

ACTS OF THE ROMANIAN ENERGY REGULATORY AUTHORITY

THE ROMANIAN ENERGY REGULATORY AUTHORITY (ANRE)

ORDER

On the amendment and supplementation of the Methodology for the determination of the gas transmission regulated revenues, total revenues and regulated tariffs, as approved by Order no. 32/2014 of the ANRE Chairman

Whereas the provisions of Art. 5, paragraph (1), letter b) of Governmental Emergency Ordinance no. 33/2007 on the organization and functioning of ANRE, as approved with amendments by Law no. 160/2012

Under the provisions of Art. 179, paragraph (4) and (5) of Energy and Gas Law no. 123/2012, as amended from time to time

The Chairman of the Romanian Energy Regulatory Authority issues the following order:

Art. I – the Methodology for the determination of the gas transmission regulated revenues, total revenues and regulated tariffs, as approved by Order no. 32/2014 of the ANRE Chairman, published in the Romanian Official Journal, Part I, no. 386 dated 26 May 2014, as amended, shall be amended as follows:

1. Article 32, paragraph (4) shall be amended as follows:

”(4) as of 1 October 2017, the fixed component of the total revenues which currently amounts to 60% and which is used for the determination of the capacity booking charges shall increase annually, by 5 %, up to 85% of the total revenues”.

2. Article 65 shall be amended as follows:

”Art. 65 – (1) the gas transmission total revenues, regulated revenues and tariffs shall be endorsed by order of ANRE Chairman before and/or during the regulatory period as far as each license holder performing gas transmission activities is concerned.

(2) Before the start of the regulatory period/year of the regulatory period, the license holder shall publish at least the information under annex 3 on its webpage.”

3. Annex no. 2 shall be followed by a new annex, particularly annex no. , the contents of which is provided for in the annex hereto.

Art. II – Within 10 working days from the date this order has been published, the holder of the gas transmission system operation license shall publish on its webpage the information under art. I (2) which is used for the determination of the gas transmission regulated revenues, total revenues and regulated tariffs approved by Order no. 39/2016 of ANRE Chairman on the approval regulated revenues, total revenues and tariffs related to gas transmission through the Romanian National Gas Transmission System, published in the Romanian Official Journal, Part I, no. 617 dated 11 August 2016.

Art. III – the Romanian Energy Regulatory Authority and the holders of gas transmission system operation licences shall enforce the provisions hereof.

Art. IV – this Order shall be published in the Romanian Official Journal, Part I.

The Chairman of the Romanian Energy Regulatory Authority

Nicolae Havrileț

Bucharest, 15 February 2017

No. 10

ANNEX

(Annex no. 3 to the Methodology)

Information to be published before the start of the regulatory period/year of the regulatory period

The holder of the gas transmission system operation license shall publish on its webpage, at least 30 days before the start of the regulatory period/year of the regulatory period, the following information used for the determination of the gas transmission regulated revenues, total revenues and regulated tariffs approved by the Romanian Energy Regulatory Authority:

1. Information on the parameters - used within the applied methodology for the determination of the gas transmission regulated revenues, total revenues and regulated tariffs – associated with the technical features of the gas transmission system, such as:
 - a) Technical capacity at each entry and exit point and the related assumptions
 - b) Estimated contracted capacity at each entry and exit point and the related assumptions
 - c) Gas quantity and flow direction with respect to each entry and exit point and the related assumptions, such as the supply and demand scenarios for peak gas flows
 - d) Adequately minute structural representation of the transmission network
 - e) Additional technical information on the transmission network, such as the pipeline length and diameter and the power of the gas compressor stations
2. Information on the regulated revenues and the total revenues:
 - a) The regulated revenues and the total revenues as approved according to this methodology
 - b) Information regarding the amendments, on a yearly basis, of the revenues provided in paragraph a)
 - c) The following parameters:
 - (i) The types of assets included in the regulated asset base and their aggregated value, according to annex no.1
 - (ii) The capital costs (CAPEX) and the return on CAPEX, including: the regulated rate of CAPEX return (RoR) and the methodology for the calculation thereof, the methodologies for the re-assessment of assets, explanations on the asset value evolution, depreciation periods and depreciation value, according to annex no. 1

- (iii) Operating expenses (OPEX)
 - (iv) Pass-through costs
 - (v) Incentive mechanisms and efficiency objectives
 - (vi) Inflation indices
3. The following indicators on the total revenues provided for in item (2), letter a):
 - a) The ratio between the revenues from the capacity charges and the revenues from the commodity charges
 - b) The ratio between the revenues from capacity booking charges at all entry points and the revenues from capacity charges at all exit points
 - c) The ratio between the revenues from the intra-system network use both at entry points and at exit points and the revenues from the cross-system network use both at entry points and at exit points
 4. The following data on transmission tariffs, accompanied by relevant information on the determination thereof:
 - a) Capacity charges
 - b) Commodity charges
 5. A regularly updated simplified model allowing network users to estimate the potential evolution of the total revenues and of transmission tariffs, accompanied by an explanation of the way it is used.