# *Developing a network code on Interoperability and Data Exchange Rules*

# **Project Plan Consultation**

**The Public Consultation Questionnaire on the draft Project Plan should be completed and submitted no later than 11 October 2012 via the online consultation response form.**
We look forward to hearing from you and to working together with you in the network code development process for Interoperability and Data Exchange Rules.

# Project Plan - Developing network code on Interoperability and Data Exchange Rules

## Contents

## 1.  Background

Regulation (EC) No 715/2009 defines the process for the development of framework guidelines and network codes.

ACER has delivered a framework guideline on Interoperability and Data Exchange Rules and on 11 September 2012 the European Commission has invited ENTSOG to develop a network code on Interoperability and Data Exchange Rules in line with the framework guideline developed by ACER and to submit the network code to ACER within a period of twelve months.

The timescale for developing the network code on Interoperability and Data Exchange Rules is very tight and could have a potentially high impact on TSOs and stakeholders. An intensive and well-organised interaction with all stakeholders is therefore essential to develop a network code that is acceptable to all and meets the objective of facilitating efficient harmonisation of cross-border trade and the development of an integrated European market for gas. To meet this challenge it is vital to have a robust, inclusive and transparent process that ensures the elaboration of a well-considered and developed network code.

The primary purpose of this document is to explain and seek feedback on the key milestones of the development process and to ensure the necessary participation and commitment from relevant stakeholders. The document therefore describes the major steps in the process and how ENTSOG perceives the interaction with wider stakeholders, particularly during the Stakeholder Joint Working Sessions (SJWS) and formal consultation phases of the network code development.

The main documents supporting the development process of the network code on Interoperability and Data Exchange Rules are published on the ENTSOG website: http://www.entsog.eu/publications/interoperability.html.

## 2.  Objective

The objective of the project on developing a network code on Interoperability and Data Exchange Rules is to publish and submit a network code to ACER that is in line with the framework guideline on Interoperability and Data Exchange Rules and contributes to the European objective of further developing the internal market for energy. In order to achieve this objective, the network code will promote operational, technical, communications and business interoperability and data exchange rules for the operation of transmission systems.

## 3.  Scope

### 3.1.  Topics covered in network code

The scope of the project is to develop a network code on Interoperability and Data Exchange Rules applicable to TSOs, based on the contents defined in the framework guideline on Interoperability and Data Exchange Rules and subject to the requirements given in the Regulation 715/2009. The project will also outline and identify the interactions with other areas such as Transparency, Congestion Management Principles (CMP), Capacity Allocation Mechanisms (CAM) and Balancing (BAL).

The network code on Interoperability and Data Exchange Rules will provide rules that apply under conditions that are not qualified as an emergency as defined in Article 10(3)(c) of Regulation (EC) 994/2010. Some guidance on these additional arrangements is already provided in that regulation and more guidance may be provided in a subsequent network code on operational procedures in an emergency according to Article 8(6)(f) of Regulation 715/2009.

As a consequence, the project will be focused on the following topics:

> **Interconnection Agreements** – shall cover provisions necessary to facilitate commercial and operational cooperation between adjacent TSOs;

> **Units** – shall determine the use of harmonised units at least for energy, volume, pressure and gross calorific value, for the TSOs to use when communicating to counterparties;

> **Gas Quality(aspects not directly dealt with in the context of CEN mandate M/400)** – shall contain rules to reinforce transparency as well as the cooperation of TSOs on the issue of gas quality in order to prevent differences in gas quality from creating an obstacle to gas market integration;

> **Odourisation –** shall ensure that cross-border flows are not hampered by differences in odourisation practices between adjacent systems;

> **Data exchange** – shall foresee a common set of data formats, data network and exchange protocol for the reliable, secure and smooth exchange of information among TSOs, as well as from TSOs to relevant counterparties;

> **Capacity calculation**: is part of the framework guideline. Nevertheless in the invitation letter by EC is stated that: "In view of the fact that capacity calculation is addressed already in the network code CAM and the close relationship of this topic with both that network code and the recently adopted guidelines on congestion management procedures, the Commission would consider it beneficial if the respective section of the CAM network code were to be supplemented along the lines of this framework guideline. The Commission is considering making use of its right of proposal to put forward a text for comitology in this regard."

The TSO's network and market environment in the different EU Member States show many similarities but also some considerable variances. These variances must be taken into account when developing a network code on Interoperability and Data Exchange Rules, weighing the benefits of harmonisation against the cost of interoperability and data exchange rules that do not deliver efficient outcomes in the context of genuine system needs.

## 3.2. Interactions with other network codes or guidelines

The network code will be developed taking account of the provisions of transparency and CMP guidelines and the network codes on CAM and BAL. In the event that changes are made to these other codes / guidelines during the development of the network code on Interoperability and Data Exchange Rules, revised proposals may need to be developed to address any inconsistencies.
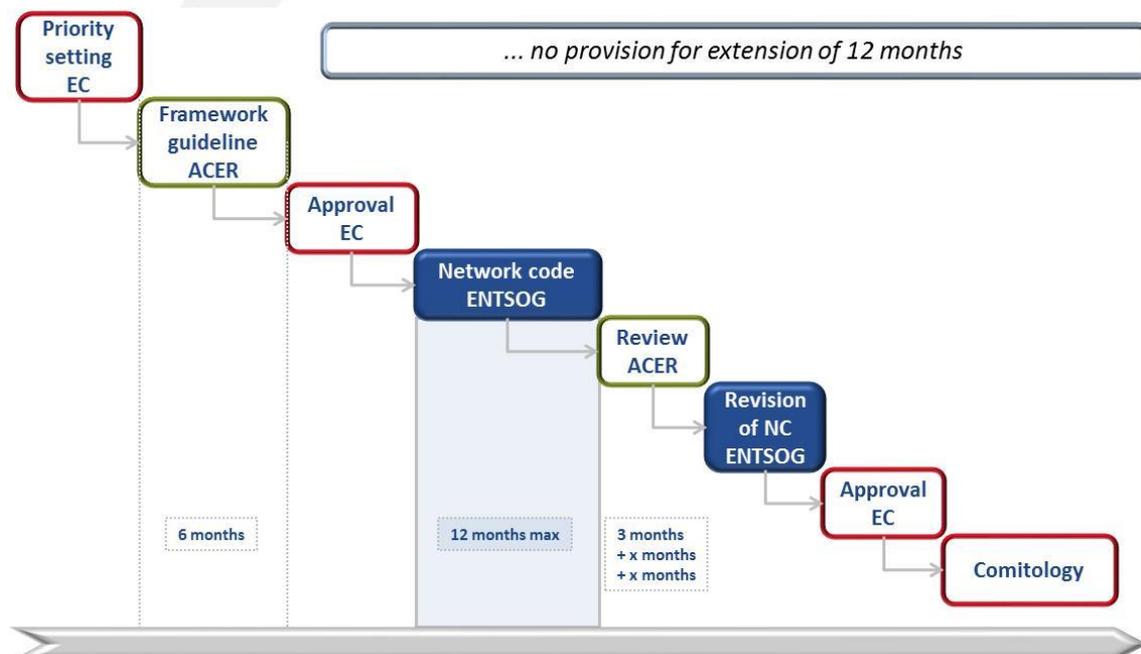
The network code on Interoperability and Data Exchange Rules focuses on operational and technical issues accompanying other market based network codes. Detailed procedures on that can be found under CMP Guidelines, CAM and BAL Network Codes.

Detailed procedures on the cooperation between TSOs will be considered in the scope of the network code on Interoperability and Data Exchange Rules.
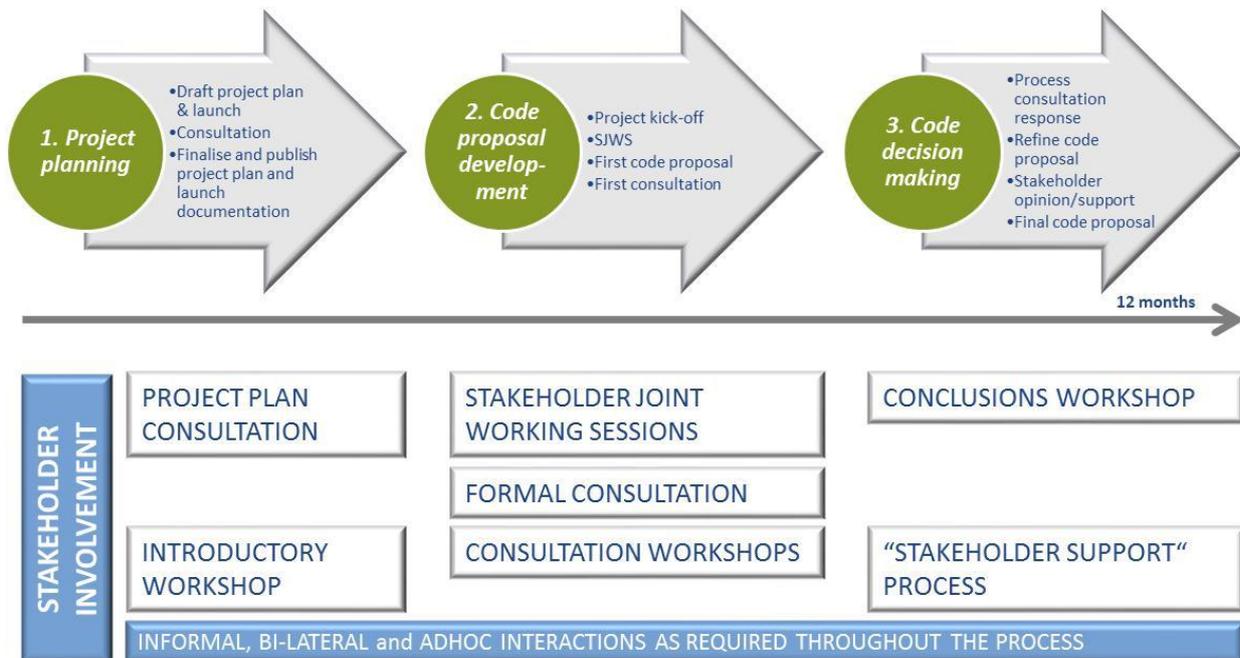
## 4. Context of network code development

The network code development is a vital part of the overall process of delivering binding rules to promote the completion and effective functioning of the internal market and cross-border trade in natural gas.

Below, a graphic overview shows the entire binding rules development process:

## 5. Project phases

The dedicated network code development period is divided into different phases as illustrated below.



It is essential that stakeholders are involved in all phases of the network code development process including:

> Project planning;

> The core interactive network code development proposal activity associated with stakeholder involvement before and during the Stakeholder Joint Working Session part of the process including the consultation on the first code proposal;

> The network code decision making process.

To allow maximum opportunity to take account of all views when formulating the network code, stakeholders must be involved early in the development process to ensure that their positions are well understood. Major changes and proposals late in the process will be difficult to accommodate and so ENTSOG aspires to create a genuine collaborative effort early in the process to identify approaches that deliver on the policy objectives but which also attract the broadest support possible amongst all participants.

## 5.1.    Project plan development

Feedback from this project plan consultation will enable ENTSOG to effectively plan when and how to engage stakeholders in the main Network Code development period.

Planned start          11 September 2012
Planned end           07 November 2012
Main activities        Kick - off meeting
                       Consult on project plan
                       Finalization of project plan and launch documentation
                       Publish project plan and launch documentation
Key Deliverables       Project plan
                       Launch documentation


**Stakeholder involvement**

> **Kick – off workshop:**

This workshop is intended to provide further clarification of the framework guideline and to explore early stakeholder reaction on the network code development process.

During this phase of the project, stakeholders can respond to the project plan consultation. Stakeholders are asked to indicate their level of involvement in the network code development process, ranging from very dedicated participation and active contribution to an observer in the process. More information is given in chapter 8 "Stakeholder involvement". ENTSOG will also look for opportunities to engage with stakeholders in an information session.  This interaction can be either bilaterally or on the basis of meetings for wider stakeholder participation. This means that the time to plan such session will be short and can only be done on a best effort basis.

## 5.2.    Code proposal development

This phase is aimed at an intensive interaction with stakeholders to deliver a first code proposal for consultation.

Planned start          7 November 2012
Planned end           29 April 2013
Main activities        Stakeholder interaction through Stakeholder Joint Working Sessions
                       (SJWS)
                       Draft initial code proposal
                       Consultation on initial code proposal
                       Consultation workshop
Key Deliverables       For each SJWS invitation, agenda, supporting materials and minutes
                       Initial code proposal

**Stakeholder involvement**

> **SJWS**

The SJWS are working sessions which will enable exchange and development of ideas for inclusion in the network code. During this phase of the network code development activity ENTSOG envisages wide interaction with all participants. These sessions will be held at regularly intervals as specified in the Project planning section of this document (chapter 7).

> **Prime movers**

The stakeholders committing most actively to the process shall form a group of Prime Movers that will support ENTSOG by interactively discussing the content during the development of the network code. Such interactions are likely to be intense and time consuming, but it is believed that the commitment of at least a small but diverse group of stakeholders will be critical to developing robust projects and therefore assure the success of the project. ENTSOG intends to organise meetings with Prime Movers just before publishing material for corresponding SJWS.

> **Consultation workshop**

Midway through the consultation period on the draft network code, ENTSOG will organize a workshop. The aim is to give an overview of the results from the SJWS and rationale behind the draft code.

Following this workshop, ENTSOG will communicate with any respondent requesting a discussion and may make contact with any respondent where such contact might assist to understand the consultation responses and better inform ENTSOG's final network code proposal.

A more detailed explanation of the stakeholder engagement process is described in the "ENTSOG Guidelines on Stakeholders Interaction during network code Development Process"(see www.entsog.eu/publications/index_g_proc.html (2011)).

## 5.3. Code decision making

This part of the process is designed to deliver a final network code for submission to ACER.

| | |
|---|---|
| <u>Planned start</u> | 29 April 2013 |
| <u>Planned end</u> | 11 September 2013 |
| <u>Main activities</u> | Process consultation responses |
| | Refinement of code proposal |
| | Get stakeholder opinion/support |
| | Finalize ENTSOG proposal |
| | Submit network code to ACER |
| <u>Key products</u> | Refined code proposal |
| | Analysis of consultation responses |
| | Network code on Interoperability and Data Exchange Rules |

**Stakeholder involvement**

Having taken account of the draft network code consultation feedback, ENTSOG will publish conclusions, organize a workshop for stakeholders on the analysis of the consultation and refinements ENTSOG is planning to make to the draft code. ENTSOG expects that stakeholders will be asked for a final opinion as to whether the proposed network code is an improvement on the status quo.

## 6. Key deliverables

During the development of the network code on Interoperability and Data Exchange Rules, ENTSOG plans to produce the following deliverables:

<u>Project Management</u>

> Project Plan

<u>Launch Documentation</u>

> Initial considerations on the network code

<u>SJWS meetings with Stakeholders</u>

> For each SJWS: invitation, agenda, supporting material, minutes and conclusions

<u>Network code</u>

> Draft network code for consultation + Supporting document

> Consultation Responses Analysis Report

> Network code on Interoperability and Data Exchange Rules + Supporting document

## 7. Activities and timeline

The diagram below illustrates the time schedule for code proposal development.



## 8. Stakeholder involvement

Regulation (EC) 715/2009 requires ENTSOG to "conduct an extensive consultation process, at an early stage and in an open manner, involving all relevant market participants". ENTSOG proposes to go beyond this and invites all stakeholders to indicate their intended level of participation as part of their response to this consultation document so that ENTSOG will be able to manage the logistics of the process. ENTSOG therefore identifies four different levels of stakeholder involvement which are detailed in the table below.

| LEVEL | DESCRIPTION | COMMENTS |
|---|---|---|
| 1 | Prime Mover | Committed to work on a bilateral basis and dedicate a lot of resources to assist, formulate and evaluate/refine ideas/proposals for SJWS consideration – commitment to be intensive and involving many days during intensive phases of the network code development |
| 2 | Active SJWS Participant | Expected to attend all SJWS and to read and review all material prior to meetings and to be prepared to explore detail within SJWS – commitment of around 3 days per month during intensive period of activity |
| 3 | Consultation Respondent | Will respond to consultations |
| 4 | Observer | Expected not to actively contribute to the development effort or to participate in the formal consultations |

SJWS

As detailed in the chapter 7, ENTSOG plans to have several Stakeholder Joint Working Sessions in which the concepts outlined in this document are discussed thoroughly and further developed to inform and shape the development of the code. ENTSOG plan to organize 3 SJWSs as the network code on Interoperability and Data Exchange Rules is focused more on TSO⇔TSO cooperation. It contains topics that influence more TSOs than

Network Users. The table provides a list of the sessions foreseen during the respective project phase and workshops planned as part of the project:

|  | Date | ISSUES |
|---|---|---|
| Project kick – off WS | 26.09.2012 |  |
| SJWS 1 | 14.11.2012 | Interconnection Agreement + Gas Quality + Odourisation + (Capacity calculation)* |
| SJWS 2 | 28.11.2012 | Data Exchange + Units |
| SJWS 3 | 11.12.2012 | Feedback + Summary |
| Consultation WS | 20.03.2013 |  |
| Conclusion WS | 28.05.2013 |  |

* Capacity calculation: the Commission is considering making use of its right of proposal to put forward a text for comitology in NC CAM.

Unless otherwise publically announced, all meetings will be held in Brussels. ENTSOG will inform the participants on the exact venue and will publish meeting material in due time prior to such meetings.

ENTSOG recognises the significant challenge associated with the communication and the development of mutual understanding of all participants' positions during the entire twelve month process. ENTSOG will therefore ensure that all stakeholders are kept up to date via a combination of direct mailings or via ENTSOG website updates. All formal meetings will be documented and action logs will be maintained, updated and published as appropriate.

Bilateral meetings

In addition to the planned interactions with stakeholders during the code development ENTSOG is open to interaction with stakeholders on a bilateral basis both before and during all phases of the project. This will assist the understanding of different perceptions of the issues, challenges and opportunities afforded by the code development and to assist preparation of concepts for further SJWS or subsequent considerations for the draft network code on Interoperability and Data Exchange Rules.

An effective process will require engagement with stakeholders throughout the process, possibly involving either bilateral or multilateral meetings with associations and individual companies. ENTSOG would welcome views from respondents about how best to achieve this and particularly views on the use of:

> Webinars
> Teleconferencing:

Both could be used to facilitate discussions about specific issues or to allow stakeholders to raise any issues or ideas they may wish to explore.
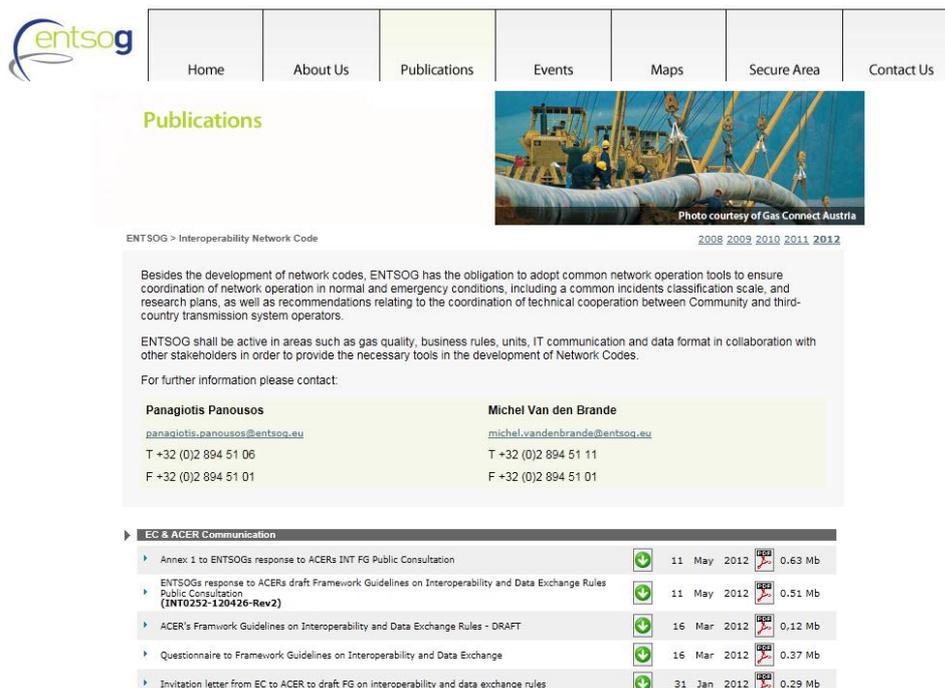
Press

In line with the SJWS arrangements for the Balancing network code, ENTSOG proposes to exclude press attendance at Interoperability SJWS. However, ENTSOG would support a discussion with the press on a frequent basis, to keep them appraised of developments.

## 9. Document management

According to this plan and to the Guidelines on Stakeholder Engagement Process, ENTSOG will conduct the network code development project in a fully open and transparent manner. Stakeholders' involvement both during the interactive design phase and the formal consultation phase secures the openness of the process. Other means of assuring a transparent process consist of comprehensive publication of all discussed and developed material throughout the process.

As confirmed during the consultation on this project plan, ENTSOG has and will continue to extensively make use of its website to make available all network code relevant material, at the following location: http://www.entsog.eu/publications/interoperability.html.

The website is structured according to the different phases of the process, all documents remaining available at all times, but the most relevant ones at a given point in time being put forward. The following picture illustrates the organisation of a given section and the different documents relating to it, with their corresponding status (see illustration below).

## 10. Risks

Developing a network code on Interoperability and Data Exchange Rules is a complex process. The starting point for the network code is the framework guideline on Interoperability and Data Exchange Rules. Interpretation will be a major issue and ENTSOG will work with those who have written the framework guideline and EC to ensure a common understanding. Early understanding of those elements that might be conflicting in the framework guideline is needed, to ensure the timely development of the network code.

A second aspect that makes the project a complex one is the number of stakeholders and different interests of different (groups of) stakeholders, especially in combination with the tight and firm deadline under which the network code has to be developed. Early and thorough engagement of stakeholders is a key measure to mitigate this risk as much as possible.

The deadline for finishing the project is tight and firm. Therefore ENTSOG must keep the tight timelines and ask stakeholders to respect these timelines. ENTSOG staff will be open for bilateral discussion of issues that arise or explain topics on a bilateral basis.

## 11. Questions for Consultation

ENTSOG is looking forward to working with all stakeholders on this challenging and exciting project.

In order to ensure the best possible work process, ENTSOG would like to receive stakeholders' feedback on the proposed network code development process. Stakeholders are therefore invited to answer the following questions:

1.  What do you expect to be your organisations' level of involvement during the network code development (see chapter 8 for further information)?
    a.  Prime mover
    b.  Active SJWS participant
    c.  Consultation Respondent
    d.  Observer
2.  According to your opinion does the project plan for the development of a network code on Interoperability and Data Exchange Rules contained in this document provide sufficient basis for a quality stakeholder involvement given the timelines within which this project must be delivered? If no please propose any improvements to be made.
3.  What do you think of the proposed timeline, including frequency and number of meetings? Are any changes needed?
4.  What do you think of the proposed topics and scheduling for each Stakeholder Joint Working Sessions (SJWS)? Which other topics might be included?
5.  What is your view on our ideas regarding use of webinars, teleconferencing? Do you have any other suggestions that might enhance this process?

**The Public Consultation Questionnaire on the draft Project Plan should be completed and submitted no later than 11 October 2012 via the online consultation response form.**
We look forward to hearing from you and to working together with you in the network code development process for Interoperability and Data Exchange Rules.

## Appendix A – Project Plan

| # | Task Name | Timeline |
|---|-----------|----------|
| 1 | Publication of Framework Guidelines | 7/26 |
| 2 | EC send invitation letter to ENTSOG for drafting NC | 9/11 |
| 3 | Network Code development | |
| 4 | PHASE 1 - Project plan and Launch Documentation developement | |
| 5 | Project Plan Consultation | |
| 6 | Project kick - off meeting | 9/26 |
| 7 | Publish Launch Documentation | 10/10 |
| 8 | Publish Project Plan Consultation Report | 11/7 |
| 9 | PHASE 2 - NETWORK CODE DEVELOPMENT | |
| 10 | SJWS | |
| 11 | SJWS 1 | 11/14 |
| 12 | SJWS 2 | 11/28 |
| 13 | SJWS 3 | 12/11 |
| 14 | Public consultation on draft Network Code | |
| 15 | Consultation Workshop | 3/20 |
| 16 | PHASE 3 - CODE DECISION MAKING | |
| 17 | Process Public Consultation responses | |
| 18 | Conclusion Workshop | 5/28 |
| 19 | Stakeholder Support Process | |
| 20 | Approval of Network Code | |
| 21 | Board approval | 8/28 |
| 22 | General Assembly approval | 9/11 |
| 23 | Submit Network Code to ACER | 9/11 |