

Uwagi do projektu *Programu uwolnienia gazu. Projekt do konsultacji społecznych* z dnia 13 lutego 2012r.

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Lp	Uwaga do (wskazanie numeru strony, akapitu, punktu itp.)	Fragment tekstu Programu, do którego odnosi się uwaga	Treść uwagi/proponowany zapis	Uzasadnienie/uwagi do propozycji
1	Page 6 – main principles	however, PGNiG's subsidiaries - including DSOs, SSO, electricity producers and trading companies - will be entitled to participate therein	PGNiG subsidiaries will not be allowed to participate unless the entities are end consumers of gas	The purpose of GRP program is to increase the competition, not to move the customers from PGNiG to PGNiG subsidiaries like DSO, SSO or other trading companies. The participation of PGNiG subsidiaries will only artificially increase the number of players in the market but not competitiveness on the market.
2	Page 6 – main principles	The starting price of gas offered through the GRP auctions will be determined on the basis of the wholesale purchase price, taking into account costs of gas from all sources into account	The WACOG formula established prior to GRP auction will be valid for the whole 3 years. Price will be result of the quarterly indexation. What about the outcomes of the price reviews or arbitrations which will affect some of the GRP WACOG formula contributors ? The outcomes should be passed back to back.	As the result of the price reviews and/or arbitration the formula and price of gas could decrease. These benefits will stay with PGNiG and will make them more competitive than winners of the GRP program.
3	Page 6 – main principles	The starting price of gas offered through the GRP auctions will be determined on the basis of the wholesale purchase price, taking into account costs of gas from all sources into account	The portfolio of imported gas can also change during the 3 years period. For example more spot indexed gas from Germany via reverse Yamal flow or	The GRP formula should be adjusted annually to reflect the PGNiG latest portfolio. Benefits of any change should

			Lasow and Cieszyn interconnectors could lower the portfolio price of PGNiG.	be passed back to back to GRP auction winners.
4	Page 6 – main principles	In opinion of PGNiG, implementation of the GRP in accordance with this concept should commence within 2 – 3 months from conclusion of the Regulatory Agreement, introduction of necessary legal, regulatory and organizational changes, and it should be continued for twelve consecutive quarters (3 years). Such a transitional period is necessary for potential participants of the Gas Release Programme to prepare themselves for participation, in particular to enter into indispensable contracts with TSO and the commodity exchange. For the purpose of this concept, it has been assumed that the necessary legislative, regulatory and organizational changes will be carried out in sufficient time to enable the commencement of supply of the gas offered under GRP on January 1st, 2013.	Is 2-3 month sufficient to obtain relevant licences to operate in Poland ?	If not that could be a blocker for many players to participate.
5	Page 14 - Quantity of gas offered under GRP	In order to ensure security of gas supply to all present customers of PGNiG, as well as to ensure secure functioning of the national gas system, it is necessary to introduce the following security mechanisms: <ul style="list-style-type: none"> • Implementation of mechanisms limiting exports of gas purchased under GRP 	The destination clauses or export bans are not supported under the EU law. Such a move will limit integration of the gas markets in EU.	Market mechanisms (supply/demand balance and market price) should be sufficient to attract the gas to the specific region or country.
6	Page 14 - Quantity of gas offered under GRP	Illustration 3: Quantity of gas offered under GRP	From the illustration it looks like there will be an auction of 9.4 Bcm every	Why the GRP auction is not organised every year. What

			year. However from price description earlier in the text it looks like the auctions take place only in first year in the GRP. This point is unclear.	will happen after the 3 year period – how the new entrants will source the gas with limited connectivity to the EU liquid hubs and weak prospects of being able to source the gas from the eastern side ?
7	Page 16 - Products offered under GRP	Contracts offered by PGNiG will be subject to modifications on the exchange in accordance with standard exchange procedures, e.g. cascading quarterly, monthly and weekly products – differentiation of contracts will depend on diversity of contracts provided for by the commodity exchange and traded therein.	Will there initially be a market maker to provide liquidity ? How the different qualities of gas be treated ? Will one gas quality be traded at the exchange and TSO/DSO role would be to make sure right quality is delivered to exit point and end user like in Netherlands (owner of the quality conversion facilities) ?	Liquidity on the hub is crucial to minimise the risk of the new entrants. Establishing a market maker will help the exchange in the initial period. Trading different qualities of gas do not help to boost liquidity.
8	Page 18 – part 4.6	The maximum quantity of gas available for purchase by a single entity shall be limited to 25% of the total quantity offered in a single auction	This should be applied on a group level	This will prevent various subsidiaries from one group to participate.
9	Page 19 - GRP price - setting mechanism	general	More detail description of the auction process needed	
10	Page 20 -	Release of exit capacity	Are all the industrial customers free to terminate the contract anytime without penalties and excessive lead-time ? Automatic transfer of the exit capacity and distribution/transport capacity from virtual point to end user guaranteed by TSO/DSO and monitored by regulator.	The inability to contract customers due to artificial blockages may lead to unsuccessful GRP. Also may lead to customer portfolio management (keeping high value customers in portfolio by incumbent) and not releasing them to open competition. Exit capacity and DSO/TSO transport capacity should be

				based on the rucksack principle (capacity follows end user.
11	Page main principles	Flat profile	Offered on GRP flexibility should match the portfolio flexibility	The LT contract price includes the costs of flexibility. This flexibility should be passed back to back to GRP offer or the GRP price should be discounted for not having any flexibility.