conditionalities NRA approval vels, economic test parameters, parameters, alternative allocation Run of Major fault of ACER / **TSO** tariff or depreciation rate mechanism if OSP, economic test

Ongoing co-ordination among TSOs and NRAs involved along the process

etc.

* An alternative allocation mechanism can only be applied in Open Season Procedures and if the default allocation mechanism prevents a positive economic test

Publication of

open season

notice

To delink

OSP &

auction



Key ACER misconception for crossborder new capacity inserted in ACER Guidance for ENTSOG INC Proposal

ENTSOG OSP procedure

To add Art.20(h) = OSP for cross-border new

capacity (separated from auction procedure)

adjustment & alternative

allocation mechanism

Art.20 e



Coordinated Open Season (COS) & its existing & proposed place in Amended CAM NC (Reg.984/2013)

Third EU
Energy
Package –
CAM NC
rules
(Reg.984 +
Amendments to
Reg.984:
existing
(ENTSOG)
& new

(Art.20(h))

Open Season
Procedure – two
types of OSP:
(i) area-based –
exists in current
draft Amended
Reg.984;
(ii) project-based,
– proposed,

Art.20(h))

Auction as default mechanism (existing draft, area/systembased approach)

Project-based COS as special procedure to be added to current draft Amend. Reg.984/2013 Existing capacity (Reg.984/2013)

Incremental capacity

(Current draft Amended Reg.984/2013)

New capacity – simple cases

New capacity – extreme cases (cross-border [mega]-projects)

(Art.20(h) for current draft Amended Reg.984/2013)

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Proposal: Pilot test for CAM NC INC (draft Amend. Reg. 984/2013) for SEE "Vertical Gas Corridor"

- "Turkish Stream" shall be further extended within the EU towards Central Europe (hopefully before 2019):
 - non-dependent delivery points locations (existing vs new)
 - based on 3rd Energy Package rules (Art.13.2: "TSO shall invest")
 - TSOs to effectively combine existing & new capacity
 - (i) TYNDP/PCI vs. (ii) OSP for New Cap. acc.to Amend.Reg.984/2013
 - If (ii) then COSP (more than 2 IPs for new capacity) => best Art.20(h)
- Pilot test for financeability of EU investment rules: first implementation of Amended Reg.984/2013 (i) without (existing draft) & (ii) with (our proposal) Art.20(h):
 - ACER "public consultations" ended 04.03.2015, no result yet? => CEC to decide? => time allows yet?... (window of opportunities to improve procedure to make it financeable & manageable for cross-border NC)
 - Based on pilot test results:
 - to start proper implementation of Turkish Stream extension within SEE
 - to adapt Amended Reg.984/2013 before its final approval by EU MSs
 - => EU (ACER/CEC/MSs, incl.SEE MSs) to decide...!!! BUT...

Why Russia-EU cooperation needed within proposed "pilot test" - & GAC/Consult. role

- Structure of re-routed (from Ukrainian transit to Turkish Stream) supply contracts equal to 63-16=47BCM at Turkish border, can be provided only by Gazprom:
 - Durations, volumes, delivery points...
- Dependent on this combination, structure of demand for capacity at Open Season(s) will be defined:
 - Delivery points of re-routed supply contracts pre-determines transportation routes in SEE =>
 - combination of IPs => combination of TSOs to cooperate => ITSO for new capacity (its corporate structure as JV of correspond. SEE TSOs?)
 - Durations, volumes & destinations of re-routed supply contracts:
 - Combination of existing available and new capacity in SEE
 - NPV of new capacity to be booked/created
- GAC/Informal Consultations the best effective place for initiating this cooperative line of action/pilot test - ???!

Thank you for your attention!

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Reserve slides



What is fundamental fault of current "default mechanism" in ENTSOG draft of Amended Reg.984/2013

- "Auctions are the default mechanism for the allocation of incremental/new capacity" (ENTSOG Business Rules, art.III.1.5, based on ACER Guidance on Incremental & New Capacity), but:
 - Incremental/new capacity = yet non-existing capacity,
 - To allocate non-existing capacity one should first create it, but CAM NC deals with existing capacity only => direct application of CAM NC rules to new (yet non-existing) capacity is incorrect in principle => auction is NOT investment tool
 - To allocate (trade with) existing capacity and to create (invest in development of) not yet existing capacity is NOT the same => trade & investment are NOT synonyms, but different types of economic activity => their mixture seems to be a systemic long-term misconception in EU (energy) legislation (the justified reason for Art.21 in 2nd & Art.36 in 3rd EU Directives for new invest.projects)
 - ACER intention to put "investment" into Procrustean bed of "trade" is counterproductive since considers "investment" just as occasional (from time to time) deviation from "trade" => procedural faults in ACER Guidance reproduced in ENTSOG Business Rules, then in ENTSOG draft Amended Reg.984, at least for new capacity.



Incremental Proposal & New Capacity: proposed correlation between CAM NC & NC HTTS

	Existing Capacity	Increment. Capacity	New cross-border Capacity (proposed)
Capacity allocation mechanism (CAM NC + amendment)	Auction	Auction	Coordinated Open Season (+ cross- border project ring- fencing + new project- based ITSO)
Tariff methodology (draft NC HTTS)	System- based (floating)	System- based (floating)	Project-based (project ring-fencing through pay-back period) (not floating)

^(*) CAM NC = Capacity Allocation Mechanism Network Code; NC HTTS = Draft Network Code on Harmonised Transmission Tariff Structures