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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, in the natural gas sector

Based on Art. 130 (1) (d), (d1) and (q) of Energy and Gas Law 123/2012, as amended, based on Art. 5 (1) (c) and (d) and Art. 10 (1) (j), (o) point 2 and (q) of Government Emergency Ordinance 33/2007 on the organization and operation of the National Energy Regulatory Authority, approved as amended by Law 160/2012, as amended,

the President of the National Energy Regulatory Authority 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:

1. At article 36, paragraph (3⁶) shall be repealed.

2. At article 51, paragraph (5) shall be amended and shall be read as follows:

“(5) The provisions of para. (1) and (2) shall not be applied to cross border interconnection points.”

Art. II. — The transmission capacity booking methodology for the provision of gas transmission services through the points located on the gas transmission pipeline Isaccea 1 — Negru Vodă 1 intended for gas transmission on the corridor the Russian Federation-Bulgaria and for the gas supply to localities on the Romanian territory, approved by Order no. 158/2019 of the President of the National Energy Regulatory Authority, published in the Official Journal of Romania, Part I, no. 534 dated 28 June 2019, as amended, shall be amended as follows:

1. **Article 1 shall be amended and shall be read as follows:**

„Art. 1. — (1) The transmission capacity booking at the interconnection points Negru Vodă 1 and Isaccea 1 related to the Isaccea 1 — Negru Vodă 1 pipeline is carried out through auctions organized within the Regional Capacity Booking Platform, hereinafter referred to as RBP operated by «Foldgazszállító Zártkörűen Működő Részvénytársaság» - FGSZ, according to the RBP Operation Rules and the auction calendar published annually by the European Network of Transmission System Operators for Gas - ENTSOG.

(2) The transmission capacity at the exit points to the localities on the Romanian territory connected to the Isaccea 1 — Negru Vodă 1 pipeline shall be booked in accordance with the provisions of the Order of the President of the National Energy Regulatory Authority no. 16/2013 on the approval of the Network Code for the National Gas Transmission System, as amended.”

2. At article 3, paragraph (2) shall be repealed.

3. At article 3, paragraphs (3) and (4) shall be amended and shall be read as follows:

“(3) at the interconnection point Isaccea 1, in the exit direction, the available firm/interruptible capacity will be booked by a NU, without access to the VTP, and only if, at the interconnection point Negru Vodă 1, in the entry direction, the same NU books a capacity at least equal to that requested at the Isaccea interconnection point 1.

(4) At the Negru Vodă 1 interconnection point, in the exit direction, the available firm/interruptible capacity will be booked by a NU, without access to VTP, and only if, at the interconnection point Isaccea 1, in the entry

direction, the same NU books a capacity at least equal to that requested at the interconnection point Negru Vodă 1.”

4. At Article 3, after paragraph 4, two new paragraphs, i.e. paragraphs 5 and 6 shall be inserted with the following wording:

“(5) based on the capacity booked according to par. (3) and (4), at the interconnection points Isaccea 1 / Negru Vodă 1, in the exit direction, TSO shall accept the NU nomination only within the limit of the quantities nominated at the interconnection points Negru Vodă 1 / Isaccea 1, in the entry direction.

(6) at the interconnection points Negru Vodă 1 and Isaccea 1, in the exit direction, the network user may book firm / interruptible capacity, with access to the VTP, taking into account the transmission capacity offered by the TSO. The firm / interruptible capacity, with access to the VTP, shall be offered as a competing capacity between IP Negru Vodă 1 and IP Isaccea 1, after the conditions regarding the competing capacity provided for in art. 8 para. (2) of Commission Regulation (EU) 2017/459 of 16 March 2017 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 182/2011 984/2013 have been met.”

Art. III. — The framework contract on the gas transmission capacity booking at the points of interconnection between the Romanian National Gas Transmission System and the gas transmission systems of the EU Member States neighbouring Romania, approved by Order no. 130/2020 of the President of the National Energy Regulatory Authority on the establishment of measures for the booking of transmission capacity at the points of interconnection between the Romanian National Gas Transmission System and the gas transmission systems in the EU Member States neighbouring Romania, published in the Official Journal of Romania, Part I, no. 562 of June 29, 2020, shall be amended as follows:

— **At article 2, paragraph (1) shall have the following wording:**

Art. 2. — (1) The scope of this contract is the provision of gas transmission services, designating all the activities and operations carried out by the TSO for or in relation with the booking of standard transmission capacity products, with and / or without access to the VTP, at the interconnection points, according to the provisions of the interconnection agreements.”

Art. IV. — The National Gas Transmission Company "Transgaz" - S.A. Mediaș and the network users shall implement the provisions hereof, and the specialized departments within the National Energy Regulatory Authority shall monitor the compliance with such provisions.

Art. V. — This order shall be published in Romania's Official Journal, Part I.

For the President of the National Energy Regulatory Authority,
Zoltan Nagy-Bege

Bucharest, 3 March 2021.
No. 13.