

Recommendations relating to the coordination of technical cooperation between Community and third country TSOs

1. Introduction

The purpose of this document is to provide recommendations for the cooperation of EU TSOs (cooperating within ENTSOG) with third-country Transmission System Operators (TSOs). The recommendations are adopted in accordance with Article 8.3(c) Regulation (EC) No 715 / 2009, which requires ENTSOG to adopt “*recommendations relating to the coordination of technical cooperation between Community and third-country transmission system operators*” (“Third country TSOs”). This document fulfils this requirement, though these recommendations are not binding rules.

2. Definition of third-country TSO

Legally, the category of ‘third country TSOs’ should be understood as the group of all TSOs, including vertically integrated companies with transmission assets, that are not located in the EU, where Regulation (EC) N° 715 / 2009 requires EU TSOs to collaborate through ENTSOG. It is worth highlighting that many of the third country TSOs connected to EU TSOs are located in countries which are contracting parties or observers to the Energy Community and are therefore welcome to apply for the Observer Status in ENTSOG.

3. Technical cooperation

Since ENTSOG’s establishment, technical cooperation has advanced in the key areas of Security of Supply and Interoperability. This section describes each type of cooperation in more detail in terms of why it was established in each case.

3.1. Security of Gas Supply

3.1.1. ReCo System

Regulation (EU) 2017/1938 concerning measures to safeguard the security of gas supply (SoS regulation) requires, in the event of a regional or Union emergency, the transmission system operators to cooperate and exchange information using the regional coordination system (ReCo System) for Gas and ENTSOG to inform the Commission and the competent authorities of the Member States concerned accordingly.

The ReCo System consists of three different teams corresponding (ReCo Teams North-West, East and South) formed by standing experts from TSOs. In the event of a crisis (regional or Union wide), the concerned ReCo Team or Teams will be summoned with the aim of avoiding, preventing or mitigating any negative impacts of gas disruptions on a regional or European-wide level due to any technical, operational or other reason.

Participation in the ReCo System is open to ENTSOG Members and Associated Partners as well as already to some third country TSOs to the extent they are Observers in ENTSOG, the observer membership being open to any *“undertaking which is a natural or a legal person that is acting as transmission system operator for natural gas in a state that is a candidate for accession to the EU, a party to the treaty establishing the Energy Community or a party to the convention establishing the European Free Trade Association”* (article 9d of the ENTSOG Articles of Association).

3.1.2 Involvement of all the third country TSOs

In order to improve the preparedness of the Union TSOs to face potential operation challenges and mitigate crisis situations ENTSOG and EU TSOs are working on enhancing technical cooperation with all the third-country TSOs of countries supplying or transiting gas to the Union, in particular, endeavouring to exchange technical and operational information in case of relevant stress events.

3.2. Expert knowledge on EU Regulations and their implementations

Since the entry into force of the EU gas Regulations (Reg. No 715/2009, Reg. No 2017/459, Reg. No 312/2014, Reg. 2017/460, Reg. 2015/703, Reg. No. 2017/1938) ENTSOG in cooperation with EU TSOs are in a continuous dialogue and share their knowledge through public workshops dedicated to:

- Introduce the content of the EU regulations, appropriate specifics of their usage, and amendment processes.
- Exchange on common Network Codes implementation challenges.
- Transparency activity
- Security of Gas Supply
- Ten Year Network Development Plans and Cost-Benefit Analysis. Gas Supply Potentials and Market-Related Assumptions for TYNDP
- Cybersecurity topics
- On-going technical developments, such as in the fields of data exchange solutions and harmonisation of gas quality.

In addition, ENTSOG cooperates with the Energy Community Secretariat in the adaptation and incorporation of the EU Network Codes and transparency guidelines to the Energy Community acquis.

All these actions already contribute to the fulfilment by ENTSOG of its obligation under abovementioned article 8.3 (c) of Regulation (EC) No 715 / 2009.

3.3. External Contact Platform (“ECP”)

In 2018, ENTSOG established a cooperation structure between European and non-EU gas transmission companies, including but not limited to the companies from the Energy Community countries.

The purpose is to strengthen ENTSOG’s cooperation with non-EU gas transmission companies via a standing discussion platform, with the support of the Energy Community Secretariat.

The scope will focus on **coordination and technical cooperation** between ENTSOG and other non-EU gas transmission system operators, as framed by Regulation 715/2009.

The creation of this ECP also aims at contributing to the fulfilment by ENTSOG of its obligation under above-mentioned article 8.3 (c) of Regulation (EC) No 715 / 2009.

4. Framework for third country TSOs

4.1. Criteria to categorise third country TSOs

ENTSOG considers the following criteria that influence the different categories of third country TSOs and that affect the recommendations for technical coordination:

- > The third country’s relationship to the EU, for example, whether the country is a party to the Energy Community Treaty and especially if it is bound to implement the following rules:
 - Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (Text with EEA relevance)
 - Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (Text with EEA relevance)
- > The existence of an exit point to (or an entry point from) an ENTSOG member.

4.2. Categories of third country TSOs

In light of the criteria identified in section 4.1, ENTSOG identifies three categories of third country TSOs:

- > 1. TSO from an Energy Community contracting party or Observer.
- > 2. TSO in a country that is not a contracting party or observer to the Energy Community but which, nevertheless, has or is in negotiation to sign a specific agreement to accommodate or implement EU legislation.
- > 3. TSO in a country that is not a contracting party of the Energy Community and that does not have or is not in negotiation to sign a specific agreement to accommodate or implement EU legislation.

It is reminded that the third country TSOs in a state that is a candidate for accession to the EU, a party to the treaty establishing the Energy Community or a party to the convention

establishing the European Free Trade Association (“EFTA”) are allowed to become Observers in ENTSOG which give them access to a substantial amount of information including of “coordination of technical cooperation” nature.

5. Recommendations

This section sets out the ENTSOG recommendations on the coordination of technical cooperation, taking into account the categories of third country TSOs as identified in Section 4.

5.1. Category 1

These third countries are members of the Energy Community or the EFTA and have already implemented or are in the process of implementing the same technical standards and market rules as the TSOs of ENTSOG.

Security of Supply

Participation in the ReCo System is open to these third countries TSOs along the emergency supply corridors as defined in the SoS Regulation provided, however, they are Observers of ENTSOG. In fact, Gassco, Swissgas and Ukrtransgaz, for instance, are already part of the relevant ReCo Teams¹. ENTSOG and EU TSOs are working on enhancing technical cooperation for a suitable exchange of technical and operational information (with third country TSOs operating IPs at borders with EU) in case of relevant stress events.

Expert knowledge on EU Regulations and their implementations ENTSOG in cooperation with EU TSOs and Energy Community Secretariat organise dedicated meetings and workshops regarding adaptation and implementation of EU Regulations, and other topics relevant for technical cooperation.

External Contact platform

Participation in the platform is welcome and already well established with support from the Energy Community Secretariat.

5.2. Category 2

These third countries are not members of the Energy Community but have or are in negotiation to sign a specific agreement to accommodate or implement EU legislation.

Security of Supply

ENTSOG and EU TSOs are working on enhancing technical cooperation for a suitable exchange of technical and operational information (with third country TSOs operating IPs at borders with EU) in case of relevant stress events.

¹ ENTSOG is currently investigating if the possible bundled nature of some third country TSOs could represent an obstacle for these TSOs to participate in the ReCo Teams.

Expert knowledge on EU Regulations and their implementations

ENTSOG is ready to strengthen the exchange of expert knowledge with these countries to promote consistency with EU Regulations and other topics relevant for technical cooperation.

External Contact platform

Participation in the ECP could be further considered in the future. ENTSOG plans to evaluate the way of working of the ECP after one year of experience. As the case may be the ECP participation could be broadened.

5.3. Category 3

These third countries are neither members of the Energy Community nor have a specific agreement to accommodate or implement EU legislation.

Security of Supply

ENTSOG and EU TSOs are working on enhancing technical cooperation for a suitable exchange of technical and operational information (with third country TSOs operating IPs at borders with EU) in case of relevant stress events.

Expert knowledge on EU Regulations and their implementations

ENTSOG is ready to strengthen the exchange of expert knowledge with these countries based on common interests.

External Contact platform

Participation in the ECP could be further considered in the future. ENTSOG plans to evaluate the way of working of the ECP after one year of experience. As the case may be the ECP participation could be broadened.