

Conclusions of the

9th meeting of the European Gas Regulatory Forum

Madrid, 3 December 2004

I. General

1. Participants at the ninth meeting of the European Gas Regulatory Forum, the Commission, the representatives of the Dutch Presidency, Regulators, representatives of Member States of the enlarged EU and other EEA Member States, industry and consumers, stressed the need for consolidating rapid progress in the light of Directive 2003/55/EC on a broad range of issues relating to the creation and operation of a fully operational and integrated internal gas market, in particular with respect to non-discriminatory and transparent access to storage facilities. Representatives of the regulatory authorities responsible for gas sector of the candidate countries participated in the meeting of the Madrid Forum with a view to assisting the countries in preparing for full participation in the internal gas market. The Forum welcomed participation of a representative of the European Parliament.
2. In its introductory remarks, the Dutch Presidency highlighted the need for huge investments to be made in the years to come, in order to accommodate future needs for flexibility, in particular with respect to storage facilities.
3. The Forum welcomed the work accomplished since the 8th meeting of the Madrid Forum in July 2004 notably by the Commission, the European Regulators Group for Electricity and Gas (ERGEG) and GTE. The Forum stressed the importance of rapid completion and implementation of this work in order to consolidate tangible progress.

II. Guidelines for Good TPA Practice for Storage System Operators (GGPSSO)

4. In accordance with the conclusions of the 8th Forum, ERGEG submitted a document on GGPSSO which takes into account the comments produced at the 8th Forum as well as further technical discussions held with relevant parties. The document also reflects the outcome of the first public consultation procedure launched by ERGEG.
5. The Forum acknowledged the huge work undertaken by ERGEG, GTE and storage users with a view to agreeing on a set of Guidelines for Good TPA Practice for Storage Operators pursuant to the provisions of Directive 2003/55/EC and which should define the minimum requirements for terms and conditions of access to storage facilities necessary for a well functioning internal market for gas.
6. The 7th Madrid Forum had called on stakeholders to discuss non-discriminatory and transparent access conditions to storage facilities in line with the provisions of the 2nd Internal Gas Market Directive. Following a number of meetings between storage operators, storage users and regulators, ERGEG submitted a first proposal for further discussions to the 8th Madrid meeting in July 2004. The paper was discussed in depth

followed by a number of further meetings set up by ERGEG and GTE until October 2004. As a result, ERGEG launched a public consultation process on the GGPSSO and an ERGEG Position Paper on GGPSSO. As a consequence of the public consultation process, ERGEG modified the GGPSSO, which have been sent to participants of the 9th Madrid Forum.

7. All participants welcomed the ERGEG proposal for GGPSSO. Most urged to implement them immediately as they are already a reasonable working compromise, but GTE and some Member States estimated that further improvements are necessary. GTE declared not to have received the text in time and not to be able to accept the Guidelines as proposed by ERGEG now. GTE identified five key areas where the document submitted by ERGEG was not satisfactory for GTE.