

Joint Decision of the Energy Regulators on the approval of an amendment to the List of relevant points of the ICGB AD gas transmission system

Taking into consideration:

1. In connection to ICGB AD application of 17 July 2017 under art. 36 of 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 (Directive 2009/73/EC), the Energy and Water Regulatory Commission, Republic of Bulgaria, (EWRC) and the Regulatory Authority for Waste, Energy and Water, Hellenic Republic, (RAAEY) by Decision № P-BO-1 of 29 May 2018 and Decision № 483 of 29 May 2018, respectively, have adopted the „Joint Decision of the National Regulatory Authorities on the application for exemption of ICGB AD - Energy and Water Regulatory Commission (Bulgaria) and Regulatory Authority for Energy (Hellenic Republic)”, by which they have granted ICGB AD an exemption from third party access requirements, regulated tariffs and ownership unbundling rules for a period of 25 years as of the date of commercial operation (COD) for the Interconnector Greece-Bulgaria (IGB gas pipeline). The National Regulatory Authority decisions have been notified to the European Commission.

2. The European Commission has adopted Decision C(2018) 5058 final/25.7.2018 on the exemption of the Interconnector Greece-Bulgaria from the requirements regarding third party access, tariff regulation and ownership unbundling (hereinafter the “Commission Decision”).

3. EWRC and RAAEY by Decision № P-BO-2 of 8 August 2018 and Decision № 768 of 8 August 2018, respectively, have adopted the „Final Joint Decision of the National Regulatory Authority on the application for exemption of ICGB AD“ (hereinafter the „Final Joint Decision“) in accordance with the Commission Decision.

4. EWRC and RAAEY by Decision № CH-1 of 1 July 2022 and Decision № 593 of 1 July 2022, respectively, have adopted a Final Joint Decision on the certification of ICGB AD as an independent transmission operator.

5. The main objectives of Regulation (EC) No 715/2009 are: setting non-discriminatory rules for access conditions to natural gas transmission systems taking into account the special characteristics of national and regional markets in order to ensure the proper functioning of the internal natural gas market; setting non-discriminatory rules for access conditions to liquefied natural gas (LNG) facilities and storage facilities taking into account the special characteristics of national and regional markets; and facilitating the emergence of a well-functioning and transparent wholesale market with a high level of security of supply in gas and providing mechanisms to harmonise the network access rules for cross-border gas exchanges.

6. One of the main mechanisms for achieving the objectives of Regulation (EC) No 715/2009 is the transparency requirements for transmission system operators regulated in Article 18. Part of these requirements is the obligation of the transmission system operators, for the services provided, to make public information on technical, contracted and available capacities on a numerical basis for all relevant points including entry and exit points on a regular and rolling basis and in a user-friendly and standardised manner (Article 18, paragraph 3 of Regulation (EC) No 715/2009). Guidelines regarding the fulfilment of the above obligations are established in paragraph 3 of Annex I to Regulation (EC) No. 715/2009 with content according to the Commission's Decision of 10 November 2010 amending Chapter 3 of Annex I to Regulation (EC) No 715/2009.

7. According to item 3.2.1. of Annex I to Regulation (EC) No 715/2009, in order to fulfil the requirements for transparency in determining all relevant points, they should include at least the following:

(a) all entry and exit points to and from a transmission network operated by a transmission system operator, with the exception of exit points connected to a single final customer, and with the

exception of entry points linked directly to a production facility of a single producer that is located within the EU;

(b) all entry and exit points connecting balancing zones of transmission system operators;

(c) all points connecting the network of a transmission system operator with an LNG terminal, physical gas hubs, storage and production facilities, unless these production facilities are exempted under (a);

(d) all points connecting the network of a given transmission system operator to infrastructure necessary for providing ancillary services as defined by Article 2(14) of Directive 2009/73/EC.

8. EWRC and RAAEY by Decision № BT-1 of 17 February 2023 and Decision № 31 of 12 January 2023, have adopted a Joint Decision of the Energy Regulators on the approval of the relevant points of the IGB Pipeline, by which, within their powers, they have approved a List of the relevant points of the gas transmission system of ICGB AD, as follows:

a) **Entry-exit interconnection point - KOMOTINI-TAP-IGB, 21Z000000000472E Komotini.**

The interconnection point is an entry-exit point that connects the gas transmission networks of ICGB AD and Trans Adriatic Pipeline AG (TAR) near the town of Komotini, Greece. This point is registered by TAP;

b) **Entry-exit interconnection point – Bulgartransgaz EAD, 58Z-IP-00034-STZ.**

The interconnection point is an entry-exit point that connects the gas transmission networks of ICGB AD and Bulgartransgaz EAD near the Gas Metering station of ICGB AD near the city of Stara Zagora, Bulgaria. This point is registered by Bulgartransgaz EAD.

9. By application reg. № VI-10 of 18.06.2024 (EWRC reg. № E-15-59-16 of 19.06.2024 and RAAEY reg. № I-375801 of 19.06.2024) ICGB AD has requested the national regulatory authorities to approve an amendment to the List of the relevant points of ICGB AD gas transmission system by including a relevant point - entry-exit interconnection point **Komotini-DESFA /ICGB 21Z0000000005398**. This interconnection point will be an entry-exit point that connects the gas transmission networks of ICGB AD and DESFA near the town of Komotini, Greece. This point is registered by DESFA.

10. In a letter reg. № IX -05 of 11.09.2024 (EWRC reg. № E-15-59-16 of 11.09.2024 and RAAEY reg. № I-380439 of 12.09.2024) ICGB AD indicates that the date, from which the List of relevant points of the IGB gas pipeline should be considered amended, is 1 October 2024. ICGB AD indicates that from the date on which the interconnection point of ICGB AD transmission network and DESFA transmission network is active, the company will provide on a daily basis the necessary information according to the requirements of item 3.3.1. of Annex I to Regulation (EC) No 715/2009, including technical capacity, available unreserved capacity and contracted/reserved capacity, both on the company's website and on the ENTSO-G Transparency Platform.

11. According to 18, paragraph 4 of Regulation (EC) No 715/2009, the transmission system relevant points, for which information is to be made public, shall be approved by the regulatory authority after consultation with network users. Given this requirement, EWRC and RAAEY held a public consultation of the list of relevant points, EWRC in the period 16.10.2024 – 30.10.2024 and RAAEY in the period 17.10.2024 – 31.10.2024. In the course of the public consultation, EWRC and RAAEY did not receive any network users' statements.

12. According to Art. 14, paragraph 1 of the Energy Act (EA), EWRC shall conduct a procedure for public discussions with interested parties when drafting general administrative acts

provided for in this Act and in the Supply and Sewerage Services Regulation Act, as well as on other matters of public relevance for development of the energy sector and of the water and sewerage sector. According to Art.14, paragraph 3 of the EA, EWRC shall discuss with the interested parties the basic principles set in the draft and shall allow no less than 14 days for providing opinions on the said draft. Given that, on 16 October 2024, EWRC held a public consultation on the draft amended List of Relevant Points of the Gas Transmission System of ICGB AD. Within the 14-day period provided to the interested parties, no opinions have been received on the draft amended List of Relevant Points of the Gas Transmission System of ICGB AD.

13. Given the requirements of Regulation (EC) No 715/2009, commissioning into commercial operation of the interconnection point of ICGB AD gas transmission network and DESFA gas transmission network and the natural gas transmission through that interconnection point, the national regulatory authorities consider ICGB's request as justified.

Based on the aforementioned arguments, the regulatory authorities of the Republic of Bulgaria and the Republic of Greece have jointly decided to:

Approve, within their powers, an amendment to the List of relevant points of the gas transmission system of ICGB AD, by including a relevant point – the entry-exit interconnection point - Komotini-DESFA /IGB 21Z0000000005398, as follows:

List of relevant points of the gas transmission system of ICGB AD			
No	Energy Identification Code (EIC)	Description	Type
1.	21Z000000000472E Komotini TAP-IGB	Interconnection point of the gas transmission network of ICGB AD and the gas transmission network of Trans Adriatic Pipeline AG (TAP) near the town of Komotini, Greece. This point is registered by TAP.	Entry-exit
2.	58Z-IP-00034-STZ Bulgartransgaz EAD	Interconnection point of the gas transmission network of ICGB AD and the gas transmission network of Bulgartransgaz EAD near the Gas Metering station of ICGB AD near the town of Stara Zagora, Bulgaria. This point is registered by Bulgartransgaz EAD.	Entry-exit
3.	21Z0000000005398 Komotini - DESFA/IGB	Interconnection point of the gas transmission network of ICGB AD and the gas transmission network of Hellenic Gas Transmission System Operator SA. (DESFA) near the town of Komotini , Greece. This point is registered by DESFA.	Entry-exit