349/2015

Public Notice

of 8 December 2015, on the

Gas Market Rules

Under Section 98a(2)(i) of Act No 458/2000 on the Conditions for Business and State Administration in the Energy Industries and Amending Certain Laws ('the Energy Act'), as amended by Act No 131/2015, the Energy Regulatory Office ["the Office"] hereby lays down the following:

PART ONE
INTRODUCTORY PROVISIONS

Section 1
Purpose

(1) In relation to the directly applicable legislation of the European Union[1]) this public notice lays down the following:

a) Rules for access to the transmission system, distribution systems and gas storage facilities, the scope of the information to be published to enable access to the transmission system, distribution systems and gas storage facilities, and methods of congestion management in the gas system;

b) Time limits for requesting contract execution in the gas market and time limits for contract execution;

c) Procedures and conditions for transferring and assuming responsibility for imbalances;

d) The scope of, and time limits for, exchanging information for the evaluation of imbalances and billing of gas supplies and other services, and procedures for evaluating, clearing and balancing imbalances and for clearing and settling balancing gas in states of emergency and prevention thereof;

e) Procedures and time limits for nominations and re-nominations;

f) Storage system operators' procedure for selling gas left in gas storage facilities upon discharge of gas storage agreements;

g) Types and rules for the organisation of spot markets and methods of settlement;

h) Rules for the development, allocation and use of typical gas supply profiles;

i) Timelines and procedure for gas supplier selection and change, including the registration of supply points and delivery points;

j) Procedures for gas supply interruption, reduction and resumption in the case of unauthorised gas consumption, unauthorised distribution and unauthorised transmission;

k) The procedure for ensuring gas supply by suppliers of last resort;

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[1]) Regulation (EC) No 1775/2005 of the European Parliament and of the Council of 28 September 2005 on conditions for access to the natural gas transmission networks

l) The structure of the charge for the gas transmission service, the structure of the charge for the distribution system service and of other regulated prices in the gas industry, and the method and times of data exchange between gas market participants for the purpose of billing regulated prices, and the method and times for billing and paying regulated prices between gas market participants;

m) The technical requirements for operation for equipment checking;

n) The procedure for calculating advance payments.

Section 2

Definition of basic terms

(1) For the purposes hereof, the following expressions shall have the meaning ascribed to them:

a) Allocation rule – a method of allocating gas quantities to cleared entities at border points, points of gas storage facilities, points of gas production plants and points of cross-border gas pipelines;

b) Auction booking platform – a platform for the relevant border point, selected by the transmission system operator in agreement with the adjacent transmission system operator, on which transmission capacity is booked in a manner enabling remote access;

c) Auction calendar – a timetable of auctions for standard capacity products under a separate regulation on transmission capacity allocation[2)];

d) Point of a gas production plant – the delivery point, or the set of the delivery points, between the transmission system and the gas production plant, or between a distribution system and the gas production plant;

e) Distribution network – a distribution system or a part thereof, for which a separate licence had been issued before 1 January 2014 and to which the market operator has assigned a unique numerical identifier;

f) Domestic zone – a delineated area served by the operator of a distribution system connected to the transmission system, to which at least 90,000 supply points of customers are connected;

g) EIC code – an identification numerical code uniquely identifying gas market participants and individual supply points and delivery points;

h) Flexibility – the flexibility service through the line pack, provided by the transmission system operator;

i) Collateral – financial arrangements covering natural and juristic persons' financial liabilities arising from commercial relationships with the market operator, the transmission system operator, storage system operators and distribution system operators;

j) Border point – a set of delivery points between the transmission system in the Czech Republic and foreign gas systems;

k) The operator's account – the transmission system operator's account kept by the market operator, to which the gas quantities related to the transmission system operator's balancing actions and cleared entities' and foreign participants' daily imbalance quantities are debited/credited;

l) Bundled transmission capacity – bundled capacity within the meaning of a separate regulation on rules for transmission capacity allocation[2)];

[2)] Commission Regulation (EU) No 984/2013

m) Corrected typical supply profile – an adjusted typical supply profile corrected by the value of the share in the residual profile;

n) Distribution nomination – a notice whereby a cleared entity notifies a distribution system operator of the gas quantity that it intends to distribute via a cross-border gas pipeline point or a delivery point, or the set of delivery points, of a gas production plant;

o) Transmission nomination – a notice whereby a cleared entity notifies the transmission system operator of the gas quantity that it intends to transport via the respective point of the transmission system;

p) Storage nomination – a notice whereby a cleared entity notifies a storage system operator of the gas quantity that it intends to inject/withdraw;

q) Input/off-take obligation nomination – a trade notification whereby a cleared entity notifies the market operator of the gas quantity that it intends to exchange with another cleared entity at the virtual trading point;

r) Normalised typical supply profile – a sequence of the relative shares in the planned annual consumption in a calendar year of the individual daily gas off-takes of a customer group defined by a typical supply profile class, subject to normal climatic conditions;

s) Normal climatic conditions – the average of daily temperatures for the period from 1971 to 2000, developed for the gas industry by the Czech Hydrometeorological Institute, calculated on the basis of the data from all measuring stations of the Czech Hydrometeorological Institute at altitudes of up to 700 m a.s.l.;

t) New storage capacity – the first booking of storage capacity put to use after 1 January 2010;

u) Responsibility for imbalance – a cleared entity's obligation to accept and settle the imbalance resulting from the difference between the gas quantity entering the gas system and the gas quantity leaving the gas system; the gas quantity is expressed in energy units;

v) Organised spot gas market – the within day gas market organised by the market operator, in which cleared entities participate;

w) Planned monthly consumption – the monthly value of gas consumption agreed in the distribution system service agreement;

x) Planned annual gas consumption – the value of gas consumption obtained from values of actual historical gas off-takes, adjusted to temperature, determined under Schedule 15 hereto;

y) Gas day – an interval of time from 06:00:00 on a calendar day to 06:00:00 on the following calendar day;

z) Gas month – an interval of time beginning on the first gas day of a calendar month and ending at the end of the last gas day of the calendar month;

(2) For the purposes hereof:

a) Gas year means a period of time within the meaning of a separate regulation on the rules for transmission capacity allocation[2)];

b) Adjusted annual consumption means the value of gas consumption obtained from values of actual gas off-takes and adjusted for a period of one year under Schedule 15 hereto;

c) Adjusted typical supply profile means a normalised typical supply profile adjusted to the actual climatic conditions for a gas day;

d) Cross-border gas pipeline means a gas pipeline connecting a distribution system and a foreign gas system;

e) Registered gas market participant means a gas market participant whom the market operator allows access to its information system on the basis of registration;

f) Distribution re-nomination means a gas quantity value submitted after the time limit for distribution nomination;

g) Transmission re-nomination means a gas quantity value submitted after the time limit for transmission nomination;

h) Storage re-nomination means a gas quantity value submitted after the time limit for storage nomination;

i) Input/off-take obligation re-nomination means a gas quantity value submitted after the time limit for input/off-take obligation nomination;

j) Storage capacity means the working volume of a part or the whole of the virtual gas storage facility, in cubic metres or in kWh, withdrawal or injection capacity, in kWh/day, or withdrawal or injection curve, in kWh/day;

k) Storage year means an interval of time beginning on the first gas day of April and ending at the end of the last gas day of March of the following calendar year;

l) Actual climatic conditions means the average of actual daily air temperatures in the Czech Republic for each of the trading days, which is calculated on the basis of data from all measuring stations of the Czech Hydrometeorological Institute located at altitudes of up to 700 m a.s.l.;

m) System imbalance means the sum of all cleared entities' and foreign participants' positive and negative imbalances on a gas day;

n) Typical supply profile class means the aggregate of the characteristics of the supply points to which the same typical supply profile is assigned;

o) Closed part of a distribution system means a part of a distribution system the technical arrangement of which does not make it possible to transfer gas from this part of the distribution system to another part of the same distribution system or to a different distribution system;

p) Virtual trading point means the point at which nominations of the obligation to input/off-take gas into/from the gas system are made;

q) Virtual storage facility means a set of all gas storage facilities of one storage system operator;

r) Settlement of imbalances means financial settlement made between a cleared entity and the market operator for daily imbalance quantities and for differences between monthly and daily imbalances, and between corrective monthly imbalances and monthly imbalances;

s) Foreign participant means a foreign natural or juristic person that is not a cleared entity and that uses the border points of the transmission system and the points of virtual gas storage facilities;

t) Input obligation means a cleared entity's contractual obligation to deliver the gas quantity nominated by this cleared entity for a gas day into the gas system at the virtual trading point;

u) Off-take obligation means a cleared entity's contractual obligation to off-take the gas quantity nominated by this cleared entity for a gas day from the gas system at the virtual trading point;

v) Average technical capacity means the arithmetic average of the values of technical capacity at the relevant point for the preceding gas year.

Section 3
The gas market

(1) In respect of the gas market, all values denoting time are shown as time in the Czech Republic.

(2) The gas market operates using numerical codes and code lists administered by the market operator. Numerical codes are used for designating customers' supply points; delivery points on cross-border gas pipelines; points of gas production plants; delivery points, or sets of delivery points, between the transmission system and a distribution system; delivery points between distribution systems; delivery points between a gas storage facility and the transmission system; and delivery points of gas market participants, with the exception of customers.

(3) Customers' supply points, points of gas production plants, and delivery points of cross-border gas pipelines shall only be assigned to a distribution network or the transmission system depending on the connection point.

(4) The TSO, distribution system operators and SSOs are regarded as customers to the extent of their losses and house load.

(5) An operator of a distribution systems that is divided into multiple distribution networks is regarded as a single customer with multiple virtual supply points representing the distribution system operator's losses and/or unallocated off-take in each of the distribution networks.

(6) For a gas day, the gas quantity exiting a distribution network equals the gas quantity entering the distribution network and the change in the line pack in the distribution network.

Section 4
Gas system points

(1) The entry points of the gas system are border points, points of virtual gas storage facilities, points of gas production plants, delivery points on cross-border gas pipelines and the TSO's virtual points.

(2) The exit points of the gas system are border points, points of virtual gas storage facilities, customers' supply points, delivery points on cross-border gas pipelines, virtual supply points representing distribution system operators' losses or unallocated off-take in each of the distribution networks, and the TSO's virtual points.

(3) The virtual trading point is located between all entry and exit points of the gas system.

Section 5

Designation of gas market participants, delivery points and supply points

(1) The market operator shall register code lists of registered gas market participants and anonymous codes of foreign participants, and manage code lists of delivery and supply points and other data needed for the identification of gas market participants and each of the supply and delivery points. The EIC code shall be used for the code lists. The market operator also manages numerical identifiers of distribution networks.

(2) Distribution system operators shall ensure that the market operator designates the following by the assignment of numerical codes:

a) Delivery points on cross-border gas pipelines;

b) Points of gas production plants, subject to agreement with gas producers;

c) Delivery points between adjacent systems, subject to agreement with the adjacent distribution system operators;

d) Delivery points between adjacent distribution networks;

e) Delivery and supply points, including virtual points, connected to the distribution system operated by the respective distribution system operator.

(3) The TSO shall ensure that the market operator designates the following by the assignment of numerical codes:

a) Points of gas production plants, subject to agreement with gas producers;

b) Delivery points, or sets of delivery points, between the transmission system and distribution networks, subject to agreement with distribution system operators;

c) Border points in the transmission system;

d) Delivery points between gas storage facilities and the transmission system, subject to agreement with SSOs;

e) Delivery points of supply points, including virtual points, connected to the transmission system;

(4) The TSO shall ensure that transmission system users who are foreign participants are assigned anonymous codes under subsection (1) by the market operator.

(5) The TSO or the distribution system operator shall, following the generation of the numerical code for a new delivery point or a set of delivery points or a new supply point with type A or B metering[3)], immediately transmit the code to the market operator's information system in relation to the procedure followed when gas supply is started under Section 113(5).

PART TWO

GAS TRANSMISSION

Section 6

Transmission participants

(1) Cleared entities and foreign participants contract for gas transmission at border points or virtual gas storage facility points.

(2) Customers or gas suppliers contract for gas transmission at supply points of customers directly connected to the transmission system.

(3) Distribution system operators contract for gas transmission for the set of delivery points between the transmission system and distribution systems.

(4) For the TSO's virtual points, gas transmission is not subject to contract. The TSO's virtual points serve exclusively for the TSO's needs and for physical and commercial balancing of imbalances.

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[3]) Section 2 of public notice 108/2011 on gas metering and on the method of calculating damages for unauthorised gas off-take, unauthorised gas supply, unauthorised gas storage, unauthorised gas transmission or unauthorised gas distribution

(5) Gas producers and gas traders contract for gas transmission at points of gas production plants connected to the transmission system.

Section 7

(1) Gas transmission takes place via entry points of the transmission system, which include border points, points of gas production plants connected to the transmission system, virtual storage facility points and the TSO's virtual point.

(2) Gas transmission takes place via exit points of the transmission system, which include border points, virtual storage facility points, supply points of customers directly connected to the transmission system, delivery points, or sets of delivery points, between the transmission system and distribution systems, and the TSO's virtual point.

(3) The entry point of a virtual storage facility is entry into the transmission system. The exit point of a virtual storage facility is exit from the transmission system.

(4) The TSO specifies the transmission system points by, in particular but without limitation, the used name, the gas flow direction, and the size of technical capacity.

Section 8

Entering into agreements on gas transmission service provision

(1) The request for entering into a gas transmission service agreement shall be delivered by the cleared entity or foreign participant not later than by 10:00:00 ten working days before transmission is to take place or before transmission capacity booking or before an auction on the auction booking platform.

(2) The TSO shall evaluate the request for entering into a gas transmission service agreement under subsection (1) and, in the case of a favourable evaluation, shall send a draft gas transmission service agreement to the applicant by 16:00:00 on the fifth working day from the delivery of the request.

(3) The applicant for entering into a gas transmission service agreement shall accept the draft gas transmission service agreement under subsection (2) so as to ensure that the gas transmission service agreement is executed not later than by 12:00:00 two working days before transmission is to take place or before transmission booking or before an auction on the auction booking platform.

Section 9

Types of transmission capacities at each of the entry and exit points of the transmission system

(1) Under gas transmission service agreements the TSO makes it possible for cleared entities and foreign participants to book monthly transmission capacity, daily transmission capacity, day-ahead transmission capacity and within day transmission capacity for a virtual gas storage facility point.

(2) Under gas transmission service agreements the TSO makes it possible for cleared entities to book monthly transmission capacity, daily transmission capacity, day-ahead transmission capacity and within day transmission capacity for gas production plant points.

(3) Under gas transmission service agreements the TSO makes it possible for cleared entities and foreign participants to book yearly standard capacity, quarterly standard capacity, monthly standard capacity, daily standard capacity, and within day standard capacity for border points. Transmission capacity can be booked as bundled or unbundled. Bookings for border points are submitted via the auction booking platform. Capacity is booked in auctions under a separate

regulation on the rules for transmission capacity allocation[2)]. For their participation in an auction, cleared entities and foreign participants must be registered in the auction booking platform. Capacity is booked upon the publication of the results of the auction.

(4) Gas transmission service agreements under Section 6(3) are entered into with effect from the first gas day of a calendar year.

(5) Under gas transmission service agreements the TSO makes it possible for gas suppliers or customers to book transmission capacity for the customer's supply point directly connected to the transmission system, specifically as transmission capacity for the supply point for an indefinite period of time, monthly transmission capacity for the supply point, rolling transmission capacity for the supply point, daily transmission capacity for the supply point, day-ahead transmission capacity for the supply point, and within day transmission capacity for the supply point.

(6) Transmission capacity under subsections (1), (2), (3) and (5) can be booked as firm or interruptible capacity.

(7) Transmission capacity bookings under subsections (1), (2), (3) and (5) are submitted via the TSO's information system.

Procedures and timing for capacity booking at virtual gas storage facility points and gas production plant points

Section 10

(1) When monthly transmission capacity has been booked gas transmission starts on the first gas day of the calendar month for which transmission capacity has been booked.

(2) Cleared entities and foreign participants can also book transmission capacity from a gas month other than the gas month immediately following the month in which they request monthly transmission capacity booking, however, no earlier than 24 calendar months before the beginning of transmission.

(3) Monthly capacity is booked for one or more consecutive gas months.

(4) Monthly transmission capacity for virtual gas storage facility points can be booked for no more than 60 consecutive gas months following the month in which the request for monthly firm or interruptible transmission capacity booking was submitted. Cleared entities and foreign participants book transmission capacity for a virtual gas storage facility point up to the booked maximum capacity of withdrawal from or injection into the gas storage facility.

Section 11

(1) When daily transmission capacity gas been booked gas transmission starts on the first gas day of the period for which transmission capacity has been booked and ends on the last gas day of the period for which transmission capacity has been booked.

(2) Cleared entities and foreign participants can also book transmission capacity from a gas day other than the gas day immediately following the day on which they request transmission capacity booking.

(3) Daily transmission capacity is booked for one or more consecutive gas days.

(4) Daily transmission capacity can be booked for no more than 31 gas days from the day of submitting the request for daily firm or interruptible transmission capacity booking.

Section 12

(1) When day-ahead transmission capacity has been booked gas transmission starts on the gas day following the gas day in which the cleared entity or foreign participant books day-ahead transmission capacity.

(2) Gas transmission using day-ahead transmission capacity takes place for one gas day.

Section 13

(1) When within day transmission capacity has been booked gas transmission starts on the gas day for which the within day transmission capacity has been booked.

(2) When within day transmission capacity is used gas transmission takes place for one gas day or a part thereof, however, at all times until the end of the respective gas day for which the transmission capacity was booked.

Section 14

(1) The TSO books interruptible transmission capacity pro gas transmission under Sections 10 to 13 in cases where the cleared entity or foreign participant requests so or when firm transmission capacity cannot be booked because free firm transmission capacity is no longer available.

(2) Cleared entities and foreign participants book interruptible transmission capacity under Sections 10 to 13 for a virtual gas storage facility point up to the amount when the sum of the cleared entity's or foreign participant's firm and interruptible transmission capacities for the virtual gas storage facility point equals the amount of the maximum capacity of withdrawal from or injection into the storage facility booked by the cleared entity or foreign participant.

Section 15

(1) Cleared entities and foreign participants request transmission capacity booking under Sections 10 and 11 not later than by 08:00:00 on the calendar day preceding the gas day on which transmission is to be started based on transmission capacity booking, doing so electronically in the TSO's information system and providing the details specified in Schedule 1 hereto.

(2) The TSO shall evaluate requests for transmission capacity booking submitted under subsection (1) not later than by 08:30:00 on the gas day on which the requests for transmission capacity booking were submitted.

(3) The capacity is booked for the cleared entities and foreign participants by an electronic confirmation of their requests under subsection (1).

(4) Should a request under subsection (1) be submitted later the TSO shall evaluate the request and shall book transmission capacity not later than by 08:30:00 on the following calendar day.

Section 16

(1) Requests for transmission capacity booking under Section 12 are submitted by the cleared entity or foreign participant no earlier than from 09:00:00 on the calendar day preceding the gas day on which transmission is to be started based on transmission capacity booking, and not later than by 04:00:00 on the gas day on which transmission based on transmission capacity booking is to take place.

(2) Requests for transmission capacity booking under subsection (1) are submitted by cleared entities and foreign participants electronically in the TSO's information system, with the details specified in Schedule 1 hereto.

(3) Immediately upon receiving a request for capacity booking under subsection (1), however, not later than within 15 minutes the TSO shall evaluate the request and book the capacity if it has free transmission capacity.

Section 17

(1) Requests for transmission capacity booking under Section 13 are submitted by cleared entities and foreign participants no earlier than 2 hours before the beginning of the gas day on which transmission based on transmission capacity booking is to take place, and not later than 2 hours before the start of transmission.

(2) Requests for transmission capacity booking under subsection (1) are submitted by cleared entities and foreign participants electronically in the TSO's information system, with the details specified in Schedule 1 hereto.

(3) Immediately upon receiving a request for capacity booking under subsection (1), however, not later than within 15 minutes the TSO shall evaluate the request and book the capacity if it has free transmission capacity.

Procedures and timing for capacity booking at border points

Section 18

(1) Standard capacity products under Section 9(3), which are booked in auctions on an auction booking platform, can only be booked at border points.

(2) The dates of auctions for yearly standard capacity, quarterly standard capacity and monthly standard capacity are set out in the auction calendar and published on the auction booking platform. The dates of auctions for daily standard capacity and within day standard capacity are set under a separate regulation on the rules for transmission capacity allocation[4)].

(3) The TSO shall publish, in a manner enabling remote access, the sizes of technical capacity, free bundled capacity, and free unbundled capacity, the dates of auctions and links to the auction booking platform for each of the border points. The TSO shall also publish the size of the adjacent transmission system operator's technical capacity at the interconnection point, if known to the TSO.

(4) When publishing free capacity the TSO shall also take into account the amounts of capacity set aside under a separate regulation on the rules for transmission capacity allocation[5)]; capacity set aside for standard products with a shorter booking period than the product offered in the auction is not included in free capacity.

(5) A variable or a fixed price is paid for transmission capacity competed for in auctions for a border point. The variable price consists of the charge for transmission capacity booking set by the Energy Regulatory Office ('the Office') in a price decision at the time when the transmission capacity can be used, plus the auction premium. The fixed price is the charge for transmission capacity booking set by the Office in the price decision at the time of the auction, escalated to the level of the calendar year in which the transmission capacity can be used, plus the auction premium.

[4)] Article 14(5) and (6) and Article 15(2) and (3) of Commission Regulation (EU) No 984/2013

[5)] Article 8(6) of Commission Regulation (EU) No 984/2013

Section 19

(1) When yearly standard transmission capacity has been booked gas transmission starts on the first gas day of the calendar year and ends at the end of the last gas day of the gas year for which the transmission capacity was booked.

(2) Yearly standard transmission capacity is booked for each gas year separately and for no more than the following 15 years.

(3) When quarterly standard transmission capacity has been booked gas transmission starts on the first gas day of the quarter of the respective gas year, which begins on the gas day 1 October, 1 January, 1 April and 1 July, and ends at the end of the last gas day of the quarter for which the transmission capacity was booked. Quarterly standard transmission capacity is booked for each quarter separately and for all quarters in the respective gas year at one and the same time specified in the auction calendar.

Procedures and timing for capacity booking at supply points of customers directly connected to the transmission system

Section 20

(1) Requests for transmission capacity booking for customers' supply points directly connected to the transmission system are submitted by the customer, or the new gas supplier if it has entered into an agreement on bundled gas supply services with the customer, in cases under Section 110(1) and Section 113(5) by the times under Section 110(3) or Section 113(5).

(2) The TSO shall notify the gas market participant of the option to book transmission capacity by the time under Section 111(1). In the case of registering a standard gas supplier change, transmission capacity is booked by the time under Section 112(6).

(3) Transmission capacity booking is agreed as follows:

a) transmission capacity booking for a supply point for an indefinite period of time: the booking is for an indefinite period of time provided that the size of the transmission capacity can be changed under Section 21(3),

b) monthly transmission capacity booking for a supply point: the booking is for at least 1 calendar month and a maximum of 11 calendar months, at all times with effect from the first gas day of a calendar month,

c) rolling transmission capacity booking for a supply point: the booking is for the number of gas days determined by the number of the calendar days of the month in which gas transmission under this booking is started, or until the end of the last gas day of the gas month following the month in which gas transmission under this booking was started,

d) daily transmission capacity booking for a supply point: the booking is for the number of gas days for which transmission capacity has been booked; daily transmission capacity is booked for one or more consecutive gas days for no more than 31 days from the day on which the request for booking was submitted,

e) day-ahead transmission capacity booking for a supply point: the booking is for one gas day,

f) within day transmission capacity booking for a supply point: the booking is for a gas day or a part of the current gas day, however, at all times until the end of the respective gas day for which transmission capacity was booked.

(4) Interruptible transmission capacity can be booked for the customer's supply point directly connected to the transmission system if free firm transmission capacity is no longer available.

Section 21

(1) Requests for transmission capacity booking for a customer's supply point directly connected to the transmission system for an indefinite period of time and monthly transmission capacity for a supply point of a customer directly connected to the transmission system are submitted by the customer or the gas supplier no later than by 10:00:00 on the fifth working day and no earlier than 4 calendar months before the beginning of the first gas day on which the transmission capacity booking is to come into effect, or, in the case of starting supply to a supply point of a newly connecting customer and for starting supply to a supply point following unauthorised gas off-take or unauthorised gas transmission, no later than by 10:00:00 on the working day preceding the day of the nearest possible start of gas supply agreed with the TSO.

(2) The TSO shall evaluate received requests for transmission capacity booking, submitted under subsection (1), and shall notify the results of the transmission capacity booking to all applicants for transmission capacity booking not later than by 12:00:00 on the third working day from the day on which the request for transmission capacity booking was submitted. The transmission capacity is booked upon the confirmation of the request. In the absence of a gas transmission service agreement for customers' supply points between the customer or the gas supplier and the TSO, the time limit for the latest submission of the request and for notifying the results of transmission capacity booking is extended by 5 working days.

(3) For decreasing and increasing transmission capacity booking for a supply point for an indefinite period of time, Section 37 shall be used. The TSO shall carry out the distribution system operator's activities related to the checking of the request for an increase or decrease in distribution capacity for an indefinite period of time.

Section 22

(1) Requests for rolling transmission capacity booking for a customer's supply point directly connected to the transmission system are submitted by the customer or the gas supplier no earlier than 4 calendar months before the start of transmission under this booking.

(2) The TSO shall evaluate the request for booking and electronically notify the applicant of the results of transmission capacity booking within 24 hours from receiving the request.

(3) Capacity is booked upon the electronic confirmation that the request was granted.

Section 23

(1) Requests for daily transmission capacity booking for a supply point of a customer directly connected to the transmission system are submitted by the customer or the gas supplier electronically in the TSO's information system not later than by 08:00:00 on the calendar day preceding the gas day on which transmission is to be started.

(2) The TSO shall evaluate the request for daily transmission capacity booking for the supply point and shall book transmission capacity no later than by 08:30:00 on the calendar day on which the request for daily transmission capacity booking for the supply point was submitted.

(3) Capacity is booked upon the electronic confirmation that the request was granted. If the request is submitted after 08:00:00 the TSO shall evaluate the request and book transmission capacity by 08:30:00 on the following calendar day.

Section 24

(1) Requests for day ahead transmission capacity booking for a supply point of a customer directly connected to the transmission system are submitted by the customer or gas supplier no earlier than at 09:00:00 on the day preceding the gas day on which transmission is to be started

and not later than by 04:00:00 on the gas day on which transmission is to take place under the transmission capacity booking, electronically in the TSO's information system.

(2) The TSO shall evaluate the request for capacity booking immediately, but not later than within 15 minutes from receiving the request, and shall book capacity if free transmission capacity is available.

(3) Capacity is booked upon the electronic confirmation that the request was granted.

Section 25

(1) Requests for within day transmission capacity booking for a supply point of a customer directly connected to the transmission system are submitted by the customer or gas supplier not later than two whole hours before the start of transmission, electronically in the TSO's information system.

(2) The TSO shall evaluate the request for capacity booking immediately, but not later than within 15 minutes from receiving the request, and shall book capacity if free transmission capacity is available.

(3) Capacity is booked upon the electronic confirmation that the request was granted.

Section 26

(1) The TSO shall reject requests for transmission capacity booking under Sections 22, 23, 24 and 25 in the case that capacity has not been booked for the supply point under Section 21.

(2) The TSO shall accept requests for booking under Sections 23, 24 and 25 in the case of supply points that meet the condition of transmission nomination under Section 63(4).

Section 27

Gas transmission for supply points in trial operation

Gas transmission in trial operation is arranged using the procedures set out in Section 47. The TSO shall carry out the distribution system operator's activities set out in Section 47.

Section 28

Managing transmission capacity shortages [congestion management] for virtual gas storage facility points and gas production plant points

(1) Should it not be feasible to satisfy, upon assessment of requests for monthly firm transmission capacity booking, all the applicants for monthly firm transmission capacity booking at the same point in time the TSO shall allocate free transmission capacity in proportion to the amounts in the requests for monthly firm transmission capacity booking, provided that if a request of an applicant for monthly firm transmission capacity exceeds free transmission capacity the TSO shall reduce this request to the level of free transmission capacity prior to allocating free transmission capacity.

(2) Should it not be feasible, after satisfying requests for daily transmission capacity booking, to satisfy, upon assessment of requests, all applicants for daily firm transmission capacity booking at the same point in time the TSO shall allocate free transmission capacity in proportion to the amounts in the requests for daily firm transmission capacity booking, provided that if a request of an applicant for daily firm transmission capacity exceeds free transmission capacity the TSO shall reduce the request to the level of the remaining free transmission capacity prior to allocating free transmission capacity.

(3) To the extent of the shortfall in capacity requested under subsections (1) and (2), the TSO shall book interruptible transmission capacity on a preliminary basis. The TSO shall only book transmission capacity upon the electronic confirmation of the requested booking by the cleared entity by 08:45:00 on the calendar day on which the TSO booked the capacity on a preliminary basis.

(4) The TSO shall offer an unlimited size of interruptible transmission capacity.

Managing transmission capacity shortages [congestion management] for border points

Section 29

(1) In the case of a shortage of transmission capacity for yearly standard capacity, quarterly standard capacity and monthly standard capacity, the algorithm of the ascending clock auction under a separate regulation on the rules for transmission capacity allocation[6)] shall be used.

(2) In the case of a shortage of transmission capacity for daily standard capacity and within day standard capacity the algorithm of the uniform price auction under a separate regulation on the rules for transmission capacity allocation[7)] shall be used.

(3) The size of the interruptible transmission capacity offered by the TSO to cleared entities and foreign participants is not limited. All of the interruptible transmission capacity offered is allocated at the reserve price set out by the Office in a price decision.

(4) In the case of reductions in interruptible transmission capacity, a separate regulation on the rules for transmission capacity allocation[8)] shall be used.

Section 30

(1) If free daily standard firm transmission capacity is not available at an entry or exit border point for a gas day the TSO shall publish, in the TSO's and in the market operator's information systems, limitations on transmission re-nominations for the respective border point for bundled and unbundled transmission capacity.

(2) After submitting their transmission nominations under Section 63(1)(a) or Section 63(2)(a), or under Section 63(6), the cleared entities and foreign participants that use the border point under subsection (1) can re-nominate transmission, within firm bundled and firm unbundled capacity, by re-nominating

a) a value of no more than 90% of the cleared entity's or foreign participant's booked transmission capacity if the nomination submitted under Section 66(1) is 80% or less of capacity booked by the cleared entity or foreign participant at this point, if the submitted nomination is to be increased;

b) by no more than one half of the difference between the size of capacity booked by the cleared entity or foreign participant at this point and the nomination submitted under Section 66(1) in the case where the nomination submitted under Section 66(1) amounts to more than 80% of the capacity booked by the cleared entity or foreign participant at this point, if the submitted nomination is to be increased;

[6)] Article 17 of Commission Regulation (EU) No 984/2013
[7)] Article 18 of Commission Regulation (EU) No 984/2013
[8)] Articles 22 to 25 of Commission Regulation (EU) No 984/2013

c) a value of no more than up to 10% of the cleared entity's or foreign participant's booked transmission capacity if the nomination submitted under Section 66(1) is 20% or more of the capacity booked by the cleared entity or foreign participant at this point, if the submitted nomination is to be decreased;

d) by no more than one half of the difference between the size of capacity booked by the cleared entity or foreign participant at this point and the nomination submitted under Section 66(1) in the case where the nomination submitted under Section 66(1) amounts to less than 20% of the capacity booked by the cleared entity or foreign participant at this point, if the submitted nomination is to be decreased.

(3) The TSO shall not accept re-nominations failing to comply with subsection (2) by cleared entities and foreign participants, increased or reduced contrary to subsection (2).

(4) The TSO shall provide information about limitations on re-nominations not later than by 09:00:00 on the calendar day preceding the gas day on which transmission re-nomination is to be limited.

(5) Limitations on re-nominations under subsection (2) shall not be used for cleared entities or foreign participants that booked less than 10% of the average technical capacity at the border point under subsection (1) in the preceding gas year.

(6) For the purpose of assessing whether the 10% threshold under subsection (5) has been reached, the size of the capacity booked by the cleared entity or foreign participant shall be calculated as the arithmetic average of the booked capacities under all agreements on the provision of gas transmission services, which the cleared entity or foreign participant had in place under subsection (1) in the preceding gas year.

Section 30a

(1) Cleared entities and foreign participants offer unused booked firm transmission capacity on the secondary transmission capacity market or using the procedure under Section 30b.

(2) The TSO shall monitor the use of booked transmission capacity at border points, which has been booked for more than one year, by each cleared entity and foreign participant separately for the period from 1 October to 31 March and for the period from 1 April to 30 September.

(3) Booked transmission capacity is deemed to be unused if it is not used by the cleared entity or foreign participant at an average level of at least 80% in two consecutive periods under subsection (2).

(4) The TSO shall also analyse whether or not nominations submitted by cleared entities and foreign participants under Section 66(1) are systematically reduced with a view to preventing limitations on re-nominations under Section 30.

(5) The TSO shall notify the Office and the cleared entity or foreign participant concerned of unused booked transmission capacity under subsection (3) within one month from the end of the monitored period under subsection 2. The TSO shall specify the following in the notice:

a) the cleared entity or foreign participant with unused booked transmission capacity,

b) its analysis of the use of the cleared entity's or foreign participant's booked transmission capacity by day of the period in which booked transmission capacity was not used,

c) the size of the technical and booked firm transmission capacity by day of the period in which booked transmission capacity was not used, identifying the cleared entity or foreign

participant that requested firm transmission capacity booking, including the size of the requested firm transmission capacity,

d) the amount of the rejected requests for firm transmission capacity by day of the period in which booked transmission capacity was not used,

e) its analysis of the systematic reductions in nominations under subsection 4.

(6) The Office shall instruct the TSO as to that part of booked transmission capacity, which should be designated as unused under subsection 3, however, no more than 50% of the transmission capacity booked in the agreement on gas transmission service. A cleared entity's or foreign participant's transmission capacity designated as unused under the preceding sentence shall be offered by the TSO through the auction booking platform, using Section 30b mutatis mutandis.

(7) Transmission capacity shall not be designated as unused under subsection (3) if the cleared entity or foreign participant proves that

a) it has offered transmission capacity on the secondary market under subsection (2) for a price not higher than the price used by the TSO in offering the booking of primary or surrendered transmission capacity under Section 30b, offered by the TSO in the period and scope of the non-use of the capacity designated as unused, and

b) the transmission capacity is required for performing obligations arising from contractual relationships, in particular with a view to ensuring security of supply.

Section 30b

(1) The TSO shall allow cleared entities and foreign participants that have booked firm transmission capacity at an entry or exit point of the transmission system to surrender this capacity.

(2) Cleared entities and foreign participants can surrender yearly, quarterly and monthly firm transmission capacity and long-term firm transmission capacity.

(3) The TSO shall offer the transmission capacity that cleared entities and foreign participants want to surrender through an auction booking platform only once the free firm transmission capacity has been exhausted.

(4) Cleared entities and foreign participants notify the TSO of their request for the offer of transmission capacity under subsection (3) in the TSO's information system.

(5) Cleared entities and foreign participants submit the request for the sale of surrendered capacity by 08:00:00 on the last gas day in the month preceding the first gas day of the months as of which the capacity is to be surrendered.

(6) Section 18(5) shall be used to calculate the price for which the capacity that a cleared entity or foreign participant wants to surrender is offered.

(7) The financial settlement between the TSO and the cleared entity or foreign participant that has surrendered its transmission capacity shall take place to the extent in which transmission capacity has been reallocated to another cleared entity or foreign participant.

(8) If several cleared entities and foreign participants submit requests for transmission capacity surrender for the same period such transmission capacity shall be reallocated through the auction booking platform by the time stamp indicating the order in which the notices under subsection (4) were delivered.

Section 31

(1) In its offer of daily standard firm capacity and within day standard firm capacity, the TSO shall take account of the unused firm capacity and firm capacity nominated in the opposite direction of the gas flow under Section 30 as additional capacity under a separate regulation on the rules for transmission capacity allocation[9)].

(2) In the case that the condition for limiting transmission re-nominations is met for the respective border point under Section 30 for a gas day, or in the case that at the respective border point no standard within day firm transmission capacity is available, the cleared entity or foreign participant using this point can submit an over-nomination after the time under Section 66(1)[10)].

(3) Through the over-nomination, the cleared entity or foreign participant submits a request for standard within day interruptible capacity booking.

(4) Provisions on transmission re-nomination in Sections 69 and 70 shall be used for over-nominations.

Section 32

Information on transmission capacities and related services

(1) The TSO shall publish, in a manner enabling remote access, the following information:

a) On a monthly basis, the annual plan of the shutdowns of the various parts of the transmission system and the maintenance plan, which may have an impact on the size of transmission capacities and affect the quality of the services provided;

b) On a monthly basis, the long-term plan for the reinforcement of the transmission system, which means increasing the transmission capacities or improving the quality of the services provided;

c) On a daily basis, numerically, the size of the technical capacity, total booked firm capacity, total booked interruptible capacity and free transmission capacity for each of the entry and exit points of gas storage facilities for the following 24 months;

d) On a daily basis, numerically, the size of the technical capacity, total booked firm capacity, total booked interruptible capacity and free transmission capacity for each of the entry and exit points of the transmission system for the following 15 years;

e) On a monthly basis, annual forecasts of technical, booked and free firm transmission capacity for the following ten-year period for each of the transmission system's entry and exit points; in such forecasts, the TSO shall reflect the expected technical changes in the transmission system and the expected transmission capacity bookings;

f) On a monthly basis, historical minimums and maximums of the transmission capacity monthly utilisation factor and annual average flows through each of the transmission system's entry and exit points, at all times for the past three years;

g) On a daily basis, the actual size of the line pack in the transmission system at the beginning of the gas day, by day for the last 12 months;

h) On a daily basis, the actual change in the line pack in the transmission system, by day for the last 12 months;

[9)] Article 14(7) of Commission Regulation (EU) No 984/2013
Article 15(8) of Commission Regulation (EU) No 984/2013

[10)] Article 21 of Commission Regulation (EU) No 984/2013

i) On a daily basis, gas quantities allocated to each of the border points, points of gas production plants connected to the transmission system and virtual storage facility points for the last 12 months; if data under Section 96(2) has not been delivered, preliminary allocated gas quantities under Section 96(1) shall be used;

j) On a daily basis, actual values of the last registered nominations or re-nominations for each of the border points, points of gas production plants connected to the transmission system and virtual gas storage facility point for the last 12 months;

k) On a daily basis, the actual values of the gas flow for each of the border points, points of gas production plants connected to the transmission system and virtual gas storage facility points for the past 12 months.

l) On a daily basis, the aggregate of the balance positions of all users at the beginning of every balancing period and a forecast of the aggregate of the balance positions of all users at the end of every gas day;

m) At the end of a gas day, a forecast of the line pack in the transmission system for the following gas day, as updated within the gas day for which it was intended.

(2) The TSO shall publish the information to be provided under subsection 1(a) to (k) with a daily periodicity not later than by 15:00:00 on the respective gas day, provided that data relating to the currently running gas day under subsection 1(h) shall be updated every hour. The TSO shall publish the information to be provided under subsection 1(j) and (k) not later than by 12:00:00 on the following gas day. The TSO shall publish the information to be provided under subsection (1) with a monthly periodicity not later than on the ninth calendar day of the respective month. The TSO shall publish the information provided under subsection 1(l) by 06:00:00 on the respective gas day. The TSO shall update the information provided under subsection 1(m) on an hourly basis.

(3) Should no free daily transmission capacity be available at a border point or a point of the virtual gas storage facility on a gas day the TSO shall publish every hour, not later than within 60 minutes from the time for nomination or re-nomination submission, information about the sum of the submitted nominations and re-nominations, including available interruptible capacity, for both gas flow directions.

PART THREE
GAS DISTRIBUTION

Section 33

(1) Cleared entities contract for gas distribution at cross-border gas pipeline points.

(2) Customers and gas suppliers contract for gas distribution at customers' supply points.

(3) Distribution system operators contract for gas distribution at delivery points between distribution systems in the Czech Republic.

(4) Gas producers and gas traders contract for gas distribution at points of gas production plants.

(5) By agreeing on gas distribution for a customer's supply point, the distribution system operator also agrees to ensure gas transport in terms of the gas flow through the immediately higher distribution system.

Section 34

(1) Gas distribution takes place via the entry points of distribution networks, which include cross-border gas pipeline points, gas production plant points, delivery points, or sets of delivery points, between the transmission and the distribution network and delivery points between the distribution network and the distribution network that is upstream of the respective distribution network.

(2) Gas distribution takes place via the exit points of distribution networks, which include customers' supply points, delivery points between the distribution network and the distribution network that is downstream of the distribution network, and cross-border gas pipeline points.

Section 35

(1) For each supply point of a customer, a distribution system service agreement shall only be entered into with one gas market participant.

(2) For each delivery point, or the set of delivery points, of a gas production plant, a distribution system service agreement shall be entered into with each of the gas market participants using the gas production plant point.

(3) For a delivery point on a cross-border gas pipeline, a distribution system service agreement shall be entered into with each of the cleared entities using the delivery point on the cross-border gas pipeline.

(4) For delivery points between distribution networks of different distribution system operators, the distribution system operators shall enter into distribution system service agreements.

(5) If the distribution system operator's distribution system includes at least 200 supply points at which the gas supplier is not a juristic or natural person operating within the same vertically integrated undertaking as the distribution system operator, the distribution system operator shall, at a request of the gas trader, transmit the bill for the use of the distribution system service via electronic billing through the market operator's information system.

(6) Within ten working days of every calendar month, the distribution system operator shall provide the gas trader with which it has in place an agreement under subsection (1), a list of supply points included in this agreement as of the first day of this calendar month, such list having at least the scope and structure under Schedule 2 hereto.

Section 36

(1) In the case of supply points with type A or B metering the distribution system service agreement shall specify booked distribution capacity.

(2) In the case of supply points with multiple metering points the distribution system service agreement shall specify the distribution capacity booked in respect of metering points with type A and B metering and the distribution capacity calculated in respect of metering points with type C or CM[3)] metering.

(3) Distribution capacity in respect of metering points with type C or CM metering for customers taking more than 630 MWh/year shall be determined using the procedure for calculating daily allocated firm capacity for annual gas off-take over 630 MWh in accordance with the Office's price decision.

(4) Distribution capacity for customers taking up to 630 MWh/year, with billing on an annual basis, shall be determined using the procedure for calculating daily booked firm capacity for annual gas off-take from 63 MWh to 630 MWh in accordance with the Office's price decision.

(5) For evaluating any overstepping of the distribution capacity, only values agreed and read at metering points with type A and B metering shall be used.

Section 37
Agreements on distribution system service

(1) In distribution system service agreements, distribution capacity for customers' supply points or for gas production plant points or for delivery points between distribution networks shall be booked as follows:

a) Firm distribution capacity for an indefinite period of time, with the option to change booked capacity under Sections 38 to 43;

b) Interruptible distribution capacity for an indefinite period of time, with an option to change booked capacity under Sections 38 to 43; the distribution system service agreement shall provide for the method, time and conditions for gas distribution reduction or interruption, the method and conditions for notifying such reduction or interruption, and the frequency of such reductions or interruptions over 12 consecutive gas months;

c) Firm monthly distribution capacity; it is booked for one month, at all times with effect from the first gas day of a calendar month;

d) Interruptible monthly distribution capacity; it is booked for one month, at all times with effect from the first gas day of a calendar month; the agreement shall provide for the method, time and conditions for gas distribution reduction or interruption, the method and conditions for notifying such reduction or interruption, and the frequency of such reductions or interruptions over the term of the agreement; or

e) Firm rolling distribution capacity; it is booked for the number of gas days given by the number of calendar days of the month in which gas distribution is to be started, or until the end of the last gas day of the gas month following the month in which gas distribution was started as part of arrangements on rolling distribution capacity.

(2) For executing distribution system service agreements and for requesting distribution capacity booking at cross-border gas pipeline points, the procedures under Section 42 and also under Sections 10, 11 and 15 shall be used, provided that the distribution system operator shall carry out the TSO's activities described in Section 15.

(3) Interruptible distribution capacity can only be booked for customers' supply points with type A or B metering and for gas production plant points in cases where firm distribution capacity cannot be booked due to the fact that free firm distribution capacity is no longer available, or for customers' supply points with a planned annual gas off-take of more than 630 MWh having an option of switching, in full or in part, to a substitute fuel under a separate regulation that provides for the gas supply security standards[11]).

[11]) Public notice 334/2009 on states of emergency in the gas industry

Procedure for distribution capacity booking

Section 38

(1) For customers' supply points, the customer requests distribution capacity booking and entering into a distribution system service agreement electronically in cases under Section 110(1) and Section 113(5) by the times under Section 110(3) or Section 113(5), unless a distribution system service agreement has already been entered into with the customer for the respective supply point, or the new gas supplier shall do so if it has entered into an agreement on bundled gas supply services with the customer.

(2) The distribution system operator shall notify the gas market participant of the opportunity to book distribution capacity by the time under Section 111(1).

(3) In the case of the registration of a standard gas supplier change, distribution capacity shall be booked by the time under Section 112(5).

(4) Requests for distribution capacity booking for customers' supply points shall contain the details specified in Schedule 2 hereto.

(5) Distribution capacity cannot be booked if the applicant does not have sufficient collateral, if the request for distribution capacity booking fails to contain the required details or was not submitted by the required time, or if the applicant failed to amend or modify a submitted request by 14:00:00 on the following working day when the distribution system operator had alerted the applicant, indicating the incorrect details.

Section 39

(1) The customer or the gas supplier submit the request for distribution capacity booking and for entering into a distribution system service agreement for customers' supply points, with the exception of requests under Sections 38, 40 and 43, not later than by 10:00:00 on the fifth working day and no earlier than 4 calendar months before the beginning of the first gas day on which the distribution capacity booking is to become effective, or, in the case of starting supply to a newly connected customer's supply point and for starting supply to a supply point following unauthorised gas off-take or unauthorised gas distribution, not later than by 10:00:00 on the working day preceding the day of the nearest possible start of gas supply agreed with the distribution system operator.

(2) Requests for distribution capacity booking for customers' supply points, with the exception of requests under Sections 38, 40 and 43, shall contain the details specified in Schedule 2 hereto.

(3) The distribution system operator shall evaluate received requests for distribution capacity booking and shall notify all applicants for distribution capacity booking of the results of distribution capacity booking not later than by 12:00:00 on the third working day from the day on which the requests for distribution capacity booking were submitted.

(4) Capacity is booked upon the electronic confirmation that the request was granted.

(5) In the absence of a distribution system service agreement for customers' supply points between a customer or gas supplier and the distribution system operator, the time limit for the latest possible submission of requests and for the notification of the results of distribution capacity booking is extended by five working days.

Section 40

(1) In the case of a fast gas supplier change under Section 116, requests for distribution capacity booking and for entering into distribution system service agreements for customers' supply points shall be submitted by the customer or gas supplier within the time limit under Section

116, or by the gas trader in the regime of the supplier of last resort not later than by 14:00:00 following the provision of information under Section 116.

(2) The request can only be submitted by a gas supplier or customer who has entered into a distribution system service agreement for customers' supply points with the distribution system operator.

(3) The requests shall be submitted electronically, and the distribution system operator shall evaluate received requests for distribution capacity booking in the case of a fast gas supplier change and shall notify the applicants for distribution capacity booking of the results of distribution capacity booking not later than by the time under Section 117.

(4) In the case of the registration of a fast gas supplier change, distribution capacity shall be booked within the time limit under Section 118.

(5) In the case of requests for distribution capacity booking submitted by gas traders in the regime of the supplier of last resort, distribution capacity shall be booked automatically.

(6) Requests for distribution capacity booking in the case of a fast gas supplier change for customers' supply points shall contain the details specified in Schedule 2 hereto.

Section 41

(1) Distribution system operators request distribution capacity booking and the entering into distribution system service agreements for delivery points between distribution networks within the time limit under Section 38. For requests for a change in booked distribution capacity, the time limits under Section 39 shall be used.

(2) Gas producers and gas traders request distribution capacity booking and the entering into distribution system service agreements for gas production plant points within the time limit under Section 38. For requests for a change in booked distribution capacity, the time limits under Section 39 shall be used.

Section 42

(1) Requests for distribution capacity booking and the entering into distribution system service agreements for cross-border gas pipeline points shall be submitted by cleared entities to distribution system operators not later than by 10:00:00 on the working day preceding the day of the nearest possible start of gas distribution agreed with the distribution system operator.

(2) The distribution system operator shall evaluate the requests for distribution capacity booking for cross-border gas pipeline points and notify the results of distribution capacity booking to all applicants for distribution capacity booking for the cross-border gas pipeline points not later than by 12:00:00 on the third working day from the day on which the request for distribution capacity booking for the cross-border gas pipeline point was submitted.

(3) Capacity has been booked by the electronic confirmation of the requests.

Section 43

(1) Customers or gas suppliers can request distribution capacity booking and the entering into distribution system service agreements for customers' supply points under Section 37(1)(e) no earlier than 4 calendar months before the beginning of the first gas day on which the distribution capacity booking is to become effective.

(2) Requests can only be submitted by a gas supplier or customer who has a distribution system service agreement in place with the distribution system operator and has booked distribution capacity for the supply point under Section 37(1)(a) or (b).

(3) In respect of a rolling distribution system service agreement, the maximum requested capacity may not exceed, in aggregate with the other distribution capacities booked for the customer's respective supply point, an amount of 24 times the ensured hourly capacity specified in the connection agreement for the respective supply point.

(4) The distribution system operator shall evaluate the requests for distribution capacity booking and shall electronically notify the applicants for distribution capacity booking of the results of distribution capacity not later than within 24 hours from receiving the requests.

(5) Distribution capacity has been booked by the electronic confirmation of the requests.

(6) Requests for distribution capacity booking for customers' supply points shall contain the details specified in Schedule 2 hereto.

Changing booked distribution capacity

Section 44

(1) If for a customer's supply point with type A or B metering, where due monthly readings are taken, or for a delivery point between distribution networks, a gas market participant requests a reduction in distribution capacity booked on the basis of distribution capacity booking under Section 37(1)(a) or (b) the distribution system operator shall reduce the booked distribution capacity for a period of at least the following 12 months.

(2) The distribution system operator shall not reduce booked distribution capacity if in the period under Section 110(3), from the day specified in the request for such reduction, a higher distribution capacity is booked for the supply or delivery point under Section 37(1)(a) or (b) than the booked distribution capacity specified in the request for its reduction.

(3) If for a customer's supply point with type A or B metering, where due monthly readings are taken, or for a delivery point between distribution networks, a gas market participant requests an increase in distribution capacity booked under Section 37(1)(a) or (b) the distribution system operator shall check whether it is possible to increase the booked distribution capacity and, if sufficient distribution capacity is available, increase the booked distribution capacity for a period of at least the following 12 months, unless during the preceding 12 months there was a reduction in booked distribution capacity within distribution capacity booked under Section 37(1)(a) or (b).

Section 45

(1) In the case of requests for a change in booked distribution capacity, the procedure shall be as under Section 39 *mutatis mutandis*. Booked distribution capacity can be changed as from the first gas day of a calendar month at all times.

(2) The distribution system operator shall also change the booked distribution capacity for a delivery point between distribution networks in the case that the respective distribution system operator requests a change and proves the need for the change in distribution capacity booking.

(3) The distribution system operator shall reduce the booked distribution capacity of a gas production plant connected to a closed part of a distribution network, which was booked under Section 37(1) (a), (c) or (e), if the hourly off-take of the customers connected to this closed part of the distribution network decreases under the hourly output of the gas production plant.

(4) If multiple gas production plants are connected to the closed part of the distribution network and the distribution system operator reduces booked distribution capacity under subsection (3)

the distribution system operator shall allocate free distribution capacity in proportion to the sizes of the booked distribution capacities of each of the gas production plants.

(5) The distribution system operator shall reduce booked distribution capacity under subsection (3) for the time that is absolutely necessary to ensure the safe and reliable operation of the closed part of the distribution network under a separate regulation on business in energy industries[12)].

Section 46

(1) If at the customer's supply point metering has been changed from type C or CM to type A or B the customer or gas supplier submit a request for distribution capacity booking as of the first gas day of the calendar month by the times under Section 39 so that the distribution capacity booking does not become effective later than in two months from the change of metering type.

(2) If the customer or gas supplier does not submit a request for distribution capacity booking using the procedure and by the time under subsection (1) the distribution system operator shall book for the supply point, distribution capacity under Section 37(1)(a) equalling the allocated distribution capacity determined for the purpose of the payment for gas distribution, which the Office specifies in its price decision.

Section 47

Gas distribution in trial operation

(1) Gas distribution in trial operation means gas distribution for the purpose of checking the technical parameters and operating values and of demonstrating the operability of a customer's newly installed or refurbished gas consuming equipment; for the purposes hereof, refurbishment is understood to mean interventions with the gas consuming equipment resulting in a change of its purpose or technical parameters, or a change of the type of metering at the customer's supply point. Gas distribution in trial operation may only be started

a) in the case of newly connected customers with type A or B metering;

b) in the case of customers with type A or B metering, who have refurbished the whole or a part of the gas consuming equipment and the refurbished gas consuming equipment has an at least 20% share of the maximum daily gas off-take at the customer's respective supply point; or

c) in the case of customers' supply points at which type C or CM metering was changed to type A or B.

(2) A customer's supply point where the sum of the actual values of consumption for the last quarter of the preceding year and the first quarter of the respective year is less than 70% of total consumption for the period from 1 April of the preceding year to 31 March of the respective year is understood to be a customer's supply point having the nature of a technological process load. If the actual consumption values are not available the distribution system operator shall replace them with the planned monthly consumption set out in the agreement on distribution system services. Other supply points shall be regarded as customers' supply points having the nature of a heating load.

(3) The applicant for distribution capacity booking in trial operation submits the request for gas distribution in trial operation for the customer's gas supply point to the distribution system operator. The request shall contain the following:

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[12]) Act No 458/2000, the Energy Act, as amended

a) The date of starting distribution in trial operation;

b) The date of ending distribution in trial operation;

c) The reasons for starting distribution in trial operation.

(4) The distribution system operator shall start gas distribution in trial operation at a customer having the nature of a technological process load no earlier than on the day specified in the request and shall stop the same on the day specified in the request, however, not later than the last day of the third calendar month following the month in which gas distribution was started. In other cases, the distribution system operator shall start gas distribution in trial operation on the day specified in the request and shall stop the same on the day specified in the request, however, not later than the last day of February. The maximum duration of gas distribution in trial operation at newly connected customers having the nature of a heating load shall be six calendar months.

(5) During gas distribution in trial operation, the maximum daily gas off-take at a customer's supply point may not exceed an amount of 24 times the ensured hourly capacity for the respective supply point, which is agreed in the connection agreement.

(6) Customers and gas suppliers submit booking requests for distribution capacity in trial operation by the times under Section 39. Throughout trial operation under subsection (1)(c), the distribution system operator shall book for the customer's supply point, the allocated distribution capacity intended for the purpose of determining the payment for gas distribution, as specified in the Office's price decision.

(7) If a customer or gas supplier does not request, by the time under Section 39 before the end of distribution in trial operation, distribution capacity booking under Section 37(1) the distribution system operator shall book for the supply point, distribution capacity under Section 37(1)(a), amounting to the highest daily gas consumption achieved during the trial operation.

Section 48

Methods for managing distribution capacity shortages [congestion management]

In the event of distribution capacity shortages at cross-border gas pipeline points or at gas production plant points, the procedures in Section 28 shall be followed. The distribution system operator shall carry out the TSO's activities specified in Section 28.

Section 49

Information on the distribution system

(1) The distribution system operator shall publish, in a manner enabling remote access, and update as at the 15th day of a calendar month, the following information:

a) The annual plan of the shutdowns of the various parts of the distribution system and the maintenance plan, which may have an impact on the size of distribution capacities and affect the quality of the services provided;

b) A long-term plan for the reinforcement of the distribution system, which means increasing the distribution capacities or improving the quality of the services provided;

c) Numerically, the size of the technical capacity, total booked firm capacity, total booked interruptible capacity and free distribution capacity for each of the entry and exit points on cross-border gas pipelines;

d) Numerically, the indicative availability of monthly distribution capacities for each of the entry and exit points of delivery points on cross-border gas pipelines;

e) Annual forecasts of free entry and exit capacities for each of the entry and exit points of the delivery points on cross-border gas pipelines for the following ten-year period.

(2) The distribution system operator shall publish every day by 12:00:00, in a manner enabling remote access, the change in the line pack in the distribution network, by day for the last 12 months.

(3) Within two hours from the end of the respective hour, the distribution system operator shall publish, in a manner enabling remote access, daily gas consumption in its distribution networks, by hour of the currently running gas day.

(4) By 12:00:00 on the ninth calendar day, but not later than by 12:00:00 on the sixth working day of the gas month, the distribution system operator shall publish, in a manner enabling remote access, GCV values by gas day for the preceding gas month.

PART FOUR
GAS STORAGE

Section 50

(1) Cleared entities and foreign participants gain access to gas storage facilities in which SSOs provide storage capacity and storage services, on the principle of a virtual storage facility.

(2) SSOs shall at all times offer the entire free storage capacity in all of their gas storage facilities at the respective virtual storage facility point. The virtual storage facility point in the transmission system is the point at which storage capacity is provided and at which gas delivery and acceptance, gas injection into the gas storage facility and gas withdrawal from the gas storage facility take place from the commercial point of view regardless of the actual delivery points.

(3) A virtual storage facility is specified by the name of the SSO and the storage capacities.

(4) Under gas storage agreements, the SSO shall book yearly firm storage capacity, yearly firm new storage capacity, monthly firm storage capacity, daily firm storage capacity and daily interruptible storage capacity for cleared entities and foreign participants. Storage capacity can be booked as follows:

a) Yearly firm gas storage capacity; the minimum duration of storage capacity booking is one year and the maximum duration of storage capacity booking is five years;

b) Yearly firm new gas storage capacity; the minimum duration of storage capacity booking is one year and the maximum duration of storage capacity booking is 15 years;

c) Monthly firm gas storage capacity; the minimum duration of storage capacity booking is one gas month and the maximum duration of storage capacity booking is 24 gas months;

d) Daily firm gas storage capacity; the minimum duration of storage capacity booking is one gas day and the maximum duration of storage capacity booking is 90 gas days;

e) Daily interruptible gas storage capacity; the duration of storage capacity booking is one gas day.

(5) At all times, capacity is booked with effect as of the first gas day of the period for which the storage capacity is being booked. Storage capacity booking ends at the end of the last gas day of the period for which the storage capacity was booked.

(5) An SSO operating gas storage facilities connected to the transmission system through more than one delivery point shall consult the allocation of gas injection and withdrawal to each of the delivery points of its gas storage facilities with the TSO.

Procedure for yearly firm storage capacity booking

Section 51

(1) SSOs shall book yearly firm storage capacity on the principle of multi-round online auctions.

(2) SSOs shall publish, in a manner enabling remote access, the terms and conditions of an auction for free storage capacity not later than seven working days before the beginning of a multi-round online auction. The terms and conditions of auctions must be reasonable, non-discriminatory and transparent. The terms and conditions of auctions shall include the details under point 2 of Schedule 3 hereto. Under point 2(a) of Schedule 3 hereto, the SSO can, not later than 12 hours before the time of the start of the storage capacity auction, change the minimum price per unit of storage capacity. The change of the minimum price per unit of storage capacity shall not affect the amount of the collateral.

(3) Cleared entities and foreign participants requesting storage capacity booking submit their requests for storage capacity booking in the respective auction round in the form of a number rounded to two decimal places, which expresses the required size of the free storage capacity. Together with its request for storage capacity booking, the bidder for storage capacity booking also specifies the required duration of storage capacity booking, which can be divided into multiple parts with different durations. A request for storage capacity booking and the required duration of the booking that were submitted in an auction round may not be changed during this auction round.

(4) A gas supplier forming a group with the SSO or being a part of the same group or of another business grouping with the SSO, who alone or in connection with other gas suppliers forming a group with the SSO or being a part of the same group or of another business grouping with the SSO has booked with the SSO a storage capacity of at least 80% of the capacity of the virtual storage facility operated by the SSO, may only participate as a bidder in the auction for storage capacity if the minimum price for storage capacity under point (2)(a) of Schedule 3 hereto is lower than or equal to the market price of storage capacity having the same or comparable parameters for yearly storage capacity booking in the Czech Republic.

(5) The size of booked storage capacity under subsection (4) above shall be assessed as at the first day of the first storage year for which the storage capacity is offered. If several gas suppliers forming a group with the SSO or being a part of the same group as or of another business grouping with the SSO submit requests for storage capacity booking exceeding in aggregate the size of the free storage capacity, the SSO shall reduce the requests of such gas suppliers on a *pro rata* basis so that their requests in aggregate match the size of the free storage capacity.

(6) The SSO shall reduce the request(s) for storage capacity booking received from a gas supplier(s) under subsection (5) by the requests for storage capacity booking received from the other bidders, however, by no more than to the difference between the free storage capacity and the requests for storage capacity booking received from the other bidders.

Section 52

(1) Bidders shall deposit their collateral not later than two working days before the declared date of the auction. By depositing the collateral, cleared entities and foreign participants become bidders who may actively participate in the online auction (hereinafter "active bidders"). An active bidder may post a request for storage capacity booking in the auction up to an amount equalling the deposited collateral. The furnishing of an irrevocable bank guarantee shall also be deemed to be depositing of collateral.

(2) An active bidder may post a request for storage capacity booking in the next auction round only up to the amount of its request for storage capacity booking in the preceding auction round. If in one auction round an active bidder does not post any request for storage capacity booking, or posts a request for storage capacity booking or the required duration of booking equalling zero, it may no longer post requests for storage capacity booking in any of the following auction rounds.

(3) If the size of the offered storage capacity is exceeded in an auction round when all the requests for storage capacity booking of active bidders have been added up, another auction round shall follow. In such a subsequent auction round, the auction price per unit of storage capacity shall be increased in the manner specified in the terms and conditions of the auction.

(4) Each of the auction rounds shall have a duration of at least two minutes. The SSO shall determine the duration of the auction round in the terms and conditions of the auction.

(5) During the auction, the SSO shall notify active bidders of the sum of all the requests for storage capacity booking received in the preceding auction round and the time left until the end of the current auction round.

(6) The SSO shall stop the auction if in an auction round the sum of the requests for storage capacity booking of all active bidders is lower than or equal to the size of the offered storage capacity. The SSO shall book storage capacity, rounded to whole cubic metres or kWh or kWh/day, in accordance with active bidders' requests for storage capacity booking received in the last auction round. Should a part of the storage capacity remain outside booking, this part of the storage capacity shall be booked for active bidders from the last but one round in proportion to the size of their requests for storage capacity booking in the last but one auction round, provided that for the purpose of calculating the booking, an active bidder's request for storage capacity booking shall be reduced by the storage capacity booked for this active bidder in the last auction round.

(7) If the sum of all requests for storage capacity booking of active bidders in the first auction round does not exceed the size of the offered storage capacity, the price for gas storage shall be set at the level of the minimum price under point (2)(a) of Schedule 3 hereto. Otherwise, the price for gas storage shall be set at the level of the auction price in the last auction round in which the sum of all requests for storage capacity booking of active bidders amounted to the size of the offered storage capacity or more.

Section 53

(1) The SSO shall send electronic confirmations of storage capacity booking without undue delay after the auction, together with the final price per unit of storage capacity.

(2) The SSO shall refund the collateral to active bidders for whom storage capacity has not been booked within five working days from the end of the auction. The SSO shall refund the collateral to active bidders for whom storage capacity has been booked within five working days from entering into the gas storage agreement.

Section 54

Procedure for monthly firm storage capacity booking

(1) SSOs shall book monthly firm storage capacity on the basis of the results of multi-round on-line auctions.

(2) SSOs shall publish, in a manner enabling remote access, the terms and conditions of auctions for free monthly firm storage capacity no later than five working days before the beginning of the auction. The terms and conditions of auctions must be reasonable, non-discriminatory and transparent. The terms and conditions of auctions shall include the same details as the terms and conditions of auctions for yearly firm storage capacity, provided that the price per unit of storage capacity shall remain unchanged throughout the duration of storage capacity booking. The terms and conditions of auctions shall also include the number of calendar months for using the storage capacity. Under point 2(a) of Schedule 3 hereto, the SSO can, not later than 12 hours before the time of the start of the storage capacity auction, change the minimum price per unit of storage capacity. The change of the minimum price per unit of storage capacity shall not affect the amount of the collateral.

(3) Section 51(3) and Section 52 shall be used *mutatis mutandis* for these auctions. The requested duration of storage capacity booking shall be specified as an integer expressing the number of months of the term of the agreement, within the permissible range determined in accordance with the last sentence of (2) above.

(4) SSOs shall send electronic confirmations of storage capacity booking without undue delay after the auction, together with the final price per unit of storage capacity.

(5) Section 53(2) shall apply *mutatis mutandis* to the refunding of, and drawing on, collaterals.

Section 55

Procedure for daily firm storage capacity booking

(1) Cleared entities and foreign participants submit electronic requests for daily firm storage capacity booking to SSOs not later than by 18:00:00 on the gas day for which the booking is requested and no earlier than 90 calendar days before the beginning of the first gas day from which they request the booking. The SSO can allow cleared entities and foreign participants to submit a request for daily firm storage capacity booking also after the time specified in the first sentence of this subsection.

(2) SSOs shall evaluate the requests received, in the order of the time stamps showing the order in which requests were received, and notify all bidders of the results of storage capacity booking within 30 minutes from the submission of the request for storage capacity booking. By electronic confirmation of requests, the daily firm storage capacity is booked.

Section 56

Procedure for booking daily interruptible storage capacity

(1) Cleared entities and foreign participants that have booked storage capacity with the SSO, or have the right to manage such storage capacity, can submit requests for the booking of daily interruptible storage capacity to that SSO.

(2) Requests for daily interruptible storage capacity booking are submitted electronically by cleared entities and foreign participants not later than by 18:00:00 on the gas day for which the daily interruptible storage capacity is requested. The price for interruptible storage capacity shall only be paid for the uninterrupted part of the allocated daily interruptible storage capacity. The SSO shall evaluate the requests, in the order of the time stamps showing the order in which requests were received, and electronically notify the booking of the daily interruptible storage capacity. Daily interruptible storage capacity shall be deemed booked by the delivery of the notification of the booking. The SSO can allow cleared entities and foreign participants to submit requests for daily interruptible storage capacity booking also after the time under the first sentence.

Procedure for booking yearly firm storage capacity in new storage capacity

Section 57

(1) An SSO planning the development of new storage capacity may book no more than 90% of this storage capacity under subsections (2) to (5) above and under Section 58. The SSO shall book the remaining part of the new storage capacity using the procedure in Sections 51 to 53 or 54. The SSO shall not proceed under subsections (2) to (5) and under Section 58 above when booking new storage capacity that the SSO has offered under the rules, approved by the Office, for the allocation and management and control of the overstepping of new storage capacity[13)].

(2) SSOs shall book new storage capacity for yearly firm storage capacity on the principle of multi-round online auctions. SSOs shall open the auction no earlier than seven years before the beginning of the storage year from which it is possible to start gas storage using the new storage capacity in full.

(3) The maximum duration of new storage capacity booking for yearly firm storage capacity booking is 15 years. SSOs shall set out the duration of storage capacity booking when announcing the terms and conditions of auctions.

(4) Where in the development of new storage capacity the storage capacity, or the various parameters thereof, is gradually increased and the SSO specifies the increase in storage capacity, or in the various parameters thereof, for each of the years in the terms and conditions of an auction under point (3)(b) of Schedule 3 hereto, the SSO shall allocate this increase in storage capacity, or in the various parameters thereof, on a *pro rata* basis among all cleared entities and foreign participants for whom the new storage capacity has been booked.

(5) SSOs shall publish the terms and conditions of auctions for new storage capacity no later than 60 days before the planned opening of an auction. In the case of an auction for new storage capacity that already was offered in an auction, but was not booked, the SSO shall publish the terms and conditions of the auction not later than 30 days before the planned opening of the auction. The terms and conditions of auctions must be reasonable, non-discriminatory and transparent. The terms and conditions of auctions shall include the details under Schedule 3 hereto.

[13]) Section 67a(3) of Act No 458/2000, the Energy Act, as amended

Section 58

(1) A gas supplier forming a group with the SSO or being a part of the same group or of another business grouping with the SSO, who alone or in connection with other gas suppliers forming a group with the SSO or being a part of the same group or of another business grouping with the SSO has booked with the SSO a storage capacity of at least 80% of the capacity of the virtual storage facility operated by the SSO, may only participate as a bidder in an auction for new storage capacity if the minimum price for storage capacity under point (2)(a) of Schedule 3 hereto is lower than or equal to the market price of storage capacity having the same or comparable parameters for yearly firm storage capacity booking in the Czech Republic.

(2) Gas suppliers meeting the condition under subsection (1) can request storage capacity up to the amount of the storage capacity that must be booked in the auction under the terms and conditions of the auction for the SSO not to cancel the auction.

(3) The SSO shall reduce the request(s) for storage capacity booking received from a gas supplier(s) under (1) above by the requests for storage capacity booking received from the other bidders, however, by no more than to the difference between the minimum amount under point (3)(a) of Schedule 3 hereto and the requests for storage capacity booking received from the other bidders.

(4) Section 51(3) and Sections 52 and 53 shall be used *mutatis mutandis* for the organisation of auctions. The bidders shall deposit the collateral not later than two working days before the date of the auction. The minimum price per unit of storage capacity shall be set under point (2)(a) of Schedule 3 hereto.

(5) Should it be possible, after the booking of yearly firm storage capacity in new storage capacity, to make this new storage capacity available before the booking of yearly firm storage capacity in new storage capacity comes into effect the SSO can offer such capacity to gas market participants by way of the booking of monthly firm storage capacity, and can do so repeatedly. For the booking of this storage capacity Section 54 shall be used *mutatis mutandis*. The storage capacity so booked shall continue to be regarded as new storage capacity.

Section 59

Procedure for the sale of gas left

(1) If upon the end of storage capacity booking under a gas storage agreement the gas stored by a cleared entity or foreign participant has not been withdrawn completely and it is not feasible to transfer this gas within the virtual storage facility under any other of the existing storage capacity bookings of this cleared entity or foreign participant using the virtual storage facility, the SSO shall carry out controlled sale of this gas on the organised within day gas market.

(2) The SSO shall carry out controlled gas sale every gas day depending on its available withdrawal capacity. For the purpose of controlled gas sale, the SSO shall book transmission capacity for the entry point of the virtual storage facility.

(3) The SSO posts the gas sale offer on the within day organised gas market for the last known price on the within day market plus EUR 0.5/MWh. If the request is not executed within 5 minutes the SSO decreases the price by EUR 0.1/MWh, even repeatedly, but by no more than EUR 3/MWh compared with the initial value. The last known price on the within day market is understood to be the price of a trade executed on the market operator’s within day market for the day for which the request is submitted, in which at least 50 MWh were traded and which took place not later than before the beginning of the whole hour within which the request is

submitted. If this price is not available, the price of the last trade executed on the market operator's within day market in which at least 50 MWh were traded and which took place not later than before the beginning of the whole hour within which the request is submitted shall be used. SSOs shall publish every day, in a manner enabling remote access, the volume of gas that they will offer on the within day organised gas market.

(4) The SSO shall remit the proceeds from the sale of left gas under subsection (1) above, net of the justifiable costs directly incurred in the gas sale, to the cleared entity or foreign participant within 15 calendar days from the end of the left gas sale.

Section 60

Storage capacity reduction in the case of curtailed or interrupted gas storage

(1) In the case of curtailed or interrupted gas storage, the SSO shall first reduce booked interruptible storage capacities and then booked firm storage capacities.

(2) The SSO shall reduce booked interruptible storage capacities on the basis of the price per unit of interruptible injection/withdrawal capacity in the order of priority from the lowest price to the highest price, provided that it shall reduce storage capacities booked for the same price per unit of interruptible capacity to the same level in respect of the agreed interruptible capacity. If the nomination by a cleared entity or foreign participant is below the maximum level of applied reduction, its storage nomination shall remain unaffected. Otherwise, the SSO shall confirm the relevant storage nomination in the reduced amount.

(3) Upon a planned curtailment or interruption of storage capacity, the SSO shall reduce booked firm storage capacities by reducing, on a *pro rata* basis, the storage capacities booked for the days for which the interruption is planned for all cleared entities and foreign participants. If the nomination by a cleared entity or foreign participant is below the maximum level of applied reduction, its storage nomination shall remain unaffected. The SSO shall notify the amount by which booked firm storage capacities will be reduced and at the same time shall notify the planned interruption in storage capacity.

(4) If the causes for curtailing or interrupting gas storage cease to exist in whole or in part, the SSO shall immediately notify the concerned cleared entities and foreign participants thereof and they can then re-nominate their storage.

(5) In the event of a sudden outage in injection/withdrawal the SSO shall reduce booked storage capacities and confirm storage nominations using *mutatis mutandis* the procedure under subsections (1) to (4).

Section 61

Information on storage capacities

(1) SSOs shall publish, in a manner enabling remote access, and update immediately, however, not later than by the 15th day of a calendar month, the following information:

a) The annual plan of reductions in the size of the working volume or decrease in the quality of the services provided by their virtual storage facility due to shutdowns or planned maintenance at each of the gas storage facilities;

b) A five-year plan of modifications to the size of the working volume and the daily maximum injection/withdrawal capacity of the respective virtual storage facility for every storage year;

c) Numerically, the size of the technical, total booked and free storage capacities of the respective virtual storage facility;

d) Modifications to the size of the working volume and the daily maximum injection/withdrawal capacity of the respective virtual storage facility for the last three storage years, for each storage year.

(2) SSOs shall publish, in a manner enabling remote access, and update daily at 09:00:00, at least the following information:

a) The size of the total available injection/withdrawal capacity for the following gas day;

b) The size of the total committed firm injection/withdrawal capacity calculated as the sum of injection/withdrawal capacities of cleared entities and foreign participants for the following gas day;

c) The current level of gas stores in the virtual storage facility in energy units;

d) The size of interrupted interruptible capacity and the highest price per unit of interruptible capacity in respect of which the interruption was applied, for the preceding gas day;

e) The size of interrupted firm storage capacity broken down by injection capacity and withdrawal capacity, for the preceding gas day;

f) Actual daily values of injection and withdrawal for the preceding gas day.

(3) SSOs shall publish the information under subsection (2) for the last three calendar years.

(4) SSOs shall publish, in a manner enabling remote access, the resulting price and size of the storage capacities booked in each of the auctions for the last three calendar years.

PART FIVE
NOMINATION AND RE-NOMINATION

Section 62

Procedures and timing for submitting input and off-take obligation nominations

(1) Cleared entities submit their input obligation and off-take obligation nominations as daily nominations of the input obligation and off-take obligation electronically, using a standardised report defined in the market operator's commercial terms and conditions, as trade nominations under a bilateral contract where the cleared entity registers gas transfer with another cleared entity at the virtual trading point.

(2) In the event that by gate closure for nominations submitted under Section 68(1), submitted by cleared entities, trade nominations under subsection (1) are not matched, the market operator shall register the lower of the nominated values submitted.

(3) The market operator shall submit input obligation and off-take obligation nominations for the cleared entities and foreign participants for which the responsibility for imbalance is assigned to the TSO, as daily input obligation and off-take obligation nominations electronically in a standardised report defined in the market operator's commercial terms and conditions, as follows:

a) Nomination of gas traded on the organised within day market, where the market operator registers trades executed on the organised within day market between the market operator and each of the cleared entities;

b) Nomination of the daily imbalance quantity, where the market operator registers the size of the daily imbalance quantity between the market operator and each of the cleared entities and foreign participants; in the case of the cleared entity's or foreign participant's positive daily imbalance quantity the registration is as follows: the cleared entity or foreign

participant appears on the side of the input obligation and the market operator appears on the side of the off-take obligation; in the case of the cleared entity's or foreign participant's negative daily imbalance quantity the registration is as follows: the cleared entity or foreign participant appears on the side of the off-take obligation and the market operator appears on the side of the input obligation.

(4) The market operator shall add up all the registered nominations of daily imbalance quantities under subsection 3(b) so that the input obligations of cleared entities or foreign participants for which the responsibility for imbalance is assigned to the TSO have the plus sign and their off-take obligations have the minus sign. The market operator registers nominations in respect of the TSO in the operator's account as

a) an obligation to input by the market operator and an obligation to off-take by the TSO, for the operator's account, in the case that the sum is positive,

b) an obligation to off-take by the market operator and an obligation to input by the TSO, for the operator's account, in the case that the sum is negative.

Section 63

Transmission nomination

(1) Cleared entities nominate transmission at the entry points of the transmission system

a) up to the booked capacity in respect of the border points of the transmission system; transmission at an entry point shall be nominated in a breakdown by gas importer, showing the designation of these gas importers in a form enabling the TSO and operators of the adjacent transmission systems to carry out the matching procedure,

b) up to the booked capacity in respect of points of a gas storage facility; transmission at an entry point shall be nominated so as to enable the TSO and the SSO to carry out the matching procedure,

c) up to the booked capacity in respect of points of gas production plants.

(2) Cleared entities nominate transmission at the exit points of the transmission system

a) up to the booked capacity in respect of the border points of the transmission system; transmission shall be nominated in a breakdown by gas customer, showing the designation of these customers in a form enabling the TSO and operators of adjacent transmission systems to carry out the matching procedure,

b) up to the booked capacity in respect of the points of a gas storage facility; transmission shall be nominated so as to enable the TSO and the SSO to carry out the matching procedure,

c) up to the booked capacity in respect of supply points of customers directly connected to the transmission system, broken down by hour within a gas day.

(3) For bundled and unbundled transmission capacity at the border points of the transmission system cleared entities can also nominate transmission in the information system of the adjacent transmission system operator. The TSO shall ensure that the transmission nominations so submitted are also recorded in its own information system and delivered to the market operator without undue delay.

(4) Transmission nomination can only be submitted for customers' supply points directly connected to the transmission system, having a booked capacity of 5,000 MWh/d or more.

(5) The TSO nominates transmission in a breakdown by the following entry and exit point of the transmission system:

a) The point for the TSO's balancing actions, for gas transmission associated with a change in the operator's account;

b) The TSO's virtual technical point, for gas transmission associated with, in particular, covering the TSO's losses and in-house gas consumption;

c) The TSO's virtual production point, for gas transmission associated with, in particular, gas sales.

(6) Foreign participants submit nominations under subsections 1(a) and (b) and 2(a) and (b) in the TSO's information system. The provisions of subsection (3) are used *mutatis mutandis*.

(7) The TSO shall, without undue delay, ensure the exchange of the identification codes designating each of the gas importers and customers between the TSO and the market operator.

Section 64

Distribution nomination

(1) Cleared entities nominate distribution up to the booked capacity at the entry points of the distribution system

a) in respect of cross-border gas pipeline points, in a breakdown by gas importer in a form enabling the distribution system operator and operators of the adjacent distribution or transmission systems to carry out the matching procedure,

b) up to the size of booked capacity for points of gas production plants.

(2) Cleared entities nominate distribution up to the booked distribution capacity at the exit points of cross-border gas pipelines in a breakdown by customer, in a form enabling the distribution system operator and operators of the adjacent distribution or transmission systems to carry out the matching procedure.

(3) For customers' supply points and for delivery points between distribution systems, distribution is not nominated.

(4) The distribution system operator shall, without undue delay, ensure the exchange of the identification codes designating each of the gas importers and customers between the distribution system operator and the market operator.

Section 65

Storage nomination

(1) Cleared entities nominate storage in the SSO's information system in a breakdown by code of booked storage capacities up to the available withdrawal and injection capacity, in a form enabling the SSO and the TSO to carry out the matching procedure.

(2) Foreign participants nominate storage in the SSO's information system in a breakdown by code of booked storage capacities, up to the available withdrawal and injection capacity, in a form enabling the SSO and the TSO to carry out the matching procedure. Before transmitting the storage nomination to the TSO, the SSO shall carry out any reduction in interruptible storage capacities and shall ensure the immediate transmission of so adjusted storage nomination to the TSO.

(3) The SSO shall, without undue delay, ensure the exchange of the identification codes designating each of the booked storage capacities between the SSO and the market operator.

Procedures and timing for submitting transmission, distribution and storage nominations and input and off-take obligations

Section 66

(1) Cleared entities submit transmission, distribution and storage nominations by 14:00:00 on the respective gas day for the following gas day.

(2) The market operator or the TSO or the operator of the adjacent transmission system accept a transmission nomination at border points as a total daily nomination for the gas day, or broken down by hour of the gas day. If a submitted transmission nomination is not broken down by hour of the gas day the market operator or the TSO shall spread it evenly over hours of the gas day. The hourly values resulting from the spreading are rounded down to whole kWh, provided that the rounding difference is added to the value for the last hour of the gas day.

(3) Foreign participants submit transmission nominations by the time under subsection (1) in the TSO's system or, for bundled and unbundled transmission capacity at the border points of the transmission system, to the adjacent operator of the transmission system. Foreign participants submit transmission nominations under subsection (1) in the TSO's system and storage nominations by the time under subsection (1) in the SSO's system. The SSO shall transmit to the market operator the storage nominations submitted by an individual foreign participant using an anonymous code.

(4) The TSO shall check that transmission nominations for the foreign participant are equal. If the foreign participant's transmission nominations at the entry and exit into and from the transmission system are not equal the TSO shall reduce the nominations in the order of priorities so that the foreign participant meets the conditions of equality of transmission nominations. At one level of priority, in the case of multiple nominations the reduction shall be even. The priorities for reductions are as follows:

a) First of all, transmission nominations at the entry or exit point of the gas storage facility are reduced;

b) Subsequently, transmission nominations at the entry or exit border point are reduced.

(5) The market operator shall check the collateral for all of the cleared entities' nominations in accordance with its commercial terms and conditions, and not later than by 14:20:00 shall send the nominations that are financially secured, and have been adjusted under subsection (6), to the respective operators.

(6) If a cleared entity does not have collateral for its nominations deposited with the market operator the market operator shall reduce the nominations in the order of priorities so as to make the cleared entity have the required collateral. At one level of priority, the nominations shall be reduced evenly in the case of multiple nominations. Priorities for reduction are as follows:

a) First of all, transmission nominations at the exit point of a gas storage facility are reduced;

b) Subsequently transmission nominations at the exit border point and distribution nominations at the exit point of a cross-border gas pipeline are reduced;

c) Finally, nominations of input obligations under bilateral contracts are reduced.

Section 67

(1) The TSO shall check and match the nominations. By 16:00:00 it shall notify, through its own and the market operator's information systems, the cleared entities and foreign participants of whether it has accepted and registered their nominations.

(2) If the cleared entity or foreign participant submits a transmission nomination as a total daily nomination for the gas day the TSO shall spread it evenly over hours of the gas day. The resulting hourly values are rounded down, providing that the residual amount is added to the value for the last hour of the gas day. Hourly values of the nomination must not exceed the size of transmission capacity booked for the gas day divided by the number of hours of the gas day; for the last hour of the gas day, this limitation is increased by the residual amount resulting from the rounding of the values of the preceding hours of the gas day.

(3) Before matching the nominations under subsection (1) at the virtual gas storage facility point, the TSO shall wait for values of gas storage nominations sent by the SSO under Section 65(2). Before any reduction in interruptible transmission capacity and the matching procedure, the TSO shall reduce the cleared entity's or the foreign participant's transmission nomination to the value of the received storage nomination under Section 65(2).

Section 68

(1) Cleared entities submit input obligation and off-take obligation nominations by 14:00:00 on the respective gas day for the following gas day.

(2) Cleared entities submit distribution and storage nominations by 14:00:00 on the respective gas day for the following gas day.

(3) The distribution system operators and SSOs shall check and match the nominations, and by 16:00:00 shall notify, through their own and the market operator's information systems, the cleared entities of whether they have accepted and registered their nominations.

(4) The market operator shall nominate under Section 62(4) by 14:20:00.

(5) For cleared entities, the market operator shall submit adjusted input obligation and off-take obligation nominations under Section 62(3)(a) within ten minutes from the matching of the supply and demand offers and bids posted at the organised within day gas market.

Procedures and timing for re-nominating transmission, distribution, and storage

Section 69

(1) All transmission nominations of a cleared entity or foreign participant for a gas day submitted after the time limit under Section 66(1) shall be deemed to be transmission re-nominations.

(2) Cleared entities and foreign participants can submit re-nominations to the TSO.

(3) The market operator shall check the collateral, deposited with the market operator, for all re-nominations submitted by cleared entities in accordance with the market operator's commercial terms and conditions, and shall send the transmission re-nominations that are financially secured to the respective operators. If a cleared entity does not have collateral for its re-nominations the market operator shall make reductions in the nominations or re-nominations in the order of priorities set out in Section 66(6) to make the cleared entity have the collateral. At one level of priority, reductions are made evenly in the case of multiple re-nominations at one level of priority.

(4) Transmission re-nominations under subsection (2) are submitted within two hours from the time under Section 66(1) and further by every whole hour, however, not later than by 03:00:00 on the gas day that begins two gas days from the gas day on which nominations under Section 66(1) are submitted.

(5) The market operator shall check the collateral for re-nominations under subsection (3) within 20 minutes past every whole hour following the hour in which the re-nomination was submitted.

Section 70

(1) The TSO shall approve a re-nomination if submitted in accordance with Schedule 4 hereto.

(2) The TSO shall notify the cleared entities and foreign participants of received and registered re-nominations within two hours from the time by which re-nominations are to be submitted under Section 69(4). The TSO shall also notify cleared entities under the first sentence of this subsection through the market operator's information system.

(3) The market operator or the TSO or the operator of the adjacent transmission system accept re-nominations for transmission at border points as daily re-nominations for a gas day, or broken down by hour of a gas day remaining until the end of the gas day.

(4) Foreign participants submit transmission re-nominations by the time under Section 69(4) in the TSO's system, or, in the case of transmission capacity at the border points of the transmission system, to the adjacent transmission system operator.

(5) Before accepting and registering re-nomination under subsection (2) at the virtual storage facility point, the TSO shall wait for values of gas storage re-nominations sent by the SSO under Section 71(4). Before any reduction in interruptible transmission capacity and the matching procedure, the TSO shall reduce the cleared entity's or the foreign participant's transmission re-nomination to the value of the received storage re-nomination under Section 71(4).

Section 71

(1) All of the cleared entity's storage and distribution nominations for a gas day, which are submitted after the time under Section 68(2) are regarded as storage and distribution re-nominations.

(2) Cleared entities can submit distribution re-nominations to the distribution system operator and storage re-nominations to the SSO. Foreign participants can submit storage re-nominations to the SSO.

(3) Storage and distribution re-nominations under subsection (2) are submitted by every whole hour of the day following the time under Section 68(3) but not later than by 03:00:00 on the gas day that begins two gas days following the day on which nominations under Section 68(2) are submitted.

(4) The SSO shall carry out any reduction in interruptible storage capacities and shall ensure the immediate transmission of storage re-nomination to the TSO to enable the TSO to carry out the matching procedure.

Section 72

(1) The SSO and the distribution system operator shall approve the re-nomination if submitted under Schedule 4 hereto.

(2) The distribution system operator or the SSO shall notify the cleared entity, also through the market operator's information system, of received and registered re-nominations within two hours from the whole hour within which the re-nomination was submitted.

(3) Foreign participants submit storage re-nominations by the time under Section 71(3) in the SSO's system. The SSO shall transmit to the market operator the storage re-nominations submitted by an individual foreign participant using an anonymous code.

Section 73

Interconnection between information systems of each of the operators and the market operator

(1) The market operator, the TSO, distribution system operators and SSOs shall interconnect their information systems so as to enable the forwarding of all transmission nominations and re-nominations submitted to the TSO, or to adjacent transmission system operator in the case of bundled or unbundled transmission capacities at the border points of the transmission system, distribution nominations and re-nominations submitted to distribution system operators, and storage nominations and re-nominations submitted to SSOs, to the market operator without undue delay.

(2) In its information system, the market operator shall enable the submission of transmission nominations and re-nominations, distribution nominations and re-nominations, and storage nominations and re-nominations. A cleared entity's nominations and re-nominations submitted to the market operator's information system and duly forwarded by the market operator to the respective operators shall be deemed to be the cleared entity's transmission, distribution or storage nominations and re-nominations submitted directly to the respective operators.

Section 74

Re-nomination of input and off-take obligations

(1) All of the cleared entity's nominations of input obligations and off-take obligations for a gas day, which are submitted after the time under Section 68(1), but not later than by 05:00:00 on the calendar day that begins two days after the day on which the cleared entity submits nominations under Section 68(1), shall be regarded as re-nominations of the input obligations and off-take obligations.

(2) If trade re-nominations under an OTC are not matched by the cut-off time for re-nominations of input obligations and off-take obligations submitted by cleared entities, the market operator shall not register the submitted re-nominations.

(3) Following the end of every hour, the market operator shall check the collateral for all re-nominations of cleared entities' input obligations and off-take obligations. Should a cleared entity fail to have collateral for its submitted re-nominations the market operator shall reject the re-nominations.

(4) Not later than within 20 minutes past every hour, the market operator shall notify the relevant cleared entities, through its information system, of the acceptance and registration, or rejection, of their re-nominations of input obligations and off-take obligations.

PART SIX
COMMERCIAL BALANCING OF IMBALANCES

Allocation of responsibility for imbalance

Section 75

(1) Responsibility for imbalance relates to each individual supply point of a customer. Responsibility for imbalance at supply points may only be transferred, either directly or through another registered gas market participant, to a single cleared entity.

(2) If no cleared entity with responsibility for imbalance [= BRP] has been assigned to a customer's supply point the market operator shall request the respective gas market participant under subsection (1) to remedy the situation. In the event of failure to assign a cleared entity

with responsibility for imbalance to the customer's supply point the market operator shall proceed under Section 78.

(3) The transfer of responsibility for imbalance under subsection (1) is subject to the market operator's approval. Requests for the transfer of responsibility for imbalance under subsection (1) are submitted by the transferring gas market participant through the market operator's information system, and the accepting cleared entity approves its assignment to responsibility for imbalance at the customer's individual supply point through the market operator's information system. Once the accepting cleared entity approves its assignment to responsibility for imbalance and provided the accepting cleared entity has sufficient collateral, the market operator shall transfer the cleared entity's responsibility for imbalance to the accepting cleared entity.

(4) The market operator shall assess the assignment of responsibility for imbalance within 60 minutes from the whole hour within which the request for the assignment of responsibility for imbalance was approved by the accepting cleared entity through the market operator's information system. The market operator shall promptly notify the transferring gas market participant and the accepting cleared entity of the outcome of its assessment of the assignment to responsibility for imbalance. The assignment of responsibility for imbalance shall come into effect no earlier than the following gas day after approval by the market operator.

Section 76

(1) Responsibility for imbalance at the entry and exit points of a virtual storage facility shall be borne by the respective cleared entity using this point of the transmission system, or the foreign participant through the TSO.

(2) Responsibility for imbalance at the border entry and exit points shall be borne by the respective cleared entity using this point of the transmission system, or the foreign participant through the TSO.

(3) Responsibility for imbalance at the entry and exit points on cross-border gas pipelines or at points of gas production plants shall be borne by the respective cleared entity using such point of the distribution or transmission system.

(4) Distribution system operators shall publish, in a manner enabling remote access, and notify the market operator of the allocation rules at each of the points on cross-border gas pipelines and points of gas production plants. The market operator shall publish the allocation rules at each of the points on cross-border gas pipelines and points of gas production plants in a manner enabling remote access and without undue delay.

(5) The TSO shall publish, in a manner enabling remote access, and notify the market operator of the allocation rules at each of the border points and virtual gas storage facility points. The market operator shall publish the allocation rules at each of the border points and virtual gas storage facility points in a manner enabling remote access and without undue delay.

Section 77

(1) A cleared entity's total imbalance can be transferred to another cleared entity under contract. The transfer of a cleared entity's total imbalance to a different cleared entity shall cause the transfer of the transferor's flexibility and the value of its imbalance account as well.

(2) The transferring cleared entity submits its request for the transfer of total imbalance through the market operator's information system and the accepting cleared entity accepts the transfer of this total imbalance through the market operator's information system. Following the acceptance of the transfer of total imbalance by the accepting cleared entity, the market operator shall, within 60 minutes from the whole hour within which the request for the transfer of total

imbalance was accepted by the accepting cleared entity through the market operator's information system, check the adequacy of the accepting cleared entity's collateral.

(3) The market operator shall immediately notify the transferring and accepting cleared entities of the outcome of its assessment of the transfer of total responsibility for imbalance. If the accepting cleared entity's collateral is adequate the market operator shall approve the transfer of the cleared entity's total imbalance. Unless the cleared entities determine a later date for the transfer of total imbalance, the transfer of a cleared entity's total imbalance shall come into effect no earlier than on the following gas day after the market operator's approval.

(4) Total imbalance of a cleared entity that has accepted total imbalance from another cleared entity cannot be transferred to any other cleared entity. The market operator shall, at the cleared entity's request, terminate the transfer of total imbalance between the transferring cleared entity and the accepting cleared entity as at the last day of the gas month, with the exception of the cases related to the termination of the cleared entity's activities.

(5) The daily imbalance quantity of a cleared entity that has transferred its entire imbalance to a different cleared entity shall be, for the gas day preceding the first day as of which the imbalance has been transferred to the other cleared entity, increased by the value of the imbalance account of the cleared entity that has transferred its entire imbalance to the other cleared entity.

Section 78

(1) Upon the end of the gas supply duration specified for a supply point registered in the market operator's information system, or on the basis of a request for gas supply truncation under Section 114, the market operator shall cancel the assignment of the supply point to the gas supplier and cleared entity as of the required date.

(2) In the case of a customer's supply point that is not registered in the market operator's information system and to which a new gas supplier and cleared entity will not be assigned after the date of the termination of the agreement on bundled gas supply services or the agreement on gas supply in place with the current gas supplier, with the exception of cases under Section 119(4) and the customer's requirement for the dismantling of the metering instrument, the distribution system operator or the TSO shall, by 23:00:00 on the tenth working day before the day on which the current gas supplier will discontinue gas supply to the customer's supply point, register this supply point in the market operator's information system as of the day from which no gas supplier will be assigned to the customer's supply point.

(3) In the case of a request for supply discontinuation due to contract rescission under Section 11a(2), (5) and (6) of the Energy Act or in the case of contract termination under Section 11a(3) of the Energy Act, the distribution system operator or the TSO shall register the supply point under subsection (2) by 23:00:00 on the last working day before the day on which the current gas supplier will discontinue gas supply to the customer's supply point.

(4) In the event of the identification of a customer's supply point that will be without an assigned contractual cleared entity in the market operator's information system for at least one day, the market operator shall tag this supply point in its information system, specifying the day from which a gas supplier and contractual cleared entity will not be assigned to the customer's supply point, unless a back-to-back supplier change is simultaneously running in the market operator's information system for the supply point. The market operator shall assign this tag by the end of the tenth working day before the day on which the current supplier will discontinue gas supply to the customer's supply point. In the case of a request for supply truncation under Section 114(4), the market operator shall assign this tag by the end of the last working day before the day on which the current gas supplier will discontinue gas supply to the customer's supply point.

(5) Having assigned the tag under subsection (4), the market operator shall promptly notify the tag assignment to the supply point to the current supplier, the current cleared entity and the distribution system operator, or the TSO, to which the customer's supply point is connected.

(6) The distribution system operator or the TSO shall promptly inform the customer that unauthorised off-take may occur, unless a supplier change for the supply point is simultaneously running in the market operator's information system.

(7) If a gas supplier and contractual cleared entity are assigned to a supply point tagged under subsection (4) as of the day specified in the tag under subsection (4), the market operator shall remove, in its information system, the tag assigned to this supply point under subsection (4).

Section 79

Assignment of cleared entities

(1) From the day from which a gas supplier and contractual cleared entity are not assigned to a customer's supply point, the gas supplier shall, in respect of the supply point tagged under Section 78(4) at which a supplier change under Section 110 is not running, submit a request for starting supply to prevent unauthorised off-take under Section 113(5).

(2) If the supplier change process under Section 110, or the process of starting gas supply to prevent unauthorised off-take under subsection (1), is successfully completed and the supplier change is effective not later than the day following the end of 10 working days from the day specified in the tag under Section 78(4), the market operator shall assign to the customer's supply point a new gas supplier and a new cleared entity specified in the request for supplier change or in the request for starting supply to prevent unauthorised off-take, with effect as of the day specified in the tag that was assigned to this supply point under Section 78(4). The market operator shall only assign the gas supplier and cleared entity if both are registered gas market participants on the gas day and have collateral deposited with the market operator for the period in question. The market operator shall notify this assignment to the new supplier, the new cleared entity, and the distribution system operator or the TSO, and shall remove the tag assigned to the supply point under Section 78(4).

(3) The distribution system operator, or the TSO, to which the supply point is connected can, on the basis of the information about the assignment of a cleared entity and gas supplier under subsection (2), book distribution or transmission capacity for the new gas supplier in the case of an agreement on bundled gas supply services, or for the customer in the case of separate agreements on supply and on distribution system services or gas transmission services, as of the day on which the new gas supplier and new cleared entity were assigned under subsection (2). The size of booked distribution or transmission capacity equals the size of distribution or transmission capacity booked in accordance with the new gas supplier's or the customer's request. For determining the reading on the metering instrument under Section 113(2) and (3), the day as of which the new gas supplier and new cleared entity were assigned under subsection (2) shall be regarded as the effective date of the supplier change.

(4) If the supplier change process under Section 110 or the process of starting gas supply to prevent unauthorised off-take under subsection (1) is not successfully completed or the assignment of cleared entities is effective later than on the day following the end of 10 working days from the day specified in the tag under Section 78(4), the market operator shall change in its information system the tag under Section 78(4) to the tag denoting unauthorised off-take at that supply point. The market operator shall notify the respective operator of the distribution or transmission system thereof.

Imbalance account and flexibility

Section 80

(1) A cleared entity's or foreign participant's imbalance is the difference between the sum of gas quantity allocations at all entry points of the gas system and the sum of allocations at all exit points of the gas system, reflecting the cleared entity's input and off-take obligations. A cleared entity's imbalance is determined as a daily imbalance, monthly imbalance broken down by gas day, and corrective monthly imbalance broken down by gas day.

(2) For every cleared entity and foreign participant, the market operator shall keep an imbalance account. For a given gas day, the preliminary value of the imbalance account is the sum of the closing value of the imbalance account from the preceding gas day and the daily imbalance of the cleared entity for that gas day. For a given gas day, the closing value of the imbalance account is the sum of the closing value of the imbalance account from the preceding gas day, the daily imbalance of the cleared entity for that gas day and the daily imbalance quantity of the cleared entity for that gas day.

(3) Every cleared entity, or the TSO for a foreign participant, shall be provided with flexibility, the size of which shall be determined by the market operator every gas day for each entry and exit point of the gas system as follows:

a) for a customer's supply point where the cleared entity has been assigned to responsibility for imbalance, flexibility for the respective gas day shall be determined in accordance with Schedule 5 hereto,

b) for a gas production plant point where the cleared entity has been assigned to responsibility for imbalance, flexibility for the respective gas day shall be determined in accordance with Schedule 5 hereto,

c) for an entry border point, for an entry point on a cross-border gas pipeline and for an entry point of a gas storage facility, flexibility shall be provided to the cleared entity for the respective gas day in accordance with Schedule 5 hereto,

d) for an exit border point, for an exit point on a cross-border gas pipeline and for an exit point of a gas storage facility, flexibility shall be provided to the cleared entity for the respective gas day in accordance with Schedule 5 hereto.

(4) If the allocation rule whereby the value of transmission nomination or distribution nomination is deemed to be the input value is used at a border point, a gas storage facility point, a point on a cross-border gas pipeline or a gas production plant point on a gas day, flexibility shall not be provided at that point on that gas day. Flexibility shall not be provided for the TSO's virtual points, distribution system operators' virtual points and the virtual trading point.

(5) The flexibility value allocated to a cleared entity or foreign participant for the respective gas day is the sum of the individual sub-parts of flexibility related to each of the entry and exit points of the gas system, determined under subsections (3) and (4).

Section 81

(1) On every gas day, the market operator shall make available for every cleared entity and for the transmission system operator in respect of each foreign participant, by the time under Section 102(2), the size of daily imbalance, preliminary allocations of the use of flexibility, the preliminary value of the imbalance account, the preliminary value of the daily imbalance quantity, the allocated value of flexibility and the size of flexibility that the cleared entity, or the foreign participant through the TSO, can trade under Section 89. The preliminary value of the daily imbalance quantity equals zero when the absolute value of the preliminary value of the

imbalance account is lower than or equal to the absolute value of the allocated value of flexibility; in other cases, the preliminary value of the daily imbalance quantity is equal to the difference between the preliminary value of the imbalance account and the allocated value of flexibility, respecting the sign convention.

(2) Every gas day following the notification of the results of the unused flexibility market at the time under Section 89(3), the market operator shall make available for every cleared entity and for the transmission system operator in respect of each foreign participant the daily imbalance quantity and the closing value of the imbalance account.

(3) The positive daily imbalance quantity is the difference between the preliminary value of the imbalance account and the maximum value of flexibility; if this difference is lower than or equal to zero, the positive daily imbalance quantity equals zero.

(4) The negative daily imbalance quantity is the difference between the preliminary value of the imbalance account and the minimum value of flexibility; if this difference is greater than or equal to zero, the negative daily imbalance quantity equals zero.

(5) The value of the last registered and confirmed nomination or re-nomination of an input or off-take obligation at the virtual trading point or the value of the registered and confirmed transmission nomination or re-nomination at the TSO's virtual points shall be deemed to be the supplied or off-taken value.

(6) Every day by 13:00:00, the market operator shall notify the TSO of the allocated flexibility value as the sum of values for all cleared entities and foreign participants for the current gas day.

(7) Every day following the notification of the results of the unused flexibility market, the market operator shall provide the TSO with the data on flexibility use, summed up for all cleared entities and foreign participants for the preceding gas day.

Section 82

Commercial balancing in the prevention of states of emergency throughout the Czech Republic due to gas shortage or surplus in the gas system

(1) The provisions of this Section shall be followed from the gas day following the day on which the TSO declared prevention of a state of emergency ['emergency'] due to a gas shortage or surplus in the Czech gas system.

(2) In cooperation with the market operator, the TSO shall promptly inform all cleared entities, foreign participants through the TSO, registered gas market participants, distribution system operators and SSOs, via electronic means, that with effect from 06:00:00 on the following gas day, commercial balancing of daily imbalances in the prevention of emergency will be started. The commercial balancing of daily imbalances in the prevention of emergency shall be carried out for the first time for the gas day under the first sentence of this subsection.

(3) If prevention of emergency is declared throughout the Czech Republic due to a shortage of gas in the gas system, on the respective gas day cleared entities and foreign participants shall not be provided with flexibility above the level of the allocation of flexibility use on the preceding gas day in the direction that would result in an increased gas shortage in the gas system. The entire negative daily imbalance of a cleared entity or foreign participant is the daily imbalance quantity. In the case of a cleared entity's positive daily imbalance, flexibility shall be allocated and the daily imbalance quantity shall be determined under Sections 80 and 81.

(4) If prevention of emergency is declared throughout the Czech Republic due to a surplus of gas in the gas system, on the respective gas day cleared entities and foreign participants shall not be provided with flexibility above the level of the allocation of flexibility use on the preceding gas

day in the direction that would result in an increased gas surplus in the gas system. The entire positive daily imbalance of a cleared entity or foreign participant is the daily imbalance quantity. In the case of a cleared entity's negative daily imbalance, flexibility shall be allocated and the daily imbalance quantity shall be determined under Sections 80 and 81.

Section 83

Commercial balancing in states of emergency throughout the Czech Republic due to a gas shortage or surplus in the gas system

(1) The provisions of this Section shall be followed from the gas day on which the TSO declared a state of emergency ['emergency'] due to a gas shortage or surplus in the Czech gas system.

(2) In cooperation with the market operator, the TSO shall promptly inform all cleared entities, foreign participants through the TSO, registered gas market participants, distribution system operators and SSOs, via electronic means, that a state of emergency has been declared due to a gas shortage or surplus in the gas system. The commercial balancing of daily imbalances in emergency shall be carried out for the first time for the gas day on which emergency was declared.

(3) In the event of emergency throughout the Czech Republic due to gas shortage in the gas system,

a) on the respective gas day, flexibility shall not be provided to cleared entities and foreign participants;

b) cleared entities and foreign participants who have a negative final value of their imbalance account from the preceding gas day shall top up their imbalance account to zero on the gas day; the cleared entity's or foreign participant's input obligation shall be increased by the top-up quantity; all emerging daily imbalances are daily imbalance quantities and are subject to financial settlement with the market operator;

c) cleared entities and foreign participants who have a positive final value of their imbalance account from the preceding day shall maintain equality of inputs into and off-takes from the gas system, i.e. daily imbalance equal to zero; all emerging daily imbalances are daily imbalance quantities and are subject to financial settlement with the market operator; the level of the imbalance account shall be recovered for the cleared entity or foreign participant on the gas day following the end of emergency caused by a gas shortage in the gas system.

(4) In the event of emergency throughout the Czech Republic due to a gas surplus in the gas system,

a) on the respective gas day, flexibility shall not be provided to cleared entities and foreign participants,

b) cleared entities and foreign participants who have a positive final value of their imbalance account from the preceding gas day shall reduce their imbalance account on the gas day to zero; the cleared entity's or foreign participant's off-take obligation shall be increased by the quantity of the reduction; all emerging daily imbalances are daily imbalance quantities and are subject to financial settlement with the market operator,

c) cleared entities and foreign participants who have a negative final value of their imbalance account from the preceding gas day shall maintain equality of inputs into and off-takes from the gas system, i.e. daily imbalance equal to zero; all emerging daily imbalances are daily imbalance quantities and are subject to financial settlement with the market operator; the level of the imbalance account shall be recovered for the cleared entity or foreign participant on the gas day following the end of emergency caused by a gas surplus in the gas system.

Section 84

Two and more gas suppliers' supply to a single supply point

(1) A customer may have agreements with one or more gas suppliers.

(2) A cleared entity that is not assigned at the supply point as the BRP shall supply gas to the customer's supply point by delivering the gas to the supply point BRP at the virtual trading point on the basis of mutual contractual arrangements between the gas suppliers and the customer.

Section 85

Collateral for cleared entities' payments

(1) Cleared entities shall provide the market operator with collateral for payments so that the foreseeable risks related to the cleared entities' activities are covered. The market operator shall use the collateral to cover the risks related to gas supply and off-take, settlement of imbalances, input obligations at the virtual trading point, trades executed at the organised spot market, and transmission and distribution nominations at the exit points of the gas system. The market operator's liabilities to cleared entities are also included in the amount of collateral for payments.

(2) If a cleared entity fails to have sufficient collateral for registering a trade, the market operator shall not register such trade. The market operator shall notify the cleared entity of its rejection to register the trade without undue delay.

(3) In the case of rejecting to register a trade under subsection (2) or in the case of reducing transmission or distribution nominations at the exit points of the gas system under Section 66(6), the market operator shall notify the respective cleared entity thereof.

PART SEVEN
SPOT MARKET

Section 86

Spot market, its organisation and methods of settlement

(1) The market operator shall organise a spot market as a within day gas market and an unused flexibility market.

(2) Only cleared entities can trade on the spot market.

(3) Trades on the spot market under subsection (1) shall be anonymous in respect of each other.

Section 87

Within day market

(1) The within day market is organised within a gas day and offers/bids to input/off-take gas in title products can be posted and accepted on it[14)]. The point of gas delivery and the point of gas off-take is the virtual trading point. The result of trading on the within day market is the determination of the contracted deliveries, off-takes and prices of gas.

(2) The within day market for a gas day is organised from 09:00:00 on the preceding calendar day to 05:00:00 on the following calendar day.

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[14]) Article 7(3) of Commission Regulation (EU) No 312/2014

(3) A cleared entity's bid is understood to be the required gas quantity to be purchased for the respective gas day. A cleared entity's offer is understood to be the required gas quantity to be sold for the respective gas day.

(4) The minimum quantity of the demanded or supplied gas on the within day market is 0.1 MWh. Cleared entities post the quantities of demanded or supplied gas on the within day market in MWh with an accuracy to one decimal place.

(5) The market operator shall register the data on each of the cleared entities' contracted gas quantities as nominations of gas traded on the within day market.

(6) Within 10 minutes from closing a trade on the within day market, the market operator shall adjust the total gas quantities contracted for input and off-take obligations as part of the nomination of traded gas on the organised within day market for the respective gas day. The off-take obligation is understood to be the satisfied part of the cleared entity's bid under the first sentence of subsection (3), and the input obligation is understood to be the satisfied part of the cleared entity's offer under the second sentence of subsection (3).

(7) By 13:00:00 on the day following the gas day, the market operator shall publish, in a manner enabling remote access, the gas quantities in executed trades and a weighted average of the gas prices for the respective gas day on the within day market, where the quantity of traded gas is the weight.

Section 88

The spot market index

Every gas day not later than by the time under Section 102(2), the market operator shall publish, in a manner enabling remote access, the spot market index for the preceding gas day. The procedure for determining the spot market index is set out in Schedule 6 hereto.

Section 89

The unused flexibility market

(1) The market operator shall organise an unused flexibility market for each past gas day.

(2) The unused flexibility market works every gas day from 13:00:00 to 13:45:00. If the market operator receives disagreement with the results of the daily evaluation of imbalances under Section 102(6), the market operator shall notify each of the cleared entities of a new time for opening the unused flexibility market, however, not later than by 16:00:00 on the same day.

(3) The market operator shall notify the results of the unused flexibility market at 13:55:00; in the case of a postponed opening of the unused flexibility market, within 10 minutes from the end of the unused flexibility market. Following the notification of the results of the unused flexibility market to each of the participants, the market operator shall publish, in a manner enabling remote access, the supply and demand curves, the number of the trades executed on the unused flexibility market, and the price achieved for unused flexibility on the gas day.

Section 90

Financial settlement of trades on the within day gas market

By the times under Section 87(7), the market operator shall provide each within day gas market participant with the following information:

a) The size of the input obligation and the size of the off-take obligation following from the gas quantity traded, in MWh, with accuracy to one decimal place;

b) Achieved prices, in EUR/MWh, in a breakdown by trade;

c) Amounts of payments for contracted gas off-takes and contracted gas supplies, in EUR.

PART EIGHT
PHYSICAL BALANCING

Section 91

(1) The TSO shall be responsible, in cooperation with distribution system operators, for the physical balancing of the gas system.

(2) The TSO's activities related to the actual or expected balancing of cleared entities' imbalances are understood to be balancing actions.

(3) The TSO undertakes balancing actions for the physical balancing of imbalances. The TSO undertakes balancing actions through gas purchase and sale on the within day gas market or through the use of balancing services.

(4) For the purposes of physical balancing settlement, the market operator shall set up and keep the operator's account. The market operator keeps records of the quantities in the operator's account. The market operator shall publish the current quantity in the operator's account within 10 minutes from any change thereof.

(5) The market operator shall adjust the operator's account to reflect the input and off-take obligations under Section 62(4) and nominations of balancing actions at the TSO's virtual point.

Section 92

Levels in the operator's account and balancing actions

(1) If allowed by the current operating condition of the gas system, the TSO shall not undertake any balancing actions if the size of the operator's account is greater than the value set out in Schedule 7, point 1, and lower that the value set out in Schedule 7, point 2, hereto.

(2) In the case that after the submission of nominations under Section 62(4) the size of the operator's account falls short of the value set out in Schedule 7, point 1, hereto the TSO can undertake a balancing action through gas purchase on the within day market using the procedure set out in Schedule 7, point 3, hereto.

(3) In the case that after the submission of nominations under Section 62(4) the size of the operator's account exceeds of the values set out in Schedule 7, point 2, hereto, the TSO can undertake a balancing action through gas sale on the within day market using the procedure set out in Schedule 7, point 4 hereto.

(4) In the case that after the submission of nominations under Section 62(4) the size of the operator's account falls short of the value set out in Schedule 8, point 1, hereto, or should the TSO's expectations be such that the size of the operator's account will fall short of the values set out in Schedule 8, point 1, hereto, the TSO shall undertake a balancing action through gas purchase on the within day market. Should it not be feasible to undertake the balancing action through the organised within day gas market, the merit order of balancing actions is set out in Schedule 8, point 6, hereto.

(5) In the case that after the submission of nominations under Section 62(4) the amount of the operator's account exceeds the value set out in Schedule 8, point 2, hereto, or should the TSO's expectations be such that the amount of the operator's account will exceed the value set out in Schedule 8, point 2, hereto, the TSO shall undertake a balancing action through gas sale on the within day market. Should it not be feasible to undertake the balancing action through the organised within day gas market, the merit order of balancing actions is set out in Schedule 8, point 6, hereto.

(6) Within 60 minutes from the completion of the balancing action, the TSO shall publish, through the market operator's information system, information about the completed balancing action to the extent as set out in Schedule 9 hereto.

Section 93

Procedures for determining the unit charge for daily imbalance quantity

(1) The unit charge for a positive daily imbalance quantity on the respective gas day shall be calculated using the procedure set out in Schedule 10 hereto.

(2) The unit charge for a negative daily imbalance quantity on the respective gas day shall be calculated using the procedure set out in Schedule 10 hereto.

(3) Should it be required to convert the unit charges under subsections (1) and (2) to CZK/MWh, the daily rate declared by the Czech National Bank for the day as at which the unit charges are being calculated shall be used; should the daily rate be unavailable the rate on the nearest preceding day on which the daily rate was published shall be used.

Section 94

The neutrality account

(1) The market operator shall keep records of the neutrality account as separated revenues and costs related to the settlement of daily imbalance quantities and the TSO's revenues and costs related to balancing actions on the basis of data under Section 92(6), from the first gas day of the calendar year to the end of the last gas day of the calendar year.

(2) On the last day of a year, the TSO shall undertake, using the procedure under Section 92(2) or (3), a balancing action to bring the operator's account to zero as at the last gas day of the calendar year. The balancing action shall also be undertaken when the condition under Section 92(1) is satisfied.

PART NINE

SCOPE AND TIMING FOR PROVIDING AND PUBLISHING DATA, AND ACCOUNTING FOR GAS SUPPLY AND OTHER SERVICES

Section 95

Provision of data by distribution system operators

(1) Every calendar day not later than by 12:00:00, distribution system operators shall provide the market operator, through the market operator's information system, with the following information for the preceding gas day:

a) Daily allocation of gas supplies at cross-border gas pipeline points, in a breakdown by entry point, and by cleared entity by importer, specifying their designation;

b) Daily allocation of gas supplies from gas production plant points, in a breakdown by point of gas production plants and by cleared entity;

c) Daily values of gas delivery and off-take at delivery points between distribution networks; the distribution system operator that operates the metering instrument shall send the data;

d) Daily allocation of gas off-take at cross-border gas pipeline points, in a breakdown by exit point, and by cleared entity by customer, specifying their designation;

e) Daily values of gas off-take at supply points of customers with type A metering;

f) Values of booked distribution capacity at supply points of customers with type A and B metering;

g) Daily values of their own gas consumption;

h) Daily values of the change in the line pack;

i) Values of booked distribution capacity at gas production plant points by gas production plant point and by cleared entity;

j) Values of booked firm and interruptible distribution capacity at cross-border gas pipeline point, by entry point and exit point and by cleared entity.

(2) Not later than by 12:00:00 on the ninth calendar day, but not later than by 12:00:00 on the sixth working day of a gas month, distribution system operators shall provide the market operator with the following information for each of the gas days of the preceding gas month:

a) Monthly allocation of gas supplies at cross-border gas pipeline points, by entry point, and by cleared entity by importer, specifying their designation;

b) Monthly allocation of gas supplies from gas production plant points, broken down by gas production plant point and by cleared entity;

c) Monthly values of gas delivery and off-take at delivery points between distribution networks; the distribution system operator that operates the metering instrument shall send the data;

d) Monthly allocation of gas off-take at cross-border gas pipeline points, by exit point, and by cleared entity by customer, specifying their designation;

e) Monthly values of gas off-take at supply points of customers with type A and B metering;

f) Values of booked distribution capacity at supply points of customers with type A and B metering;

g) Monthly value of their own gas consumption;

h) Monthly value of the change in the line pack;

i) Values of booked distribution capacity at gas production plant points, by gas production plant point and by cleared entity;

j) Values of booked firm and interruptible distribution capacity at cross-border gas pipeline points, by entry point and exit point and by cleared entity;

k) The monthly value of GCV in the distribution system.

(3) Distribution system operators shall transmit corrections to the values transmitted under subsection (2) to the market operator not later than within three calendar months from the date under subsection (2).

(4) Not later than by 12:00:00 on the fourth calendar day before the beginning of the following calendar month, distribution system operators shall send the following information to the market operator:

a) Expected values of distribution capacities booked at supply points with type A and B metering;

b) Values of the planned monthly gas consumption at supply points of customers with type B metering, applicable at all supply points of customers from the first day of the following month for the following three months;

(5) The market operator shall make the data under subsections (1), (2), and (3) available to the cleared entities whom the data concerns within 60 minutes of receiving the data. The cleared entities can also make this data available, in the market operator's information system, to other registered gas market participants.

(6) If in a distribution network a supplier change did not take place at any of the customers' supply points, subsections (1) to (5) shall not be used.

Section 96

Data transmission and publication by the TSO

(1) Not later than by 12:00:00 on every calendar day, the TSO shall provide the following information to the market operator for the preceding gas day:

a) Daily allocations of gas supply at border points, by entry point and exit point, and by cleared entity and foreign participant broken down by importer and customer, showing their designations;

b) Daily allocations of gas supply of each of the cleared entities and foreign participants at points of storage facilities, by entry point and exit point and by the code of booked storage capacities;

c) Daily allocation of gas supply from points of gas production plants connected to the transmission system, broken down by gas production plant point and by cleared entity;

d) Daily values of gas off-take at delivery points, or the set of delivery points between the transmission system and distribution networks;

e) Daily values of gas off-take at supply points of customers with type A metering directly connected to the transmission system;

f) Daily average GCV at the entry into each distribution network connected to the transmission system;

g) Daily gas supply allocation for the TSO's balancing actions at the TSO's virtual point for balancing actions;

h) Daily allocation of gas supply of the TSO at the TSO's virtual technical point;

i) Daily allocation of gas supply of the TSO at the TSO's virtual production point;

j) Booked firm capacities and booked interruptible capacities at border points, by entry and exit point, by cleared entity and by foreign participant;

k) The allocation regime used at border points, by entry and exit point;

l) Booked firm capacities and booked interruptible capacities of each of the cleared entities and foreign participants at points of gas storage facilities, by entry and exit point;

m) The allocation regime used at points of gas storage facilities by entry and exit point;

n) Booked capacities at supply points of customers directly connected to the transmission system;

o) Values of booked transmission capacity at points of gas production plants, by gas production plant point and by cleared entity.

(2) Not later than by 12:00:00 on the ninth calendar day, but not later than by 12:00:00 on the sixth working day of a gas month, the TSO shall provide the market operator with the following information for each of the gas days of the preceding gas month:

a) The monthly allocation of gas supply at border points, by entry and exit point, and by cleared entity and foreign participant broken down by importer and by customer, specifying their designation;

b) The monthly allocation of gas supply of each of the cleared entities and foreign participants at points of gas storage facilities by entry and exit point and by code of booked storage capacities;

c) Monthly values of gas off-take at delivery points, or sets of delivery points between the transmission system and distribution networks;

d) Monthly values of gas off-take at supply points of customers directly connected to the transmission system;

e) Monthly allocation of gas supply from points of gas production plants connected to the transmission system, broken down by gas production plant point and by cleared entity;

f) The average GCV for the whole transmission system;

g) The monthly allocation of gas supply for the TSO's balancing actions at the TSO's virtual point for balancing actions;

h) The monthly allocation of gas supply of the TSO at the TSO's virtual technical point;

i) The monthly allocation of gas supply of the TSO at the TSO's virtual production point;

j) Booked firm capacities and booked interruptible capacities at border points, by entry and exit point and by cleared entity and foreign participant;

l) Booked firm capacities and booked interruptible capacities of each of the cleared entities and foreign participants at points of gas storage facilities, by entry and exit point;

n) Booked capacities at supply points of customers directly connected to the transmission system;

o) Values of booked transmission capacity at points of gas production plants, by gas production plant point and by cleared entity.

(3) The TSO shall transmit the corrections to the values transmitted under subsection (2) to the market operator not later than within three calendar months from the date under subsection (2).

(4) Not later than by 12:00:00 on the fourth calendar day before the beginning of the following calendar month, the TSO shall transmit to the market operator the expected values of booked transmission capacity at all supply points of customers directly connected to the transmission system, as applicable from the first day of the following month.

(5) By 12:00:00 on every calendar day, distribution system operators shall provide the TSO with the daily value of the change in the line pack for the preceding gas day.

(6) The market operator shall make the data under subsections (1), (2), and (3) available to the cleared entities whom the data concerns within 60 minutes of receiving the data. The cleared entities can also make this data available, in the market operator's information system, to other registered gas market participants.

Section 97

Transmission of data on supply points with type C or CM metering

(1) Not later than by 12:00:00 on the ninth calendar day, but not later than by 12:00:00 on the sixth working day of a gas month, distribution system operators shall provide the market operator with the following information for the preceding gas month:

a) The actual values of gas off-take at supply points of the customers who are equipped with type C or CM metering and have changed their supplier, if a gas reading was taken and checked at these customers in the preceding gas month, and the date of the gas reading, the typical supply profile class and the value of the planned annual gas consumption;

b) The change of the typical supply profile class and the planned annual gas consumption in respect of the customers who have changed their supplier, if the nature of the supply point was changed or the planned annual gas consumption was changed, but no gas meter reading was taken at these customers;

c) The value of the total planned annual gas consumption for each of the typical supply profile classes for all supply points of the customers who are equipped with type C or CM metering in the respective distribution network and have not changed their supplier, applicable as at the last gas day of the respective calendar month.

(2) Not later than by 15 December, distribution system operators shall inform the market operator about the planned losses, in percentage terms, in the following calendar year, by distribution network. Distribution system operators can update the planned percentage of losses in the current calendar year not later than by the fifteenth calendar day of the month preceding the month from which the updated planned percentage of losses is to apply. The market operator shall publish the value of the planned percentage of losses, in a manner enabling remote access, without undue delay.

(3) By 12:00:00 on the ninth calendar day, but not later than by 12:00:00 on the sixth working day of a gas month, distribution system operators shall provide the market operator with all the details under Schedule 11 hereto for the preceding gas month, concerning the supply points where the supplier was changed.

(4) The market operator shall make the details provided by distribution system operators for the supply points under subsection (3) available to the gas suppliers and all cleared entities concerned not later than 24 hours from receiving them.

(5) Every day by 13:00:00 at the latest, the market operator shall make the daily values of gas off-take at supply points of the customers who have changed their supplier available, in its information system, for the gas suppliers and all cleared entities concerned. For supply points with type A metering, values sent under Section 95(1)(e) or Section 96(1)(e) shall be made available. For supply points with type B metering, the market operator shall publish the substitute value determined under Section 101(2). For supply points with type C or CM metering, the daily aggregated values for groups of the cleared entity's supply points, broken down by network and typical supply profile class, shall be published. The value determined by the market operator under Section 99(6) shall be deemed to be the daily value of gas off-take.

(6) Not later than by 12:00:00 on every eleventh day of a calendar month, the market operator shall make the actual values obtained from metering for the preceding month, for each individual gas day, available in its information system for gas suppliers and all cleared entities concerned, in respect of supply points of the customers who have changed their supplier.

(7) If in a distribution network a gas supplier change did not take place at any customer supply point, subsections (1) to (6) shall not be used.

Section 98

(1) Distribution system operators and the TSO shall send corrections to the values sent under Section 97(1), Section 95(2) and Section 96(2) to the market operator not later than within three calendar months from the time limit under Section 97(1).

(2) Section 97 (4) and (5) shall be used *mutatis mutandis* for such corrections.

(3) If in a distribution network a gas supplier change did not take place at any customer supply point, subsections (1) and (2) shall not be used.

Off-take evaluation using typical supply profiles at supply points of customers with C or CM metering

Section 99

(1) Typical supply profiles shall be used as a surrogate method for determining gas off-take at supply points of customers equipped with type C or CM metering.

(2) On the basis of the data provided by distribution system operators, the market operator shall create normalised typical supply profiles applicable to the whole gas system for each of the typical supply profile classes and for the whole calendar year.

(3) The classes of typical supply profiles are set out in Schedule 12 hereto.

(4) Distribution system operators shall assign the individual typical supply profile classes to supply points of customers with type C or CM metering upon the connection of the customer's gas consuming equipment, upon a change of the nature of the supply point, and upon a change in the planned annual gas consumption. For the respective period, only one typical supply profile may be assigned per supply point. Typical supply profile class shall be assigned to supply points under Schedule 12 hereto. For this purpose, the characteristics of the nature of supply points are specified in Schedule 13 hereto. Distribution system operators shall keep records of the assignment of typical supply profile classes at least for the last three years.

(5) The market operator shall compute the gas off-take under subsection (6) for a supply point of a customer equipped with type C or CM metering for a gas day in order to calculate daily values of gas off-take, monthly values of gas off-take broken down by gas day, and corrective monthly values of gas off-take broken down by gas day.

(6) The market operator shall compute gas off-take for supply points of customers with type C or CM metering using the planned annual consumption at the supply point, daily values of the respective adjusted typical supply profile and correction to the residual profile in the respective gas network under Schedule 14 hereto. Gas off-take shall be computed separately for determining the daily values of gas off-take, monthly values of gas off-take broken down by gas day, and corrective monthly values of gas off-take broken down by gas day. The values so determined are deemed to be values of gas off-take at customers with type C or CM metering for the purpose of determining the daily imbalances, monthly imbalances and corrective monthly imbalances of each of the cleared entities.

Section 100

(1) Distribution system operators shall determine the planned annual gas consumption at supply points of customers with type C or CM metering using the procedure in Schedule 15 hereto.

(2) For every gas day, the market operator shall determine the residual profile in the respective distribution network using the procedure in Schedule 14 hereto.

(3) The market operator shall allocate the residual profile for every gas day to supply points of customers with type C or CM metering by typical supply profile class, with the help of correction to the residual profile in the respective gas network under Schedule 14 hereto. The correction shall be allocated to all supply points with type C or CM metering in the respective distribution network.

(4) The market operator shall produce the adjusted typical profile from the normalised typical profile on the basis of the current weather conditions. If the values of actual climatic conditions are not available for an adjusted typical supply profile, the value of the last known forecast of climatic conditions for the respective gas day shall be used.

Section 101

Off-take evaluation using substitute values for type B metering

(1) The substitute value for type B metering shall be used by the market operator for determining gas off-take at supply points of customers with type B metering for the daily evaluation of imbalances and for determining daily values of gas off-take. For the monthly evaluation of imbalances and monthly values of gas off-take, broken down by gas day, and corrective monthly values of gas off-take, broken down by gas day, gas off-take values actually measured at the supply point shall be used.

(2) For the daily evaluation of imbalances, at supply points of customers with type B metering the market operator shall use estimated daily gas consumption, calculated as the ratio of the planned monthly gas consumption and the number of days in the calendar month, in order to determine the daily allocation for the settlement of imbalances. If the planned monthly gas consumption is not available, the market operator shall use an estimate calculated as the average of the actual values for the last known four gas days having the same name, which are stored in the market operator's system. If the market operator's system does not contain any actual values the market operator shall set the daily allocations at a value calculated as 66% of the booked distribution capacity, converted to energy units using a GCV of 10.647 kWh/m^3.

Data publication by the market operator

Section 102

(1) The market operator shall publish the following information not later than one calendar month before the first gas day of the respective calendar year:

a) Normalised typical supply profiles applicable to the whole of the calendar year;

b) Normal climatic conditions applicable to the whole calendar year.

(2) The market operator shall publish the following information not later than by 13:00:00 on a gas day:

a) Adjusted typical supply profiles applicable to the preceding gas day;

b) Daily values of residual profiles of each of the distribution networks for the preceding gas day;

c) Daily coefficients of residual profiles of each of the distribution networks for the preceding gas day;

d) Actual climatic conditions for the preceding gas day provided by the Czech Hydrometeorological Institute; if the actual climatic conditions are unknown the value of the last known forecast of climatic conditions for the respective gas day shall be used;

e) Adjusted typical supply profiles for the following seven gas days on the basis of forecasts of climatic conditions;

f) The first updated values of adjusted typical supply profiles related to the current gas day, based on the updated forecast of climatic conditions provided by the Czech Hydrometeorological Institute; if the first updated climatic conditions are unknown, the value of the last known forecast of climatic conditions for the respective gas day shall be used;

g) The expected consumption of type B metering in each of the distribution networks for the following three gas days;

h) The total allocation of off-take for type A metering in gas networks for the preceding gas day;

i) The size and direction of the system imbalance;

j) The allocated flexibility value in aggregate for all cleared entities and foreign participants.

(3) Not later than by 23:00:00 on the gas day, the market operator shall publish the second updated value of adjusted typical supply profiles related to the current gas day on the basis of an updated forecast of climatic conditions provided by the Czech Hydrometeorological Institute; if the second updated climatic conditions are unknown, the value of the last known forecast of climatic conditions for the respective gas day shall be used.

(4) Not later than by 12:00:00 on the eleventh day of a calendar month, the market operator shall publish the following:

a) Monthly values of the residual profiles of each of the distribution networks, by gas day of the preceding gas month;

b) Monthly coefficients of residual profiles of each of the distribution networks, by gas day of the preceding gas month;

c) Corrective monthly values of residual profiles of each of the distribution networks, by gas day of the gas month preceding four gas months;

d) Corrective monthly coefficients of residual profiles of each of the distribution networks, by gas day of the gas month preceding four gas months.

(5) The market operator shall make the results of the daily evaluation of imbalances available to every cleared entity and foreign participant through the TSO, and possibly also to other cleared entities having the right to have this data, by making available the following information for every gas day by 13:00:00 on the gas day for the preceding gas day:

a) The daily imbalance;

b) The daily difference between allocations and nominations at border points and points of cross-border gas pipelines, broken down by gas importer;

c) The daily difference between allocations and nominations at the point of the virtual gas storage facility, broken down by booked storage capacity code;

d) The daily difference between allocations and nominations at delivery points, or the set of delivery points of gas production plants;

e) The allocated flexibility value;

f) The preliminary allocation of flexibility use;

g) The preliminary value of the imbalance account;

h) The preliminary value of the daily imbalance quantity;

i) The size of flexibility, which the cleared entity or foreign participant can trade on the unused flexibility market through the TSO under Section 89.

(6) Every day by 13:30:00, the cleared entity or foreign participant can send, through the TSO, to the market operator their disagreement with the daily evaluation of imbalances for the preceding gas day under subsection (5). The market operator shall only accept disagreement with the results of the daily evaluation of imbalances from the cleared entities and foreign participants, through the TSO, for which a non-zero preliminary value of the daily imbalance quantity was set on the basis of a notification under subsection (5), or whose daily imbalance under subsection 5(a) is greater than 3,000 MWh. If the market operator concludes that the received disagreement with the results of the daily evaluation of imbalances is justified it shall notify, through the TSO and not later than by 16:00:00 on the same day, each of the cleared entities and foreign participants of a new time for data publication under subsection (5).

(7) By 14:00:00 on a gas day, the market operator shall publish the allocation of flexibility use in aggregate for all cleared entities and foreign participants.

Section 103

(1) Through the TSO, the market operator shall clear and financially settle daily imbalance quantities with the cleared entity or foreign participant. The market operator shall clear and settle with the TSO the difference between payments received from cleared entities and foreign participants through the TSO for the daily imbalance quantities and the payments made to cleared entities and foreign participants through the TSO for the daily imbalance quantities.

(2) The market operator shall make the following available to every cleared entity and foreign participant through the TSO, and possibly also to other cleared entities having the right to have this data, every gas day by 13:55:00 on the gas day for the preceding gas day, or at a substitute time if it received disagreement with the results of the daily evaluation of imbalances under Section 102(6):

a) The allocation of flexibility use;

b) The value of the imbalance account;

c) The value of the daily imbalance quantity.

(3) The market operator shall make the results of the monthly evaluation of imbalances available to every cleared entity and foreign participant through the TSO, and possibly also to other cleared entities having the right to have this data, by making the following available by 12:00:00 on the eleventh gas day of the following gas month:

a) The monthly imbalance broken down by gas day;

b) The monthly difference between allocations and nominations at border points and points of cross-border gas pipelines, broken down by gas importer or gas customer and by gas day;

c) The monthly difference between allocations and nominations at the point of the virtual gas storage facility, broken down by booked storage capacity code and by gas day;

d) The monthly difference between allocations and nominations at points of gas production plants, by gas production plant point.

(4) Not later than by 15:00:00 on the day of notification under subsection (3), the cleared entity or foreign participant can send, through the TSO, to the market operator their disagreement with the results of the monthly evaluation of imbalances for the preceding gas month under subsection (3). The market operator shall only accept disagreement with the results of the monthly evaluation of imbalances from the cleared entities and foreign participants, through the TSO, for which the difference between the imbalances in the daily and monthly evaluations of imbalances on a gas day is greater than 3,000 MWh. If the market operator concludes that the received disagreement with the results of the monthly evaluation of imbalances is justified it shall notify, through the TSO and not later than by 18:00:00 on the same day, each of the cleared entities and foreign participants of a new time for data publication under subsection (3).

(5) The market operator shall make the results of the monthly evaluation of imbalances, following receipt of corrective values of readings**,** to every cleared entity and foreign participant through the TSO, and possibly also to other gas market participants having the right to have this data, by making the following available by 12:00:00 on the eleventh gas day of the following three gas months from the time under subsection (3):

a) The corrective monthly imbalance, broken down by gas day;

b) The corrective monthly difference between allocations and nominations at border points and at points of cross-border gas pipelines, broken down by gas importer or gas customer and by gas day;

c) The corrective monthly difference between allocations and nominations at the point of the virtual gas storage facility, broken down by booked storage capacity code and by gas day;

d) The corrective monthly difference between allocations and nominations at points of gas production plants, by gas production plant point.

Section 104

Evaluating and clearing differences between the values under typical supply profiles and the actual consumption values

(1) When using typical supply profiles, a difference arises between the value determined by means of this method and the actual value of consumption at the respective supply point. The market operator shall evaluate and clear these differences for cleared entities on a monthly basis.

(2) The market operator shall allocate the actual value of consumption at the respective supply point with type C or CM metering to each of the gas days within the period to which the actual value of consumption relates, using the procedure in Schedule 17 hereto.

(3) The market operator shall evaluate the differences between the values of actual gas consumption allocated under subsection (2) and the calculated values of gas off-take under Section 99(6), broken down by gas day.

(4) The market operator shall add up the differences under subsection (3) for all of the respective cleared entity's customers, and shall bill these differences to the cleared entity using the arithmetic mean of the daily values of the spot market index determined under Schedule 6 hereto for the gas month that the difference concerns. Where unit charges have to be converted into CZK/MWh, the daily exchange rate declared by the Czech National Bank for the day for which unit charges are being determined shall be used.

(5) For the respective calendar month, the cleared differences under subsection (4), broken down by distribution network, shall be billed, with the opposite sign, to the cleared entity to which in the respective distribution network responsibility for imbalance at customers who did not change their gas supplier was transferred.

(6) Every calendar month, not later than by 12:00:00 on the fourteenth calendar day, the market operator shall make the evaluation of the above accounting for the differences between the actual gas consumption values, broken down under subsection (2), and calculated values of gas off-take under Section 99(6), available in its information system to cleared entities, and possibly to other cleared entities having the right to have this data.

(7) If for supply points of customers with type C or CM metering the distribution system operator sent a correction to a gas meter reading under Section 98, the market operator shall, not later than by 12:00:00 on the fourteenth calendar day of the fourth month following the month in which the gas reading was taken under Section 97(1)(c), clear the differences under subsections (2) to (5), and shall publish these values in its information system.

(8) The financial settlement of the differences under subsections (2) to (7) shall be carried out by the market operator. The market operator shall take into account the amount of any imbalances that may arise under subsections (1) to (7) when it determines the financial standing of the cleared entity assigned with responsibility for imbalance at the distribution system operator's virtual supply point.

Section 105

(1) Once a year, not later than by 30 June, distribution system operators shall send the actual value of losses in the respective distribution network for the preceding calendar year. The market operator shall account for the difference with the cleared entity that has assumed responsibility for imbalance in losses in the respective distribution system, using the arithmetic mean of the daily values of the spot market index determined under Schedule 6 hereto for the gas month that the differences concern. Where unit charges have to be converted into CZK/MWh, the daily exchange rate declared by the Czech National Bank for the day for which unit charges are being determined shall be used.

(2) After the evaluation of losses, the differences cleared under subsection (1) shall be billed, with the opposite sign, to the cleared entity that has assumed responsibility in the respective distribution system for imbalances at customers who have not changed their gas supplier.

(3) The financial settlement of the differences under subsections (1) and (2) shall be carried out by the market operator. The market operator shall take into account the amount of any imbalances that may arise under subsections (1) to (2) when it determines the financial standing of the cleared entity assigned with responsibility for imbalance at the distribution system operator's virtual supply point.

Section 106

Evaluation and billing of differences between daily and monthly allocations and between monthly and corrective monthly allocations of imbalances subsequent to the transmission of the monthly readings and subsequent to the transmission of corrective readings

(1) The market operator shall set the following for every cleared entity and for every foreign participant:

a) The daily imbalance on the basis of daily allocations and off-takes;

b) The monthly imbalance, broken down by gas day on the basis of monthly allocations and off-takes;

c) The corrective monthly imbalance, broken down by gas day on the basis of corrective monthly allocations at the entry and exit points in respect of which corrective values of gas allocation or off-take were sent.

(2) The market operator shall evaluate the differences between the values of the daily imbalance and monthly imbalance, broken down by gas day for every cleared entity and every foreign participant, using the value of the spot market index determined under Schedule 6 hereto, and for each gas day separately. Where unit charges have to be converted into CZK/MWh, the daily exchange rate declared by the Czech National Bank for the day for which unit charges are being determined shall be used.

(3) The market operator shall carry out the settlement under subsection (2) not later than by 17:00:00 on the thirteenth calendar day following the calendar month that the settlement under subsection (2) concerns. The market operator shall also make available, in its information system, the settlement under subsection (2), broken down by gas day, to the cleared entities, and possibly also to other cleared entities having the right to have this data. If the thirteenth calendar day is not a working day the market operator shall carry out the settlement by 17:00:00 on the first working day following the thirteenth calendar day.

(4) The market operator shall evaluate the differences between the values of the monthly imbalance, broken down by gas day, and the corrective monthly imbalance, broken down by gas day, for every cleared entity and every foreign participant using the value of the spot market index determined under Schedule 6 hereto, and for each gas day separately. Where unit charges have to be converted into CZK/MWh, the daily exchange rate declared by the Czech National Bank for the day for which unit charges are being determined shall be used.

(5) The market operator shall carry out the settlement under subsection (4) not later than by 17:00:00 on the sixteenth calendar day of the fourth month from the calendar month that the settlement under subsection (4) concerns. The market operator shall also make available, in its information system, the settlement under subsection (4), broken down by gas day, to the cleared entities, and possibly to other cleared entities having the right to have this data.

(6) The market operator shall carry out the financial settlement of the differences under subsections (2) to (5). The market operator shall clear and settle with the TSO, the difference between payments for differences received and made under subsections 2 to 5.

Section 107

Use of typical gas supply profiles for gas supply billing

(1) Gas consumption and the allocation thereof to each of the periods shall be determined using the procedure under Schedule 18 hereto, taking into account the readings taken by distribution system operators and readings taken by customers.

(2) Should the data recorded by the metering instrument be not available for the period set out in a separate regulation on gas metering[15)], the distribution system operator shall use for calculating the consumption of customers with type C or CM metering the readings taken by the distribution system operator and the duly received readings made by the customer or the gas supplier since the last gas supply billing. To estimate gas consumption for the remaining period, the distribution system operator shall proceed under Schedule 18, point 2, hereto.

Section 108

Structure of the charge for related services in the gas industry

The charges for related services in the gas industry include the charge for the gas transmission services, the charge for the distribution system services and the charge for the market operator's services. Structures of the charge for the gas transmission services, the charge for the distribution system services and the charge for the market operator's services are set out in Schedule 19 hereto.

Section 109

Procedure for calculating advance payments

(1) Gas traders or gas producers set advance payments up to no more than the planned annual gas consumption at supply points of customers with type C or CM metering using the procedure in Schedule 15 hereto.

(2) Gas traders or gas producers set advance payments up to no more than the contractually agreed gas consumption at supply points of customers with type A or B metering.

[15)] Public notice 108/2011 on gas metering and on the method of calculating damages for unauthorised gas off-take, unauthorised gas supply, unauthorised gas storage, unauthorised gas transmission or unauthorised gas distribution, as amended

PART TEN

GAS SUPPLIER CHANGE

Standard gas supplier change

Section 110

(1) A gas market participant's standard change of gas supplier ['standard supplier change'] shall mean the following:

a) Switching the supplier for another supplier;

c) Switching the supplier of last resort for a different supplier.

(2) Before requesting a standard supplier change under subsection (3), the customer and the new gas supplier shall enter into a gas supply agreement or an agreement on bundled gas supply services.

(3) No earlier than four months before the gas supplier change and not later than by 10:00:00 on the tenth working day before the required date of the gas supplier change, the new gas supplier shall deliver the request for a standard supplier change to the market operator. If the new gas supplier provides supplies under an agreement on bundled gas supply services, it shall request distribution capacity booking under Section 39 not later than on the day of requesting the standard supplier change and no earlier than ten working days before requesting the standard supplier change. The request for a standard supplier change shall contain the following:

a) The new gas supplier's identification by the code assigned under Section 5(1);

b) The type of the gas supply agreement, the date from which gas supply is to take place, and the term of the agreement;

c) The identification of the cleared entity to be assigned with responsibility for imbalance at the supply point that the supplier change concerns, by the code assigned under Section 5(1);

d) The supply point and identification thereof by the code assigned under Section 5(1);

e) Information whether the agreement on gas supply or on bundled gas supply services was concluded with the consumer in premises customary for business or outside premises customary for business of the new gas supplier, or whether it was concluded via distance communication.

(4) By 12:00:00 on every working day, if a request under subsection (3) was received before 10:00:00 on the respective working day, the market operator shall inform, through its information system, the current gas supplier, the current cleared entity, the new gas supplier, the new cleared entity, the operator of the distribution or transmission system to which the supply point is connected, and other entities whom the request for a standard supplier change concerns, about the planned standard supplier change by way of sending the supply point identification using the code assigned under Section 5(1), the date on which the new gas supplier is to start the supply and the information under subsection (3)(e). A request under subsection (3) received after 10:00:00 on a working day shall be regarded as a request received on the following working day.

(5) By 18:00:00 on the fifth working day from the delivery of the details under subsection (4), the distribution system operator or TSO shall inform the market operator that it is or that it is not possible to book distribution or transmission capacity at the customer's supply point under subsection (3), if the case entails a standard supplier change where the new supplier has entered into an agreement on bundled gas supply services.

(6) Distribution or transmission capacity at the customer's supply point cannot be booked in the event of inadequate collateral, if the request was not submitted by the set time limit or if the request fails to meet the requirements for the details of requests for distribution or transmission capacity booking. The following is regarded as failure to meet the requirements for the details of requests: it is not possible to clearly identify the gas market participant from the request, namely by the assignment of an EIC code with the first name and surname and the date of birth of the gas market participant, or the company name/business name of the gas market participant and the Company/Registered Number [IČ] of the person, if any was assigned to the person; the supply point at which the supplier is to be changed was not included in a submitted request for distribution capacity booking; or if the new gas supplier fails to amend the request by 14:00:00 on the working day following the day on which the distribution system operator or the TSO, highlighting the incorrect details, invited this supplier to remedy the shortcomings in the request.

Section 111

(1) Should the distribution system operator or the TSO fail to notify the market operator under Section 110(5) by 18:00:00 on the fourth working day from the delivery of information under Section 110(4), the market operator shall notify the distribution system operator or the TSO thereof. If the distribution system operator or the TSO does not perform the information obligation under Section 110(5) even upon such notification, it shall be deemed to have informed the market operator about an opportunity to book distribution or transmission capacity. The distribution system operator's or the TSO's failure to meet the information obligation under Section 110(5) shall be without prejudice to the distribution system operator's or the TSO's obligation under Section 112(4).

(2) Without any delay from the time limit under Section 110(5), the market operator shall inform the current gas supplier, the new gas supplier, all the cleared entities concerned, and the operator of the distribution or transmission system to which the customer's supply point is connected, about the opportunity to book distribution or transmission capacity at the customer's supply point under Section 110(3). Should it not be possible to book distribution or transmission capacity at the customer's supply point under Section 110(3) the market operator shall inform, through its information system, the current and new gas suppliers, the current and new cleared entities, the operator of the transmission or distribution system to which the supply point is connected, and other entities whom the request for a standard supplier change concerns, about stopping the standard supplier change.

(3) By 18:00:00 on the fifth working day from the delivery of information under Section 110(4), the current gas supplier can, through the market operator's information system, request that the standard gas supplier change be stopped if the agreement with the current gas supplier, the subject matter of which is gas supply, was not terminated as of the effective date of supplier change, or if the customer expresses its will in writing that the gas supplier change should not be performed.

(4) By 14:00:00 on the eighth working day from the delivery of information under Section 110(4), the new gas supplier can, through the market operator's information system, withdraw the request for a standard supplier change.

(5) Not later than by 18:00:00 on the fifth working day from the delivery of information under Section 110(4), the cleared entity shall notify whether it consents to its assignment to responsibility for imbalance. Immediately following the cleared entity's expression of consent to its assignment to responsibility for imbalance at the respective supply point, the market operator

shall inform, through its information system, the current gas supplier, the current cleared entity, other cleared entities concerned, and the operator of the transmission or distribution system to which the supply point is connected, about the assignment of the cleared entity.

(6) If by 18:00:00 on the fifth working day from the delivery of information under Section 110(4) the market operator's information system does not contain the cleared entity's consent to its assignment to responsibility for imbalance at the respective supply point, the market operator shall inform, through its information system, the current and new gas suppliers, the current and new cleared entities, other cleared entities concerned, and the operator of the transmission or distribution system to which the supply point is connected, about discontinuing the standard supplier change.

Section 112

(1) By 15:00:00 on the working day on which a request under Section 111(4) was received, the market operator shall inform, through its information system, the current gas supplier, the current cleared entity, the operator of the transmission or distribution system to which the supply point is connected, and other entities whom the request for a standard supplier change concerns, about discontinuing the process of supplier change.

(2) By 20:00:00 on the working day on which a request under Section 111(3) was received, the market operator shall inform, through its information system, the new gas supplier, all cleared entities concerned and the operator of the transmission or distribution system to which the supply point is connected, that the current gas supplier requested that the standard supplier change be stopped.

(3) If the current gas supplier has requested that the standard supplier change be stopped under Section 111(3), but the new gas supplier has confirmed, in the market operator's information system, the submitted request for supplier change on the basis of the customer's written statement that makes it clear that the customer intends to change its supplier, and has done so by 14:00:00 on the eighth working day from the day on which the market operator provided information under Section 110(4), the market operator shall continue in the process of supplier change.

(4) By 12:00:00 on the fifth working day following the provision of information under Section 110(4), the distribution system operator or TSO shall register with the market operator the customer's supply point at which the standard supplier change has taken place, and shall provide information about the supply point under Schedule 20 hereto.

(5) Not later than by 08:00:00 on the ninth working day from the day on which it provided information under Section 110(4), the market operator shall notify the operator of the distribution or transmission system to which the supply point is connected, the current gas supplier, the new gas supplier, and all the cleared entities concerned, of the outcome of its assessment of the request for a standard supplier change.

(6) Distribution or transmission is booked for the supply point under Section 110(3) by the notification of the registration of the standard supplier change under subsection (5).

(7) Should the request for supplier change contain information on the entering into an agreement away from the business premises customary for business or via distance communication, and the customer has rescinded the contract under Section 11a(2) of the Energy Act[12)] while requiring the current supplier to continue gas supply, the current supplier can stop the supplier change process by the time under Section 111(4).

(1) A registered standard supplier change shall become effective as of the gas day specified in the request for a standard supplier change under Section 110(3)(b).

(2) As at the effective date of a standard supplier change, the distribution system operator or TSO shall read the gas meter; in the case of supply points equipped with type C or CM metering, the distribution system operator or TSO shall determine the reading on the gas meter using the procedure in subsection (3); the distribution system operator shall then send the data it has ascertained to the market operator. Without undue delay, the market operator shall forward this data to the original and new gas suppliers and to the original and new cleared entities.

(3) The distribution system operator shall determine the readings on gas meters at supply points with type C or CM metering by reading the gas meter as at the effective date of the standard supplier change, or the meter reading provided by the customer to the distribution system operator directly or through the current or new gas supplier shall be used. If the reading is not provided or is provided following the end of the fifth working day from the day of the gas supplier change, the reading on the gas meter shall be determined by estimating gas consumption as at the effective date of the gas supplier change under Schedule 18 hereto. If the distribution system operator has taken the gas meter reading and at the same time the customer has provided a reading, the reading taken by the distribution system operator shall be used for gas distribution billing.

(4) In the case of a standard supplier change at a customer's supply point with type A or B metering, the operator of the distribution or transmission system to which the customer's supply point is connected shall send to the market operator the actual daily values of gas off-take at the customer's supply point for the last 17 known calendar months, and shall do so not later than within the time limit under Section 112(4), and the actual daily values of gas off-take at the customer's supply point, within the time limit under Section 95(2) or Section 96(2), for the gas months in which the standard supplier change was approved under Section 112(5) but was not effective.

(5) In the case of a change of customer at a supply point and the simultaneous change of gas supplier, the provisions on a standard change of gas supplier shall apply *mutatis mutandis*, with the exception of Section 111(3). Failure to submit a request for entering into a connection agreement shall also be a reason for the impossibility to book distribution or transmission capacity at the customer's supply point under Section 110(5). For starting supply to the supply point of a newly connected customer, when the gas supplier is not the gas trader who is the supplier of last resort in the respective domestic zone, for starting supply to a supply point that is not registered in the market operator's information system following unauthorised gas off-take or unauthorised distribution by a new gas supplier that is not a supplier of last resort in the respective domestic zone, for starting supply to a supply point registered in the market operator's information system following unauthorised gas off-take or unauthorised distribution by a new gas supplier, and for starting supply when preventing unauthorised off-take, the provisions on a standard change of gas supplier shall apply *mutatis mutandis*, provided that

a) the gas supplier shall deliver a request for a standard supplier change under Section 110(3) to the market operator not later than by 10:00:00 on the working day preceding the working day of the nearest possible start of gas supply, which was agreed with the distribution system operator;

b) the request for a standard supplier change under Section 110(3)(b) must contain the type of the agreement the subject matter of which is gas supply, the date of the nearest possible start of gas supply agreed with the distribution system operator and the term of the agreement;

c) the steps to effect the supplier change under Section 110(5) and (6), Section 111(1), (2) and (5), and Section 112(4) shall be taken by 18:00:00 on the working day preceding the

working day of the nearest possible start of gas supply, which was agreed with the distribution system operator. Section 111(3) and (4) and Section 112(1) to (3) shall not be used;

d) the operator shall notify the outcome of its assessment of the request for a standard supplier change under Section 112(5) immediately following the completion of all the steps under Section 113(5)(c). The supplier change shall come into effect on the day of the nearest possible start of gas supply agreed with the distribution system operator.

(6) The market operator shall deal with requests for supplier changes in the order in which the market operator has received them. If a request under the first sentence is submitted by multiple gas market participants for the same supply point with the same required date of effect of the supplier change, the last supplier change registered by the market operator shall be regarded as effective. In such a case, the market operator shall notify all suppliers and cleared entities that are affected by the supplier change of the planned effectuation of supplier change and of the registration of the supplier change.

(7) As of the effective date of the supplier change, the market operator shall cancel each individual assignment of supply or delivery points to the gas suppliers whose supply periods are affected by the assignment of the supply or delivery points to the new supplier, and shall immediately notify the gas supplier concerned, the cleared entity concerned and the operator of the transmission or distribution system to which the supply or delivery point is connected thereof.

Section 114

Gas supply truncation

(1) The gas supplier shall send a request for the truncation of gas supply at a supply point to the market operator through the market operator's information system not later than by 10:00:00 on the tenth working day before the planned termination of supply.

(2) In the market operator's information system, gas supply truncation causes a change of the date for the termination of supply by the current gas supplier and a shift of the date on which the current cleared entity accepts responsibility for imbalance. In the case of agreements on bundled gas supply services, gas supply truncation means the termination of distribution capacity booking for the supply point. The market operator shall notify the cleared entity and the operator of the distribution system or the transmission system to which the supply point is connected of gas supply truncation.

(3) In cases of contract rescission under Section 11a(2), (5) and (6) of the Energy Act[12)], or in cases of contract termination under Section 11a(3) of the Energy Act[12)] the gas supplier shall send the request for the truncation of gas supply at the supply point to the market operator through the market operator's information system by 00:00:00 on the working day preceding the day on which the supplier change is to come into effect in the market operator's system, or contract rescission under Section 11a(2), (5) and (6) of the Energy Act[12)] is to come into effect, or contract termination under Section 11a(3) of the Energy Act[12)] is to come into effect.

(4) The market operator shall cancel the assignment of the supply point to the gas supplier and the respective cleared entity in its system as of the required date and shall immediately notify this to the gas supplier, the cleared entities concerned, and the operator of the distribution or transmission system to which the supply point is connected.

Section 115

Gas supply extension

(1) The gas supplier shall send a request for the extension of gas supply at a supply point to the market operator through the market operator's information system not later than by 23:00:00 on

the last calendar day of gas supply. In the request, the original gas supplier shall specify the new date of gas supply termination. The cleared entity shall notify whether or not it agrees with the assignment of responsibility for imbalances by 23:30:00 on the last calendar day of gas supply.

(2) The market operator shall immediately notify the cleared entities concerned, the gas supplier and the transmission system operator or the respective operator of the distribution system to which the supply point is connected, of the gas supply extension. In the case of agreements on bundled gas supply services, gas supply extension means continued distribution capacity booking for the supply point. Gas supply extension under subsection (1) shall only come into effect if no other gas supplier is assigned to the supply point in the market operator's system on the date of the request for extension.

(3) If a customer has rescinded a contract(s) under Section 11a(2) of the Energy Act[12)] and has documented this fact to the gas supplier that is being replaced with another gas supplier (hereinafter "the original gas supplier") as part of the nearest supplier change, and at the same time requires continued gas supply from the original gas supplier, the original gas supplier shall send the request for gas supply extension to the market operator through the market operator's information system by the time under subsection (1).

(4) The market operator shall immediately notify the cleared entities concerned and the respective operator of the transmission or distribution system to which the supply point is connected, and the gas supplier, of the request for gas supply extension. In its request, the original gas supplier shall specify the new date of gas supply termination and clearly state that the gas supply is to be extended on the basis of the customer's contract rescission under Section 11a(2) of the Energy Act[12)]. The cleared entity shall notify whether or not it agrees with the assignment of responsibility for imbalances by the time under subsection (1). In the case of agreements on bundled gas supply services, gas supply extension means the continuation of distribution capacity booking for the supply point.

(5) The market operator shall notify the outcome of its assessment of the request for gas supply extension under subsection (4) immediately after receiving the cleared entity's agreement with responsibility for imbalances.

(6) As of the date of effect of gas supply extension under subsection (4), the market operator shall cancel each of the individual assignments of the supply point to gas suppliers, in respect of which the customer has conclusively rescinded a contract under Section 11a(2) of the Energy Act[12)] and shall immediately notify the original gas supplier, the cleared entities concerned, and the operator of the distribution or transmission system to which the supply point is connected thereof.

Fast supplier change

Section 116

(1) If a cleared entity does not have the required collateral even after reductions in nominations under Section 66(6), at 17:30:00 the market operator shall publish, through its information system, that the cleared entity does not have the collateral required for covering supplies to customers' supply points. At the same time, the market operator shall notify the same to the cleared entities concerned, the gas suppliers concerned, and the operator of the distribution or transmission system to which the supply point is connected.

(2) If at 07:00:00 on the following calendar day the cleared entity as per subsection (1) still does not have the required collateral for covering supplies to customers' supply points, the market operator shall suspend its right to nominate, to transfer and assume responsibility for imbalance, and to trade on the within day gas market. The market operator shall immediately distribute the

above information to all registered market participants and publish it in a manner enabling remote access.

(3) At customers' supply points where a cleared entity with a suspended right to nominate, to transfer and assume responsibility for imbalance, and to trade on the within day gas market under subsection (2), had been assigned with, or transferred, responsibility for imbalance the gas supplier shall be assigned with responsibility for imbalance by the time under subsection (2). If the cleared entity is at the same time the gas supplier to a customer's supply point the operator of the distribution or transmission system to which the customer's supply point is connected shall immediately electronically notify the customer whose electronic mail address is known to the operator that as from the respective day, gas supplies to its supply point are not ensured or that gas supplies will be provided by a supplier of last resort.

(4) If by 14:00:00 a cleared entity with adequate collateral is not assigned to a supply point under the first sentence of subsection (3) the market operator shall distribute this information to all registered market participants and publish this information in a manner enabling remote access. The operator of the distribution or transmission system to which the customer's supply point is connected shall immediately electronically notify the customer whose electronic mail address is known to the operator that as from the respective day, gas supplies to its supply point are not ensured or that gas supplies will be provided by a supplier of last resort.

(5) In respect of the supply points of customers whose cleared entity's right to nominate, to transfer and assume responsibility for imbalance, and to trade on the within day market has been suspended by the market operator due to inadequate collateral, the request for a fast supplier change shall be sent by the new gas supplier through the market operator's information system not later than within two calendar days by 08:00:00 following the time limit under subsection (3) or (4). If the new gas supplier supplies gas under an agreement on bundled gas supply services, it shall send the request for distribution capacity booking under Section 40 not later than by the time for requesting a fast supplier change. Requests for fast supplier changes shall contain the following details:

a) Identification of the new gas supplier, by the code assigned under Section 5(1);
b) The type of the gas supply agreement and the term of the agreement;
c) The identification of the cleared entity that is to be assigned with responsibility for imbalance at the supply point that the supplier change concerns, by the code assigned under Section 5(1);
d) The supply point and its identification by the code assigned under Section 5(1).

Section 117

(1) If a request for a fast supplier change is not delivered in accordance with Section 116(5) gas supply to the customer's supply point is not ensured on the third day from the time limit under Section 116(3) or (4) if the customer is not covered by the regime of a supplier of last resort.

(2) If a request for a fast supplier change is not delivered in accordance with Section 116(5) gas supply to the customer's supply point is ensured on the third day from the time limit under Section (3) or (4) if the customer is covered by the regime of a supplier of last resort.

(3) Not later than within 60 minutes from receiving a request under Section 116(5), the market operator shall notify, through its information system, the new gas supplier, the new cleared entity and, as the case may be, other cleared entities concerned, and the operator of the distribution or transmission system to which the supply point is connected, that a request has been received

under Section 116(5). A fast supplier change shall become effective on the third day from the time limit under Section 116(3) or (4).

(4) Not later than within two calendar days by 12:00:00 from the time limit under Section 116(3) or (4), the distribution system operator or TSO shall inform the market operator about it not being possible to book distribution or transmission capacity at the customer's supply point under subsection (3) due to inadequate collateral. Immediately upon receiving the above information from the distribution system operator or TSO, the market operator shall notify the new gas supplier and all the cleared entities concerned of the opportunity to book distribution or transmission capacity at the customer's supply point under Section 116(5). Should it not be possible to book distribution capacity, the market operator shall notify, through its information system, the new gas supplier, the new cleared entity and other cleared entities concerned, and the operator of the transmission or distribution system to which the supply point is connected, that the fast supplier change was stopped.

Section 118

(1) Not later than within two calendar days by 12:00:00 from the time limit under Section 116(3) or (4), the cleared entity shall notify whether it consents to assignment with responsibility for imbalance at the customer's supply point under Section 117(3). Immediately upon the expression of the cleared entity's consent to assignment with responsibility for imbalance at the respective supply point, the market operator shall notify, through its information system, the new gas supplier and other cleared entities concerned, and the operator of the transmission or distribution system to which the supply point is connected, of the assignment of the cleared entity. If within two calendar days by 12:00:00 after the time limit under Section 116(3) or (4) the market operator's information system does not contain the cleared entity's consent to assignment with responsibility for imbalance at the respective supply point the market operator shall notify, through its information system, the new gas supplier, the new cleared entity, and other cleared entities concerned, and the operator of the transmission or distribution system to which the supply point is connected, that the fast supplier change was stopped.

(2) Not later than within two calendar days by 12:10:00 after the time limit under Section 116(3) or (4), the market operator shall inform the operator of the distribution or transmission system to which the supply point is connected, the new gas supplier, and all cleared entities concerned, about the outcome of its assessment of the request for a fast supplier change, and shall notify the gas trader in the regime of a supplier of last resort of the supply points that the supplier of last resort shall supply. In its information system, the market operator shall assign the supplier of last resort to the supplier's supply point concerned. Following the period of time set in a separate regulation[12)] the market operator shall proceed under Sections 78 and 79.

(3) Distribution or transmission capacity is booked by the notification of the registration of the fast supplier change under subsection (2).

(4) As at the effective date of the fast supplier change, the distribution system operator or TSO shall take a gas meter reading under Section 113(2).

(5) Fast supplier change under Section 116(3) to (5) and Section 117 shall also be used for customers' supply points that the gas supplier has lost its authorisation or possibility to supply, or in respect of which it has in place no arrangements for the transmission or distribution system service in the case of gas supply under an agreement on bundled gas supply services. In such cases, the market operator shall suspend for the gas supplier that has lost its authorisation or possibility to supply or that has no arrangements in place for the transmission or distribution system service in the case of gas supply under an agreement on bundled gas supply services, the opportunity to nominate, to transfer and accept responsibility for imbalances, and to participate in the within day gas market. The market operator shall immediately provide this information, including a list of the EIC codes of the supply points affected by this fact, to all registered gas

market participants and shall publish it in a manner enabling remote access. The procedure under Section 116(2) shall not be used.

Procedures applicable to gas supply interruption, curtailment and resumption upon unauthorised off-take, unauthorised distribution and unauthorised transmission

Section 119

(1) Gas suppliers request the distribution system operator that gas supply be interrupted or discontinued not later than the last calendar day before the day of the requested discontinuation or interruption of gas supply, however, no earlier than four months before the day of the requested gas supply discontinuation or interruption.

(2) The gas supplier can withdraw its request submitted under subsection (1), in writing or through the distribution system operator's information system, by 16:00:00 on the working day immediately preceding the day of the requested interruption or discontinuation of gas supply without the distribution system operator's consent. Following the above time, the gas supplier can withdraw its request submitted under subsection (1), in writing or through the distribution system operator's information system, only subject to the distribution system operator's consent.

(3) At the gas supplier's request, the distribution system operator shall interrupt gas supply in the case of unauthorised gas off-take

a) for supply points of customers in the medium-sized customer and large customer categories, within three working days from the day of the requested interruption of gas supply, provided that the period of three working days starts to run on the day of the requested interruption of gas supply, inclusive. If the distribution system operator was unable to interrupt gas supply due to the meter being inaccessible and the customer's failure to provide assistance with gas supply interruption within three working days from the day of the required interruption of gas supply, inclusive, the interruption of gas supply shall be deemed effective as of the end of the fifth working day from the day of the required interruption of gas supply, inclusive;
b) for supply points of customers in the small customer and household categories, within ten working days from the day of the requested interruption of gas supply, provided that the period of ten working days starts to run on the day of the requested interruption of gas supply, inclusive. Should the distribution system operator be unable to interrupt the gas supply due to the meter being inaccessible and the customer's failure to provide assistance with gas supply interruption within ten working days, inclusive, from the day of the requested interruption of gas supply, the interruption of gas supply shall be deemed effective as of the fifteenth working day from the day of the requested gas supply interruption, inclusive.

(4) At the gas supplier's request, the distribution system operator shall discontinue gas supply in the case of unauthorised gas off-take

a) for supply points of customers in the medium-sized customer and the large customer categories within three working days from the day of the requested discontinuation of gas supply, provided that the period of three working days starts to run on the day of the requested discontinuation of gas supply, inclusive. If the distribution system operator was unable to discontinue gas supply due to the meter being inaccessible and the customer's failure to provide assistance with gas supply discontinuation, the discontinuation of gas supply shall be deemed effective as of the end of the fourth working day from the day of the required discontinuation of gas supply, inclusive. If the supply discontinuation

becomes effective as per the preceding sentence the distribution system operator shall calculate, as at that date, the expected amount of gas consumption under the regulation on gas metering[15)], and shall transmit this calculation to the gas supplier and market operator for the supply points that were tagged, by a code, for data transmission to the market operator on an individual basis;

b) for supply points of customers in the small customer and household categories, within ten working days from the day of the requested discontinuation of gas supply, provided that the period of ten days starts to run on the day of the requested discontinuation of gas supply, inclusive. If the distribution system operator was unable to discontinue gas supply due to the meter being inaccessible and the customer's failure to provide assistance with gas supply discontinuation, the discontinuation of gas supply shall be deemed effective as of the end of the fifteenth working day from the day of the required discontinuation of gas supply, inclusive. If the supply discontinuation becomes effective as per the preceding sentence, the distribution system operator shall calculate, as at that date, the expected amount of gas consumption under the regulation on gas metering[15)], and shall transmit this calculation to the gas supplier and market operator for the supply points that were tagged, by a code, for data transmission to the market operator on an individual basis.

Section 120

(1) Within four working days from the day of gas supply interruption or discontinuation, the distribution system operator shall inform the gas market participants concerned and the market operator about the interruption or discontinuation of gas supply to the customer's supply point.

(2) Should gas supply interruption under Section 119(3) not take place the distribution system operator shall notify the applicant for gas supply interruption thereof without undue delay.

(3) The distribution system operator shall curtail or interrupt gas distribution to supply points of customers in the small customer and household categories within five working days from the day of finding unauthorised distribution under Section 74(4) of the Energy Act[12)].

(4) If the reasons for curtailing, interrupting or discontinuing gas distribution under subsection (3) or Section 119(3) and (4) cease to exist, or if the customer or gas supplier request the start or resumption of gas supply to the customer's supply point following an earlier curtailment, interruption or discontinuation of gas supply under subsection (3) or Section 119(3) and (4), the distribution system operator shall start or resume gas supply or distribution under the regulation on the quality of gas supplies and related services[16)]).

(5) In respect of requests for gas supply to be curtailed, interrupted or discontinued upon unauthorised off-take and unauthorised transmission and requests for gas supply to be started or resumed following unauthorised off-take and unauthorised transmission at a supply point of a customer directly connected to the transmission system, subsections (1) to (4) and Section 119 shall apply to the TSO *mutatis mutandis*.

(6) Schedule 16 hereto sets out customer categorisation.

[16)] Public notice 545/2006 on the quality of gas supplies and related services in the gas industry

Procedures and conditions for transferring and accepting responsibility for imbalance in the case of company transformations

Section 121

(1) The cleared entity or the gas supplier shall provide information, through a request submitted in the market operator's information system, about the decision to carry out a collective transfer of supply points at the market operator in connection with the transfer or transformation of the commercial company.

(2) The subject matter of the collective transfer is the change of the cleared entity or the change of the gas supplier at customers' supply points in connection with the transformation of the commercial company. The provisions on changes of gas suppliers in Section 110 *et seq.* shall not be used.

(3) The gas trader to whom customers' supply points will be transferred or will pass, shall submit to the market operator's information system a request for a collective passage or transfer of supply points from the transferor to the transferee, specifying the following details:

a) The day of the required passage or transfer of customers' supply points;

b) Identification of the accepting gas trader by the code assigned under Section 5(1);

c) Identification of the transferring gas trader by the code assigned under Section 5(1);

d) Specification whether a change of the cleared entity or a change of the gas supplier is the subject matter of the collective transfer under subsection (2);

e) A list of customers' supply points in the case of a division of the commercial company;

f) A document proving the transformation of the commercial company;

g) A statement on entering into an agreement on distribution system services between the operator of the distribution system to which the supply points are connected and the accepting entity, or a statement that such agreement will be executed between the distribution system operator concerned and the accepting entity as at the day of the transfer of the supply points.

(4) The request under subsection (3) shall be submitted by the gas trader to whom the customers' supply points will be transferred, not later than ten working days before the date under subsection 3(a).

(5) The market operator shall notify all the gas suppliers, cleared entities and distribution system operators or the transmission system operator concerned of the request submitted under subsection (3).

(6) If the transferring gas trader expresses, in the market operator's information system, its consent to the required collective transfer of supply points on the basis of the details set out in the request under subsection (3), the market operator shall carry out, on the day under subsection 3(a), in its information system the collective change of the gas supplier or cleared entity on the basis of the request under subsection 3(d) for each of the supply points registered in the market operator's information system, which the collective change concerns. The market operator shall carry out this change with effect from the date specified in subsection 3(a).

Section 122

(1) The market operator shall immediately notify, through its information system, any change of a cleared entity carried out under Section 121(6) to all gas suppliers and cleared entities concerned. The market operator shall provide this information for each supply point of the customer for whom the cleared entity was changed.

(2) The market operator shall immediately notify, through its information system, any change of a gas supplier carried out under Section 121(6) to all the gas suppliers, cleared entities and distribution system operators or the transmission system operator concerned. The market operator shall provide this information for each supply point of the customer for whom the gas supplier was changed.

(3) In the case of a change under Section 121(6) the distribution system operator shall not provide, through the market operator's information system, the value of the reading of the meter at the customer's supply point determined as at the day under Section 121(3)(a) using the procedure under Section 113(2) or any data related thereto which is required for billing the gas supply and related services under a separate regulation on the details and dates of gas supply billing[17)].

PART ELEVEN

COMMON, TRANSITORY AND FINAL PROVISIONS

Section 123

Common provisions

(1) The values to be provided or published hereunder shall be specified in thousandths of MWh, with the exception of values of booked distribution capacities, which shall be specified in whole cubic metres, and the values under Section 95(1)(a) to (e), (g) and (h), which shall be provided in cubic metres.

(2) Transmission capacity for border points, points of the virtual gas storage facility, customers' supply points directly connected to the transmission system and points of gas production plants shall be booked in thousands of MWh/d.

(3) Transmission nominations and allocations at border points, point of the virtual gas storage facility, customers' supply points directly connected to the transmission system and points of gas production plants shall be made in thousands of MWh.

(4) Distribution capacity for points of cross-border gas pipelines and points of gas production plants is booked in thousands of MWh/d.

(5) Distribution nominations and allocations at points of cross-border gas pipelines and points of gas production plants shall be made in thousands of MWh.

(6) Requests for supplier change, and confirmation or rejection of supplier change, and information required for the registration of supply points and delivery points shall be sent via electronic messaging in a communication environment defined by the market operator. To gas market participants, messages shall be sent in a format defined by the market operator.

(7) Requests for distribution capacity booking and for entering into agreements on distribution system services shall be sent as print versions or electronically in a format defined by the distribution system operator.

Transitory provisions

Section 124

[17)] Public notice 210/2011 on the scope, essentials and dates of the billing of electricity, gas and thermal energy supply and related services

(1) For nominating and re-nominating input and off-take obligations in the period until 30 June 2016, public notice 365/2009, as in force until the effective date hereof, shall be used. For nominating and re-nominating input and off-take obligations for the gas day 1 July 2016, public notice 365/2009, as in force until the effective date hereof, shall be used.

(2) Until 30 June 2016, public notice 365/2009, as in force until the effective date hereof, shall be used for the commercial balancing of imbalances.

(3) Until 30 June 2016, public notice 365/2009, as in force until the effective date hereof, shall be used for physical balancing of imbalances.

(4) The preliminary total imbalance of cleared entities on gas days 29 and 30 June 2016 shall be balanced under public notice 365/2009, as in force until the effective date hereof.

(5) The sum of the actual total imbalances for June 2016 shall be settled under public notice 365/2009, as in force until the effective date hereof.

Section 125

(1) Until 30 June 2016, the respective provisions of public notice 365/2009, as in force until the effective date hereof, shall be used for the scope and the dates of the transmission and publication of data and gas supply billing and other services, with the exception of provisions on prices of related services in the gas industry and the procedure for determining advance payments, which shall be used from 1 January 2016.

(2) All processes, time limits and periods for gas supplier change which started to run before 1 January 2016 shall be assessed, until their completion, under public notice 365/2009, as in force until the effective date hereof, even though the supplier change will only be completed after 1 January 2016.

(3) Until 30 June 2016, gas consumption as at the effective date of gas supplier change under Section 113(3) shall be estimated using the procedure under public notice 365/2009, as in force until the effective date hereof.

(4) The opening level in the imbalance account of every cleared entity and foreign participant is equal to zero.

(5) As at the effective date hereof, the opening level in the operator’s account is equal to zero.

(6) Distribution system operators shall register supply points with type A or B metering in the market operator’s information system by 31 January 2016.

Section 126

Repealing provisions

The following are repealed:

1. Public Notice 365/2009 on the Gas Market Rules
2. Public Notice 370/2010, amending Public Notice 365/2009 on the Gas Market Rules
3. Public Notice 442/2011, amending Public Notice 365/2009 on the Gas Market Rules as amended in Public Notice 370/2010
4. Public Notice 436/2012, amending Public Notice 365/2009 on the Gas Market Rules as amended
5. Public Notice 291/2014, amending Public Notice 365/2009 on the Gas Market Rules as amended

Section 127

Effect

This public notice comes into effect on 1 January 2016, with the exception of Sections 62, 68, 71, 72 and 74, Sections 80 to 83, Sections 86 to 107, and Schedules 5 to 15, 17 and 18 hereto, which come into effect on 1 July 2016.

Chairwoman

[Mrs] Vitásková *m.p.*

Information required in requests for transmission capacity booking

Technical data

1 The transmission system's entry/exit point required;

2 The date and period of time for which gas transmission is requested;

3 The type of the booked capacity requested;

4 The requested nature of transmission capacity (firm, interruptible, bundled, unbundled);

5 The size of requested capacity, in MWh/d, at the respective entry/exit point of the transmission system, or in cubic metres per day for supply points of customers directly connected to the transmission system;

6 A statement declaring that the above information is true and correct.

Schedule 2 to public notice no. 349 /2015

Information required in requests for distribution capacity booking

Technical data

1. Identification of the applicant for distribution capacity booking, using the EIC code;
2. The dates from which and to which distribution capacity booking is requested;
3. The type of booked distribution capacity requested;
4. The reason for the request;
5. Identification of the supply point, or the delivery point, or the set of delivery points, using the EIC code;
6. Customer identification as follows:
    a. Given name(s), surname, and date of birth for the household category;
    b. Company/Registered Number [IČ], if any has been assigned, and given name, surname and the added suffix if [the business name contains] any, or company name, or another name in other cases;
    c. The EIC code of the distribution system operator or gas producer;
7. Address of the supply point;
8. The requested nature of booked distribution capacity (firm, interruptible);
9. The size of the distribution capacity requested at the supply point, or the delivery point, or the set of delivery points, with type A or B metering. In respect of supply points with multiple metering points, the value of capacity for type A and B metering points is regarded as the size of the requested distribution capacity;
10. Gas quantity expected to be taken annually;
11. In respect of supply points of customers in the large and medium-sized customer categories, or in respect of supply points in the small customer category with a monthly periodicity of readings, the annual profile of the quantity of gas expected to be taken on a monthly basis;
12. The customer’s electronic mail address and telephone number, if available;
13. A statement declaring that the above information is true and correct.

Terms of auctions for free storage capacity

1. The terms and conditions of auctions must be reasonable, non-discriminatory and transparent.
2. The terms and conditions of auctions shall contain the following:
   a) The minimum price, or the method for calculating the minimum price for a unit of storage capacity for the first year or the first 12 months of the period for which the storage capacity is to be booked;
   b) The date and time of auction opening;
   c) The required method of secured electronic communication, including an alternative communication channel should electronic communication fail on the side of bidders;
   d) The method of determining and the procedure for depositing the collateral;
   e) The size of the free storage capacity being offered;
   f) The model form of the gas storage agreement, or the specification of the scope of the changes to the content of the existing gas storage agreement if the amendment of the gas storage agreement is necessitated by storage capacity booking, which will be entered into with the bidders for whom storage capacity will be booked;
   g) The size of the increment in the price per unit of storage capacity between auction rounds and the method of storage capacity allocation;
   h) The minimum and maximum duration of storage capacity booking;
   i) The method for calculating the price per unit of storage capacity for the other years or months for which storage capacity is to be booked;
   j) The type of storage capacity booking under Section 50(4)(a) or (c); for booking under Section 50(4)(a), the beginning of storage capacity booking and the maximum duration of storage capacity booking for which storage capacity booking is being offered; for booking under Section 50(4)(c), the beginning of storage capacity booking and the maximum number of months for which storage capacity can be booked.
3. The terms and conditions of auctions of new storage capacity shall also contain the following:
   a) The minimum size of storage capacity which must be booked in an auction for the auction not to be cancelled by the SSO;
   b) The total storage capacity offered in the first year of gas storing and in the following years if the new storage capacity or the parameters thereof will be increased gradually.

Rules for assessing the feasibility of gas transmission, distribution and storage re-nominations

The transmission system operator, distribution system operators or storage system operators shall reject a re-nomination at an entry/exit point of the gas system if:

(a) Nominations at an entry/exit point of the gas system have not been matched;

(b) Any of the following inequalities (1) and (2) is satisfied at an entry/exit point of the transmission system:

$$N_{rj} > N_{pj} + \frac{1}{24} * K_{Sj} * (24 - T) \quad (1)$$

$$N_{rj} < N_{pj} \quad (2)$$

where

j is the entry/exit point of the gas system

T is the hour of the gas day from which the re-nomination is effective; T = 1 for 07:00:00 on the gas day, T = 2 for 08:00:00 on the gas day, to T = 24 for 06:00:00 on the following gas day

N_{rj} is the cleared entity's re-nomination at the entry/exit point of the gas system for the gas day

K_{Sj} is the sum of all of the cleared entity's booked daily firm and/or interruptible capacities contracted in an agreement(s) at entry/exit point j of the gas system for the gas day

N_{pj} is the nominations and re-nominations received and registered by time **t**, determined as

$$N_{pj(t)} = \frac{N_{j(t-1)} - N_{pj(t-1)}}{24 - t + 2} + N_{pj(t-1)}$$

for t = 1 $N_{pj(t)} = 0$

where

N_{jt} is the cleared entity's nomination or re-nomination at the entry/exit point of the gas system, effective in hour t of the gas day

t is the hour of the gas day from which the nomination is effective; t = 1 for <06:00:00, 07:00:00) to t = 24 for <05:00:00, 06:00:00) on the following gas day

Flexibility through the line pack in the gas system determined by the market operator for a gas day

a) Flexibility for a customer's supply point with type A or B metering, F_{OPMA} in thousandths of MWh for a gas day:

$$F_{OPMA} = \left[K_{OPM1} \times RK_{OPM} \times S_{pt} + K_{OPM2} \times \left(RK_{OPM} \times S_{pt} - Al_{OPM}\right)\right],$$

where

K_{OPM1} is a coefficient set at 0.04979

K_{OPM2} is a coefficient set at 0

RK_{OPM} is the sum of all of the cleared entity's booked capacities at the customer's supply point for the relevant gas day, in v m^3, transmitted under Section 95(1)(f) or Section 96(1)(n)

S_{pt} is the average value of GCV transmitted under Section 96(1)(f), in thousands of MWh/m^3

Al_{OPM} is the cleared entity's daily allocation at the customer's supply point, transmitted under Section 96(1)(e) or Section 95(1)(e) or determined using the procedure under Section 101(2)

For a customer's supply point connected to the transmission system, the product $RK_{OPM} \times S_{pt}$ is replaced with the sum of all of the cleared entity's booked capacities at the customer's supply point for the gas day, in thousandths of MWh.

b) Flexibility for a customer's supply point with type C or CM metering, F_{OPMC} in thousandths of MWh for a gas day:

$$F_{OPMC} = \left[K_{OPM1} \times \frac{C_Y}{K_{LFSP}} \times S_{pt} + K_{OPM2} \times \left(\frac{C_Y}{K_{LFSP}} \times S_{pt} - DH_{OPM}\right)\right],$$

where

C_Y is the value of the planned annual consumption in thousandths of MWh specified for the relevant gas day for daily imbalances in the market operator's information system

S_{pt} is the average value of GCV transmitted under Section 96(1)(f), in thousandths of MWh/m^3

K_{LFSP} is a coefficient set at 1,171 in thousandths of MWh/m^3

DH_{OPM} is the daily value of gas off-take under Section 99(6)

c) Flexibility for a point of a gas production plant:

$$F_{VP} = \left[K_{VP} \times RK_{VP}\right],$$

where

K_{VP} is a coefficient set at 0

RK_{VP} is the sum of all of the cleared entity's booked capacities at the point of the gas production plant for the relevant gas day, in thousandths of MWh, transmitted under Section 96(1)(o) or Section 95(1)(i)

d) Flexibility for an entry border point, for an entry point of a cross-border gas pipeline, and for an entry point of a gas storage facility:

$$F_{VB} = \left[K_{VB1} \times RK_{VB} + K_{VB2} \times \left(RK_{VB} - Al_{VB}\right)\right],$$

where

K_{VB1} and K_{VB2} are coefficients set as per the following table:

Name of the entry point	**K_{VB1}**	**K_{VB2}**
Border point	0.00567	0
Point of the virtual gas storage facility	0.00567	0
Point of a cross-border gas pipeline	0	0

where

RK_{VB} is the sum of all of the cleared entity's booked capacities at the relevant entry point of the gas system, in thousandths of MWh, under Section 96(1)(j) or Section 95(1)(j)

Al_{VB} is the cleared entity's daily allocation at the relevant entry point of the gas system, transmitted to the market operator under Section 96(1)(a) and (b) or Section 95(1)(a)

e) Flexibility for an exit border point, an exit point of a cross-border gas pipeline, and an exit point of a gas storage facility:

$$F_{VyB} = \left\lfloor K_{VyB1} \times RK_{VyB} + K_{VyB2} \times \left(RK_{VyB} - Al_{VyB}\right)\right\rfloor,$$

where

K_{VyB1} and K_{VyB2} are coefficients set as per the following table:

Name of the exit point	**K_{VyB1}**	**K_{VyB2}**
Border point	0.00567	0
Point of the virtual gas storage facility	0.00567	0
Point of a cross-border gas pipeline	0.04309	0

where

RK_{VyP} is the sum of all of the cleared entity's booked capacities at the relevant exit point of the gas system, in thousandths of MWh, under Section 96(1)(j) or Section 95(1)(j)

Al_{VyB} is the cleared entity's daily allocation at the relevant exit point of the gas system, transmitted to the market operator under Section 96(1)(a) and (b) or Section 95(1)(d)

Schedule 6 to public notice no. 349 /2015

Procedure for determining the spot market index

1. By the time under Section 88, the market operator shall publish the spot gas market index.
2. The index shall be determined in EUR/MWh as follows:

Situation on the within day market organised by the market operator	**Calculation of the INDEX OTE price, P_{OTE} (EUR/MWh)**
1. More than one executed trade exists, and the quantity of traded gas totals more than 100 MWh	Weighted average of all transactions on the within day market
2. Just one trade exists or the quantity of traded gas totals up to 100 MWh	If an offer and a bid existed (for at least 5 minutes) on the market at the same time, with a spread equal to or lower than EUR 2/MWh and a quantity greater than 50 MWh in both directions, then $$\boldsymbol{P_{OTE} = 0,5 * \frac{\sum_{i=1}^{N}(Vi * Pi)}{\sum_{i=1}^{N} Vi} + 0,5 * P_{\emptyset Or}}$$ $P_{\Phi Or}$ is the arithmetic average of all pairs of the maximum bid price for purchase and the minimum offer price for sale, which meet the condition that they were available together for at least 5 minutes, the quantity of both is greater than 50 MWh and the difference between them is not greater than EUR 2/MWh.

Situation on the within day market organised by the market operator	**Calculation of the INDEX OTE price, P_{OTE} (EUR/MWh)**
	If an offer and a bid did not exist (for at least 5 minutes) on the market at the same time, with a spread equal to or lower than EUR 2/MWh and a quantity greater than 50 MWh in both directions, then $$\boldsymbol{P_{OTE} = 0,5 * \frac{\sum_{i=1}^{N}(Vi * Pi)}{\sum_{i=1}^{N} Vi} + 0,5 * P_{NCG*}}$$ P_{NCG*} is the adjusted Daily Reference Price (http://www.eex.com/en/market-data/natural-gas/spot-market/daily-reference-price) for the relevant delivery day at EEX for NCG increased/decreased by the difference between the last known P_{OTE} value under point 1 and the Daily Reference Price for the same gas day; should this price be unavailable or unusable, the Index OTE value from the preceding day shall be used for P_{NCG*}.
3. Not a single executed trade exists.	If an offer and a bid existed (for at least 5 minutes) on the market at the same time, with a spread equal to or lower than EUR 2/MWh and a quantity greater than 50 MWh in both directions, then $$\boldsymbol{P_{OTE} = P_{\emptyset Or}}$$ $P_{\Phi Or}$ is the arithmetic average of all pairs of the maximum bid price for purchase and the minimum offer price for sale, which meet the condition that they were available together for at least 5 minutes, the quantity of both is greater than 50 MWh and the difference between them is not greater than EUR 2/MWh.

Situation on the within day market organised by the market operator	**Calculation of the INDEX OTE price, P_{OTE} (EUR/MWh)**
	If an offer and a bid did not exist (for at least 5 minutes) on the market at the same time, with a spread equal to or lower than EUR 2/MWh and a quantity greater than 50 MWh in both directions, then $$\boldsymbol{P_{OTE} = P_{NCG*}}$$ P_{NCG*} is the adjusted Daily Reference Price (http://www.eex.com/en/market-data/natural-gas/spot-market/daily-reference-price) for the relevant delivery day at EEX for NCG increased/decreased by the difference between the last known P_{OTE} value under point 1 and the Daily Reference Price for the same gas day; should this price be unavailable or unusable, the Index OTE value from the preceding day shall be used for P_{NCG*}.

Procedure for the balancing actions on the spot market when the first level is exceeded

1. In the case that following nominations under Section 62(4) the operator's account holds less than -3,372 MWh the TSO can, not later than one hour from the time limit for nominations under Section 62(4), post a gas purchase bid on the within day gas market for the following day, amounting to at least 0.5 times the absolute value of the operator's account and to no more than 1.5 times the absolute value of the operator's account.
2. In the case that following nominations under Section 62(4) the operator's account holds more than 3,372 MWh the TSO can, not later than one hour from the time limit for nominations under Section 62(4), post a gas sale offer on the within day gas market for the following day, amounting to at least 0.5 times the absolute value of the operator's account and to no more than 1.5 times the absolute value of the operator's account.
3. The TSO posts the gas purchase bid under point 1 for the last known price on the within day market less EUR 0.5/MWh. If the bid is not executed within 5 minutes the TSO increases the price by EUR 0.1/MWh, even repeatedly, but by no more than EUR 3/MWh over the initial value. Subject to agreement with the market operator the TSO can ask the market operator to set up automatic increases in the bid price in the market operator's information system in cases of gas purchase bids under this point. The last known price on the within day market is understood to be a trade for the following gas day, executed on the market operator's within day market, in which at least 50 MWh were traded and which took place not later than before the beginning of the whole hour within which the bid is posted. If this price is not available, the price of the last trade executed on the market operator's within day market in which at least 50 MWh were traded and which took place not later than before the beginning of the whole hour within which the request is submitted shall be used.
4. The TSO posts the gas sale offer under point 2 for the last known price on the within day market plus EUR 0.5/MWh. If the offer is not executed within 5 minutes the TSO decreases the price by EUR 0.1/MWh, even repeatedly, but by no more than EUR 3/MWh below the initial value. Subject to agreement with the market operator the TSO can ask the market operator to set up automatic decreases in the offer price in the market operator's information system in cases of gas sale offers under this point. The last known price on the within day market is understood to be a trade executed on the market operator's within day market in which at least 50 MWh were traded and which took place not later than before the beginning of the whole hour within which the offer is posted.
5. Bids and offers under points 3 and 4 shall be posted so as to make it also possible to trade them in tranches.
6. In cooperation with the market operator the TSO shall advise cleared entities (gas market participants), in a manner enabling remote access, of the posting of gas purchase and sale bids and offers at least 15 minutes before posting such bids and offers, provided that the posting of such bids and offers must take place not later that within 60 minutes from the registration of nomination under Section 62(4). The obligation to advise of the posting of bids and offers does not apply to automatic price changes under points 3 and 4.

Procedure for balancing actions on the spot market upon the exceeding, or expected exceeding, of the second level and the merit order of the balancing actions that are not undertaken on the spot market

1. In the case that following nominations under Section 62(4) the operator's account holds less than -5,058 MWh or if the TSO's expectations are such that this value will be exceeded, the TSO can post a gas purchase bid on the within day gas market for the current gas day, amounting to at least the difference between (i) the absolute value of the actual or expected level in the operator's account and (ii) the absolute value of one half of the value specified in point 1 of Schedule 7, and to no more than the sum of (i) the absolute value of the actual or expected level in the operator's account and (ii) the absolute value of one half of the value specified in point 1 of Schedule 7.
2. In the case that following nominations under Section 62(4) the operator's account holds more than 5,058 MWh or if the TSO's expectations are such that this value will be exceeded, the TSO can post a gas sale offer on the within day gas market for the current gas day, amounting to at least the difference between (i) the absolute value of the actual or expected level in the operator's account and (ii) the absolute value of one half of the value specified in point 2 of Schedule 7, and to no more than the sum of (i) the absolute value of the actual or expected level in the operator's account and (ii) the absolute value of one half of the value specified in point 2 of Schedule 7.
3. The TSO posts the gas purchase bid under point 1 for the last known price on the within day market less EUR 0.5/MWh. If the bid is not executed within 3 minutes the TSO increases the price by EUR 0.1/MWh, even repeatedly, but by no more than EUR 5/MWh compared with the initial value. Subject to agreement with the market operator the TSO can ask the market operator to set up automatic increases in the bid price in the market operator's information system in cases of gas purchase bids under this point. The last known price on the within day market is understood to be a trade executed for the current gas day, on the market operator's within day market, in which at least 50 MWh were traded and which took place not later than before the beginning of the whole hour within which the bid is posted. If this price is not available, the price of the last trade executed on the market operator's within day market in which at least 50 MWh were traded and which took place not later than before the beginning of the whole hour within which the request is submitted shall be used.
4. The TSO posts the gas sale offer under point 2 for the last known price on the within day market plus EUR 0.5/MWh. If the offer is not executed within 3 minutes the TSO decreases the price by EUR 0.1/MWh, even repeatedly, but by no more than EUR 5/MWh compared with the initial value. Subject to agreement with the market operator the TSO can ask the market operator to set up automatic decreases in the offer price in the market operator's information system in cases of gas sale offers under this point. The last known price on the within day market is understood to be a trade executed on the market operator's within day market in which at least 50 MWh were traded and which took place not later than before the beginning of the whole hour within which the offer is posted.
5. In cooperation with the market operator the TSO shall advise cleared entities (gas market participants) of the posting of gas purchase and sale bids and offers at least 15 minutes before posting such bids and offers. The obligation to advise of the posting of bids and offers does not apply to automatic price changes under points 3 and 4.

6. If a gas sale offer under point 4 is not satisfied even at the end of 150 minutes, the TSO can use other balancing service instruments. If a gas purchase bid under point 3 is not satisfied even at the end of 150 minutes, the TSO can use other balancing service tools.
7. Before using a lower priority instrument[18)] the TSO shall wait at least for 60 minutes for any execution of a balancing action having the current priority. Bids and offers under points 3 and 4 shall be posted so as to also make it possible to trade them in tranches.

[18]) Article 9 of Commission Regulation (EU) No 312/2014 of 26 March 2014 establishing a Network Code on Gas Balancing in Transmission Networks

Information published by the TSO in the case of undertaking balancing actions

1. The gas quantity in MWh for the balancing action
2. The realised price of the balancing action in EUR/MWh or CZK/MWh
3. The type of the market on which the balancing action took place
4. The operator of the market on which the balancing action took place
5. The type of the product requested or offered
6. The point of delivery
7. The time of posting the offer or bid
8. The time of execution
9. Reasons for the balancing action undertaken
10. Reasons for using a balancing service

Determining the amount of the applicable price for daily imbalance quantities

I. The unit applicable price for a positive daily imbalance quantity

For positive daily imbalance quantities, the unit applicable price is determined, for a gas day, as the lower of the following two prices:

1. The lowest price for the TSO's balancing actions under Section 92(3) and (5), in respect of which gas was transferred on the relevant gas day;
2. Substitute price $P_{náhr}$ in EUR/MWh, see point II, calculated as

$$P_{náhr} = P_{trh} * k_{kDVM}$$

where

P_{trh} is the spot market index for the relevant gas day, determined under Schedule 6 hereto

k_{kDVM} is the coefficient by which the spot market index is reduced for positive daily imbalance quantities, calculated within the range from 0.95 to 0.98 as follows:

a) for values of the system imbalance lower than or equal to 0 MWh,

$$k_{kDVM} = 0.98$$

b) for values of the system imbalance in the interval (0; 74,470 MWh),

$$k_{kDVM} = 0.98 - 0.03 * \frac{SO}{74{,}470},$$

where

SO is the value of the system imbalance for the relevant gas day, in MWh

c) for values of the system imbalance greater than or equal to 74,470 MWh,

$$k_{kDVM} = 0.95$$

II. The unit applicable price for a negative daily imbalance quantity

For negative daily imbalance quantities, the unit applicable price is determined, for a gas day, as the higher of the following two prices:

1. The highest price for the TSO's balancing actions under Section 92(2) and (4), in respect of which gas was transferred on the relevant gas day;
2. Substitute price $P_{náhr}$ in EUR/MWh calculated as

$$P_{náhr} = P_{trh} * k_{zDVM},$$

where

P_{trh} is the spot market index for the relevant gas day, determined under Schedule 6 hereto

k_{zDVM} is the coefficient by which the spot market index is increased for negative daily imbalance quantities, calculated within the range from 1.02 to 1.05 as follows:

a) for values of the system imbalance greater than or equal to 0 MWh,

$$k_{zDVM} = 1.02$$

b) for values of the system imbalance in the interval (-74,470;0 MWh)

$$k_{zDVM} = 1.02 + 0.03 * \frac{SO}{74{,}470},$$

where

SO is the value of the system imbalance for the relevant gas day, in MWh

c) for values of the system imbalance lower than or equal to -74,470 MWh,

$$k_{zDVM} = 1.05$$

Schedule 11 to public notice no. 349 /2015

Information for gas distribution/transmission billing

Distribution system operators or the TSO shall send at least the following details for the purposes of gas distribution billing for a customer's supply point to the gas supplier through the market operator's information system:

A. Identification details:

I. The distribution system operator's or the TSO's numerical code;

II. The numerical code of the supply point (the EIC code);

III. Identification of metering points and the number and type of the metering instrument;

IV. The billing period;

V. Reason for correction (for corrective invoices).

B. Metering data:

I. For supply points of a customer in the large or medium-sized customer category with type A or B metering:

1. Adjusted gas consumption on each of the gas days, in cubic metres;
2. GCV (volumetric) on each of the gas days, in kWh/m^3;
3. The gas quantity distributed on each of the gas days, in kWh;
4. The unit fixed price for gas taken, in CZK/kWh;
5. The unit fixed price for the market operator's clearing activity, in CZK/kWh;
6. The opening reading on the meter, in cubic metres;
7. The closing reading on the meter, in cubic metres;

II. For supply points with type C or CM metering:

1. The opening reading on the meter, in cubic metres;
2. The closing reading on the meter, in cubic metres;
3. Allocation of the consumption read on the meter to each of the gas months, in cubic metres;
4. Allocation of the consumption read on the meter to each of the gas months, in cubic metres;
5. Allocation of the metered consumption to each of the gas months, in kWh;
6. The meter's coefficient of adjustment to standard conditions;
7. The unit fixed price for gas taken in each of the gas months, in CZK/kWh;
8. The unit fixed price for the market operator's clearing activity, in CZK/kWh;
9. The value of gas consumption used for including the supply point of the customer with proper readings for a period of more than one month into an off-take band for the purposes of gas distribution billing, by the gas quantity consumed at the customer's supply point;
10. Any additionally billed quantity of consumed gas in the event of a failure of the metering instrument.

C. Agreed values:

I. For supply points of customers in the large or medium-sized customer category with type A or B metering:

1. Capacity booked for an indefinite period of time

a) The size of booked capacity, in cubic metres;

a) The percentage share of the period under review in the unit price;

b) The unit fixed annual price for daily booked capacity, in CZK/thousand m^3;

2. Booked interruptible capacity for an indefinite period of time

a) The size of booked capacity, in cubic metres;

b) The percentage share of the period under review in the unit price;

c) The unit fixed annual price for daily booked capacity, in CZK/thousand m^3;

3. Booked monthly capacity

a) The size of booked capacity, in cubic metres;

b) The beginning of validity of booked capacity;

c) The end of validity of booked capacity;

d) The percentage share of the period under review in the unit price;

e) The unit fixed price for daily booked capacity, in CZK/thousand m^3;

f) The calendar month factor under the Price Decision of the Office.

4. Booked interruptible monthly capacity

a) The size of booked capacity, in cubic metres;

b) The beginning of validity of booked capacity;

c) The end of validity of booked capacity;

d) The percentage share of the period under review in the unit price;

e) The unit fixed price for daily booked capacity, in CZK/thousand m^3;

f) The calendar month factor under the Price Decision of the Office.

5. Booked daily firm capacity for an indefinite period of time equalling the historically achieved daily maximum

a) The size of booked capacity, in cubic metres;

b) The percentage share of the period under review in the unit price;

c) The unit fixed price for booked daily capacity, in CZK/thousand m^3;

6. Booked rolling capacity

a) The size of booked capacity, in cubic metres;

b) The beginning of validity of booked capacity;

c) The end of validity of booked capacity;

d) The percentage share of the period under review in the unit price;

e) The unit fixed price for daily booked capacity, in CZK/thousand m^3;

f) The calendar month factor under the Price Decision of the Office.

7. Exceeding the booked capacity

a) The maximum overstepping of booked capacity, in cubic metres;

b) The unit fixed price for exceeding daily booked capacity, in CZK/thousand m^3;

c) The calendar month factor under the Price Decision of the Office.

II. For supply points with type C or CM metering:

1. Booked distribution capacity

a) The size of booked distribution capacity, in cubic metres, determined by calculation;

b) The percentage share of the period under review in the unit price;

c) The unit fixed annual price for daily booked capacity, in CZK/thousand m^3;

2. The standing monthly charge

a) The beginning of the period under review;

b) The end of the period under review;

c) The percentage share of the period under review in the unit price;

d) The unit standing monthly charge for available capacity;

D. Other charges and discounts

Typical supply profile classes

The typical gas supply profile classes for the household, small customer and medium-sized customer categories are assigned by the distribution system operator on the basis of the nature of the supply point and the frequency of readings, provided that the name of the typical gas supply profile class does not express the customer category. The following classes are assigned to supply points:

1. Customers with supply point use code R01

Typical supply profile class: DOM1			
Annual consumption	**S01 (cooking)**	**S02 (hot service water)**	**S03 (space heating)**
Up to 7.56 MWh	1	0	0
Up to 7.56 MWh	0	1	0
Up to 7.56 MWh	0	0	1
Up to 7.56 MWh	1	1	0
Up to 7.56 MWh	1	0	1
Up to 7.56 MWh	0	1	1
Up to 7.56 MWh	1	1	1

DOM1 Customers with supply point use code R01 taking less gas than 7.56 MWh/year

Typical supply profile class: DOM2			
Annual consumption	**S01 (cooking)**	**S02 (hot service water)**	**S03 (space heating)**
Over 7.56 MWh	1	0	0
Over 7.56 MWh	0	1	0
Over 7.56 MWh	1	1	0
Over 7.56 MWh	1	0	1
Over 7.56 MWh	0	1	1

DOM2 Customers with supply point use code R01 taking 7.56 MWh/year or more of gas, without gas-fired space heating (only cooking or hot water preparation or both). Furthermore customers with supply point use code R01 taking 7.56 MWh/year or more of gas, combinations of cooking and gas-fired space heating or hot water preparation and gas-fired space heating.

Typical supply profile class: DOM3			
Annual consumption	**S01 (cooking)**	**S02 (hot service water)**	**S03 (space heating)**
Over 7.56 MWh	1	1	1

DOM3 Customers with supply point use code R01 taking 7.56 MWh/year or more of gas, cooking and gas-fired space heating and hot water preparation

Typical supply profile class: DOM4			
Annual consumption	**S01 (cooking)**	**S02 (hot service water)**	**S03 (space heating)**
Over 7.56 MWh	0	0	1

DOM4 Customers with supply point use code R01 taking 7.56 MWh/year or more of gas, only gas-fired space heating

2. Customers with a supply point use code other than R01 with type C metering with due readings for periods longer than one month

Typical supply profile class: MO1				
Supply point use code	**S01 (cooking)**	**S02 (hot water preparation)**	**S03 (space heating)**	**S04 (process equipment)**
R02	1	0	0	x
R02	0	1	0	x
R03	1	0	0	0
R03	0	1	0	0
R03	0	0	0	1
R03	1	1	0	0
R03	1	0	1	0
R03	1	0	0	1
R03	0	1	1	0
R03	0	1	0	1
R03	0	0	1	1
R03	1	1	1	0
R03	1	1	0	1

R03	1	0	1	1
R03	0	1	1	1
R03	1	1	1	1
R04	1	0	0	0
R04	0	1	0	0
R04	0	0	0	1
R04	1	1	0	0
R04	1	0	0	1
R04	0	1	0	1
R04	0	0	1	1
R04	1	1	0	1
R04	1	0	1	1
R04	0	1	1	1
R04	1	1	1	1
R05	1	0	0	0
R05	0	1	0	0
R06	1	0	0	0
R07	1	0	0	0
R07	0	1	0	0
R07	0	0	1	0
R07	0	0	0	1
R07	1	1	0	0
R07	1	0	1	0
R07	1	0	0	1
R07	0	1	1	0
R07	0	1	0	1
R07	0	0	1	1
R07	1	1	1	0
R07	1	1	0	1
R07	1	0	1	1
R07	0	1	1	1
R07	1	1	1	1
R08	x	x	x	1
R09	x	x	x	1
R10	x	x	0	1
R11	1	0	x	x
R11	0	1	x	x
R11	1	1	x	x

R12	x	x	x	1

MO1 Customers with supply point use code R02 to R12 and all permissible combinations of parameters S01 to S04, who are not included in MO2 to MO4

Typical supply profile class: MO2				
Supply point use code	**S01 (cooking)**	**S02 (hot water preparation)**	**S03 (space heating)**	**S04 (process equipment)**
R02	1	1	0	x
R04	1	0	1	0
R04	0	1	1	0
R05	0	0	0	1
R05	1	1	0	0
R05	1	0	0	1
R05	0	1	0	1
R05	0	0	1	1
R05	1	1	0	1
R05	1	0	1	1
R05	0	1	1	1
R05	1	1	1	1
R06	0	1	0	0
R06	0	0	0	1
R06	1	1	0	0
R06	1	0	1	0
R06	1	0	0	1
R06	0	1	0	1
R06	0	0	1	1
R06	1	1	0	1
R06	1	0	1	1
R06	0	1	1	1
R06	1	1	1	1
R10	x	x	1	0
R10	x	x	1	1

MO2 Customers with supply point use code R02 taking gas for cooking and hot water preparation, with supply point use code R04 taking gas for space heating and hot water preparation or space heating and cooking, with supply point use code R05 taking gas only for process equipment or for combinations of cooking and hot water preparation; cooking and process equipment; hot water preparation and process equipment; and space heating and process equipment; and also for combinations of

process equipment and hot water preparation and cooking; process equipment and space heating and cooking; process equipment and space heating and hot water preparation; and for a combination of process equipment and space heating and hot water preparation and cooking, with supply point use code R06 taking gas only for hot water preparation or only for process equipment or for combinations of cooking and hot water preparation; space heating and cooking; process equipment and cooking; process equipment and hot water preparation; and process equipment and space heating; and also for combinations of process equipment and hot water preparation and cooking; process equipment and space heating and cooking; and process equipment and space heating and hot water preparation; and a combination of process equipment and space heating and hot water preparation and cooking, with supply point use code R10 taking gas only for space heating or for a combination of process equipment and space heating

Typical supply profile class: MO3				
Supply point use code	**S01 (cooking)**	**S02 (hot water preparation)**	**S03 (space heating)**	**S04 (process equipment)**
R02	1	0	1	x
R02	0	1	1	x
R02	1	1	1	x
R03	0	0	1	0
R04	1	1	1	0
R05	1	0	1	0
R05	1	1	1	0
R06	0	1	1	0
R06	1	1	1	0

MO3 Customers with supply point use code R02 taking gas for combinations of space heating and cooking; space heating and hot water preparation; or space heating and hot water preparation and cooking, with supply point use code R03 taking gas only for space heating, with supply point use code R04 taking gas for a combination of space heating and hot water preparation and cooking, with supply point use code R05 taking gas for combinations of space heating and cooking; or space heating and hot water preparation and cooking, with supply point use code R06 taking gas for combinations of space heating and hot water preparation; or space heating and hot water preparation and cooking

Typical supply profile class: MO4				
Supply point use code	**S01 (cooking)**	**S02 (hot water preparation)**	**S03 (space heating)**	**S04 (process equipment)**
R02	0	0	1	0
R04	0	0	1	0

R05	0	0	1	0
R05	0	1	1	0
R06	0	0	1	0

MO4 Customers with supply point use code R02 or R04 or R06 taking gas only for space heating, with supply point use code R05 taking gas only for space heating or for a combination of space heating and hot water preparation

3. Customers with a supply point use code other than R01 with type C metering with due monthly readings

Typical supply profile class: SO1				
Supply point use code	**S01 (cooking)**	**S02 (hot water preparation)**	**S03 (space heating)**	**S04 (process equipment)**
R02	1	0	0	x
R02	0	1	0	x
R03	1	0	0	0
R03	0	1	0	0
R03	0	0	0	1
R03	1	1	0	0
R03	1	0	1	0
R03	1	0	0	1
R03	0	1	1	0
R03	0	1	0	1
R03	0	0	1	1
R03	1	1	1	0
R03	1	1	0	1
R03	1	0	1	1
R03	0	1	1	1
R03	1	1	1	1
R04	1	0	0	0
R04	0	1	0	0
R04	0	0	0	1
R04	1	1	0	0
R04	1	0	0	1
R04	0	1	0	1
R04	0	0	1	1
R04	1	1	0	1

R04	1	0	1	1
R04	0	1	1	1
R04	1	1	1	1
R05	1	0	0	0
R05	0	1	0	0
R06	1	0	0	0
R07	1	0	0	0
R07	0	1	0	0
R07	0	0	1	0
R07	0	0	0	1
R07	1	1	0	0
R07	1	0	1	0
R07	1	0	0	1
R07	0	1	1	0
R07	0	1	0	1
R07	0	0	1	1
R07	1	1	1	0
R07	1	1	0	1
R07	1	0	1	1
R07	0	1	1	1
R07	1	1	1	1
R08	x	x	x	1
R09	x	x	x	1
R10	x	x	0	1
R11	1	0	x	x
R11	0	1	x	x
R11	1	1	x	x
R12	x	x	x	1

SO1 All customers with supply point use code R02 to R12 and all permitted combinations of parameters S01 to S04, who are not included in SO2 to SO4

Typical supply profile class: SO2				
Supply point use code	**S01 (cooking)**	**S02 (hot water preparation)**	**S03 (space heating)**	**S04 (process equipment)**
R02	1	1	0	x
R04	1	0	1	0
R04	0	1	1	0

R05	0	0	0	1
R05	1	1	0	0
R05	1	0	0	1
R05	0	1	0	1
R05	0	0	1	1
R05	1	1	0	1
R05	1	0	1	1
R05	0	1	1	1
R05	1	1	1	1
R06	0	1	0	0
R06	0	0	0	1
R06	1	1	0	0
R06	1	0	1	0
R06	1	0	0	1
R06	0	1	0	1
R06	0	0	1	1
R06	1	1	0	1
R06	1	0	1	1
R06	0	1	1	1
R06	1	1	1	1
R10	x	x	1	0
R10	x	x	1	1

SO2 Customers with supply point use code R02 taking gas for a combination of cooking and hot water preparation, with supply point use code R04 taking gas for a combination of space heating and hot water preparation or space heating and cooking, with supply point use code R05 taking gas only for process equipment of for combinations of coking and hot water preparation; process equipment and cooking; process equipment and hot water preparation; process equipment and space heating; and also for combinations of process equipment and hot water preparation and cooking; process equipment and space heating and cooking; process equipment and space heating and hot water preparation and also for a combination of process equipment and space heating and hot water preparation and cooking, with supply point use code R06 taking gas only for hot water preparation or only for process equipment or for combinations of cooking and hot water preparation; space heating and cooking; process equipment and cooking; process equipment and hot water preparation; process equipment and space heating; and also for combinations of process equipment and hot water preparation and cooking; process equipment and space heating and cooking; process equipment and space heating and hot water preparation and for combinations of process equipment and space heating and hot water preparation and cooking, with supply point use code R10 taking gas only for space heating or for a combination of process equipment and space heating

Typical supply profile class: SO3				
Supply point use code	**S01 (cooking)**	**S02 (hot water preparation)**	**S03 (space heating)**	**S04 (process equipment)**
R02	1	0	1	x
R02	0	1	1	x
R02	1	1	1	x
R03	0	0	1	0
R04	1	1	1	0
R05	1	0	1	0
R05	1	1	1	0
R06	0	1	1	0
R06	1	1	1	0

SO3 Customers with supply point use code R02 taking gas for combinations of space heating and cooking or space heating and hot water preparation or space heating and hot water preparation and cooking, with supply point use code R03 taking gas only for space heating, with supply point use code R04 taking gas for a combination of space heating and hot water preparation and cooking, with supply point use code R05 taking gas for a combination of space heating and cooking or space heating and hot water preparation and cooking, with supply point use code R06 taking gas for a combination of space heating and hot water preparation or space heating and hot water preparation and cooking

Typical supply profile class: SO4				
Supply point use code	**S01 (cooking)**	**S02 (hot water preparation)**	**S03 (space heating)**	**S04 (process equipment)**
R02	0	0	1	0
R04	0	0	1	0
R05	0	0	1	0
R05	0	1	1	0
R06	0	0	1	0

SO4 Customers with supply point use code R02, R04 or R06 taking gas only for space heating, with supply point use code R05 taking gas only for space heating or for a combination of space heating and hot water preparation

Note: For customers with supply point use code R08 and R09 (seasonal gas take for process equipment), typical supply profiles will be adjusted by the distribution system operator individually, on the basis of assessing each specific period of the particular customer’s gas take.

Nature of supply points for the assigning of typical supply profiles

The nature of a supply point describes such point's properties, on the basis of which a typical supply profile is assigned to it. For this purpose, the nature of a supply point is determined by the usage of this supply point and the time profile and character of gas off-take. A typical supply profile will be assigned to a supply point on the basis of assigning specific values of each of the characteristics and the amount of annual consumption.

Table for determining supply points' nature
The table shows supply points' various characteristics and their permissible combinations

Nature of the supply point		***Time profile***		**Character of gas off-take**			
		C01	C02	S01	S02	S03	S04
Code	**Use of the supply point**	**Saturday Sunday**	**Working day**	**Cooking**	**Hot service water**	**Space heating**	**Process equipment**
R01	**A flat, family house, recreational house**			+	+	+	
R02	**Administrative space (offices, cultural facilities)**			+	+	+	
R03	**Hospitality facilities (hotels, guesthouses, lodging houses, restaurants, canteens, fast food outlets, bars, game and play rooms, S04 = large-capacity meal preparation)**			+	+	+	+
R04	**Production space (halls, workshops)**			+	+	+	+
R05	**School and sport facilities**			+	+	+	+
R06	**Retail outlets (structures for retail, structures with sales areas)**			+	+	+	+
R07	**Hospitals and health facilities**			+	+	+	+
R08	**Seasonal process gas off-take, winter**						+
R09	**Seasonal process gas off-take, summer**						+
R10	**Boiler installations**					+	+
R11	**Other sundry gas take (<7.56 MWh/yr)**			+	+		
R12	**Process gas off-take, full year (CNG, air conditioning)**						+

+ Possible combinations

Determination of the residual gas off-take profiles and gas off-take calculation using typical supply profiles

1. Determination of the residual gas off-take profiles

The market operator shall determine the residual gas off-take profiles for each of the distribution networks. Residual profile ZD_{ld} of the gas off-take of distribution network *l* for the respective gas day *d* is determined on the basis of metered daily gas off-takes at supply points of customers with type A or B metering and the daily values used for the calculation of consumption (for losses and own consumption) in distribution network *l*, using the following formula:

$$ZD_{ld} = P_{ld}^{PS} + V_{ld} + P_{ld}^{DSI} + P_{ld}^{HPSI} + P_{ld}^{DSO} + P_{ld}^{HPSO} + O_{ld}^{A} + O_{ld}^{B} + O_{ld}^{CM} + VS_{ld} + Z_{ld} + ZA_{ld},$$

where

P_{ld}^{PS} is the gas quantity supplied at delivery points into distribution network *l* from the transmission system for gas day *d*

V_{ld} is the gas quantity supplied from gas production plants into distribution network *l* for gas day *d*

P_{ld}^{DSI} is the gas quantity supplied into distribution network *l* from other distribution networks for gas day *d*

P_{ld}^{HPSI} is the gas quantity supplied into distribution network *l* from delivery points on cross-border gas pipelines of distribution network *l* for gas day *d*

P_{ld}^{DSO} is the gas quantity supplied into another distribution network from distribution network *l* for gas day *d*

P_{ld}^{HPSO} is the gas quantity supplied to delivery points on cross-border gas pipelines of distribution network *l* for gas day *d*

O_{ld}^{A} is the sum of metered off-takes at supply points of customers with type A metering in distribution network *l* for gas day *d*

O_{ld}^{B} is the sum of metered off-takes at supply points of customers with type B metering in distribution network *l* for gas day *d* for the purpose of determining monthly imbalances broken down by gas day and corrective monthly imbalances broken down by gas day is the sum of substitute values determined under Section 101 for the purpose of determining daily imbalances

VS_{ld} is own consumption in distribution network *l* for gas day *d*

Z_{ld} is losses in distribution network *l* for gas day *d*

ZA_{ld} is the change in the line pack in distribution network *l* for gas day *d* (with the positive sign in the case of increased line pack and with the negative sign in the case of reduced line pack)

The actual signs of values are in accordance with the sign convention in the market operator's system, i.e., inputs into the system are positive, and off-takes from the system are negative.

2. Estimating consumption of customers with type C or CM metering using typical supply profiles, TDD

Daily gas off-take O_{ild} of supply point i with type C or CM metering in distribution network l for gas day d of calendar year R is calculated in the market operator's system using the formula

$$O_{ild} = O_{ilR}^{PRS} \times TDD_{pdR},$$

where

O_{ilR}^{PRS} is the planned annual consumption of a customer with type C or CM metering

TDD_{pdR} is the adjusted typical supply profile for the respective gas day, d, of calendar year R and the respective TDD class, p

3. Adjustment to the value of participation in the residual profile

The calculated value O_{ild} of gas off-take at supply point i with type C or CM metering in distribution network l on day d shall be adjusted to the value of participation in residual profile ZD_{ld} in distribution network l for gas day d in proportion to the ratio of gas off-takes with type C or CM metering and all types of metering, so that after such adjustment its value O_{ild}^{K} is

$$O_{ild}^{K} = O_{ild} \times k_{ld},$$

where

k_{ld} is the correction coefficient applicable to gas day d and distribution network l, calculated using the formula

$$k_{ld} = \frac{ZD_{ld}}{\sum_{i=1}^{I_l} O_{ild}},$$

where

$\sum_{i=1}^{I} O_{ild}$ is the sum of all gas off-takes at supply points i with type C or CM metering in distribution network l for gas day d, estimated using typical supply profiles

I_l is the total number of supply points in distribution network l

Procedure for determining planned and adjusted annual gas consumption of customers with type C or CM metering

A.

1. The latest invoiced gas off-takes over the past three years are used for calculating planned annual gas consumption for supply points of customers with type C or CM metering. If a customer was taking gas for a period of less than three years but more than ten months, this shorter period is used for calculating planned annual gas consumption.
2. If the overall length of the period with available values of invoiced gas off-takes is shorter than ten months the expected gas off-take agreed in the agreement on distribution system services is used.
3. Planned annual consumption O_{ilR}^{PRS} for supply point *i* in distribution system *l* with type C or CM metering, for which readings were taken over period *D* of at least ten preceding months, is calculated as

$$O_{ilR}^{PRS} = \frac{O_{ilD}^{S}}{\sum_{d \in D} TDD_{pdR}},$$

where

O_{ilD}^{S} is gas consumption of supply point *i* in distribution system *l* with type C or CM metering covering period *D* of at least ten preceding months (under point 1)

$\sum_{d \in D} TDD_{pdR}$ is the sum of the adjusted typical supply profiles for TDD class *p* applicable as at the last day of period *D,* related to supply point *i* with type C or CM metering for period *D*.

B.

1. The latest invoiced gas off-take is used for calculating adjusted annual gas consumption for supply points of customers with type C or CM metering. If the latest billing period is shorter than ten months, data from multiple billing periods covering a period of at least ten months is used. Gas consumption in the period so defined is used for calculating the value of adjusted annual gas consumption for the respective supply point with type C or CM metering.
2. If the overall length of the period with available values of invoiced gas off-takes is shorter than ten months the expected gas off-take agreed in the agreement on distribution system services is used.
3. Adjusted annual consumption O_{iR}^{PpRS} for supply point *i* with type C or CM metering, for which readings were taken over period Δ of at least ten preceding months, shall be calculated as

$$O_{iR}^{PpRS} = \frac{O_{i\Delta}^{S}}{\sum_{d \in \Delta} TDD_{pdR}} \times \sum_{d \in \Omega} TDD_{pdR},$$

where

$O_{i\Delta}^{S}$ is gas consumption at supply point *i* with type C or CM metering covering period Δ of at least ten preceding months (under point 1)

$\sum_{d\in\Delta} TDD_{pdR}$ is the sum of the adjusted typical supply profiles applicable as at the last day of period Δ for TDD class *p* relating to customer *i* for period Δ

$\sum_{d\in\Omega} TDD_{pdR}$ is the sum of the adjusted typical supply profiles applicable as at the last day of period Δ for TDD class *p* relating to customer *i* for period Ω; period Ω ends on the day of the latest billing period and begins on the day of the latest billing period minus one year

4. Adjusted annual gas consumption is used for including customers' supply points in the household and small customer categories, into an off-take band for the purpose of gas consumption billing at the customers' supply points.

Customer categorisation

For the needs of the gas market, customers are categorised as follows:

a) Large customer category: natural or juristic persons whose gas consuming equipment is connected to the transmission or a distribution system and who annually take more gas than 4,200 MWh at their supply point;

b) Medium-sized customer category: natural or juristic persons whose gas consuming equipment is connected to the transmission or a distribution system and whose planned annual gas consumption at a supply point exceeds 630 MWh and annual gas off-take does not exceed 4,200 MWh;

c) Household category: natural persons who take gas to satisfy their own personal needs related to housing, or personal needs of members of their household;

d) Small customer category: customers who are not large customers, medium-sized customers or households.

Use of typical gas supply profiles in the allocation of the actual value of consumption at supply points with type C or CM metering to each of the gas days by the market operator

The allocation of the actual gas consumption, O_{iD} to each of the gas days at supply point i with type C or CM metering is calculated as

$$O_{iDj} = O_{iD} \times \frac{TDD_{pid}}{\sum_{t \in D} TDD_{ptR}},$$

where

D_j is the period achieved in period D while it applies that $\sum_j Dj = D$

O_{iD} is gas consumption at supply point i with type C or CM metering for period D

TDD_{pid} is the value of the adjusted typical supply profile for TDD class p at the respective supply point i with type C or CM metering on gas day d falling within period D

$\sum_{t \in D} TDD_{ptR}$ is the sum of adjusted typical supply profiles for TDD class p applicable at supply point i with type C or CM metering for all gas days t in period D

Use of typical gas supply profiles in the breakdown of billed consumption with the help of typical gas supply profiles by the distribution system operator and for estimating consumption in the case of unavailability of data recorded by meters at customers' supply points with type C or CM metering

1. Gas consumption O_{iDj} at supply point i with type C or CM metering for period D_j is calculated as

$$O_{iDj} = O_{iD} \times \frac{\sum_{d \in D_j} TDD_{pdR}}{\sum_{t \in D} TDD_{ptR}},$$

where

D_j is the period achieved in period D while it applies that $\sum_j Dj = D$

O_{iD} is gas consumption at supply point i with type C or CM metering for period D

$\sum_{d \in D_j} TDD_{pdR}$ is the sum of adjusted typical supply profiles for TDD class p applicable as at the last day of period D, related to supply point i with type C or CM metering for all gas days d in period D_j

$\sum_{t \in D} TDD_{ptR}$ is the sum of adjusted typical supply profiles for TDD class p applicable as at the last day of period D, related to supply point i with type C or CM metering for all gas days t in period D

2. In the case of unavailability of data recorded by a metering instrument at supply point i with type C or CM metering for period D, gas consumption O_{iD} is calculated in the following substitute way:

$$O_{iD} = O_{iR}^{PpRS} \times \frac{\sum_{d \in D} TDD_{pdR}}{\sum_{d \in \Omega} TDD_{pdR}},$$

where

O_{iR}^{PpRS} is adjusted annual gas consumption at supply point i with type C or CM metering

$\sum_{d \in D} TDD_{pdR}$ is the sum of adjusted typical supply profiles for TDD class p related to supply point i with type C or CM metering for period D

$\sum_{d \in \Omega} TDD_{pdR}$ is the sum of adjusted typical supply profiles applicable as at the last day of period Ω for TDD class p related to customer i for period Ω Period Ω ends on the day of the latest billing period and starts on the day of the latest billing period minus one year. If the latest known billed gas

consumption covering at least ten months is not available this value is substituted by the value 1.

Structure of charges for related services in the gas industry

A. The charge for the gas transmission service

I. The charge for the gas transmission service for entry and exit border points

1. The charge for the gas transmission service for entry and exit border points of the transmission system is composed of the following:
   a) The charge for booked yearly standard firm transmission capacity in CZK/MWh/d
   b) The charge for booked quarterly standard firm transmission capacity in CZK/MWh/d
   c) The charge for booked monthly standard firm transmission capacity in CZK/MWh/d
   d) The charge for booked daily standard firm capacity in CZK/MWh/d
   e) The charge for booked within day standard firm capacity in CZK/MWh/d
   f) The charge for booked daily standard interruptible transmission capacity in CZK/MWh/d
   g) The charge for booked within day standard interruptible transmission capacity in CZK/MWh/d
   h) The compensation for reduction in transmission nomination or re-nomination due to interruption of interruptible capacity in CZK/MWh/d
   i) The charge for transported gas in CZK/MWh
2. The charge for the gas transmission service for entry and exit border points is paid by the cleared entity or foreign participant.

II. The charge for the gas transmission service for entry and exit points of gas storage facilities

1. The charge for the gas transmission service for entry and exit points of gas storage facilities is composed of the following:
   a) The charge for booked firm monthly transmission capacity in CZK/MWh/d
   b) The charge for booked firm daily transmission capacity in CZK/MWh/d
   c) The charge for firm day ahead transmission capacity in CZK/MWh/d
   d) The charge for booked firm within day transmission capacity in CZK/MWh/d
   e) The charge for booked interruptible monthly transmission capacity in CZK/MWh/d
   f) The charge for booked interruptible daily transmission capacity in CZK/MWh/d
   g) The charge for booked interruptible day ahead transmission capacity in CZK/MWh/d
   h) The charge for booked interruptible within day transmission capacity in CZK/MWh/d

i) The compensation for reduction in transmission nomination or re-nomination due to interruption of interruptible capacity in CZK/MWh/d

j) The charge for transported gas in CZK/MWh

2. The charge for the gas transmission service for entry and exit points of gas storage facilities is paid by the cleared entity or foreign participant.

III. The charge for the gas transmission service for points of gas production plants

1. The charge for the gas transmission service for points of gas production plants is composed of the following:

a) The charge for booked firm monthly transmission capacity in CZK/MWh/d

b) The charge for booked firm daily transmission capacity in CZK/MWh/d

c) The charge for firm day ahead transmission capacity in CZK/MWh/d

d) The charge for booked firm within day transmission capacity in CZK/MWh/d

e) The charge for booked interruptible monthly transmission capacity in CZK/MWh/d

f) The charge for booked interruptible daily transmission capacity in CZK/MWh/d

g) The charge for booked interruptible day ahead transmission capacity in CZK/MWh/d

h) The charge for booked interruptible within day transmission capacity in CZK/MWh/d

i) The compensation for reduction in transmission nomination or re-nomination due to interruption of interruptible capacity in CZK/MWh/d

j) The charge for transported gas in CZK/MWh

2. The charge for the gas transmission service for points of gas production plants is paid by the gas producer.

IV. The charge for the gas transmission service for customers' supply points directly connected to the transmission system

1. The charge for the gas transmission service for customers' supply points directly connected to the transmission system is composed of the following:

a) The charge for booked firm transmission capacity for an indefinite period in CZK/MWh/d

b) The charge for booked firm monthly transmission capacity in CZK/MWh/d

c) The charge for booked firm rolling transmission capacity in CZK/MWh/d

d) The charge for booked firm daily transmission capacity in CZK/MWh/d

e) The charge for firm day ahead transmission capacity in CZK/MWh/d

f) The charge for booked within day transmission capacity in CZK/MWh/d

g) The charge for booked interruptible transmission capacity for an indefinite period in CZK/MWh/d

h) The charge for booked interruptible monthly transmission capacity in CZK/MWh/d

i) The charge for booked interruptible rolling transmission capacity in CZK/MWh/d

j) The charge for booked interruptible daily transmission capacity in CZK/MWh/d

k) The charge for booked day ahead interruptible transmission capacity in CZK/MWh/d

l) The charge for booked interruptible within day transmission capacity in CZK/MWh/d

m) The payment for reduction or interruption of interruptible transmission capacity in CZK/MWh/d

n) The charge for exceeding booked transmission capacity in CZK/month

o) The charge for gas taken, which is part of the double-component price in CZK/MWh

p) The charge for gas taken, which constitutes the single-component price in CZK/MWh

2. The charge for the gas transmission service for customers' supply points directly connected to the transmission system is paid by the gas supplier or customer.

V. The charge for the gas transmission service for the set of delivery points between the transmission system and a distribution system

1. The charge for the gas transmission service for the set of delivery points between the transmission system and a distribution system is composed of the following:
   a) The charge for booked firm transmission capacity in CZK/month
   b) The fixed charge for transported gas in CZK/MWh

2. The charge for the gas transmission service for the set of delivery points between the transmission system and a distribution system is paid by the distribution system operator.

B. The charge for the gas distribution service

I. The charge for the distribution system service for customers' supply points at which annual readings are taken

1. The charge for the distribution system service for customers' supply points at which annual readings are taken is composed of the following:

   a) A fixed annual charge for daily booked firm distribution capacity in CZK/thousand m^3, or a standing monthly charge for available capacity in CZK/month
   b) A fixed charge for distributed gas in CZK/MWh

2. The charge for the distribution system service for customers' supply points at which annual readings are taken is paid by the gas supplier or customer.

II. The charge for the distribution system service for customers' supply points at which regular monthly readings are taken

1. The charge for the distribution system service for customers' supply points at which regular monthly readings are taken is composed of the following:

   a) The charge for daily booked firm distribution capacity in CZK/thousand m^3

   b) The charge for daily booked firm monthly distribution capacity in CZK/thousand m^3

   c) The charge for daily booked firm rolling distribution capacity in CZK/thousand m^3

   d) The charge for daily booked interruptible distribution capacity for an indefinite period in CZK/thousand m^3

   e) The charge for daily booked interruptible monthly distribution capacity in CZK/thousand m^3

   f) The payment for reduction or interruption of interruptible distribution capacity in CZK/thousand m^3

   g) The charge for daily booked distribution capacity in trial operation in CZK/thousand m^3

   h) The charge for exceeding daily booked firm and interruptible distribution capacity in CZK/month

   i) The charge for gas taken, which is part of the double-component price in CZK/MWh

   j) The charge for gas taken, which constitutes the single-component price in CZK/MWh

2. The charge for the distribution system service for customers' supply points at which regular monthly readings are taken is paid by the gas supplier or customer.

III. The charge for the distribution system service for a delivery point between distribution systems

1. The charge for the distribution system service for a delivery point between distribution systems is composed of the following:
   a) The charge for daily booked firm distribution capacity in CZK/thousand m^3

   b) The charge for daily booked firm monthly distribution capacity in CZK/thousand m^3

   c) The charge for daily booked firm rolling distribution capacity in CZK/thousand m^3

   d) The charge for daily booked interruptible distribution capacity for an indefinite period in CZK/thousand m^3

e) The charge for daily booked interruptible monthly distribution capacity in CZK/thousand m^3

f) The payment for reduction or interruption of interruptible distribution capacity in CZK/thousand m^3

g) The charge for daily booked distribution capacity in trial operation in CZK/thousand m^3

h) The charge for exceeding daily booked firm and interruptible distribution capacity in CZK/month

i) The charge for gas taken, which is part of the double-component price in CZK/MWh

2. The charge for the distribution system service for a delivery point between distribution systems is paid by the distribution system operator.

3. Where the operator of the distribution system that is not directly connected to the transmission system has not set prices for the distribution system service, it shall accept the prices of the operator of the distribution system to which its equipment is connected and shall charge the same prices as the distribution system operator whose prices it has accepted.

IV. The charge for the distribution system service for entry and exit points of the distribution system at a delivery point of a cross-border gas pipeline

1. The charge for the distribution system service for entry and exit points of the distribution system at a delivery point of a cross-border gas pipeline is composed of the following:

a) The charge for daily booked firm distribution capacity in CZK/thousand m^3

b) The charge for delivered gas in CZK/MWh

2. The charge for the distribution system service for entry and exit points of the distribution system at a delivery point of a cross-border gas pipeline is paid by the cleared entity.

V. The charge for the distribution system service for the entry point of the distribution system at the delivery point, or the set of delivery points of a gas production plant

1. The charge for the distribution system service for the entry point of the distribution system at the delivery point, or the set of delivery points of a gas production plant is composed of the following:

a) The charge for daily booked firm distribution capacity in CZK/thousand m^3

b) The charge for daily booked firm monthly distribution capacity in CZK/thousand m^3

c) The charge for daily booked interruptible distribution capacity for an indefinite period in CZK/thousand m^3

d) The charge for daily booked interruptible monthly distribution capacity in CZK/thousand m^3

e) The charge for daily booked firm rolling distribution capacity in CZK/thousand m^3

f) The payment for exceeding daily booked firm and interruptible distribution capacity in CZK/month

2. The charge for the distribution system service for the entry point of the distribution system at the delivery point, or the set of delivery points of a gas production plant is paid by the gas producer.

VI. The charge for the distribution system service for a customer's supply point at which a CNG fuelling station is installed for CNG vehicles

1. The charge for the distribution system service for a customer's supply point at which a CNG fuelling station is installed for CNG vehicles is composed of the following:

   a) The charge for distributed gas in CZK/MWh

2. The charge for the distribution system service for a customer's supply point at which a CNG fuelling station is installed for CNG vehicles is paid by the gas supplier or customer.

C. The charge for the market operator's services

I. The charge for the market operator's services

1. The charge for the market operator's services is composed of the following:

   a) The charge for the registration of a cleared entity in the market operator's information system in CZK
   b) The charge for the clearing service in CZK/month
   c) The charge for clearing in CZK/MWh
   d) The charge for the provision of actual values to market participants in CZK/month
   e) The charge for the gas quantity traded on the organised gas market in CZK/MWh
   f) The charge for the provision of data from records of trading transactions on the gas market organised by the market operator in CZK/month
   g) The charge for the Energy Regulatory Office's activities in CZK/supply point/month

2. The charge for the market operator's activity under 1c) is paid by the supplier or the customer to the TSO or to the distribution system operator, depending on the point of connection of the supply point.
3. The market operator bills the charge under 1c) to the distribution system operator and the TSO for all gas consumed in its distribution/transmission

system, including losses and its own consumption, on the basis of the actual values and at least once per month.

4. The charge for the market operator’s activity under 1a), b), e) and f) is paid by the cleared entity.
5. The charge for the market operator’s activity under 1d) is paid by the registered gas market participant.

Information about customers' supply points transmitted by distribution and transmission system operators to the market operator

Mandatory registered details about customers' supply points:

1. A unique identifier of the customer's supply point (the EIC code)
2. The name of the customer's supply point
3. The date from which the market operator will receive data for the particular supply point
4. The metering type
5. The distribution or transmission capacity at the customer's supply point with type A or B metering
6. The identifier of the network to which the customer's supply point is connected
7. The planned annual consumption in MWh, rounded to three decimal places, and the class of the assigned typical supply profile at the customer's supply point with type C or CM metering
8. Customer inclusion in a category under Schedule 16 hereto
9. Customer inclusion in a group for the purposes of states of emergency in the gas industry under the regulation on states of emergency in the gas industry[11)].

Optional details about customers' supply points:

1. The owners of the customer's supply point
2. Designation and address of the supply point (house number; street; place/city, postcode)
3. The type and interval of sending additional details for gas distribution/transmission billing
4. The month in which the first reading interval is expected (the first month of reading in the year)