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LIMITE

ENER
ENV
CLIMA
IND
RECH
COMPET
ECOFIN
CODEC

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Energy
Subject:	SK comments on the Gas Regulation

Delegations will find in the annex the SK comments on the Gas Regulation.



Council of the
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Brussels, 3 May 2023
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ENER 221
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2021/0424(COD)

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the internal markets for renewable and natural gases and for hydrogen (recast)

Delegations will find in the Annex the 4-column table regarding the above-mentioned proposal.

Delegations are invited to submit written comments to the Secretariat energy@consilium.europa.eu, by **23 May, 18:00**. Comments can be included directly in the 4th column, or in a separate document.

Comments of Slovakia are **highlighted** in the 4th column.

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the internal markets for renewable and natural gases and for hydrogen (recast)

2021/0424(COD)

Draft for Member States comments

02-05-2023

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2021/0424 (COD)	2021/0424 (COD)	2021/0424 (COD)	
Proposal Title				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the internal markets for renewable and natural gases and for hydrogen (recast)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the internal markets for renewable <u>gas</u> and natural <u>gasesgas</u> and for hydrogen (recast)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the internal markets for renewable and natural gases and for hydrogen-(recast) (Text with EEA relevance)	
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194 (2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194 (2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194 (2) thereof,	
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
Citation 3				
6	After transmission of the draft legislative act to the national parliaments	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments	
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ [...], [...], p. [...].	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ [...], [...], p. [...].	Having regard to the opinion of the European Economic and Social Committee ¹ , 1. OJ [...], [...], p. [...].	
Citation 5				
8	Having regard to the opinion of the Committee of the Regions ¹ , _____	Having regard to the opinion of the Committee of the Regions ¹ , _____	Having regard to the opinion of the Committee of the Regions ¹ , _____	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. OJ [...], [...], p. [...].	1. OJ [...], [...], p. [...].	1. OJ [...], [...], p. [...].	
Citation 6				
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
Formula				
10	Whereas:	Whereas:	Whereas:	
Recital 1				
11	(1) Regulation (EU) No 715/2009 of the European Parliament and of the Council¹ has been substantially amended several times. Since further amendments are to be made, that Regulation should be recast in the interests of clarity. ¹ Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (OJ L 211, 14.8.2009, p. 36).	(1) Regulation (EU) No 715/2009 of the European Parliament and of the Council¹ has been substantially amended several times. Since further amendments are to be made, that Regulation should be recast in the interests of clarity. ¹ Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (OJ L 211, 14.8.2009, p. 36).	(1) Regulation (EU) No 715/2009 of the European Parliament and of the Council¹ has been substantially amended several times. Since further amendments are to be made, that Regulation should be recast in the interests of clarity. ¹ Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (OJ L 211, 14.8.2009, p. 36).	
Recital 2				
12				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(2) The internal market in natural gas, which has been progressively implemented since 1999, aims to deliver real choice for all consumers in the Union, be they citizens or businesses, new business opportunities and more cross-border trade, so as to achieve efficiency gains, competitive prices and higher standards of service, and to contribute to security of supply and sustainability.	(2) The internal market in natural gas, which has been progressively implemented since 1999, aims to deliver real choice for all consumers in the Union, be they citizens or businesses, new business opportunities and more cross-border trade, so as to achieve efficiency gains, competitive prices and higher standards of service, and to contribute to security of supply and sustainability.	(2) The internal market in natural gas, which has been progressively implemented since 1999, aims to deliver real choice for all consumers in the Union , be they citizens or businesses, new business opportunities and more cross-border trade, so as to achieve efficiency gains, competitive prices and higher standards of service, and to contribute to security of supply and sustainability.	
Recital 3				
13	(3) The European Green Deal and the Climate law set the target for the EU to become climate neutral by 2050 in a manner that contributes to European competitiveness, growth and jobs. For a decarbonised gas markets to be set up and contribute to the energy transition, significantly higher shares of renewable energy sources in an integrated energy system with an active participation of consumers in competitive markets are needed.	(3) <u>The Commission communication of 11 December 2019 entitled 'The European Green Deal' and Regulation (EU) 2021/1119 of the European Parliament and of the Council¹ and the Climate law</u> set the target for the ~~EU to~~ <u>Union to reduce its emissions by at least 55% compared to 1990 levels by 2030 and</u> become climate neutral by 2050 in a manner that contributes to ~~European~~ <u>Union</u> competitiveness, growth and jobs. <u>This Regulation should contribute to achieving those targets.</u> For a decarbonised gas	(3) The European Green Deal and the Climate law set the target for the EU to become climate neutral by 2050 in a manner that contributes to European competitiveness, growth and jobs. For a decarbonised gas markets to be set up and contribute to the energy transition, significantly higher shares of renewable energy sources in an integrated energy system with an active participation of consumers in competitive markets are needed.	

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		markets to be set up and contribute to the energy transition, significantly higher shares of renewable energy sources in an integrated energy system with an active participation of consumers in competitive markets are needed. <u>1. Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).</u>	PUBLIC	
13a			(3a) This Regulation should be seen in conjunction with other policy and legislative instruments, notably those proposed under the European Green Deal. Many of these other proposed instruments, such as the extension of the Union's [Emission Trading System, the Effort Sharing Regulation, the Renewable Energy Directive, the Energy Efficiency Directive, the ReFuelEU initiatives and the proposed revision of the Energy Taxation Directive seek to	

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			incentivise the decarbonisation of the Union's economy and ensure its remains on a trajectory towards a climate neutral European Union by 2050, as mandated by the European Climate Law]. The main objective of this Regulation is however not to incentivise the transition but to enable and facilitate it by ensuring the continuing existence of efficient markets for gases.	
Recital 3a				
13b		<u>(3a) Recognising the volatilities created by the Union's overdependence on natural gas imports, in particular with regard to a monopolist supplier, and its wider geopolitical, security and economic impact, an effective policy and regulatory framework for internal market penetration of renewable gas and low-carbon gas, and in particular hydrogen, must ensure that the risk of sustained or new volatilities and dependencies on external suppliers are effectively addressed. To that end, the</u>		

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		<u>modernisation of existing and commissioning of new import infrastructure linking Member States and the internal market with third countries and external suppliers must take due account of the need for security of supply in terms of diversification of routes and suppliers, including by avoiding overdependence of any Member State on a single export country.</u>		
13c		<u>(3b) In light of the Russian Federation's unprovoked and unjustified military aggression against Ukraine and in order to prevent putting at risk the Union's energy security, the natural gas, renewable gas and low-carbon gas originating from the Russian Federation or other bodies controlled by Russian natural or legal persons or undertakings established in the Russian Federation, should be excluded from the Member States' and Union's imports.</u>		
Recital 4				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
14	(4) This Regulation aims to facilitate the penetration of renewable and low-carbon gases into the energy system enabling a shift from fossil gas, and to allow these new gases to play an important role towards achieving the EU's 2030 climate objectives and climate neutrality in 2050. The Regulation aims also to set up a regulatory framework that enables and incentivises all market participants to take the transitional role of fossil gas into account while planning their activities to avoid lock-in effects and ensure gradual and timely phase-out of fossil gas notably in all relevant industrial sectors and for heating purposes.	(4) This Regulation aims to facilitate <u>decarbonised, efficient and integrated energy systems consistent with the Commission communications of 8 July 2020 entitled 'Powering a climate-neutral economy: An EU Strategy for Energy System Integration' and 'A hydrogen strategy for a climate-neutral Europe', and the Commission Recommendation (EU) 2021/1749¹. Those initiatives call for transitioning to a more circular energy system with energy efficiency at its core, a greater direct electrification of end-use sectors, prioritising demand-side solutions whenever they are more cost-effective than investments in energy infrastructure, and using renewable fuels, including hydrogen, for end-use applications where electrification is not feasible, not efficient or has higher costs. Therefore, this Regulation should facilitate</u> the penetration of renewable <u>gas</u> and low-carbon ~~gases~~ <u>gas</u> into the energy system enabling a shift from fossil gas, ~~and~~ to allow ~~these new gases~~ <u>such new gas</u> to play an important role towards	(4) This Regulation aims to facilitate the penetration of renewable and low-carbon gases into the energy system enabling a shift from fossil gas, and to allow these new gases to play an important role towards achieving the EU's 2030 climate objectives and climate neutrality in 2050. ~~The~~ This Regulation aims also to set up a regulatory framework that enables and incentivises all market participants to take the transitional role of fossil gas into account while planning their activities to avoid lock-in effects and ensure gradual and timely phase-out of fossil gas notably in all relevant industrial sectors and for heating purposes.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		achieving the EU's 2030 climate objectives and climate neutrality in 2050. ~~The~~<u>Member States should eliminate any undue barriers in that regard. This</u> Regulation aims also to set up a regulatory framework that enables and incentivises all market participants to take the transitional role of fossil gas into account while planning their activities to avoid lock-in effects and ensure gradual and timely phase-out of fossil gas notably in all relevant industrial sectors and for <u>individual</u> heating purposes, <u>while mitigating increasing energy poverty</u>. <u>1. Commission Recommendation (EU) 2021/1749 of 28 September 2021 on Energy Efficiency First: from principles to practice — Guidelines and examples for its implementation in decision-making in the energy sector and beyond (OJ L 350, 4.10.2021, p. 9).</u>	PUBLIC	
14a			(4a) In the trajectory for the European Union to achieve climate neutrality by 2050, energy saving and direct electrification are expected to present the most cost-effective	

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			and energy-efficient decarbonisation option in many cases. There will however remain a number of end-use applications where this might not be feasible or have higher costs. In such cases, it may be relevant to use renewable or low-carbon gases and fuels , including biomethane and renewable and low-carbon hydrogen. The incentives created by the European Green Deal Package are thus expected to result in a fundamental change in the structure of energy demand in general and that for gases in particular. For instance, where today natural gas is widely used for space heating purposes, this demand is expected to be met largely by other energy carriers, such as through electrified space heating appliances, in the future. The future use-cases for hydrogen are expected to primarily be in otherwise hard to decarbonise sectors. These include a number of industrial processes, but also transport modes such as long-haul heavy-duty road transport, aviation and maritime. As the precise decarbonisation	

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			trajectories, role of energy carriers and their use cases will also depend on local starting points, endowments and circumstances, they should not be prescribed in detail. Efficient markets will ensure that, given local endowments and circumstances, consumers incentivised by other policy instruments are empowered to choose the decarbonisation options most suited to their particular use-case.	
Recital 5				
15	(5) The EU hydrogen strategy recognises that, as EU Member States have different potential for the production of renewable hydrogen, an open and competitive EU market with unhindered cross-border trade has important benefits for competition, affordability, and security of supply. Moreover, it stresses that moving towards a liquid market with commodity-based hydrogen trading would facilitate entry of new producers and be beneficial for deeper integration with other energy carriers. It would create	(5) The EU hydrogen strategy recognises that, as EU Member States have different potential for the production of renewable hydrogen, an open and competitive EU market with unhindered cross-border trade has important benefits for competition, affordability, and security of supply. Moreover, it stresses that moving towards a liquid market with commodity-based hydrogen trading would facilitate entry of new producers and be beneficial for deeper integration with other energy carriers. It would create	(5) The EU hydrogen strategy recognises that, as EU Member States have different potential for the production of renewable hydrogen, an open and competitive EU market with unhindered cross-border trade has important benefits for competition, affordability, and security of supply. Moreover, it stresses that moving towards a liquid market with commodity-based hydrogen trading would facilitate entry of new producers and be beneficial for deeper integration with other energy carriers. It would create	

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	viable price signals for investments and operational decisions. The rules laid down in this Regulation should thus be conducive for hydrogen markets and commodity-based hydrogen trading and liquid trading hubs to emerge and any undue barriers in this regard should be eliminated by Member States. Whilst recognising the inherent differences, existing rules that enabled efficient commercial operations developed for the electricity and gas markets and trading should be considered for a hydrogen market.	viable price signals for investments and operational decisions. The rules laid down in this Regulation should thus be conducive for hydrogen markets and commodity-based hydrogen trading and liquid trading hubs to emerge and any undue barriers in this regard should be eliminated by Member States. Whilst recognising the inherent differences, existing rules that enabled efficient commercial operations developed for the electricity and gas markets and trading should be considered for a hydrogen market.	viable price signals for investments and operational decisions, including interconnections. The rules laid down in this Regulation should thus be conducive for hydrogen markets and commodity-based hydrogen trading and liquid trading hubs to emerge and. Any undue barriers, including disproportionate tariffs at interconnection points, ~~in this regard~~ should be eliminated by Member States. Whilst recognising the inherent differences, existing rules that enabled efficient commercial operations developed for the electricity and gas markets and trading should be considered for a hydrogen market. Whilst this Regulation sets out general principles according to which also a hydrogen market is to operate, it is appropriate to take account of the development stage of this market in their application.	
Recital 6				
16	(6) [Recast Gas Directive as proposed in COM(2021) xxx]	(6) [Recast Gas Directive as proposed in COM(2021) xxx]	(6) [Recast Gas Directive as proposed in COM(2021) xxx]	

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	provides for the possibility of a combined transmission and distribution system operator. The rules set out in this Regulation do not therefore require modification of the organisation of national transmission and distribution systems that are consistent with the relevant provisions of that Directive.	provides for the possibility of a combined transmission and distribution system operator. The rules set out in this Regulation do not therefore require modification of the organisation of national transmission and distribution systems that are consistent with the relevant provisions of that Directive.	provides for the possibility of a combined ~~transmission and distribution~~ system operator. The rules set out in this Regulation do not therefore require modification of the organisation of national ~~transmission and distribution~~ systems that are consistent with the relevant provisions of that Directive.	
Recital 7				
17	(7) It is necessary to specify the criteria according to which tariffs for access to the network are determined, in order to ensure that they fully comply with the principle of non-discrimination and the needs of a well-functioning internal market and take fully into account the need for system integrity and reflect the actual costs incurred, insofar as such costs correspond to those of an efficient and structurally comparable network operator and are transparent, whilst including appropriate return on investments, and enabling the integration of renewable and low carbon gases. The rules on network access tariffs in this Regulation are	(7) It is necessary to specify the criteria according to which tariffs for access to the network are determined, in order to ensure that they fully comply with the principle of non-discrimination and the needs of a well-functioning internal market and take fully into account the need for system integrity and reflect the actual costs incurred, insofar as such costs correspond to those of an efficient and structurally comparable network operator and are transparent, whilst including appropriate return on investments, and enabling the integration of renewable <u>gas and low-carbon</u> ~~gas and low carbon gases~~ . The rules on network access tariffs in	(7) It is necessary to specify the criteria according to which tariffs for access to the network are determined, in order to ensure that they fully comply with the principle of non-discrimination and the needs of a well-functioning internal market and take fully into account the need for system integrity and reflect the actual costs incurred, insofar as such costs correspond to those of an efficient and structurally comparable network operator and are transparent, whilst including appropriate return on investments, and enabling the integration of renewable and low carbon gases . The rules on network access tariffs in this Regulation are	

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	complemented by further rules on network access tariffs, notably in the network codes and guidelines adopted on the basis of this Regulation, in [TEN-E Regulation as proposed in COM(2020) 824 final], [Methane Regulation as proposed in COM(2021) xxx], Directive (EU) 2018/2001 and [Energy Efficiency Directive as proposed in COM(2021) 558 final].	this Regulation are complemented by further rules on network access tariffs, notably in the network codes and guidelines adopted on the basis of this Regulation, in [TEN-E Regulation as proposed in COM(2020) 824 final], [Methane Regulation as proposed in COM(2021) xxx], Directive (EU) 2018/2001 and [Energy Efficiency Directive as proposed in COM(2021) 558 final].	complemented by further rules on network access tariffs, notably in the network codes and guidelines adopted on the basis of this Regulation, in [TEN-E Regulation as proposed in COM(2020) 824 final], [Methane Regulation as proposed in COM(2021) xxx], Directive (EU) 2018/2001 and [Energy Efficiency Directive as proposed in COM(2021) 558 final].	
Recital 8				
18	(8) It is, generally, most efficient to finance infrastructure by revenues obtained from the users of that infrastructure and to avoid cross-subsidies. Moreover, such cross-subsidies would, in the case of regulated assets, be incompatible with the general principle of cost-reflective tariffs. In exceptional cases, such cross-subsidies could nonetheless bring societal benefits, in particular during earlier phases of network development where booked capacity is low compared to technical capacity and uncertainty as to when future capacity demand will materialise is significant.	(8) It is, generally, most efficient to finance infrastructure by revenues obtained from the users of that infrastructure and to avoid cross-subsidies. Moreover, such cross-subsidies would, in the case of regulated assets, be incompatible with the general principle of cost-reflective tariffs. In exceptional cases, such cross-subsidies could nonetheless bring societal benefits, in particular during earlier phases of network development where booked capacity is low compared to technical capacity and uncertainty as to when future capacity demand will materialise is significant.	(8) It is, generally, most efficient to finance infrastructure by revenues obtained from the users of that infrastructure and to avoid cross-subsidies. Moreover, such cross-subsidies would, in the case of regulated assets, be incompatible with the general principle of cost-reflective tariffs. In exceptional cases, such cross-subsidies could nonetheless bring societal benefits, in particular during earlier phases of network development where booked capacity is low compared to technical capacity and uncertainty as to when future capacity demand will materialise is significant.	

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	Cross-subsidies could therefore contribute to reasonable and predictable tariffs for early network users and de-risk investments for network operators. Cross-subsidies could thus contribute to an investment climate supportive to the Union's, decarbonisation objectives. Cross-subsidies should not be financed by network users in other Member States, regardless as to whether directly or indirectly. It is thus appropriate to collect financing for cross-subsidies only from exit points to final customers within the same Member State. Moreover, as cross-subsidies are exceptional, it should be ensured that they are proportional, transparent, limited in time and set under regulatory supervision.	Cross-subsidies could therefore contribute to reasonable and predictable tariffs for early network users and de-risk investments for network operators. ~~Cross-subsidies, which~~ could thus contribute to an investment climate supportive to the ~~Union's~~, decarbonisation objectives <u>of the Union. In order to avoid undue and excessive</u> ~~cross-subsidies should not be financed by~~ <u>among first and future users of hydrogen networks, it should be possible for hydrogen network operators to spread</u> network ~~users in~~ <u>other development costs over time by allowing</u> Member States <u>to provide for the possibility that future users pay part of the initial costs, by way of an inter-temporal cost allocation mechanism. The methodology and features of that mechanism should be approved by the regulatory authority. The mechanism should be accompanied by a State guarantee to cover the financial risk of hydrogen network operators. As a last resort measure where no more cost-efficient options are available, the regulatory authority should be able to allow, on the basis of an</u>	Cross-subsidies could therefore contribute to reasonable and predictable tariffs for early network users and de-risk investments for network operators. Cross-subsidies could thus contribute to an investment climate supportive to the Union's, decarbonisation objectives. Cross-subsidies should not be financed by network users in other Member States, ~~regardless as to whether~~ neither directly or indirectly. It is thus appropriate to collect financing for cross-subsidies only from exit points to final customers within the same Member State. Moreover, as cross-subsidies are exceptional, it should be ensured that they are proportional, transparent, limited in time and set under regulatory supervision. It should be possible to set rules regarding cross-subsidies or financial transfers between regulated assets bases for individual or for categories of operators active within a given Member State. Reasonable and predictable financial conditions for early network users can also be achieved by means other than cross-subsidies, e.g. direct subsidies to network operators	

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		<u>impact assessment, financial transfers between separate regulated services from gas and hydrogen networks. Cross-subsidies should not be financed by network users in other Member States and, ~~regardless as to whether directly or indirectly,~~</u> it is thus appropriate to collect financing for cross-subsidies only from exit points to final customers within the same Member State. Moreover, as cross-subsidies are exceptional, it should be ensured that they are proportional, transparent, limited in time and set under regulatory supervision, <u>subject to notification to the Commission and recommendation by ACER.</u>	or users, provided they are compatible with Article 107 TFEU.	
Recital 9				
19	(9) The use of market-based arrangements, such as auctions, to determine tariffs has to be compatible with the provisions in recast Gas Directive as proposed in COM(2021) xxx and Commission Regulation (EU) 2017/459.	(9) The use of market-based arrangements, such as auctions, to determine tariffs has to be compatible with the provisions in recast Gas Directive as proposed in COM(2021) xxx and Commission Regulation (EU) 2017/459.	(9) The use of market-based arrangements, such as auctions, to determine tariffs has to be compatible with the provisions in recast Gas Directive as proposed in COM(2021) xxx and Commission Regulation (EU) 2017/459.	
Recital 10				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
20	(10) A common minimum set of third-party access services is necessary to provide a common minimum standard of access in practice throughout the Union, to ensure that third-party access services are sufficiently compatible and to allow the benefits accruing from a well-functioning internal market in natural gas to be exploited.	(10) A common minimum set of third-party access services is necessary to provide a common minimum standard of access in practice throughout the Union, to ensure that third-party access services are sufficiently compatible and to allow the benefits accruing from a well-functioning internal market in natural gas to be exploited.	(10) A common minimum set of third-party access services is necessary to provide a common minimum standard of access in practice throughout the Union, to ensure that third-party access services are sufficiently compatible and to allow the benefits accruing from a well-functioning internal market in natural gas to be exploited.	
Recital 11				
21	(11) Arrangements on third party access should be based on the principles laid down in this Regulation. The organisation of entry-exit systems, which enable a free allocation of gas on the basis of firm capacity, was welcomed by the XXIV. Madrid Forum already in October 2013. Therefore a definition of entry-exit system should be introduced and the integration of the distribution system level in the balancing zone be ensured, which would help to achieve a level playing field for renewable and low carbon gases connected to either the transmission or distribution level.	(11) Arrangements on third party access should be based on the principles laid down in this Regulation. The organisation of entry-exit systems, which enable a free allocation of gas on the basis of firm capacity, was welcomed by the XXIV. Madrid Forum already in October 2013. Therefore a definition of entry-exit system should be introduced and the integration of the distribution system level in the balancing zone be ensured, which would help to achieve a level playing field for renewable <u>gas and low-carbon</u> ~~gas and low carbon gases~~ connected to either the	(11) Arrangements on third party access should be based on the principles laid down in this Regulation. The organisation of entry-exit systems, which enable a free allocation of gas on the basis of firm capacity, was welcomed by the XXIV. Madrid Forum already in October 2013. Therefore a definition of entry-exit system should be introduced and the integration of the distribution system level in the balancing zone be ensured, which would help to achieve a level playing field for renewable and low carbon gases connected to either the transmission or distribution level.	

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	Tariff setting for distribution system operators and the organisation of capacity allocation between the transmission and distribution system should be left to the regulatory authorities on the basis of the principles enshrined in [recast Gas Directive as proposed in COM(2021) xxx].	transmission or distribution level. Tariff setting for distribution system operators and the organisation of capacity allocation between the transmission and distribution system should be left to the regulatory authorities on the basis of the principles enshrined in [recast Gas Directive as proposed in COM(2021) xxx].	Tariff setting for distribution system operators and the organisation of capacity allocation between the transmission and distribution system should be left to the regulatory authorities on the basis of the principles enshrined in [recast Gas Directive as proposed in COM(2021) xxx].	
Recital 12				
22	(12) Access to the entry-exit system should be generally based on firm capacity. Network operators should be required to cooperate in a way that maximises the offer of firm capacity, which in turn enables network users to freely allocate the gas entering or exiting on the basis of firm capacity to any entry or exit point in the same entry-exit system.	(12) Access to the entry-exit system should be generally based on firm capacity. Network operators should be required to cooperate in a way that maximises the offer of firm capacity, which in turn enables network users to freely allocate the gas entering or exiting on the basis of firm capacity to any entry or exit point in the same entry-exit system.	(12) Access to the entry-exit system should be generally based on firm capacity. Network operators should be required to cooperate in a way that maximises the offer of firm capacity, which in turn enables network users to freely allocate the gas entering or exiting on the basis of firm capacity to any entry or exit point in the same entry-exit system.	
22a			(12a) Member States should be able to establish full or partial regional integration where two or more adjacent entry-exit systems are merged. It should be	

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			possible for partial regional integration to encompass various balancing zones as an important step towards integrating fragmented gas markets and improving the functioning of the internal gas market.	
22b			(12b) Where a regional markets integration is undertaken, the relevant transmission system operators and regulatory authorities should address issues having a cross-border impact such as tariff structures, balancing regime, capacities at remaining cross-border points, investment plans and the fulfilment of transmissions system operators' and regulatory authorities' tasks ex recital 34 moved here and not changed	
Recital 13				
23	(13) Conditional capacity should only be offered when network	(13) Conditional capacity should only be offered when network	(13) Conditional capacity should only be offered when network	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	operators are not able to offer firm capacity. Network operators should define the conditions for conditional capacity on the basis of operational constraints in a transparent and clear manner. The regulatory authority should ensure that the number of conditional capacity products is limited to avoid a fragmentation of the market and to ensure compliance with the principle of providing efficient third-party access.	operators are not able to offer firm capacity. Network operators should define the conditions for conditional capacity on the basis of operational constraints in a transparent and clear manner. The regulatory authority should ensure that the number <u>and type</u> of conditional capacity products is limited to avoid a fragmentation of the market and to ensure compliance with the principle of providing efficient third-party access.	operators are not able to offer firm capacity. Network operators should define the conditions for conditional capacity on the basis of operational constraints in a transparent and clear manner. The regulatory authority should approve the conditions and ensure that the number of conditional capacity products is limited to avoid a fragmentation of the market and to ensure compliance with the principle of providing efficient third-party access.	
Recital 14				
24	(14) A sufficient level of cross-border gas interconnection capacity should be achieved and market integration fostered in order to complete the internal market in natural gas.	(14) A sufficient level of cross-border gas interconnection capacity should be achieved and market integration fostered in order to complete the internal market in natural gas.	(14) A sufficient level of cross-border gas interconnection capacity should be achieved and market integration fostered in order to complete the internal market in natural gas.	
24a		<u>(14a) The Commission communication of 8 March 2022 entitled ‘RePowerEU: Joint European Action for more affordable, secure and</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>sustainable energy'</u> <u>(RePowerEU) calls for urgent</u> <u>action to mitigate the impact of</u> <u>rising energy prices, diversify the</u> <u>Union gas supply and accelerate</u> <u>the clean energy transition. In</u> <u>order to allow renewable gas,</u> <u>such as biomethane and biogas,</u> <u>to play their important role</u> <u>towards achieving those goals, it</u> <u>is of the utmost importance to</u> <u>achieve by 2030 the production of</u> <u>35 billion cubic meters (bcm) of</u> <u>biomethane per year within the</u> <u>Union. Achieving that should</u> <u>enable the replacement of 20 % of</u> <u>Russian natural gas imports with</u> <u>a sustainable, cheaper and locally</u> <u>produced alternative, as well as</u> <u>provide the Union with a more</u> <u>resilient and sustainable energy</u> <u>system. The 2030 goal for</u> <u>biomethane is based on the initial</u> <u>projections for production</u> <u>potential for biogas and</u> <u>biomethane¹, and it takes into</u> <u>account major changes in the</u> <u>energy area such as the high</u> <u>current prices of natural gas and</u> <u>a broad set of additional</u> <u>measures presented in the</u> <u>Commission Staff Working</u> <u>Document of 15 May 2022</u> <u>entitled 'Implementing the</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>RepowerEU action plan: investment needs, hydrogen accelerator and achieving the bio-methane targets' that target the expansion of production of sustainable biomethane and its use. For this scale-up to 35 bcm to happen not only the market integration of renewable gas should be fostered but also the necessary infrastructure should be developed in due time. Specifically, this means developing a strategic approach, based on regional maps identifying the areas that have the highest potential for production of sustainable biogas and biomethane from biomass, to overcome existing technical barriers to boost sustainable biomethane within the Union and to fully integrate biomethane into the current gas system.</i></u> <u><i>1. Study "Assistance to assessing options improving market conditions for bio-methane and gas market rules" performed to support the IA for the hydrogen and gas decarbonisation package.</i></u> <u><i>https://op.europa.eu/en/publication-detail/-/publication/d24343db-5ee8-11ec-9c6c-01aa75ed71a1/language-en?pk_campaign=ENER%20Newsletter%20December%202021</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 15				
25	(15) Increased cooperation and coordination among transmission and, where relevant, distribution system operators is required to create network codes for providing and managing effective and transparent access to the transmission networks across borders, and to ensure coordinated and sufficiently forward looking planning and sound technical evolution of the natural gas system in the Union, including the creation of interconnection capacities, with due regard to the environment. The network codes should be in line with framework guidelines which are non-binding in nature (framework guidelines) and which are developed by the European Union Agency for the Cooperation of Energy Regulators (ACER) established in accordance with Regulation (EU) 2019/942 of the European Parliament and of the Council¹. ACER should have a role in reviewing, based on matters of fact, draft network codes, including their compliance with the framework guidelines, and it	(15) Increased cooperation and coordination among transmission and, where relevant, distribution system operators is required to create network codes for providing and managing effective and transparent access to the transmission networks across borders, and to ensure coordinated and sufficiently forward looking planning and sound technical evolution of the natural gas system in the Union, including the creation of interconnection capacities, with due regard to the environment. The network codes should be in line with framework guidelines which are non-binding in nature (framework guidelines) and which are developed by the European Union Agency for the Cooperation of Energy Regulators (ACER) established in accordance with Regulation (EU) 2019/942 of the European Parliament and of the Council¹. ACER should have a role in reviewing, based on matters of fact, draft network codes, including their compliance with the framework guidelines, and it	(15) Increased cooperation and coordination among transmission and, where relevant, distribution system operators is required to create network codes for providing and managing effective and transparent access to the transmission networks across borders, and to ensure coordinated and sufficiently forward looking planning and sound technical evolution of the natural gas system in the Union, including the creation of interconnection capacities, with due regard to the environment. The network codes should be in line with framework guidelines which are non-binding in nature (framework guidelines) and which are developed by the European Union Agency for the Cooperation of Energy Regulators (ACER) established in accordance with Regulation (EU) 2019/942 of the European Parliament and of the Council¹. ACER should have a role in reviewing, based on matters of fact, draft network codes, including their compliance with the framework guidelines,	

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	should be enabled to recommend them for adoption by the Commission. ACER should assess proposed amendments to the network codes and it should be enabled to recommend them for adoption by the Commission. Transmission system operators should operate their networks in accordance with those network codes. 1. Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators.	should be enabled to recommend them for adoption by the Commission. ACER should assess proposed amendments to the network codes and it should be enabled to recommend them for adoption by the Commission. Transmission system operators should operate their networks in accordance with those network codes. 1. Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators.	and it should be enabled to recommend them for adoption by the Commission. ACER should assess proposed amendments to the network codes and it should be enabled to recommend them for adoption by the Commission. Transmission system operators should operate their networks in accordance with those network codes. 1. Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators.	
Recital 16				
26	(16) In order to ensure optimal management of the gas transmission network in the Union, a European Network of Transmission System Operators for Gas (the ENTSO for Gas), should be provided for. The tasks of the ENTSO for Gas should be carried out in compliance with the Union's competition rules which are applicable to the decisions of the ENTSO for Gas. The tasks of the ENTSO for Gas should be well-defined and its working	(16) In order to ensure optimal management of the gas transmission network in the Union, a ~~European Network of~~ <u>joint EU organisation of Gas</u> Transmission System Operators ~~for Gas (the ENTSO for Gas and~~ <u>Hydrogen Network Operators (ENTSOG&H)</u>, should be provided for. The tasks of the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> should be carried out in compliance with the Union's competition rules which are	(16) In order to ensure optimal management of the gas transmission network in the Union, a European Network of Transmission System Operators for Gas (the ENTSO for Gas), should be provided for . The tasks of the ENTSO for Gas should be carried out in compliance with the Union's competition rules which are applicable to the decisions of the ENTSO for Gas. The tasks of the ENTSO for Gas should be well-defined and its working	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	method should ensure efficiency, transparency and the representative nature of the ENTSO for Gas. The network codes prepared by the ENTSO for Gas are not intended to replace the necessary national network codes for non cross-border issues. Given that more effective progress may be achieved through an approach at regional level, transmission system operators should set up regional structures within the overall cooperation structure, whilst ensuring that results at regional level are compatible with network codes and non-binding ten-year network development plans at Union level. Cooperation within such regional structures presupposes effective unbundling of network activities from production and supply activities. In the absence of such unbundling, regional cooperation between transmission system operators gives rise to a risk of anti-competitive conduct. Member States should promote cooperation and monitor the effectiveness of the network operations at regional level. Cooperation at regional level should be compatible with progress towards a competitive	applicable to the decisions of the ~~ENTSO for Gas~~ <u>ENTSOG&H</u>. The tasks of the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> should be well-defined and its working method should ensure efficiency, transparency and the representative nature of the ~~ENTSO for Gas~~ <u>ENTSOG&H</u>. The network codes prepared by the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> are not intended to replace the necessary national network codes for non cross-border issues. Given that more effective progress may be achieved through an approach at regional level, transmission system operators should set up regional structures within the overall cooperation structure, whilst ensuring that results at regional level are compatible with network codes and non-binding ten-year network development plans <u>for gas and hydrogen</u> at Union level. Cooperation within such regional structures presupposes effective unbundling of network activities from production and supply activities. In the absence of such unbundling, regional cooperation between transmission system operators gives rise to a risk of anti-	method should ensure efficiency, transparency and the representative nature of the ENTSO for Gas. The network codes prepared by the ENTSO for Gas are not intended to replace the necessary national network codes for non cross-border issues. Given that more effective progress may be achieved through an approach at regional level, transmission system operators should set up regional structures within the overall cooperation structure, whilst ensuring that results at regional level are compatible with network codes and non-binding ten-year network development plans at Union level. Cooperation within such regional structures presupposes effective unbundling of network activities from production and supply activities. In the absence of such unbundling, regional cooperation between transmission system operators gives rise to a risk of anti-competitive conduct. Member States should promote cooperation and monitor the effectiveness of the network operations at regional level. Cooperation at regional level should be compatible with progress towards a competitive	

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	and efficient internal market in gases.	competitive conduct. Member States should promote cooperation and monitor the effectiveness of the network operations at regional level. Cooperation at regional level should be compatible with progress towards a competitive and efficient internal market in gases.	and efficient internal market in gases.	
Recital 17				
27	(17) In order to ensure greater transparency regarding the development of the gas transmission network in the Union, the ENTSO for Gas should draw up, publish and regularly update a non-binding Union -wide ten-year network development plan on the basis of a joint scenario and the interlinked model (Union-wide network development plan). Viable gas transmission networks and necessary regional interconnections, relevant from a commercial or security of supply point of view, should be included in that network development plan.	(17) In order to ensure greater transparency regarding the development of the gas transmission network in the Union, the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> should draw up, publish and regularly update a non-binding Union -wide ten-year network development plan <u>for gas and hydrogen</u> on the basis of a joint scenario and the interlinked model (Union-wide network development plan). <u>The Union-wide network development plan should be developed following a transparent process involving meaningful public consultation, and it shall be based on objective and scientific criteria. To that effect, the ENTSOG&H should involve independent scientific</u>	(17) In order to ensure greater transparency regarding the development of the gas transmission network in the Union, the ENTSO for Gas should draw up, publish and regularly update a non-binding Union -wide ten-year network development plan on the basis of a joint scenario and the interlinked model (Union-wide network development plan). Viable gas transmission networks and necessary regional interconnections, relevant from a commercial or security of supply point of view, should be included in that network development plan.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>bodies, such as the European Scientific Advisory Board on Climate Change, established under Regulation (EU) 2021/1119, in plan development.</u> Viable gas transmission networks and necessary regional interconnections, relevant from a commercial or security of supply point of view, should be included in that network development plan. <u>The network development plan should promote the energy efficiency first principle and energy system integration and contribute to the prudent and rational use of natural resources and the achievement of the Union's climate and energy targets.</u>	PUBLIC	
Recital 18				
28	(18) To enhance competition through liquid wholesale markets for gas, it is vital that gas can be traded independently of its location in the system. The only way to do this is to give network users the freedom to book entry and exit capacity independently, thereby creating gas transport through zones instead of along	(18) To enhance competition through liquid wholesale markets for gas, it is vital that gas can be traded independently of its location in the system. The only way to do this is to give network users the freedom to book entry and exit capacity independently, thereby creating gas transport through zones instead of along	(18) To enhance competition through liquid wholesale markets for gas, it is vital that gas can be traded independently of its location in the system. The only way to do this is to give network users the freedom to book entry and exit capacity independently, thereby creating gas transport through zones instead of along	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	contractual paths. To ensure the freedom of booking capacity independently at entry and exit points, tariffs set for one entry point should therefore not be related to the tariff set for one exit point, and vice versa offered for these points separately and the tariff should not bundle the entry and exit charge in a single price.	contractual paths. To ensure the freedom of booking capacity independently at entry and exit points, tariffs set for one entry point should therefore not be related to the tariff set for one exit point, and vice versa offered for these points separately and the tariff should not bundle the entry and exit charge in a single price.	contractual paths. To ensure the freedom of booking capacity independently at entry and exit points, tariffs set for one entry point should therefore not be related to the tariff set for one exit point, and ~~vice versa~~ should be offered for these points separately and the tariff should not bundle the entry and exit charge in a single price.	
Recital 19				
29	(19) While Commission Regulation (EU) 312/2014 establishing a Network Code on Gas Balancing of Transmission Networks provides rules for setting up technical rules that build up a balancing regime, it leaves various design choices for each balancing regime that is applied in a specific entry-exit system. The combination of choices made lead to a specific balancing regime that is applicable in a specific entry-exit system, which are currently mostly reflecting Member States territories.	(19) While Commission Regulation (EU) 312/2014 establishing a Network Code on Gas Balancing of Transmission Networks provides rules for setting up technical rules that build up a balancing regime, it leaves various design choices for each balancing regime that is applied in a specific entry-exit system. The combination of choices made lead to a specific balancing regime that is applicable in a specific entry-exit system, which are currently mostly reflecting Member States territories.	(19) While Commission Regulation (EU) 312/2014 establishing a Network Code on Gas Balancing of Transmission Networks provides rules for setting up technical rules that build up a balancing regime, it leaves various design choices for each balancing regime that is applied in a specific entry-exit system. The combination of choices made lead to a specific balancing regime that is applicable in a specific entry-exit system, which are currently mostly reflecting Member States territories.	
Recital 20				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
30	(20) Network users are to bear the responsibility of balancing their inputs against their off-takes with trading platforms established to better facilitate gas trade between network users. In order to better integrate renewable and low carbon gases within the entry-exit system, the balancing zone should also cover the distribution system level. The virtual trading point should be used to exchange gas between balancing accounts of network users.	(20) Network users are to bear the responsibility of balancing their inputs against their off-takes with trading platforms established to better facilitate gas trade between network users. In order to better integrate renewable ~~and low carbon gases~~ <u>gas and low-carbon gas</u> within the entry-exit system, the balancing zone should also cover, <u>to the extent possible</u> , the distribution system level. The virtual trading point should be used to exchange gas between balancing accounts of network users-	(20) Network users are to bear the responsibility of balancing their inputs against their off-takes with trading platforms established to better facilitate gas trade between network users. In order to ~~better integrate~~ ensure renewable and low carbon gases ~~within the entry-exit system~~ an equal access to the market , the balancing zone should also cover, to the extent possible , the distribution system level. The virtual trading point should be used to exchange gas between balancing accounts of network users.	
Recital 21				
31	(21) References to harmonised transport contracts in the context of non-discriminatory access to the network of transmission system operators do not mean that the terms and conditions of the transport contracts of a particular system operator in a Member State must be the same as those of another transmission system operator in that Member State or in another Member State, unless minimum requirements are set	(21) References to harmonised transport contracts in the context of non-discriminatory access to the network of transmission system operators do not mean that the terms and conditions of the transport contracts of a particular system operator in a Member State must be the same as those of another transmission system operator in that Member State or in another Member State, unless minimum requirements are set	(21) References to harmonised transport contracts in the context of non-discriminatory access to the network of transmission system operators do not mean that the terms and conditions of the transport contracts of a particular system operator in a Member State must be the same as those of another transmission system operator in that Member State or in another Member State, unless minimum requirements are set	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	which must be met by all transport contracts.	which must be met by all transport contracts.	which must be met by all transport contracts.	
Recital 22				
32	(22) Equal access to information on the physical status and efficiency of the system is necessary to enable all market participants to assess the overall demand and supply situation and to identify the reasons for movements in the wholesale price. This includes more precise information on supply and demand, network capacity, flows and maintenance, balancing and availability and usage of storage. The importance of that information for the functioning of the market requires alleviating existing limitations to publication for confidentiality reasons.	(22) Equal access to information on the physical status and efficiency of the system is necessary to enable all market participants to assess the overall demand and supply situation and to identify the reasons for movements in the wholesale price. This includes more precise information on supply and demand, network capacity, flows and maintenance, balancing and availability and usage of storage. The importance of that information for the functioning of the market requires alleviating existing limitations to publication for confidentiality reasons.	(22) Equal access to information on the physical status and efficiency of the system is necessary to enable all market participants to assess the overall demand and supply situation and to identify the reasons for movements in the wholesale price. This includes more precise information on supply and demand, network capacity, flows and maintenance, balancing and availability and usage of storage. The importance of that information for the functioning of the market requires alleviating existing limitations to publication for confidentiality reasons.	
Recital 23				
33	(23) Confidentiality requirements for commercially sensitive information are, however, particularly relevant where data of a commercially strategic nature for the company are concerned, where	(23) Confidentiality requirements for commercially sensitive information are, however, particularly relevant where data of a commercially strategic nature for the company are concerned, where	(23) Confidentiality requirements for commercially sensitive information are, however, particularly relevant where data of a commercially strategic nature for the company are concerned, where	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	there is only one single user for a storage facility, or where data are concerned regarding exit points within a system or subsystem that is not connected to another transmission or distribution system but to a single industrial final customer, where the publication of such data would reveal confidential information as to the production process of that customer.	there is only one single user for a storage facility, or where data are concerned regarding exit points within a system or subsystem that is not connected to another transmission or distribution system but to a single industrial final customer, where the publication of such data would reveal confidential information as to the production process of that customer.	there is only one single user for a storage facility, or where data are concerned regarding exit points within a system or subsystem that is not connected to another transmission or distribution system but to a single industrial final customer, where the publication of such data would reveal confidential information as to the production process of that customer.	
Recital 24				
34	(24) To enhance trust in the market, its participants need to be sure that those engaging in abusive behaviour can be subjected to effective, proportionate and dissuasive penalties. The competent authorities should be given the competence to investigate effectively allegations of market abuse. To that end, it is necessary that competent authorities have access to data that provides information on operational decisions made by supply undertakings. In the gas market, all those decisions are communicated to the system operators in the form of capacity	(24) To enhance trust in the market, its participants need to be sure that those engaging in abusive behaviour can be subjected to effective, proportionate and dissuasive penalties. The competent authorities should be given the competence to investigate effectively allegations of market abuse. To that end, it is necessary that competent authorities have access to data that provides information on operational decisions made by supply undertakings. In the gas market, all those decisions are communicated to the system operators in the form of capacity	(24) To enhance trust in the market, its participants need to be sure that those engaging in abusive behaviour can be subjected to effective, proportionate and dissuasive penalties. The competent authorities should be given the competence to investigate effectively allegations of market abuse. To that end, it is necessary that competent authorities have access to data that provides information on operational decisions made by supply undertakings. In the gas market, all those decisions are communicated to the system operators in the form of capacity	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	reservations, nominations and realised flows. System operators should keep information in relation thereto available to and easily accessible by the competent authorities for a fixed period of time. The competent authorities should, furthermore, regularly monitor the compliance of the transmission system operators with the rules.	reservations, nominations and realised flows. System operators should keep information in relation thereto available to and easily accessible by the competent authorities for a fixed period of time. The competent authorities should, furthermore, regularly monitor the compliance of the transmission system operators with the rules.	reservations, nominations and realised flows. System operators should keep information in relation thereto available to and easily accessible by the competent authorities for a fixed period of time. The competent authorities should, furthermore, regularly monitor the compliance of the transmission system operators with the rules.	
Recital 25				
35	(25) Access to natural gas storage facilities and liquefied natural gas (LNG) facilities is insufficient in some Member States, and therefore the implementation of the existing rules needs to be improved, including in the transparency area. Such improvement should take into account the potential and uptake of renewable and low-carbon gases for these facilities in the internal market. Monitoring by the European Regulators' Group for Electricity and Gas concluded that the voluntary guidelines for good third-party access practice for storage system operators, agreed by all stakeholders at the Madrid	(25) Access to natural gas storage facilities ~~and~~ , liquefied natural gas (LNG) facilities <u>and hydrogen facilities</u> is insufficient <u>or non-existent</u> in some Member States, and therefore the implementation of the existing rules needs to be improved, ~~including in the transparency area~~ <u>as regards transparency and the objectives of the communication of the Commission of 18 May 2022 on REPowerEU Plan (the 'REPowerEU Plan'), in particular rapidly reducing the Union's dependence on Russian energy resources</u> . Such improvement should take into account the potential and uptake of	(25) Access to natural gas storage facilities and liquefied natural gas (LNG) facilities is insufficient in some Member States, and therefore the implementation of the existing rules needs to be improved, including in the transparency area. Such improvement should take into account the potential and uptake of renewable and low-carbon gases for these facilities in the internal market. Monitoring by the European Regulators' Group for Electricity and Gas concluded that the voluntary guidelines for good third-party access practice for storage system operators, agreed by all stakeholders at the Madrid	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Forum, are being insufficiently applied and therefore need to be made binding.	renewable <u>gas</u> and low-carbon <u>gasesgas, in particular hydrogen and biomethane</u> , for these facilities in the internal market <u>and demand-side solutions</u> . Monitoring by the European Regulators' Group for Electricity and Gas concluded that the voluntary guidelines for good third-party access practice for storage system operators, agreed by all stakeholders at the Madrid Forum, are being insufficiently applied and therefore need to be made binding.	Forum, are being insufficiently applied and therefore need to be made binding.	
Recital 26				
36	(26) Non-discriminatory and transparent balancing systems for natural gas, operated by transmission system operators, are important mechanisms, particularly for new market entrants which may have more difficulty balancing their overall sales portfolio than companies already established within a relevant market. It is therefore necessary to lay down rules to ensure that transmission system operators operate such mechanisms in a manner	(26) Non-discriminatory and transparent balancing systems for natural gas, operated by transmission system operators, are important mechanisms, particularly for new market entrants which may have more difficulty balancing their overall sales portfolio than companies already established within a relevant market. It is therefore necessary to lay down rules to ensure that transmission system operators operate such mechanisms in a manner	(26) Non-discriminatory and transparent balancing systems for natural gas, operated by transmission system operators, are important mechanisms, particularly for new market entrants which may have more difficulty balancing their overall sales portfolio than companies already established within a relevant market. It is therefore necessary to lay down rules to ensure that transmission system operators operate such mechanisms in a manner	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	compatible with non-discriminatory, transparent and effective access conditions to the network.	compatible with non-discriminatory, transparent and effective access conditions to the network.	compatible with non-discriminatory, transparent and effective access conditions to the network.	
Recital 27				
37	(27) Regulatory authorities should ensure compliance with the rules contained in this Regulation and the network codes and guidelines adopted pursuant thereto.	(27) Regulatory authorities should ensure compliance with the rules contained in this Regulation and the network codes and guidelines adopted pursuant thereto.	(27) Regulatory authorities should ensure compliance with the rules contained in this Regulation and the network codes and guidelines adopted pursuant thereto.	
Recital 28				
38	(28) In the guidelines annexed to this Regulation, more detailed rules are defined. Where appropriate, those rules should evolve over time, taking into account the differences of national gas systems and their development.	(28) In the guidelines annexed to this Regulation, more detailed rules are defined. Where appropriate, those rules should evolve over time, taking into account the differences of national gas systems and their development.	(28) In the guidelines ~~annexed~~ laid down in Annex I to this Regulation, more detailed rules are defined. Where appropriate, those rules should evolve over time, taking into account the differences of national gas systems and their development.	
Recital 29				
39	(29) When proposing to amend the Guidelines annexed to this Regulation, the Commission should ensure prior consultation of all relevant parties concerned with	(29) When proposing to amend the Guidelines annexed to this Regulation, the Commission should ensure prior consultation of all relevant parties concerned with	(29) When proposing to amend the Guidelines ~~annexed~~ laid down in Annex I to this Regulation, the Commission should ensure prior consultation of all relevant parties	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Guidelines, represented by the professional organisations, and of the Member States within the Madrid Forum.	the Guidelines, represented by the professional organisations, and of the Member States within the Madrid Forum.	concerned with the those Guidelines, represented by the professional organisations, and of the Member States within the Madrid Forum.	
Recital 30				
40	(30) The Member States and the competent national authorities should be required to provide relevant information to the Commission. Such information should be treated confidentially by the Commission.	(30) The Member States and the competent national authorities should be required to provide, <u>upon request</u> , relevant information to the Commission. <u>The request for the information should include the reasons why the information is necessary for the purposes of implementing this Regulation.</u> Such information should be treated confidentially by the Commission.	(30) The Member States and the competent national authorities should be required to provide relevant information to the Commission. Such information should be treated confidentially by the Commission.	
Recital 31				
41	(31) This Regulation and the network codes and guidelines adopted in accordance with it are without prejudice to the application of the Union rules on ☐ competition.	(31) This Regulation and the network codes and guidelines adopted in accordance with it are without prejudice to the application of the Union rules on ☐ competition.	(31) This Regulation and the network codes and guidelines adopted in accordance with it are without prejudice to the application of the Union rules on ☐ competition.	
Recital 32				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
42	(32) Member States and the Energy Community Contracting Parties should closely cooperate on all matters concerning the development of an integrated gas trading region and should take no measures that endanger the further integration of natural gas markets or the security of supply of Member States and Contracting Parties.	(32) Member States and the Energy Community Contracting Parties should closely cooperate on all matters concerning the development of an integrated gas trading region and should take no measures that endanger the further integration of natural gas markets or the security of supply of Member States and Contracting Parties.	(32) Member States and the Energy Community Contracting Parties should closely cooperate on all matters concerning the development of an integrated gas trading region and should take no measures that endanger the further integration of natural gas markets or the security of supply of Member States and Contracting Parties.	
Recital 33				
43	(33) Transmission system operators could be allowed to reserve storages for natural gas exclusively for carrying out their functions and for the purpose of security of supply. The filling of these strategic stocks could be done by means of joint purchasing using the trading platform as mentioned in Article 10 of Commission Regulation (EU) No 312/2014 without prejudice to Union competition rules. Withdrawal of natural gas should only be possible for the transmission system operators to carry out their functions or in case of a declared emergency situation,	(33) Transmission system operators could be allowed to reserve storages for natural gas exclusively for carrying out their functions and for the purpose of security of supply. The filling of these strategic stocks could be done by means of joint purchasing using the trading platform as mentioned in Article 10 of Commission Regulation (EU) No 312/2014 without prejudice to Union competition rules. Withdrawal of natural gas should only be possible for the transmission system operators to carry out their functions or in case of a declared emergency situation,	~~(33) Transmission system operators could be allowed to reserve storages for natural gas exclusively for carrying out their functions and for the purpose of security of supply. The filling of these strategic stocks could be done by means of joint purchasing using the trading platform as mentioned in Article 10 of Commission Regulation (EU) No 312/2014 without prejudice to Union competition rules. Withdrawal of natural gas should only be possible for the transmission system operators to carry out their functions or in case of a declared emergency situation,~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	as mentioned in Article 11 (1) of that Regulation, in order not to interfere with the regular functioning of the market.	as mentioned in Article 11 (1) of that Regulation, in order not to interfere with the regular functioning of the market.	~~as mentioned in Article 11 (1) of that Regulation, in order not to interfere with the regular functioning of the market.~~	
Recital 34				
44	(34) Where a regional markets integration is undertaken, the relevant transmission system operators and regulatory authorities should address issues having a cross-border impact such as tariff structures, balancing regime, capacities at remaining cross-border points, investment plans and the fulfilment of transmissions system operators' and regulatory authorities' tasks.	(34) Where a regional markets integration is undertaken, the relevant transmission system operators and regulatory authorities should address issues having a cross-border impact such as tariff structures, balancing regime, capacities at remaining cross-border points, investment plans and the fulfilment of transmissions system operators' and regulatory authorities' tasks.	~~(34) Where a regional markets integration is undertaken, the relevant transmission system operators and regulatory authorities should address issues having a cross-border impact such as tariff structures, balancing regime, capacities at remaining cross-border points, investment plans and the fulfilment of transmissions system operators' and regulatory authorities' tasks.~~ Moved to recital 12b and not changed	
Recital 35				
45	(35) The energy transition and the continuing integration of the gas market will require further transparency on the allowed or target revenue of the transmission system operator. A number of decisions related to natural gas	(35) The energy transition and the continuing integration of the gas market will require further transparency on the allowed or target revenue of the transmission system operator. A number of decisions related to natural gas	(35) The energy transition and the continuing integration of the gas market will require further transparency on the allowed or target revenue of the transmission system operator. A number of decisions related to natural gas	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	networks will be based on that information. For example, the transfer of transmission assets from a natural gas network to a hydrogen network or the implementation of an inter-TSO compensation mechanism (ITC) require more transparency than currently exists. In addition, the assessments of tariff evolutions on the long term requires clarity on both natural gas demand and cost projections. Transparency on allowed revenue should enable the latter. Regulatory authorities should, in particular, provide information on the methodology used to calculate the revenues of transmission system operators, the value of their regulatory asset base and its depreciation over time, the value of operational expenditures, the cost of capital applied to transmission system operators and the incentives and premia applied.	networks will be based on that information. For example, the transfer of transmission assets from a natural gas network to a hydrogen network or the implementation of an inter-TSO compensation mechanism (ITC) require more transparency than currently exists. In addition, the assessments of tariff evolutions on the long term requires clarity on both natural gas demand and cost projections. Transparency on allowed revenue should enable the latter. Regulatory authorities should, in particular, provide information on the methodology used to calculate the revenues of transmission system operators, the value of their regulatory asset base and its depreciation over time, the value of operational expenditures, the cost of capital applied to transmission system operators and the incentives and premia applied.	networks will be based on that information. For example, the transfer of transmission assets from a natural gas network operator to a hydrogen network operator or the implementation of an inter-TSO compensation mechanism (ITC) require more transparency than currently exists. In addition, the assessments of tariff evolutions on the long term requires clarity on both natural gas demand and cost projections. Transparency on allowed revenue should enable the latter. Regulatory authorities should, in particular, regularly provide information on the methodology used to calculate the revenues of transmission system operators, the value of their regulatory asset base and its depreciation over time, the value of operational expenditures, the cost of capital applied to transmission system operators and the incentives and premia applied, as well as the long-term evolution of transmission tariffs based on the expected changes in their allowed or target revenues and in gas demand. In order to ensure the proper process of collecting and interpreting the data for the transparent and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			reproducible transmission system operator efficiency comparison study, ACER should coordinate with the transmission system operators and ENTSO for Gas.	
Recital 36				
46	(36) Transmission system operators' expenditures are predominantly fixed costs. Their business model and the current national regulatory frameworks rely on the assumption of a long-term utilisation of their networks entailing long depreciation periods (30 to 60 years). In the context of the energy transition, regulatory authorities should therefore be able to anticipate gas demand decrease to modify the regulatory arrangements in due time and prevent a situation where the cost recovery of transmission system operators through tariffs threatens the affordability for consumers due to an increasing ratio of fixed costs to gas demand. Where necessary, the depreciation profile or remuneration of transmission assets could, for example, be modified.	(36) Transmission system operators' expenditures are predominantly fixed costs. Their business model and the current national regulatory frameworks rely on the assumption of a long-term utilisation of their networks entailing long depreciation periods (30 to 60 years). In the context of the energy transition, regulatory authorities should therefore be able to anticipate gas demand decrease to modify the regulatory arrangements in due time and prevent a situation where the cost recovery of transmission system operators through tariffs threatens the affordability for consumers due to an increasing ratio of fixed costs to gas demand. Where necessary, the depreciation profile or remuneration of transmission assets could, for example, be modified.	(36) Transmission system operators' expenditures are predominantly fixed costs. Their business model and the current national regulatory frameworks rely on the assumption of a long-term utilisation of their networks entailing long depreciation periods (30 to 60 years). In the context of the energy transition, regulatory authorities should therefore be able to anticipate gas demand decrease to modify the regulatory arrangements in due time and prevent a situation where the cost recovery of transmission system operators through tariffs threatens the affordability for consumers due to an increasing ratio of fixed costs to gas demand. Where necessary, the depreciation profile or remuneration of transmission assets could, for example, be modified.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 37				
47	(37) Transparency on transmission system operators allowed or target revenue should be increased to enable benchmarking and an assessment by network users. Increased transparency should also facilitate cross-border cooperation and the setting up of ITC mechanisms between operators either for regional integration or for the implementation of tariff discounts for renewable and low carbon gases as set out in this Regulation.	(37) Transparency on transmission system operators allowed or target revenue should be increased to enable benchmarking and an assessment by network users. Increased transparency should also facilitate cross-border cooperation and the setting up of ITC mechanisms between operators ~~either for regional integration or for the implementation of tariff discounts for renewable and low carbon gases as set out in this Regulation.~~	(37) Transparency on transmission system operators' allowed or target revenue should be increased to enable benchmarking and an assessment by network users. Increased transparency should also facilitate cross-border cooperation and the setting up of ITC mechanisms between operators either for regional integration or for the implementation of tariff discounts for renewable and low carbon gases as set out in this Regulation.	
Recital 38				
48	(38) In order to exploit the most economic locations for the production of renewable and low carbon gases, network users should benefit from discounts in capacity-based tariffs. These should include a discount for injection from renewable and low carbon gases production facilities, a discount for tariffs at entry points from and exit points to storage facilities and a discount on	<i>deleted</i>	(38) In order to exploit the most economic locations for the production of renewable and low carbon gases, network users should benefit from discounts in capacity-based- tariffs. These should include a discount for injection from renewable and low carbon gases production facilities, a discount for tariffs at entry points from and exit points to storage facilities, and a discount	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the cross-border tariff and entry points from LNG facilities. In case of a change of the value of non-cross border discounts, the regulatory authority needs to balance out the interest between networks users and network operators taking into account stable financial frameworks specifically for existing investments, in particular for renewable production facilities. Where possible, indicators or conditions for changing the discount should be provided sufficiently before any decision to change the discount is taken. This discount should not affect the general tariff setting methodology, but should be provided ex-post on the relevant tariff. In order to benefit from the discount, network users should present the required information towards the transmission system operator on the basis of a certificate which would be linked to the union database.		on the cross-border tariff and entry ~~tariffs at interconnection~~ points from LNG facilities ~~between Member States.~~ Regulatory authorities should be able to decide not to apply the discounts to these tariffs under certain circumstances. In case of a change of the value of non-cross border discounts, the regulatory authority ~~needs to~~ should balance out the interest between networks users and network operators taking into account stable financial frameworks specifically for existing investments, in particular for renewable production facilities. Where possible, indicators or conditions for changing the discount should be provided sufficiently before any decision to change the discount is taken. This discount should not affect the general tariff setting methodology, but should be provided ex-post on the relevant tariff. In order to benefit from the discount, network users should present ~~the required information towards~~ the required information on the basis of a certificate which would be linked to the union database.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 39				
49	(39) Revenue decreases from the application of discounts shall be treated as general revenue decreases, e.g. from reduced capacity sales and need to be recovered via tariffs in a timely manner, for instance by an increase of the specific tariffs following the general rules contained in Article 15 of this Regulation. The Commission should be empowered to change the discount levels via delegated acts to mitigate structural imbalances of revenues for transmission system operators.	<i>deleted</i>	(39) Revenue decreases from the application of discounts ~~shall~~ should be treated as general revenue decreases, e.g. from reduced capacity sales and would need to be recovered via tariffs in a timely manner, for instance by an increase of the specific tariffs following the general rules contained in ~~Article 15 of~~ this Regulation. The Commission should be empowered to ~~change the discount levels via delegated acts~~ adopt delegated acts to amend this Regulation by changing the discount levels to mitigate structural imbalances of revenues for transmission system operators.	
Recital 40				
50	(40) In order to increase efficiencies in the natural gas distribution networks in the Union and to ensure close cooperation with transmission system operators and the ENTSO for Gas, an entity of distribution system operators in the Union ('EU DSO entity') should be provided for	(40) In order to increase efficiencies in the natural gas distribution networks in the Union and to ensure close cooperation with transmission system operators and the ~~ENTSO for Gas~~ ENTSO for Gas ENTSO G&H , an entity of distribution system operators in the Union ('EU DSO entity')	(40) In order to increase efficiencies in the natural gas distribution networks in the Union and to ensure close cooperation with transmission system operators and the ENTSO for Gas, an entity of distribution system operators in the Union ('EU DSO entity') should be provided for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	which also includes natural gas distribution system operators. The tasks of the EU DSO entity should be well-defined and its working method should ensure efficiency, transparency and representativeness among Union distribution system operators. The EU DSO entity should closely cooperate with the ENTSO for Gas on the preparation and implementation of the network codes where applicable and should work on providing guidance on the integration inter alia of distributed generation and other areas, which relate to the management of distribution networks.	should be provided for which also includes natural gas distribution system operators. The tasks of the EU DSO entity should be well-defined and its working method should ensure efficiency, transparency and representativeness among Union distribution system operators. The EU DSO entity should closely cooperate with the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> on the preparation and implementation of the network codes where applicable and should work on providing guidance on the integration inter alia of distributed generation and other areas, which relate to the management of distribution networks.	which also includes natural gas distribution system operators. The tasks of the EU DSO entity should be well-defined and its working method should ensure efficiency, transparency and representativeness among Union distribution system operators. The EU DSO entity should be free to establish its statutes and rules of procedures taking into account the differences between natural gas and electricity sectors. The EU DSO entity should closely cooperate with the ENTSO for Gas on the preparation and implementation of the network codes where applicable and should work on providing guidance on the integration inter alia of distributed generation and other areas, which relate to the management of distribution networks.	
Recital 41				
51	(41) Distribution system operators have an important role to play when it comes to the integration of renewable and low carbon gases into the system, as for example about half of the biomethane production capacity is connected	(41) Distribution system operators have an important role to play when it comes to the integration of renewable <u>gas and low-carbon gas</u> ~~and low-carbon gases~~ into the system, as for example about half of the biomethane production	(41) Distribution system operators have an important role to play when it comes to the integration of renewable and low carbon gases into the system, as for example about half of the biomethane production capacity is connected	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to the distribution grid. In order to facilitate the participation of these gases in the wholesale market, production facilities connected to the distribution grid in all Member States should have access to the virtual trading point. Furthermore in accordance with the provisions of this Regulation distribution system operators and transmission system operators should work together to enable reverse flows from the distribution to the transmission network or to ensure the integration of the distribution system through alternative means, equivalent in effect, to facilitate the market integration of renewable and low carbon gases.	capacity is connected to the distribution grid. In order to facilitate the participation of ~~these~~ ~~gases~~ <u>such gas</u> in the wholesale market, production facilities connected to the distribution grid in all Member States should have access to the virtual trading point. Furthermore in accordance with the provisions of this Regulation distribution system operators and transmission system operators should work together to enable reverse flows from the distribution to the transmission network or to ensure the integration of the distribution system through alternative means, equivalent in effect, to facilitate the market integration of renewable <u>gas</u> and low carbon ~~gases~~ <u>gas</u> .	to the distribution grid. In order to facilitate the participation of these gases in the wholesale market, production facilities connected to the distribution grid in all Member States should have access to the virtual trading point. Furthermore, in accordance with the provisions of this Regulation, distribution system operators and transmission system operators should work together to enable reverse flows from the distribution to the transmission network or to ensure the integration of the distribution system through alternative means, equivalent in effect, to facilitate the market integration of renewable and low carbon gases.	
Recital 42				
52	(42) The integration of growing volumes of renewable and low-carbon gases in the European natural gas system will change the quality of natural gas transported and consumed in Europe. To ensure unhindered cross-border flow of natural gas, maintain the interoperability of markets and	(42) The integration of growing volumes of renewable <u>gas</u> and low-carbon ~~gases~~ <u>gas</u> in the European natural gas system will change the quality of natural gas transported and consumed in Europe. To ensure unhindered cross-border flow of natural gas, maintain the interoperability of	(42) The integration of growing volumes of renewable and low-carbon gases in the European natural gas system will change the quality of natural gas transported and consumed in Europe. To ensure unhindered cross-border flow of natural gas, maintain the interoperability of markets and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	enable market integration, it is necessary to increase transparency on gas quality and on the costs of its management, provide for a harmonised approach on the roles and responsibilities of regulatory authorities and system operators and reinforce cross-border coordination. While ensuring a harmonised approach on gas quality for cross-border interconnection points, Member States' flexibility as regards the application of gas quality standards in their domestic natural gas systems should be maintained.	markets and enable market integration, it is necessary to increase transparency on gas quality and on the costs of its management, provide for a harmonised approach on the roles and responsibilities of regulatory authorities and system operators and reinforce cross-border coordination. While ensuring a harmonised approach on gas quality for cross-border interconnection points, Member States' flexibility as regards the application of gas quality standards in their domestic natural gas systems should be maintained.	enable market integration, it is necessary to increase transparency on gas quality and on the costs of its management, provide for a harmonised approach on the roles and responsibilities of regulatory authorities and system operators and reinforce cross-border coordination. While ensuring a harmonised approach on gas quality for cross-border interconnection points, Member States' flexibility as regards the application of gas quality standards in their domestic natural gas systems should be maintained.	
Recital 43				
53	(43) The blending of hydrogen into the natural gas system is less efficient compared to using hydrogen in its pure form and diminishes the value of hydrogen. It also affects the operation of gas infrastructure, end-user applications, and the interoperability of cross-border systems. The Member States' decision on whether to apply blending hydrogen in their national natural gas systems	(43) The blending of hydrogen into the natural gas system <u>should be a last resort solution, as it is less efficient compared to using the use of</u> hydrogen in its pure form and diminishes the value of hydrogen. It also affects the operation of gas infrastructure, end-user applications, and the interoperability of cross-border systems. ~~The Member States' decision on whether to apply blending~~ <u>should therefore</u>	(43) The blending of hydrogen into the natural gas system is less efficient compared to using hydrogen in its pure form and diminishes the value of hydrogen. It also affects the operation of gas infrastructure, end-user applications, and the interoperability of cross-border systems. The Member States' decision on whether to apply blending hydrogen in their national natural gas systems	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	should be preserved. At the same time, a harmonised approach on blending hydrogen into the natural gas system in the form of a Union-wide allowed cap at cross-border interconnection points between Union Member States, where transmission system operators have to accept natural gas with a blended hydrogen level below the cap, would limit the risk of market segmentation. Adjacent transmission systems should remain free to agree on higher hydrogen blending levels for cross-border interconnection points.	<u>prioritise the production and use of renewable and low-carbon hydrogen in their ~~national natural gas systems~~ pure form in the hard-to-decarbonise sectors, such as in industry and transport applications. However, all efforts should be preserved. At the same time, a harmonised approach on blending hydrogen into the natural gas system in the form of a Union-wide allowed cap at cross-border interconnection points between Union Member States, where transmission system operators have to accept natural gas with a blended hydrogen level below the cap, would limit the risk of market segmentation. Adjacent transmission systems should remain free to agree on higher</u> <u>made to avoid the use of hydrogen for applications with regard to which more energy-efficient alternatives exist, such as the heating of buildings, and the production of hot water for sanitary use and of low-grade heat for industrial processes. This Regulation should promote the most efficient uses of hydrogen, but Member States should retain the possibility to decide on whether to apply blending.</u>	should be preserved. At the same time, a harmonised approach on blending hydrogen into the natural gas system in the form of a Union-wide allowed cap at cross-border interconnection points between Union Member States, where transmission system operators have to accept natural gas with a blended hydrogen level below the cap, would limit the risk of market segmentation. Adjacent transmission systems should remain free to agree on higher hydrogen blending levels for cross-border interconnection points. When considering such agreements, Member States should consult the other Member States if they are likely to be affected by the measure and take into account the situation in these countries.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Therefore, harmonised rules on coordination on cross-border restrictions due to differences in hydrogen blending levels ~~for cross-border interconnection points~~ will limit the risk of market segmentation.</u>		
Recital 44				
54	(44) A strong cross-border coordination and dispute settlement process between transmission system operators on gas quality, including on biomethane and hydrogen blends, is essential to facilitate efficient transport of natural gas across natural gas systems within the Union and thereby to move towards greater internal market integration. Enhanced transparency requirements on gas quality parameters, including on gross calorific value, Wobbe Index and oxygen content, and hydrogen blends and their development over time combined with monitoring and reporting obligations should contribute to the well-functioning of an open and efficient internal market in natural gas.	(44) A strong cross-border coordination and dispute settlement process between transmission system operators on gas quality, including on biomethane and hydrogen blends, is essential to facilitate efficient transport of natural gas across natural gas systems within the Union and thereby to move towards greater internal market integration. Enhanced transparency requirements on gas quality parameters, including on gross calorific value, Wobbe Index and oxygen content, and hydrogen blends and their development over time combined with monitoring and reporting obligations should contribute to the well-functioning of an open and efficient internal market in natural gas.	(44) A strong cross-border coordination and dispute settlement process between transmission system operators on gas quality, including on biomethane and hydrogen blends, is essential to facilitate efficient transport of natural gas across natural gas systems within the Union and thereby to move towards greater internal market integration. Enhanced transparency requirements on gas quality parameters, including on gross calorific value, Wobbe Index and oxygen content, and hydrogen blends and their development over time combined with monitoring and reporting obligations should contribute to the well-functioning of an open and efficient internal market in natural gas.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
54a			(44a) Member States should remain able to resort to their original gas quality specifications in case their regulatory authorities fail to reach an agreement on removing a cross-border restriction caused by differences in hydrogen blending levels or practices. To ensure unhindered cross-border flows and preserve the integrity of the internal energy market, the relevant regulatory authorities should be empowered to restart the common dispute settlement process on a rolling basis, in order to reflect the developments occurred in gas markets and technologies.	
Recital 45				
55	(45) In order to amend non-essential elements of this Regulation and to supplement this Regulation in respect of non-essential elements of certain specific areas which are fundamental for market integration, the power to adopt	(45) In order to amend non-essential elements of this Regulation and to supplement this Regulation in respect of non-essential elements of certain specific areas which are fundamental for market integration, the power to adopt	(45) In order to amend non-essential elements of this Regulation and to supplement this Regulation in respect of non-essential elements of certain specific areas which are fundamental for market integration, the power to adopt	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. ¹. OJ L 123, 12.5.2016, p. 1	acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. <u><i>The Commission should also ensure that the public has access to all documents submitted to the Commission in connection with the adoption of the delegated acts.</i></u> ¹. OJ L 123, 12.5.2016, p. 1	acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. ¹. OJ L 123, 12.5.2016, p. 1	
Recital 46				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
56	(46) Commission Regulation (EU) 2015/703¹ sets out interoperability and data exchange rules for the natural gas system, in particular with respect to interconnection agreements, including rules for flow control, measurement principles for gas quantity and quality, rules for the matching process and for the allocation of gas quantities, communication procedures in case of exceptional events; common set of units, gas quality, including rules on managing cross-border trade restrictions due to gas quality differences and due to differences in odourisation practices, short- and long-term gas quality monitoring and information provision; data exchange, and reporting on gas quality; transparency, communication, information provision and cooperation among relevant market participants. 1. Commission Regulation (EU) 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules (OJ L 113, 1.5.2015, p. 13).	(46) Commission Regulation (EU) 2015/703¹ sets out interoperability and data exchange rules for the natural gas system, in particular with respect to interconnection agreements, including rules for flow control, measurement principles for gas quantity and quality, rules for the matching process and for the allocation of gas quantities, communication procedures in case of exceptional events; common set of units, gas quality, including rules on managing cross-border trade restrictions due to gas quality differences and due to differences in odourisation practices, short- and long-term gas quality monitoring and information provision; data exchange, and reporting on gas quality; transparency, communication, information provision and cooperation among relevant market participants. 1. Commission Regulation (EU) 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules (OJ L 113, 1.5.2015, p. 13).	~~(46) Commission Regulation (EU) 2015/703¹ sets out~~ Interoperability and data exchange rules for the natural gas system as also set out in Commission Regulation (EU) 2015/703 are essential², in particular with respect to interconnection agreements, including rules for flow control, measurement principles for gas quantity and quality, rules for the matching process and for the allocation of gas quantities, communication procedures in case of exceptional events; common set of units, gas quality, including rules on managing cross-border trade restrictions due to gas quality differences and due to differences in odourisation practices, short- and long-term gas quality monitoring and information provision; data exchange, and reporting on gas quality; transparency, communication, information provision and cooperation among relevant market participants. ~~1. Commission Regulation (EU) 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules (OJ L 113, 1.5.2015, p. 13).~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			2. Commission Regulation (EU) 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules (OJ L 113, 1.5.2015, p. 13).	
Recital 47				
57	(47) In order to ensure optimal management of the Union hydrogen network and to allow trading and supplying hydrogen across borders in the Union, a European Network of Network Operators for Hydrogen ('ENNOH') should be established. The tasks of the ENNOH should be carried out in compliance with Union competition rules. The tasks of the ENNOH should be well-defined and its working method should ensure efficiency, transparency and the representative nature of the ENNOH. The network codes prepared by ENNOH should not replace the necessary national network codes for non cross-border issues.	(47) In order to ensure optimal management of the Union hydrogen network and to allow trading and supplying hydrogen across borders in the Union, ~~a European Network of Network Operators for~~ <u>ENTSO for Gas should be renamed the joint EU organisation for Gas Transmission System Operators and Hydrogen Network Operators (the 'ENTSOG&H') and incorporate Hydrogen Network Operators into its membership and its tasks</u> ~~'ENNOH')~~ should be ~~established. The tasks of the ENNOH~~ <u>expanded to include hydrogen activities. Those tasks</u> should be carried out in compliance with Union competition rules. ~~The tasks of the ENNOH should be well-defined and its~~ <u>be well-defined and be performed in a manner representative to gas and hydrogen. The</u> working method <u>of</u>	(47) In order to ensure optimal management of the Union hydrogen network and to allow trading and supplying hydrogen across borders in the Union, a European Network of Network Operators for Hydrogen ('ENNOH') should be established. The tasks of the ENNOH should be carried out in compliance with Union competition rules. The tasks of the ENNOH should be well-defined and its working method should ensure efficiency, transparency and the representative nature of the ENNOH. ~~The network codes prepared by ENNOH should not replace the necessary national network codes for non cross-border issues.~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>the ENTSG&H</u> should ensure efficiency, ~~transparency and the representative nature of the ENNOH~~ <u>and transparency</u>. The network codes prepared by ~~ENNOH~~ <u>the ENTSG&H</u> should not replace the necessary national network codes for non cross-border issues.		
Recital 48				
58	(48) Until the ENNOH is established, a temporary platform should be set up under the lead of the Commission with the involvement of ACER and all relevant market participants, including the ENTSO for Gas, the ENTSO for Electricity and the EU DSO entity. This platform should support early work on scoping and developing issues relevant for the building up of the hydrogen network and markets without formal decision-making powers. The platform should be dissolved once ENNOH is established. Until the ENNOH is established, the ENTSO for Gas will be responsible for the development of Union-wide network development	<i>deleted</i>	(48) Until the ENNOH is established, a temporary platform should be set up under the lead of the Commission with the involvement of ACER and all relevant market participants, including the ENTSO for Gas, the ENTSO for Electricity and the EU DSO entity. This platform should support early work on scoping and developing issues relevant for the building up of the hydrogen network and markets without formal decision-making powers. The platform should be dissolved once ENNOH is established. Until the ENNOH is established, the ENTSO for Gas will be responsible for the development of Union-wide network development	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	plans, including hydrogen networks.		plans, including hydrogen networks.	
Recital 49				
59	(49) In order to ensure transparency regarding the development of the hydrogen network in the Union, the ENNOH should establish, publish and regularly update a non-binding Union-wide ten-year network development plan for hydrogen targeted at the needs of the developing hydrogen markets. Viable hydrogen transportation networks and necessary interconnections, relevant from a commercial point of view, should be included in that network development plan. The ENNOH should participate in the development of the energy system wide cost-benefit analysis – including the interlinked energy market and network model including electricity, gas and hydrogen transport infrastructure as well as storage, LNG and electrolyzers –, the scenarios for the ten-year network development plans and the infrastructure gaps identification report as set out in	(49) In order to ensure ~~transparency regarding the~~ <u>transparent and efficient</u> development of the hydrogen network in the Union, the ~~ENNOH~~ <u>ENTSOG&H</u> should establish, publish and regularly update a <u>single</u>, non-binding Union-wide ten-year network development plan for <u>gas and</u> hydrogen ~~targeted at~~ <u>paying due consideration to</u> the needs of the <u>two distinct gas and</u> developing hydrogen markets. Viable hydrogen transportation networks and necessary interconnections, relevant from a commercial point of view, should be included in that network development plan. The ~~ENNOH~~ <u>ENTSOG&H</u> should <u>continue to</u> participate in the development of the energy system wide cost-benefit analysis – including the interlinked energy market and network model including electricity, gas and hydrogen transport infrastructure as well as storage, LNG and	(49) In order to ensure transparency regarding the development of the hydrogen network in the Union, the ENNOH should establish, publish and regularly update a non-binding Union-wide ten-year network development plan for hydrogen targeted at the needs of the developing hydrogen markets. Viable hydrogen ~~transportation~~ transport networks and necessary interconnections, relevant from a commercial point of view, should be included in that network development plan. The ENNOH should participate in the development of the energy system wide cost-benefit analysis – including the interlinked energy market and network model including electricity, gas and hydrogen transport infrastructure as well as storage, LNG and electrolyzers –, the scenarios for the ten-year network development plans and the infrastructure gaps identification report as set out in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Articles 11, 12 and 13 of [the TEN-E Regulation as proposed in COM(2020) 824 final] for the development of the lists of projects of common interest. For that purpose, the ENNOH should closely cooperate with the ENTSO for Electricity and the ENTSO for Gas to facilitate system integration. The ENNOH should undertake those tasks for the first time for the development of the 8th list of projects of common interest, provided it is operational and in the position to deliver the necessary input to the ten-year network development plan by 2026.	electrolysers—, the scenarios for the ten-year network development plans and the infrastructure gaps identification report as set out in Articles 11, 12 and 13 of ~~the TEN-E Regulation as proposed in COM(2020) 824 final~~ <u>Regulation (EU) 2022/869 of the European Parliament and of the Council¹</u> for the development of the lists of projects of common interest. For that purpose, the ~~ENNOH~~ <u>ENTSOG&H</u> should closely cooperate with the ENTSO for Electricity ~~and the ENTSO for Gas~~ to facilitate system integration. ~~The ENNOH should undertake those tasks for the first time for the development of the 8th list of projects of common interest, provided it is operational and in the position to deliver the necessary input to the ten-year network development plan by 2026.~~ <u>1. [1] Regulation (EU) 2022/869 of the European Parliament and of the Council of 30 May 2022 on guidelines for trans-European energy infrastructure, amending Regulations (EC) No 715/2009, (EU) 2019/942 and (EU) 2019/943 and Directives 2009/73/EC and (EU) 2019/944, and repealing Regulation (EU) No 347/2013 (OJ L 152, 3.6.2022, p. 45).</u>	Articles 11, 12 and 13 of ~~the TEN-E Regulation as proposed in COM(2020) 824 final~~ <u>(EU) 2022/869</u> for the development of the lists of projects of common interest. For that purpose, the ENNOH should closely cooperate with the ENTSO for Electricity and the ENTSO for Gas to facilitate system integration. The ENNOH should undertake those tasks for the first time for the development of the 8th list of projects of common interest, provided it is operational and in the position to deliver the necessary input to the ten-year network development plan by 2026.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 50				
60	(50) All market participants have an interest in the work expected of the ENNOH. An effective consultation process is therefore essential. Overall, ENNOH should seek, build on and integrate in its work experience with infrastructure planning, development and operation in cooperation with other relevant market participants and their associations.	(50) All market participants have an interest in the work expected of the ~~ENNOH~~ <u>ENTSOG&H</u> . An effective consultation process is therefore essential. Overall, ~~ENNOH~~ <u>the ENTSOG&H</u> should seek, build on and integrate in its work experience with infrastructure planning, development and operation in cooperation with other relevant market participants and their associations.	(50) All market participants have an interest in the work expected of the ENNOH. An effective consultation process is therefore essential. Overall, ENNOH should seek, build on and integrate in its work experience with infrastructure planning, development and operation in cooperation with other relevant market participants and their associations.	
Recital 51				
61	(51) Given that more effective progress may be achieved through an approach at regional level, hydrogen network operators should set up regional structures within the overall cooperation structure, while ensuring that results at regional level are compatible with network codes and Union-wide non-binding ten-year network development plans. Member States should promote cooperation and monitor the	(51) Given that more effective progress may be achieved through an approach at regional level, hydrogen network operators should set up regional structures within the overall cooperation structure, while ensuring that results at regional level are compatible with network codes and Union-wide non-binding ten-year network development plans. Member States should promote cooperation and monitor the	(51) Given that more effective progress may be achieved through an approach at regional level, hydrogen network operators should set up regional structures within the overall cooperation structure, while ensuring that results at regional level are compatible with network codes and Union-wide non-binding ten-year network development plans. Member States should promote cooperation and monitor the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	effectiveness of the network at regional level.	effectiveness of the network at regional level.	effectiveness of the network at regional level.	
Recital 52				
62	(52) Transparency requirements are necessary to ensure that trust in the emerging hydrogen markets in the Union can develop among market participants. Equal access to information on the physical status and functioning of the hydrogen system is necessary to enable all market participants to assess the overall demand and supply situation and to identify the reasons for market price developments. Information should be always disclosed in a meaningful and easily accessible manner and on a non-discriminatory basis.	(52) Transparency requirements are necessary to ensure that trust in the emerging hydrogen markets in the Union can develop among market participants. Equal access to information on the physical status and functioning of the hydrogen system is necessary to enable all market participants to assess the overall demand and supply situation and to identify the reasons for market price developments. Information should be always disclosed in a meaningful and easily accessible manner and on a non-discriminatory basis.	(52) Transparency requirements are necessary to ensure that trust in the emerging hydrogen markets in the Union can develop among market participants. Equal access to information on the physical status and functioning of the hydrogen system is necessary to enable all market participants to assess the overall demand and supply situation and to identify the reasons for market price developments. Information should be always disclosed in a meaningful and easily accessible manner and on a non-discriminatory basis.	
Recital 53				
63	(53) The ENNOH will establish a central, web-based platform for making available all data relevant for market participants to gain effective access to the network.	(53) The ~~ENNOH~~ ENTSOG&H will establish a central, web-based platform for making available all data relevant for market participants to gain effective access to the network.	(53) The ENNOH ~~will~~ should establish a central, web-based platform for making available all data relevant for market participants to gain effective access to the network.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
63a		<u>(53a) In order to promote overall energy system integration, sector coupling and the increase of efficiency and synergies across the energy sectors, the ENTSG&H and ENTSOE shall cooperate closely with each other. This shall include, in particular, cooperation on the development of the energy system wide cost-benefit analysis, capacity requirements across the energy systems, and the interlinked energy markets and network modelling including electricity, gas and hydrogen transport infrastructure as well as storage, the Union's climate and energy efficiency objectives, LNG and hydrogen terminals and electrolyzers referred to in Article 11 of Regulation (EU) 2022/869, the scenarios for the Ten-Year Network Development Plans referred to in Article 12 of Regulation (EU) 2022/869 and the infrastructure gaps identification referred to in Article 13 of Regulation (EU) 2022/869.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
63b		<u>(53b) The achievement of the offshore wind development targets of the REPowerEU Plan are of paramount importance for the needed acceleration of the decarbonisation and the development of the market for renewable hydrogen. Therefore, where technically possible, ENTSOG&H and ENTSO-E should harmonise their work under the European Plan for Priority Corridors for Hydrogen (consistent with Annex I to Regulation (EU) 2022/869 and reinforced by the REPowerEU Plan) and high-level strategic integrated offshore network development plans referred to in Article 14(2) of Regulation (EU) 2022/869 in order to ensure that the site and size of the hydrogen injection points across the two systems are appropriate.</u>		
Recital 54				
64	(54) The conditions for access to hydrogen networks in the early phase of market development should ensure efficient operation,	(54) The conditions for access to hydrogen networks in the early phase of market development should ensure efficient operation,	(54) The conditions for access to hydrogen networks in the early phase of market development should ensure efficient operation,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	non-discrimination and transparency for network users while preserving sufficient flexibility for operators. Limiting the maximum duration of capacity contracts should reduce the risk of contractual congestion and capacity hoarding.	non-discrimination and transparency for network users while preserving sufficient flexibility for operators. Limiting the maximum duration of capacity contracts should reduce the risk of contractual congestion and capacity hoarding.	non-discrimination and transparency for network users while preserving sufficient flexibility for operators. Limiting the maximum duration of capacity contracts should reduce the risk of contractual congestion and capacity hoarding.	
Recital 55				
65	(55) General conditions for granting third-party access to hydrogen storage facilities and hydrogen terminals should be set out in order to ensure non-discriminatory access and transparency for network users.	(55) General conditions for granting third-party access to hydrogen storage facilities and hydrogen terminals should be set out in order to ensure non-discriminatory access and transparency for network users.	(55) General conditions for granting third-party access to hydrogen storage facilities and hydrogen terminals should be set out in order to ensure non-discriminatory access and transparency for network users.	
Recital 56				
66	(56) Hydrogen network operators should cooperate to create network codes for providing and managing transparent and non-discriminatory access to the networks across borders and to ensure coordinated development of the network in the Union, including the creation of interconnection capacities. The network codes should be in line with non-binding framework	(56) Hydrogen network operators should cooperate to create network codes for providing and managing transparent and non-discriminatory access to the networks across borders and to ensure coordinated development of the network in the Union, including the creation of interconnection capacities. The network codes should be in line with non-binding framework	(56) Hydrogen network operators should cooperate to create network codes for providing and managing transparent and non-discriminatory access to the networks across borders and to ensure coordinated development of the network in the Union, including the creation of interconnection capacities. The Commission should establish the first priority list for the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	guidelines developed by ACER. ACER should have a role in reviewing, based on matters of fact, draft network codes, including their compliance with the framework guidelines, and it should be enabled to recommend them for adoption by the Commission. ACER should assess proposed amendments to the network codes and it should be enabled to recommend them for adoption by the Commission. Hydrogen network operators should operate their networks in accordance with those network codes.	guidelines developed by ACER. ACER should have a role in reviewing, based on matters of fact, draft network codes, including their compliance with the framework guidelines, and it should be enabled to recommend them for adoption by the Commission. ACER should assess proposed amendments to the network codes and it should be enabled to recommend them for adoption by the Commission. Hydrogen network operators should operate their networks in accordance with those network codes.	identification of areas to be included in the development of network codes for hydrogen one year after the establishment of the ENNOH. The network codes should be in line with non-binding framework guidelines developed by ACER. ACER should have a role in reviewing, based on matters of fact, draft network codes, including their compliance with the framework guidelines, and it should be enabled to recommend them for adoption by the Commission. ACER should assess proposed amendments to the network codes and it should be enabled to recommend them for adoption by the Commission. Hydrogen network operators should operate their networks in accordance with those network codes.	
Recital 57				
67	(57) The network codes prepared by the ENNOH are not intended to replace the necessary national rules for non-cross-border issues.	(57) The network codes prepared by the ~~ENNOH~~<u>ENTSOG&H</u> are not intended to replace the necessary national rules for non-cross-border issues.	(57) The network codes prepared by the ENNOH are not intended to replace the necessary national rules for non-cross-border issues.	
Recital 58				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
68	(58) The quality of hydrogen transported and consumed in Europe can vary depending on its production technology and transportation specificities. Therefore, a harmonised approach at Union level to hydrogen quality management at cross-border interconnectors should lead to the cross-border flow of hydrogen and to market integration.	(58) The quality of hydrogen transported and consumed in Europe can vary depending on its production technology and transportation specificities. Therefore, a harmonised approach at Union level to hydrogen quality management at cross-border interconnectors should lead to the cross-border flow of hydrogen and to market integration.	(58) The quality of hydrogen transported and consumed in Europe can vary depending on its production technology and ~~transportation~~ transport specificities. Therefore, a harmonised approach at Union level to hydrogen quality management at cross-border interconnectors should lead to the cross-border flow of hydrogen and to market integration.	
Recital 59				
69	(59) Where the regulatory authority considers it necessary, hydrogen network operators could become responsible for managing hydrogen quality in their networks, within the framework of applicable hydrogen quality standards, ensuring reliable and stable hydrogen quality for end-consumers.	(59) Where the regulatory authority considers it necessary, hydrogen network operators could become responsible for managing hydrogen quality in their networks, within the framework of applicable hydrogen quality standards, ensuring reliable and stable hydrogen quality for end-consumers.	~~(59) Where the regulatory authority considers it necessary, hydrogen network operators could become responsible for managing hydrogen quality in their networks, within the framework of applicable hydrogen quality standards, ensuring reliable and stable hydrogen quality for end-consumers.~~	
Recital 60				
70	(60) A strong cross-border coordination and dispute settlement process between	(60) A strong cross-border coordination and dispute settlement process between	(60) A strong cross-border coordination and dispute settlement process between	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	hydrogen system operators is essential to facilitate the transport of hydrogen across hydrogen networks within the Union and thereby to move towards greater internal market integration. Enhanced transparency requirements on hydrogen quality parameters and on their development over time combined with monitoring and reporting obligations should contribute to the well-functioning of an open and efficient internal market in hydrogen.	hydrogen system operators is essential to facilitate the transport of hydrogen across hydrogen networks within the Union and thereby to move towards greater internal market integration. Enhanced transparency requirements on hydrogen quality parameters and on their development over time combined with monitoring and reporting obligations should contribute to the well-functioning of an open and efficient internal market in hydrogen.	hydrogen system ~~network~~ operators is essential to facilitate the transport of hydrogen across hydrogen networks within the Union and thereby to move towards greater internal market integration. Enhanced transparency requirements on hydrogen quality parameters and on their development over time combined with monitoring and reporting obligations should contribute to the well-functioning of an open and efficient internal market in hydrogen.	
Recital 61				
71	(61) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers in accordance with Article 291 of TFEU should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.¹ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States	(61) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers in accordance with Article 291 of TFEU should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.¹ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States	(61) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers in accordance with Article 291 of TFEU should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council.¹ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States	

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	of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	
Recital 62				
72	(62) To ensure the efficient operation of the European hydrogen networks, hydrogen network operators should be responsible for the operation, maintenance and development of the hydrogen transport network in close cooperation with other hydrogen network operators as well as with other system operators their networks are connected with, including to facilitate energy system integration.	(62) To ensure the efficient operation of the European hydrogen networks, hydrogen network operators should be responsible for the operation, maintenance and development of the hydrogen transport network in close cooperation with other hydrogen network operators as well as with other system operators their networks are connected with, including to facilitate energy system integration.	(62) To ensure the efficient operation of the European hydrogen networks, hydrogen network operators should be responsible for the operation, maintenance and development of the hydrogen transport network in close cooperation with other hydrogen network operators as well as with other system operators their networks are connected with, including to facilitate energy system integration.	
Recital 63				
73	(63) It is in the interest of the functioning of the internal market to have standards which have been harmonised at Union level. Once the reference to such a standard has been published in the Official Journal of the European Union, compliance with it should raise a presumption of conformity with	(63) It is in the interest of the functioning of the internal market to have standards which have been harmonised at Union level. Once the reference to such a standard has been published in the Official Journal of the European Union, compliance with it should raise a presumption of conformity with	(63) It is in the interest of the functioning of the internal market to have standards which have been harmonised at Union level. Once the reference to such a standard has been published in the Official Journal of the European Union, compliance with it should raise a presumption of conformity with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the corresponding requirements set out in the implementing measure adopted on the basis of this Regulation, although other means of demonstrating such conformity should be permitted. In line with Article 10 of Regulation (EU) 1025/2012, the European Commission can request European standardisation organisations to develop technical specifications, European standards and harmonised European standards. One of the main roles of harmonised standards should be to help operators in applying the implementing measures adopted under this Regulation and recast Gas Directive as proposed in COM(2021) xxx.	the corresponding requirements set out in the implementing measure adopted on the basis of this Regulation, although other means of demonstrating such conformity should be permitted. In line with Article 10 of Regulation (EU) 1025/2012, the European Commission can request European standardisation organisations to develop technical specifications, European standards and harmonised European standards. One of the main roles of harmonised standards should be to help operators in applying the implementing measures adopted under this Regulation and recast Gas Directive as proposed in COM(2021) xxx.	the corresponding requirements set out in the implementing measure adopted on the basis of this Regulation, although other means of demonstrating such conformity should be permitted. In line with Article 10 of Regulation (EU) 1025/2012, the European Commission can request European standardisation organisations to develop technical specifications, European standards and harmonised European standards. One of the main roles of harmonised standards should be to help operators in applying the implementing measures adopted under this Regulation and recast Gas Directive as proposed in COM(2021) xxx.	
73a			(63a) The current EU standardisation framework which is based on the New Approach principles and on Regulation (EU) No.1025/2012 represents the framework by default to elaborate standards that provide presumption of conformity with the relevant requirements of this Regulation	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			or set out in specific implementing or delegated acts adopted on the basis of this Regulation. European standards should be market driven and take into account the public interest, as well as the policy objectives clearly stated in the Commission's request to one or more European standardisation organisations to draft harmonised standards, within a set deadline and be based on consensus. However, in the absence of relevant references to harmonised standards, or when the standardisation process is blocked or there are delays in the establishment of appropriate harmonised standards, the Commission should be able to establish, via implementing or delegate acts, common specifications for the requirements of this Regulation, provided that in doing so it duly respects the standardisation organisations' role and functions. This option should be understood as an exceptional fallback solution to facilitate operators in applying relevant measures under implementing or delegated acts adopted under	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			this Regulation and recast Gas Directive as proposed in COM(2021) xxx. If a delay in establishing harmonised standards is due to the technical complexity of the standard in question, this should be considered by the Commission before contemplating the establishment of common specifications.	
Recital 64				
74	(64) In order to fully take into account the quality requirements of hydrogen end-users, technical specifications and standards for the quality of hydrogen in the hydrogen network will have to consider already existing standards setting such end-user requirements (for instance, the standard EN 17124).	(64) In order to fully take into account the quality requirements of hydrogen end-users, technical specifications and standards for the quality of hydrogen in the hydrogen network will have to consider already existing standards setting such end-user requirements (for instance, the standard EN 17124).	(64) In order to fully take into account the quality requirements of hydrogen end-users, technical specifications and standards for the quality of hydrogen in the hydrogen network ~~will have to consider~~ should take into account already existing standards setting such end-user requirements (for instance, the standard EN 17124).	
Recital 65				
75	(65) Hydrogen system operators should build sufficient cross-border capacity for the transportation of hydrogen	(65) Hydrogen system operators should build sufficient cross-border capacity for the transportation of hydrogen	(65) Hydrogen ~~system~~ network operators should build sufficient cross-border capacity for the ~~transportation~~ transport of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	accommodating all economically reasonable and technically feasible demands for such capacity, thereby enabling market integration.	accommodating all economically reasonable and technically feasible demands for such capacity, thereby enabling market integration.	hydrogen accommodating all economically reasonable and technically feasible demands for such capacity, thereby enabling market integration.	
Recital 66				
76	(66) ACER should publish a monitoring report on the status of congestion.	(66) ACER should publish a monitoring report on the status of congestion.	(66) ACER should publish a monitoring report on the status of congestion.	
Recital 67				
77	(67) In view of the potential of hydrogen as energy carrier and the possibility that Member States will engage in trade in hydrogen with third countries, it is necessary to clarify that intergovernmental agreements in the field of energy relating to gas subject to notification obligations in accordance with Decision (EU) 2017/684 include intergovernmental agreements relating to hydrogen, including hydrogen compounds such as ammonia and liquid organic hydrogen carriers.	(67) In view of the potential of hydrogen as energy carrier and the possibility that Member States will engage in trade in hydrogen with third countries, it is necessary to clarify that intergovernmental agreements in the field of energy relating to gas subject to notification obligations in accordance with Decision (EU) 2017/684 include intergovernmental agreements relating to hydrogen, including hydrogen compounds such as ammonia and liquid organic hydrogen carriers.	(67) In view of the potential of hydrogen as energy carrier and the possibility that Member States will engage in trade in hydrogen with third countries, it is necessary to clarify that intergovernmental agreements in the field of energy relating to gas subject to notification obligations in accordance with Decision (EU) 2017/684 include intergovernmental agreements relating to hydrogen, including hydrogen compounds such as ammonia and liquid organic hydrogen carriers.	

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77a			(67a) Investments in major new infrastructure should be strongly promoted while ensuring the proper functioning of the internal market of gases in natural gas. In order to enhance the positive effect of exempted infrastructure projects on competition and security of supply, market interest during the project planning phase should be tested and congestion management rules should be implemented. Where an infrastructure is located in the territory of more than one Member State, ACER should handle as a last resort the exemption request in order to take better account of its cross-border implications and to facilitate its administrative handling. Moreover, given the exceptional risk profile of constructing those exempted major infrastructure projects, it should be possible temporarily to grant partial or full derogations to undertakings with supply and production interests in respect of the unbundling rules for the projects concerned. The	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			possibility of temporary derogations should apply, for security of supply reasons, in particular, to new pipelines within the Union transporting gas from third countries into the Union. Exemptions and derogations granted under Directives 2003/55/EC and 2009/73/EC with amendments should continue to apply until the scheduled expiry date as decided in the granted exemption decision or derogation.	
Recital 67a				
77b		<u>(67a) The current empowerments vested on ACER by Regulation (EU) No 1227/2011 of the European Parliament and of the Council¹ and Commission Implementing Regulation (EU) No 1348/2014² (together referred to as 'REMIT') do not suffice to create a complete and comprehensive dataset of all LNG deliveries into the Union. However, such a comprehensive and complete dataset for daily LNG price assessment is necessary for the Union to</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>manage, in a spirit of solidarity, its procurement policies for international LNG imports, in particular during the on-going crisis situation. Relevant data and information on LNG contracts are also necessary to ensure monitoring of price developments as well as perform data quality control and quality assurance. Although the crisis situation resulting from the Russian Federation's unprovoked and unjustified military aggression against Ukraine required urgent action, including the conferral of additional powers and tasks to ACER under Council Regulation (EU) 2022/2576³, the establishment of a daily LNG price assessment and LNG benchmark on a permanent basis should be included.</u> <u>1. Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency (OJ L 326, 8.12.2011, p. 1).</u> <u>2. Commission Implementing Regulation (EU) No 1348/2014 of 17 December 2014 on data reporting implementing Article 8(2) and Article 8(6) of Regulation (EU) No 1227/2011 of the European Parliament and of the Council on wholesale energy market integrity and</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>transparency (OJ L 363, 18.12.2014, p. 121).</u> <u>3. Council Regulation (EU) 2022/2576 of 19 December 2022 enhancing solidarity through better coordination of gas purchases, reliable price benchmarks and exchanges of gas across borders (OJ L 335, 29.12.2022, p. 1).</u>		
Recital 68				
78	(68) In reaction to the significant and EU-wide energy price increases evidenced in autumn 2021 and their negative impacts, the Communication of the Commission of 13 October 2021 entitled ‘Tackling rising energy prices: a toolbox for action and support’ highlighted the importance of an effective and well-functioning internal energy market and of the effective use of gas storages in Europe across the Single market. The Communication also emphasised that a better coordination of security of supply across borders is crucial for the resilience against future shocks. On 20/21 October 2021, the European Council adopted conclusions inviting the Commission to swiftly consider measures that increase the	(68) In reaction to the significant and ~~EU-wide~~<u>Union-wide</u> energy price increases evidenced in autumn 2021 and their negative impacts, the communication of the Commission of 13 October 2021 entitled ‘Tackling rising energy prices: a toolbox for action and support’ highlighted the importance of an effective and well-functioning internal energy market and of the effective use of gas storages in Europe across the Single market. ~~The~~<u>That</u> communication also emphasised that a better coordination of security of supply across borders is crucial for the resilience against future shocks. On 20/21 October 2021, the European Council adopted conclusions inviting the Commission to swiftly consider measures that increase the	(68) ~~In reaction to the significant and EU-wide energy price increases evidenced in autumn 2021 and their negative impacts, the Communication of the Commission of 13 October 2021 entitled ‘Tackling rising energy prices: a toolbox for action and support’ highlighted the importance of an effective and well-functioning internal energy market and of the effective use of gas storages in Europe across the Single market. The Communication also emphasised that a better coordination of security of supply across borders is crucial for the resilience against future shocks. On 20/21 October 2021, the European Council adopted conclusions inviting the Commission to swiftly consider measures that increase the~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	resilience of the EU's energy system and the internal energy market, including measures which enhance security of supply. To contribute to a consistent and timely response to this crisis and possible new crisis at Union level, specific rules to improve cooperation and resilience, notably concerning better-coordinated storage and solidarity rules, should be introduced in this Regulation and in Regulation (EU) 2017/1938.	resilience of the ~~EU~~ Union's energy system and the internal energy market, including measures which enhance security of supply. <u>In response to Russia's invasion of Ukraine, the Commission presented the REPowerEU Plan on 8 March 2022 in order to phase out Union's dependency on Russian fossil fuels and to accelerate the clean energy transition.</u> To contribute to a consistent and timely response to this crisis and possible new crisis at Union level, specific rules to improve cooperation and resilience, ~~notably~~ <u>in particular</u> concerning better-coordinated storage and solidarity rules, should be introduced in this Regulation and in Regulation (EU) 2017/1938, <u>complementing the mandatory minimum level of gas in storage facilities.</u>	~~resilience of the EU's energy system and the internal energy market, including measures which enhance security of supply.~~ To contribute to a consistent and timely response to this crisis and possible new crisis at Union level, specific rules to improve cooperation and resilience, notably concerning better-coordinated storage and solidarity rules, should be introduced in this Regulation and in Regulation (EU) 2017/1938.	
Recital 69				
79	(69) The analysis of the functioning of the storage capacities in the regional common risk assessments should be based on objective assessments of the needs for the security of supply,	(69) The analysis of the functioning of the storage capacities in the regional common risk assessments should be based on objective assessments of the needs for the security of supply,	~~(69) The analysis of the functioning of the storage capacities in the regional common risk assessments should be based on objective assessments of the needs for the security of supply,~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	duly taking into account cross-border cooperation and the solidarity obligations under this Regulation. It should also take into account the importance of avoiding stranded assets in the clean energy transition and the goal of reducing the dependency of the Union to external fossil fuels providers. The analysis should include an assessment of the risks linked to the control of storage infrastructure by third country entities. The analysis should take into account the possibility to use storage facilities in other Member States and for transmission system operators to set up joint procurement of strategic stocks for emergency situations provided that the conditions of this Regulation are respected. The regional common risk assessments and national risk assessments should be consistent with each other in order to identify the measures of the national preventive and emergency plans in compliance with this Regulation ensuring that any measures taken do not harm the security of supply of other Member States and do not unduly hinder the effective functioning of the gas market. For	duly taking into account cross-border cooperation and the solidarity obligations under this Regulation. It should also take into account the <u>full potential of the energy efficiency policies and energy savings and</u> importance of avoiding stranded assets in the clean energy transition and the goal of reducing the dependency of the Union ~~to~~ external fossil fuels providers. The analysis should include an assessment of the risks linked to the <u>direct or indirect ownership or</u> control of storage infrastructure by third country entities. The analysis should take into account the possibility to use storage facilities in other Member States and for transmission system operators to set up joint procurement of ~~strategic stocks for emergency situations~~<u>gas</u> provided that the conditions of this Regulation are respected. The regional common risk assessments and national risk assessments should be consistent with each other in order to identify the measures of the national preventive and emergency plans in compliance with this Regulation ensuring that any measures taken do not harm the security of supply	~~duly taking into account cross-border cooperation and the solidarity obligations under this Regulation. It should also take into account the importance of avoiding stranded assets in the clean energy transition and the goal of reducing the dependency of the Union to external fossil fuels providers. The analysis should include an assessment of the risks linked to the control of storage infrastructure by third country entities. The analysis should take into account the possibility to use storage facilities in other Member States and for transmission system operators to set up joint procurement of strategic stocks for emergency situations provided that the conditions of this Regulation are respected. The regional common risk assessments and national risk assessments should be consistent with each other in order to identify the measures of the national preventive and emergency plans in compliance with this Regulation ensuring that any measures taken do not harm the security of supply of other Member States and do not unduly hinder the effective functioning of the gas market. For~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	instance they should not block or restrict the use of cross-border transport capacities.	of other Member States and do not unduly hinder the effective functioning of the gas market. For instance they should not block or restrict the use of cross-border transport capacities.	~~instance they should not block or restrict the use of cross-border transport capacities.~~	
Recital 70				
80	(70) Cooperation of Member States with the Contracting Parties to the Treaty establishing the Energy Community¹ that have large available storage capacities could support actions where storage in the Union is not feasible or cost effective. This can include the possibility to consider to use these storage capacities located outside the Union in the relevant common risk assessment. Member States may request the relevant regional risk groups to invite experts from the third country to ad-hoc sessions of the regional risk groups without creating a precedent of regular and full participation. ¹. OJ L 198, 20.7.2006, p. 18	(70) Cooperation of Member States with the Contracting Parties to the Treaty establishing the Energy Community¹ that have large available storage capacities could support actions where storage in the Union is not feasible or cost effective. This can include the possibility to consider to use these storage capacities located outside the Union in the relevant common risk assessment. Member States may request the relevant regional risk groups to invite experts from the third country to ad-hoc sessions of the regional risk groups without creating a precedent of regular and full participation. ¹. OJ L 198, 20.7.2006, p. 18	~~(70) Cooperation of Member States with the Contracting Parties to the Treaty establishing the Energy Community¹ that have large available storage capacities could support actions where storage in the Union is not feasible or cost effective. This can include the possibility to consider to use these storage capacities located outside the Union in the relevant common risk assessment. Member States may request the relevant regional risk groups to invite experts from the third country to ad-hoc sessions of the regional risk groups without creating a precedent of regular and full participation.~~ ~~¹. OJ L 198, 20.7.2006, p. 18~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
80a			(70a) The escalation of the Russian military aggression against Ukraine since February 2022 has led to declining gas supplies from that country. Notably, pipeline flows of gas from Russia through Belarus and the Nord Stream 1 pipeline have stopped and gas supplies through Ukraine have steadily decreased, seriously jeopardising the security of energy supply in the Union as a whole. Those weaponised reductions of natural gas supplies and manipulation of the markets through intentional disruptions of gas flows have laid bare vulnerabilities and dependencies in the Union and its Member States with the clear potential of a direct and serious impact on their essential international security interests. Past evidence has also shown that gas may be used to weaponise and manipulate energy markets, for instance by hoarding capacities in gas infrastructure, to the detriment of the Union's essential international security interests. In order to mitigate the impact	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			of such events, both in the current context and for the future, Member States should exceptionally be able to take proportionate measures to limit temporarily up-front bidding for capacity by any single network user at entry points and at LNG terminals for deliveries from the Russian Federation and Belarus, where necessary to protect their essential security interests and those of the Union. This possibility should apply only in respect of the Russian Federation and Belarus, with a view to enabling Member States to respond with adequate measures to any threat to their essential security interests and those of the Union arising from the situation, including by reducing their dependency on Russian fossil fuels, in line with the REPowerEU objectives. Any such limitations should not run counter to international obligations of the Union or the Member States and should be in accordance with Article XXI of the General Agreement on Tariffs and Trade. Before applying any such limitations, Member States should consult	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			the Commission and, in so far as they are likely to be affected by the limitation, other Member States, the Energy Community Contracting Parties, the Contracting Parties to the Agreement on the European Economic Area, and the United Kingdom of Great Britain and Northern Ireland, and take into account the situation in those Member States and third countries, notably in terms of security of supply. Member States should take due account of potential effects of their measure on other Member States and notably respect the principle of energy solidarity, including with a view to ensuring security of supply, when assessing the appropriateness and scope of any envisaged limitation.	
Recital 71				
81	(71) Joint procurement of strategic stocks by several transmission operators of different Member States should be designed in a way so that they can be used in case of Union wide or regional	(71) Joint procurement of ~~strategic stocks~~ <u>gas</u> by several transmission operators of different Member States <u>or other undertakings designated by the Member States</u> should be designed	~~(71) Joint procurement of strategic stocks by several transmission operators of different Member States should be designed in a way so that they can be used in case of Union wide or regional~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	emergency as part of the actions coordinated by the Commission pursuant to Article 12(3) of Regulation (EU) 2017/1938. Transmission system operators which engage in joint procurement of strategic stocks shall ensure that any joint purchasing agreement complies with the EU competition rules, and in particular with the requirements of Article 101 TFEU. The notification done to assess the compliance with this Regulation is without prejudice to the notification of aids granted by States, where applicable, under Article 108(3) TFEU.	in a way so that ~~they~~<u>it</u> can be used in <u>the</u> case of Union-~~wide~~ or regional emergency as part of the actions coordinated by the Commission pursuant to Article 12(3) of Regulation (EU) 2017/1938. Transmission system operators <u>or other undertakings designated by the Member States</u> which engage in joint procurement of ~~strategic stocks shall~~<u>gas should</u> ensure that any joint purchasing agreement complies with the ~~EU~~<u>Union</u> competition rules, and in particular with the requirements of Article 101 TFEU. The notification ~~done~~<u>effected</u> to assess the compliance <u>of the envisaged voluntary mechanism for the joint procurement of gas</u> with this Regulation is without prejudice to the notification of aids granted by States, where applicable, under Article 108(3) TFEU.	~~emergency as part of the actions coordinated by the Commission pursuant to Article 12(3) of Regulation (EU) 2017/1938. Transmission system operators which engage in joint procurement of strategic stocks shall ensure that any joint purchasing agreement complies with the EU competition rules, and in particular with the requirements of Article 101 TFEU. The notification done to assess the compliance with this Regulation is without prejudice to the notification of aids granted by States, where applicable, under Article 108(3) TFEU.~~	
81a		<u>(71a) Trading venues offering energy-related commodity derivatives often admit for participation various energy firms from all Member States. Such energy firms rely heavily on</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>derivatives traded on such trading venues to ensure crucial supplies of gas and electricity across the Union. Excessive price movements occurring on energy-related commodity derivatives trading venues therefore affect the operation of energy firms across the whole Union, ultimately also adversely affecting end-consumers. Therefore, in a spirit of solidarity between Member States, coordination of the implementation and application of the intra-day volatility management mechanism should be undertaken, to ensure that operators essential for the security of the energy supply in all Member States benefit from safeguards against large price movements that are detrimental to the continued operation of their business, which would also be detrimental to the end-consumers.</u>		
81b		<u>(71b) The intra-day volatility management mechanism should ensure that excessive movements</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>in prices within a trading day are prevented. The mechanism should be based on the observed market price at regular intervals. Given the wide diversity of instruments in energy derivatives markets and the peculiarities of the trading venues associated with such instruments, the intra-day volatility management mechanisms should be adapted to the specificities of those instruments and markets. Therefore, price limits should be set up by trading venues taking into account the specificities of each relevant energy-related commodity derivative, the liquidity profile of the market for such derivative and its volatility profile.</u>		
Recital 72				
82	(72) The European energy sector is undergoing an important change towards a decarbonised economy, while ensuring security of supply and competitiveness. While cybersecurity in the electricity sub-sector is already advancing with a network code on cross-border electricity flow, sector-	(72) The European energy sector is undergoing an important change towards a <u>highly efficient</u> decarbonised economy <u>based on renewable energy sources</u>, while ensuring security of supply and competitiveness. While cybersecurity in the electricity sub-sector is already advancing	(72) The European energy sector is undergoing an important change towards a decarbonised economy, while ensuring security of supply and competitiveness. While cybersecurity in the electricity sub-sector is already advancing with a network code on cross-border electricity flow, sector-	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	specific mandatory rules for the gas sub-sector are needed to ensure security of the European energy system.	with a network code on cross-border electricity flow, sector-specific mandatory rules for the gas sub-sector are needed to ensure security of the European energy system.	specific mandatory rules for the gas sub-sector which are in line with the general cybersecurity framework created by the Directive on security of network and information systems (NIS 2.0) are needed to ensure security of the European energy system. Directive (EU) 2022/2555 of the European Parliament and of the Council lays down measures to achieve a high common level of cybersecurity across the Union, while specific rules on cybersecurity need to be developed through a delegated act as laid down in this Regulation. This delegated act should complement Directive (EU) 2022/2555 by ensuring a continuous and comprehensive approach to carry out all sector specific steps from the risk assessment to the risk treatment and defining clear roles and instructions to carry out such steps by different stakeholders and authorities in the gas and hydrogen sector. The delegated act should define sector-specific rules for cyber security aspects of cross-border gas flows, including rules on common minimum requirements,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			planning, monitoring, reporting and crisis management, ensuring alignment with provisions laid down in Directive(EU) 2022/2555.	
Recital 73				
83	(73) As demonstrated in the Union wide simulation of 2017 and 2021, regional cooperation and solidarity measures are essential to ensure the resilience of the Union in case of serious deterioration of the supply situation. Solidarity measures should ensure the supply of protected solidarity customers such as households across borders in all situations. Member States should adopt the necessary measures for the implementation of the provisions concerning the solidarity mechanism, including by the Member States concerned agreeing on technical, legal and financial arrangements. Member States should describe the details of those arrangements in their emergency plans. For Member States who have not agreed the necessary bilateral agreement, the default template of this Regulation	(73) As demonstrated in the Union wide simulation of 2017 and 2021, regional cooperation and solidarity measures are essential to ensure the resilience of the Union in case of serious deterioration of the supply situation. Solidarity measures should ensure the supply of protected solidarity customers such as households across borders in all situations. Member States should adopt the necessary measures for the implementation of the provisions concerning the solidarity mechanism, including by the Member States concerned agreeing on technical, legal and financial arrangements. Member States should describe the details of those arrangements in their emergency plans. For Member States who have not agreed the necessary bilateral agreement, the default template of this Regulation	(73) As demonstrated in the Union wide simulation of 2017, 2021 and 2022 and 2024, regional cooperation and solidarity measures are essential to ensure the resilience of the Union in case of serious deterioration of the supply situation. Solidarity measures should ensure the supply of protected solidarity customers such as households across borders in all situations. Member States should adopt the necessary measures for the implementation of the provisions concerning the solidarity mechanism, including by the Member States concerned agreeing on technical, legal and financial arrangements. Member States should describe the details of those arrangements in their emergency plans. For Member States who have not agreed the necessary bilateral agreement, the default template of this Regulation	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	should apply in order to ensure such effective solidarity.	should apply in order to ensure such effective solidarity.	should apply in order to ensure such effective solidarity.	
Recital 74				
84	(74) Such measures may therefore give rise to an obligation for a Member State to pay compensation to those affected by its measures. To ensure that the compensation paid by the Member State requesting solidarity to the Member State providing solidarity is fair and reasonable, the national energy regulator authority for energy or the national competition authority should have, as independent authority, the power to audit the amount of compensation requested and paid and if necessary request a rectification.	(74) Such measures may therefore give rise to an obligation for a Member State to pay compensation to those affected by its measures. To ensure that the compensation paid by the Member State requesting solidarity to the Member State providing solidarity is fair and reasonable, the national energy regulator authority for energy or the national competition authority should have, as independent authority, the power to audit the amount of compensation requested and paid and if necessary request a rectification.	(74) Such measures may therefore give rise to an obligation for a Member State to pay compensation to those affected by its measures. To ensure that the compensation paid by the Member State requesting solidarity to the Member State providing solidarity is fair and reasonable, the national energy regulator authority for energy or the national competition authority should have, as independent authority, the power to audit the amount of compensation requested and paid and if necessary request a rectification.	
84a		<u>(74a) It is important for the Commission and the Member States to have a clear picture of intended and concluded gas supply contracts across the Union, in order to assess whether the objectives of security of</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>supply and energy solidarity are met. Therefore, undertakings or authorities of Member States should inform the Commission and the Member States in which those undertakings are established of large planned gas purchases above 5 TWh/year. This should in particular apply to basic information regarding new or renewed contracts. The Commission should be allowed to issue recommendations to the natural gas undertakings or authorities of the relevant Member States, in particular where further coordination could improve the functioning of joint purchasing or where the launch of a tender for the purchase of gas or planned gas purchases may have a negative impact on security of supply, the internal market or energy solidarity. The issuing of a recommendation should not prevent natural gas undertakings or authorities of the relevant Member States from proceeding with the negotiations in the meantime.</u>		
84b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(74b) Where the Commission has reasonable grounds for considering that extraordinary circumstances have occurred in which security of supply of the Union or of a given region or of a Member State cannot be fully ensured without addressing missing links, in particular taking into account the Union's aim to end dependence on a single supplier, it is encouraged to mandate the ENTSOG to carry out a transparent and in-depth analysis of the identified risks to the security of supply and of possible solutions to address it. On the basis of ENTSOG's analysis, the Commission, taking into account the need to promote Union energy security and solidarity, the rapid ending of dependence on a single supplier and the overcoming of related bottlenecks in the internal energy market may identify missing links with a view to resolving or mitigating the identified risks to the security of supply. The Commission may also identify means to support the development of such investment projects, including through an accelerated permitting procedure and</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>financial assistance. It is important that any such investment project is future-proof and compatible with the Union objectives of climate neutrality laid down in Regulation (EU) 2021/1119 and does not lead to stranded assets.</i></u>		
Recital 75				
85	(75) Since the objective of this Regulation, namely the setting of fair rules for access conditions to natural gas transmission networks, storage and LNG facilities, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale or effects of such an action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	(75) Since the objective of this Regulation, namely the setting of fair rules for access conditions to natural gas transmission networks, storage and LNG facilities, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale or effects of such an action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	(75) Since the objective of this Regulation, namely the setting of fair rules for access conditions to natural gas transmission networks, storage and LNG facilities, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale or effects of such an action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	
Formula				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
86	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
Chapter I				
87	Chapter I Subject matter, scope and definitions	Chapter I Subject matter, scope and definitions	Chapter I Subject matter, scope and definitions	
Article 1				
88	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope	
Article 1, first paragraph				
89	This Regulation:	This Regulation:	This Regulation:	
Article 1, first paragraph, point (a)				
90	(a) sets non-discriminatory rules for access conditions to natural gas and hydrogen systems taking into account the special characteristics of national and regional markets with a view to ensuring the proper functioning of the internal market in gases; and	(a) sets non-discriminatory rules for access conditions to natural gas and hydrogen systems taking into account the special characteristics of national and regional markets with a view to ensuring the proper functioning of the internal market in ~~gases;~~ <u>and gas as well as to</u>	(a) sets non-discriminatory rules for access conditions to natural gas and hydrogen systems taking into account the special characteristics of national and regional markets with a view to ensuring the proper functioning of the internal market in gases ; and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>contribute to the long-term flexibility of the electricity system;</u>		
90a		<u>(aa) encourages preventive measures reducing fossil gas demand through the implementation of the energy efficiency first principle leading to energy savings, increased direct electrification as part of a fully integrated energy system, and increased use of renewable sources of energy, and contributes to the prudent and rational use of natural resources and the achievement of the Union's climate and energy targets; and</u>		
Article 1, first paragraph, point (b)				
91	(b) facilitates the emergence of a well-functioning and transparent wholesale market with a high level of security of supply in gases and provides mechanisms to harmonise the network access rules for cross-border exchanges in gases.	(b) facilitates the emergence of a well-functioning and transparent wholesale market with a high level of security of supply in ~~gases~~ gas and provides mechanisms to harmonise the network access rules for cross-border exchanges in ~~gases~~ gas.	(b) facilitates the emergence and operation of a well-functioning and transparent wholesale market in gases with a high level of security of supply ~~in gases~~ and provides mechanisms to harmonise the network access rules for cross-border exchanges in gases .	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, second paragraph				
92	The objectives referred to in the first subparagraph shall include the setting of harmonised principles for tariffs, or the methodologies underlying their calculation, for access to the natural gas network, but not to storage facilities, the establishment of third-party access services and harmonised principles for capacity-allocation and congestion-management, the determination of transparency requirements, balancing rules and imbalance charges, and the facilitation of capacity trading.	The objectives referred to in the first subparagraph shall include the setting of harmonised principles for tariffs, or the methodologies underlying their calculation, for access to the natural gas network, but not to storage facilities, the establishment of third-party access services and harmonised principles for capacity-allocation and congestion-management, the determination of transparency requirements, balancing rules and imbalance charges, and the facilitation of capacity trading.	The objectives referred to in the first subparagraph shall include the setting of harmonised principles for tariffs, or the methodologies underlying their calculation, for access to the natural gas network, but not to storage facilities, the establishment of third-party access services and harmonised principles for capacity-allocation and congestion-management, the determination of transparency requirements, balancing rules and imbalance charges, and the facilitation of capacity trading.	
Article 1, third paragraph				
93	This Regulation, with the exception of Article 31(5), shall apply only to natural gas and hydrogen storage facilities falling under Article 29(3) or (4) of recast Gas Directive as proposed in COM(2021) xxx.	This Regulation, with the exception of Article 31(5), shall apply only to natural gas and hydrogen storage facilities falling under Article 29(3) or (4) of recast Gas Directive as proposed in COM(2021) xxx.	This Regulation, with the exception of Article 31(5), shall apply only to natural gas and hydrogen storage facilities falling under Article 29(3) or (4) of recast Gas Directive as proposed in COM(2021) xxx.	
Article 1, fourth paragraph				
94				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The Member States may establish an entity or body set up in compliance with Recast Gas Directive as presented in COM xxx for the purpose of carrying out one or more functions typically attributed to the transmission system operator or hydrogen network operator, which shall be subject to the requirements of this Regulation. That entity or body shall be subject to certification in accordance with Article 13 of this Regulation and shall be subject to designation in accordance with Article 65 of recast Gas Directive as proposed in COM(2021) xxx.	The Member States may establish an entity or body set up in compliance with Recast Gas Directive as presented in COM xxx for the purpose of carrying out one or more functions typically attributed to the transmission system operator or hydrogen network operator, which shall be subject to the requirements of this Regulation. That entity or body shall be subject to certification in accordance with Article 13 of this Regulation and shall be subject to designation in accordance with Article 65 of recast Gas Directive as proposed in COM(2021) xxx.	The Member States may establish an entity or body set up in compliance with Recast Gas Directive as presented in COM xxx for the purpose of carrying out one or more functions typically attributed to the transmission system operator or hydrogen network operator, which shall be subject to the requirements of this Regulation. That entity or body shall be subject to certification in accordance with Article 13 of this Regulation and shall be subject to designation in accordance with Article 65 of recast Gas Directive as proposed in COM(2021) xxx.	
Article 2				
95	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	
Article 2(1)				
96	1. For the purpose of this Regulation, the following definitions apply:	1. For the purpose of this Regulation, the following definitions apply:	1. For the purpose of this Regulation, the following definitions apply:	
Article 2(1), point (1)				
97				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(1) ‘regulatory asset base’ means all network assets of a network operator used for the provision of regulated network services that are taken into account when calculating network related services revenue.	(1) ‘regulatory asset base’ means all network assets of a network operator used for the provision of regulated network services that are taken into account when calculating network related services revenue.	(1) ‘regulatory asset base’ means all network assets of a transmission system operator, distribution system operator and hydrogen network operator used for the provision of regulated network services that are taken into account when calculating network related services revenue.	
Article 2(1), point (2)				
98	(2) ‘transmission’ means the transport of natural gas through a network, which mainly contains high-pressure pipelines, other than an upstream pipeline network and other than the part of high-pressure pipelines primarily used in the context of local distribution of natural gas, with a view to its delivery to customers, but not including supply;	(2) ‘transmission’ means ~~the transport of natural gas through a network, which mainly contains high-pressure pipelines, other than an upstream pipeline network and other than the part of high-pressure pipelines primarily used in the context of local distribution of natural gas, with a view to its delivery to customers, but not including supply~~ <u>transmission as defined in Article 2, point (16) of [the recast Gas Directive, COD 2021/0425];</u>	(2) ‘transmission’ means the transport of natural gas through a network, which mainly contains high-pressure pipelines, other than an upstream pipeline network and other than the part of high-pressure pipelines primarily used in the context of local distribution of natural gas, with a view to its delivery to customers, but not including supply;	
Article 2(1), point (3)				
99	(3) ‘transport contract’ means a contract which the transmission system operator or hydrogen	(3) ‘transport contract’ means a contract which the transmission system operator or hydrogen	(3) ‘transport contract’ means a contract which the transmission system operator or hydrogen	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	network operator has concluded with a network user with a view to carrying out transport services for gases;	network operator has concluded with a network user with a view to carrying out transport services for ~~gases~~ gas;	network operator has concluded with a network user with a view to carrying out transport services for gases ;	
Article 2(1), point (4)				
100	(4) ‘capacity’ means the maximum flow, expressed in normal cubic meters per time unit or in energy unit per time unit, to which the network user is entitled in accordance with the provisions of the transport contract;	(4) ‘capacity’ means the maximum flow, expressed in normal cubic meters per time unit or in energy unit per time unit, to which the network user is entitled in accordance with the provisions of the transport contract;	(4) ‘capacity’ means the maximum flow, expressed in normal cubic meters per time unit or in energy unit per time unit, to which the network user is entitled in accordance with the provisions of the transport contract;	
Article 2(1), point (5)				
101	(5) ‘unused capacity’ means firm capacity which a network user has acquired under a transport contract but which that user has not nominated by the deadline specified in the contract;	(5) ‘unused capacity’ means firm capacity which a network user has acquired under a transport contract but which that user has not nominated by the deadline specified in the contract;	(5) ‘unused capacity’ means firm capacity which a network user has acquired under a transport contract but which that user has not nominated by the deadline specified in the contract;	
Article 2(1), point (6)				
102	(6) ‘congestion management’ means management of the capacity portfolio of the transmission system operator with a view to optimal and maximum use of the	(6) ‘congestion management’ means management of the capacity portfolio of the transmission system operator with a view to optimal and maximum use of the	(6) ‘congestion management’ means management of the capacity portfolio of the transmission system operator with a view to optimal and maximum use of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	technical capacity and the timely detection of future congestion and saturation points;	technical capacity and the timely detection of future congestion and saturation points;	technical capacity and the timely detection of future congestion and saturation points;	
Article 2(1), point (7)				
103	(7) ‘secondary market’ means the market of the capacity traded otherwise than on the primary market;	(7) ‘secondary market’ means the market of the capacity traded otherwise than on the primary market;	(7) ‘secondary market’ means the market of the capacity traded otherwise than on the primary market;	
Article 2(1), point (8)				
104	(8) ‘nomination’ means the prior reporting by the network user to the transmission system operator of the actual flow that the network user wishes to inject into or withdraw from the system;	(8) ‘nomination’ means the prior reporting by the network user to the transmission system operator of the actual flow that the network user wishes to inject into or withdraw from the system;	(8) ‘nomination’ means the prior reporting by the network user to the transmission system operator of the actual flow that the network user wishes to inject into or withdraw from the system;	
Article 2(1), point (9)				
105	(9) ‘re-nomination’ means the subsequent reporting of a corrected nomination;	<i>deleted</i>	(9) ‘re-nomination’ means the subsequent reporting of a corrected nomination;	
Article 2(1), point (10)				
106	(10) ‘system integrity’ means any situation in which the pressure and	(10) ‘system integrity’ means any situation in which the pressure and	(10) ‘system integrity’ means any situation in which the pressure and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the quality of the natural gas or hydrogen remain within the minimum and maximum limits, so that the transport of natural gas or hydrogen is guaranteed from a technical standpoint;	the quality of the natural gas or hydrogen remain within the minimum and maximum limits, so that the transport of natural gas or hydrogen is guaranteed from a technical standpoint;	the quality of the natural gas or hydrogen remain within the minimum and maximum limits, so that the transport of natural gas or hydrogen is guaranteed from a technical standpoint;	
Article 2(1), point (11)				
107	(11) ‘balancing period’ means the period within which the off-take of an amount of gases, expressed in units of energy, must be offset by every network user by means of the injection of the same amount of gases in accordance with the network code;	(11) ‘balancing period’ means the period within which the off-take of an amount of ~~gases~~ gas, expressed in units of energy, must be offset by every network user by means of the injection of the same amount of ~~gases~~ gas in accordance with the network code;	(11) ‘balancing period’ means the period within which the off-take of an amount of gases, expressed in units of energy, must be offset by every network user by means of the injection of the same amount of gases in accordance with the network code;	
Article 2(1), point (12)				
108	(12) ‘network user’ means a customer or a potential customer of a system operator, and system operators themselves in so far as it is necessary for them to carry out their functions in relation to transport of natural gas and hydrogen;	(12) ‘network user’ means a customer or a potential customer of a ~~transmission~~ system ~~operator~~ ~~or hydrogen network~~ operator, and ~~transmission~~ system ~~operators or hydrogen network~~ operators themselves in so far as it is necessary for them to carry out their functions in relation to transport of natural gas and hydrogen;	(12) ‘network user’ means a customer or a potential customer of a system operator, and system operators themselves in so far as it is necessary for them to carry out their functions in relation to transport of natural gas and hydrogen ;	Term potential customer is very vague.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2(1), point (13)				
109	(13) ‘interruptible services’ means services offered by the transmission system operator or hydrogen network operator in relation to interruptible capacity;	(13) ‘interruptible services’ means services offered by the transmission system operator or hydrogen network operator in relation to interruptible capacity;	(13) ‘interruptible services’ means services offered by the transmission system operator or hydrogen network operator in relation to interruptible capacity;	
Article 2(1), point (14)				
110	(14) ‘interruptible capacity’ means gas transmission capacity that may be interrupted by the transmission system operator or hydrogen network operator in accordance with the conditions stipulated in the transport contract;	(14) ‘interruptible capacity’ means gas transmission capacity that may be interrupted by the transmission system operator or hydrogen network operator in accordance with the conditions stipulated in the transport contract;	(14) ‘interruptible capacity’ means gas transmission capacity that may be interrupted by the transmission system operator or hydrogen network operator in accordance with the conditions stipulated in the transport contract;	
Article 2(1), point (15)				
111	(15) ‘long-term services’ means services offered by the transmission system operator or hydrogen network operator with a duration of one year or more;	(15) ‘long-term services’ means services offered by the transmission system operator or hydrogen network operator with a duration of one year or more;	(15) ‘long-term services’ means services offered by the transmission system operator or hydrogen network operator with a duration of one year or more;	
Article 2(1), point (16)				
112	(16) ‘short-term services’ means services offered by the transmission system operator or	(16) ‘short-term services’ means services offered by the transmission system operator or	(16) ‘short-term services’ means services offered by the transmission system operator or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	hydrogen network operator with a duration of less than one year;	hydrogen network operator with a duration of less than one year;	hydrogen network operator with a duration of less than one year;	
Article 2(1), point (17)				
113	(17) ‘firm capacity’ means gas transmission capacity contractually guaranteed as uninterruptible by the transmission system operator or hydrogen network operator;	(17) ‘firm capacity’ means gas transmission capacity contractually guaranteed as uninterruptible by the transmission system operator or hydrogen network operator;	(17) ‘firm capacity’ means gas transmission, distribution and hydrogen transport capacity contractually guaranteed as uninterruptible by the transmission or distribution system operator or hydrogen network operator;	
Article 2(1), point (18)				
114	(18) ‘firm services’ mean services offered by the transmission system operator or hydrogen network operator in relation to firm capacity;	(18) ‘firm services’ mean services offered by the transmission system operator or hydrogen network operator in relation to firm capacity;	(18) ‘firm services’ mean services offered by the transmission system operator or hydrogen network operator in relation to firm capacity;	
Article 2(1), point (19)				
115	(19) ‘technical capacity’ means the maximum firm capacity that can be offered to the network users, taking account of system integrity and the operational requirements of the transmission system or hydrogen network;	(19) ‘technical capacity’ means the maximum firm capacity that can be offered to the network users, taking account of system integrity and the operational requirements of the transmission system or hydrogen network;	(19) ‘technical capacity’ means the maximum firm capacity that can be offered to the network users, taking account of system integrity and the operational requirements of the transmission system or hydrogen network;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2(1), point (20)				
116	(20) ‘contracted capacity’ means capacity that r has been allocated to a network user by means of a transport contract;	(20) ‘contracted capacity’ means capacity that r has been allocated to a network user by means of a transport contract;	(20) ‘contracted capacity’ means capacity that r has been allocated to a network user by means of a transport contract;	
Article 2(1), point (21)				
117	(21) ‘available capacity’ means the part of the technical capacity that is not allocated and is still available to the system at that moment;	(21) ‘available capacity’ means the part of the technical capacity that is not allocated and is still available to the system at that moment;	(21) ‘available capacity’ means the part of the technical capacity that is not allocated and is still available to the system at that moment;	
Article 2(1), point (22)				
118	(22) ‘contractual congestion’ means a situation where the level of firm capacity demand exceeds the technical capacity;	(22) ‘contractual congestion’ means a situation where the level of firm capacity demand exceeds the technical capacity;	(22) ‘contractual congestion’ means a situation where the level of firm capacity demand exceeds the technical capacity;	
Article 2(1), point (23)				
119	(23) ‘primary market’ means the market of the capacity traded directly by the transmission system operator or hydrogen network operator;	(23) ‘primary market’ means the market of the capacity traded directly by the transmission system operator or hydrogen network operator;	(23) ‘primary market’ means the market of the capacity traded directly by the transmission system operator or hydrogen network operator;	
Article 2(1), point (24)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
120	(24) ‘physical congestion’ means a situation where the level of demand for actual deliveries exceeds the technical capacity at some point in time;	<i>deleted</i>	(24) ‘physical congestion’ means a situation where the level of demand for actual deliveries exceeds the technical capacity at some point in time;	
Article 2(1), point (25)				
121	(25) ‘LNG facility capacity’ means capacity at a liquefied natural gas (LNG) terminal for the liquefaction of natural gas or the importation, offloading, ancillary services, temporary storage and re-gasification of LNG;	(25) ‘LNG facility capacity’ means capacity at a liquefied natural gas (LNG) terminal for the liquefaction of natural gas or the importation, offloading, ancillary services, temporary storage and re-gasification of LNG;	(25) ‘LNG facility capacity’ means capacity at a liquefied natural gas (LNG) terminal for the liquefaction of natural gas or the importation, offloading, ancillary services, temporary storage and re-gasification of LNG;	
Article 2(1), point (26)				
122	(26) ‘space’ means the volume of gas which a user of a storage facility is entitled to use for the storage of gas;	(26) ‘space’ means the volume of gas which a user of a storage facility is entitled to use for the storage of gas;	(26) ‘space’ means the volume of ~~gas~~ gases which a user of a storage facility is entitled to use for the storage of ~~gas~~ gases;	
Article 2(1), point (27)				
123	(27) ‘deliverability’ means the rate at which the storage facility user is entitled to withdraw gas from the storage facility;	(27) ‘deliverability’ means the rate at which the storage facility user is entitled to withdraw gas from the storage facility;	(27) ‘deliverability’ means the rate at which the storage facility user is entitled to withdraw ~~gas~~ gases from the storage facility;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 2(1), point (28)				
124	(28) ‘injectability’ means the rate at which the storage facility user is entitled to inject gas into the storage facility;	(28) ‘injectability’ means the rate at which the storage facility user is entitled to inject gas into the storage facility;	(28) ‘injectability’ means the rate at which the storage facility user is entitled to inject ~~gas~~ gases into the storage facility;	
Article 2(1), point (29)				
125	(29) ‘storage capacity’ means any combination of space, injectability and deliverability;;	(29) ‘storage capacity’ means any combination of space, injectability and deliverability;;	(29) ‘storage capacity’ means any combination of space, injectability and deliverability;;	
Article 2(1), point (30)				
126	(30) ‘entry-exit system’ means the aggregation of all transmission and distribution systems to which one specific balancing regime applies;	(30) ‘entry-exit system’ means ~~the aggregation of all~~ <u>an access model for natural gas</u> transmission ~~and/or~~ distribution systems ~~to which one specific balancing regime applies~~ <u>where system users book capacity rights independently on entry and exit points</u> ;	(30) ‘entry-exit system’ means an access model for natural gas where system users book capacity rights independently on entry- and exit points. The entry-exit system includes the aggregation of all transmission system and may include the and distribution systems to which one specific balancing regime applies;system or parts of a distribution system.	We find the definition to be duplicit, a reference to the Directive would be sufficient.
Article 2(1), point (31)				
127				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(31) ‘balancing zone’ means an entry-exit system to which a specific balancing regime is applicable;	(31) ‘balancing zone’ means an entry-exit system to which a specific balancing regime is applicable;	(31) ‘balancing zone’ means ~~an entry-exit~~ a system to which a specific balancing regime is applicable and which includes the transmission system and may include distribution systems or parts of such distribution systems;	We find the definition to be duplicit, a reference to the Directive would be sufficient.
Article 2(1), point (32)				
128	(32) ‘virtual trading point’ means a non-physical commercial point within an entry-exit system where gases are exchanged between a seller and a buyer without the need to book transmission or distribution capacity;	(32) ‘virtual trading point’ means a non-physical commercial point within an entry-exit system where ~~gases are~~ <u>gas is</u> exchanged between a seller and a buyer without the need to book transmission or distribution capacity;	(32) ‘virtual trading point’ means a non-physical commercial point within an entry-exit system where gases are exchanged between a seller and a buyer without the need to book ~~transmission or distribution~~ capacity;	We find the definition to be duplicit, a reference to the Directive would be sufficient.
Article 2(1), point (33)				
129	(33) ‘entry point’ means a point subject to booking procedures by network users or producers providing access to an entry-exit system;	(33) ‘entry point’ means a point subject to booking procedures by network users ~~or producers~~ providing access to an <u>entry-exit system, enabling gas flows in the</u> entry-exit system;	(33) ‘entry point’ means a point subject to booking procedures by network users ~~or producers~~ providing access to an entry-exit system;	We find the definition to be duplicit, a reference to the Directive would be sufficient.
Article 2(1), point (34)				
130				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(34) ‘exit point’ means a point subject to booking procedures by network users or final customers enabling gas flows out of the entry exit system;	(34) ‘exit point’ means a point subject to booking procedures by network users ~~or final customers~~ <u>providing access to an entry-exit system</u> , enabling gas flows out of the entry exit system;	(34) ‘exit point’ means a point subject to booking procedures by network users ~~or final customers~~ enabling gas flows out of the entry exit system;	We find the definition to be duplicit, a reference to the Directive would be sufficient..
Article 2(1), point (35)				
131	(35) ‘conditional capacity’ means firm capacity that entails transparent and predefined conditions for either providing access from and to the virtual trading point or limited allocability;	(35) ‘conditional capacity’ means firm capacity that entails transparent and predefined conditions for either providing access from and to the virtual trading point or limited allocability;	(35) ‘conditional capacity’ means firm capacity that entails transparent and predefined conditions for either providing access from and to the virtual trading point or limited allocability;	
Article 2(1), point (36)				
132	(36) ‘allocability’ means the discretionary combination of any entry capacity with any exit capacity or vice versa;	(36) ‘allocability’ means the discretionary combination of any entry capacity with any exit capacity or vice versa;	(36) ‘allocability’ means the discretionary combination of any entry capacity with any exit capacity or vice versa;	
Article 2(1), point (37)				
133	(37) ‘allowed revenue’ means the sum of transmission services revenue and non-transmission services revenue for the provision of services by the transmission	(37) ‘allowed revenue’ means the sum of transmission services revenue and non-transmission services revenue for the provision of services by the transmission	(37) ‘allowed revenue’ means the sum of transmission services revenue and non-transmission services revenue for the provision of services by the transmission	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	system operator for a specific time period within a given regulatory period which such transmission system operator is entitled to obtain under a non-price cap regime and which is set in accordance with Article 72(7), point a, of recast Gas Directive as proposed in COM(2021) xxx;	system operator for a specific time period within a given regulatory period which such transmission system operator is entitled to obtain under a non-price cap regime and which is set in accordance with Article 72(7), point a, of recast Gas Directive as proposed in COM(2021) xxx;	system operator for a specific time period within a given regulatory period which such transmission system operator is entitled to obtain under a non-price cap regime and which is set in accordance with Article 72(7), point a, of [the recast Gas Directive as proposed in COM(2021) xxx] COM (2021) 803;;	
133a			(37a) ‘target revenue’ means the sum of expected transmission services revenue calculated in accordance with the principles set out in Article 15(1) and expected non-transmission services revenue for the provision of services by the transmission system operator for a specific time period within a given regulatory period under a price cap regime;	
Article 2(1), point (38)				
134	(38) ‘new infrastructure’ means an infrastructure not completed by 4 August 2003.	(38) ‘new infrastructure’ means an infrastructure not completed by	(38) ‘new infrastructure’ means an infrastructure not completed by 4 August 2003.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		~~4 August 2003...~~ <u>[entry into force of this Regulation];</u>		
134a		<u>(38a) ‘natural gas’ means natural gas as defined in Article 2, point (1) of [the recast Gas Directive, COD 2021/0425];</u>		
134b		<u>(38b) ‘renewable gas’ means renewable gas as defined in Article 2, point (2) of [the recast Gas Directive, COD 2021/0425]</u>		
134c		<u>(38c) ‘gas’ means gas as defined in Article 2, point (3) of [the recast Gas Directive, COD 2021/0425];</u>		
134d		<u>(38d) ‘natural gas system’ means natural gas system as defined in Article 2, point (4) of [the recast Gas Directive, COD 2021/0425];</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134e		<u>(38e) ‘hydrogen system’ means hydrogen system as defined in Article 2, point (5) of [the recast Gas Directive, COD 2021/0425];</u>		
134f		<u>(38f) ‘hydrogen storage facility’ means a hydrogen facility as defined in Article 2, point (6) of [the recast Gas Directive, COD 2021/0425];</u>		
134g		<u>(38g) ‘hydrogen storage operator’ means a hydrogen storage operator as defined in Article 2, point (6a) of [the recast Gas Directive, COD 2021/0425];</u>		
134h		<u>(38h) ‘hydrogen terminal’ means hydrogen terminal as defined in Article 2, point (8) of [the recast Gas Directive, COD 2021/0425];</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134i		<u>(38i) ‘hydrogen terminal operator’ means hydrogen terminal operator as defined in Article 2, point (8a) of [the recast Gas Directive, COD 2021/0425]</u>		
134j		<u>(38j) ‘hydrogen quality’ means hydrogen quality as defined in Article 2, point (9) of [the recast Gas Directive, COD 2021/0425];</u>		
134k		<u>(38k) ‘low-carbon gas’ means low-carbon gas as defined in Article 2, point (11) of [the recast Gas Directive, COD 2021/0425];</u>		
134l		<u>(38l) ‘transmission system operator’ means transmission system operator as defined in Article 2, point (17) of [the recast Gas Directive, COD 2021/0425];</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134m		<u>(38m) ‘distribution’ means distribution as defined in Article 2, point (18) of [the recast Gas Directive, COD 2021/0425];</u>		
134n		<u>(38n) ‘distribution system operator’ means distribution system operator as defined in Article 2, point (19) of [the recast Gas Directive, COD 2021/0425];</u>		
134o		<u>(38o) ‘hydrogen network’ means hydrogen network as defined in Article 2, point (20) of [the recast Gas Directive, COD 2021/0425];</u>		
134p		<u>(38p) ‘hydrogen transport’ means hydrogen transport as defined in Article 2, point (21) of [the recast Gas Directive, COD 2021/0425];</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134q		<u>(38q) ‘hydrogen network operator’ means hydrogen network operator as defined in Article 2, point (22) of [the recast Gas Directive, COD 2021/0425];</u>		
134r		<u>(38r) ‘supply’ means supply as defined in Article 2, point (23) of [the recast Gas Directive, COD 2021/0425];</u>		
134s		<u>(38s) ‘storage facility’ means storage facility as defined in Article 2, point (25) of [the recast Gas Directive, COD 2021/0425];</u>		
134t		<u>(38t) ‘storage system operator’ means storage system operator as defined in Article 2, point (26) of [the recast Gas Directive, COD 2021/0425];</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134u		<u>(38u) ‘LNG facility’ means LNG facility as defined in Article 2, point (27) of [the recast Gas Directive, COD 2021/0425];</u>		
134v		<u>(38v) ‘LNG system operator’ means LNG system operator as defined in Article 2, point (28) of [the recast Gas Directive, COD 2021/0425];</u>		
134w		<u>(38w) ‘system’ means system as defined in Article 2, point (29) of [the recast Gas Directive, COD 2021/0425];</u>		
134x		<u>(38x) ‘ancillary services’ means ancillary services as defined in Article 2, point (30) of [the recast Gas Directive, COD 2021/0425];</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134y		<u>(38y) 'interconnector' means interconnector as defined in Article 2, point (33) of [the recast Gas Directive, COD 2021/0425];</u>		
134z		<u>(38z) 'hydrogen interconnector' means hydrogen interconnector as defined in Article 2, point (34) of [the recast Gas Directive, COD 2021/0425];</u>		
134aa		<u>(38aa) 'system user' means system user as defined in Article 2, point (40) of [the recast Gas Directive, COD 2021/0425];</u>		
134ab		<u>(38ab) 'customer' means customer as defined in Article 2, point (41) of [the recast Gas Directive, COD 2021/0425];</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134ac		<u>(38ac) ‘final customer’ means final customer as defined in Article 2, point (44) of [the recast Gas Directive, COD 2021/0425];</u>		
134ad		<u>(38ad) ‘security’ means security as defined in Article 2, point (48) of [the recast Gas Directive, COD 2021/0425];</u>		
134ae		<u>(38ae) ‘control’ means control as defined in Article 2, point (51) of [the recast Gas Directive, COD 2021/0425];</u>		
134af		<u>(38af) ‘interconnection point’ means interconnection point as defined in Article 2, point (58) of [the recast Gas Directive, COD 2021/0425];</u>		
134ag				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(38ag) ‘virtual interconnection point’ means virtual interconnection point as defined in Article 2, point (59) of [the recast Gas Directive, COD 2021/0425];</u>		
134ah		<u>(38ah) ‘market participant’ means market participant as defined in Article 2, point (60) of [the recast Gas Directive, COD 2021/0425];</u>		
134ai		<u>(38ai) ‘interoperability’ means interoperability as defined in Article 2, point (66) of [the recast Gas Directive, COD 2021/0425];</u>		
134aj		<u>(38aj) ‘energy poverty’ means energy poverty as defined in Article 2, point (69) of [the recast Gas Directive, COD 2021/0425];</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
134ak		<u>(38ak) 'energy efficiency first' means 'energy efficiency first' as defined in Article 2, point (18) of Regulation (EU) 2018/1999;</u>		
134al		<u>(38al) 'repurposing' means repurposing as defined in Article 2, point (18) of Regulation 2022/869.</u>		
Article 2(2), first subparagraph				
135	2. Without prejudice to the definitions in paragraph 1, the definitions contained in Article 2 of recast Gas Directive as proposed in COM(2021) xxx, which are relevant for the application of this Regulation, also apply.	<i>deleted</i>	2. Without prejudice to the definitions in paragraph 1, the definitions contained in Article 2 of [recast Gas Directive as proposed in COM(2021) xxx], which are relevant for the application of this Regulation, shall also apply.	
Article 2(2), second subparagraph				
136	The definitions in points 4 to 24 of paragraph 1 in relation to transmission apply by analogy in relation to storage and LNG facilities.	The definitions in <u>paragraph 1</u> , points 4 to ~~24 of paragraph 1~~ <u>23</u> in relation to transmission apply by analogy in relation to storage and LNG facilities.	The definitions in points 4 to 24 of paragraph 1 in relation to transmission shall apply by analogy in relation to storage and LNG facilities.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
CHAPTER II				
137	CHAPTER II GENERAL RULES APPLICABLE TO THE NATURAL GAS AND HYDROGEN SYSTEMS	CHAPTER II GENERAL RULES APPLICABLE TO THE NATURAL GAS AND HYDROGEN SYSTEMS	CHAPTER II GENERAL RULES APPLICABLE TO THE NATURAL GAS AND HYDROGEN SYSTEMS	
Section 1				
138	Section 1 General rules for the organisation of the markets and infrastructure access	Section 1 General rules for the organisation of the markets and infrastructure access	Section 1 General rules for the organisation of the markets and infrastructure access	
Article 3				
139	Article 3 General principles	Article 3 General principles	Article 3 General principles	
Article 3, first paragraph				
140	Member States, regulatory authorities, transmission system operators, distribution system operators, storage operators, LNG operators, hydrogen system operators, and delegated operators such as market area operators or booking platform operators shall	Member States, regulatory authorities, transmission system operators, distribution system operators, storage operators, LNG operators, hydrogen system operators, and delegated operators such as market area operators or booking platform operators shall	Member States, regulatory authorities, ~~transmission system operators, distribution,~~ natural gas system operators, ~~storage operators, LNG operators,~~ and hydrogen system operators, and delegated operators such as market area ~~operators~~ managers or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ensure that gases markets are operated in accordance with the following principles:	ensure that ~~gases~~ gas markets are operated in accordance with the following principles:	booking platform operators shall ensure that ~~gases markets~~ markets for gases are operated in accordance with the following principles:	
Article 3, first paragraph, point (a)				
141	(a) prices for gases shall be formed on the basis of demand and supply;	(a) prices for ~~gases~~ gas shall be formed on the basis of demand and supply;	(a) prices for gases shall be formed on the basis of demand and supply;	
Article 3, first paragraph, point (b)				
142	(b) transmission and distribution system operators shall cooperate with each other to provide network users with the freedom to book entry and exit capacity independently. Gas shall be transported through the entry-exit system instead of along contractual paths;	(b) transmission and distribution system operators shall cooperate with each other to provide network users with the freedom to book entry and exit capacity independently. Gas shall be transported through the entry-exit system instead of along contractual paths;	(b) transmission and distribution system operators shall cooperate with each other to provide network users with the freedom to book entry and exit capacity independently. Gas shall be transported through the entry-exit system instead of along contractual paths;	
Article 3, first paragraph, point (c)				
143	(c) tariffs charged at the entry and exit points shall be structured in such a way as to contribute to market integration, enhancing security of supply and promoting	(c) tariffs charged at the entry and exit points shall be structured in such a way as to contribute to market integration, enhancing security of supply and promoting	(c) tariffs charged at the entry and exit points shall be structured in such a way as to contribute to market integration, enhancing security of supply and promoting	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the interconnection between gas networks;	the interconnection between gas networks;	the interconnection between gas networks;	
Article 3, first paragraph, point (d)				
144	(d) undertakings active in the same entry-exit system shall exchange gas at the virtual trading point;	(d) undertakings active in the same entry-exit system shall exchange gas at the virtual trading point;	(d) undertakings active in the same entry-exit system shall exchange ~~gas~~ gases at the virtual trading point, or physically at interconnection points. Producers of renewable and low-carbon gases shall have equal access to the virtual trading point, irrespective of whether they are connected to the distribution or transmission system;	
Article 3, first paragraph, point (e)				
145	(e) network users shall be responsible to balance their balancing portfolios in order to minimise the need for transmission system operators to undertake balancing actions;	(e) network users shall be responsible to balance their balancing portfolios in order to minimise the need for transmission system operators to undertake balancing actions;	(e) network users shall be responsible to balance their balancing portfolios in order to minimise the need for transmission system operators to undertake balancing actions;	
Article 3, first paragraph, point (f)				
146	(f) balancing actions shall be performed on the basis of	(f) balancing actions shall be performed on the basis of	(f) balancing actions shall be performed on the basis of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	standardized products and conducted on a trading platform;	standardized products and conducted on a trading platform;	standardized products in line with the network code on balancing or established pursuant to Article 6(11) of Regulation 715/2009 and conducted on a trading platform or by the use of balancing services in line with that network code;	
Article 3, first paragraph, point (g)				
147	(g) market rules shall avoid actions which prevent price formation on the basis of demand and supply for gases;	(g) market rules shall avoid actions which prevent price formation on the basis of demand and supply for ~~gases~~ <u>gas</u> ;	(g) market rules shall avoid actions which prevent price formation on the basis of demand and supply for gases;	
147a		<u>(ga) market rules shall ensure a consumer-centred and energy efficient approach in the natural gas and hydrogen market;</u>		
Article 3, first paragraph, point (h)				
148	(h) market rules shall foster the emergence and functioning of liquid trading for gases, fostering price formation and price transparency;	(h) market rules shall foster the emergence and functioning of liquid trading for ~~gases~~ <u>gas</u> , fostering price formation and price transparency;	(h) market rules shall foster the emergence and functioning of liquid trading for gases, fostering price formation and price transparency;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3, first paragraph, point (i)				
149	(i) market rules shall enable the decarbonisation of the natural gas and hydrogen systems, including by enabling the integration into the market of gases of gas from renewable energy sources and by providing incentives for energy efficiency;	(i) market rules shall enable the decarbonisation of the natural gas and hydrogen systems, including by enabling the integration into the <u>gas</u> market of ~~gases of~~ gas from renewable energy sources ~~and~~ , by providing incentives for energy <u>savings and efficiency, fostering the integration of energy systems, contributing to the prudent and rational use of natural resources and facilitating the achievement of the Union's climate and energy targets</u> ;	(i) market rules shall enable the decarbonisation of the natural gas and hydrogen systems, including by enabling the integration into the market of gases ~~of gas~~ from renewable energy sources and by providing incentives for energy efficiency, demand reduction, demand flexibility and energy system integration ;	
Article 3, first paragraph, point (j)				
150	(j) market rules shall deliver appropriate investment incentives, in particular for long-term investments in a decarbonised and sustainable gas system, for energy storage, energy efficiency and demand response to meet market needs, and shall facilitate fair competition and security of supply;	(j) market rules shall deliver appropriate investment incentives <u>and incentives for interventions that do not require infrastructure investments where they are more efficient</u> , in particular for long-term investments in a decarbonised and sustainable gas system, for energy storage, energy efficiency and demand response to meet market needs, and shall facilitate fair competition and security of supply, <u>while avoiding</u>	(j) market rules shall deliver appropriate investment incentives, in particular for long-term investments in a decarbonised and sustainable ~~gas system~~ system for gases , for energy storage, energy efficiency, demand reduction and demand response to meet market needs and system integration needs, and shall facilitate fair competition and security of supply;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>investment incentives that lead to stranded assets;</u>		
150a		<u>(ja) market rules shall prioritise the use of hydrogen for industrial customers in hard-to-decarbonise sectors, including in heavy-duty transport, with the highest greenhouse gas abatement potential, where more energy and cost efficient options are not available;</u>		
Article 3, first paragraph, point (k)				
151	(k) barriers to cross-border gas flows, if existing, between entry-exit systems shall be removed;	(k) barriers to cross-border gas flows, if existing, between entry-exit systems shall be removed;	(k) barriers to cross-border gas flows, if existing, between entry-exit systems shall be removed;	
Article 3, first paragraph, point (l)				
152	(l) market rules shall facilitate regional cooperation and integration.	(l) market rules shall facilitate regional cooperation and integration.	(l) market rules shall facilitate regional cooperation and integration.	
152a		<u>Article 3a</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Diversification of gas supplies obligation</u>		
152b		<u>In order to safeguard the security of energy supply and the essential security interests of the Union in line with the objectives of the REPowerEU Plan, Member States shall diversify their gas supplies and shall ensure that imports of natural gas as well as of renewable gas and low-carbon gas through pipelines and LNG terminals do not originate from the Russian Federation.</u>		EP mandate – delete.
152c		<u>Article 3b</u> <u>Upscaling of renewable gas and low-carbon gas in coal and carbon-intensive regions</u>		
152d		<u>1. The Commission shall support and provide incentives to encourage the penetration of renewable gas and low-carbon</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>gas, in particular hydrogen and biomethane, into the Union energy system, in particular in coal and carbon-intensive regions pursuant to Regulation (EU) 2021/1056, by means of an enabling framework. That framework shall include:</u>	PUBLIC	
152e		<u>(a) investments to facilitate a just transition of those regions, with the aim of increasing the share of renewable gas and low-carbon gas, in particular in industrial processes, district heating and energy storage for enhancing flexibility of the energy system;</u>		
152f		<u>(b) effective support measures to accelerate the phase out of solid fossil fuels in industrial and district heating sectors through investments in their modernisation, innovation and development as well as to decarbonise existing fossil-based hydrogen production sites;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
152g		<u>(c) upskilling and reskilling programmes and projects aiming to create and strengthen a hydrogen-ready workforce;</u>		
152h		<u>(d) the implementation of hydrogen valleys or, where appropriate, Important Projects of Common European Interests (IPCEI), in particular innovation projects enabling the conversion from fossil fuels to renewable hydrogen and biomethane.</u>		
152i		<u>Article 3c</u> <u>Mainstreaming biomethane in the gas system</u>		
152j		<u>In order to support the sustainable production of biomethane to safeguard the security of gas supply in the Union and decrease dependence</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>on fossil natural gas imports, Member States shall, by 31 December 2030, ensure collectively that at least 35 bcm of sustainable biomethane that complies with Directive (EU) 2018/2001 is produced and injected into the natural gas system at the level of the transmission system operators or of the distribution system operators.</u>		
Article 4				
153	Article 4 Separation of regulatory asset bases	Article 4 Separation of regulatory asset bases	Article 4 Separation of regulatory asset bases	
Article 4(1)				
154	1. Where a transmission system operator or a hydrogen network operator provides regulated services for gas, hydrogen and/or electricity, it shall comply with the requirement for unbundling of accounts as laid down in Article 69 of [recast Gas Directive as proposed in COM(2021) xxx] and Article 56 of Directive (EU) 2019/944 and it shall have a	1. Where a transmission system operator or a hydrogen network operator provides regulated services for gas, hydrogen ~~and/or~~ electricity, it shall comply with the requirement for unbundling of accounts as laid down in Article 69 of [recast Gas Directive as proposed in COM(2021) xxx] and Article 56 of Directive (EU) 2019/944 and it	1. Where a transmission or distribution system operator or a hydrogen network operator provides regulated services for natural gas, hydrogen and/or electricity, it shall comply with the requirement for unbundling of accounts as laid down in Article 69 of [recast Gas Directive as proposed in COM(2021) xxx] and Article 56 of Directive (EU)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	regulatory asset base separately for gas, electricity or hydrogen assets. A separate regulatory asset base shall ensure that:	shall have a <u>separate</u> regulatory asset base ~~separately~~ for gas, electricity or hydrogen assets. A separate regulatory asset base shall ensure that:	2019/944 and it shall have a regulatory asset base separately for natural gas, electricity or hydrogen assets. A separate regulatory asset base shall ensure that:	
Article 4(1), point (a)				
155	(a) services revenues obtained from the provision of specific regulated services can only be used to recover the capital and operational expenditures related to the assets included in the regulated assets base on which the regulated services were provided;	(a) services revenues obtained from the provision of specific regulated services can ~~only~~ be used <u>only</u> to recover the capital and operational expenditures related to the assets included in the ~~regulated~~ <u>regulatory</u> assets base on which the regulated services were provided;	(a) services revenues obtained from the provision of specific regulated services can only be used to recover the capital and operational expenditures related to the assets included in the ~~regulated~~ regulatory assets base on which the regulated services were provided;	
Article 4(1), point (b)				
156	(b) when assets are transferred to a different regulatory asset base, their value will be established. The value set for the transferred asset is subject to an audit and approval by the competent regulatory authority. The value established will be such that cross-subsidies do not occur.	(b) when assets are transferred to a different regulatory asset base, their value will be established. The value set for the transferred asset is subject to an audit and approval by the competent regulatory authority. The value established will be such that cross-subsidies do not occur.	(b) when assets are transferred to a different- regulatory asset base, their value ~~will be~~ established. The value set for the transferred asset is subject to an audit and approval by the competent regulatory authority. The value established ~~will be~~ such that cross-subsidies do not occur.	
Article 4(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
157	2. A Member State may allow financial transfers between regulated services that are separate as meant in in the first paragraph, provided that:	2. A Member State ~~may~~ <u>shall not</u> allow financial transfers between regulated services that are separate ~~as meant in in the first~~ <u>within the meaning of</u> paragraph, ~~provided that: 1.~~	2. A Member State may allow financial transfers between regulated services that are separate as meant in in the first paragraph <u>within the meaning of paragraph 1</u> , provided that:	Council mandate OK, EP mandate not OK.
Article 4(2), point (a)				
158	(a) all revenues needed for the financial transfer are collected as a dedicated charge;	<i>deleted</i>	(a) all revenues needed for the financial transfer are collected as a dedicated charge;	
Article 4(2), point (b)				
159	(b) the dedicated charge is collected only from exit points to final customers located within the same Member States as the beneficiary of the financial transfer;	<i>deleted</i>	(b) the dedicated charge is collected only from exit points to final customers located within the same Member States as the beneficiary of the financial transfer;	
Article 4(2), point (c)				
160	(c) the dedicated charge and financial transfer or the methodologies underlying their calculation are approved prior to their entry into force by the	<i>deleted</i>	(c) the dedicated charge and financial transfer or the methodologies underlying their calculation are approved prior to their entry into force by the regulatory authority referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	regulatory authority referred to in Article 70;		Article 70 of [recast Gas Directive as proposed in COM(2021) xxx];	
Article 4(2), point (d)				
161	(d) the approved dedicated charge and financial transfer and the methodologies, where methodologies are approved are published.	<i>deleted</i>	(d) the approved dedicated charge and financial transfer and the methodologies, where methodologies are approved, are published no later than thirty days before their date of implementation.	
161a		<u>2a. In order to avoid undue and excessive cross-subsidies among first and future users of hydrogen networks, Member States may allow hydrogen network operators to spread network development costs over time, by ensuring that future users pay part of the initial costs. Such an inter-temporal cost allocation mechanism and its underlying methodology shall be subject to approval by the competent regulatory authority referred to in Article 70 of recast Gas Directive. Where Member States apply such</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>a mechanism, they shall put in place a State guarantee to cover the financial risk of hydrogen network operators.</u>		
161b		<u>2b. By way of derogation from paragraph 2 of this Article, the regulatory authority referred to in Article 70 of recast Gas Directive may allow, as a last resort, where no more cost-efficient options are available, financial transfers between regulated services that are separate within the meaning of paragraph 1. The regulatory authority shall take such a decision only on the basis of an impact assessment that demonstrates the impact of those financial transfers on cross-subsidisation between users of gas networks and users of hydrogen networks and confirms the cost-efficiency of those financial transfers, the fact that the level playing field across Member States is preserved and that the resulting gas network tariffs do not unreasonably distort cross-border trade.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
161c		<u>2c. If supported by the impact assessment referred to in paragraph 2b, a Member State may allow financial transfers between regulated services that are separate within the meaning of paragraph 1, provided that:</u>		
161d		<u>(a) all revenues needed for the financial transfer are collected as a dedicated charge;</u>		
161e		<u>(b) the dedicated charge is collected only from exit points to final customers located within the same Member States as the beneficiary of the financial transfer;</u>		
161f		<u>(c) the dedicated charge and financial transfer or the methodologies underlying their calculation are approved prior to</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>their entry into force by the regulatory authority referred to in Article 70 of recast Gas Directive and their implementation starts at the beginning of a defined gas year;</u>		
161g		<u>(d) the approved dedicated charge and financial transfer and the methodologies, where methodologies are approved are published before their implementation;</u>		
161h		<u>(e) ACER has issued a recommendation, in accordance with paragraph 4, and the Commission has been notified of the dedicated charges.</u>		
Article 4(3)				
162	3. The regulatory authority may only approve a financial transfer and dedicated charge referred to in paragraph 2, provided that:	3. The regulatory authority may only approve a financial transfer and dedicated charge referred to in paragraph ~~2~~ <u>2b</u> , provided that:	3. The regulatory authority may only approve a financial transfer and dedicated charge referred to in paragraph 2, provided that:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 4(3), point (a)				
163	(a) network access tariffs are charged to users of the regulatory asset base that benefits from a financial transfer;	(a) network access tariffs are charged to users of the regulatory asset base that benefits from a financial transfer;	(a) network access tariffs are charged to users of the regulatory asset base that benefits from a financial transfer;	
Article 4(3), point (b)				
164	(b) the sum of financial transfers and service revenues collected through network access tariffs cannot be larger than the allowed revenues;	(b) the sum of financial transfers and service revenues collected through network access tariffs cannot be larger than the allowed revenues;	(b) the sum of financial transfers and service revenues collected through network access tariffs ~~cannot be~~ are not larger than the allowed and target revenues;	
Article 4(3), point (c)				
165	(c) a financial transfer is approved for a limited period in time and can never be longer than one third of the depreciation period of the infrastructure concerned.	(c) a financial transfer is approved for a limited period in time and can never be longer than one third of the depreciation period of the infrastructure concerned.	(c) a financial transfer is approved for a limited period in time and, in no event, for a ~~can never be~~ longer period than one third of the remaining depreciation period of the infrastructure concerned.	Delete subparagraph c)
165a		<u>3a. Costs associated with feasibility studies related to the repurposing of the networks to hydrogen shall not be considered</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>to be financial transfers between regulated assets.</u>		
Article 4(4), first subparagraph				
166	4. By [date of adoption +1 year] ACER shall issue recommendations to transmission or network operators and regulatory authorities on the methodologies for:	<u>43b.</u> By ... <u>[one year after the date of ~~adoption +1 year~~ entry into force of this Regulation]</u> ACER shall issue recommendations to transmission <u>system operators or hydrogen</u> ~~or~~ network operators and regulatory authorities on the <u>criteria to allow and determine the inter-temporal allocation of network development costs among users of hydrogen network. Where necessary, ACER shall issue</u> methodologies for:	4. By [date of adoption +1 year] ACER shall issue recommendations to transmission, distribution system and hydrogen ~~or~~ network operators and regulatory authorities on the methodologies for:	
Article 4(4), first subparagraph, point (a)				
167	(a) the determination of the value of the assets that are transferred to another regulated asset base and the destination of any profits and losses that may occur as a result;	(a) the determination of the value of the assets that are transferred to another ~~regulated~~ <u>regulatory</u> asset base and the destination of any profits and losses that may occur as a result;	(a) the determination of the value of the assets that are transferred to another ~~regulated~~ regulatory asset base and the destination of any profits and losses that may occur as a result;	
Article 4(4), first subparagraph, point (b)				
168				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) the calculation of the size and maximum duration of the financial transfer and dedicated charge;	(b) the calculation of the size and maximum duration of the financial transfer and dedicated charge;	(b) the calculation of the size and maximum duration of the financial transfer and dedicated charge;	
Article 4(4), first subparagraph, point (c)				
169	(c) the criteria to allocate contributions to the dedicated charge among final consumers connected to the regulatory asset base.	(c) the criteria to allocate contributions to the dedicated charge among final consumers connected to the regulatory asset base.	(c) the criteria to allocate contributions to the dedicated charge among final consumers connected to the regulatory asset base.	
Article 4(4), second subparagraph				
170	ACER shall update the recommendations at least once every two years.	<u>3c.</u> ACER shall update the recommendations <u>referred to in the first subparagraph</u> at least once every two years.	ACER shall update the recommendations at least once every two years.	
Article 5				
171	Article 5 Third-party access services concerning transmission system operators	Article 5 Third-party access services concerning transmission system operators	Article 5 Third-party access services concerning transmission system operators	
Article 5(1), first subparagraph				
172	1. Transmission system operators shall:	1. Transmission system operators shall:	1. Transmission system operators shall:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 5(1), first subparagraph, point (a)				
173	(a) ensure that they offer capacity and services on a non-discriminatory basis to all network users;	(a) ensure that they offer capacity and services on a non-discriminatory basis to all network users;	(a) ~~ensure that they offer capacity and services on a non-discriminatory basis to all network users;~~	
Article 5(1), first subparagraph, point (b)				
174	(b) provide both firm and interruptible capacity. The price of interruptible capacity shall reflect the probability of interruption;	(b) provide both firm and interruptible capacity. The price of interruptible capacity shall reflect the probability of interruption;	(b) provide both firm and interruptible capacity. The price of interruptible capacity shall reflect the probability of interruption;	
Article 5(1), first subparagraph, point (c)				
175	(c) offer to network users both long and short-term capacity.	(c) offer to network users both long and short-term capacity.	(c) offer to network users both long and short-term capacity.	
Article 5(1), second subparagraph				
176	In regard to point (a) of the first subparagraph, where a transmission system operator offers the same service to different customers, it shall do so under equivalent contractual terms and conditions, either using harmonised transport contracts or	In regard to point (a) of the first subparagraph, where a transmission system operator offers the same service to different customers, it shall do so under equivalent contractual terms and conditions, either using harmonised transport contracts or	In regard to point (a) of the first subparagraph, where a transmission system operator offers the same service to different customers, it shall do so under equivalent contractual terms and conditions, either using harmonised transport contracts or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	a common network code approved by the competent authority in accordance with the procedure laid down in Article 72 or 73 of recast Gas Directive as proposed in COM(2021) xxx.	a common network code approved by the competent authority in accordance with the procedure laid down in Article 72 or 73 of recast Gas Directive as proposed in COM(2021) xxx.	a common network code approved by the competent authority in accordance with the procedure laid down in Article 72 or 73 of recast Gas Directive as proposed in COM(2021) xxx.	
176a		<u><i>1a. No tariffs shall be charged pursuant to Article 15 for access to transmission systems at interconnection points between Member States unless the regulatory authorities concerned jointly agree on a tariff regime for such access. In the absence of an agreement between the regulatory authorities concerned, ACER shall decide on the tariff regime, including the possibility of avoiding the application of tariffs, in accordance with Article 6(10) of Regulation (EU) 2019/942. When deciding on that tariff regime the regulatory authorities concerned or ACER shall ensure an appropriate return on investment and covering of the operational expenditure born by the gas transmission network operators</i></u>		SK cannot accept the EP mandate. Absolute Red line for SK!

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>in relation to the specific interconnection point.</u>		
Article 5(2)				
177	2. Transport contracts signed with non-standard start dates or with a shorter duration than a standard annual transport contract shall not result in arbitrarily higher or lower tariffs that do not reflect the market value of the service, in accordance with the principles laid down in Article 15(1).	2. Transport contracts signed with non-standard start dates or with a shorter duration than a standard annual transport contract shall not result in arbitrarily higher or lower tariffs that do not reflect the market value of the service, in accordance with the principles laid down in Article 15(1).	2. Transport contracts signed with non-standard start dates or with a shorter duration than a standard annual transport contract shall not result in arbitrarily higher or lower tariffs that do not reflect the market value of the service, in accordance with the principles laid down in Article 15(1).	
Article 5(3), first subparagraph				
178	3. Where two or more interconnection points connect the same two adjacent entry-exit systems, the adjacent transmission system operators concerned shall offer the available capacities at the interconnection points at one virtual interconnection point. Any contracted capacity at the interconnection points, regardless of the date of its conclusion, shall be transferred to the virtual interconnection point.	3. Where two or more interconnection points connect the same two adjacent entry-exit systems, the adjacent transmission system operators concerned shall offer the available capacities at the interconnection points at one virtual interconnection point. Any contracted capacity at the interconnection points, regardless of the date of its conclusion, shall be transferred to the virtual interconnection point.	3. Where two or more interconnection points connect the same two adjacent entry-exit systems, the adjacent transmission system operators concerned shall offer the available capacities at the interconnection points at one virtual interconnection point. Any contracted capacity at the interconnection points, regardless of the date of its conclusion, shall be transferred to the virtual interconnection point.	
Article 5(3), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
179	A virtual interconnection point shall be established only if the following conditions are met:	A virtual interconnection point shall be established only if the following conditions are met:	A virtual interconnection point shall be established only if the following conditions are met:	
Article 5(3), second subparagraph, point (a)				
180	(a) the total technical capacity at the virtual interconnection points shall be equal to or higher than the sum of the technical capacities at each of the interconnection points contributing to the virtual interconnection points;	(a) the total technical capacity at the virtual interconnection points shall be equal to or higher than the sum of the technical capacities at each of the interconnection points contributing to the virtual interconnection points;	(a) the total technical capacity at the virtual interconnection points shall be equal to or higher than the sum of the technical capacities at each of the interconnection points contributing to the virtual interconnection points;	
Article 5(3), second subparagraph, point (b)				
181	(b) the virtual interconnection point facilitates the economic and efficient use of the system including but not limited to rules set out in Article 9 and 10 of this Regulation.	(b) the virtual interconnection point facilitates the economic and efficient use of the system including but not limited to rules set out in Article 9 and 10 of this Regulation.	(b) the virtual interconnection point facilitates the economic and efficient use of the system including but not limited to rules set out in Article 9 and 10 of this Regulation.	
Article 5(4)				
182	4. Where appropriate, third-party access services may be granted subject to appropriate guarantees from network users with respect to the creditworthiness of such users.	4. Where appropriate, third-party access services may be granted subject to appropriate guarantees from network users with respect to the creditworthiness of such users.	4. Where appropriate, third-party access services may be granted subject to appropriate guarantees from network users with respect to the creditworthiness of such users.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Such guarantees shall not constitute undue market-entry barriers and shall be non-discriminatory, transparent and proportionate.	Such guarantees shall not constitute undue market-entry barriers and shall be non-discriminatory, transparent and proportionate.	Such guarantees shall not constitute undue market-entry barriers and shall be non-discriminatory, transparent and proportionate.	
Article 5(5)				
183	5. Transmission system operators shall, if necessary for the purpose of carrying out their functions including in relation to cross-border transmission, have access to the network of other transmission system operators.	5. Transmission system operators shall, if necessary for the purpose of carrying out their functions including in relation to cross-border transmission, have access to the network of other transmission system operators.	5. Transmission system operators shall, if necessary for the purpose of carrying out their functions including in relation to cross-border transmission, have access to the network of other transmission system operators.	
Article 5(6), first subparagraph				
183a			6. Paragraphs 1 to 5 shall be without prejudice to the possibility for Member States to take proportionate measures to temporarily limit, for a fixed term, up-front bidding for capacity by any single network user at entry points from the Russian Federation or Belarus, where this is necessary to protect their essential security interests and those of the Union, and provided that such measures:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 5(6), first subparagraph, point (i)				
183b			i. do not unduly disrupt the proper functioning of the internal gas market and cross-border flows of natural gas between Member States, and do not undermine the security of supply of the Union or a Member state	
Article 5(6), first subparagraph, point (ii)				
183c			ii. respect the principle of energy solidarity,	
Article 5(6), first subparagraph, point (iii)				
183d			iii. are taken in compliance with the rights and obligations of the Member States and of the Union with respect to third countries.	
Article 5(6), second subparagraph				
183e			Before deciding on a measure referred in the first subparagraph, the Member State concerned shall consult the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Commission and, in so far as they are likely to be affected by the measure, other Member States, the Energy Community Contracting Parties, third countries that are Contracting Parties to the Agreement on the European Economic Area, and the United Kingdom of Great Britain and Northern Ireland. The relevant Member States shall take the utmost account of the situation in those Member States and third countries and any concerns raised in that respect by those Member States, third countries or the Commission.	
Article 6				
184	Article 6 Third-party access services concerning hydrogen network operators	Article 6 Third-party access services concerning hydrogen network operators	Article 6 Third-party access services concerning hydrogen network operators	
Article 6(1)				
185	1. Hydrogen network operators shall offer their services on a non-discriminatory basis to all network users. Where the same service is	1. Hydrogen network operators shall offer their services on a non-discriminatory basis to all network users. Where the same service is	1. Hydrogen network operators shall offer their services on a non-discriminatory basis to all network users. Where the same service is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	offered to different customers, it shall be offered under equivalent contractual terms and conditions. Hydrogen network operators shall publish contractual terms and tariffs charged for network access and, if applicable, balancing charges, on their website.	offered to different customers, it shall be offered under equivalent contractual terms and conditions. Hydrogen network operators shall publish contractual terms and tariffs charged for network access and, if applicable, balancing charges, on their website.	offered to different customers, it shall be offered under equivalent contractual terms and conditions. Hydrogen network operators shall publish contractual terms and tariffs charged for network access and, if applicable, balancing charges, on their website.	
Article 6(2)				
186	2. The maximum capacity of a hydrogen network shall be made available to market participants, taking into account system integrity and efficient network operation.	2. The maximum capacity of a hydrogen network shall be made available to market participants, taking into account system integrity and efficient network operation.	2. The maximum capacity of a hydrogen network shall be made available to market participants, taking into account system integrity and efficient and safe network operation.	
Article 6(3)				
187	3. The maximum duration for capacity contracts shall be 20 years for infrastructure completed by [date of entry into force] and 15 years for infrastructure completed after this date. Regulatory authorities shall have the right to impose shorter maximum durations if necessary to ensure market functioning, to safeguard competition and to ensure future cross-border integration.	3. The maximum duration for capacity contracts shall be 20 years for infrastructure completed by [date of entry into force] and 15 years for infrastructure completed after this date. Regulatory authorities shall have the right to impose shorter maximum durations if necessary to ensure market functioning, to safeguard competition and to ensure future cross-border integration. <u>When</u>	3. The maximum duration for capacity contracts shall be 20 years for infrastructure completed by 1 January 2031 ~~[date of entry into force]~~ and 15 years for infrastructure completed after ~~this~~ that date. Regulatory authorities shall have the right to impose shorter maximum durations if necessary to ensure market functioning, to safeguard	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>adopting a decision on the imposition of a shorter maximum duration, the regulatory authorities shall take into account, inter alia, commitment from users to secure network financing, negative implications on planning and refinancing possibilities.</i></u>	competition and to ensure future cross-border integration.	
Article 6(4)				
188	4. Hydrogen network operators shall implement and publish non-discriminatory and transparent congestion-management procedures, which also facilitate cross-border exchanges in hydrogen on a non-discriminatory basis.	4. Hydrogen network operators shall implement and publish non-discriminatory and transparent congestion-management procedures, which also facilitate cross-border exchanges in hydrogen on a non-discriminatory basis.	4. Hydrogen network operators shall implement and publish non-discriminatory and transparent congestion-management procedures, which also facilitate cross-border exchanges in hydrogen on a non-discriminatory basis.	
Article 6(5)				
189	5. Hydrogen network operators shall regularly assess market demand for new investment, taking into account security of supply and the efficiency of the final hydrogen uses.	5. Hydrogen network operators shall regularly assess market demand for new investment, taking into account security of supply and the efficiency of the final hydrogen uses.	5. Hydrogen network operators shall regularly assess market demand for new investment, taking into account security of supply and the efficiency of the final hydrogen uses.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
189a		<u>5a. Where there is less capacity than potential users, hydrogen network operators shall, in cooperation with both relevant regulatory authorities and potential users, give priority access to users who can demonstrate the highest potential of greenhouse gas abatement per tonne of consumed hydrogen and where no more energy and cost efficient options are available. This paragraph shall not apply to access to the hydrogen network that has already been granted.</u>		
Article 6(6)				
190	6. As of 1 January 2031, hydrogen networks shall be organised as entry-exit systems.	6. As of 1 January 2031, hydrogen networks shall be organised as entry-exit systems.	6. As of 1 January ~~2031~~ [2036], hydrogen networks shall be organised as entry-exit systems.	
190a			6a. Member States may decide not to apply paragraph 6 to hydrogen networks which benefit from a derogation pursuant to Article 48 [Recast Gas Directive] and are not	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			connected to another hydrogen network .	
Article 6(7)				
191	7. As of 1 January 2031, Article 15 shall apply also to tariffs for access to hydrogen networks. Articles 16 and 17 shall not apply. No tariffs shall be charged pursuant to Article 15 for access to hydrogen networks at interconnection points between Member States. Where a Member State decides to apply regulated third party access to hydrogen networks in accordance with Article 31 of [recast Gas Directive] before 1 January 2031, paragraph 1 of Article 15 shall be applicable to access tariff to hydrogen networks in that Member State.	7. As of 1 January 2031, Article 15 shall apply also to tariffs for access to hydrogen networks. Articles 16 and 17 shall not apply. <u>From 1 January 2031, no tariffs shall be charged pursuant to Article 15 for access to hydrogen networks at interconnection points between Member States, unless the regulatory authorities concerned jointly agree on a tariff regime for such access. In the absence of an agreement between the regulatory authorities concerned, ACER shall decide on the tariff regime, including the possibility of avoiding the application of tariffs, in accordance with Article 6(10) of Regulation (EU) 2019/942. When deciding on that tariff regime the regulatory authorities concerned or ACER shall ensure an appropriate return on investment and covering of the operational expenditure born by the hydrogen transmission network operators in relation to</u>	7. As of 1 January 2031[2036], Article 15 shall apply also to tariffs for access to hydrogen networks and the obligations on transmission system operators set out in paragraphs 1 and 2 of Article 15 shall apply to hydrogen network operators. Articles 16 and 17 shall not apply. ~~No tariffs shall be charged pursuant to Article 15 for access to hydrogen networks~~ to hydrogen networks, but only to the natural gas system. At interconnection points between Member States-, when capacity is allocated via auctions, competent national authorities may decide to apply zero reserve price. Where a Member State decides to apply regulated third party access to hydrogen networks in accordance with Article 31 of [recast Gas Directive] before 1 January 2031[2036], paragraph 1 of Article 15 shall be applicable to	We can only support Council mandate. Red line – keep the sentence «No tariffs shall be charged pursuant to Article 15 for access to hydrogen networks at interconnection points between Member States. » out of the paragraph.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>the given interconnection point.</u> Where a Member State decides to apply regulated third party access to hydrogen networks in accordance with Article 31 of [recast Gas Directive] before 1 January 2031, ~~paragraph 1 of Article 15~~ <u>Article 15(1) of this Regulation</u> shall be applicable to access tariff to hydrogen networks in that Member State.	access tariff to hydrogen networks in that Member State.	
Article 6(8)				
192	8. As of 1 January 2031, hydrogen network operators shall comply with the requirements on transmission system operators pursuant to Articles 5, 9 and 12 when offering their services, and publish tariffs for each network point on an online platform operated by the ENNOH. Until a network code on capacity allocation for hydrogen networks has been adopted pursuant to Article 54(2), point (d) and has entered into force, such publication can occur via links to the publication of tariffs on websites of hydrogen network operators.	8. As of 1 January 2031, hydrogen network operators shall comply with the requirements on transmission system operators pursuant to Articles 5, 9 and 12 when offering their services, and publish tariffs for each network point on an online platform operated by the ~~ENNOH~~ <u>ENTSOG&H</u>. Until a network code on capacity allocation for hydrogen networks has been adopted pursuant to Article 54(2), point (d) and has entered into force, such publication can occur via links to the publication of tariffs on websites of hydrogen network operators.	8. As of 1 January ~~2031~~ [2036], hydrogen network operators shall comply with the requirements on transmission system operators pursuant to Articles 5, 9 and 12 when offering their services, and shall publish tariffs for each network point on an online platform operated by the ENNOH. Until a network code on capacity allocation for hydrogen networks has been adopted pursuant to Article 54(2), point (d) and has entered into force, such publication ~~can~~ may occur via links to the publication of tariffs on websites of hydrogen network operators.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7				
193	Article 7 Third-party access services concerning natural gas storage, hydrogen terminals and LNG facilities and hydrogen storage facilities	Article 7 Third-party access services concerning natural gas storage, hydrogen terminals and LNG facilities and hydrogen storage facilities	Article 7 Third-party access services concerning natural gas- storage , hydrogen terminals and LNG facilities and hydrogen storage facilities	
Article 7(1)				
194	1. Operators of LNG facilities and hydrogen terminals, hydrogen storage facility operators as well as natural gas storage system operators shall:	1. Operators of LNG facilities and hydrogen terminals, hydrogen storage facility operators as well as natural gas storage system operators shall:	1. Operators of LNG facilities and hydrogen terminals, hydrogen storage facility operators as well as natural gas storage system operators shall:	
Article 7(1), point (a)				
195	(a) offer services on a non-discriminatory basis to all network users that accommodate market demand; in particular, where an operator of LNG facilities or a hydrogen terminals, hydrogen storage facility or natural gas storage system operator offers the same service to different customers, it shall do so under	(a) offer services on a non-discriminatory basis to all network users that accommodate market demand; in particular, where an operator of LNG facilities or a hydrogen terminals, hydrogen storage facility or natural gas storage system operator offers the same service to different customers, it shall do so under	(a) offer services on a non-discriminatory basis to all network users that accommodate market demand; in particular, where an operator of LNG facilities or a hydrogen terminals, hydrogen storage facility or natural gas storage system operator offers the same service to different customers, it shall do so under	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	equivalent contractual terms and conditions;	equivalent contractual terms and conditions;	equivalent contractual terms and conditions;	
Article 7(1), point (b)				
196	(b) offer services that are compatible with the use of the interconnected natural gas and hydrogen transport systems and facilitate access through cooperation with the transmission system operator or hydrogen network operator; and	(b) offer services that are compatible with the use of the interconnected natural gas and hydrogen transport systems and facilitate access through cooperation with the transmission system operator or hydrogen network operator; and	(b) offer services that are compatible with the use of the interconnected natural gas and hydrogen transport systems and facilitate access through cooperation with the transmission system operator or hydrogen network operator; and	
Article 7(1), point (c)				
197	(c) make relevant information public, in particular data on the use and availability of services, in a time-frame compatible with the reasonable commercial needs of users of LNG or storage facilities, hydrogen terminals or hydrogen storage facilities, subject to the monitoring of such publication by the regulatory authority.	(c) make relevant information public, in particular data on the use and availability of services, in a time-frame compatible with the reasonable commercial needs of users of LNG or storage facilities, hydrogen terminals or hydrogen storage facilities, subject to the monitoring of such publication by the regulatory authority.	(c) make relevant information public, in particular data on the use and availability of services, in a time-frame compatible with the reasonable commercial needs of users of LNG or storage facilities, hydrogen terminals or hydrogen storage facilities, subject to the monitoring of such publication by the regulatory authority.	
Article 7(2)				
198	2. Each storage system operator shall:	2. Each storage system operator shall:	2. Each storage system operator shall:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7(2), point (a)				
199	(a) provide both firm and interruptible third-party access services; the price of interruptible capacity shall reflect the probability of interruption;	(a) provide both firm and interruptible third-party access services; the price of interruptible capacity shall reflect the probability of interruption;	(a) provide both firm and interruptible third-party access services; the price of interruptible capacity shall reflect the probability of interruption;	
Article 7(2), point (b)				
200	(b) offer to storage facility users both long and short-term services;	(b) offer to storage facility users both long and short-term services;	(b) offer to storage facility users both long and short-term services;	
Article 7(2), point (c)				
201	(c) offer to storage facility users both bundled and unbundled services of storage space, injectability and deliverability.	(c) offer to storage facility users both bundled and unbundled services of storage space, injectability and deliverability.	(c) offer to storage facility users both bundled and unbundled services of storage space, ~~injectability and deliverability~~ capacity ,	
Article 7(3)				
202	3. Each LNG system operator shall offer to LNG facility users both bundled and unbundled services, within the LNG facility depending on the needs expressed by LNG facility users.	3. Each LNG system operator shall offer to LNG facility users both bundled and unbundled services, within the LNG facility depending on the needs expressed by LNG facility users.	3. Each LNG system operator shall offer to LNG facility users both bundled and unbundled services, within the LNG facility depending on the needs expressed by LNG facility users.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7(4), first subparagraph				
203	4. LNG and natural gas storage facility contracts shall not result in arbitrarily higher tariffs in cases in which they are signed:	4. LNG and natural gas storage facility contracts shall not result in arbitrarily higher tariffs in cases in which they are signed:	4. LNG and natural gas storage facility contracts shall not result in arbitrarily higher tariffs in cases in which they are signed:	
Article 7(4), first subparagraph, point (a)				
204	(a) outside a natural gas year with non-standard start dates; or	(a) outside a natural gas year with non-standard start dates; or	(a) outside a natural gas year with non-standard start dates; or	
Article 7(4), first subparagraph, point (b)				
205	(b) with a shorter duration than a standard LNG and storage facility contract on an annual basis.	(b) with a shorter duration than a standard LNG and storage facility contract on an annual basis.	(b) with a shorter duration than a standard LNG and storage facility contract on an annual basis.	
Article 7(4), second subparagraph				
206	Hydrogen storage facility and hydrogen terminal contracts with a shorter duration than a standard LNG and storage facility contract on an annual basis shall not result in arbitrarily higher tariffs.	Hydrogen storage facility and hydrogen terminal contracts with a shorter duration than a standard LNG and storage facility contract on an annual basis shall not result in arbitrarily higher tariffs.	Hydrogen storage facility and hydrogen terminal contracts with a shorter duration than a standard LNG and storage facility contract on an annual basis shall not result in arbitrarily higher tariffs.	
Article 7(5)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
207	5. Where appropriate, third-party access services may be granted subject to appropriate guarantees from network users with respect to the creditworthiness of such users. Such guarantees shall not constitute undue market-entry barriers and shall be non-discriminatory, transparent and proportionate.	5. Where appropriate, third-party access services may be granted subject to appropriate guarantees from network users with respect to the creditworthiness of such users. Such guarantees shall not constitute undue market-entry barriers and shall be non-discriminatory, transparent and proportionate.	5. Where appropriate, third-party access services may be granted subject to appropriate guarantees from network users with respect to the creditworthiness of such users. Such guarantees shall not constitute undue market-entry barriers and shall be non-discriminatory, transparent and proportionate.	
Article 7(6)				
208	6. Contractual limits on the required minimum size of LNG facility or hydrogen terminal capacity and natural gas or hydrogen storage capacity shall be justified on the basis of technical constraints and shall permit smaller storage users to gain access to storage services.	6. Contractual limits on the required minimum size of LNG facility or hydrogen terminal capacity and natural gas or hydrogen storage capacity shall be justified on the basis of technical constraints and shall permit smaller storage users to gain access to storage services.	6. Contractual limits on the required minimum size of LNG facility or hydrogen terminal capacity and natural gas or hydrogen storage capacity shall be justified on the basis of technical constraints and shall permit smaller storage users to gain access to storage services.	
Article 7(7), first subparagraph				
208a			7. Paragraphs 1-6 shall be without prejudice to the possibility for Member States to take proportionate measures to temporarily limit, for a fixed term, up-front bidding for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			capacity by any single network user at LNG terminals for deliveries from the Russian Federation or Belarus, where this is necessary to protect their essential security interests and those of the Union, and provided that such measures:	
Article 7(7), first subparagraph, point (i)				
208b			i. do not unduly disrupt the proper functioning of the internal gas market, and cross-border flows of natural gas between Member States, and do not undermine the security of supply of the Union or a Member State	
Article 7(7), first subparagraph, point (ii)				
208c			ii. respect the principle of energy solidarity,	
Article 7(7), first subparagraph, point (iii)				
208d			iii. are taken in compliance with the rights and obligations of the Member States and of the Union with respect to third countries.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7(7), second subparagraph				
208e			Before deciding on a measure referred in the first subparagraph, the Member State concerned shall consult the Commission and, in so far as they are likely to be affected by the measure, other Member States, the Energy Community Contracting Parties, third countries that are Contracting Parties to the Agreement on the European Economic Area, and the United Kingdom of Great Britain and Northern Ireland. The relevant Member States shall take the utmost account of the situation in those Member States and third countries and any concerns raised in that respect by those Member States, third countries or the Commission.	
Article 8				
209	Article 8 Market assessment for renewable and low carbon gases by LNG and storage system operators	Article 8 Market assessment for renewable <u>gas</u> and low carbon ~~gases~~ <u>gas</u> by LNG and storage system operators	Article 8 Market assessment for renewable and low carbon gases by LNG and storage system operators	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 8, first paragraph				
210	LNG and storage system operators shall, at least every two years, assess market demand for new investment allowing the use of renewable and low carbon gases in the facilities. When planning new investments, LNG and storage system operators shall assess market demand and take into account security of supply. LNG and storage system operators shall make publicly available any plans regarding new investments allowing the usage of renewable and low carbon gases in their facilities.	LNG and storage system operators shall, <u>in cooperation with relevant regulatory authorities and</u> at least every two years, assess market demand for new investment, allowing the use of renewable <u>gas</u> and low carbon ~~gases~~ <u>gas</u> in the facilities, <u>including repurposing for hydrogen derivatives and hydrogen terminals</u> . When planning new investments, LNG and storage system operators shall assess market demand and take into account security of supply, <u>as well as market demand for liquid hydrogen and new related investments</u> . LNG and storage system operators shall make publicly available any plans regarding new investments allowing <u>prioritising</u> the usage of renewable <u>gas</u> and low carbon ~~gases~~ <u>gas</u> in their facilities.	LNG and storage system operators shall, at least every two years, assess market demand for new investment allowing the use of renewable and low carbon gases, including hydrogen compounds such as liquid ammonia and liquid organic hydrogen carriers , in the facilities. When planning new investments, LNG and storage system operators shall assess market demand and take into account security of supply. LNG and storage system operators shall make publicly available any plans regarding new investments allowing the usage of renewable and low carbon gases in their facilities.	
Article 9				
211	Article 9 Principles of capacity-allocation mechanisms and congestion-	Article 9 Principles of capacity-allocation mechanisms and congestion-	Article 9 Principles of capacity-allocation mechanisms and congestion-	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	management procedures concerning transmission system operators	management procedures concerning transmission system operators	management procedures concerning transmission system operators	
Article 9(1)				
212	1. The maximum capacity at all relevant points referred to in Article 30 (3) shall be made available to market participants, taking into account system integrity and efficient network operation.	1. The maximum capacity at all relevant points referred to in Article 30 (3) shall be made available to market participants, taking into account system integrity and efficient network operation.	1. The maximum capacity at all relevant points referred to in Article 30 (3) shall be made available to market participants, taking into account system integrity and efficient network operation.	
Article 9(2)				
213	2. The transmission system operator shall implement and publish non-discriminatory and transparent capacity-allocation mechanisms, which shall:	2. The transmission system operator shall implement and publish non-discriminatory and transparent capacity-allocation mechanisms, which shall:	2. The transmission system operator shall implement and publish non-discriminatory and transparent capacity-allocation mechanisms, which shall:	
Article 9(2), point (a)				
214	(a) provide appropriate economic signals for the efficient and maximum use of technical capacity, facilitate investment in new infrastructure and facilitate cross-border exchanges in natural gas;	(a) provide appropriate economic signals for the efficient and maximum use of technical capacity, facilitate investment in new infrastructure and facilitate cross-border exchanges in natural gas, <u>taking into account</u>	(a) provide appropriate economic signals for the efficient and maximum use of technical capacity, facilitate investment in new infrastructure and facilitate cross-border exchanges in natural gas;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>investments in decommissioning, cost-savings from repurposing to hydrogen and investments in alternative demand-side solutions not requiring new infrastructure investments;</i></u>		
Article 9(2), point (b)				
215	(b) be compatible with the market mechanisms including spot markets and trading hubs, while being flexible and capable of adapting to evolving market circumstances; and	(b) be compatible with the market mechanisms including spot markets and trading hubs, while being flexible and capable of adapting to evolving market circumstances; and	(b) be compatible with the market mechanisms including spot markets and trading hubs, while being flexible and capable of adapting to evolving market circumstances; and	
Article 9(2), point (c)				
216	(c) be compatible with the network access systems of the Member States.	(c) be compatible with the network access systems of the Member States.	(c) be compatible with the network access systems of the Member States.	
Article 9(3), first subparagraph				
217	3. The transmission system operator shall implement and publish non-discriminatory and transparent congestion-management procedures which facilitate cross-border exchanges in natural gas on a non-	3. The transmission system operator shall implement and publish non-discriminatory and transparent congestion-management procedures which facilitate cross-border exchanges in natural gas on a non-	3. The transmission system operator shall implement and publish non-discriminatory and transparent congestion-management procedures which facilitate cross-border exchanges in natural gas on a non-	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	discriminatory basis and which shall be based on the following principles:	discriminatory basis and which shall be based on the following principles:	discriminatory basis and which shall be based on the following principles:	
Article 9(3), first subparagraph, point (a)				
218	(a) in the event of contractual congestion, the transmission system operator shall offer unused capacity on the primary market at least on a day-ahead and interruptible basis; and	(a) in the event of contractual congestion, the transmission system operator shall offer unused capacity on the primary market at least on a day-ahead and interruptible basis; and	(a) in the event of contractual congestion, the transmission system operator shall offer unused capacity on the primary market at least on a day-ahead and interruptible basis; and	
Article 9(3), first subparagraph, point (b)				
219	(b) network users who wish to re-sell or sublet their unused contracted capacity on the secondary market shall be entitled to do so.	(b) network users who wish to re-sell or sublet their unused contracted capacity on the secondary market shall be entitled to do so.	(b) network users who wish to re-sell or sublet their unused contracted capacity on the secondary market shall be entitled to do so.	
Article 9(3), second subparagraph				
220	As regards the first subparagraph, point (a), a Member State may require notification or information of the transmission system operator by network users.	As regards the first subparagraph, point (a), a Member State may require notification or information of the transmission system operator by network users.	As regards the first subparagraph, point (a), a Member State may require notification or information of the transmission system operator by network users.	
Article 9(4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
221	4. Transmission system operators shall regularly assess market demand for new investment taking into account the joint scenario as developed for the integrated network development plan based on Article 51 of [recast Gas Directive as proposed in COM(2021) xxx] as well as security of supply.	4. Transmission system operators shall regularly assess market demand for new investment taking into account the joint scenario as developed for the integrated network development plan based on Article 51 of [recast Gas Directive as proposed in COM(2021) xxx] as well as security of supply.	4. Transmission system operators shall regularly assess market demand for new investment taking into account the joint scenario as developed for the integrated network development plan based on Article 51 of [recast Gas Directive as proposed in COM(2021) xxx] as well as security of supply.	
Article 10				
222	Article 10 Principles of capacity-allocation mechanisms and congestion-management procedures concerning natural gas storage, hydrogen terminals, hydrogen storage facilities and LNG facilities	Article 10 Principles of capacity-allocation mechanisms and congestion-management procedures concerning natural gas storage, hydrogen terminals, hydrogen storage facilities and LNG facilities	Article 10 Principles of capacity-allocation mechanisms and congestion-management procedures concerning natural gas storage, hydrogen terminals, hydrogen storage facilities and LNG facilities	
Article 10(1)				
223	1. The maximum capacity of a natural gas storage and LNG or hydrogen storage facility as well as of hydrogen terminals shall be made available to market participants, taking into account system integrity and operation.	1. The maximum capacity of a natural gas storage and LNG or hydrogen storage facility as well as of hydrogen terminals shall be made available to market participants, taking into account system integrity and operation.	1. The maximum capacity of a natural gas storage ~~and LNG facility~~ , LNG facility or hydrogen storage facility as well as of hydrogen terminals shall be made available to market	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			participants, taking into account system integrity and operation.	
Article 10(2)				
224	2. LNG and hydrogen storage facilities as well as hydrogen terminal and natural gas storage system operators shall implement and publish non-discriminatory and transparent capacity-allocation mechanisms which shall:	2. LNG and hydrogen storage facilities as well as hydrogen terminal and natural gas storage system operators shall implement and publish non-discriminatory and transparent capacity-allocation mechanisms which shall:	2. Operators of LNG and hydrogen storage facilities as well as hydrogen terminal and natural gas storage system operators shall implement and publish non-discriminatory and transparent capacity-allocation mechanisms which shall:	
Article 10(2), point (a)				
225	(a) provide appropriate economic signals for the efficient and maximum use of capacity and facilitate investment in new infrastructure;	(a) provide appropriate economic signals for the efficient and maximum use of capacity and facilitate investment in new infrastructure;	(a) provide appropriate economic signals for the efficient and maximum use of capacity and facilitate investment in new infrastructure;	
Article 10(2), point (b)				
226	(b) be compatible with the market mechanism including spot markets and trading hubs, while being flexible and capable of adapting to evolving market circumstances;	(b) be compatible with the market mechanism including spot markets and trading hubs, while being flexible and capable of adapting to evolving market circumstances;	(b) be compatible with the market ~~mechanism~~ mechanisms including spot markets and trading hubs, while being flexible and capable of adapting to evolving market circumstances;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 10(2), point (c)				
227	(c) be compatible with the connected network access systems.	(c) be compatible with the connected network access systems.	(c) be compatible with the connected network access systems.	
Article 10(3)				
228	3. Contracts for LNG terminals, hydrogen terminals, and hydrogen and natural gas storage facilities shall include measures to prevent capacity-hoarding, by taking into account the following principles, which shall apply in cases of contractual congestion:	3. Contracts for LNG terminals, hydrogen terminals, and hydrogen and natural gas storage facilities shall include measures to prevent capacity-hoarding, by taking into account the following principles, which shall apply in cases of contractual congestion:	3. Contracts for LNG terminals, hydrogen terminals, and hydrogen and natural gas storage facilities shall include measures to prevent capacity-hoarding, by taking into account the following principles, which shall apply in cases of contractual congestion:	
Article 10(3), point (a)				
229	(a) the system operator shall offer unused LNG facility, hydrogen terminal and storage capacity on the primary market without delay; for storage facilities this shall be at least on a day-ahead and interruptible basis;	(a) the system operator shall offer unused LNG facility, hydrogen terminal and storage capacity on the primary market without delay; for storage facilities this shall be at least on a day-ahead and interruptible basis;	(a) the system operator shall offer unused ~~LNG facility, hydrogen terminal and storage~~ capacity on the primary market without delay; for natural gas storage facilities this shall be at least on a day-ahead and interruptible basis;	
Article 10(3), point (b)				
230	(b) LNG facility, hydrogen terminal and storage facility users who wish to re-sell their	(b) LNG facility, hydrogen terminal and storage facility users who wish to re-sell their	(b) ~~LNG facility, hydrogen terminal and storage facility~~ Users who wish to re-sell their	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	contracted capacity on the secondary market shall be entitled to do so; LNG facility, hydrogen terminal and storage system operators, individually or regionally, shall ensure a transparent and non-discriminatory booking platform for LNG facility, hydrogen terminal and storage facility users to re-sell their contracted capacity on the secondary market no later than 18 months after [date of entry into force of this Regulation].	contracted capacity on the secondary market shall be entitled to do so; LNG facility, hydrogen terminal and storage system operators, individually or regionally, shall ensure a transparent and non-discriminatory booking platform for LNG facility, hydrogen terminal and storage facility users to re-sell their contracted capacity on the secondary market no later than 18 months after [date of entry into force of this Regulation].	contracted capacity on the secondary market shall be entitled to do so; LNG facility, hydrogen terminal, hydrogen storage and natural gas ~~and~~ storage system operators, individually or regionally, shall ensure the availability of a transparent and non-discriminatory booking platform for LNG facility, hydrogen terminal, hydrogen storage facility and natural gas ~~and~~ storage facility users to re-sell their contracted capacity on the secondary market no later than 18 months after [date of entry into force of this Regulation].	
Article 11				
231	Article 11 Trading of capacity rights	Article 11 Trading of capacity rights	Article 11 Trading of capacity rights	
Article 11, first paragraph				
232	Each transmission, storage, LNG and hydrogen system operator shall take reasonable steps to allow capacity rights to be freely tradable and to facilitate such trade in a transparent and non-discriminatory manner. Every such	Each transmission, storage, LNG and hydrogen system operator shall take reasonable steps to allow capacity rights to be freely tradable and to facilitate such trade in a transparent and non-discriminatory manner. Every such	Each transmission, storage, LNG and hydrogen system operator shall take reasonable steps to allow capacity rights to be freely tradable and to facilitate such trade in a transparent and non-discriminatory manner. Every such	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	operator shall develop harmonised contracts and procedures for transport, LNG facility, hydrogen terminals and natural gas and hydrogen storage facilities on the primary market to facilitate secondary trade of capacity and shall recognise the transfer of primary capacity rights where notified by system users.	operator shall develop harmonised contracts and procedures for transport, LNG facility, hydrogen terminals and natural gas and hydrogen storage facilities on the primary market to facilitate secondary trade of capacity and shall recognise the transfer of primary capacity rights where notified by system users.	operator shall develop harmonised contracts and procedures for transport, LNG facility, hydrogen terminals and natural gas and hydrogen storage facilities on the primary market to facilitate secondary trade of capacity and shall recognise the transfer of primary capacity rights where notified by system users.	
Article 11, second paragraph				
233	The harmonised contracts and procedures shall be notified to the regulatory authorities.	The harmonised contracts and procedures shall be notified to the regulatory authorities.	The harmonised contracts and procedures shall be notified to the regulatory authorities.	
Article 12				
234	Article 12 Balancing rules and imbalance charges	Article 12 Balancing rules and imbalance charges	Article 12 Balancing rules and imbalance charges	
Article 12(1)				
235	1. Balancing rules shall be designed in a fair, non-discriminatory and transparent manner and shall be based on objective criteria. Balancing rules shall reflect genuine system needs	1. Balancing rules shall be designed in a fair, non-discriminatory and transparent manner and shall be based on objective criteria. Balancing rules shall reflect genuine system needs	1. Balancing rules shall be designed in a fair, non-discriminatory and transparent manner and shall be based on objective criteria. Balancing rules shall reflect genuine system needs	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	taking into account the resources available to the transmission system operator. Balancing rules shall be market-based.	taking into account the resources available to the transmission system operator. Balancing rules shall be market-based.	taking into account the resources available to the transmission system operator. Balancing rules shall be market-based.	
Article 12(2), first subparagraph				
236	2. In order to enable network users to take timely corrective action, the transmission system operator shall provide sufficient, well-timed and reliable on-line based information on the balancing status of network users.	2. In order to enable network users to take timely corrective action, the transmission system operator shall provide sufficient, well-timed and reliable on-line based information on the balancing status of network users.	2. In order to enable network users to take timely corrective action, the transmission system operator shall provide sufficient, well-timed and reliable on-line based information on the balancing status of network users.	
Article 12(2), second subparagraph				
237	The information provided shall reflect the level of information available to the transmission system operator and the settlement period for which imbalance charges are calculated.	The information provided shall reflect the level of information available to the transmission system operator and the settlement period for which imbalance charges are calculated.	The information provided shall reflect the level of information available to the transmission system operator and the settlement period for which imbalance charges are calculated.	
Article 12(2), third subparagraph				
238	No charge shall be made for the provision of information under this paragraph.	No charge shall be made for the provision of information under this paragraph.	No charge shall be made for the provision of information under this paragraph.	
Article 12(3), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
239	3. Imbalance charges shall be cost-reflective to the extent possible, whilst providing appropriate incentives on network users to balance their input and off-take of gas. They shall avoid cross-subsidisation between network users and shall not hamper the entry of new market entrants.	3. Imbalance charges shall be cost-reflective to the extent possible, whilst providing appropriate incentives on network users to balance their input and off-take of gas. They shall avoid cross-subsidisation between network users and shall not hamper the entry of new market entrants.	3. Imbalance charges shall be cost-reflective to the extent possible, whilst providing appropriate incentives on network users to balance their input and off-take of gas. They shall avoid cross-subsidisation between network users and shall not hamper the entry of new market entrants.	
Article 12(3), second subparagraph				
240	Any calculation methodology for imbalance charges as well as the final values shall be made public by the competent authorities or the transmission system operator, as appropriate.	Any calculation methodology for imbalance charges as well as the final values shall be made public by the competent authorities or the transmission system operator, as appropriate.	Any calculation methodology for imbalance charges as well as the final values shall be made public by the competent authorities or the transmission system operator, as appropriate.	
Article 12(4)				
241	4. Member States shall ensure that transmission system operators endeavour to harmonise balancing regimes and streamline structures and levels of balancing charges in order to facilitate gas trade carried out at the virtual trading point.	4. Member States shall ensure that transmission system operators endeavour to harmonise balancing regimes and streamline structures and levels of balancing charges in order to facilitate gas trade carried out at the virtual trading point.	4. Member States shall ensure that transmission system operators endeavour to harmonise balancing regimes and streamline structures and levels of balancing charges in order to facilitate gas trade carried out at the virtual trading point.	
Article 13				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
242	Article 13 Certification of transmission system operators and hydrogen network operators	Article 13 Certification of transmission system operators and hydrogen network operators	Article 13 Certification of transmission system operators and hydrogen network operators	
Article 13(1), first subparagraph				
243	1. The Commission shall examine any notification of a decision on the certification of a transmission system operator or a hydrogen network operator as laid down in Article 65(6) of [the recast gas Directive as proposed in COM(2021)xxx] as soon as it is received. Within two months of the day of receipt of such notification, the Commission shall deliver its opinion to the relevant regulatory authority in regard to its compatibility with Article 65(2) or Article 66, and Article 54 of Recast Gas Directive for transmission system operators, and Article 65 of that Directive for hydrogen network operators.	1. The Commission shall examine any notification of a decision on the certification of a transmission system operator or a hydrogen network operator as laid down in Article 65(6) of [the recast gas Directive as proposed in COM(2021)xxx] as soon as it is received. Within two months of the day of receipt of such notification, the Commission shall deliver its opinion to the relevant regulatory authority in regard to its compatibility with Article 65(2) or Article 66, and Article 54 of Recast Gas Directive for transmission system operators, and Article 65 of that Directive for hydrogen network operators.	1. The Commission shall examine any notification of a decision on the certification of a transmission system operator or a hydrogen network operator as laid down in Article 65(6) of [the recast gas Directive as proposed in COM(2021)xxx] as soon as it is received. Within two months of the day of receipt of such notification, the Commission shall deliver its opinion to the relevant regulatory authority in regard to its compatibility with Article 65(2) or Article 66, and Article 54 of Recast Gas Directive for transmission system operators, and Article ~~65~~ 62 of that Directive for hydrogen network operators.	
Article 13(1), second subparagraph				
244	When preparing the opinion referred to in the first	When preparing the opinion referred to in the first	When preparing the opinion referred to in the first	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	subparagraph, the Commission may request ACER to provide its opinion on the regulatory authority's decision. In such a case, the two-month period referred to in the first subparagraph shall be extended by two further months.	subparagraph, the Commission may request ACER to provide its opinion on the regulatory authority's decision. In such a case, the two-month period referred to in the first subparagraph shall be extended by two further months.	subparagraph, the Commission may request ACER to provide its opinion on the regulatory authority's decision. In such a case, the two-month period referred to in the first subparagraph shall be extended by two further months.	
Article 13(1), third subparagraph				
245	In the absence of an opinion by the Commission within the periods referred to in the first and second subparagraphs, the Commission shall be deemed not to raise objections against the regulatory authority's decision.	In the absence of an opinion by the Commission within the periods referred to in the first and second subparagraphs, the Commission shall be deemed not to raise objections against the regulatory authority's decision.	In the absence of an opinion by the Commission within the periods referred to in the first and second subparagraphs, the Commission shall be deemed not to raise objections against the regulatory authority's decision.	
Article 13(2)				
246	2. Within two months of receiving an opinion of the Commission, the regulatory authority shall adopt its final decision regarding the certification of the transmission system operator or hydrogen network operator, taking the utmost account of that opinion. The regulatory authority's decision and the Commission's opinion shall be published together.	2. Within two months of receiving an opinion of the Commission, the regulatory authority shall adopt its final decision regarding the certification of the transmission system operator or hydrogen network operator, taking the utmost account of that opinion. The regulatory authority's decision and the Commission's opinion shall be published together.	2. Within two months of receiving an opinion of the Commission, the regulatory authority shall adopt its final decision regarding the certification of the transmission system operator or hydrogen network operator, taking the utmost account of that opinion. The regulatory authority's decision and the Commission's opinion shall be published together.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 13(3)				
247	3. At any time during the procedure regulatory authorities or the Commission may request from a transmission system operator, hydrogen network operator and/or an undertaking performing any of the functions of production or supply any information relevant to the fulfilment of their tasks under this Article.	3. At any time during the procedure regulatory authorities or the Commission may request from a transmission system operator, hydrogen network operator and/or an undertaking performing any of the functions of production or supply any information relevant to the fulfilment of their tasks under this Article.	3. At any time during the procedure regulatory authorities or the Commission may request from a transmission system operator, a hydrogen network operator and/or an undertaking performing any of the functions of production or supply any information relevant to the fulfilment of their tasks under this Article.	
Article 13(4)				
248	4. Regulatory authorities and the Commission shall preserve the confidentiality of commercially sensitive information.	4. Regulatory authorities and the Commission shall preserve the confidentiality of commercially sensitive information.	4. Regulatory authorities and the Commission shall preserve the confidentiality of commercially sensitive information.	
Article 13(5)				
249	5. The Commission is empowered to adopt delegated acts in accordance with Article 63 to provide guidelines setting out the details of the procedure to be followed for the application of paragraphs 1 and 2 of this Article.	5. The Commission is empowered to adopt delegated acts in accordance with Article 63 to provide guidelines setting out the details of the procedure to be followed for the application of paragraphs 1 and 2 of this Article.	5. The Commission is empowered to adopt delegated acts in accordance with Article 63 to provide supplement this Regulation by providing guidelines setting out the details of the procedure to be followed for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			the application of paragraphs 1 and 2 of this Article.	
Article 13(6)				
250	6. Where the Commission has received notification of the certification of a transmission system operator under Article 54(10) of recast Gas Directive as proposed in COM(2021) xxx, the Commission shall take a decision relating to certification. The regulatory authority shall comply with the Commission decision.	6. Where the Commission has received notification of the certification of a transmission system operator under Article 54(10) of recast Gas Directive as proposed in COM(2021) xxx, the Commission shall take a decision relating to certification. The regulatory authority shall comply with the Commission decision.	6. Where the Commission has received notification of the certification of a transmission system operator under Article 54(10) of recast Gas Directive as proposed in COM(2021) xxx, the Commission shall take a decision relating to certification. The regulatory authority shall comply with the Commission decision.	
250a			Article 13a Article 13a¹ Certification of storage system operators 1. The whole article incorporates in the text the provision of Article 3a as introduced in the 2009 Gas regulation by Regulation (EU) 2022/1032. [Cross referencing will be adapted at a later stage].	
250b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			1. Member States shall ensure that each storage system operator, including any storage system operator controlled by a transmission system operator, is certified in accordance with the procedure laid down in this Article, either by the national regulatory authority or by another competent authority designated by the Member State concerned pursuant to Article 3(2) of Regulation (EU) 2017/1938 of the European Parliament and of the Council¹ (in either case, "certifying authority"). 1. Regulation (EU) 2017/1938 of the European Parliament and of the Council of 25 October 2017 concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010 (OJ L 280, 28.10.2017, p. 1).²"	
250c			This Article also applies to storage system operators controlled by transmission system operators which have already been certified under the unbundling rules laid down in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Articles 9, 10 and 11 of Directive 2009/73/EC.	
250d			2. The certifying authority shall issue a draft certification decision in respect of storage system operators that operate underground gas storage facilities with a capacity of over 3,5 TWh where, regardless of the number of storage system operators, total storage facilities were filled on 31 March 2021 and on 31 March 2022 at a level which, on average, was less than 30 % of their maximum capacity by 1 February 2023 or within 150 working days of the date of receipt of a notification pursuant to paragraph 9.	
250e			In respect of storage system operators as referred to in the first subparagraph, the certifying authority shall make its best efforts to issue a draft certification decision by 1 November 2022.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
250f			In respect of all other storage system operators, the certifying authority shall issue a draft certification decision by 2 January 2024 or within 18 months of the date of receipt of a notification pursuant to paragraph 8 or 9.	
250g			3. In considering the risk to the security of energy supply in the Union, the certifying authority shall take into account any security of gas supply risk at national, regional or Union-wide level as well as any mitigation of such risk, resulting, inter alia, from:	
250h			(a) ownership, supply or other commercial relationships that could negatively affect the incentives and the ability of the storage system operator to fill	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			the underground gas storage facility;	
250i			(b) the rights and obligations of the Union with respect to a third country arising under international law, including any agreement concluded with one or more third countries to which the Union is a party and which addresses the issue of the security of energy supply;	
250j			(c) the rights and obligations of the Member States concerned with respect to a third country arising under agreements concluded by the Member States concerned with one or more third countries, in so far as those agreements comply with Union law; or	
250k			(d) any other specific facts and circumstances of the case.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
2501			4. If the certifying authority concludes that a person who directly or indirectly controls, or exercises any right over, the storage system operator within the meaning of Article 9 of [recast Directive] could endanger the security of energy supply or the essential security interests of the Union or of any Member State, the certifying authority shall refuse the certification. Alternatively, the certifying authority may issue a certification decision subject to conditions to ensure the sufficient mitigation of the risks which could negatively influence the filling of the underground gas storage facilities, provided that the practicability of the conditions can be fully ensured by effective implementation and monitoring. Such conditions may include, in particular, a requirement that the storage system owner or storage system operator transfer management of the storage system.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
250m			5. Where the certifying authority concludes that the gas supply risks cannot be mitigated by conditions pursuant to paragraph 4, including by requiring the storage system owner or storage system operator to transfer management of the storage system, and therefore refuses the certification, it shall:	
250n			(a) require the storage system owner or storage system operator or any person that it considers could endanger the security of energy supply or the essential security interests of the Union or of any Member State to dispose of the shareholding or rights they have over the storage system ownership or storage system operator ownership, and set a time limit for such disposal;	
250o				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(b) order, where appropriate, interim measures, to ensure that such a person is not able to exercise any control or right over that storage system owner or storage system operator until the disposal of the shareholding or rights; and	
250p			(c) provide for appropriate compensatory measures in accordance with national law.	
250q			6. The certifying authority shall notify its draft certification decision to the Commission without delay, together with all relevant information.	
250r			7. The certifying authority shall issue the certification decision within 25 working days of receipt of the Commission's opinion.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
250s			8. Before a newly built underground gas storage facility is put into operation, the storage system operator shall be certified in accordance with paragraphs 1 to 7. The storage system operator shall notify the certifying authority of its intention to put the storage facility into operation.	
250t			9. Storage system operators shall notify the relevant certifying authority of any planned transaction which would require a reassessment of their compliance with the certification requirements set out in paragraphs 1 to 4.	
250u			10. Certifying authorities shall continuously monitor storage system operators as regards compliance with the certification requirements set out in paragraphs 1 to 4. They shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			open a certification procedure to reassess compliance in any of the following circumstances:	
250v			(a) upon receipt of a notification by the storage system operator pursuant to paragraph 8 or 9;	
250w			(b) on their own initiative where they have knowledge that a planned change in rights or in influence over a storage system operator could lead to non-compliance with the requirements of paragraphs 1, 2 and 3;	
250x			(c) upon a reasoned request from the Commission.	
250y			11. Member States shall take all necessary measures to ensure	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			the continuous operation of the underground gas storage facilities on their respective territories. Those underground gas storage facilities may cease operations only where technical and safety requirements are not met or where the certifying authority concludes, after having conducted an assessment and having taken into account the opinion of the ENTSO for Gas, that such a cessation would not weaken the security of gas supply at Union or national level.	
250z			Appropriate compensatory measures shall be taken, where appropriate, if cessation of operations is not allowed.	
250aa			12. The Commission may issue guidance on the application of this Article.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
250ab			13. This Article shall not apply to parts of LNG facilities that are used for storage.	
Article 14				
251	Article 14 Cooperation of transmission system operators	Article 14 Cooperation of transmission system operators	Article 14 Cooperation of transmission system operators	
Article 14(1)				
252	1. Transmission system operators shall cooperate with other transmission system and infrastructure operators in coordinating the maintenance of their respective networks in order to minimise any disruption of transmission services to network users and transmission system operators in other areas.	1. Transmission system operators shall cooperate with other transmission system and infrastructure operators in coordinating the maintenance of their respective networks in order to minimise any disruption of transmission services to network users and transmission system operators in other areas.	1. Transmission system operators shall cooperate with other transmission system and infrastructure operators in coordinating the maintenance of their respective networks in order to minimise any disruption of transmission services to network users and transmission system operators in other areas.	
Article 14(2)				
253	2. Transmission system operators shall cooperate with each other as well as with other infrastructure operators with the objective to maximise technical capacity	2. Transmission system operators shall cooperate with each other as well as with other infrastructure operators with the objective to maximise technical capacity	2. Transmission system operators shall cooperate with each other as well as with other infrastructure operators with the objective to maximise technical capacity	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	within the entry-exit system and minimize the use of fuel gas to the extent possible.	within the entry-exit system and minimize the use of fuel gas to the extent possible.	within the entry-exit system and minimize the use of fuel gas to the extent possible.	
Section 2				
254	Section 2 Network access	Section 2 Network access	Section 2 Network access	
Article 15				
255	Article 15 Tariffs for access to networks	Article 15 Tariffs for access to networks	Article 15 Tariffs for access to networks	
Article 15(1), first subparagraph				
256	1. Tariffs, or the methodologies used to calculate them, applied by the transmission system operators and approved by the regulatory authorities pursuant to Article 72(7) of Recast Gas Directive, as well as tariffs published pursuant to Article 27(1) of that Directive, shall be transparent, take into account the need for system integrity and its improvement and reflect the actual costs incurred, insofar as such costs correspond to those of an efficient and structurally comparable network operator and are transparent,	1. Tariffs, or the methodologies used to calculate them, applied by the transmission system operators and approved by the regulatory authorities pursuant to Article 72(7) of Recast Gas Directive, as well as tariffs published pursuant to Article 27(1) of that Directive, shall be transparent, take into account the need for system integrity and its improvement and reflect the actual costs incurred, insofar as such costs correspond to those of an efficient and structurally comparable network operator and are transparent,	1. Tariffs, or the methodologies used to calculate them, applied by the transmission system operators and approved by the regulatory authorities pursuant to Article 72(7) of Recast Gas Directive, as well as tariffs published pursuant to Article 27(1) of that Directive, shall be transparent, take into account the need for system integrity and its improvement and reflect the actual costs incurred, insofar as such costs correspond to those of an efficient and structurally comparable network operator and are transparent,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	whilst including an appropriate return on investments. Tariffs, or the methodologies used to calculate them, shall be applied in a non discriminatory manner.	whilst including an appropriate return on investments. Tariffs, or the methodologies used to calculate them, shall be applied in a non discriminatory manner.	whilst including an appropriate return on investments. Tariffs, or the methodologies used to calculate them, shall be applied in a non discriminatory manner.	
Article 15(1), second subparagraph				
257	Tariffs may also be determined through market-based arrangements, such as auctions, provided that such arrangements and the revenues arising therefrom are approved by the regulatory authority.	Tariffs may also be determined through market-based arrangements, such as auctions, provided that such arrangements and the revenues arising therefrom are approved by the regulatory authority.	Tariffs may also be determined through market-based arrangements, such as auctions, provided that such arrangements and the revenues arising therefrom are approved by the regulatory authority.	
Article 15(1), third subparagraph				
258	Tariffs, or the methodologies used to calculate them, shall facilitate efficient gas trade and competition, while at the same time avoiding cross-subsidies between network users and providing incentives for investment and maintaining or creating interoperability for transmission networks.	Tariffs, or the methodologies used to calculate them, shall facilitate efficient gas trade and competition, while at the same time avoiding cross-subsidies between network users and providing incentives for investment and maintaining or creating interoperability for transmission networks. <u><i>They shall aim to avoid creating incentives for the practice of blending hydrogen into the natural gas system for the purpose of</i></u>	Tariffs, or the methodologies used to calculate them, shall facilitate efficient gas trade and competition, while at the same time avoiding cross-subsidies between network users and providing incentives for investment and maintaining or creating interoperability for transmission networks.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>increasing the volume of natural gas transported or stored or of prolonging the lifetime of natural gas infrastructure.</u>		
Article 15(1), fourth subparagraph				
259	Tariffs for network users shall be non-discriminatory and set separately for every entry point into or exit point out of the transmission system. Cost-allocation mechanisms and rate setting methodology regarding entry points and exit points shall be approved by the regulatory authorities. Member States shall ensure that network charges shall not be calculated on the basis of contract paths.	Tariffs for network users shall be non-discriminatory and set separately for every entry point into or exit point out of the transmission system. Cost-allocation mechanisms and rate setting methodology regarding entry points and exit points shall be approved by the regulatory authorities. Member States shall ensure that network charges shall not be calculated on the basis of contract paths.	Tariffs for network users shall be non-discriminatory and set separately for every entry point into or exit point out of the transmission system. Cost-allocation mechanisms and rate setting methodology regarding entry points and exit points shall be approved by the regulatory authorities. Member States shall ensure that network charges shall not be calculated on the basis of contract paths.	
Article 15(2)				
260	2. Tariffs for network access shall neither restrict market liquidity nor distort trade across borders of different transmission systems. Where differences in tariff structures would hamper trade across transmission systems, and notwithstanding Article 72(7) of Recast Gas Directive, transmission	2. Tariffs for network access shall neither restrict market liquidity nor distort trade across borders of different transmission systems. Where differences in tariff structures would hamper trade across transmission systems, and notwithstanding Article 72(7) of Recast Gas Directive, transmission	2. Tariffs for network access shall neither restrict market liquidity nor distort trade across borders of different transmission systems. Where differences in tariff structures would hamper trade across transmission systems, and notwithstanding Article 72(7) of Recast Gas Directive, transmission	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	system operators shall, in close cooperation with the relevant national authorities, actively pursue convergence of tariff structures and charging principles.	system operators shall, in close cooperation with the relevant national authorities, actively pursue convergence of tariff structures and charging principles.	system operators shall, in close cooperation with the relevant national authorities, actively pursue convergence of tariff structures and charging principles.	
260a		<u>2a. The regulatory authority may apply a discount of up to 100% to capacity-based transmission and distribution tariffs at entry points from and exit points to underground storage facilities and LNG facilities, unless and to the extent that such a facility is connected to more than one transmission or distribution network and is used to compete with an interconnection point. The Commission shall re-examine that tariff discount by ... [five years after the date of entry into force of this Regulation]. The Commission shall assess whether the level of the discount set out in this paragraph remains adequate for the purpose of increasing security of supply and in light of the storage obligation pursuant to Article 6a of Regulation (EU) 2017/1938 of the</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>European Parliament and of the Council¹.</u> <u>1. Regulation (EU) 2017/1938 of the European Parliament and of the Council of 25 October 2017 concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010 (OJ L 280, 28.10.2017, p. 1).</u>		
Article 15(3)				
260b			3. ¹ The national regulatory authority may apply a discount of up to 100 % to capacity-based transmission and distribution tariffs at entry points from, and exit points to, underground gas storage facilities and LNG facilities, unless and to the extent that such a facility which is connected to more than one transmission or distribution network is used to compete with an interconnection point. This paragraph shall apply until 31 December 2025. 1. From Regulation (EU) 2022/1032	
Article 15(4)				
260c				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			4. Regulatory authorities may merge adjacent entry-exit systems with a view to enable a full or partial regional integration where tariffs can be abolished at the interconnection points between the concerning entry-exit systems. Following the public consultation by the regulatory authorities or the transmission system operators, the regulatory authorities may approve a common tariff and an effective compensation mechanism between transmission system operators for the redistribution of costs on account of the abolished interconnection points.	
Article 16				
261	Article 16 Tariff discounts for renewable and low carbon gases	Article 16 Tariff discounts for renewable ~~gases~~ <u>gas</u> and low carbon ~~gases~~ <u>gas</u>	Article 16 Tariff discounts for renewable and low carbon gases	
261a		<u>Regulatory authorities shall assess whether to offer support to lower grid connection costs and</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>fees for renewable gas and low-carbon gas production facilities.</u>		
Article 16(1)				
262	1. When setting tariffs, a discount for renewable and low carbon gases shall be applied to:	<i>deleted</i>	1. When setting tariffs, a discount for renewable and low carbon gases shall be applied to:	
Article 16(1), point (a)				
263	(a) entry points from renewable and low carbon production facilities. A discount of 75% shall be applied to the respective capacity-based tariffs for the purposes of scaling-up the injection of renewable and low-carbon gases;	<i>deleted</i>	(a) entry points from renewable and low carbon production facilities. A discount of ~~75%~~ [100]% shall be applied to the respective capacity-based tariffs for the purposes of scaling-up the injection of renewable gases and a discount of [75]% to and low-carbon gases;	
Article 16(1), point (b)				
264	(b) capacity-based transmission tariffs at entry points from and exit points to storage facilities, unless a storage facility is connected to more than one transmission or distribution network and used to compete with an interconnection point. Such a discount shall be set	<i>deleted</i>	(b) capacity-based transmission tariffs at entry points from and exit points to storage facilities, unless a storage facility is connected to more than one transmission or distribution network and used to compete with an interconnection point. Such a discount shall be set	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	at a level of 75% in the Member States where the renewable and low carbon gas was first injected into system.		at a level of ~~75%~~ [100]% in the Member States where the renewable and low carbon gas was first injected into the system.	
Article 16(2)				
265	2. Regulatory authorities may set discount rates lower than those set in paragraph 1 of this Article provided that the discount is in line with the general tariff principles as set out in Article 15 and in particular the principle of cost-reflectiveness, taking into account a need for stable financial frameworks for existing investments where appropriate, and the advancement of the roll-out of renewable and low-carbon gases in the Member State concerned.	<i>deleted</i>	<i>paragraph moved to the end of article (line 273a) and modified</i>	
Article 16(3)				
266	3. Details on the discounts granted in accordance with paragraph 1 may be set in the network code on tariff structures as referred to in Article 52(1), point (e).	<i>deleted</i>	3. Details on the discounts granted in accordance with paragraph 1 may be set in the network code on tariff structures as referred to in Article ~~52(1)~~ 53(1) , point (e).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 16(4)				
267	4. The Commission shall re-examine the tariff reductions pursuant to paragraph 1 [5 years after entry into force of the Regulation]. It shall issue a report providing an overview of their implementation and assess whether the level of the reductions set in paragraph 1 is still adequate in view of the latest market developments. The Commission shall be empowered to adopt delegated acts in accordance with Article 63 in order to change the discount levels as set in paragraph 1.	<i>deleted</i>	4. The Commission shall re-examine the tariff reductions pursuant to paragraph 1 and 5 [5 years after entry into force of the Regulation]. It shall issue a report providing an overview of their implementation and assess whether the level of the reductions set in paragraph 1 and 5 is still adequate in view of the latest market developments. The Commission shall be empowered to adopt delegated acts in accordance with Article 63 ~~in order to change~~ to amend this Regulation by changing the discount levels as set in paragraph 1 and 5 .	
Article 16(5), first subparagraph				
268	5. As of 1 January in the year after the adoption, network users shall receive a discount of 100% on the regulated tariff from the transmission system operator at all interconnection points, including entry points from and exit points to third countries as well as entry points from LNG terminals for renewable and low-carbon gases,	<i>deleted</i>	5. As of 1 January in ~~the~~ [year after the adoption], network users shall receive a discount of ~~100%~~ [100]% on the ~~regulated~~ capacity-based tariff from the transmission system operator at ~~all~~ interconnection points, ~~including entry points from and exit points to third countries as well as entry points from LNG~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	after providing the respective transmission system operator with a proof of sustainability, based on a valid sustainability certificate pursuant to Articles 29 and 30 of Directive (EU) 2018/2001 of the European Parliament and of the Council¹ and registered in the Union database. 1. Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).		~~terminals for renewable and~~ between Member States, for renewable gases and [75]% for low-carbon gases, after providing the respective transmission system operator with a proof of sustainability, based on a valid sustainability certificate pursuant to Articles 29 and 30 of Directive (EU) ~~2018/2001~~ 2018/2001 of the European Parliament and of the Council¹ and registered in the Union database. 1. Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).	
Article 16(5), second subparagraph				
269	With regard to this discount:	<i>deleted</i>	With regard to ~~this~~ the discount referred to in the first subparagraph:	
Article 16(5), second subparagraph, point (a)				
270	(a) Transmission system operators shall be required to provide the discount only for the shortest possible route in terms of border crossings between the location of	<i>deleted</i>	(a) Transmission system operators shall be required to provide the discount only for the shortest possible route in terms of border crossings between the location of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	where the specific proof of sustainability declaration, based on the sustainability certificate, was first recorded in the Union database and where it has been cancelled as considered consumed. Any potential auction premium shall not be covered by the discount.		where the specific proof of sustainability declaration, based on the sustainability certificate, was first recorded in the Union database and where it has been cancelled as considered consumed. Any potential auction premium shall not be covered by the discount.	
Article 16(5), second subparagraph, point (b)				
271	(b) Transmission system operators shall provide information on actual and expected volumes of renewable and low carbon gases and the effect of applying the tariff discount on their revenues towards the respective regulatory authority. Regulatory authorities shall monitor and assess the impact of the discount on tariff stability.	<i>deleted</i>	(b) Transmission system operators shall provide information on actual and expected volumes of renewable and low carbon gases and the effect of applying the tariff discount on their revenues towards the respective regulatory authority. Regulatory authorities shall monitor and assess the impact of the discount on tariff stability.	
Article 16(5), second subparagraph, point (c)				
272	(c) Once the revenue of a transmission system operator from these specific tariffs is reduced by 10% as a result of applying the discount, the affected and all neighbouring transmission system operators are required to negotiate	<i>deleted</i>	(c) Once the revenue of a transmission system operator from these specific tariffs is reduced by 10% as a result of applying the discount, the affected and all neighbouring transmission system operators ~~are required to~~ shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	an inter transmission system operator compensation mechanism. The system operators concerned shall agree within 3 years. Where within that time period no agreement is reached, the involved regulatory authorities shall decide jointly on an appropriate inter transmission system operator compensation mechanism within 2 years. In absence of agreement among the regulatory authorities, Article 6 of ACER Regulation shall apply. Where the regulatory authorities have not been able to reach agreement within 2 years, or upon their joint request, ACER shall decide, in accordance with the second subparagraph of Article 6(10) of Regulation (EU) 2019/942.		negotiate an inter transmission system operator compensation mechanism. The transmission system operators concerned shall agree within 3 years. Where within that time period no agreement is reached, the involved regulatory authorities shall decide jointly on an appropriate inter transmission system operator compensation mechanism within 2 years. In absence of agreement among the regulatory authorities, Article 6 of ACER Regulation shall apply. Where the regulatory authorities have not been able to reach agreement within 2 years, or upon their joint request, ACER shall decide, in accordance with the second subparagraph of Article 6(10) of Regulation (EU) 2019/942.	
Article 16(5), second subparagraph, point (d)				
273	(d) Further details required to implement the discount for renewable and low carbon gases, such as the calculation of the eligible capacity for which the discount applies and the required processes, shall be set in a network	<i>deleted</i>	(d) Further details required to implement the discount for renewable and low carbon gases, such as the calculation of the eligible capacity for which the discount applies and the required processes, shall be set in a network	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	code established on the basis of Article 53 of this Regulation.		code established on the basis of Article 53 of this Regulation.	
Article 16(6)				
273a			6. By way of derogation from paragraphs 1 and 5, regulatory authorities may decide not to apply discounts or to set discount rates lower than those set in paragraph 1 and 5 provided that it is in line with the general tariff principles as set out in Article 15 and in particular the principle of cost-reflectiveness, taking into account the need for stable financial frameworks for existing investments, the advancement of the roll-out of renewable and low-carbon gases in the Member State concerned and the existence of alternative support mechanisms for scaling up the use of renewable or low carbon gases, where appropriate. Moved from paragraph 2 (line 265) and modified	Council mandate OK. It is absolutely crucial to keep this option for member states to assess the level of discounts/other measures implemented based on the national needs.
Article 17				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
274	Article 17 Revenues of gas transmission system operators	Article 17 Revenues of gas transmission system operators	Article 17 Revenues of gas transmission system operators	
Article 17(1)				
275	1. As of [1 year after transposition], the relevant regulatory authority shall ensure transparency on the methodologies, parameters and values used to determine allowed or target revenues of transmission system operators. The regulatory authority shall publish the information referred to in Annex I, or shall require the publication by the relevant transmission system operator. This information shall be made available in a user-friendly format, and to the extent possible, in one or more commonly understood languages.	1. As of [1 year after transposition], the relevant regulatory authority shall ensure transparency on the methodologies, parameters and values used to determine allowed or target revenues of transmission system operators. The regulatory authority shall publish the information referred to in Annex I, or shall require the publication by the relevant transmission system operator. This information shall be made available in a user-friendly format, and to the extent possible, in one or more commonly understood languages.	1. As of [1 year after ~~transposition~~ adoption], the relevant regulatory authority shall ensure transparency on the methodologies, parameters and values used to determine allowed or target revenues of transmission system operators. The regulatory authority shall publish the information referred to in Annex I, or shall require the publication by the relevant transmission system operator subject to the protection of commercially sensitive data. This information shall be made available in a ~~user-friendly~~ freely accessible, downloadable and read only format, and to the extent possible, in one or more commonly understood languages.	
Article 17(2)				
276	2. The costs of the transmission system operator shall be subject to	2. The costs of the transmission system operator shall be subject to	2. The costs of the transmission system operator shall be subject to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	an efficiency comparison between Union transmission system operators, to be appropriately defined by ACER. ACER shall publish on [3 years after transposition] and every four years thereafter a study comparing the efficiency of Union transmission system operators' costs. The relevant regulatory authorities and the transmission system operators shall provide ACER with all the data necessary for this comparison. The results of such comparison shall be taken into account by the relevant regulatory authorities, together with national circumstances, when periodically setting the allowed or target revenues of transmission system operators.	an efficiency comparison between Union transmission system operators, to be appropriately defined by ACER. ACER shall publish on [3 years after transposition] and every four years thereafter a study comparing the efficiency of Union transmission system operators' costs. The relevant regulatory authorities and the transmission system operators shall provide ACER with all the data necessary for this comparison. The results of such comparison shall be taken into account by the relevant regulatory authorities, together with national circumstances, when periodically setting the allowed or target revenues of transmission system operators.	an efficiency comparison between Union transmission system operators, to be appropriately defined by ACER. ACER shall publish on [3 years after ~~transposition~~adoption] and every four years thereafter a study comparing the efficiency of Union transmission system operators' costs and publish the main results, subject to the protection of commercially sensitive data. The relevant regulatory authorities and the transmission system operators shall provide ACER with all the data necessary for this comparison. The results of such comparison shall be taken into account by the relevant regulatory authorities, together with national circumstances, when periodically setting the allowed or target revenues of transmission system operators.	
Article 17(3)				
277	3. The relevant regulatory authorities shall assess the long-term evolution of transmission tariffs based on the expected changes in their allowed or target revenues and in gas demand until	3. The relevant regulatory authorities shall assess the long-term evolution of transmission tariffs based on the expected changes in their allowed or target revenues and in gas demand until	3. The relevant regulatory authorities shall assess the long-term evolution of transmission tariffs based on the expected changes in their allowed or target revenues and in gas demand ~~until~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2050. To perform this assessment the regulatory authority shall include the information of the strategy described in the national energy and climate plans of the respective Member State and the scenarios underpinning the integrated network development plan as developed in accordance with Article 51 of [recast Gas Directive as proposed in COM(2021)xxx].	2050. To perform this assessment the regulatory authority shall include the information of the strategy described in the national energy and climate plans of the respective Member State and the scenarios underpinning the integrated network development plan as developed in accordance with Article 51 of [recast Gas Directive as proposed in COM(2021)xxx].	2050. To perform this assessment the regulatory authority shall include the information of the strategy described in the national energy and climate plans of the respective Member State and the scenarios underpinning the integrated network development plan as developed in accordance with Article 51 of [recast Gas Directive as proposed in COM(2021)xxx].	
277a		<u>Article 17a Facilitating biomethane connections and potential analysis</u>		
277b		<u>1. By ... [one year after the transposition deadline referred to in Article 5(1), first subparagraph, of RED III Directive [COD 2021/0218]], Member States shall establish regional maps that identify the areas that, due to the availability of raw materials, such as waste or residues, or to existing operating</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>biogas or biomethane plants, have the highest potential for production of sustainable biogas and biomethane from biomass fuels. Such biomass fuels shall fulfil the sustainability criteria in accordance with Article 29 of Directive (EU) 2018/2001. Before establishing those regional maps, the Member States shall consult the competent regulatory authority, regional and local authorities, the transmission system operators and the distribution system operators and other relevant stakeholders. Regional maps may be updated to consider new sources of sustainable feedstock for biogas and biomethane production.</u>		
277c		<u>2. Distribution system operators and transmission system operators shall map connection potential on the basis of existing and expected capacity to facilitate connection requests, taking into consideration the potential for an increase of production of sustainable biogas and</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>biomethane from biomass fuels as referred to in paragraph 1.</u>		
277d		<u>3. By ... [two years after the date of entry into force of this Regulation], each Member State shall, taking into account the regional maps referred to in paragraph 1, establish national strategies on the production of sustainable biogas and biomethane and their use in order to assess the potential for the production of sustainable biogas and biomethane, evaluate any barriers for the production or injection of biomethane in the grid as well as establish a trajectory to reach the identified national potentials by 2030 and 2050. Member States' national strategies shall be closely linked with their integrated national energy and climate plans under Regulation (EU) 2018/1999. Member States shall report on the progress in achieving their contribution to the 35 bcm Union target as part of their biennial reporting pursuant to Regulation (EU) 2018/1999.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
277e		<u>4. By 2024 and regularly thereafter, regulatory authorities shall, in cooperation with relevant stakeholders, issue a progress report on the production, transport and uptake of biomethane.</u>		
277f		<u>5. National standardisation body shall adopt appropriate gas quality standards, based on the European standards adopted by the European Committee for Standardisation (CEN), allowing for injection of biomethane in the existing gas networks while ensuring the integrity of the system.</u>		
Section 3				
278	Section 3 Transmission, storage, LNG and hydrogen terminal system operation	Section 3 Transmission, storage, LNG and hydrogen terminal system operation	Section 3 Transmission, storage, LNG and hydrogen terminal system operation	
Article 18				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
279	Article 18 Firm capacity for renewable and low carbon gases to the transmission system	Article 18 Firm capacity for renewable <u>gas</u> and low carbon <u>gasesgas</u> to the transmission system	Article 18 Firm capacity for renewable and low carbon gases to the transmission system	
Article 18(1)				
280	1. Transmission system operators shall ensure firm capacity for the access of production facilities of renewable and low carbon gases connected to their grid. For this purpose, transmission system operators shall develop in cooperation with the distribution system operators procedures and arrangements, including investments, to ensure reverse flow from distribution to transmission network.	1. Transmission system operators shall ensure firm capacity for the access of production facilities of renewable <u>gas</u> and low carbon <u>gasesgas</u> connected to their grid. For this purpose, transmission system operators shall ~~develop~~ , in cooperation with the distribution system operators, <u>develop</u> procedures and arrangements, including investments, to ensure reverse flow from <u>the</u> distribution <u>network to the</u> transmission network, <u>and network reinforcement plans to ensure network reinforcement, where appropriate</u> .	1. Transmission system operators shall ensure firm capacity for the access of production facilities of renewable and low carbon gases connected to their grid. For this purpose, transmission system operators shall develop in cooperation with the distribution system operators procedures and arrangements, including investments, to ensure reverse flow from distribution to transmission network.	
Article 18(2)				
281	2. Paragraph 1 shall be without prejudice to the possibility for transmission system operators to develop alternatives to reverse	2. Paragraph 1 shall be without prejudice to the possibility for transmission system operators to develop alternatives to reverse	2. Paragraph 1 shall be without prejudice to the possibility for transmission system operators to develop alternatives to reverse	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	flow investments, such as smart grid solutions or connection to other network operators. Firm access may only be limited to offer capacities subject to operational limitations, in order to ensure economic efficiency. The regulatory authority shall ensure that any limitations in firm capacity or operational limitations are introduced on the basis of transparent and non-discriminatory procedures and do not create undue barriers to market entry. Where the production facility bears the costs related to ensuring firm capacity, no limitation shall apply.	flow investments, such as smart grid solutions or connection to other network operators. Firm access may only be limited to offer capacities subject to operational limitations, in order to ensure <u>infrastructure safety and</u> economic efficiency. The regulatory authority <u>shall be responsible for reviewing and approving the transmission system operators' conditions for conditional capacity and</u> shall ensure that any limitations in firm capacity or operational limitations are introduced on the basis of transparent and non-discriminatory procedures and do not create undue barriers to market entry. Where the production facility bears the costs related to ensuring firm capacity, no limitation shall apply.	flow investments, such as smart grid solutions or connection to other network operators including direct transmission network connection of production facilities of renewable and low carbon gases. Firm access may only be limited to offer capacities subject to operational limitations, in order to ensure economic efficiency. The regulatory authority shall be responsible to review and approve the transmission system operator's conditions for conditional capacity and ensure that any limitations in firm capacity or operational limitations are introduced on the basis of transparent and non-discriminatory procedures and do not create undue barriers to market entry. Where the production facility bears the costs related to ensuring firm capacity, no limitation shall apply.	
281a		<u>2a. For the purpose of the swift implementation of grid connection of renewable gas</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>production, Member States shall ensure that:</i></u>		
281b		<u><i>(a) the transmission system operator complies with reasonable time limits to assess the requests for the injection of renewable gas, make an offer and implement the connection, under the monitoring of the national regulatory authority carried out in accordance with Article 37 and Article 72(1), point (t) of [the recast Gas Directive as proposed in COM(2021) xxx];</i></u>		
281c		<u><i>(b) permitting procedures for the implementation of the connection are not hampered by a lack of administrative capacity and do not create a hurdle to the achievement of the national renewable energy target.</i></u>		
Article 19				
282	Article 19	Article 19	Article 19	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Cross-border coordination on gas quality in the natural gas system	Cross-border coordination on gas quality in the natural gas system	Cross-border coordination on gas quality in the natural gas system	
Article 19(1), first subparagraph				
283	1. Transmission system operators shall cooperate to avoid restrictions to cross-border flows due to gas quality differences on interconnection points between Union Member States.	1. Transmission system operators shall cooperate to avoid restrictions to cross-border flows due to gas quality differences on interconnection points between ~~Union~~ Member States. <u>When cooperating, transmission system operators shall take into account the characteristics of installations of final gas customers.</u>	1. Transmission system operators shall cooperate to avoid restrictions to cross-border flows due to gas quality differences ~~on~~ at interconnection points between Union Member States.	
Article 19(1), second subparagraph				
283a			This Article shall not apply to hydrogen blends where the hydrogen content blended into the natural gas system exceeds [2 %] by volume.	
Article 19(1a)				
283b			1a. Member States shall ensure that diverging technical specifications, including gas quality parameters such as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			oxygen content, and hydrogen blending in the natural gas system are not used to restrict cross-border gas flows. In addition, Member States shall ensure that hydrogen blends in the natural gas system are within the technical specifications acceptable to customers.	
Article 19(1a)				
283c		<u>1a. Transmission system operators shall only accept gas flows with a hydrogen content of up to 3% by volume at interconnection points between Member States in the natural gas system, subject to the completion of the procedure described in this Article.</u>		
283d		<u>1b. Member States shall ensure that diverging technical specifications, including gas quality parameters, such as oxygen content and hydrogen blending in the natural gas</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>system, are not used to restrict cross-border gas flows.</u>		
Article 19(2)				
284	2. Where a restriction to cross-border flow due to gas quality differences cannot be avoided by the concerned transmission system operators in their standard operations, they shall inform the concerned regulatory authorities without delay. The information shall include a description and justified reasoning for any steps already taken by the transmission system operators.	2. Where a restriction to cross-border flow due to gas quality differences cannot be avoided by the concerned transmission system operators in their standard operations, they shall inform the concerned regulatory authorities without delay. The information shall include a description and justified reasoning for any steps already taken by the transmission system operators.	2. Where a restriction to cross-border ~~flow~~ flows due to gas quality differences cannot be avoided by the concerned transmission system operators in their standard operations, they shall inform the concerned regulatory authorities without delay. The information shall include a description and justified reasoning for any steps already taken by the transmission system operators.	
Article 19(3)				
285	3. The concerned regulatory authorities shall jointly agree within six months whether to recognise the restriction.	3. The concerned regulatory authorities shall jointly agree within six months whether to recognise the restriction.	3. The concerned regulatory authorities shall jointly agree within six months whether to recognise the restriction.	
285a			3a. For restrictions to cross-border flows caused by differences in hydrogen blending	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			in the natural gas system and recognized pursuant to paragraph 3 of this Article, transmission system operators shall be able to not accept gas flows with hydrogen content at interconnection points before the completion of the procedure described in paragraphs 4 to 10 of this Article.	
Article 19(4)				
286	4. Where the concerned regulatory authorities recognise the restriction, they shall request the concerned transmission system operators to perform, within 12 months from the recognition, the following actions in sequence:	4. Where the ~~concerned~~ regulatory authorities <u>concerned</u> recognise the restriction, they shall request the concerned transmission system operators to perform, within 12 months from the recognition, the following actions in sequence:	4. Where the concerned regulatory authorities recognise the restriction, they shall request the concerned transmission system operators to perform, within 12 months from the recognition, the following actions in sequence:	
Article 19(4), point (a)				
287	(a) cooperate and develop technically feasible options, without changing the gas quality specifications, which may include flow commitments and gas treatment, in order to remove the recognised restriction;	(a) cooperate and develop technically feasible options, without changing the gas quality specifications, which may include flow commitments and gas treatment, in order to remove the recognised restriction <u>taking into account information provided by</u>	(a) cooperate and develop technically feasible options, without changing the gas quality specifications, which may include flow commitments and gas treatment, in order to remove the recognised restriction;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>end customers directly connected to the transmission system operator grid, distribution system operator or any other stakeholder that could be affected by that procedure;</u>		
Article 19(4), point (b)				
288	(b) jointly carry out a cost-benefit analysis on the technically feasible options to define economically efficient solutions which shall specify the breakdown of costs and benefits among the categories of affected parties;	(b) jointly carry out a cost-benefit analysis on the technically feasible options to define economically efficient solutions which shall specify the breakdown of costs and benefits among the categories of affected parties;	(b) jointly carry out a cost-benefit analysis on the technically feasible options to define economically efficient solutions which shall specify the breakdown of costs and benefits among the categories of affected parties;	
Article 19(4), point (c)				
289	(c) produce an estimate of the implementation time for each potential option;	(c) produce an estimate of the implementation time for each potential option;	(c) produce an estimate of the implementation time for each potential option;	
Article 19(4), point (d)				
290	(d) conduct a public consultation on identified feasible solutions and take into consideration the results of the consultation;	(d) conduct a public consultation, <u>in particular of affected end customers connected to the transmission network,</u> on identified feasible solutions and	(d) conduct a public consultation on identified feasible solutions and take into consideration the results of the consultation;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		take into consideration the results of the consultation;		
Article 19(4), point (e)				
291	(e) submit a joint proposal, based on the cost-benefit analysis and results of the public consultation, for a solution removing the recognised restriction, including the timeframe for its implementation, to their respective regulatory authorities for approval and to the other competent national authorities of each involved Member State for information.	(e) submit a joint proposal, based on the cost-benefit analysis and results of the public consultation, for a solution removing the recognised restriction, including the timeframe for its implementation, to their respective regulatory authorities for approval and to the other competent national authorities of each involved Member State for information.	(e) submit a joint proposal, based on the cost-benefit analysis and results of the public consultation, for a solution removing the recognised restriction, including the timeframe for its implementation, to their respective regulatory authorities for approval and to the other competent national authorities of each involved Member State for information.	
Article 19(5)				
292	5. Where the concerned transmission system operators do not reach an agreement on a solution, each transmission system operator shall inform its regulatory authority without delay.	5. Where the concerned transmission system operators do not reach an agreement on a solution, each transmission system operator shall inform its regulatory authority without delay.	5. Where the concerned transmission system operators do not reach an agreement on a solution, each transmission system operator shall inform its regulatory authority without delay.	
Article 19(6)				
293	6. The concerned regulatory authorities shall take a joint	6. The ~~concerned~~ regulatory authorities <u>concerned</u> shall take a	6. The concerned regulatory authorities shall take a joint	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	coordinated decision for removing the recognised restriction or for stating that no further action should be pursued, taking into account the cost benefit analysis prepared by the concerned transmission system operators and the results of the public consultation within six months as set out in Article 6(10) of Regulation (EU) 2019/942.	joint coordinated decision ~~for removing the recognised restriction or for stating that no further action should be pursued~~ <u>to remove or maintain the recognised restriction</u> , taking into account the cost benefit analysis prepared by the concerned transmission system operators and the results of the public consultation within six months as set out in Article 6(10) of Regulation (EU) 2019/942. <u>Any decision to maintain the recognised restriction shall be reviewed every four years.</u>	coordinated decision for removing the recognised restriction ~~or for stating that no further action should be pursued~~ , taking into account the cost benefit analysis prepared by the concerned transmission system operators and the results of the public consultation within six months as set out in Article 6(10) of Regulation (EU) 2019/942.	
293a			6a. By way of derogation from paragraph 6, for restrictions to cross-border flows caused by differences in hydrogen blending in the natural gas system, the concerned regulatory authorities may jointly state that no further action should be pursued to remove such restrictions. The joint coordinated decision shall be taken within six months as set out in Article 6(10) of Regulation (EU) 2019/942 and shall take into account the cost	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			benefit analysis and the results of the public consultation prepared pursuant paragraph 4 by the concerned transmission system operators.	
Article 19(7)				
294	7. The joint coordinated decision of the concerned regulatory authorities shall include a decision on the allocation of the investment costs to be borne by each transmission system operator for implementing the agreed solution, as well as their inclusion in tariffs, taking into account the economic, social and environmental costs and benefits of the solution in the concerned Member States.	7. The joint coordinated decision of the concerned regulatory authorities shall include a decision on the allocation of the investment costs to be borne by each transmission system operator for implementing the agreed solution, as well as their inclusion in tariffs, taking into account the economic, social and environmental costs and benefits of the solution in the concerned Member States.	7. The joint coordinated decision of the concerned regulatory authorities referred to in paragraph 6 shall include a decision on the allocation of the investment costs to be borne by each transmission system operator for implementing the agreed solution, as well as their inclusion in ~~tariffs~~ the allowed or target revenue of transmission system operators , taking into account the economic, social and environmental costs and benefits of the solution in the concerned Member States and its consequences for tariffs .	
Article 19(8)				
295	8. ACER may make recommendations to the regulatory authorities on the details of such	8. ACER may make recommendations to the regulatory authorities on the details of such	8. ACER may make recommendations to the regulatory authorities on the details of such	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	cost allocation decisions as referred to in paragraph 7.	cost allocation decisions as referred to in paragraph 7.	cost allocation decisions as referred to in paragraph 7.	
Article 19(9)				
296	9. Where the concerned regulatory authorities cannot reach an agreement as referred to in paragraph 3, ACER shall decide on the restriction, following the process set out in Article 6(10) of Regulation (EU) 2019/942. Where ACER recognises the restriction it shall request the concerned transmission system operators to perform, within 12 months, the actions referred to in paragraph 4 points (a) to (e) in sequence.	9. Where the concerned regulatory authorities cannot reach an agreement as referred to in paragraph 3, ACER shall decide on the restriction, following the process set out in Article 6(10) of Regulation (EU) 2019/942. Where ACER recognises the restriction it shall request the concerned transmission system operators to perform, within 12 months, the actions referred to in paragraph 4 points (a) to (e) in sequence.	9. Where the concerned regulatory authorities cannot reach an agreement as referred to in paragraph 3, ACER shall decide on the restriction, following the process set out in Article 6(10) of Regulation (EU) 2019/942. Where ACER recognises the restriction it shall request the concerned transmission system operators to perform, within 12 months, the actions referred to in paragraph 4 points (a) to (e) in sequence.	
Article 19(10)				
297	10. Where the relevant regulatory authorities cannot take a joint coordinated decisions as referred to in paragraphs 6 and 7, ACER shall decide on the solution to remove the recognised restriction and on the allocation of the investment costs to be borne by each transmission system operator for implementing the agreed solution, following the process set	10. Where the ~~relevant~~ regulatory authorities <u>concerned</u> cannot take a joint coordinated decisions as referred to in paragraphs 6 and 7, ACER shall decide on the solution to remove <u>or maintain</u> the recognised restriction and on the allocation of the investment costs to be borne by each transmission system operator for implementing the	10. Where the relevant regulatory authorities cannot take a joint coordinated ~~decisions~~ decision as referred to in paragraphs 6, 6a and 7, ACER shall decide on the solution to remove the recognised restriction and on the allocation of the investment costs to be borne by each transmission system operator for implementing the agreed solution or for stating that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	out in Article 6(10) of Regulation (EU) 2019/942.	agreed solution, following the process set out in Article 6(10) of Regulation (EU) 2019/942. <u>Any decision to maintain the recognised restriction shall be reviewed every four years.</u>	no further action should be pursued pursuant to paragraph 6a of this Article , following the process set out in Article 6(10) of Regulation (EU) 2019/942.	
Article 19(11)				
298	11. Further details required to implement elements of this Article, including details on the cost benefit analysis, shall be set in a network code established on the basis of Article 53 of this Regulation.	11. Further details required to implement ~~elements of~~ this Article, including details on the cost benefit analysis <u>and on a common binding natural gas quality specification for cross-border natural gas interconnectors</u> , shall be set in a network code established on the basis of Article 53 ~~of this Regulation~~ .	11. Further details required to implement elements of this Article, including details on the cost benefit analysis, shall be set in a network code established on the basis of Article ~~53~~ 53(1) of this Regulation.	
Article 20				
299	Article 20 Hydrogen blends at interconnection points between Union Member States in the natural gas system	<i>deleted</i>	Article 20 ~~Hydrogen blends at interconnection points between Union Member States in the natural gas system~~	
Article 20(1)				
300				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Transmission system operators shall accept gas flows with a hydrogen content of up to 5% by volume at interconnection points between Union Member States in the natural gas system from 1 October 2025, subject to the completion of the procedure described in Article 19 of this Regulation.	<i>deleted</i>	~~1. Transmission system operators shall accept gas flows with a hydrogen content of up to 5% by volume at interconnection points between Union Member States in the natural gas system from 1 October 2025, subject to the completion of the procedure described in Article 19 of this Regulation.~~	
Article 20(2)				
301	2. When the hydrogen content blended in the natural gas system exceeds 5% by volume, the process described in Article 19 of this Regulation shall not apply.	<i>deleted</i>	~~2. When the hydrogen content blended in the natural gas system exceeds 5% by volume, the process described in Article 19 of this Regulation shall not apply.~~	
Article 20(3)				
302	3. Member States shall not use hydrogen blending in the natural gas system to restrict cross-border gas flows.	<i>deleted</i>	~~3. Member States shall not use hydrogen blending in the natural gas system to restrict cross-border gas flows.~~	
302a			Article 20a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Presumption of conformity of practices with harmonised standards	
302b			1. Practices which are in conformity with harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements referred to in implementing acts adopted pursuant to Article 53(1), point (b) of this Regulation	
302c			Article 20b Common specifications for biomethane	
302d			1. The Commission is empowered to adopt implementing acts laying down common specifications for facilitating the cost effective	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			integration of large volumes of biomethane in the existing natural gas system, including at cross-border interconnection points, or may set those specifications in a network code pursuant to Article 53 (1), point (b), of this Regulation, where:	
Article 20b, first subparagraph, point (a)				
302e			(a) those requirements are not covered by harmonised standards or parts thereof, the references of which have been published in the Official Journal of the European Union; or	
Article 20b, first subparagraph, point (b)				
302f			(b) the Commission has requested one or more European standardisation organisation to draft a harmonised standard for those requirements and at least one of the following conditions has also been fulfilled:	
Article 20b, first subparagraph, point (b)(i)				
302g				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(i) the request has not been accepted by any of the European standardisation organisations;	
Article 20b, first subparagraph, point (b)(ii)				
302h			(ii) the Commission observes undue delays in the adoption of requested harmonised standards;	
Article 20b, first subparagraph, point (b)(iii)				
302i			(iii) a European standardisation organisation has delivered a standard that does not entirely correspond with the request of the Commission; or	
Article 20b, first subparagraph, point (c)				
302j			(c) the Commission has decided in accordance with the procedure referred to in Article 11(5) of Regulation (EU) No 1025/2012 to maintain with restriction or to withdraw the references to the harmonised standards or parts thereof by which those requirements are covered.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 20b(1), second subparagraph				
302k			Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3).	
Article 20b(1), third subparagraph				
302l			In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectorial Union law, and shall duly consult all relevant stakeholders. Based on that consultation, the Commission shall prepare the draft implementing act.	
302m			2. Practices which are in conformity with common specifications or parts thereof shall be presumed to be in conformity with the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			requirements set out in the implementing acts adopted pursuant to Article 53(1), point (b) of this Regulation to the extent that those requirements are covered by those common specifications or parts thereof.	
302n			3. Where a harmonised standard is adopted by a European standardisation organisation and proposed to the Commission for the publication of its reference in the Official Journal of the European Union, the Commission shall assess the harmonised standard in accordance with Regulation 1025/2012. When reference of a harmonised standard is published in the Official Journal of the European Union the Commission shall repeal implementing acts referred to in paragraph 1, or parts thereof which cover the same requirements or tests referred to in paragraph 1.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
302o			4. In setting the specifications pursuant to this Article, the Commission shall take the utmost account of the safety requirements necessary for the safe operation of natural gas system, in particular of the safe operation of the natural gas storages across the Union.	
Article 21				
303	Article 21 European network of transmission system operators for gas	Article 21 ~~European network of~~ <u>The joint EU organisation of Gas</u> transmission system operators ~~for gas~~ <u>and Hydrogen Network Operators</u>	Article 21 European network of transmission system operators for gas	
Article 21, first paragraph				
304	All transmission system operators shall cooperate at Union level through the European Network of Transmission System Operators for Gas (the ENTSO for Gas), in order to promote the completion and functioning of the internal market in natural gas and cross-border trade and to ensure the optimal management, coordinated	All <u>gas</u> transmission system operators <u>and hydrogen network operators</u> shall cooperate at Union level through the ~~European Network of~~ <u>joint EU Organisation of Gas</u> Transmission System Operators ~~for Gas (the ENTSO for Gas)~~ <u>and Hydrogen Network Operators (ENTSOG&H)</u> , in order to promote the completion	All transmission system operators shall cooperate at Union level through the European Network of Transmission System Operators for Gas (the ENTSO for Gas), in order to promote the completion and functioning of the internal market in natural gas and cross-border trade and to ensure the optimal management, coordinated	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	operation and sound technical evolution of the natural gas transmission network.	and functioning of the internal market in natural gas and <u>hydrogen and</u> cross-border trade and to ensure the optimal management, coordinated operation and sound technical evolution of the natural gas transmission <u>network and of the hydrogen</u> network.	operation and sound technical evolution of the natural gas transmission network.	
Article 22				
305	Article 22 Organisation of the ENTSO for Gas	Article 22 -Organisation of the ~~ENTSO for Gas~~ <u>ENTSOG&H</u>	Article 22 -Organisation of the ENTSO for Gas	
Article 22(1)				
306	1. The ENTSO shall submit to the Commission and to ACER the draft statutes, a list of members and draft rules of procedure, including the rules of procedures on the consultation of other stakeholders, of the ENTSO for Gas in case of changes of those documents or upon a reasoned request of the Commission or ACER.	1. <u>By 1 September 2024, the ENTSOG&H</u> ~~The ENTSO~~ shall <u>publish and</u> submit to the Commission and to ACER the draft statutes, a list of members and <u>candidates awaiting certification as hydrogen network operator and</u> draft rules of procedure, including the rules of procedures on the consultation of other stakeholders, of the ~~ENTSO for Gas in~~ <u>ENTSOG&H in the</u> case of changes of those documents or upon a reasoned	1. The ENTSO for Gas shall submit to the Commission and to ACER the draft statutes, a list of members and draft rules of procedure, including the rules of procedures on the consultation of other stakeholders, of the ENTSO for Gas in case of changes of those documents or upon a reasoned request of the Commission or ACER.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		request of the Commission or ACER.		
306a		<u><i>1a. Before submitting the documents to the Commission and ACER pursuant to paragraph 1 of this Article, the ENTSG&H shall conduct a public stakeholder consultation in accordance with Article 26. The consultation shall be effective and extensive and shall take place in a timely adequate, open, inclusive and transparent manner. The participation of stakeholders in the consultation shall be voluntary and all relevant stakeholders shall be invited. The ENTSG&H shall take into account the results of that consultation.</i></u>		
Article 22(2)				
307	2. Within four months of the day of the receipt, ACER, after formally consulting the organisations representing all stakeholders, in particular the system users including customers,	2. Within four months of the day of the receipt, ACER, after formally consulting the organisations representing all stakeholders, in particular the system users including customers,	2. Within four months of the day of the receipt, ACER , after formally consulting the organisations representing all stakeholders, in particular the system users including customers,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall provide an opinion to the Commission on the draft statutes, list of members and draft rules of procedure.	shall provide an opinion to the Commission on the draft statutes, list of members and draft rules of procedure.	shall provide an opinion to the Commission on the draft statutes, list of members and draft rules of procedure.	
Article 22(3)				
308	3. The Commission shall deliver an opinion on the draft statutes, list of members and draft rules of procedures taking into account the opinion of ACER referred to in paragraph 2 and within three months of the day of the receipt of the opinion of ACER.	3. The Commission shall deliver an opinion on the draft statutes, list of members and draft rules of procedures taking into account the opinion of ACER referred to in paragraph 2 and within three months of the day of the receipt of the opinion of ACER.	3. The Commission shall deliver an opinion on the draft statutes, list of members and draft rules of procedures taking into account the opinion of ACER referred to in paragraph 2 and within three months of the day of the receipt of the opinion of ACER .	
Article 22(4)				
309	4. Within three months of the day of receipt of the Commission's opinion the ENTSO for Gas shall adopt and publish the revised statutes and rules of procedure of the ENTSO for Gas.	4. Within three months of the day of receipt of the Commission's opinion the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> shall adopt and publish the revised statutes and rules of procedure of the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> .	4. Within three months of the day of receipt of the Commission's favourable opinion the ENTSO for Gas shall adopt and publish the revised statutes and rules of procedure of the ENTSO for Gas.	
309a		<u>4a. The statutes of the ENSOG&H referred to in paragraph 1 shall ensure that:</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
309b		<u>(a) participation in the work of the ENTSG&H is limited to registered hydrogen network operators and transmission system operators or other relevant stakeholders for the purpose of completing ENTSG&H's regulatory tasks;</u>		
309c		<u>(b) strategic decisions regarding the activities of the ENTSG&H as well as policy guidelines for the board of the ENTSG&H are adopted by the board of the ENTSG&H</u>		
309d		<u>(c) decisions of the general assembly enable the achievement of the ENTSG&H's purpose;</u>		
309e				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(d) the board members of the ENTSOG&H are elected by the general assembly for a mandate of a maximum of four years;</u>		
309f		<u>(e) the board nominates the President and the Vice-President from among the members of the board of the ENTSOG&H</u>		
309g		<u>(f) cooperation between transmission system operators for gas and hydrogen network operators pursuant to Article 21 is led by the board of the ENTSOG&H</u>		
309h		<u>(g) on the basis of a proposal by the board of the ENTSOG&H, the General Director is appointed by the general assembly for a mandate of four years, renewable once;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
309i		<u>(h) the ENTSOG&H publish the minutes of its assembly meetings, board meetings and provide the public with regular information on its decision-making and activities.</u>		
309j		<u>4b. The rules of procedure referred to in paragraph 1 shall safeguard the fair and proportionate treatment of its members and shall reflect the diverse geographical, demographic, economic and sectoral structure of its members. In particular, they shall provide for the board to be composed of:</u>		
309k		<u>(a) a President and a Vice-President designated respectively and on a three-year rotating term from the hydrogen network operators and the transmission system operators groups or vice-versa with alternating roles between transmission system</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>operators and hydrogen network operators; and</u>		
309l		<u>(b) an equal number of board members that are designated from both the transmission system operators' representatives and the hydrogen network operators' representatives, ensuring a fair balance between hydrogen network operators and transmission system operators. The statutes of ENTSOG&H shall contain an equal number of board members per category. An equal number of board members shall be reached once there is a sufficient number of certified hydrogen network operators from different Member States.</u>		
309m		<u>4c. The statutes of ENTSOG&H shall provide for clear organisational rules, including with regard to the budget dedicated to transmission system operators' activities and hydrogen network operators' activities,</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>within the ENTSO&H while ensuring efficiency and shared services being provided by the ENTSO&H staff to both gas transmission system operators and hydrogen network operators.</u>		
309n		<u>4d. The statutes will also provide for clear organisational rules on the establishment of working-level groups and the definition of their scope and activity, safeguarding the fair and balanced treatment of the organisation's members. Specific working-level groups shall be created to specifically focus on the development of hydrogen infrastructure covering quality, supply and demand outlooks as well as infrastructure needs.</u>		
Article 23				
310	Article 23 Tasks of the ENTSO for Gas	Article 23 Tasks of the ~~ENTSO for Gas~~ <u>ENTSO&H</u>	Article 23 Tasks of the ENTSO for Gas	
Article 23(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
311	1. The ENTSO for Gas shall elaborate network codes in the areas referred to in paragraph 6 of this Article upon a request addressed to it by the Commission in accordance with Article 53(9).	1. The ~~ENTSO for Gas~~ <u>ENTSOG&H</u> shall ~~elaborate~~ <u>develop</u> network codes in the areas ~~referred to in paragraph 6 of this Article~~ <u>set out in Articles 53 and 54</u> upon a request addressed to it by the Commission in accordance with Article 53(9) <u>or Article 54(9)</u> .	1. The ENTSO for Gas shall elaborate network codes in the areas referred to in paragraph 6 of this Article upon a request addressed to it by the Commission in accordance with Article 53(9).	
Article 23(2)				
312	2. The ENTSO for Gas may elaborate network codes in the areas set out in paragraph 6 with a view to achieving the objectives set out in Article 21 where those network codes do not relate to areas covered by a request addressed to it by the Commission. Those network codes shall be submitted to ACER for an opinion. That opinion shall be duly taken into account by the ENTSO for Gas.	2. The ~~ENTSO for Gas may elaborate~~ <u>ENTSOG&H may develop</u> network codes in the areas set out in ~~paragraph 6~~ <u>Articles 53 and 54</u> with a view to achieving the objectives set out in Article 21 where those network codes do not relate to areas covered by a request addressed to it by the Commission. Those network codes shall be submitted to ACER for an opinion. That opinion shall be duly taken into account by the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> .	2. The ENTSO for Gas may elaborate network codes in the areas set out in paragraph 6 with a view to achieving the objectives set out in Article 21 where those network codes do not relate to areas covered by a request addressed to it by the Commission. Those network codes shall be submitted to ACER for an opinion. That opinion shall be duly taken into account by the ENTSO for Gas.	
Article 23(3)				
313	3. The ENTSO for Gas shall adopt:		3. The ENTSO for Gas shall adopt:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		3. The ~~ENTSO for Gas~~ <u>ENTSOG&H</u> shall adopt <u>and publish</u> :		
Article 23(3), point (a)				
314	(a) common network operation tools to ensure coordination of network operation in normal and emergency conditions, including a common incidents classification scale, and research plans;	(a) common network operation tools to ensure coordination of network operation in normal and emergency conditions, including a common incidents classification scale, and research plans;	(a) common network operation tools to ensure coordination of network operation in normal and emergency conditions, including a common incidents classification scale, and research plans;	
Article 23(3), point (b)				
315	(b) a non-binding Union -wide ten-year network development plan (Union -wide network development plan), including a European supply adequacy outlook, every two years;	(b) a non-binding ~~Union-wide~~ <u>Union-wide</u> ten-year network development plan (~~Union-wide~~ <u>for gas and hydrogen networks (Union-wide</u> network development plan), including <u>European Plan for Priority Corridors for Hydrogen that is consistent with Annex I to Regulation (EU) 2022/869 and reinforced by the REPowerEU Plan, and</u> a European supply adequacy outlook, every two years; <u>the Union-wide network development plan shall be developed in cooperation with the regulatory authorities and, where</u>	(b) a non-binding and to be made public Union -wide ten-year network development plan (Union -wide network development plan), including a European supply adequacy outlook, every two years;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>technically possible, be harmonised with the Union-wide network development plan for electricity;</i></u>		
Article 23(3), point (c)				
316	(c) recommendations relating to the coordination of technical cooperation between Union and third-country transmission system operators;	(c) recommendations relating to the coordination of technical cooperation between Union and third-country transmission system operators <u><i>and third country hydrogen network operators;</i></u>	(c) recommendations relating to the coordination of technical cooperation between Union and third-country transmission system operators;	
316a		<u><i>(ca) recommendations relating to the coordination of technical cooperation in the Union between gas transmission and distribution system operators on one hand, and hydrogen network operators on the other;</i></u>		
Article 23(3), point (d)				
317	(d) an annual work programme;	(d) an annual work programme;	(d) an annual work programme;	
Article 23(3), point (e)				
318				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(e) an annual report;	(e) an annual report;	(e) an annual report;	
Article 23(3), point (f)				
319	(f) annual summer and winter supply outlooks;	(f) annual summer and winter supply outlooks;	(f) annual summer and winter supply outlooks;	
319a		<u>(fa) annual outlook for the supply of hydrogen covering Member States where hydrogen is used in electricity generation or supply;</u>		
Article 23(3), point (g)				
320	(g) a gas quality monitoring report by 15 May 2024 at the latest and every two years afterwards, including developments of gas quality parameters, developments of the level and volume of hydrogen blended into the natural gas system, forecasts for the expected development of gas quality parameters and of the volume of hydrogen blended into the natural gas system, the impact of blending hydrogen on cross-border flows as well as	(g) a gas quality <u>and decarbonisation</u> monitoring report by 15 May 2024 <u>and a gas and hydrogen quality and decarbonisation monitoring report by 15 May 2026</u> at the latest and every two years ~~afterwards~~ <u>thereafter</u> , including developments of gas quality parameters, developments of the level and volume of <u>renewable gas and low-carbon gas injected into the gas system as well as of</u> hydrogen blended into the natural	(g) a gas quality monitoring report by 15 May 2024 at the latest and every two years afterwards, including developments of gas quality parameters, developments of the level and volume of hydrogen blended into the natural gas system, forecasts for the expected development of gas quality parameters and of the volume of hydrogen blended into the natural gas system, the impact of blending hydrogen on cross-border flows as well as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information on cases related to differences in gas quality specifications or in specifications of blending levels and how such cases were settled;	gas system, forecasts for the expected development of gas quality parameters and of the volume of hydrogen blended into the natural gas system, the impact of blending hydrogen on cross-border flows as well as information on cases related to differences in gas quality specifications or in specifications of blending levels and how such cases were settled <u>in view of meeting the quality requirements of different end-use applications</u> ;	information on cases related to differences in gas quality specifications or in specifications of blending levels and how such cases were settled;	
Article 23(3), point (h)				
321	(h) The gas quality monitoring report shall also cover the development for the areas listed in point (g) where as far as relevant for the distribution network, based on information provided by the entity of distribution system operators in the Union ('EU DSO entity').	(h) the gas <u>and hydrogen</u> quality <u>and decarbonisation</u> monitoring report, <u>which</u> shall also cover the development for the areas listed in point (g) where as far as relevant for the distribution network, based on information provided by the entity of distribution system operators in the Union ('EU DSO entity').	(h) the gas quality monitoring report shall also cover the development for the areas listed in point (g) where as far as relevant for the distribution network, based on information provided by the entity of distribution system operators in the Union ('EU DSO entity').	
Article 23(3), point (i)				
321a			(i) an annual report including the quantity of renewable and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			low carbon gases injected into the natural gas network.	
Article 23(4), first subparagraph				
322	4. The European supply adequacy outlook referred to in paragraph 3, point (b), shall cover the overall adequacy of the gas system to supply current and projected demands for gas for the next five-year period as well as for the period between five and 10 years from the date of that outlook. The European supply adequacy outlook shall build on national supply outlooks prepared by each individual transmission system operator.	4. The European supply adequacy outlook referred to in paragraph 3, point (b), shall cover the overall adequacy of the gas ~~system~~ <u>and hydrogen systems</u> to supply current and projected demands for gas <u>and hydrogen</u> for the next five-year period as well as for the period between five and 10 years from the date of that outlook. The European supply adequacy outlook shall build on national supply outlooks prepared by each individual <u>gas transmission system operator and hydrogen network</u> operator.	4. The European supply adequacy outlook referred to in paragraph 3, point (b), shall cover the overall adequacy of the gas system to supply current and projected demands for gas for the next five-year period as well as for the period between five and 10 years from the date of that outlook. The European supply adequacy outlook shall build on national supply outlooks prepared by each individual transmission system operator.	
Article 23(4), second subparagraph				
323	The Union-wide network development plan referred to in paragraph 3, point (b), shall include the modelling of the integrated network, including hydrogen networks, scenario development, a European supply adequacy outlook and an	The Union-wide network development plan referred to in paragraph 3, point (b), shall include the modelling of the integrated network, including hydrogen networks, scenario development, a European supply adequacy outlook, <u>a climate</u>	~~The Union-wide network development plan referred to in paragraph 3, point (b), shall include the modelling of the integrated network, including hydrogen networks, scenario development, a European supply adequacy outlook and an~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	assessment of the resilience of the system.	<u>impact assessment</u> , and an assessment of the resilience of the system. <u>The plan shall promote the energy efficiency first principle and energy system integration, contribute to the prudent and rational use of natural resources and to achieving the Union's climate and energy targets.</u>	assessment of the resilience of the system. subparagraph moved to article 29 (line 369c) and modified.	
Article 23(5)				
324	5. The annual work programme referred to in paragraph 3, point (d), shall contain a list and description of the network codes to be prepared, a plan on coordination of operation of the network, and research and development activities, to be realised in that year, and an indicative calendar.	5. The annual work programme referred to in paragraph 3, point (d), shall contain a list and description of the network codes to be prepared, a plan on coordination of operation of the network, and research and development activities, to be realised in that year, and an indicative calendar. <u>The annual programme shall clearly state which activities relate to hydrogen, to gas, or to both of them.</u>	5. The annual work programme referred to in paragraph 3, point (d), shall contain a list and description of the network codes to be prepared, a plan on coordination of operation of the network, and research and development activities, to be realised in that year, and an indicative calendar.	
Article 23(6)				
325	6. The network codes referred to in paragraphs 1 and 2 shall cover	deleted	6. The network codes referred to in paragraphs 1 and 2 shall cover	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the following areas, taking into account, if appropriate, regional special characteristics:		the following areas, taking into account, if appropriate, regional special characteristics:	
Article 23(6), point (a)				
326	(a) network security and reliability rules;	<i>deleted</i>	(a) network security and reliability rules;	
Article 23(6), point (b)				
327	(b) network connection rules;	<i>deleted</i>	(b) network connection rules;	
Article 23(6), point (c)				
328	(c) third-party access rules;	<i>deleted</i>	(c) third-party access rules;	
Article 23(6), point (d)				
329	(d) data exchange and settlement rules;	<i>deleted</i>	(d) data exchange and settlement rules;	
Article 23(6), point (e)				
330	(e) interoperability rules;	<i>deleted</i>	(e) interoperability rules;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 23(6), point (f)				
331	(f) operational procedures in an emergency;	<i>deleted</i>	(f) operational procedures in an emergency;	
Article 23(6), point (g)				
332	(g) capacity-allocation and congestion-management rules;	<i>deleted</i>	(g) capacity-allocation and congestion-management rules;	
Article 23(6), point (h)				
333	(h) rules for trading related to technical and operational provision of network access services and system balancing;	<i>deleted</i>	(h) rules for trading related to technical and operational provision of network access services and system balancing;	
Article 23(6), point (i)				
334	(i) transparency rules;	<i>deleted</i>	(i) transparency rules;	
Article 23(6), point (j)				
335	(j) balancing rules including network-related rules on nominations procedure, rules for imbalance charges and rules for operational balancing between	<i>deleted</i>	(j) balancing rules including network-related rules on nominations procedure, rules for imbalance charges and rules for operational balancing between	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	transmission system operators' systems;		transmission system operators' systems;	
Article 23(6), point (k)				
336	(k) rules regarding harmonised transmission tariff structures;	<i>deleted</i>	(k) rules regarding harmonised transmission tariff structures;	
Article 23(6), point (l)				
337	(l) energy efficiency regarding gas networks;	<i>deleted</i>	(l) energy efficiency regarding gas networks;	
Article 23(6), point (m)				
338	(m) cyber security regarding gas networks.	<i>deleted</i>	(m) cyber security regarding gas networks.	
Article 23(7)				
339	7. The network codes shall be developed for cross-border network issues and market integration issues and shall be without prejudice to the Member States' right to establish national network codes which do not affect cross-border trade.	7. The network codes shall be developed for cross-border network issues and market integration issues and shall be without prejudice to the Member States' right to establish national network codes which do not affect cross-border trade.	7. The network codes shall be developed for cross-border network issues and market integration issues and shall be without prejudice to the Member States' right to establish national network codes which do not affect cross-border trade.	
Article 23(8)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
340	8. The ENTSO for Gas shall monitor and analyse the implementation of the network codes and the guidelines adopted by the Commission in accordance with Article 53(13) or 56, and their effect on the harmonisation of applicable rules aimed at facilitating market integration. The ENTSO for Gas shall report its findings to ACER and shall include the results of the analysis in the annual report referred to in paragraph 3, point (e), of this Article.	8. The ~~ENTSO for Gas~~ ENTSOG&H shall monitor and analyse the implementation of the network codes and the guidelines adopted by the Commission in accordance with Article 53(13), 54 or 56, and their effect on the harmonisation of applicable rules aimed at facilitating market integration. The ~~ENTSO for Gas~~ ENTSOG&H shall report its findings to ACER and shall include the results of the analysis in the annual report referred to in paragraph 3, point (e), of this Article.	8. The ENTSO for Gas shall monitor and analyse the implementation of the network codes and the guidelines adopted by the Commission in accordance with Article 53(13) or 56, and their effect on the harmonisation of applicable rules aimed at facilitating market integration. The ENTSO for Gas shall report its findings to- ACER and shall include the results of the analysis in the annual report referred to in paragraph 3, point (e), of this Article.	
Article 23(9)				
341	9. The ENTSO for Gas shall make available all information required by ACER to fulfil its tasks under Article 24(1).	9. The ~~ENTSO for Gas~~ ENTSOG&H shall make available all information required by ACER to fulfil its tasks under Article ~~24(1)~~ 24. In order to enable the ENTSOG&H to fulfil that requirement, transmission system operators and hydrogen network operators shall provide the ENTSOG&H with the requested information.	9. The ENTSO for Gas shall make available all information required by ACER to fulfil its tasks under Article 24(1).	
Article 23(10)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
342	10. ACER shall review national ten-year network development plans to assess their consistency with the Union -wide network development plan. If ACER identifies inconsistencies between a national ten-year network development plan and the Union - wide network development plan, it shall recommend amending the national ten-year network development plan or the Union - wide network development plan as appropriate. If such national ten-year network development plan is elaborated in accordance with Article 51 of [recast Directive as proposed in COM(2021) xxx], ACER shall recommend that the competent regulatory authority amend the national ten-year network development plan in accordance with Article 51(5) of that Directive and inform the Commission thereof.	10. ACER shall review national ten-year network development plans to assess their consistency with the Union -wide network development plan. If ACER identifies inconsistencies between a national ten-year network development plan and the Union - wide network development plan, it shall recommend amending the national ten-year network development plan or the Union - wide network development plan as appropriate. If such <u>a</u> national ten-year network development plan is ~~elaborated~~<u>developed</u> in accordance with Article 51 of [recast Directive as proposed in COM(2021) xxx], ACER shall recommend that the competent regulatory authority amend the national ten-year network development plan in accordance with Article 51(5) of that Directive and inform the Commission thereof. <u><i>The ENTSOG&H shall amend Union-wide network development plan taking into account ACER's recommendations. To ensure early and effective participation, the ENTSOG&H shall publish its draft Union-wide network</i></u>	10. ACER shall review national ten-year network development plans to assess their consistency with the Union -wide network development plan. If ACER identifies inconsistencies between a national ten-year network development plan and the Union - wide network development plan, it shall recommend amending the national ten-year network development plan or the Union - wide network development plan as appropriate. If such national ten-year network development plan is elaborated in accordance with Article 51 of [recast Directive as proposed in COM(2021) xxx], ACER shall recommend that the competent regulatory authority amend the national ten-year network development plan in accordance with Article 51(5) of that Directive and inform the Commission thereof.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>development plan in a timely adequate manner prior to the submission to the regulatory authority, for comments by the stakeholders.</u>		
Article 23(11)				
343	11. Upon request of the Commission, the ENTSO for Gas shall give its views to the Commission on the adoption of the guidelines as laid down in Article 56.	11. Upon request of the Commission, the ~~ENTSO for Gas~~ ENTSOG&H shall give its views to the Commission on the adoption of the guidelines as laid down in Article 56.	11. Upon request of the Commission, the ENTSO for Gas shall give its views to the Commission on the adoption of the guidelines as laid down in Article 56.	
343a		<u>11a. The ENTSOG&H shall promote cyber security and data protection with regard to gas and hydrogen networks in cooperation with relevant authorities and regulated entities.</u>		
Article 23(12)				
343b			12. The ENTSO for Gas shall cooperate with the ENTSO for Electricity and with the ENNOH.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 24				
344	Article 24 Monitoring by ACER	Article 24 Monitoring by ACER	Article 24 Monitoring by ACER	
Article 24(1), first subparagraph				
345	1. ACER shall monitor the execution of the tasks referred to in Article 23(1), (2) and (3) of the ENTSO for Gas and report to the Commission.	1. ACER shall monitor the execution of the tasks referred to in Article 23(1), (2) and (3) of the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> and report to the Commission.	1. ACER shall monitor the execution of the tasks referred to in Article 23(1), (2) and (3) of the ENTSO for Gas and report to the Commission.	
Article 24(1), second subparagraph				
346	ACER shall monitor the implementation by the ENTSO for Gas of network codes elaborated under Article 23(2) and network codes which have been developed in accordance with Article 53 (1) to (12) but which have not been adopted by the Commission under Article 53(13). Where the ENTSO for Gas has failed to implement such network codes, ACER shall request the ENTSO for Gas to provide a duly reasoned explanation as to why it has failed to do so. ACER shall inform the Commission of that explanation and provide its opinion thereon.	ACER shall monitor the implementation by the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> of network codes ~~elaborated~~ <u>developed</u> under Article 23(2) and network codes which have been developed in accordance with Article ~~53~~ <u>(+)53(1) to (12) or Article 54(1)</u> to (12) but which have not been adopted by the Commission under Article 53(13) <u>or 54(13)</u> . Where the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> has failed to implement such network codes, ACER shall request the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> to provide a duly reasoned explanation as to	ACER shall monitor the implementation by the ENTSO for Gas of network codes elaborated under Article 23(2) and network codes which have been developed in accordance with Article 53 (1) to (12) but which have not been adopted by the Commission under Article 53(13). Where the ENTSO for Gas has failed to implement such network codes, ACER shall request the ENTSO for Gas to provide a duly reasoned explanation as to why it has failed to do so. ACER shall inform the Commission of that explanation and provide its opinion thereon.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		why it has failed to do so. ACER shall inform the Commission of that explanation and provide its opinion thereon.		
Article 24(1), third subparagraph				
347	ACER shall monitor and analyse the implementation of the network codes and the guidelines adopted by the Commission as laid down in Articles 52), 53, 55 and 56, and their effect on the harmonisation of applicable rules aimed at facilitating market integration as well as on non-discrimination, effective competition and the efficient functioning of the market, and report to the Commission.	ACER shall monitor and analyse the implementation of the network codes and the guidelines adopted by the Commission as laid down in Articles 52), 53, <u>54</u> , 55 and 56, and their effect on the harmonisation of applicable rules aimed at facilitating market <u>and energy system</u> integration as well as on non-discrimination, effective competition, <u>the Union's climate and energy targets, the energy efficiency first principle</u> , and the efficient functioning of the market, and report to the Commission.	ACER shall monitor and analyse the implementation of the network codes and the guidelines adopted by the Commission as laid down in Articles 52), 53, 55 and 56, and their effect on the harmonisation of applicable rules aimed at facilitating market integration as well as on non-discrimination, effective competition and the efficient functioning of the market, and report to the Commission.	
Article 24(2), first subparagraph				
348	2. The ENTSO for Gas shall submit the draft Union -wide network development plan, the draft annual work programme, including the information regarding the consultation process and the other documents referred	2. The ~~ENTSO for Gas~~ <u>ENTSOG&H</u> shall submit the draft ~~Union-wide~~ <u>Union-wide</u> network development plan, the draft annual work programme, including the information regarding the consultation process	2. The ENTSO for Gas shall submit the draft Union -wide network development plan, the draft annual work programme, including the information regarding the consultation process and the other documents referred	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to in Article 23 (3), to ACER for its opinion.	and the other documents referred to in Article ~~23 (3)~~ 23(3), to ACER for its opinion. <u>Upon receipt of those documents, ACER shall submit the draft Union-wide network development plan and the draft annual work programme to the European Scientific Advisory Board on Climate Change. The European Scientific Advisory Board on Climate Change shall publish an independent analysis and opinion regarding their consistency with the Union's climate and energy targets.</u>	to in Article 23 (3), to ACER for its opinion.	
Article 24(2), second subparagraph				
349	Within two months from the day of receipt, ACER shall provide a duly reasoned opinion as well as recommendations to the ENTSO for Gas and to the Commission where it considers that the draft annual work programme or the draft Union -wide network development plan submitted by the ENTSO for Gas do not contribute to non-discrimination, effective competition, the efficient functioning of the market or a sufficient level of cross-border	Within two months from the day of receipt, ACER shall ~~provide~~ <u>publish its</u> duly reasoned opinion as well as recommendations to the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> and to the Commission where it considers that the draft annual work programme or the draft ~~Union-wide~~ <u>Union-wide</u> network development plan submitted by the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> do not contribute to non-discrimination, effective competition, the efficient	Within two months from the day of receipt, ACER shall provide a duly reasoned opinion as well as recommendations to the ENTSO for Gas and to the Commission where it considers that the draft annual work programme or the draft Union -wide network development plan submitted by the ENTSO for Gas do not contribute to non-discrimination, effective competition, the efficient functioning of the market or a sufficient level of cross-border	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	interconnection open to third-party access.	functioning of the market or a sufficient level of cross-border interconnection open to third-party access. <u>The programme and plan shall duly take into account ACER's opinion and recommendations.</u>	interconnection open to third-party access.	
Article 25				
350	Article 25 Regulatory authorities	Article 25 Regulatory authorities	Article 25 Regulatory authorities	
Article 25, first paragraph				
351	When carrying out their responsibilities under this Regulation, the regulatory authorities shall ensure compliance with this Regulation, the network codes and the guidelines adopted pursuant to Article 52 to 56.	When carrying out their responsibilities under this Regulation, the regulatory authorities shall ensure compliance with this Regulation, the network codes and the guidelines adopted pursuant to Article 52 to 56.	When carrying out their responsibilities under this Regulation, the regulatory authorities shall ensure compliance with this Regulation , the network codes and the guidelines adopted pursuant to Article 52 to 56.	
Article 25, second paragraph				
352	Where appropriate, they shall cooperate with each other, with the Commission and ACER in compliance with Chapter V of Recast Gas Directive.	Where appropriate, they shall cooperate with each other, with the Commission and ACER in compliance with Chapter V of Recast Gas Directive.	Where appropriate, they shall cooperate with each other, with the Commission and ACER in compliance with Chapter V of Recast Gas Directive.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 26				
353	Article 26 Consultations	Article 26 Consultations	Article 26 Consultations	
Article 26(1)				
354	1. While preparing the network codes, the draft Union -wide network development plan and the annual work programme referred to in Article 23(1), (2) and (3), the ENTSO for Gas shall conduct an extensive consultation process, at an early stage and in an open and transparent manner, involving all relevant market participants, and, in particular, the organisations representing all stakeholders, in accordance with the rules of procedure referred to in Article 22(1). That consultation shall also involve regulatory authorities and other national authorities, supply and production undertakings, network users including customers, distribution system operators, including relevant industry associations, technical bodies and stakeholder platforms. It shall aim at identifying the	1. While preparing the network codes, the draft Union -wide network development plan and the annual work programme referred to in Article 23(1), (2) and (3), the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> shall conduct an extensive <u>public</u> consultation process, at an early stage and in an open and transparent manner, involving all relevant market participants, and, in particular, the organisations representing all stakeholders, in accordance with the rules of procedure referred to in Article 22(1). That consultation shall also involve regulatory authorities and other national, <u>regional and local</u> authorities, supply and production undertakings, network users including customers, distribution system operators, including relevant industry associations, technical bodies, <u>civil society</u> and	1. While preparing the network codes, the draft Union -wide network development plan and the annual work programme referred to in Article 23(1), (2) and (3), the ENTSO for Gas shall conduct an extensive consultation process, at an early stage and in an open and transparent manner, involving all relevant market participants, and, in particular, the organisations representing all stakeholders, in accordance with the rules of procedure referred to in Article 22(1). That consultation shall also involve regulatory authorities and other national authorities, supply and production undertakings, network users including customers, distribution system operators, including relevant industry associations, technical bodies and stakeholder platforms. It shall aim at identifying the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	views and proposals of all relevant parties during the decision-making process.	stakeholder platforms. ~~#The~~ <u>ENTSOG&H shall publish drafts of those documents for comment by the stakeholders and provide sufficient time for the stakeholders to effectively participate. The ENTSOG&H</u> shall aim ~~at identifying~~ <u>to identify</u> the views and proposals of all relevant parties during the decision-making process.	views and proposals of all relevant parties during the decision-making process.	
Article 26(2)				
355	2. All documents and minutes of meetings related to the consultations referred to in paragraph 1 shall be made public.	2. All documents and minutes of meetings related to the consultations referred to in paragraph 1 shall be made public.	2. All documents and minutes of meetings related to the consultations referred to in paragraph 1 shall be made public.	
Article 26(3)				
356	3. Before adopting the annual work programme and the network codes referred to in Article 23 (1), (2) and (3), the ENTSO for Gas shall indicate how the observations received during the consultation have been taken into consideration. It shall provide reasons where observations have not been taken into account.	3. Before adopting the annual work programme and the network codes referred to in Article ~~23~~ ~~(1)~~ <u>23(1)</u> , (2) and (3), the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> shall indicate how the observations received during the consultation have been taken into consideration. It shall provide reasons where observations have not been taken into account.	3. Before adopting the annual work programme and the network codes referred to in Article 23 (1), (2) and (3), the ENTSO for Gas shall indicate how the observations received during the consultation have been taken into consideration. It shall provide reasons where observations have not been taken into account.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
359	Article 28 Regional cooperation of transmission system operators	Article 28 Regional cooperation of transmission system operators <u>and hydrogen network operators</u>	Article 28 Regional cooperation of transmission system operators	
Article 28(1)				
360	1. Transmission system operators shall establish regional cooperation within the ENTSO for Gas to contribute to the tasks referred to in Article 23 (1), (2) and (3).	1. Transmission system operators <u>and hydrogen network operators</u> shall establish regional cooperation within the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> to contribute to the tasks referred to in Article ~~23~~ <u>(1)</u> , (2) and (3).	1. Transmission system operators shall establish regional cooperation within the ENTSO for Gas to contribute to the tasks referred to in Article 23 (1), (2) and (3).	
Article 28(2)				
361	2. Transmission system operators shall promote operational arrangements in order to ensure the optimum management of the network and shall promote the development of energy exchanges, the coordinated allocation of cross-border capacity through non-discriminatory market-based solutions, paying due attention to the specific merits of implicit auctions for short-term allocations and the integration of balancing mechanisms.	2. Transmission system operators <u>and hydrogen network operators</u> shall promote operational arrangements in order to ensure the optimum management of the network and shall promote the development of energy exchanges, the coordinated allocation of cross-border capacity through non-discriminatory market-based solutions, paying due attention to the specific merits of implicit auctions for short-term allocations	2. Transmission system operators shall promote operational arrangements in order to ensure the optimum management of the network and shall promote the development of energy exchanges, the coordinated allocation of cross-border capacity through non-discriminatory market-based solutions, paying due attention to the specific merits of implicit auctions for short-term allocations and the integration of balancing mechanisms.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		and the integration of balancing mechanisms.		
Article 28(3), first subparagraph				
362	3. For the purposes of achieving the goals set in paragraphs 1 and 2, the Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the definition of the geographical area covered by each regional cooperation structure, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area.	3. For the purposes of achieving the goals set in paragraphs 1 and 2, the Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the definition of the geographical area covered by each regional cooperation structure, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area.	3. For the purposes of achieving the goals set in paragraphs 1 and 2, the Commission is empowered to adopt delegated acts in accordance with Article 63 to supplement this Regulation concerning the definition of the geographical area covered by each regional cooperation structure, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area.	
Article 28(3), second subparagraph				
363	For that purpose, the Commission shall consult ACER and the ENTSO for Gas.	For that purpose, the Commission shall consult ACER and the ENTSO for Gas.	For that purpose, the Commission shall consult ACER and the ENTSO for Gas.	
Article 29				
364	Article 29 Ten-years network development plan	Article 29	Article 29 Ten-years network development plan for natural gas	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		~~Ten years~~ <u>Union-wide</u> network development plan <u>for gas and hydrogen</u>		
Article 29, first paragraph				
365	The ENTSO for Gas shall adopt and publish the Union -wide network development plan referred to in Article 23 paragraph 3, point (b), every two years. The Union -wide network development plan shall include the modelling of the integrated network, scenario development, a European supply adequacy outlook and an assessment of the resilience of the system.	The ~~ENTSO for Gas~~ <u>ENTSOG&H</u> shall adopt and publish the ~~Union-wide~~ <u>Union-wide</u> network development plan referred to in Article ~~23 paragraph 3~~ <u>23(3)</u> , point (b), every two years. The Union -wide network development plan shall include the modelling of the integrated network, scenario development, a European supply adequacy outlook, <u>a climate impact assessment</u> and an assessment of the resilience of the system.	The ENTSO for Gas shall adopt and publish the Union -wide network development plan referred to in Article 23 paragraph 3, point (b), every two years. The Union -wide network development plan shall include the modelling of the integrated network, scenario development, a European supply adequacy outlook and an assessment of the resilience of the system, including infrastructure to be decommissioned.	
Article 29, second paragraph				
366	The Union -wide network development plan shall, in particular:	The Union -wide network development plan shall, in particular:	The Union -wide network development plan shall, in particular:	
Article 29, second paragraph, point (a)				
367			(a) build on national investment plans and Chapter IV of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) build on national investment plans and Chapter IV of Regulation (EU) 347/2013;	(a) build on national investment plans and Chapter IV of Regulation (EU) 347/2013;	Regulation (EU)-347/2013 2022/869;	
Article 29, second paragraph, point (b)				
368	(b) regarding cross-border interconnections, also build on the reasonable needs of different network users and integrate long-term commitments from investors referred to in Articles 56 and 52 of [recast Gas Directive as proposed in COM(2021)xxx]; and	(b) regarding cross-border interconnections, also build on the reasonable needs of different network users and integrate long-term commitments from investors referred to in Articles 56 and 52 of [recast Gas Directive as proposed in COM(2021)xxx]; and	(b) regarding cross-border interconnections, also build on the reasonable needs of different network users and integrate long-term commitments from investors referred to in Articles 56 and 52 of [recast Gas Directive as proposed in COM(2021)xxx]; and	
Article 29, second paragraph, point (c)				
369	(c) identify investment gaps, notably with respect to cross-border capacities.	(c) identify investment gaps, ~~notably~~ <u>in particular</u> with respect to cross-border capacities-, <u>where available considering the European Plan for Priority Corridors for Hydrogen consistent with Annex I to Regulation (EU) 2022/869 and reinforced by the REPowerEU Plan, as well as investments with regard to the decommissioning of infrastructure or for repurposing of natural gas infrastructure for the transport of hydrogen and investments for demand-side</u>	(c) identify investment gaps, notably with respect to cross-border capacities.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>solutions not requiring new infrastructure investments, supported by a cost-benefit analysis consistent with the methodologies referred to in Article 11 of Regulation EU 2022/869;</i></u>		
369a		<u><i>(ca) further energy system integration, promote and implement the energy efficiency first principle, and contribute to achieving the Union's climate and energy targets;</i></u>		
369b		<u><i>(cb) take into account the need to prioritise the use of hydrogen in hard to decarbonise sectors.</i></u>		
Article 29, second paragraph, point (d)				
369c			(d) include the modelling of the integrated network, including hydrogen networks based on ENNOH's modelling of the integrated hydrogen network	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			and scenario development pursuant to Article 43. Moved from Article 23.4 (line 323) and modified	
Article 29, third paragraph				
370	In regard to the second subparagraph, point (c), a review of barriers to the increase of cross-border capacity of the network arising from different approval procedures or practices may be annexed to the Union -wide network development plan.	In regard to the second subparagraph, point (c), a review of barriers to the increase of cross-border capacity of the network arising from different approval procedures or practices <u>including demand-side alternatives not requiring new infrastructure investments</u> may be annexed to the Union -wide network development plan.	In regard to the second subparagraph, point (c), a review of barriers to the increase of cross-border capacity of the network arising from different approval procedures or practices may be annexed to the Union -wide network development plan.	
370a		<u>When developing the Union-wide network development plan, the ENTSG&H shall cooperate with the ENTSO for Electricity in particular on the development of the energy system wide cost-benefit analysis, capacity needs across the energy system, and the interlinked energy market and network model including</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>electricity, gas and hydrogen transport infrastructure as well as storage, the Union's climate and energy efficiency objectives, LNG and hydrogen terminals and electrolyzers referred to in Article 11 of Regulation (EU) 2022/869, the scenarios for the ten-year network development plans referred to in Article 12 of Regulation (EU) 2022/869 and the infrastructure gaps identification referred to in Article 13 of Regulation (EU) 2022/869.</i></u>		
370b		<u><i>If the Commission submits a legislative proposal concerning a reform of the electricity market design, it shall, if appropriate, ensure that the areas of cooperation between the ENTSG&H and ENTSO for Electricity referred to in the fourth subparagraph are retained or introduced in the tasks of ENTSO for Electricity.</i></u>		
370c				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>By 31 December 2035, the Commission shall submit a report to the European Parliament and to the Council assessing the necessity of further integration of planning tasks and governance between the ENTSOG&H and ENTSO for Electricity and, if appropriate, accompany it with a legislative proposal.</i></u>		
Article 30				
371	Article 30 Transparency requirements concerning transmission system operators	Article 30 Transparency requirements concerning transmission system operators	Article 30 Transparency requirements concerning transmission system operators	
Article 30(1)				
372	1. The transmission system operator shall make public detailed information regarding the capacity and services it offers and the relevant conditions applied, together with the technical information necessary for network users to gain effective network access.	1. The transmission system operator shall make public detailed information regarding the capacity and services it offers and the relevant conditions applied, together with the technical information necessary for network users to gain effective network access.	1. The transmission system operator shall make public detailed information regarding the capacity and services it offers and the relevant conditions applied, together with the technical information necessary for network users to gain effective network access.	
Article 30(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
373	2. In order to ensure transparent, objective and non-discriminatory tariffs and facilitate efficient utilisation of the gas network, transmission system operators or relevant national authorities shall publish reasonably and sufficiently detailed information on tariff derivation, methodology and structure.	2. In order to ensure transparent, objective and non-discriminatory tariffs and facilitate efficient utilisation of the gas network, transmission system operators or relevant national authorities shall publish reasonably and sufficiently detailed information on tariff derivation, methodology and structure.	2. In order to ensure transparent, objective and non-discriminatory tariffs and facilitate efficient utilisation of the gas network, transmission system operators or relevant national authorities shall publish reasonably and sufficiently detailed information on tariff derivation, methodology and structure.	
Article 30(3)				
374	3. For the services provided, each transmission system operator shall make public information on technical, contracted and available capacities on a numerical basis for all relevant points including entry and exit points on a regular and rolling basis and in a user-friendly and standardised manner as detailed in Annex I.	3. For the services provided, each transmission system operator shall make public information on technical, contracted and available capacities on a numerical basis for all relevant points including entry and exit points on a regular and rolling basis and in a user-friendly and standardised manner as detailed in Annex I.	3. For the services provided, each transmission system operator shall make public information on technical, contracted and available capacities on a numerical basis for all relevant points including entry and exit points on a regular and rolling basis and in a user-friendly and standardised manner as detailed in Annex I.	
Article 30(4)				
375	4. The relevant points of a transmission system on which the information is to be made public shall be approved by the	4. The relevant points of a transmission system on which the information is to be made public shall be approved by the	4. The relevant points of a transmission system on which the information is to be made public shall be approved by the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	competent authorities after consultation with network users.	competent authorities after consultation with network users.	competent authorities after consultation with network users.	
Article 30(5)				
376	5. The transmission system operator shall always disclose the information required by this Regulation in a quantifiably clear and easily accessible manner and on a non-discriminatory basis.	5. The transmission system operator shall always disclose the information required by this Regulation in a <u>meaningful</u> , quantifiably clear and easily accessible ~~manner~~ way and on a non-discriminatory basis.	5. The transmission system operator shall always disclose the information required by this Regulation in a quantifiably clear and easily accessible manner and on a non-discriminatory basis.	
Article 30(6), first subparagraph				
377	6. The transmission system operator shall make public ex-ante and ex-post supply and demand information, based on nominations and allocations, forecasts and realised flows in and out of the system. The regulatory authority shall ensure that all such information is made public. The level of detail of the information that is made public shall reflect the information available to the transmission system operator.	6. The transmission system operator shall make public ex-ante and ex-post supply and demand information, based on nominations and allocations, forecasts and realised flows in and out of the system. The regulatory authority shall ensure that all such information is made public. The level of detail of the information that is made public shall reflect the information available to the transmission system operator.	6. The transmission system operator shall make public ex-ante and ex-post supply and demand information, based on nominations and allocations, forecasts and realised flows in and out of the system. The regulatory authority shall ensure that all such information is made public. The level of detail of the information that is made public shall reflect the information available to the transmission system operator.	
Article 30(6), second subparagraph				
378				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The transmission system operator shall make public measures taken as well as costs incurred and revenue generated to balance the system.	The transmission system operator shall make public measures taken as well as costs incurred and revenue generated to balance the system.	The transmission system operator shall make public measures taken as well as costs incurred and revenue generated to balance the system.	
Article 30(6), third subparagraph				
379	The market participants concerned shall provide the transmission system operator with the data referred to in this Article.	The market participants concerned shall provide the transmission system operator with the data referred to in this Article.	The market participants concerned shall provide the transmission system operator with the data referred to in this Article.	
Article 30(7)				
380	7. The transmission system operators shall make public detailed information regarding the quality of the gases transported in its network, which might affect network users, based on Articles 16 and 17 of Commission Regulation (EU) 2015/703.	7. The transmission system operators shall make public detailed information regarding the quality of the ~~gases~~ gas transported in its network, which might affect network users, based on Articles 16 and 17 of Commission Regulation (EU) 2015/703.	7. The transmission system operators shall make public detailed information regarding the quality of the gases transported in ~~its network~~ their networks, which might affect network users, based on Articles 16 and 17 of Commission Regulation (EU) 2015/703.	
Article 31				
381	Article 31 Transparency requirements concerning natural gas and	Article 31 Transparency requirements concerning natural gas and	Article 31 Transparency requirements concerning natural gas and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	hydrogen storage facilities, LNG facilities and hydrogen terminals	hydrogen storage facilities, LNG facilities and hydrogen terminals	hydrogen storage facilities, LNG facilities and hydrogen terminals	
Article 31(1)				
382	1. LNG and hydrogen storage facilities as well as (natural gas) storage system operators and hydrogen terminal operators shall make public detailed information regarding all services they offer and the relevant conditions applied, together with the technical information necessary for LNG and hydrogen storage facility and hydrogen terminal users to gain effective access to the LNG and hydrogen storage facilities and hydrogen terminals. Regulatory authorities may request those operators to make public any additional relevant information for system users.	1. LNG and hydrogen storage facilities as well as (natural gas) storage system operators and hydrogen terminal operators shall make public detailed information regarding all services they offer and the relevant conditions applied, together with the technical information necessary for LNG and hydrogen storage facility and hydrogen terminal users to gain effective access to the LNG and hydrogen storage facilities and hydrogen terminals. Regulatory authorities may request those operators to make public any additional relevant information for system users.	1. LNG and hydrogen storage facilities as well as ~~(natural gas)~~ storage system operators and hydrogen terminal operators shall make public detailed information regarding all services they offer and the relevant conditions applied, together with the technical information necessary for LNG and natural gas and hydrogen storage facility and hydrogen terminal users to gain effective access to the LNG and hydrogen and natural gas storage facilities and hydrogen terminals. Regulatory authorities may request those operators to make public any additional relevant information for system users.	
Article 31(2)				
383	2. LNG system operators shall provide user-friendly instruments for calculating tariffs for the services available.	2. LNG system operators shall provide user-friendly instruments for calculating tariffs for the services available.	2. LNG system operators shall provide user-friendly instruments for calculating tariffs for the services available.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 31(3)				
384	3. For the services provided, LNG and hydrogen storage facilities, as well as natural gas storage system operators shall make public information on contracted and available storage and LNG and hydrogen storage facility as well as hydrogen terminal capacities on a numerical basis on a regular and rolling basis and in a user-friendly standardised manner.	3. For the services provided, LNG and hydrogen storage facilities, as well as natural gas storage system operators shall make public information on contracted and available storage and LNG and hydrogen storage facility as well as hydrogen terminal capacities on a numerical basis on a regular and rolling basis and in a user-friendly standardised manner.	3. For the services provided, LNG and hydrogen storage and hydrogen terminal facilities, as well as natural gas storage system operators shall make public information on contracted and available storage and LNG and hydrogen storage facility as well as hydrogen terminal capacities on a numerical basis on a regular and rolling basis and in a user-friendly standardised manner.	
Article 31(4)				
385	4. LNG and hydrogen storage facilities, as well as natural gas storage system operators shall always disclose the information required by this Regulation in a meaningful, quantifiably clear and easily accessible way and on a non-discriminatory basis.	4. LNG and hydrogen storage facilities, as well as natural gas storage system operators shall always disclose the information required by this Regulation in a meaningful, quantifiably clear and easily accessible way and on a non-discriminatory basis.	4. LNG and hydrogen terminals and hydrogen storage facilities, as well as natural gas storage system operators shall always disclose the information required by this Regulation in a meaningful, quantifiably clear and easily accessible way and on a non-discriminatory basis.	
Article 31(5), first subparagraph				
386	5. . LNG and storage system operators and operators of hydrogen storage facilities and	5. . LNG and storage system operators and operators of hydrogen storage facilities and	5. –LNG and storage system operators and operators of hydrogen storage facilities and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	hydrogen terminals shall make public the amount of gas in each storage or LNG facility and hydrogen terminal, or group of storage facilities if that corresponds to the way in which the access is offered to system users, inflows and outflows, and the available natural gas and hydrogen storage, and LNG facility and hydrogen terminal capacities, including for those facilities exempted from third-party access. That information shall also be communicated to the transmission system operator or to the hydrogen network operator for hydrogen storage and terminals, which shall make it public on an aggregated level per system or subsystem defined by the relevant points. The information shall be updated at least daily.	hydrogen terminals shall make public the amount of gas in each storage or LNG facility and hydrogen terminal, or group of storage facilities if that corresponds to the way in which the access is offered to system users, inflows and outflows, and the available natural gas and hydrogen storage, and LNG facility and hydrogen terminal capacities, including for those facilities exempted from third-party access. That information shall also be communicated to the transmission system operator or to the hydrogen network operator for hydrogen storage and terminals, which shall make it public on an aggregated level per system or subsystem defined by the relevant points. The information shall be updated at least daily.	hydrogen terminals shall make public the amount of gas in each storage or LNG facility and hydrogen terminal, or group of storage facilities if that corresponds to the way in which the access is offered to system users, inflows and outflows, and the available natural gas and hydrogen storage, and LNG facility and hydrogen terminal capacities, including for those facilities exempted from third-party access. That information shall also be communicated to the transmission system operator or to the hydrogen network operator for hydrogen storage and terminals, which shall make it public on an aggregated level per system or subsystem defined by the relevant points. The information shall be updated at least daily.	
Article 31(5), second subparagraph				
387	In cases in which a natural gas or hydrogen storage system user is the only user of a natural gas or hydrogen storage facility, the natural gas or hydrogen storage system user may submit to the regulatory authority a reasoned	In cases in which a natural gas or hydrogen storage system user is the only user of a natural gas or hydrogen storage facility, the natural gas or hydrogen storage system user may submit to the regulatory authority a reasoned	In cases in which a natural gas or hydrogen storage system user is the only user of a natural gas or hydrogen storage facility, the natural gas or hydrogen storage system user may submit to the regulatory authority a reasoned	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	request for confidential treatment of the data referred to in the first subparagraph. Where the regulatory authority comes to the conclusion that such a request is justified, taking into account, in particular, the need to balance the interest of legitimate protection of business secrets, the disclosure of which would negatively affect the overall commercial strategy of the storage user, with the objective of creating a competitive internal gas market, it may allow the storage system operator not to make public the data referred to in the first subparagraph, for a duration of up to one year.	request for confidential treatment of the data referred to in the first subparagraph. Where the regulatory authority comes to the conclusion that such a request is justified, taking into account, in particular, the need to balance the interest of legitimate protection of business secrets, the disclosure of which would negatively affect the overall commercial strategy of the storage user, with the objective of creating a competitive internal gas market, it may allow the storage system operator not to make public the data referred to in the first subparagraph, for a duration of up to one year.	request for confidential treatment of the data referred to in the first subparagraph. Where the regulatory authority comes to the conclusion that such a request is justified, taking into account, in particular, the need to balance the interest of legitimate protection of business secrets, the disclosure of which would negatively affect the overall commercial strategy of the storage user, with the objective of creating a competitive internal gas market, it may allow the storage system operator not to make public the data referred to in the first subparagraph, for a duration of up to one year.	
Article 31(5), third subparagraph				
388	The second subparagraph shall apply without prejudice to the obligations of communication to and publication by the transmission system operator referred to in the first subparagraph, unless the aggregated data are identical to the individual natural gas or hydrogen storage system data for which the regulatory authority has approved non-publication.	The second subparagraph shall apply without prejudice to the obligations of communication to and publication by the transmission system operator referred to in the first subparagraph, unless the aggregated data are identical to the individual natural gas or hydrogen storage system data for which the regulatory authority has approved non-publication.	The second subparagraph shall apply without prejudice to the obligations of communication to and publication by the transmission system operator referred to in the first subparagraph, unless the aggregated data are identical to the individual natural gas or hydrogen storage system data for which the regulatory authority has approved non-publication.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 31(6), first subparagraph				
389	6. In order to ensure transparent, objective and non-discriminatory tariffs and facilitate efficient utilisation of the infrastructures, the LNG and natural gas or hydrogen storage facility operators or relevant regulatory authorities shall make public sufficiently detailed information on tariff derivation, the methodologies and the structure of tariffs for infrastructure under regulated third-party access; LNG facilities that have been granted an exemption, pursuant to Article 22 of Directive 2003/55/EC and Article 36 of Directive 2009/73/EC as well as Article 60 of this Regulation, and natural gas storage operators under the negotiated third party access regime shall make public tariffs for infrastructure in order to ensure a sufficient degree of transparency.	6. In order to ensure transparent, objective and non-discriminatory tariffs and facilitate efficient utilisation of the infrastructures, the LNG and natural gas or hydrogen storage facility operators or relevant regulatory authorities shall make public sufficiently detailed information on tariff derivation, the methodologies and the structure of tariffs for infrastructure under regulated third-party access; LNG facilities that have been granted an exemption, pursuant to Article 22 of Directive 2003/55/EC and Article 36 of Directive 2009/73/EC as well as Article 60 of this Regulation, and natural gas storage operators under the negotiated third party access regime shall make public tariffs for infrastructure in order to ensure a sufficient degree of transparency.	6. In order to ensure transparent, objective and non-discriminatory tariffs and facilitate efficient utilisation of the infrastructures, the LNG and natural gas or hydrogen storage facility operators or relevant regulatory authorities shall make public sufficiently detailed information on tariff derivation, the methodologies and the structure of tariffs for infrastructure under regulated third-party access; LNG facilities that have been granted an exemption, pursuant to Article 22 of Directive 2003/55/EC and Article 36 of Directive 2009/73/EC as well as Article 60 of this Regulation, and natural gas storage operators under the negotiated third party access regime shall make public tariffs for infrastructure in order to ensure a sufficient degree of transparency.	
Article 31(6), second subparagraph				
390				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	LNG and storage system operators shall establish respectively one single European platform within 18 months from [date of entry into force of the Regulation] to publish in a transparent and user-friendly manner the information required in this Article.	LNG and storage system operators shall establish respectively one single European platform within 18 months from [date of entry into force of the Regulation] to publish in a transparent and user-friendly manner the information required in this Article.	LNG and storage system operators shall ~~establish respectively one single European platform within 18 months from [date of entry into force of the Regulation] to publish in a transparent and user-friendly manner the information required in this Article~~ publish in a transparent and user-friendly manner the information required in this Article on an European platform. The Commission may issue non-binding guidance facilitating the establishment of the platforms.	
Article 32				
391	Article 32 Record keeping by system operators	Article 32 Record keeping by system operators	Article 32 Record keeping by system operators	
Article 32, first paragraph				
392	Transmission system operators, storage system operators and LNG system operators shall keep at the disposal of the national authorities, including the regulatory authority, the national competition authority and the Commission, all information referred to in Articles	Transmission system operators, storage system operators and LNG system operators shall keep at the disposal of the national authorities, including the regulatory authority, the national competition authority and the Commission, all information referred to in Articles	Transmission system operators, storage system operators and LNG system operators shall keep at the disposal of the national authorities, including the regulatory authority, the national competition authority and the Commission, all information referred to in Articles	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	30 and 31, and in Part 3 of Annex I for a period of five years.	30 and 31, and in Part 3 of Annex I for a period of five years.	30 and 31, and in Part 3 of Annex I for a period of five years.	
Section 4				
393	Section 4 Distribution system operation	Section 4 Distribution system operation	Section 4 Distribution system operation	
Article 33				
394	Article 33 Firm capacity for renewable and low carbon gases to the distribution system	Article 33 Firm capacity for renewable ~~and low carbon gases~~ <u>gas and low-carbon gas</u> to the distribution system	Article 33 Firm capacity for renewable and low carbon gases to the distribution system	
Article 33(1)				
395	1. Distribution system operators shall ensure firm capacity for the access of the production facilities of renewable and low carbon gases connected to their grid. To this extent, distribution system operators shall develop in cooperation with the transmission system operators procedures and arrangements, including investments, to ensure reverse flow from distribution to transmission network.	1. Distribution system operators shall ensure firm capacity <u>and continuous injection</u> for the access of the production facilities of renewable <u>gas and low-carbon gas</u> ~~and low carbon gases~~ connected to their grid. To this extent, distribution system operators shall ~~develop~~ in cooperation <u>among themselves</u> <u>and</u> with the transmission system operators, <u>develop</u> procedures and arrangements, including	1. Distribution system operators shall ensure firm capacity for the access of the production facilities of renewable and low carbon gases connected to their grid. To this ~~extent~~ <u>effect</u> , distribution system operators shall develop in cooperation with the transmission system operators procedures and arrangements, including investments, to ensure reverse flow from distribution to transmission network.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		investments, to ensure reverse flow from <u>the distribution network to the ~~to~~ transmission network, and network reinforcement plans to ensure network reinforcement, where appropriate.</u>		
Article 33(2)				
396	2. Paragraph 1 shall be without prejudice to the possibility for distribution system operators to develop alternatives to reverse flow investments, such as smart grid solutions or connection to other network operators. Firm access may only be limited to offer capacities subject to operational limitations, in order to ensure economic efficiency. The regulatory authority shall ensure that any limitations in firm capacity or operational limitations are introduced on the basis of transparent and non-discriminatory procedures and do not create undue barriers to market entry. Where the production facility bears the costs related to ensuring firm capacity, no limitation shall apply.	2. Paragraph 1 shall be without prejudice to the possibility for distribution system operators to develop alternatives to reverse flow investments, such as smart grid solutions or connection to other network operators. Firm access may only be limited to offer capacities subject to operational limitations, in order to ensure economic <u>infrastructure safety and</u> efficiency. The regulatory authority shall ensure that any limitations in firm capacity or operational limitations are introduced on the basis of transparent and non-discriminatory procedures and do not create undue barriers to market entry. Where the production facility bears the costs related to ensuring firm capacity, no limitation shall apply.	2. Paragraph 1 shall be without prejudice to the possibility for distribution system operators to develop alternatives to reverse flow investments, such as smart grid solutions or connection to other network operators, including direct transmission network connection of production facilities of renewable and low carbon gases. Firm access may only be limited to offer capacities subject to operational limitations, in order to ensure economic efficiency. The regulatory authority shall ensure that any limitations in firm capacity or operational limitations are introduced on the basis of transparent and non-discriminatory procedures and do not create undue barriers to market entry. Where the production facility bears the costs related to ensuring	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			firm capacity, no limitation shall apply.	
396a		<u>2a. For the purpose of the swift implementation of grid connection of renewable gas production, Member States shall ensure that:</u>		
396b		<u>(a) the distribution system operator complies with reasonable time limits to assess the requests for injection of renewable gas, make an offer and implement the connection, with monitoring of the regulatory authority in accordance with Article 41 and Article 72(1), point (t) of [the recast Gas Directive as proposed in COM(2021)xxx];</u>		
396c		<u>(b) permitting procedures for the implementation of the connection are not hampered by a lack of administrative capacity and do</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>not create a hurdle to the achievement of the national renewable energy target.</u>		
Article 34				
397	Article 34 Cooperation between distribution system operators and transmission system operators	Article 34 Cooperation between distribution system operators, <u>transmission system operators and hydrogen network</u> ~~and transmission system~~ operators	Article 34 Cooperation between distribution system operators and transmission system operators	
Article 34, first paragraph				
398	Distribution system operators shall cooperate with other distribution system operators and transmission system operators to coordinate maintenance, system development, new connections and the operation of the system to ensure system integrity and with a view to maximise capacity and minimise the use of fuel gas.	Distribution system operators shall cooperate with other distribution system operators ~~and~~ , <u>transmission system operators and hydrogen network operators</u> to coordinate maintenance, system development, new connections, <u>decommissioning</u> and the operation of the system to ensure system integrity and with a view to maximise capacity and minimise the use of fuel gas.	Distribution system operators shall cooperate with other distribution system operators and transmission system operators to coordinate maintenance, system development, new connections and the operation of the system to ensure system integrity and with a view to maximise capacity and minimise the use of fuel gas.	
Article 35				
399	Article 35	Article 35	Article 35	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Transparency requirements concerning distribution system operators	Transparency requirements concerning distribution system operators	Transparency requirements concerning distribution system operators	
Article 35, first paragraph				
400	Where distribution system operators are responsible for gas quality management in their networks, they shall make public detailed information regarding the quality of the gases transported in their networks, which might affect network users, based on Articles 16 and 17 of Commission Regulation (EU) 2015/703.	Where distribution system operators are responsible for gas quality management in their networks, they shall make public detailed information regarding the quality of the ~~gases~~ gas transported in their networks, which might affect network users, based on Articles 16 and 17 of Commission Regulation (EU) 2015/703.	Where distribution system operators are responsible for gas quality management in their networks, they shall make public detailed information regarding the quality of the gases transported in their networks, which might affect network users, based on Articles 16 and 17 of Commission Regulation (EU) 2015/703.	
400a		<u><i>The development of a distribution system shall be based on a transparent network development plan that the distribution system operator shall publish at least every two years and shall submit to the regulatory authority. The network development plan shall provide transparency on the medium- and long-term gas services needed.</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
400b		<u>The distribution system operator shall consult consumers, local authorities, relevant transmission system operators and other stakeholders, including trade unions, on the network development plan referred to in the second subparagraph. The distribution system operator shall publish the results of the consultation process along with the network development plan, and submit the results of the consultation and the network development plan to the regulatory authority. The regulatory authority may request amendments to the plan.</u>		
400c		<u>Member States may decide not to apply the obligation set out in the second subparagraph to distribution system operators which serve less than 100 000 connected customers.</u>		
Article 36				
401	Article 36	Article 36	Article 36	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	European entity for distribution system operators	European entity for distribution system operators	European entity for distribution system operators	
Article 36, first paragraph				
402	Distribution system operators operating a natural gas system shall cooperate at Union level through the European entity for distribution system operators ('EU DSO entity') set up in accordance with Articles 52 to 57 of Regulation (EU) 2019/943 of the European Parliament and of the Council¹, in order to promote the completion and functioning of the internal market for natural gas and to promote optimal management and a coordinated operation of distribution and transmission systems. ¹. Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (OJ L 158, 14.6.2019, p. 54).	Distribution system operators operating a natural gas system <u>or hydrogen network</u> shall cooperate at Union level through the European entity for distribution system operators ('EU DSO entity') set up in accordance with Articles 52 to 57 of Regulation (EU) 2019/943 of the European Parliament and of the Council¹, in order to promote the completion and functioning of the internal market for natural gas, <u>cooperate in the development of the hydrogen market</u> and to promote optimal management and a coordinated operation of distribution and transmission systems. ¹. Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (OJ L 158, 14.6.2019, p. 54).	1. Distribution system operators operating a natural gas system shall cooperate at Union level through the European entity for distribution system operators ('EU DSO entity') set up in accordance with Articles 52 to 57 of Regulation (EU) 2019/943 of the European Parliament and of the Council¹, in order to promote the completion and functioning of the internal market for natural gas and to promote optimal management and a coordinated operation of distribution and transmission systems. ¹. Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (OJ L 158, 14.6.2019, p. 54).	
Article 36, second paragraph				
403				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Registered members may participate in the EU DSO entity directly or be represented by a national association designated by a Member State or by a Union-level association.	Registered members may participate in the EU DSO entity directly or be represented by a national association designated by a Member State or by a Union-level association.	2. Registered members may participate in the EU DSO entity directly or be represented by a national association designated by a Member State or by a Union-level association.	
Article 36, third paragraph				
404	The costs related to the activities of the EU DSO entity shall be borne by the distribution system operators that are registered members and shall be taken into account in the calculation of tariffs. Regulatory authorities shall only approve costs that are reasonable and proportionate.	The costs related to the activities of the EU DSO entity shall be borne by the distribution system operators that are registered members and shall be taken into account in the calculation of tariffs. Regulatory authorities shall only approve costs that are reasonable and proportionate <u>and provide reasons where they are not approved.</u>	3. The costs related to the activities of the EU DSO entity shall be borne by the distribution system operators that are registered members and shall be taken into account in the calculation of tariffs. Regulatory authorities shall only approve costs that are reasonable and proportionate.	
Article 37				
405	Article 37 Change to the principal rules and procedures for the EU DSO entity	Article 37 Change to the principal rules and procedures for the EU DSO entity	Article 37 Change to the principal rules and procedures for the EU DSO entity	
Article 37(1)				
406	1. The rules and procedures on the participation of distribution system	1. The rules and procedures on the participation of distribution system	1. The rules and procedures on the participation of distribution system	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	operators in the EU DSO entity pursuant to Article 54 of Regulation (EU) 2019/942 shall also apply to distribution system operators operating a natural gas system.	operators in the EU DSO entity pursuant to Article 54 of Regulation (EU) 2019/942 shall also apply to distribution system operators operating a natural gas system <u>or hydrogen network</u> .	operators in the EU DSO entity pursuant to Article 54 of Regulation (EU) ~~2019/942~~ 2019/943 shall also apply to distribution system operators operating a natural gas system.	
406a		<u>1a. The governance rules and structures of the EU DSO entity shall guarantee a fair and balanced representation for gas and hydrogen distribution system operators.</u>		
Article 37(2)				
407	2. The Strategic Advisory Group pursuant to Article 54(2), point (f), of Regulation (EU) 2019/942 shall also consist of representatives of associations representing European distribution system operators solely operating a natural gas system.	2. The Strategic Advisory Group pursuant to Article 54(2), point (f), of Regulation (EU) 2019/942 shall also consist of representatives of associations representing European distribution system operators solely operating a natural gas system <u>or hydrogen network</u> .	2. The Strategic Advisory Group pursuant to Article 54(2), point (f), of Regulation (EU) ~~2019/942~~ 2019/943 shall also consist of representatives of associations representing European distribution system operators solely operating a natural gas system.	
Article 37(3), first subparagraph				
408				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. By [one year after entry into force] the EU DSO entity shall submit to the Commission and to ACER draft updated statutes, including a code of conduct, a list of registered members, draft updated rules of procedure, including rules of procedures on the consultation with the ENTSO for Electricity, the ENTSO for Gas and other stakeholders, and draft updated financing rules.	3. By ...[one year after <u>the date of entry into force of this Regulation</u>] the EU DSO entity shall submit to the Commission and to ACER draft updated statutes, including a code of conduct, a list of registered members, draft updated rules of procedure, including rules of procedures on the consultation with the ENTSO for Electricity, the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> and other stakeholders, and draft updated financing rules.	3. By [one year after entry into force] the EU DSO entity shall submit to the Commission and to ACER draft updated statutes, including a code of conduct, a list of registered members, draft updated rules of procedure, including rules of procedures on the consultation with the ENTSO for Electricity, the ENTSO for Gas and other stakeholders, and draft updated financing rules.	
Article 37(3), second subparagraph				
409	The draft updated rules of procedure of the EU DSO entity shall ensure balanced representation of all participating distribution system operators, including those solely owning or operating natural gas systems.	The draft updated rules of procedure of the EU DSO entity shall ensure balanced representation of all participating distribution system operators, including those solely owning or operating natural gas systems <u>or hydrogen network</u> .	The draft updated rules of procedure of the EU DSO entity shall ensure balanced representation of all participating distribution system operators, including those solely owning or operating natural gas systems.	
Article 37(4)				
410	4. Within four months of receipt of the documents pursuant to paragraph 3, ACER shall provide the Commission with its opinion,	4. Within four months of receipt of the documents pursuant to paragraph 3, ACER shall provide the Commission with its opinion,	4. Within four months of receipt of the documents pursuant to paragraph 3, ACER shall provide the Commission with its opinion,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	after consulting organisations representing all stakeholders, in particular distribution system users.	after consulting organisations representing all stakeholders, in particular distribution system users, <u>including customers</u> .	after consulting organisations representing all stakeholders, in particular distribution system users.	
Article 37(5)				
411	5. Within three months of receipt of ACER's opinion, the Commission shall deliver an opinion on documents provided pursuant to paragraph 3, taking into account ACER's opinion as provided for in paragraph 4.	5. Within three months of receipt of ACER's opinion, the Commission shall deliver an opinion on documents provided pursuant to paragraph 3, taking into account ACER's opinion as provided for in paragraph 4.	5. Within three months of receipt of ACER's opinion, the Commission shall deliver an opinion on documents provided pursuant to paragraph 3, taking into account ACER's opinion as provided for in paragraph 4.	
Article 37(6)				
412	6. Within three months of receipt of the Commission's positive opinion, the distribution system operators shall adopt and publish its updated statutes, rules of procedure and financing rules.	6. Within three months of receipt of the Commission's positive opinion, the distribution system operators shall adopt and publish its updated statutes, rules of procedure and financing rules.	6. Within three months of receipt of the Commission's positive opinion, the distribution system operators shall adopt and publish its updated statutes, rules of procedure and financing rules.	
Article 37(7)				
413	7. The documents referred to in paragraph 3 shall be submitted to the Commission and to ACER where there are changes thereto or upon the reasoned request of either	7. The documents referred to in paragraph 3 shall be submitted to the Commission and to ACER where there are changes thereto or upon the reasoned request of either	7. The documents referred to in paragraph 3 shall be submitted to the Commission and to ACER where there are changes thereto or upon the reasoned request of either	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of them. The Commission and ACER may deliver an opinion in accordance with the process set out in paragraphs 3, 4 and 5.	of them. The Commission and ACER may deliver an opinion in accordance with the process set out in paragraphs 3, 4 and 5.	of them. The Commission and ACER may deliver an opinion in accordance with the process set out in paragraphs 3, 4 and 5.	
Article 38				
414	Article 38 Additional tasks of the EU DSO entity	Article 38 Additional tasks of the EU DSO entity	Article 38 Additional tasks of the EU DSO entity	
Article 38(1)				
415	1. The EU DSO entity shall exercise the tasks listed in Article 55(1) points (a) to (e) of Regulation (EU) 2019/943 and undertake the activities listed in Article 55(2) points (c) to (e) of that Regulation also as regards those distribution networks which are part of the natural gas system.	1. The EU DSO entity shall exercise the tasks listed in Article 55(1) points (a) to (e) of Regulation (EU) 2019/943 and undertake the activities listed in Article 55(2) points (c) to (e) of that Regulation also as regards those distribution networks which are part of the natural gas system <u>or hydrogen network</u> .	1. The EU DSO entity shall exercise the tasks listed in Article 55(1) points (a) to (e) of Regulation (EU) 2019/943 and undertake the activities listed in Article 55(2) points (c) to (e) of that Regulation also as regards those distribution networks which are part of the natural gas system.	
Article 38(2), first subparagraph				
416	2. In addition to the tasks listed in Article 55(1) of Regulation (EU) 2019/943 the EU DSO entity shall participate in the development of network codes which are relevant	2. In addition to the tasks listed in Article 55(1) of Regulation (EU) 2019/943 the EU DSO entity shall participate in the development of network codes which are relevant	2. In addition to the tasks listed in Article 55(1) of Regulation (EU) 2019/943 the EU DSO entity shall participate in the development of network codes which are relevant	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to the operation and planning of distribution grids and the coordinated operation of the transmission networks and distribution networks pursuant to this Regulation and contribute to mitigating fugitive methane emissions from the natural gas system.	to the operation and planning of distribution grids and the coordinated operation of the transmission networks and distribution networks pursuant to this Regulation and contribute to mitigating fugitive methane emissions from the natural gas system.	to the operation and planning of distribution grids and the coordinated operation of the transmission networks and distribution networks pursuant to this Regulation and contribute to mitigating fugitive methane emissions from the natural gas system.	
Article 38(2), second subparagraph				
417	When participating in the development of new network codes pursuant to Article 53, the EU DSO entity shall comply with the consultation requirements as laid down in Article 56 of Regulation (EU) 2019/943.	When participating in the development of new network codes pursuant to Article 53, the EU DSO entity shall comply with the consultation requirements as laid down in Article 56 of Regulation (EU) 2019/943.	When participating in the development of new network codes pursuant to Article 53, the EU DSO entity shall comply with the consultation requirements as laid down in Article 56 of Regulation (EU) 2019/943.	
Article 38(3)				
418	3. In addition to the activities listed in Article 55(2) of Regulation (EU) 2019/943 the EU DSO entity shall:	3. In addition to the activities listed in Article 55(2) of Regulation (EU) 2019/943 the EU DSO entity shall:	3. In addition to the activities listed in Article 55(2) of Regulation (EU) 2019/943 the EU DSO entity shall:	
Article 38(3), point (a)				
419	(a) cooperate with the ENTSO for Gas on the monitoring of the	(a) cooperate with the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> on the	(a) cooperate with the ENTSO for Gas on the monitoring of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implementation of the network codes and guidelines adopted pursuant to this Regulation which are relevant to the operation and planning of distribution grids and the coordinated operation of the transmission networks and distribution networks;	monitoring of the implementation of the network codes and guidelines adopted pursuant to this Regulation which are relevant to the operation and planning of distribution grids and the coordinated operation of the transmission networks and distribution networks;	implementation of the network codes and guidelines adopted pursuant to this Regulation which are relevant to the operation and planning of distribution grids and the coordinated operation of the transmission networks and distribution networks;	
Article 38(3), point (b)				
420	(b) cooperate with the ENTSO for Gas and adopt best practices on the coordinated operation and planning of transmission and distribution systems including issues such as exchange of data between operators and coordination of distributed energy resources;	(b) cooperate with the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> and adopt best practices on the coordinated operation and planning of transmission and distribution systems including issues such as exchange of data between operators and coordination of distributed energy resources;	(b) cooperate with the ENTSO for Gas and adopt best practices on the coordinated operation and planning of transmission and distribution systems including issues such as exchange of data between operators and coordination of distributed energy resources;	
Article 38(3), point (c)				
421	(c) work on identifying best practices for the implementation of the results of the assessments pursuant to Article 23(1a) [proposal for REDIII] and Article 23 [proposal for revised EED] and for the cooperation between operators of electricity distribution	(c) work on identifying best practices for the implementation of the results of the assessments pursuant to Article 23(1a) [proposal for REDIII] and Article 23 [proposal for revised EED] and for the cooperation between operators of electricity distribution	(c) work on identifying best practices for the implementation of the results of the assessments pursuant to Article 23(1a) [proposal for REDIII] and Article 23 [proposal for revised EED] and for the cooperation between operators of electricity distribution	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	networks, of natural gas distribution networks and of district heating and cooling systems including for the purpose of the assessment pursuant to Article 24(8) [proposal for REDIII].	~~networks~~ <u>systems</u> , of natural gas distribution <u>systems, of hydrogen distribution</u> networks and of district heating and cooling systems including for the purpose of the assessment pursuant to Article 24(8) [proposal for REDIII], <u>including recommendations for the suitable placement of electrolyzers with a view to ensure the use of waste heat in district heating network.</u>	networks, of natural gas distribution networks and of district heating and cooling systems including for the purpose of the assessment pursuant to Article 24(8) [proposal for REDIII].	
Article 38(4)				
422	4. The EU DSO entity shall provide input to the ENTSO for Gas for its reporting on gas quality, with regard to the distribution networks where distribution system operators are responsible for gas quality management, as referred to in Article 23(3).	4. The EU DSO entity shall provide input to the ~~ENTSO for Gas~~ <u>ENTSO G&H</u> for its reporting on gas <u>and hydrogen</u> quality, with regard to the distribution networks where distribution system operators are responsible for gas quality management, as referred to in Article 23(3).	4. The EU DSO entity shall provide input to the ENTSO for Gas for its reporting on gas quality, with regard to the distribution networks where distribution system operators are responsible for gas quality management, as referred to in Article 23(3).	
Chapter III				
423	Chapter III RULES APPLICABLE TO THE DEDICATED HYDROGEN NETWORKS	Chapter III RULES APPLICABLE TO THE DEDICATED HYDROGEN NETWORKS	Chapter III RULES APPLICABLE TO THE DEDICATED HYDROGEN NETWORKS	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 39				
424	Article 39 Cross-border coordination on hydrogen quality	Article 39 Cross-border coordination on hydrogen quality	Article 39 Cross-border coordination on hydrogen quality	
Article 39(1)				
425	1. Hydrogen network operators shall cooperate to avoid restrictions to cross-border flows of hydrogen due to hydrogen quality differences.	1. Hydrogen network operators shall cooperate to avoid restrictions to cross-border flows of hydrogen due to hydrogen quality differences <u>in order to meet the quality requirements of different end-use applications in line with the applicable hydrogen quality standards.</u>	1. Hydrogen network operators shall cooperate to avoid restrictions to cross-border flows of hydrogen due to hydrogen quality differences.	
Article 39(2)				
426	2. Where a restriction to cross-border flows due to differences in hydrogen quality cannot be avoided by the concerned hydrogen network operators in their standard operations, they shall inform the concerned regulatory authorities without delay. The information shall include a description and justified reasoning for any steps already	2. Where a restriction to cross-border flows due to differences in hydrogen quality cannot be avoided by the concerned hydrogen network operators in their standard operations, they shall inform the concerned regulatory authorities without delay. The information shall include a description and justified reasoning for any steps already	2. Where a restriction to cross-border flows due to differences in hydrogen quality cannot be avoided by the concerned hydrogen network operators in their standard operations, they shall inform the concerned regulatory authorities without delay. The information shall include a description and justified reasoning for any steps already	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	taken by the hydrogen network operators.	taken by the hydrogen network operators.	taken by the hydrogen network operators.	
Article 39(3)				
427	3. The concerned regulatory authorities shall jointly agree within six months whether to recognise the restriction.	3. The concerned regulatory authorities shall jointly agree within six months whether to recognise the restriction.	3. The concerned regulatory authorities shall jointly agree within six months whether to recognise the restriction.	
Article 39(4)				
428	4. Where the concerned regulatory authorities recognise the restriction, they shall request the concerned hydrogen network operators to perform, within 12 months, the following actions in sequence:	4. Where the concerned regulatory authorities recognise the restriction, they shall request the concerned hydrogen network operators to perform, within 12 months, the following actions in sequence:	4. Where the concerned regulatory authorities recognise the restriction, they shall request the concerned hydrogen network operators to perform, within 12 months, the following actions in sequence:	
Article 39(4), point (a)				
429	(a) cooperate and develop technically feasible options in order to remove the recognised restriction;	(a) cooperate and develop technically feasible options in order to remove the recognised restriction;	(a) cooperate and develop technically feasible options in order to remove the recognised restriction;	
Article 39(4), point (b)				
430				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) jointly carry out a cost-benefit analysis on the technically feasible options to define economically efficient solutions which shall specify the breakdown of costs and benefits among the categories of affected parties;	(b) jointly carry out a cost-benefit analysis on the technically feasible options to define economically efficient solutions which shall specify the breakdown of costs and benefits among the categories of affected parties;	(b) jointly carry out a cost-benefit analysis on the technically feasible options to define economically efficient solutions which shall specify the breakdown of costs and benefits among the categories of affected parties;	
Article 39(4), point (c)				
431	(c) produce an estimate of the implementation time for each potential option;	(c) produce an estimate of the implementation time for each potential option;	(c) produce an estimate of the implementation time for each potential option;	
Article 39(4), point (d)				
432	(d) conduct a public consultation on identified feasible solutions and take into consideration the results of the consultation;	(d) conduct a public consultation on identified feasible solutions and take into consideration the results of the consultation;	(d) conduct a public consultation on identified feasible solutions and take into consideration the results of the consultation;	
Article 39(4), point (e)				
433	(e) submit a joint proposal for a solution based on the cost benefit analysis and results of the public consultation removing the recognised restriction, including the timeframe for implementation, to their respective regulatory authorities for approval and to the	(e) submit a joint proposal for a solution based on the cost benefit analysis and results of the public consultation removing the recognised restriction, including the timeframe for implementation, to their respective regulatory authorities for approval and to the	(e) submit a joint proposal for a solution based on the cost benefit analysis and results of the public consultation removing the recognised restriction, including the timeframe for implementation, to their respective regulatory authorities for approval and to the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	other competent national authorities of each involved Member State for information.	other competent national authorities of each involved Member State for information.	other competent national authorities of each involved Member State for information.	
Article 39(5)				
434	5. Where the concerned hydrogen network operators do not reach an agreement on a solution within 12 months, each hydrogen system operator shall inform its regulatory authority without delay.	5. Where the concerned hydrogen network operators do not reach an agreement on a solution within 12 months, each hydrogen system operator shall inform its regulatory authority without delay.	5. Where the concerned hydrogen network operators do not reach an agreement on a solution within 12 months, each hydrogen-system network operator shall inform its regulatory authority without delay.	
Article 39(6)				
435	6. The concerned regulatory authorities shall take a joint coordinated decision for removing the recognised restriction, taking into account the cost-benefit analysis prepared by the concerned transmission system operators and the results of the public consultation within six months as set out in Article 6(10) of Regulation (EU) 2019/942.	6. The ~~concerned~~ regulatory authorities <u>concerned</u> shall take a joint coordinated decision ~~for removing~~ <u>to remove or maintain</u> the recognised restriction, taking into account the cost-benefit analysis prepared by the concerned transmission system operators and the results of the public consultation within six months as set out in Article 6(10) of Regulation (EU) 2019/942. <u>Any decision to maintain the recognised restriction shall be reviewed every four years.</u>	6. The concerned regulatory authorities shall take a joint coordinated decision for removing the recognised restriction, taking into account the cost-benefit analysis prepared by the concerned ~~hydrogen network-transmission system~~ operators and the results of the public consultation within six months as set out in Article 6(10) of Regulation (EU) 2019/942.	
Article 39(7)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
436	7. The joint coordinated decision of the concerned regulatory authorities shall include a decision on the allocation of the investment costs to be borne by each hydrogen network operator for implementing the agreed solution, as well as their inclusion in tariffs after 1 January 2031, taking into account the economic, social and environmental costs and benefits of the solution in the concerned Member States.	7. The joint coordinated decision of the concerned regulatory authorities shall include a decision on the allocation of the investment costs to be borne by each hydrogen network operator for implementing the agreed solution, as well as their inclusion in tariffs after 1 January 2031, taking into account the economic, social and environmental costs and benefits of the solution in the concerned Member States.	7. The joint coordinated decision of the concerned regulatory authorities shall include a decision on the allocation of the investment costs to be borne by each hydrogen network operator for implementing the agreed solution, as well as their inclusion in tariffs after 1 January 2031[2036], taking into account the economic, social and environmental costs and benefits of the solution in the concerned Member States.	
Article 39(8)				
437	8. ACER may make recommendations to the regulatory authorities on the details of such cost allocation decisions as referred to in paragraph 7.	8. ACER may make recommendations to the regulatory authorities on the details of such cost allocation decisions as referred to in paragraph 7.	8. ACER may make recommendations to the regulatory authorities on the details of such cost allocation decisions as referred to in paragraph 7.	
Article 39(9)				
438	9. Where the concerned regulatory authorities cannot reach an agreement as referred to in paragraph 3 of this Article, ACER shall decide on the restriction, following the process set out in Article 6(10) of Regulation (EU)	9. Where the concerned regulatory authorities cannot reach an agreement as referred to in paragraph 3 of this Article, ACER shall decide on the restriction, following the process set out in Article 6(10) of Regulation (EU)	9. Where the concerned regulatory authorities cannot reach an agreement as referred to in paragraph 3 of this Article, ACER shall decide on the restriction, following the process set out in Article 6(10) of Regulation (EU)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2019/942. Where ACER recognises the restriction it shall request the concerned hydrogen network operators to perform, within 12 months, the actions referred to in paragraph 4, points (a) to (e), in sequence.	2019/942. Where ACER recognises the restriction it shall request the concerned hydrogen network operators to perform, within 12 months, the actions referred to in paragraph 4, points (a) to (e), in sequence.	2019/942. Where ACER recognises the restriction it shall request the concerned hydrogen network operators to perform, within 12 months, the actions referred to in paragraph 4, points (a) to (e), in sequence.	
Article 39(10)				
439	10. Where the relevant regulatory authorities cannot take a joint coordinated decisions as referred to in paragraphs 6 and 7 of this Article, ACER shall decide on the solution to remove the recognised restriction and on the allocation of the investment costs to be borne by each system operator for implementing the agreed solution, following the process set out in Article 6(10) of Regulation (EU) 2019/942.	10. Where the ~~relevant~~ regulatory authorities <u>concerned</u> cannot take a joint coordinated decisions as referred to in paragraphs 6 and 7 of this Article, ACER shall decide on the solution to remove <u>or maintain</u> the recognised restriction and on the allocation of the investment costs to be borne by each system operator for implementing the agreed solution, following the process set out in Article 6(10) of Regulation (EU) 2019/942. <u>Any decision to maintain the recognised restriction shall be reviewed every four years.</u>	10. Where the relevant regulatory authorities cannot take a joint coordinated decisions as referred to in paragraphs 6 and 7 of this Article, ACER shall decide on the solution to remove the recognised restriction and on the allocation of the investment costs to be borne by each ~~system~~ hydrogen network operator for implementing the agreed solution, following the process set out in Article 6(10) of Regulation (EU) 2019/942.	
Article 39(11)				
440	11. Further details required to implement this Article, including	11. Further details required to implement this Article, including	11. Further details required to implement this Article, including	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	details on a common binding hydrogen quality specification for cross-border hydrogen interconnectors, cost benefit analyses for removing cross-border flow restrictions due to hydrogen quality differences, interoperability rules for cross-border hydrogen infrastructure, including addressing interconnection agreements, units, data exchange, communication and information provision among relevant market participants, shall be set in a network code established in accordance with Article 54(2), point (b).	details on a common binding hydrogen quality specification for cross-border hydrogen interconnectors, cost benefit analyses for removing cross-border flow restrictions due to hydrogen quality differences, interoperability rules for cross-border hydrogen infrastructure, including addressing interconnection agreements, units, data exchange, communication and information provision among relevant market participants, shall be set in a network code established in accordance with Article 54(2), point (b).	details on a common binding hydrogen quality specification for cross-border hydrogen interconnectors, cost benefit analyses for removing cross-border flow restrictions due to hydrogen quality differences, interoperability rules for cross-border hydrogen infrastructure, including addressing interconnection agreements, units, data exchange, communication and information provision among relevant market participants, shall be set in a network code established in accordance with Article 54(2), point (b).	
Article 40				
441	Article 40 European Network of Network Operators for Hydrogen	<i>deleted</i>	Article 40 European Network of Network Operators for Hydrogen	
Article 40(1)				
442	1. Hydrogen network operators shall cooperate at Union level through the European Network of Network Operators for Hydrogen (ENNOH), in order to promote the development and functioning of	<i>deleted</i>	1. Hydrogen network operators shall cooperate at Union level through the European Network of Network Operators for Hydrogen (ENNOH), in order to promote the development and functioning of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the internal market in hydrogen and cross-border trade and to ensure the optimal management, coordinated operation and sound technical evolution of the European hydrogen network.		the internal market in hydrogen and cross-border trade and to ensure the optimal management, coordinated operation and sound technical evolution of the European hydrogen network.	
442a			1a. The ENNOH shall consist of certified hydrogen network operators of Member States. Hydrogen network operators are eligible to join ENNOH from the start of the certification procedure by the regulatory authority, subject to subsequent positive certification in line with Art. 65 of [the recast gas Directive as proposed in COM(2021)803] and Article 13 of this Regulation within 18 months of joining ENNOH and subject to at least developing hydrogen infrastructure project(s) with a final investment decision within 3 years of joining ENNOH. If the final certification decision has not been taken within 18 months of joining ENNOH or if the final investment decision has not been taken within three years of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			joining ENNOH, the ENNOH membership of the hydrogen network operator expires.	
Article 40(2)				
443	2. In performing its functions under Union law, the ENNOH shall act with a view to establishing a well-functioning and integrated internal market for hydrogen and shall contribute to the efficient and sustainable achievement of the objectives set out in the policy framework for climate and energy, in particular by contributing to the efficient integration of hydrogen produced from renewable energy sources and to increases in energy efficiency while maintaining system security. The ENNOH shall be equipped with adequate human and financial resources to carry out its duties.	<i>deleted</i>	2. In performing its functions under Union law, the ENNOH shall act with a view to establishing a well-functioning and integrated internal market for hydrogen and shall contribute to the efficient and sustainable achievement of the objectives set out in the policy framework for climate and energy, in particular by contributing to the efficient integration of hydrogen produced from renewable energy sources and to increases in energy efficiency while maintaining system security. The ENNOH shall be equipped with adequate human and financial resources to carry out its duties.	
Article 40(3)				
444	3. By 1 September 2024, the hydrogen network operators shall submit to the Commission and to ACER the draft statutes, a list of	<i>deleted</i>	3. By 1 September 2024, the hydrogen network operators shall submit to the Commission and to ACER the draft statutes, a list of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	members and draft rules of procedure, including the rules of procedures on the consultation of stakeholders, of the ENNOH to be established.		members and draft rules of procedure, including the rules of procedures on the consultation of stakeholders, of the ENNOH to be established.	
Article 40(4)				
445	4. The hydrogen network operators shall submit to the Commission and to ACER any draft amendments to the statutes, list of members or rules of procedure of the ENNOH.	<i>deleted</i>	4. The hydrogen network operators shall submit to the Commission and to ACER any draft amendments to the statutes, list of members or rules of procedure of the ENNOH.	
Article 40(5)				
446	5. Within four months of receipt of the drafts and the draft amendments to the statutes, list of members or rules of procedure, ACER, after consulting the organisations representing all stakeholders, in particular the system users, including customers, shall provide an opinion to the Commission on these drafts or draft amendments to the statutes, list of members or rules of procedure.	<i>deleted</i>	5. Within four months of receipt of the drafts and the draft amendments to the statutes, list of members or rules of procedure, ACER, after consulting the organisations representing all stakeholders, in particular the system users, including customers, shall provide an opinion to the Commission on these drafts or draft amendments to the statutes, list of members or rules of procedure.	
Article 40(6)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
447	6. The Commission shall deliver an opinion on the drafts and draft amendments to the statutes, list of members or rules of procedure taking into account ACER's opinion as provided for in paragraph 5 and within three months of receipt of ACER's opinion.	<i>deleted</i>	6. The Commission shall deliver an opinion on the drafts and draft amendments to the statutes, list of members or rules of procedure taking into account ACER's opinion as provided for in paragraph 5 and within three months of receipt of ACER's opinion.	
Article 40(7)				
448	7. Within three months of receipt of the Commission's favourable opinion, the hydrogen network operators shall adopt and publish the statutes, list of members and rules of procedure.	<i>deleted</i>	7. Within three months of receipt of the Commission's favourable opinion, the hydrogen network operators shall adopt and publish the statutes, list of members and rules of procedure.	
Article 40(8)				
449	8. The documents referred to in paragraph 3 shall be submitted to the Commission and ACER where there are changes thereto or upon the reasoned request of either of them. The Commission and ACER shall deliver an opinion in accordance with paragraphs 5, 6 and 7.	<i>deleted</i>	8. The documents referred to in paragraph 3 shall be submitted to the Commission and ACER where there are changes thereto or upon the reasoned request of either of them. The Commission and ACER shall deliver an opinion in accordance with paragraphs 5, 6 and 7.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 41				
450	Article 41 Transition to the ENNOH	<i>deleted</i>	Article 41 Transition to the ENNOH	
Article 41(1)				
451	1. Until the ENNOH is established in line with Article 40, the Commission will set up a temporary platform involving ACER and all relevant market participants, including the ENTSO for Gas, the ENTSO for Electricity and the EU DSO entity and ensures its administrative support. This platform will promote work on scoping and developing issues relevant for the building up of the hydrogen network and markets. The platform will cease to exist once ENNOH is established.	<i>deleted</i>	1. Until the ENNOH is established in line with Article 40, the Commission ~~will~~ shall set up a temporary platform involving ACER and all relevant market participants, including the ENTSO for Gas, the ENTSO for Electricity and the EU DSO entity and ~~ensures~~ ensure its administrative support. This platform ~~will~~ shall promote work on scoping and developing issues relevant for the building up of the hydrogen network and markets. The platform ~~will~~ shall cease to exist once ENNOH is established.	
Article 41(2)				
452	2. Until the ENNOH is established, the ENTSO for Gas will be responsible for the development of Union-wide network development plans for gas and hydrogen networks. In	<i>deleted</i>	2. Until the ENNOH is established, the ENTSO for Gas ~~will~~ shall be responsible for the development of Union-wide network development plans for gas and hydrogen networks referred	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	carrying out this task ENTSO for Gas shall ensure the effective consultation and inclusion of all market participants, including hydrogen market participants.		to in Articles 29 and 43. In carrying out this task ENTSO for Gas shall ensure the effective consultation and inclusion of all market participants, including hydrogen market participants and the members of the temporary platform under paragraph 1.	
Article 42				
453	Article 42 Tasks of the ENNOH	<i>deleted</i>	Article 42 Tasks of the ENNOH	
Article 42(1)				
454	1. The ENNOH shall:	<i>deleted</i>	1. The ENNOH shall:	
Article 42(1), point (a)				
455	(a) develop network codes in the areas set out in Article 54 with a view to achieving the objectives set out in Article 40;	<i>deleted</i>	(a) develop network codes in the areas set out in Article 54 with a view to achieving the objectives set out in Article 40;	
Article 42(1), point (b)				
456	(b) adopt and publish biannually a non-binding Union-wide ten-year	<i>deleted</i>	(b) adopt and publish biannually a non-binding Union-wide ten-year	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	network development plan, including a European supply adequacy outlook;		network development plan referred to in Article 43 , including a European supply adequacy outlook;	
Article 42(1), point (c)				
457	(c) cooperate with the ENTSO for Electricity and with the ENTSO for Gas;	<i>deleted</i>	(c) cooperate with the ENTSO for Electricity the ENTSO for Gas and with the ~~ENTSO for Gas~~ EU DSO entity ;	
Article 42(1), point (d)				
458	(d) develop recommendations relating to the coordination of technical cooperation between gas transmission and distribution system operators on one hand, and hydrogen network operators on the other hand in the Union;	<i>deleted</i>	(d) develop recommendations relating to the coordination of technical cooperation between ~~gas~~ transmission and distribution system operators on one hand, and hydrogen network operators on the other hand in the Union;	
Article 42(1), point (e)				
459	(e) develop recommendations relating to the coordination of technical cooperation between Union and third-party network operators;	<i>deleted</i>	(e) develop recommendations relating to the coordination of technical cooperation between Union and third-party network operators;	
Article 42(1), point (f)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
460	(f) adopt an annual work programme;	<i>deleted</i>	(f) adopt an annual work programme;	
Article 42(1), point (g)				
461	(g) adopt an annual report;	<i>deleted</i>	(g) adopt an annual report;	
Article 42(1), point (h)				
462	(h) adopt an annual outlook for the supply of hydrogen covering Member States where hydrogen is used in electricity generation or for supplying households;	<i>deleted</i>	(h) adopt an annual outlook for the supply of hydrogen covering Member States where hydrogen is used in electricity generation or for supplying households industries;	
Article 42(1), point (i)				
463	(i) adopt a hydrogen quality monitoring report by 15 May 2026 at the latest and every two years afterwards, including developments and forecasts for the expected developments of hydrogen quality parameters, as well as information on cases related to differences in hydrogen quality specifications and how such cases were settled;	<i>deleted</i>	(i) adopt a hydrogen quality monitoring report by 15 May 2026 at the latest and every two years afterwards, including developments and forecasts for the expected developments of hydrogen quality parameters, as well as information on cases related to differences in hydrogen quality specifications and how such cases were settled;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 42(1), point (j)				
464	(j) promote cyber security and data protection in cooperation with relevant authorities and regulated entities.	<i>deleted</i>	(j) promote cyber security and data protection in cooperation with relevant authorities and regulated entities.	
Article 42(1), point (k)				
464a			(k) develop and promote best practices in the detection, monitoring and reduction of hydrogen leaks.	
Article 42(2)				
465	2. The ENNOH shall monitor and analyse the implementation of the network codes and the guidelines adopted by the Commission in accordance with Article 54, 55 and 56, and their effect on the harmonisation of applicable rules aimed at facilitating market development and integration. The ENNOH shall report its findings to ACER and shall include the results of the analysis in the annual report referred to in paragraph 1, point f) of this Article.	<i>deleted</i>	2. The ENNOH shall monitor and analyse the implementation of the network codes and the guidelines adopted by the Commission in accordance with Article 54, 55 and 56, and their effect on the harmonisation of applicable rules aimed at facilitating market development and integration. The ENNOH shall report its findings to ACER and shall include the results of the analysis in the annual report referred to in paragraph 1, point f) of this Article.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 42(3)				
466	3. The ENNOH shall publish the minutes of its assembly meetings, board meetings and committee meetings and provide the public with regular information on its decision-making and activities.	<i>deleted</i>	3. The ENNOH shall publish the minutes of its assembly meetings, board meetings and committee meetings and provide the public with regular information on its decision-making and activities.	
Article 42(4)				
467	4. The annual work programme referred to in paragraph 1, point (f) shall contain a list and description of the network codes to be prepared, a plan on the coordination of the operation of the network, a list of research and development activities, to be realised in that year, and an indicative calendar.	<i>deleted</i>	4. The annual work programme referred to in paragraph 1, point (f) shall contain a list and description of the network codes to be prepared, a plan on the coordination of the operation of the network, a list of research and development activities, to be realised in that year, and an indicative calendar.	
Article 42(5)				
468	5. The ENNOH shall provide ACER with the information ACER requires to fulfil its tasks pursuant to Article 46. In order to enable the ENNOH to meet that requirement, hydrogen network	<i>deleted</i>	5. The ENNOH shall provide ACER with the information ACER requires to fulfil its tasks pursuant to Article 46. In order to enable the ENNOH to meet that requirement, hydrogen network	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	operators shall provide the ENNOH with the requested information.		operators shall provide the ENNOH with the requested information.	
Article 42(6)				
469	6. Upon request of the Commission, the ENNOH shall give its views to the Commission on the adoption of the guidelines as laid down in Article 56.	<i>deleted</i>	6. Upon request of the Commission, the ENNOH shall give its views to the Commission on the adoption of the guidelines as laid down in Article 56.	
Article 43				
470	Article 43 Ten-year network development plan for hydrogen	<i>deleted</i>	Article 43 Ten-year network development plan for hydrogen	
Article 43(1), first subparagraph				
471	1. The Union-wide ten-year network development plan referred to in Article 42 shall include the modelling of the integrated network, scenario development and an assessment of the resilience of the system.	<i>deleted</i>	1. The Union-wide ten-year network development plan ~~referred to in Article 42~~ for hydrogen shall include the modelling of the integrated network, scenario development and an assessment of the resilience of the system.	
Article 43(1), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
472	The Union-wide ten-year network development plan shall in particular:	<i>deleted</i>	The Union-wide ten-year network development plan shall in particular:	
Article 43(1), second subparagraph, point (a)				
473	(a) build on the national hydrogen network development reporting as set out in Article 52 of recast Gas Directive where available and Chapter IV of Regulation (EU) xxx [TEN-E Regulation];	<i>deleted</i>	(a) build on the national hydrogen network development reporting as set out in Article 52 of recast Gas Directive where available and Chapter IV of Regulation (EU) xxx [TEN-E Regulation];	
Article 43(1), second subparagraph, point (b)				
474	(b) regarding cross-border interconnections, also build on the reasonable needs of different network users and integrate long-term commitments from investors referred to in Articles 55 and Chapter IX Section 3 of recast Gas Directive;	<i>deleted</i>	(b) regarding cross-border interconnections, also build on the reasonable needs of different network users and integrate long-term commitments from investors referred to in Articles 55 and Chapter IX Section 3 of recast Gas Directive;	
Article 43(1), second subparagraph, point (c)				
475	(c) identify investment gaps, notably with respect to cross-border capacities.	<i>deleted</i>	(c) identify investment gaps, notably with respect to cross-border capacities.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 43(1), third subparagraph				
476	With regard to the second subparagraph, point (c), a review of barriers to the increase of cross-border capacity of the network arising from different approval procedures or practices may be annexed to the Union-wide network development plan.	<i>deleted</i>	With regard to the second subparagraph, point (c), a review of barriers to the increase of cross-border capacity of the network arising from different approval procedures or practices may be annexed to the Union-wide network development plan.	
Article 43(2)				
477	2. ACER shall provide an opinion on the national hydrogen network development reports where relevant to assess their consistency with the Union-wide network development plan. If ACER identifies inconsistencies between a national hydrogen network development report and the Union-wide network development plan, it shall recommend amending the national hydrogen network development report or the Union-wide network development plan as appropriate.	<i>deleted</i>	2. ACER shall provide an opinion on the national hydrogen network development reports where relevant to assess their consistency with the Union-wide network development plan. If ACER identifies inconsistencies between a national hydrogen network development report and the Union-wide network development plan, it shall recommend amending the national hydrogen network development report or the Union-wide network development plan as appropriate.	
Article 43(3)				
478				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. When developing the Union-wide ten-year network development plan as referred to in Article 42, the ENNOH shall cooperate with the ENTSO for Electricity and with the ENTSO for Gas, in particular on the development of the energy system wide cost-benefit analysis and the interlinked energy market and network model including electricity, gas and hydrogen transport infrastructure as well as storage, LNG and hydrogen terminals and electrolyzers referred to in Article 11 [TEN-E revision], the scenarios for the Ten-Year Network Development Plans referred to in Article 12 [TEN-E revision] and the infrastructure gaps identification referred to in Article 13 [TEN-E revision].	<i>deleted</i>	3. When developing the Union-wide ten-year network development plan as referred to in Article 42, the ENNOH shall cooperate with the ENTSO for Electricity and with the ENTSO for Gas, in particular on the development of the energy system wide cost-benefit analysis and the interlinked energy market and network model including electricity, gas and hydrogen transport infrastructure as well as storage, LNG and hydrogen terminals and electrolyzers referred to in Article 11 ~~[TEN-E revision]~~ of Regulation (EU) 2022/869 , the scenarios for the ~~Ten-Year~~ ten-year network development plans referred to in Article 12 ~~[TEN-E revision]~~ of that Regulation and the infrastructure gaps identification referred to in Article 13 ~~[TEN-E revision]~~ of that Regulation .	
Article 44				
479	Article 44 Costs	<i>deleted</i>	Article 44 Costs	
Article 44, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
480	The costs related to the activities of the ENNOH referred to in Articles 42 of this Regulation shall be borne by the hydrogen network operators and shall be taken into account in the calculation of tariffs. Regulatory authorities shall approve those costs only if they are reasonable and appropriate.	<i>deleted</i>	The costs related to the activities of the ENNOH referred to in Articles 42 of this Regulation shall be borne by the hydrogen network operators and shall be taken into account in the calculation of tariffs. Regulatory authorities shall approve those costs only if they are reasonable and appropriate.	
Article 45				
481	Article 45 Consultation	<i>deleted</i>	Article 45 Consultation	
Article 45(1)				
482	1. While preparing the proposals pursuant to the tasks referred to in Article 42, the ENNOH shall conduct an extensive consultation process at an early stage and in an open and transparent manner, involving all relevant market participants, and in particular the organisations representing all stakeholders, in accordance with the rules of procedure referred to in Article 40 of this Regulation. The consultation process shall accommodate stakeholder	<i>deleted</i>	1. While preparing the proposals pursuant to the tasks referred to in Article 42, the ENNOH shall conduct an extensive consultation process at an early stage and in an open and transparent manner, involving all relevant market participants, and in particular the organisations representing all stakeholders, in accordance with the rules of procedure referred to in Article 40 of this Regulation. The consultation process shall accommodate stakeholder	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	comments before the final adoption of the proposal, aiming at identifying the views and proposals of all relevant parties during the decision-making process. The consultation shall also involve regulatory authorities and other national authorities, producers, network users including customers, technical bodies and stakeholder platforms.		comments before the final adoption of the proposal, aiming at identifying the views and proposals of all relevant parties during the decision-making process. The consultation shall also involve regulatory authorities and other national authorities, producers, network users including customers, technical bodies and stakeholder platforms.	
Article 45(2)				
483	2. All documents and minutes of meetings related to the consultation shall be made public.	<i>deleted</i>	2. All documents and minutes of meetings related to the consultation shall be made public.	
Article 45(3)				
484	3. Before adopting the proposals referred to in Article 42 the ENNOH shall indicate how the observations received during the consultation have been taken into consideration. It shall provide reasons where observations have not been taken into account.	<i>deleted</i>	3. Before adopting the proposals referred to in Article 42 the ENNOH shall indicate how the observations received during the consultation have been taken into consideration. It shall provide reasons where observations have not been taken into account.	
Article 46				
485				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 46 Monitoring by ACER	<i>deleted</i>	Article 46 Monitoring by ACER	
Article 46(1)				
486	1. ACER shall monitor the execution of the tasks of the ENNOH referred to in Article 42 and report its findings to the Commission.	<i>deleted</i>	1. ACER shall monitor the execution of the tasks of the ENNOH referred to in Article 42 and report its findings to the Commission.	
Article 46(2)				
487	2. ACER shall monitor the implementation by the ENNOH of network codes and guidelines adopted by the Commission as laid down in Articles 54, 55, and 56. Where the ENNOH has failed to implement such network codes or guidelines, ACER shall request the ENNOH to provide a duly reasoned explanation as to why it has failed to do so. ACER shall inform the Commission of that explanation and provide its opinion thereon.	<i>deleted</i>	2. ACER shall monitor the implementation by the ENNOH of network codes and guidelines adopted by the Commission as laid down in Articles 54, 55, and 56. Where the ENNOH has failed to implement such network codes or guidelines, ACER shall request the ENNOH to provide a duly reasoned explanation as to why it has failed to do so. ACER shall inform the Commission of that explanation and provide its opinion thereon.	
Article 46(3), first subparagraph				
488				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. The ENNOH shall submit the draft Union-wide network development plan, the draft annual work programme, including the information regarding the consultation process, and the other documents referred to in Article 42 to ACER for its opinion.	<i>deleted</i>	3. The ENNOH shall submit the draft Union-wide network development plan, the draft annual work programme, including the information regarding the consultation process, and the other documents referred to in Article 42 to ACER for its opinion.	
Article 46(3), second subparagraph				
489	Where it considers that the draft annual work programme or the draft Union-wide network development plan submitted by the ENNOH does not contribute to non-discrimination, effective competition, the efficient functioning of the market or a sufficient level of cross-border interconnection, ACER shall provide a duly reasoned opinion as well as recommendations to the ENNOH and to the Commission within two months of the submission of the programme or the plan.	<i>deleted</i>	Where it considers that the draft annual work programme or the draft Union-wide network development plan submitted by the ENNOH does not contribute to non-discrimination, effective competition, the efficient functioning of the market or a sufficient level of cross-border interconnection, ACER shall provide a duly reasoned opinion as well as recommendations to the ENNOH and to the Commission within two months of the submission of the programme or the plan.	
Article 47				
490	Article 47	<i>deleted</i>	Article 47	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regional cooperation of hydrogen network operators		Regional cooperation of hydrogen network operators	
Article 47(1)				
491	1. Hydrogen network operators shall establish regional cooperation within the ENNOH to contribute to the tasks referred to in Article 42.	<i>deleted</i>	1. Hydrogen network operators shall establish regional cooperation within the ENNOH to contribute to the tasks referred to in Article 42.	
Article 47(2)				
492	2. Hydrogen network operators shall promote operational arrangements in order to ensure the optimum management of the network and shall ensure interoperability of the interconnected Union hydrogen system for facilitating commercial and operational cooperation between adjacent hydrogen network operators.	<i>deleted</i>	2. Hydrogen network operators shall promote operational arrangements in order to ensure the optimum management of the network and shall ensure interoperability of the interconnected Union hydrogen system for facilitating commercial and operational cooperation between adjacent hydrogen network operators.	
Article 48				
493	Article 48 Transparency requirements concerning hydrogen network operators	Article 48 Transparency requirements concerning hydrogen network operators	Article 48 Transparency requirements concerning hydrogen network operators	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 48(1)				
494	1. The hydrogen network operators shall make public detailed information regarding the services they offer and the relevant conditions applied, together with the technical information necessary for hydrogen network users to gain effective network access.	1. The hydrogen network operators shall make public detailed information regarding the services they offer and the relevant conditions applied, together with the technical information necessary for hydrogen network users to gain effective network access.	1. The hydrogen network operators shall make public detailed information regarding the services they offer and the relevant conditions applied, together with the technical information necessary for hydrogen network users to gain effective network access.	
Article 48(2)				
495	2. In order to ensure transparent, objective and non-discriminatory tariffs and facilitate efficient utilisation of the hydrogen network, from 1 January 2031 hydrogen network operators or relevant authorities shall publish complete information on tariff derivation, methodology and structure.	2. In order to ensure transparent, objective and non-discriminatory tariffs and facilitate efficient utilisation of the hydrogen network, from 1 January 2031 hydrogen network operators or relevant authorities shall publish complete information on tariff derivation, methodology and structure.	2. In order to ensure transparent, objective and non-discriminatory tariffs and facilitate efficient utilisation of the hydrogen network, from 1 January 2031 hydrogen network operators or relevant authorities shall publish complete information on tariff derivation, methodology and structure.	
Article 48(3)				
496	3. The hydrogen network operators shall make public detailed information regarding the	3. The hydrogen network operators shall make public detailed information regarding the	3. The hydrogen network operators shall make public detailed information regarding the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	quality of hydrogen transported in their networks, which might affect network users.	quality of hydrogen transported in their networks, which might affect network users.	quality of hydrogen transported in their networks, which might affect network users.	
Article 48(4)				
497	4. The relevant points of a hydrogen network on which the information is to be made public shall be approved by the competent authorities after consultation with hydrogen network users.	4. The relevant points of a hydrogen network on which the information is to be made public shall be approved by the competent authorities after consultation with hydrogen network users.	4. The relevant points of a hydrogen network on which the information is to be made public shall be approved by the competent authorities after consultation with hydrogen network users.	
Article 48(5)				
498	5. The hydrogen network operators shall always disclose the information required by this Regulation in a meaningful, quantifiably clear and easily accessible manner and on a non-discriminatory basis.	5. The hydrogen network operators shall always disclose the information required by this Regulation in a meaningful, quantifiably clear and easily accessible manner and on a non-discriminatory basis.	5. The hydrogen network operators shall always disclose the information required by this Regulation in a meaningful, quantifiably clear and easily accessible manner and on a non-discriminatory basis.	
Article 48(6)				
499	6. The hydrogen network operators shall make public ex-ante and ex-post supply and demand information, including a periodic forecast and the recorded	6. The hydrogen network operators shall make public ex-ante and ex-post supply and demand information, including a periodic forecast and the recorded	6. The hydrogen network operators shall make public ex-ante and ex-post supply and demand information, including a periodic forecast and the recorded	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information. The regulatory authority shall ensure that all such information is made public. The level of detail of the information that is made public shall reflect the information available to the hydrogen network operators.	information. The regulatory authority shall ensure that all such information is made public. The level of detail of the information that is made public shall reflect the information available to the hydrogen network operators.	information. The regulatory authority shall ensure that all such information is made public. The level of detail of the information that is made public shall reflect the information available to the hydrogen network operators.	
Article 48(7)				
500	7. The market participants concerned shall provide the hydrogen network operator with the data referred to in this Article.	7. The market participants concerned shall provide the hydrogen network operator with the data referred to in this Article.	7. The market participants concerned shall provide the hydrogen network operator with the data referred to in this Article.	
Article 48(8)				
501	8. Further details required to implement the transparency requirements for hydrogen network operators, including further details on the content, frequency and form of information provision by hydrogen network operators, shall be set in a network code established in accordance with Article 54(1) of this Regulation.	8. Further details required to implement the transparency requirements for hydrogen network operators, including further details on the content, frequency and form of information provision by hydrogen network operators, shall be set in a network code established in accordance with Article 54(1) of this Regulation.	8. Further details required to implement the transparency requirements for hydrogen network operators, including further details on the content, frequency and form of information provision by hydrogen network operators, shall be set in a network code established in accordance with Article 54(1) of this Regulation.	
Article 49				
502				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 49 Record keeping in the hydrogen system	Article 49 Record keeping in the hydrogen system	Article 49 Record keeping in the hydrogen system	
Article 49, first paragraph				
503	Hydrogen network operators, hydrogen storage operators and hydrogen terminal operators shall keep at the disposal of the national authorities, including the regulatory authority, the national competition authority and the Commission, all information referred to in Articles 31 and 48 and in Part 4 of Annex I for a period of five years.	Hydrogen network operators, hydrogen storage operators and hydrogen terminal operators shall keep at the disposal of the national authorities, including the regulatory authority, the national competition authority and the Commission, all information referred to in Articles 31 and 48 and in Part 4 of Annex I for a period of five years.	Hydrogen network operators, hydrogen storage operators and hydrogen terminal operators shall keep at the disposal of the national authorities, including the regulatory authority, the national competition authority and the Commission, all information referred to in Articles 31 and 48 and in Part 4 of Annex I for a period of five years.	
Article 50				
504	Article 50 Presumption of conformity with harmonised standards	Article 50 Presumption of conformity with harmonised standards	Article 50 Presumption of conformity of practices with harmonised standards	
Article 50(1)				
505	1. Harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union	1. Harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union	1. Practices which are in conformity with harmonised standards or parts thereof the references of which have been	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall be presumed to be in conformity with the requirements referred to in delegated acts issued under Article 54(2), point (b) of this Regulation or implementing acts issued in accordance with Article 51.	shall be presumed to be in conformity with the requirements referred to in delegated acts issued under Article 54(2), point (b) of this Regulation or implementing acts issued in accordance with Article 51.	published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements referred to in delegated acts ~~issued under~~ adopted pursuant to Article 54(2), point (b) of this Regulation ~~or implementing acts issued in accordance with Article 51.~~	
Article 50(2)				
506	2. The Commission shall inform the European standardisation body concerned and, if necessary, issue a new mandate with a view to revising the harmonised standards concerned.	2. The Commission shall inform the European standardisation body concerned and, if necessary, issue a new mandate with a view to revising the harmonised standards concerned.	~~2. The Commission shall inform the European standardisation body concerned and, if necessary, issue a new mandate with a view to revising the harmonised standards concerned.~~	
Article 51				
507	Article 51 Common specifications	Article 51 Common specifications	Article 51 Common specifications	
Article 51, first paragraph				
508	The Commission is empowered to adopt implementing acts laying down common specifications for the requirements set out in Article 46 of [the recast Gas Directive as	The Commission is empowered to adopt implementing acts laying down common specifications for the requirements set out in Article 46 of [the recast Gas Directive as	1. The Commission is empowered to adopt implementing acts laying down common specifications for the requirements set out in Article 46 of [the recast Gas Directive as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	proposed in COM(2021) xxx] or may set those specifications in a network code pursuant to Article 54 (2), point (b), of this Regulation, where:	proposed in COM(2021) xxx] or may set those specifications in a network code pursuant to Article 54 (2), point (b), of this Regulation, where:	proposed in COM(2021) xxx] or may set those specifications in a network code pursuant to Article 54 (2), point (b), of this Regulation, where:	
Article 51, first paragraph, point (a)				
509	(a) those requirements are not covered by harmonised standards or parts thereof, the references of which have been published in the Official Journal of the European Union; or	(a) those requirements are not covered by harmonised standards or parts thereof, the references of which have been published in the Official Journal of the European Union; or	(a) those requirements are not covered by harmonised standards or parts thereof, the references of which have been published in the Official Journal of the European Union; or	
Article 51, first paragraph, point (b)				
510	(b) the Commission observes undue delays in the adoption of requested harmonised standards, or considers that relevant harmonised standards are not sufficient; or	(b) the Commission observes undue delays in the adoption of requested harmonised standards, or considers that relevant harmonised standards are not sufficient; or	(b) the Commission observes undue delays in the adoption of requested harmonised standards, or considers that relevant harmonised standards are not sufficient; or has requested one or more European standardisation organisation to draft a harmonised standard for those requirements and at least one of the following conditions has also been fulfilled:	
510a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(i) the request has not been accepted by any of the European standardisation organisations;	
510b			(ii) the Commission observes undue delays in the adoption of requested harmonised standards;	
510c			(iii) a European standardisation organisation has delivered a standard that does not entirely correspond with the request of the Commission; or	
Article 51, first paragraph, point (c)				
511	(c) the Commission has decided in accordance with the procedure referred to in Article 11(5) of Regulation (EU) No 1025/2012 to maintain with restriction or to withdraw the references to the harmonised standards or parts thereof by which those requirements are covered.	(c) the Commission has decided in accordance with the procedure referred to in Article 11(5) of Regulation (EU) No 1025/2012 to maintain with restriction or to withdraw the references to the harmonised standards or parts thereof by which those requirements are covered.	(c) the Commission has decided in accordance with the procedure referred to in Article 11(5) of Regulation (EU) No 1025/2012 to maintain with restriction or to withdraw the references to the harmonised standards or parts thereof by which those requirements are covered.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 51, second paragraph				
512	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3).	2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3).	
Article 51, third paragraph				
512a			3. In the early preparation of the draft implementing act establishing the common specification, the Commission shall gather the views of relevant bodies or expert groups established under relevant sectorial Union law, and shall duly consult all relevant stakeholders. Based on that consultation, the Commission shall prepare the draft implementing act.	
Article 51, fourth paragraph				
512b			4. Practices which are in conformity with common specifications or parts thereof shall be presumed to be in conformity with the requirements set out in the delegated acts adopted pursuant	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			to Article 54(2), point (b) of this Regulation to the extent that those requirements are covered by those common specifications or parts thereof.	
Article 51, fifth paragraph				
512c			5. Where a harmonised standard is adopted by a European standardisation organisation and proposed to the Commission for the publication of its reference in the Official Journal of the European Union, the Commission shall assess the harmonised standard in accordance with Regulation 1025/2012. When reference of a harmonised standard is published in the Official Journal of the European Union the Commission shall repeal implementing acts referred to in paragraph 1, or parts thereof which cover the same requirements referred to in paragraph 1.	
Chapter IV				
513				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Chapter IV NETWORK CODES AND GUIDELINES	Chapter IV NETWORK CODES AND GUIDELINES	Chapter IV NETWORK CODES AND GUIDELINES	
Article 52				
514	Article 52 Adoption of network codes and guidelines	Article 52 Adoption of network codes and guidelines	Article 52 Adoption of network codes and guidelines	
Article 52(1)				
515	1. The Commission may, subject to the empowerments in Articles 53 to 56, adopt implementing or delegated acts. Such acts may either be adopted as network codes on the basis of text proposals developed by the ENTSO for Gas or the ENNOH, or, where so provided for in the priority list pursuant to Article 53(3), by the EU DSO entity, where relevant in cooperation with the ENTSO for Gas, the ENNOH and ACER, pursuant to the procedure laid down in Articles 53 to 55, or as guidelines pursuant to the procedure laid down in Article 56.	1. The Commission may, subject to the empowerments in Articles 53 to 56, adopt implementing or delegated acts. Such acts may either be adopted as network codes on the basis of text proposals developed by the ~~ENTSO for Gas~~ <u>or the ENNOH</u> <u>ENTSOG&H</u> , or, where so provided for in the priority list pursuant to Article 53(3), by the EU DSO entity, where relevant in cooperation with the ~~ENTSO for Gas, the ENNOH~~ <u>ENTSOG&H</u> and ACER, pursuant to the procedure laid down in Articles 53 to 55, or as guidelines pursuant to the procedure laid down in Article 56.	1. The Commission may, subject to the empowerments in Articles 53 to 56, adopt implementing or delegated acts. Such acts may either be adopted as network codes on the basis of text proposals developed by the ENTSO for Gas or the ENNOH; or, where so provided for in the priority list pursuant to Article 53(3), by the EU DSO entity, ~~where relevant in cooperation with the ENTSO for Gas, the ENNOH and ACER,~~ pursuant to the procedure laid down in Articles 53 to 55, or as guidelines pursuant to the procedure laid down in Article 56.	
Article 52(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
516	2. The network codes and guidelines shall:	2. The network codes and guidelines shall:	2. The network codes and guidelines shall:	
Article 52(2), point (a)				
517	(a) ensure that they provide the minimum degree of harmonisation required to achieve the aims of this Regulation;	(a) ensure that they provide the minimum degree of harmonisation required to achieve the aims of this Regulation;	(a) ~~ensure that they~~ provide the minimum degree of harmonisation required to achieve the aims of this Regulation;	
Article 52(2), point (b)				
518	(b) take into account regional specificities, where appropriate;	(b) take into account regional specificities, where appropriate;	(b) take into account regional specificities, where appropriate; and	
Article 52(2), point (c)				
519	(c) not go beyond what is necessary for the purposes of point (a); and	(c) not go beyond what is necessary for the purposes of point (a); and	(c) not go beyond what is necessary for the purposes of point (a); ~~and~~	
Article 52(2), point (d)				
520	(d) apply to all interconnection points within the Union and entry points from and exit points to third countries.	(d) apply to all interconnection points within the Union and entry points from and exit points to third countries.	~~(d) apply to all interconnection points within the Union and entry points from and exit points to third countries.~~	Council mandate OK. Alternative wording : d) <i>apply to all interconnection points within the Union and, subject to decisions of relevant regulatory</i>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				<i>authorities, to entry points from and exit points to third countries</i>
Article 53				
521	Article 53 Establishment of network codes	Article 53 Establishment of network codes	Article 53 Establishment of network codes for natural gas	
Article 53(1), first subparagraph				
522	1. The Commission is empowered to adopt implementing acts establishing network codes in the following areas:	1. The Commission is empowered to adopt implementing acts establishing network codes in the following areas:	1. The Commission is empowered to adopt implementing acts establishing network codes in the following areas:	
Article 53(1), first subparagraph, point (a)				
523	(a) data exchange and settlement rules implementing Articles 21 and 22 of [recast Gas Directive as proposed in COM(2021) xxx] regarding interoperability and data exchange as well as harmonised rules for the operation of gas transmission systems, capacity booking platforms, and IT processes relevant for the functioning of the internal market	(a) data exchange and settlement rules implementing Articles 21 and 22 of [recast Gas Directive as proposed in COM(2021) xxx] regarding interoperability and data exchange as well as harmonised rules for the operation of gas transmission systems, capacity booking platforms, and IT processes relevant for the functioning of the internal market	(a) data exchange and settlement rules implementing Articles 21 and 22 of [recast Gas Directive as proposed in COM(2021) xxx] regarding interoperability and data exchange as well as harmonised rules for the operation of gas transmission systems, capacity booking platforms, and IT processes relevant for the functioning of the internal market	
Article 53(1), first subparagraph, point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
524	(b) interoperability rules for the natural gas system, implementing Articles 9 and 35 and 40 of [recast Gas Directive as proposed in COM(2021) xxx] including addressing interconnection agreements, rules on flow control and measurement principles for gas quantity and quality, allocation and matching rules, common sets of units, data exchange, gas quality, including rules on managing cross-border restrictions due to gas quality differences or due to differences in odourisation practices or due to differences in the volume of hydrogen blended in the natural gas system, cost-benefit analyses for removing cross-border flow restrictions, Wobbe Index classification, mitigating measures, minimum acceptance levels for gas quality parameters relevant for ensuring the unhindered cross-border flow of biomethane (e.g. oxygen content), short- and long-term gas quality monitoring, information provision and cooperation among relevant market participants, reporting on gas quality, transparency, communication	(b) interoperability rules for the natural gas system, implementing <u>Article 19 of this Regulation and</u> Articles 9 and 35 and 40 of [recast Gas Directive as proposed in COM(2021) xxx] including addressing interconnection agreements, rules on flow control and measurement principles for gas quantity and quality, allocation and matching rules, common sets of units, data exchange, gas quality, including rules on managing cross-border restrictions due to gas quality differences or due to differences in odourisation practices or due to differences in the volume of hydrogen blended in the natural gas system, cost-benefit analyses for removing cross-border flow restrictions, <u>and on a common binding natural gas quality specification for cross-border natural gas interconnectors</u>, Wobbe Index classification, mitigating measures, minimum acceptance levels for gas quality parameters relevant for ensuring the unhindered cross-border flow of biomethane (e.g. oxygen content), short- and long-term gas quality monitoring, information provision	(b) interoperability rules for the natural gas system, implementing Articles 9 and, 35 and 40 of [recast Gas Directive as proposed in COM(2021) xxx] including addressing interconnection agreements, rules on flow control and measurement principles for gas quantity and quality, allocation and matching rules, common sets of units, data exchange, gas quality, including rules on managing cross-border restrictions due to gas quality differences or due to differences in odourisation practices or due to differences in the volume of hydrogen blended in the natural gas system, cost-benefit analyses for removing cross-border flow restrictions, Wobbe Index classification, mitigating measures, minimum acceptance levels for gas quality parameters relevant for ensuring the unhindered cross-border flow of biomethane (e.g. oxygen content), short- and long-term gas quality monitoring, information provision and cooperation among relevant market participants, reporting on gas quality, transparency, communication	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	procedures including in case of exceptional events;	and cooperation among relevant market participants, reporting on gas quality, transparency, communication procedures including in case of exceptional events;	procedures including in case of exceptional events;	
Article 53(1), first subparagraph, point (c)				
525	(c) capacity-allocation and congestion-management rules implementing Article 27 of [recast Gas Directive as proposed in COM(2021) xxx] and Article 7 to 10 of this Regulation, including rules on cooperation of maintenance procedures and capacity calculation affecting capacity allocation, the standardization of capacity products and units including bundling, the allocation methodology including auction algorithms, sequence and procedure for existing, incremental, firm and interruptible capacity, capacity booking platforms, oversubscription and buy back schemes, short and long-term use-it-or-lose it schemes or and any other congestion-management scheme that prevents the hoarding of capacity	(c) capacity-allocation and congestion-management rules implementing Article 27 of [recast Gas Directive as proposed in COM(2021) xxx] and Article 7 to 10 of this Regulation, including rules on cooperation of maintenance procedures and capacity calculation affecting capacity allocation, the standardization of capacity products and units including bundling, the allocation methodology including auction algorithms, sequence and procedure for existing, incremental, firm and interruptible capacity, capacity booking platforms, oversubscription and buy back schemes, short and long-term use-it-or-lose it schemes or and any other congestion-management scheme that prevents the hoarding of capacity	(c) capacity-allocation and congestion-management rules implementing Article 27 of [recast Gas Directive as proposed in COM(2021) xxx] and Article 7 to 10 of this Regulation, including rules on cooperation of maintenance procedures and capacity calculation affecting capacity allocation, the standardization of capacity products and units including bundling, the allocation methodology including auction algorithms, sequence and procedure for existing, incremental, firm and interruptible capacity, capacity booking platforms, oversubscription and buy back schemes, short and long-term use-it-or-lose it schemes or and any other congestion-management scheme that prevents the hoarding of capacity	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 53(1), first subparagraph, point (d)				
526	(d) balancing rules including network-related rules on nominations procedure, rules for imbalance charges and rules for operational balancing between transmission system operators' systems implementing Article 35(5) of [recast Gas Directive as proposed in COM(2021) xxx] and Article 7 to 10 of this Regulation including network-related rules on nomination procedures, imbalance charges, settlement processes associated with the daily imbalance charge and operational balancing between transmission system operators' networks.	(d) balancing rules including network-related rules on nominations procedure, rules for imbalance charges and rules for operational balancing between transmission system operators' systems implementing Article 35(5) of [recast Gas Directive as proposed in COM(2021) xxx] and Article 7 to 10 of this Regulation including network-related rules on nomination procedures, imbalance charges, settlement processes associated with the daily imbalance charge and operational balancing between transmission system operators' networks.	(d) balancing rules including network-related rules on nominations procedure, rules for imbalance charges and rules for operational balancing between transmission system operators' systems implementing Article 35(5) of [recast Gas Directive as proposed in COM(2021) xxx] and Article 7 to 10 of this Regulation including network-related rules on nomination procedures, imbalance charges, settlement processes associated with the daily imbalance charge and operational balancing between transmission system operators' networks.	
Article 53(1), first subparagraph, point (e)				
527	(e) rules on harmonised transmission tariff structures implementing Article 72(7) of [recast Gas Directive as proposed in COM(2021) xxx] and Article 15 to 16 of this Regulation, including rules on the application of a reference price methodology, the associated consultation and	(e) rules on harmonised transmission tariff structures implementing Article 72(7) of [recast Gas Directive as proposed in COM(2021) xxx] and Article 15 to 16 of this Regulation, including rules on the application of a reference price methodology, the associated consultation and	(e) rules on harmonised transmission tariff structures implementing Article 72(7) of [recast Gas Directive as proposed in COM(2021) xxx] and Article 15 to 16 of this Regulation, including rules on the application of a reference price methodology, the associated consultation and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	publication requirements as well as the calculation of reserve prices for standard capacity products, discounts for LNG and storages, allowed revenue, procedures for the implementation of providing a discount for renewable and low carbon gases, including common principles for inter-transmission system operator compensation mechanisms;	publication requirements as well as the calculation of reserve prices for standard capacity products, discounts for LNG and storages, allowed revenue, procedures for the implementation of providing a discount for renewable ~~and low carbon gases~~ <u>gas and low-carbon gas</u> , including common principles for inter-transmission system operator compensation mechanisms;	publication requirements including for the allowed and target revenues as well as the calculation of reserve prices for standard capacity products, discounts for LNG and storages, ~~allowed revenue,~~ procedures for the implementation of providing a discount for renewable and low carbon gases, ~~including common principles for inter-transmission system operator compensation mechanisms;~~	
Article 53(1), second subparagraph				
528	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 61(3).	
Article 53(2)				
529	2. The Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the establishment of network codes in the following areas:	2. The Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the establishment of network codes in the following areas:	2. The Commission is empowered to adopt delegated acts in accordance with Article 63 to supplement this Regulation concerning the establishment of network codes in the following areas:	
Article 53(2), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
530	(a) network security and reliability rules including rules for operational network security as well as reliability rules ensuring the quality of service of the network	(a) network security and reliability rules including rules for operational network security as well as reliability rules ensuring the quality of service of the network	(a) network security and reliability rules including rules for operational network security as well as reliability rules ensuring the quality of service of the network	
Article 53(2), point (b)				
531	(b) network connection rules including rules on the connection of renewable and low carbon gas production facilities, procedures for connection requests;	(b) network connection rules including rules on the connection of renewable <u>gas</u> and low carbon gas production facilities, procedures for connection requests;	(b) network connection rules including rules on the connection of renewable and low carbon gas production facilities, procedures for connection requests;	
Article 53(2), point (c)				
532	(c) operational procedures in an emergency including system defence plans, restoration plans, market interactions, information exchange and communication and tools and facilities;	(c) operational procedures in an emergency including system defence plans, restoration plans, market interactions, information exchange and communication and tools and facilities;	(c) operational procedures in an emergency including system defence plans, restoration plans, market interactions, information exchange and communication ~~and~~ tools and facilities;	
Article 53(2), point (d)				
533	(d) rules for trading related to technical and operational	(d) rules for trading related to technical and operational	(d) rules for trading related to technical and operational	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	provision of network access services and system balancing;	provision of network access services and system balancing;	provision of network access services and system balancing;	
Article 53(2), point (e)				
534	(e) energy efficiency of gas networks and components as well as energy efficiency with regard to network planning and investments enabling the most energy efficient solution from a system perspective;	(e) energy efficiency of gas networks and components as well as energy efficiency with regard to network planning and investments enabling the most energy efficient solution from a system perspective;	(e) energy efficiency of gas networks and components as well as energy efficiency with regard to network planning and investments enabling the most energy efficient solution from a system perspective;	
Article 53(2), point (f)				
535	(f) cyber security aspects of cross-border natural gas flows, including rules on common minimum requirements, planning, monitoring, reporting and crisis management.	(f) cyber security aspects of cross-border natural gas flows, including rules on common minimum requirements, planning, monitoring, reporting and crisis management-;	(f) cyber security aspects of cross-border natural gas flows, including rules on common minimum requirements, planning, monitoring, reporting and crisis management.	
535a		<u>(fa) third-party access rules;</u>		
535b		<u>(fb) transparency rules.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 53(3)				
536	3. The Commission shall, after consulting ACER, the ENTSO for Gas, the ENNOH, the EU DSO entity and the other relevant stakeholders, establish every three years a priority list, identifying the areas set out in paragraphs 1 and 2 to be included in the development of network codes. If the subject matter of the network code is directly related to the operation of the distribution system and not primarily relevant to the transmission system, the Commission may require the EU DSO entity, in cooperation with the ENTSO for Gas, to convene a drafting committee and submit a proposal for a network code to ACER.	3. The Commission shall, after consulting ACER, the ~~ENTSO for Gas, the ENNOH,~~ <u>ENTSOG&H</u> the EU DSO entity and the other relevant stakeholders, establish every three years a priority list, identifying the areas set out in paragraphs 1 and 2 to be included in the development of network codes. If the subject matter of the network code is directly related to the operation of the distribution system and not primarily relevant to the transmission system, the Commission may require the EU DSO entity, in cooperation with the ~~ENTSO for Gas~~ <u>ENTSOG&H</u>, to convene a drafting committee and submit a proposal for a network code to ACER.	3. The Commission shall, after consulting ACER, the ENTSO for Gas, the ENNOH, the EU DSO entity and the other relevant stakeholders, establish every three years a priority list, identifying the areas set out in paragraphs 1 and 2 to be included in the development of network codes. If the subject matter of the network code is directly related to the operation of the distribution system and not primarily relevant to the transmission system, the Commission may require the EU DSO entity, in cooperation with the ENTSO for Gas, to convene a drafting committee and submit a proposal for a network code to ACER.	
Article 53(4)				
537	4. The Commission shall request ACER to submit to it within a reasonable period not exceeding six months of receipt of the Commission's request non-binding framework guidelines setting out clear and objective principles for the development of network codes	4. The Commission shall request ACER to submit to it within a reasonable period not exceeding six months of receipt of the Commission's request non-binding framework guidelines setting out clear and objective principles for the development of network codes	4. The Commission shall request ACER to submit to it within a reasonable period not exceeding six months of receipt of the Commission's request non-binding framework guidelines setting out clear and objective principles for the development of network codes	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	relating to the areas identified in the priority list. The request of the Commission may include conditions which the framework guidelines shall address. Each framework guideline shall contribute to market integration, non-discrimination, effective competition, and the efficient functioning of the market. Upon a reasoned request from ACER, the Commission may extend the period for submitting the guidelines.	relating to the areas identified in the priority list. The request of the Commission may include conditions which the framework guidelines shall address. Each framework guideline shall contribute to market integration, non-discrimination, effective competition, and the efficient functioning of the market. Upon a reasoned request from ACER, the Commission may extend the period for submitting the guidelines.	relating to the areas identified in the priority list. The request of the Commission may include conditions which the framework guidelines shall address. Each framework guideline shall contribute to market integration, non-discrimination, effective competition, and the efficient functioning of the market. Upon a reasoned request from ACER, the Commission may extend the period for submitting the guidelines.	
Article 53(5)				
538	5. ACER shall consult the ENTSO for Gas, the ENNOH, the EU DSO entity, and the other relevant stakeholders in regard to the framework guidelines, during a period of no less than two months, in an open and transparent manner.	5. ACER shall consult the ~~ENTSO for Gas, the~~ <u>ENNOH</u> ~~ENTSO~~ <u>G&H</u> , the EU DSO entity, and the other relevant stakeholders in regard to the framework guidelines, during a period of no less than two months, in an open and transparent manner.	5. ACER shall consult the ENTSO for Gas, ~~the ENNOH~~ , the EU DSO entity, and the other relevant stakeholders in regard to the framework guidelines, during a period of no less than two months, in an open and transparent manner.	
Article 53(6)				
539	6. ACER shall submit a non-binding framework guideline to the Commission where requested to do so under paragraph 4.	6. ACER shall submit a non-binding framework guideline to the Commission where requested to do so under paragraph 4.	6. ACER shall submit a non-binding framework guideline to the Commission where requested to do so under paragraph 4.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 53(7)				
540	7. If the Commission considers that the framework guideline does not contribute to market integration, non-discrimination, effective competition and the efficient functioning of the market, it may request ACER to review the framework guideline within a reasonable period and resubmit it to the Commission.	7. If the Commission considers that the framework guideline does not contribute to market integration, non-discrimination, effective competition and the efficient functioning of the market, it may request ACER to review the framework guideline within a reasonable period and resubmit it to the Commission.	7. If the Commission considers that the framework guideline does not contribute to market integration, non-discrimination, effective competition and the efficient functioning of the market, it may request ACER to review the framework guideline within a reasonable period and resubmit it to the Commission.	
Article 53(8)				
541	8. If ACER fails to submit or resubmit a framework guideline within the period set by the Commission under paragraph 4 or 7, the Commission shall develop the framework guideline in question.	8. If ACER fails to submit or resubmit a framework guideline within the period set by the Commission under paragraph 4 or 7, the Commission shall develop the framework guideline in question.	8. If ACER fails to submit or resubmit a framework guideline within the period set by the Commission under paragraph 4 or 7, the Commission shall develop the framework guideline in question.	
Article 53(9)				
542	9. The Commission shall request the ENTSO for Gas or, where provided for in the priority list referred to in paragraph 3, the EU DSO entity in cooperation with the	9. The Commission shall request the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> or, where provided for in the priority list referred to in paragraph 3, the EU DSO entity in	9. The Commission shall request the ENTSO for Gas or, where provided for in the priority list referred to in paragraph 3, the EU DSO entity in cooperation with the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ENTSO for Gas, to submit to ACER, within a reasonable period, not exceeding 12 months, of receipt of the Commission's request, a proposal for a network code in accordance with the relevant framework guideline.	cooperation with the ~~ENTSO for Gas~~ <u>ENTSO</u> <u>G&H</u> , to submit to ACER, within a reasonable period, not exceeding 12 months, of receipt of the Commission's request, a proposal for a network code in accordance with the relevant framework guideline.	ENTSO for Gas, to submit to ACER, within a reasonable period, not exceeding 12 months, of receipt of the Commission's request, a proposal for a network code in accordance with the relevant framework guideline.	
Article 53(10)				
543	10. The ENTSO for Gas, or where provided for in the priority list referred to in paragraph 3 the EU DSO entity, in cooperation with the ENTSO for Gas, shall convene a drafting committee to support it in the network code development process. The drafting committee shall consist of representatives of ACER, the ENTSO for Gas, the ENNOH, where appropriate the EU DSO entity, and a limited number of the main affected stakeholders. The ENTSO for Gas or where provided for in the priority list pursuant to paragraph 3 the EU DSO entity, in cooperation with the ENTSO for Gas, shall develop proposals for network codes in the areas referred to in paragraphs 1 and 2 where so	10. The ~~ENTSO for Gas~~ <u>ENTSO</u> <u>G&H</u> , or where provided for in the priority list referred to in paragraph 3 the EU DSO entity, in cooperation with the ~~ENTSO for Gas~~ <u>ENTSO</u> <u>G&H</u> , shall convene a drafting committee to support it in the network code development process. The drafting committee shall consist of representatives of ACER, the ~~ENTSO for Gas~~ <u>ENTSO</u> <u>G&H</u> , where appropriate the EU DSO entity, and a limited number of the main affected stakeholders. The ~~ENTSO for Gas~~ <u>ENTSO</u> <u>G&H</u> or where provided for in the priority list pursuant to paragraph 3 the EU DSO entity, in cooperation with the ~~ENTSO for Gas~~ <u>ENTSO</u> <u>G&H</u> , shall develop proposals for	10. The ENTSO for Gas, or where provided for in the priority list referred to in paragraph 3 the EU DSO entity, in cooperation with the ENTSO for Gas, shall convene a drafting committee to support it in the network code development process. The drafting committee shall consist of representatives of ACER, the ENTSO for Gas, ~~the ENNOH~~ , where appropriate the EU DSO entity, and a limited number of the main affected stakeholders. The ENTSO for Gas or where provided for in the priority list pursuant to paragraph 3 the EU DSO entity, in cooperation with the ENTSO for Gas, shall develop proposals for network codes in the areas referred to in paragraphs 1 and 2 where so	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	requested by the Commission in accordance with paragraph 9.	network codes in the areas referred to in paragraphs 1 and 2 where so requested by the Commission in accordance with paragraph 9.	requested by the Commission in accordance with paragraph 9.	
543a		<u>10a. Within three months of the date of receipt of the draft network code, ACER shall provide a reasoned opinion to the ENTSOG&H or the EU DSO entity, as appropriate.</u>		
543b		<u>10b. The ENTSOG&H or the EU DSO entity in cooperation with the ENTSOG&H, as appropriate, shall amend the network code in light of the opinion of ACER and re-submit it to ACER.</u>		
Article 53(11)				
544	11. ACER shall revise the proposed network code to ensure that it complies with the relevant framework guidelines and contributes to market integration, non-discrimination, effective	11. ACER shall revise the ~~proposed~~ <u>re-submitted</u> network code to ensure that it complies with the relevant framework guidelines and contributes to market integration, non-	11. ACER shall revise the proposed network code to ensure that it complies with the relevant framework guidelines and contributes to market integration, non-discrimination, effective	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	competition, and the efficient functioning of the market, and shall submit the revised network code to the Commission within six months of receipt of the proposal. In the proposal submitted to the Commission, ACER shall take into account the views provided by all involved parties during the drafting of the proposal led by the ENTSO for Gas or the EU DSO entity and shall consult the relevant stakeholders on the version of the network code to be submitted to the Commission.	discrimination, effective competition, and the efficient functioning of the market, and shall submit the revised network code to the Commission within six months of receipt of the proposal. In the proposal submitted to the Commission, ACER shall take into account the views provided by all involved parties during the drafting of the proposal led by the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> or the EU DSO entity and shall consult the relevant stakeholders on the version of the network code to be submitted to the Commission.	competition, and the efficient functioning of the market, and shall submit the revised network code to the Commission within six months of receipt of the proposal. In the proposal submitted to the Commission, ACER shall take into account the views provided by all involved parties during the drafting of the proposal led by the ENTSO for Gas or the EU DSO entity and shall consult the relevant stakeholders on the version of the network code to be submitted to the Commission.	
Article 53(12)				
545	12. Where the ENTSO for Gas or the EU DSO entity have failed to develop a network code within the period set by the Commission under paragraph 9, the Commission may request ACER to prepare a draft network code on the basis of the relevant framework guideline. ACER may launch a further consultation. ACER shall submit a draft network code prepared under this paragraph to the Commission and	12. Where the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> or the EU DSO entity have failed to develop a network code within the period set by the Commission under paragraph 9, the Commission may request ACER to prepare a draft network code on the basis of the relevant framework guideline. ACER may launch a further consultation. ACER shall submit a draft network code prepared under this paragraph to the Commission	12. Where the ENTSO for Gas or the EU DSO entity have failed to develop a network code within the period set by the Commission under paragraph 9, the Commission may request ACER to prepare a draft network code on the basis of the relevant framework guideline. ACER may launch a further consultation. ACER shall submit a draft network code prepared under this paragraph to the Commission and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	may recommend that it be adopted.	and may recommend that it be adopted.	may recommend that it be adopted.	
Article 53(13)				
546	13. Where the ENTSO for Gas or the EU DSO entity have failed to develop a network code, or ACER has failed to develop such a draft as referred to in paragraph 12, or upon the proposal of ACER under paragraph 11, the Commission may adopt, on its own initiative, one or more network codes in the areas listed in paragraphs 1 and 2.	13. Where the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> or the EU DSO entity have failed to develop a network code, or ACER has failed to develop such a draft as referred to in paragraph 12, or upon the proposal of ACER under paragraph 11, the Commission may adopt, on its own initiative, one or more network codes in the areas listed in paragraphs 1 and 2.	13. Where the ENTSO for Gas or the EU DSO entity have failed to develop a network code, or ACER has failed to develop such a draft as referred to in paragraph 12, or upon the proposal of ACER under paragraph 11, the Commission may adopt, on its own initiative, one or more network codes in the areas listed in paragraphs 1 and 2.	
Article 53(14)				
547	14. Where the Commission proposes to adopt a network code on its own initiative, the Commission shall consult ACER, the ENTSO for Gas and all relevant stakeholders in regard to the draft network code during a period of at least two months.	14. Where the Commission proposes to adopt a network code on its own initiative, the Commission shall consult ACER, the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> and all relevant stakeholders in regard to the draft network code during a period of at least two months.	14. Where the Commission proposes to adopt a network code on its own initiative, the Commission shall consult ACER, the ENTSO for Gas and all relevant stakeholders in regard to the draft network code during a period of at least two months.	
Article 53(15)				
548				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	15. This Article shall be without prejudice to the Commission's right to adopt and amend the guidelines as laid down in Article 56. It shall be without prejudice to the possibility for the ENTSO for Gas to develop non-binding guidance in the areas set out in paragraphs 1 and 2 where such guidance does not relate to areas covered by a request addressed to the ENTSO for Gas by the Commission. The ENTSO for Gas shall submit any such guidance to ACER for an opinion and shall duly take that opinion into account.	15. This Article shall be without prejudice to the Commission's right to adopt and amend the guidelines as laid down in Article 56. It shall be without prejudice to the possibility for the ~~ENTSO for Gas~~ <u>ENTSO for Gas</u> <u>ENTSO</u> <u>G&H</u> to develop non-binding guidance in the areas set out in paragraphs 1 and 2 where such guidance does not relate to areas covered by a request addressed to the ~~ENTSO for Gas~~ <u>ENTSO for Gas</u> <u>ENTSO</u> <u>G&H</u> by the Commission. The ~~ENTSO for Gas~~ <u>ENTSO for Gas</u> <u>ENTSO</u> <u>G&H</u> shall submit any such guidance to ACER for an opinion and shall duly take that opinion into account.	15. This Article shall be without prejudice to the Commission's right to adopt and amend the guidelines as laid down in Article 56. It shall be without prejudice to the possibility for the ENTSO for Gas to develop non-binding guidance in the areas set out in paragraphs 1 and 2 where such guidance does not relate to areas covered by a request addressed to the ENTSO for Gas by the Commission. The ENTSO for Gas shall submit any such guidance to ACER for an opinion and shall duly take that opinion into account.	
Article 54				
549	Article 54 Establishment of network codes for hydrogen	Article 54 Establishment of network codes for hydrogen	Article 54 Establishment of network codes for hydrogen	
Article 54(1), first subparagraph				
550	1. The Commission is empowered to adopt implementing acts in order to ensure uniform conditions for the implementation of this Regulation by establishing	1. The Commission is empowered to adopt implementing acts in order to ensure uniform conditions for the implementation of this Regulation by establishing	1. The Commission is empowered to adopt implementing acts in order to ensure uniform conditions for the implementation of this Regulation by establishing	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	network codes in the area of transparency rules implementing Article 48 of this Regulation, including further details on the content, frequency and form of information provision by hydrogen network operators and implementing Annex I, point 4 of this Regulation, including details on the format and content of the information necessary for network users for effective access to the network, information to be published at relevant points, details on time schedules.	network codes in the area of transparency rules implementing Article 48 of this Regulation, including further details on the content, frequency and form of information provision by hydrogen network operators and implementing Annex I, point 4 of this Regulation, including details on the format and content of the information necessary for network users for effective access to the network, information to be published at relevant points, details on time schedules.	network codes in the area of transparency rules implementing Article 48 of this Regulation, including further details on the content, frequency and form of information provision by hydrogen network operators and implementing Annex I, point 4 of this Regulation, including details on the format and content of the information necessary for network users for effective access to the network, information to be published at relevant points, details on time schedules.	
Article 54(1), second subparagraph				
551	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 61(2).	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 61(2).	Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 61(2).	
Article 54(2)				
552	2. The Commission is empowered to adopt delegated acts in accordance with Article 63 supplementing this Regulation with regard to the establishment of network codes in the following areas	2. The Commission is empowered to adopt delegated acts in accordance with Article 63 supplementing this Regulation with regard to the establishment of network codes in the following areas	2. The Commission is empowered to adopt delegated acts in accordance with Article 63 ~~supplementing~~ to supplement this Regulation with regard to the establishment of network codes in the following areas	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 54(2), point (a)				
553	(a) energy efficiency regarding hydrogen networks and components as well as energy efficiency with regard to network planning and investments enabling the most energy efficient solution from a system perspective;	(a) energy efficiency regarding hydrogen networks and components as well as energy efficiency with regard to network planning and investments enabling the most energy efficient solution from a system perspective;	(a) energy efficiency regarding hydrogen networks and components as well as energy efficiency with regard to network planning and investments enabling the most energy efficient solution from a system perspective;	
Article 54(2), point (b)				
554	(b) interoperability rules for the hydrogen network, including addressing interconnection agreements, units, data exchange, transparency, communication, information provisions and cooperation among relevant market participants as well as hydrogen quality, including common specifications and standardisation, odourisation, cost benefit analyses for removing cross-border flow restrictions due to hydrogen quality differences and reporting on hydrogen quality;	(b) interoperability rules for the hydrogen network, including addressing interconnection agreements, units, data exchange, transparency, communication, information provisions and cooperation among relevant market participants as well as hydrogen quality, including common specifications and standardisation, odourisation, cost benefit analyses for removing cross-border flow restrictions due to hydrogen quality differences and reporting on hydrogen quality;	(b) interoperability rules for the hydrogen network, including addressing interconnection agreements, units, data exchange, transparency, communication, information provisions and cooperation among relevant market participants as well as hydrogen quality, including common specifications at interconnection points and standardisation, odourisation, cost benefit analyses for removing cross-border flow restrictions due to hydrogen quality differences and reporting on hydrogen quality;	
Article 54(2), point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
555	(c) rules for the system of financial compensation for cross-border hydrogen infrastructure;	(c) rules for the system of financial compensation for cross-border hydrogen infrastructure;	(c) rules for the system of financial compensation for cross-border hydrogen infrastructure;	
Article 54(2), point (d)				
556	(d) capacity-allocation and congestion-management rules, including rules on cooperation of maintenance procedures and capacity calculation affecting capacity allocation, the standardisation of capacity products and units including bundling, the allocation methodology including auction algorithms, sequence and procedure for existing, incremental, firm and interruptible capacity, capacity booking platforms, oversubscription and buy back schemes, short and long-term use-it-or-lose it schemes or and any other congestion-management scheme that prevents the hoarding of capacity;	(d) capacity-allocation and congestion-management rules, including rules on cooperation of maintenance procedures and capacity calculation affecting capacity allocation, the standardisation of capacity products and units including bundling, the allocation methodology including auction algorithms, sequence and procedure for existing, incremental, firm and interruptible capacity, capacity booking platforms, oversubscription and buy back schemes, short and long-term use-it-or-lose it schemes or and any other congestion-management scheme that prevents the hoarding of capacity;	(d) capacity-allocation and congestion-management rules, including rules on cooperation of maintenance procedures and capacity calculation affecting capacity allocation, the standardisation of capacity products and units including bundling, the allocation methodology including auction algorithms, sequence and procedure for existing, incremental, firm and interruptible capacity, capacity booking platforms, oversubscription and buy back schemes, short and long-term use-it-or-lose it schemes or and any other congestion-management scheme that prevents the hoarding of capacity;	
Article 54(2), point (e)				
557	(e) rules regarding harmonised tariff structures for hydrogen	(e) rules regarding harmonised tariff structures for hydrogen	(e) rules regarding harmonised tariff structures for hydrogen	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	network access, including rules on the application of a reference price methodology, the associated consultation and publication requirements as well as the calculation of reserve prices for standard capacity products and allowed revenue;	network access, including rules on the application of a reference price methodology, the associated consultation and publication requirements as well as the calculation of reserve prices for standard capacity products and allowed revenue;	network access, including tariff at interconnection points , rules on the application of a reference price methodology, the associated consultation and publication requirements including for the allowed and target revenues as well as the calculation of reserve prices for standard capacity products and allowed revenue;	
Article 54(2), point (f)				
558	(f) rules for determining the value of transferred assets and the dedicated charge;	(f) rules for determining the value of transferred assets and the dedicated charge;	(f) rules for determining the value of transferred assets and the dedicated charge;	
Article 54(2), point (g)				
559	(g) balancing rules including network-related rules on nominations procedure, rules for imbalance charges and rules for operational balancing between hydrogen network operators' networks, including network-related rules on nomination procedures, imbalance charges, settlement processes associated with the daily imbalance charge and operational balancing between	(g) balancing rules including network-related rules on nominations procedure, rules for imbalance charges and rules for operational balancing between hydrogen network operators' networks, including network-related rules on nomination procedures, imbalance charges, settlement processes associated with the daily imbalance charge and operational balancing between	(g) balancing rules including network-related rules on nominations procedure, rules for imbalance charges and rules for operational balancing between hydrogen network operators' networks, including network-related rules on nomination procedures, imbalance charges, settlement processes associated with the daily imbalance charge and operational balancing between	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	transmission system operators' networks.	transmission system operators' networks.	transmission system operators' networks.	
Article 54(2), point (h)				
560	(h) cyber security aspects of cross-border hydrogen flows, including rules on common minimum requirements, planning, monitoring, reporting and crisis management.	(h) cyber security aspects of cross-border hydrogen flows, including rules on common minimum requirements, planning, monitoring, reporting and crisis management.	(h) cyber security aspects of cross-border hydrogen flows, including rules on common minimum requirements, planning, monitoring, reporting and crisis management.	
Article 54(3)				
561	3. The Commission shall, after consulting ACER, the ENNOH, the ENTSO for Gas, the EU DSO entity and the other relevant stakeholders, establish a priority list every three years, identifying the areas set out in paragraphs 1 and 2 to be included in the development of network codes.	3. The Commission shall, after consulting ACER, ~~the ENNOH,~~ ~~the ENTSO for Gas~~ ENTSOG&H , the EU DSO entity and the other relevant stakeholders, establish a priority list every three years, identifying the areas set out in paragraphs 1 and 2 to be included in the development of network codes.	3. The Commission shall, after consulting ACER, the ENNOH, ~~the ENTSO for Gas,~~ ~~the EU DSO entity~~ and the other relevant stakeholders, establish a priority list every three years, identifying the areas set out in paragraphs 1 and 2 to be included in the development of network codes. The Commission shall establish the first priority list for the development of hydrogen network codes one year after the establishment of the ENNOH as set out in Article 40 of this Regulation.	
Article 54(4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
562	4. The Commission shall request ACER to submit to it within a reasonable period not exceeding six months of receipt of the Commission's request non-binding framework guidelines setting out clear and objective principles for the development of network codes relating to the areas identified in the priority list. The request of the Commission may include conditions which the framework guideline shall address. Each framework guideline shall contribute to market integration, non-discrimination, effective competition, and the efficient functioning of the market. Upon a reasoned request from ACER, the Commission may extend the period for submitting the guidelines.	4. The Commission shall request ACER to submit to it within a reasonable period not exceeding six months of receipt of the Commission's request non-binding framework guidelines setting out clear and objective principles for the development of network codes relating to the areas identified in the priority list. The request of the Commission may include conditions which the framework guideline shall address. Each framework guideline shall contribute to market integration, non-discrimination, effective competition, and the efficient functioning of the market. Upon a reasoned request from ACER, the Commission may extend the period for submitting the guidelines.	4. The Commission shall request ACER to submit to it within a reasonable period not exceeding six months of receipt of the Commission's request non-binding framework guidelines setting out clear and objective principles for the development of network codes relating to the areas identified in the priority list. The request of the Commission may include conditions which the framework guideline shall address. Each framework guideline shall contribute to market integration, non-discrimination, effective competition, and the efficient functioning of the market. Upon a reasoned request from ACER, the Commission may extend the period for submitting the guidelines.	
Article 54(5)				
563	5. ACER shall consult the ENNOH, the ENTSO for Gas and the other relevant stakeholders in regard to the framework guideline, during a period of at least two months, in an open and transparent manner.	5. ACER shall consult the ~~ENNOH, the ENTSO for Gas~~ <u>ENTSOG&H</u> and the other relevant stakeholders in regard to the framework guideline, during a period of at least two months, in an open and transparent manner.	5. ACER shall consult the ENNOH, ~~the ENTSO for Gas~~ and the other relevant stakeholders in regard to the framework guideline, during a period of at least two months, in an open and transparent manner.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 54(6)				
564	6. ACER shall submit a non-binding framework guideline to the Commission where requested to do so under paragraph 4.	6. ACER shall submit a non-binding framework guideline to the Commission where requested to do so under paragraph 4.	6. ACER shall submit a non-binding framework guideline to the Commission where requested to do so under paragraph 4.	
Article 54(7)				
565	7. If the Commission considers that the framework guideline does not contribute to market integration, non-discrimination, effective competition and the efficient functioning of the market, it may request ACER to review the framework guideline within a reasonable period and resubmit it to the Commission.	7. If the Commission considers that the framework guideline does not contribute to market integration, non-discrimination, effective competition and the efficient functioning of the market, it may request ACER to review the framework guideline within a reasonable period and resubmit it to the Commission.	7. If the Commission considers that the framework guideline does not contribute to market integration, non-discrimination, effective competition and the efficient functioning of the market, it may request ACER to review the framework guideline within a reasonable period and resubmit it to the Commission.	
Article 54(8)				
566	8. If ACER fails to submit or resubmit a framework guideline within the period set by the Commission under paragraph 4 or 6, the Commission shall develop the framework guideline in question.	8. If ACER fails to submit or resubmit a framework guideline within the period set by the Commission under paragraph 4 or 6, the Commission shall develop the framework guideline in question.	8. If ACER fails to submit or resubmit a framework guideline within the period set by the Commission under paragraph 4 or 6, the Commission shall develop the framework guideline in question.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 54(9)				
567	9. The Commission shall request the ENNOH to submit, within a reasonable period not exceeding 12 months of the receipt of the Commission's request, a proposal for a network code in accordance with the relevant framework guideline to ACER.	9. The Commission shall request the ~~ENNOH~~ <u>ENTSOG&H</u> to submit, within a reasonable period not exceeding 12 months of the receipt of the Commission's request, a proposal for a network code in accordance with the relevant framework guideline to ACER.	9. The Commission shall request the ENNOH to submit, within a reasonable period not exceeding 12 months of the receipt of the Commission's request, a proposal for a network code in accordance with the relevant framework guideline to ACER.	
Article 54(10)				
568	10. The ENNOH shall convene a drafting committee to support it in the network code development process. The drafting committee shall consist of representatives of ACER, the ENTSO for Gas, the ENTSO for Electricity and where appropriate the EU DSO entity, and a limited number of the main affected stakeholders. The ENNOH shall develop proposals for network codes in the areas referred to in paragraphs 1 and 2.	10. The ~~ENNOH~~ <u>ENTSOG&H</u> shall convene a drafting committee to support it in the network code development process. The drafting committee shall consist of representatives of ACER, the ENTSO for ~~Gas, the ENTSO for~~ Electricity and where appropriate the EU DSO entity, and a limited number of the main affected stakeholders. The ~~ENNOH~~ <u>ENTSOG&H</u> shall develop proposals for network codes in the areas referred to in paragraphs 1 and 2.	10. The ENNOH shall convene a drafting committee to support it in the network code development process. The drafting committee shall consist of representatives of ACER, ~~the ENTSO for Gas, the ENTSO for Electricity and where appropriate the EU DSO entity,~~ and a limited number of the main affected stakeholders. The ENNOH shall develop proposals for network codes in the areas referred to in paragraphs 1 and 2.	
568a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>10a. Within three months of the date of receipt of a network code, ACER shall provide a reasoned opinion to the ENTSOG&H or the EU DSO, as appropriate.</u>		
568b		<u>10b. The ENTSOG&H shall amend the network code in light of the opinion of ACER and re-submit it to ACER.</u>		
Article 54(11)				
569	11. ACER shall revise the proposed network code to ensure that it complies with the relevant framework guidelines and contributes to market integration, non-discrimination, effective competition, and the efficient functioning of the market and, shall submit the revised network code to the Commission within six months of receipt of the proposal. In the revised network code, ACER shall take into account the views provided by all involved parties during the drafting of the proposal led by the European Network of Hydrogen Network	11. ACER shall revise the ~~proposed~~ re-submitted network code to ensure that it complies with the relevant framework guidelines and contributes to market integration, non-discrimination, effective competition, and the efficient functioning of the market and, shall submit the revised network code to the Commission within six months of receipt of the proposal. In the revised network code, ACER shall take into account the views provided by all involved parties during the drafting of the proposal led by the ~~European~~	11. ACER shall revise the proposed network code to ensure that it complies with the relevant framework guidelines and contributes to market integration, non-discrimination, effective competition, and the efficient functioning of the market and, shall submit the revised network code to the Commission within six months of receipt of the proposal. In the revised network code, ACER shall take into account the views provided by all involved parties during the drafting of the proposal led by the ~~European~~ Network of Hydrogen Network	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Operators and shall consult the relevant stakeholders on the revised version to be submitted to the Commission.	~~Network of Hydrogen Network Operators~~ ENTSOG&H and shall consult the relevant stakeholders on the revised version to be submitted to the Commission.	~~Operators~~ ENNOH and shall consult the relevant stakeholders on the revised version to be submitted to the Commission.	
Article 54(12)				
570	12. Where the ENNOH has failed to develop a network code within the period set by the Commission under paragraph 9, the Commission may request ACER to prepare a draft network code on the basis of the relevant framework guideline. ACER may launch a further consultation in the course of preparing a draft network code under this paragraph. ACER shall submit a draft network code prepared under this paragraph to the Commission and may recommend that it be adopted.	12. Where the ~~ENNOH~~ ENTSOG&H has failed to develop a network code within the period set by the Commission under paragraph 9, the Commission may request ACER to prepare a draft network code on the basis of the relevant framework guideline. ACER may launch a further consultation in the course of preparing a draft network code under this paragraph. ACER shall submit a draft network code prepared under this paragraph to the Commission and may recommend that it be adopted.	12. Where the ENNOH has failed to develop a network code within the period set by the Commission under paragraph 9, the Commission may request ACER to prepare a draft network code on the basis of the relevant framework guideline. ACER may launch a further consultation in the course of preparing a draft network code under this paragraph. ACER shall submit a draft network code prepared under this paragraph to the Commission and may recommend that it be adopted.	
Article 54(13)				
571	13. Where the European Network of Hydrogen Network Operators has failed to develop a network code, or ACER has failed to	13. Where the ~~European Network of Hydrogen Network Operators~~ ENTSOG&H has failed to develop a network code, or	13. Where the ~~European Network of Hydrogen Network Operators~~ ENNOH has failed to develop a network code, or ACER has failed	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	develop a draft network code as referred to in paragraph 12, the Commission may adopt, on its own initiative, or upon the proposal of ACER under paragraph 11, one or more network codes in the areas listed in paragraphs 1 and 2.	ACER has failed to develop a draft network code as referred to in paragraph 12, the Commission may adopt, on its own initiative, or upon the proposal of ACER under paragraph 11, one or more network codes in the areas listed in paragraphs 1 and 2.	to develop a draft network code as referred to in paragraph 12, the Commission may adopt, on its own initiative, or upon the proposal of ACER under paragraph 11, one or more network codes in the areas listed in paragraphs 1 and 2.	
Article 54(14)				
572	14. Where the Commission proposes to adopt a network code on its own initiative, it shall consult ACER, the ENNOH, the ENTSO for Gas and all relevant stakeholders in regard to the draft network code during a period of no less than two months.	14. Where the Commission proposes to adopt a network code on its own initiative, it shall consult ACER, the ~~ENNOH, the ENTSO for Gas~~ <u>ENTSOG&H</u> and all relevant stakeholders in regard to the draft network code during a period of no less than two months.	14. Where the Commission proposes to adopt a network code on its own initiative, it shall consult ACER, the ENNOH, the ~~ENTSO for Gas~~ and all relevant stakeholders in regard to the draft network code during a period of no less than two months.	
Article 54(15)				
573	15. This Article shall be without prejudice to the Commission's right to adopt and amend the guidelines as laid down in Article 56. It shall be without prejudice to the possibility for the ENNOH to develop non-binding guidance in the areas set out in paragraphs 1 and 2 where such guidance does not relate to areas covered by a	15. This Article shall be without prejudice to the Commission's right to adopt and amend the guidelines as laid down in Article 56. It shall be without prejudice to the possibility for the ~~ENNOH~~ <u>ENTSOG&H</u> to develop non-binding guidance in the areas set out in paragraphs 1 and 2 where such guidance does not	15. This Article shall be without prejudice to the Commission's right to adopt and amend the guidelines as laid down in Article 56. It shall be without prejudice to the possibility for the ENNOH to develop non-binding guidance in the areas set out in paragraphs 1 and 2 where such guidance does not relate to areas covered by a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	request addressed to the ENNOH by the Commission. The ENNOH shall submit any such guidance to ACER for an opinion and shall duly take that opinion into account.	relate to areas covered by a request addressed to the ~~ENNOH~~ <u>ENTSOG&H</u> by the Commission. The ~~ENNOH~~ <u>ENTSOG&H</u> shall submit any such guidance to ACER for an opinion and shall duly take that opinion into account.	request addressed to the ENNOH by the Commission. The ENNOH shall submit any such guidance to ACER for an opinion and shall duly take that opinion into account.	
Article 55				
574	Article 55 Amendments to network codes	Article 55 Amendments to network codes	Article 55 Amendments to network codes	
Article 55(1)				
575	1. The Commission is empowered to amend the network codes within the areas listed in Article 53 (1) and (2) and in Article 54(1) and (2) in accordance with the relevant procedure set out in those Articles.	1. The Commission is empowered to amend the network codes within the areas listed in Article 53 (1) and (2) and in Article 54(1) and (2) in accordance with the relevant procedure set out in those Articles.	1. The Commission is empowered to amend the network codes within the areas listed in Article 53 (1) and (2) and in Article 54(1) and (2) in accordance with the relevant procedure set out in those Articles.	
Article 55(2)				
576	2. Persons who are likely to have an interest in any network code adopted under Article 52 to 55, including the ENTSO for Gas, the European Network of Hydrogen	2. Persons who are likely to have an interest in any network code adopted under Article 52 to 55, including the ~~ENTSO for Gas, the European Network of Hydrogen~~	2. Persons who are likely to have an interest in any network code adopted under ~~Article~~ Articles 52 to 55, including the ENTSO for Gas, the ~~European Network of~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Network Operators, the EU DSO entity, regulatory authorities, transmission system operators, distribution system operators, system users and consumers, may propose draft amendments to that network code to ACER. ACER may also propose amendments on its own initiative.	~~Network Operators~~ , <u>ENTSOG&H</u> the EU DSO entity, regulatory authorities, transmission system operators, distribution system operators, system users and consumers, may propose draft amendments to that network code to ACER. ACER may also propose amendments on its own initiative.	~~Hydrogen Network Operators ENNOH~~ , the EU DSO entity, regulatory authorities, transmission system operators, distribution system operators, system users and consumers, may propose draft amendments to that network code to ACER. ACER may also propose amendments on its own initiative.	
Article 55(3)				
577	3. ACER may make reasoned proposals to the Commission for amendments, explaining how such proposals are consistent with the objectives of the network codes set out in Article 52 of this Regulation. Where it considers an amendment proposal to be admissible and where it proposes amendments on its own initiative, ACER shall consult all stakeholders in accordance with Article 14 of Regulation (EU) 2019/942.	3. ACER may make reasoned proposals to the Commission for amendments, explaining how such proposals are consistent with the objectives of the network codes set out in Article 52 of this Regulation. Where it considers an amendment proposal to be admissible and where it proposes amendments on its own initiative, ACER shall consult all stakeholders in accordance with Article 14 of Regulation (EU) 2019/942.	3. ACER may make reasoned proposals to the Commission for amendments, explaining how such proposals are consistent with the objectives of the network codes set out in Article 52 of this Regulation. Where it considers an amendment proposal to be admissible and where it proposes amendments on its own initiative, ACER shall consult all stakeholders in accordance with Article 14 of Regulation (EU) 2019/942.	
Article 56				
578	Article 56 Guidelines	Article 56 Guidelines	Article 56 Guidelines	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 56(1)				
579	1. The Commission is empowered to adopt binding guidelines in the areas listed in this Article.	1. The Commission is empowered to adopt binding guidelines in the areas listed in this Article.	1. The Commission is empowered to adopt binding guidelines in the areas listed in this Article.	See general comment in Directive Proposal to keep current applicable wording.
Article 56(2)				
580	2. The Commission is empowered to adopt guidelines in the areas where such acts could also be developed under the network code procedure pursuant to Article 53 and 54. Those guidelines shall be adopted in the form of delegated or implementing acts, depending on the relevant empowerment provided for in this Regulation.	2. The Commission is empowered to adopt guidelines in the areas where such acts could also be developed under the network code procedure pursuant to Article 53 and 54. Those guidelines shall be adopted in the form of delegated or implementing acts, depending on the relevant empowerment provided for in this Regulation.	2. The Commission is empowered to adopt guidelines in the areas where such acts could also be developed under the network code procedure pursuant to ~~Article~~ Articles 53 and 54. Those guidelines shall be adopted in the form of delegated or implementing acts, depending on the relevant empowerment provided for in this Regulation.	
Article 56(3)				
581	3. The Commission is empowered to adopt delegated acts in accordance with Article 63 supplementing this Regulation with regard to the establishment of guidelines in the following areas:	3. The Commission is empowered to adopt delegated acts in accordance with Article 63 supplementing this Regulation with regard to the establishment of guidelines in the following areas:	3. The Commission is empowered to adopt delegated acts in accordance with Article 63 ~~supplementing~~ to supplement this Regulation with regard to the establishment of guidelines in the following areas:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 56(3), point (a)				
582	(a) details of third-party access services, including the character, duration and other requirements of those services, in accordance with Articles 5 to 7;	(a) details of third-party access services, including the character, duration and other requirements of those services, in accordance with Articles 5 to 7;	(a) details of third-party access services, including the character, duration and other requirements of those services, in accordance with Articles 5 to 7;	
Article 56(3), point (b)				
583	(b) details of the principles underlying capacity-allocation mechanisms and on the application of congestion-management procedures in the event of contractual congestion, in accordance with Articles 9 and 10;	(b) details of the principles underlying capacity-allocation mechanisms and on the application of congestion-management procedures in the event of contractual congestion, in accordance with Articles 9 and 10;	(b) details of the principles underlying capacity-allocation mechanisms and on the application of congestion-management procedures in the event of contractual congestion, in accordance with Articles 9 and 10;	
Article 56(3), point (c)				
584	(c) details of the provision of information, definition of the technical information necessary for network users to gain effective access to the system and the definition of all relevant points for transparency requirements, including the information to be published at all relevant points and the time schedule for the publication of that information, in	(c) details of the provision of information, definition of the technical information necessary for network users to gain effective access to the system and the definition of all relevant points for transparency requirements, including the information to be published at all relevant points and the time schedule for the publication of that information, in	(c) details of the provision of information, definition of the technical information necessary for network users to gain effective access to the system and the definition of all relevant points for transparency requirements, including the information to be published at all relevant points and the time schedule for the publication of that information, in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	accordance with Articles 30 and 31;	accordance with Articles 30 and 31;	accordance with Articles 30 and 31;	
Article 56(3), point (d)				
585	(d) details of tariff methodology related to cross-border trade of natural gas, in accordance with Articles 15 and 16 of this Regulation;	(d) details of tariff methodology related to cross-border trade of natural gas, in accordance with Articles 15 and 16 of this Regulation;	(d) details of tariff methodology related to cross-border trade of natural gas, in accordance with Articles 15 and 16 of this Regulation;	
Article 56(3), point (e)				
586	(e) details relating to the areas listed in Article 23(6).	(e) details relating to the areas listed in Article 23(6).	(e) details relating to the areas listed in Article 23(6).	
Article 56(4)				
587	4. The Commission is empowered to adopt delegated acts in accordance with Article 63 in order to amend the guidelines laid down in Annex I to this Regulation.	4. The Commission is empowered to adopt delegated acts in accordance with Article 63 in order to amend the guidelines laid down in Annex I to this Regulation.	4. The Commission is empowered to adopt delegated acts in accordance with Article 63 in order to amend the guidelines laid down in Annex I to this Regulation- with a view to specifying:	
587a			(a) details of information to be published on the methodology	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			used to set the regulated revenue of the transmission system operator, in accordance with Articles 30 and 31.	
587b			(b) details of principles of capacity-allocation mechanisms and congestion-management procedures implementing Article 9 and 10.	
587c			(c) details of technical information necessary for network users to gain effective access to the natural gas system implementing Article 30(1).	
587d			(d) details of definition of all relevant points, information to be published and time schedule for transparency requirements implementing Article 30.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
587e			(e) details on the format and content of technical information on network access to be published by hydrogen network operators implementing Article 48.	
Article 56(5)				
588	5. When adopting or amending guidelines, the Commission shall consult ACER, the ENTSO for Gas, the ENNOH, the EU DSO entity and, where relevant, other stakeholders.	5. When adopting or amending guidelines, the Commission shall consult ACER, the ~~ENTSO for Gas, the ENNOH~~ ENTSOG&H , the EU DSO entity and, where relevant, other stakeholders.	5. When ~~adopting or~~ amending guidelines, the Commission shall consult ~~ACER, the ENTSO for Gas, the ENNOH, the EU DSO~~ entity and, where relevant, other stakeholders.:	
Article 56(5), (a)				
588a			(a) ACER, the ENTSO for Gas the EU DSO entity and, where relevant, other stakeholders for guidelines that concern natural gas;	
Article 56(5), (b)				
588b			(b) ACER, the ENNOH and, where relevant, other stakeholders for guidelines that concern hydrogen.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 57				
589	newArticle 57 Right of Member States to provide for more detailed measures	~~newArticle~~ Article 57 Right of Member States to provide for more detailed measures	~~newArticle~~ Article 57 Right of Member States to provide for more detailed measures	
newArticle 57, first paragraph				
590	This Regulation shall be without prejudice to the rights of Member States to maintain or introduce measures that contain more detailed provisions than those set out in this Regulation, in the guidelines referred to in Article 56 or in the network codes referred to in Article 52 to 55, provided that those measures are compatible with Union law.	This Regulation shall be without prejudice to the rights of Member States to maintain or introduce measures that contain more detailed provisions than those set out in this Regulation, in the guidelines referred to in Article 56 or in the network codes referred to in Article 52 to 55, provided that those measures are compatible with Union law.	This Regulation shall be without prejudice to the rights of Member States to maintain or introduce measures that contain more detailed provisions than those set out in this Regulation, in the guidelines referred to in Article 56 or in the network codes referred to in Article 52 to 55, provided that those measures are compatible with Union law .	
Article 58				
591	Article 58 Provision of information and confidentiality	Article 58 Provision of information and confidentiality	Article 58 Provision of information and confidentiality	
Article 58(1)				
592				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Member States and the regulatory authorities shall, on request, provide the Commission with the information necessary for the purposes of enforcing this Regulation, including the guidelines and the network codes adopted under this Regulation.	1. Member States and the regulatory authorities shall, on request, provide the Commission with the information necessary for the purposes of enforcing this Regulation, including the guidelines and the network codes adopted under this Regulation.	1. Member States and the regulatory authorities shall, on request, provide the Commission with the information necessary for the purposes of enforcing this Regulation, including the guidelines and the network codes adopted under this Regulation.	
Article 58(2)				
593	2. The Commission shall set a reasonable time limit within which the information is to be provided, taking into account the complexity and urgency of the information required.	2. The Commission shall set a reasonable time limit within which the information is to be provided, taking into account the complexity and urgency of the information required.	2. The Commission shall set a reasonable time limit within which the information is to be provided, taking into account the complexity and urgency of the information required.	
Article 58(3), first subparagraph				
594	3. If the Member State or the regulatory authority concerned does not provide the information within the time limit set by the Commission, the Commission may request all the information necessary for the purpose of enforcing this Regulation directly from the undertakings concerned.	3. If the Member State or the regulatory authority concerned does not provide the information within the time limit set by the Commission, the Commission may request all the information necessary for the purpose of enforcing this Regulation directly from the undertakings concerned.	3. If the Member State or the regulatory authority concerned does not provide the information within the time limit set by the Commission, the Commission may request all the information necessary for the purpose of enforcing this Regulation directly from the undertakings concerned.	
Article 58(3), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
595	When sending a request for information to an undertaking, the Commission shall, at the same time, forward a copy of the request to the regulatory authorities of the Member State in whose territory the seat of the undertaking is situated.	When sending a request for information to an undertaking, the Commission shall, at the same time, forward a copy of the request to the regulatory authorities of the Member State in whose territory the seat of the undertaking is situated.	When sending a request for information to an undertaking, the Commission shall, at the same time, forward a copy of the request to the ~~regulatory authorities~~ Member State and the regulatory authority of the Member State in whose territory the seat of the undertaking is situated.	
Article 58(4)				
596	4. In its request for information, the Commission shall state the legal basis of the request, the time limit within which the information is to be provided, the purpose of the request, and the penalties provided for in Article 59(2) for supplying incorrect, incomplete or misleading information.	4. In its request for information, the Commission shall state the legal basis of the request, the time limit within which the information is to be provided, the purpose of the request, and the penalties provided for in Article 59(2) for supplying incorrect, incomplete or misleading information.	4. In its request for information, the Commission shall state the legal basis of the request, the time limit within which the information is to be provided, the purpose of the request, including justified reasons demonstrating how the information requested is necessary for the purposes set out in paragraph 1 , and the penalties provided for in Article 59(2) for supplying incorrect, incomplete or misleading information.	
Article 58(5)				
597				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	5. The owners of the undertakings or their representatives and, in the case of legal persons, the natural persons authorised to represent the undertaking by law or by their instrument of incorporation, shall supply the information requested. Where lawyers are authorised to supply the information on behalf of their client, the client shall remain fully responsible in the event that the information supplied is incomplete, incorrect or misleading.	5. The owners of the undertakings or their representatives and, in the case of legal persons, the natural persons authorised to represent the undertaking by law or by their instrument of incorporation, shall supply the information requested. Where lawyers are authorised to supply the information on behalf of their client, the client shall remain fully responsible in the event that the information supplied is incomplete, incorrect or misleading.	5. The owners of the undertakings or their representatives and, in the case of legal persons, the natural persons authorised to represent the undertaking by law or by their instrument of incorporation, shall supply the information requested. Where lawyers are authorised to supply the information on behalf of their client, the client shall remain fully responsible in the event that the information supplied is incomplete, incorrect or misleading.	
Article 58(6), first subparagraph				
598	6. Where an undertaking does not provide the information requested within the time limit set by the Commission or supplies incomplete information, the Commission may by decision require the information to be provided. That decision shall specify what information is required and set an appropriate time limit within which it is to be supplied. It shall indicate the penalties provided for in Article 59(2). It shall also indicate the right to have the decision reviewed	6. Where an undertaking does not provide the information requested within the time limit set by the Commission or supplies incomplete information, the Commission may by decision require the information to be provided. That decision shall specify what information is required and set an appropriate time limit within which it is to be supplied. It shall indicate the penalties provided for in Article 59(2). It shall also indicate the right to have the decision reviewed	6. Where an undertaking does not provide the information requested within the time limit set by the Commission or supplies incomplete information, the Commission may by decision require the information to be provided. That decision shall specify what information is required and set an appropriate time limit within which it is to be supplied. It shall indicate the penalties provided for in Article 59(2). It shall also indicate the right to have the decision reviewed	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	by the Court of Justice of the European Union.	by the Court of Justice of the European Union.	by the Court of Justice of the European Union.	
Article 58(6), second subparagraph				
599	The Commission shall, at the same time, send a copy of its decision to the regulatory authorities of the Member State within the territory of which the person is resident or the seat of the undertaking is situated.	The Commission shall, at the same time, send a copy of its decision to the regulatory authorities of the Member State within the territory of which the person is resident or the seat of the undertaking is situated.	The Commission shall, at the same time, send a copy of its decision to the ~~regulatory authorities~~ Member State and the regulatory authority of the Member State within the territory of which the person is resident or the seat of the undertaking is situated.	
Article 58(7), first subparagraph				
600	7. The information referred to in paragraphs 1 and 2 shall be used only for the purposes of enforcing this Regulation.	7. The information referred to in paragraphs 1 and 2 shall be used only for the purposes of enforcing this Regulation.	7. The information referred to in paragraphs 1 and 2 shall be used only for the purposes of enforcing this Regulation.	
Article 58(7), second subparagraph				
601	The Commission shall not disclose information acquired pursuant to this Regulation where that information is covered by the obligation of professional secrecy.	The Commission shall not disclose information acquired pursuant to this Regulation where that information is covered by the obligation of professional secrecy.	The Commission shall not disclose information acquired pursuant to this Regulation where that information is covered by the obligation of professional secrecy-	
Article 59				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
602	Article 59 Penalties	Article 59 Penalties	Article 59 Penalties	
Article 59(1)				
603	1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation, the network codes and guidelines adopted pursuant to Articles 52 to 56 and the guidelines laid down in Annex I of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it without delay of any subsequent amendment affecting them.	1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation, the network codes and guidelines adopted pursuant to Articles 52 to 56 and the guidelines laid down in Annex I of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it without delay of any subsequent amendment affecting them.	1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation, the network codes and guidelines adopted pursuant to Articles 52 to 56 and the guidelines laid down in Annex I of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it without delay of any subsequent amendment affecting them.	
Article 59(2)				
604	2. The Commission may, by decision, impose on undertakings fines not exceeding 1 % of the total turnover in the preceding business year where, intentionally	2. The Commission may, by decision, impose on undertakings fines not exceeding 1 % of the total turnover in the preceding business year where, intentionally	2. The Commission may, by decision, impose on undertakings fines not exceeding 1 % of the total turnover in the preceding business year where, intentionally	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	or negligently, those undertakings supply incorrect, incomplete or misleading information in response to a request made pursuant to Article 58(4) or fail to supply information within the time-limit set in a decision adopted pursuant to Article 58(6), first subparagraph. In setting the amount of a fine, the Commission shall have regard to the gravity of the failure to comply with the requirements referred to in paragraph 1 of this Article.	or negligently, those undertakings supply incorrect, incomplete or misleading information in response to a request made pursuant to Article 58(4) or fail to supply information within the time-limit set in a decision adopted pursuant to Article 58(6), first subparagraph. In setting the amount of a fine, the Commission shall have regard to the gravity of the failure to comply with the requirements referred to in paragraph 1 of this Article.	or negligently, those undertakings supply incorrect, incomplete or misleading information in response to a request made pursuant to Article 58(4) or fail to supply information within the time-limit set in a decision adopted pursuant to Article 58(6), first subparagraph. In setting the amount of a fine, the Commission shall have regard to the gravity of the failure to comply with the requirements referred to in paragraph 1 of this Article.	
Article 59(3)				
605	3. The penalties provided for pursuant to paragraph 1 and any decisions taken pursuant to paragraph 2 shall not be of a criminal law nature.	3. The penalties provided for pursuant to paragraph 1 and any decisions taken pursuant to paragraph 2 shall not be of a criminal law nature.	3. The penalties provided for pursuant to paragraph 1 and any decisions taken pursuant to paragraph 2 shall not be of a criminal law nature.	
Chapter V				
606	Chapter V Final provisions	Chapter V Final provisions	Chapter V Final provisions	
Article 60				
607	Article 60	Article 60	Article 60	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	New natural gas and hydrogen infrastructure	New natural gas and hydrogen infrastructure	New natural gas and hydrogen infrastructure	
Article 60(1), first subparagraph				
608	1. Major new natural gas infrastructure, that is to say interconnectors, LNG and storage facilities, may, upon request, be exempted, for a defined period of time, from the provisions of this Regulation as well as from Articles, 28, 27 (1), 29, 54 and Article 72(7), (9) and 73(1) of [recast Gas Directive]. Major new hydrogen infrastructure, that is to say interconnectors, hydrogen terminals and underground hydrogen storage may, upon request, be exempted, for a defined period of time, from the provisions of Articles 62, 31, 32, 33 of [recast Gas Directive] and Article 15 of this Regulation. The following conditions apply:	1. Major new natural gas infrastructure, that is to say interconnectors, LNG and storage facilities, may, upon request, be exempted, for a defined period of time, from the provisions of this Regulation as well as from Articles, 28, ~~27(1)~~<u>27(1)</u>, 29, 54 and Article 72(7), (9) and 73(1) of [recast Gas Directive]. Major new hydrogen infrastructure, that is to say interconnectors, hydrogen terminals and underground hydrogen storage may, upon request, be exempted, for a defined period of time, from the provisions of Articles 62, 31, 32, 33 of [recast Gas Directive] and Article 15 of this Regulation. <u>Any such exemption shall be subject to all of</u> the following conditions ~~apply~~:	1. Major new natural gas infrastructure, that is to say interconnectors, LNG and storage facilities, may, upon request, be exempted, for a defined period of time, from the provisions of this Regulation as well as from Articles, 28, 27 (1), 29, 54 and Article 72(7), (9) and 73(1) of [recast Gas Directive]. Major new hydrogen infrastructure, that is to say interconnectors, hydrogen terminals and underground hydrogen ~~storage~~storages may, upon request, be exempted, for a defined period of time, from the ~~provisions~~application of Articles 62, 31, 32, 33 of [recast Gas Directive]-and Article 15 of this Regulation. The following conditions apply:	
Article 60(1), first subparagraph, point (a)				
609	(a) the investment enhances competition in gas supply or	(a) the investment enhances competition in gas supply or	(a) the investment enhances competition in gas supply or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	hydrogen supply and enhance security of supply;	hydrogen supply and enhance security of supply;	hydrogen supply and enhance security of supply;	
Article 60(1), first subparagraph, point (b)				
610	(b) the investment contributes to decarbonisation;	(b) the investment contributes to ~~decarbonisation~~ <u>the achievement of the Union's climate and energy targets;</u>	(b) the investment contributes to decarbonisation;	
Article 60(1), first subparagraph, point (c)				
611	(c) the level of risk attached to the investment is such that the investment would not take place unless an exemption was granted;	(c) the level of risk attached to the investment is such that the investment would not take place unless an exemption was granted;	(c) the level of risk attached to the investment is such that the investment would not take place unless an exemption was granted;	
611a		<u>(ca) demand-side solutions that do not require new infrastructure investments have been taken into account as possible alternative solutions to the new infrastructure;</u>		
Article 60(1), first subparagraph, point (d)				
612	(d) the infrastructure is owned by a natural or legal person which is	(d) the infrastructure is owned by a natural or legal person which is	(d) the infrastructure is owned by a natural or legal person which	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	separate at least in terms of its legal form from the system operators in whose systems that infrastructure will be built;	separate at least in terms of its legal form from the system operators in whose systems that infrastructure will be built;	is separate at least in terms of its legal form from the system operators in whose systems that infrastructure will be built;	
Article 60(1), first subparagraph, point (e)				
613	(e) charges are levied on users of that infrastructure; and	(e) charges are levied on users of that infrastructure; ~~and~~	(e) charges are levied on users of that infrastructure; and	
Article 60(1), first subparagraph, point (f)				
614	(f) the exemption is not detrimental to competition in the relevant markets which are likely to be affected by the investment, to the effective functioning of the internal market in gas, to the efficient functioning of the regulated systems concerned, to decarbonisation or to security of supply in the Union.	(f) the exemption is not detrimental to competition in the relevant markets which are likely to be affected by the investment, to the effective functioning of the internal <u>and integrated</u> market in <u>energy, including gas, electricity, hydrogen and demand-side solutions</u> , ~~gas~~ , to the efficient functioning of the regulated systems concerned, to decarbonisation or to security of supply in the Union-;	(f) the exemption is not detrimental to competition in the relevant markets which are likely to be affected by the investment, to the effective functioning of the internal market in gas, to the efficient functioning of the regulated systems concerned, to decarbonisation or to security of supply in the Union.	
614a		<u>(fa) the infrastructure has not received Union financial assistance for works under</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Regulation (EU) 2021/1153 of the European Parliament and of the Council¹</u> ; <u>1. Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38).</u>		
614b		<u>(fb) the exemption promotes the energy efficiency first principle and energy system integration and does not lead to the stranding of assets.</u>		
Article 60(1), second subparagraph				
615	These conditions should be assessed taking into account the principle of energy solidarity. National authorities should take into account the situation in other affected Member State and balance possible negative effects with the beneficial effects on its territory.	These conditions should be assessed taking into account the principle of energy solidarity. National authorities should take into account the situation in other affected Member State and balance possible negative effects with the beneficial effects on its territory.	These conditions ~~should~~shall be assessed taking into account the principle of energy solidarity. Competent national authorities ~~should~~shall take into account the situation in other affected Member State and balance possible negative effects with the beneficial effects on its territory.	
Article 60(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
616	2. The exemption in paragraph 1 shall also apply to significant increases of capacity in existing infrastructure and to modifications of such infrastructure which enable the development of new sources of renewable and low carbon gases supply.	2. The exemption in paragraph 1 shall also apply to significant increases of capacity in existing infrastructure and to modifications of such infrastructure which enable the development of new sources of renewable <u>gas and low-carbon gas</u> ~~and low-carbon gases~~ supply.	2. The exemption in paragraph 1 shall also apply to significant increases of capacity in existing infrastructure and to modifications of such infrastructure which enable the development of new sources of renewable and low carbon gases supply.	
Article 60(3), first subparagraph				
617	3. The regulatory authority may, on a case-by-case basis, decide on the exemption referred to in paragraphs 1 and 2.	3. The regulatory authority may, on a case-by-case basis, decide on the exemption referred to in paragraphs 1 and 2.	3. The regulatory authority may, on a case-by-case basis, decide on the exemption referred to in paragraphs 1 and 2.	
Article 60(3), second subparagraph				
618	Before the adoption of the decision on the exemption, the regulatory authority, or where appropriate another competent authority of that Member State, shall consult:	Before the adoption of the decision on the exemption, the regulatory authority, or where appropriate another competent authority of that Member State, shall consult:	Before the adoption of the decision on the exemption, the regulatory authority, or where appropriate another competent authority of that Member State, shall consult:	
Article 60(3), second subparagraph, point (a)				
619	(a) the regulatory authorities of the Member States the markets of	(a) the regulatory authorities of the Member States the markets of	(a) the regulatory authorities of the Member States the markets of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	which are likely to be affected by the new infrastructure; and	which are likely to be affected by the new infrastructure; and	which are likely to be affected by the new infrastructure; and	
Article 60(3), second subparagraph, point (b)				
620	(b) the relevant authorities of the third countries, where the infrastructure in question is connected with the Union network under the jurisdiction of a Member State, and originates from or ends in one or more third countries.	(b) the relevant authorities of the third countries, where the infrastructure in question is connected with the Union network under the jurisdiction of a Member State, and originates from or ends in one or more third countries.	(b) the relevant authorities of the third countries, where the infrastructure in question is connected with the Union network under the jurisdiction of a Member State, and originates from or ends in one or more third countries.	
Article 60(3), third subparagraph				
621	Where the third-country authorities consulted do not respond to the consultation within a reasonable time frame or within a set deadline not exceeding three months, the regulatory authority concerned may adopt the necessary decision.	Where the third-country authorities consulted do not respond to the consultation <u>or do not provide grounds for the exemption in their response</u> within a reasonable time frame or within a set deadline not exceeding three months, the regulatory authority concerned may adopt the necessary decision.	Where the third-country authorities consulted do not respond to the consultation within a reasonable time frame or within a set deadline not exceeding three months, the regulatory authority concerned may adopt the necessary decision.	
Article 60(4), first subparagraph				
622	4. Where the infrastructure in question is located in the territory of more than one Member State,	4. Where the infrastructure in question is located in the territory of more than one Member State,	4. Where the infrastructure in question is located in the territory of more than one Member State,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ACER may submit an advisory opinion to the regulatory authorities of the Member States concerned within two months from the date on which the request for exemption was received by the last of those regulatory authorities. That opinion may be used as a basis for their decision.	ACER may submit an advisory opinion to the regulatory authorities of the Member States concerned within two months from the date on which the request for exemption was received by the last of those regulatory authorities. That opinion may be used as a basis for their decision.	ACER may submit an advisory opinion to the regulatory authorities of the Member States concerned within two months from the date on which the request for exemption was received by the last of those regulatory authorities. That opinion may be used as a basis for their decision.	
Article 60(4), second subparagraph				
623	Where all the regulatory authorities concerned agree on the request for exemption within six months of the date on which it was received by the last of the regulatory authorities, they shall inform the ACER of their decision. Where the infrastructure concerned is a transmission line between a Member State and a third country, the regulatory authority, or where appropriate another competent authority of the Member State where the first interconnection point with the Member States' network is located, may consult before the adoption of the decision on the exemption the relevant authority of that third country with a view to ensuring, as regards the infrastructure	Where all the regulatory authorities concerned agree on the request for exemption within six months of the date on which it was received by the last of the regulatory authorities, they shall inform the ACER of their decision. Where the infrastructure concerned is a transmission line between a Member State and a third country, the regulatory authority, or where appropriate another competent authority of the Member State where the first interconnection point with the Member States' network is located, may consult before the adoption of the decision on the exemption the relevant authority of that third country with a view to ensuring, as regards the infrastructure	Where all the regulatory authorities concerned agree on the request for exemption within six months of the date on which it was received by the last of the regulatory authorities, they shall inform the ACER of their decision. Where the infrastructure concerned is a transmission line between a Member State and a third country, the regulatory authority, or where appropriate another competent authority of the Member State where the first interconnection point with the Member States' network is located, may consult before the adoption of the decision on the exemption the relevant authority of that third country with a view to ensuring, as regards the infrastructure	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	concerned, that this Regulation is applied consistently in the territory and, where applicable, in the territorial sea of that Member State. Where the third country authority consulted does not respond to the consultation within a reasonable time or within a set deadline not exceeding three months, the regulatory authority concerned may adopt the necessary decision.	concerned, that this Regulation is applied consistently in the territory and, where applicable, in the territorial sea of that Member State. Where the third country authority consulted does not respond to the consultation within a reasonable time or within a set deadline not exceeding three months, the regulatory authority concerned may adopt the necessary decision.	concerned, that this Regulation is applied consistently in the territory and, where applicable, in the territorial sea of that Member State. Where the third country authority consulted does not respond to the consultation within a reasonable time or within a set deadline not exceeding three months, the regulatory authority concerned may adopt the necessary decision.	
Article 60(4), third subparagraph				
624	ACER shall exercise the tasks conferred on the regulatory authorities of the Member States concerned by this Article:	ACER shall exercise the tasks conferred on the regulatory authorities of the Member States concerned by this Article:	ACER shall exercise the tasks conferred on the regulatory authorities of the Member States concerned by this Article:	
Article 60(4), third subparagraph, point (a)				
625	(a) where all regulatory authorities concerned have not been able to reach an agreement within a period of six months from the date on which the request for exemption was received by the last of those regulatory authorities; or	(a) where all regulatory authorities concerned have not been able to reach an agreement within a period of six months from the date on which the request for exemption was received by the last of those regulatory authorities; or	(a) where all regulatory authorities concerned have not been able to reach an agreement within a period of six months from the date on which the request for exemption was received by the last of those regulatory authorities; or	
Article 60(4), third subparagraph, point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
626	(b) upon a joint request from the regulatory authorities concerned.	(b) upon a joint request from the regulatory authorities concerned.	(b) upon a joint request from the regulatory authorities concerned.	
Article 60(4), fourth subparagraph				
627	All regulatory authorities concerned may, jointly, request that the period referred to in the third subparagraph, point (a), is extended by up to three months.	All regulatory authorities concerned may, jointly, request that the period referred to in the third subparagraph, point (a), is extended by up to three months.	All regulatory authorities concerned may, jointly, request that the period referred to in the third subparagraph, point (a), is extended by up to three months.	
Article 60(5)				
628	5. Before taking a decision, the ACER shall consult the relevant regulatory authorities and the applicants.	5. Before taking a decision, the ACER shall consult the relevant regulatory authorities and the applicants.	5. Before taking a decision, the ACER shall consult the relevant regulatory authorities and the applicants.	
Article 60(6), first subparagraph				
629	6. An exemption may cover all or part of the capacity of the new infrastructure, or of the existing infrastructure with significantly increased capacity.	6. An exemption may cover all or part of the capacity of the new infrastructure, or of the existing infrastructure with significantly increased capacity.	6. An exemption may cover all or part of the capacity of the new infrastructure, or of the existing infrastructure with significantly increased capacity.	
Article 60(6), second subparagraph				
630				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	In deciding to grant an exemption, consideration shall be given, on a case-by-case basis, to the need to impose conditions regarding the duration of the exemption and non-discriminatory access to the infrastructure. When deciding on those conditions, account shall, in particular, be taken of the additional capacity to be built or the modification of existing capacity, the time horizon of the project and national circumstances.	In deciding to grant an exemption, consideration shall be given, on a case-by-case basis, to the need to impose conditions regarding the duration of the exemption and non-discriminatory access to the infrastructure. When deciding on those conditions, account shall, in particular, be taken of the additional capacity to be built or the modification of existing capacity, the time horizon of the project and national circumstances.	In deciding to grant an exemption, consideration shall be given, on a case-by-case basis, to the need to impose conditions regarding the duration of the exemption and non-discriminatory access to the infrastructure. When deciding on those conditions, account shall, in particular, be taken of the additional capacity to be built or the modification of existing capacity, the time horizon of the project and national circumstances.	
Article 60(6), third subparagraph				
631	Before granting an exemption, the regulatory authority shall decide upon the rules and mechanisms for management and allocation of capacity. The rules shall require that all potential users of the infrastructure are invited to indicate their interest in contracting capacity before capacity allocation in the new infrastructure, including for own use, takes place. The regulatory authority shall require congestion management rules to include the obligation to offer unused capacity on the market, and shall require	Before granting an exemption, the regulatory authority shall decide upon the rules and mechanisms for management and allocation of capacity. The rules shall require that all potential users of the infrastructure are invited to indicate their interest in contracting capacity before capacity allocation in the new infrastructure, including for own use, takes place. The regulatory authority shall require congestion management rules to include the obligation to offer unused capacity on the market, and shall require	Before granting an exemption, the regulatory authority shall decide upon the rules and mechanisms for management and allocation of capacity. The rules shall require that all potential users of the infrastructure are invited to indicate their interest in contracting capacity before capacity allocation in the new infrastructure, including for own use, takes place. The regulatory authority shall require congestion management rules to include the obligation to offer unused capacity on the market, and shall require	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	users of the infrastructure to be entitled to trade their contracted capacities on the secondary market. In its assessment of the criteria referred to in paragraph 1, points (a), (b) and (e), the regulatory authority shall take into account the results of that capacity allocation procedure.	users of the infrastructure to be entitled to trade their contracted capacities on the secondary market. In its assessment of the criteria referred to in paragraph 1, points (a), (b) and (e), the regulatory authority shall take into account the results of that capacity allocation procedure.	users of the infrastructure to be entitled to trade their contracted capacities on the secondary market. In its assessment of the criteria referred to in paragraph 1, points (a), ~~(b) and (e)~~ (c) and (f) , the regulatory authority shall take into account the results of that capacity allocation procedure.	
Article 60(6), fourth subparagraph				
632	The exemption decision, including any conditions referred to in the second subparagraph of this paragraph, shall be duly reasoned and published.	The exemption decision, including any conditions referred to in the second subparagraph of this paragraph, shall be duly reasoned and published.	The exemption decision, including any conditions referred to in the second subparagraph of this paragraph, shall be duly reasoned and published.	
Article 60(7)				
633	7. When analysing whether a major new infrastructure is expected to enhance the security of supply pursuant to paragraph 1, point (a), the relevant authority shall consider to what extent the new infrastructure is expected to improve Member States' compliance with their obligations under Regulation (EU) 2017/1938 of the European Parliament and of	7. When analysing whether a major new infrastructure is expected to enhance the security of supply pursuant to paragraph 1, point (a), the relevant authority shall consider to what extent the new infrastructure is expected to improve Member States' compliance with their obligations under Regulation (EU) 2017/1938 of the European Parliament and of	7. When analysing whether a major new infrastructure is expected to enhance the security of supply pursuant to paragraph 1, point (a), the relevant authority shall consider to what extent the new infrastructure is expected to improve Member States' compliance with their obligations under Regulation (EU) 2017/1938 of the European Parliament and of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Council¹, both at regional and national level. 1. Regulation (EU) 2017/1938 of the European Parliament and of the Council of 25 October 2017 concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010 (OJ L 280, 28.10.2017, p. 1).	the Council¹, both at regional and national level. 1. Regulation (EU) 2017/1938 of the European Parliament and of the Council of 25 October 2017 concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010 (OJ L 280, 28.10.2017, p. 1).	the Council¹, both at regional and national level. 1. Regulation (EU) 2017/1938 of the European Parliament and of the Council of 25 October 2017 concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010 (OJ L 280, 28.10.2017, p. 1).	
Article 60(8)				
634	8. Member States may provide that their regulatory authority or ACER, as the case may be, shall submit, for the purposes of the formal decision, to the relevant body in the Member State its opinion on the request for an exemption. That opinion shall be published together with the decision.	8. Member States ~~may~~<u>shall</u> provide that their regulatory authority or ACER, as the case may be, shall submit, for the purposes of the formal decision, to the relevant body in the Member State its opinion on the request for an exemption. That opinion shall be published together with the decision.	8. Member States may provide that their regulatory authority or ACER, as the case may be, shall submit, for the purposes of the formal decision, to the relevant body in the Member State its opinion on the request for an exemption. That opinion shall be published together with the decision.	
Article 60(9)				
635	9. The regulatory authority shall transmit to the Commission, without delay, a copy of every request for exemption as of its receipt. The exemption decision shall be notified, without delay, by the competent authority to the Commission, together with all the	9. The regulatory authority shall transmit to the Commission, without delay, a copy of every request for exemption as of its receipt. The exemption decision shall be notified, without delay, by the competent authority to the Commission, together with all the	9. The regulatory authority shall transmit to the Commission, without delay, a copy of every request for exemption as of its receipt. The exemption decision shall be notified, without delay, by the competent authority to the Commission, together with all the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	relevant information. That information may be submitted to the Commission in aggregate form, enabling the Commission to assess the exemption decision. In particular, the information shall contain:	relevant information. That information may be submitted to the Commission in aggregate form, enabling the Commission to assess the exemption decision. In particular, the information shall contain:	relevant information. That information may be submitted to the Commission in aggregate form, enabling the Commission to assess the exemption decision. In particular, the information shall contain:	
Article 60(9), point (a)				
636	(a) the detailed reasons on the basis of which the regulatory authority, or Member State, granted or refused the exemption together with a reference to the relevant point or points of paragraph 1 on which that decision is based, including the financial information justifying the need for the exemption;	(a) the detailed reasons on the basis of which the regulatory authority, or Member State, granted or refused the exemption together with a reference to the relevant point or points of paragraph 1 on which that decision is based, including the financial information justifying the need for the exemption;	(a) the detailed reasons on the basis of which the regulatory authority, or Member State, granted or refused the exemption together with a reference to the relevant point or points of paragraph 1 on which that decision is based, including the financial information justifying the need for the exemption;	
Article 60(9), point (b)				
637	(b) the analysis undertaken of the effect on competition and the effective functioning of the internal market resulting from the grant of the exemption;	(b) the analysis undertaken of the effect on competition and the effective functioning of the internal market resulting from the grant of the exemption;	(b) the analysis undertaken of the effect on competition and the effective functioning of the internal market resulting from the grant of the exemption;	
Article 60(9), point (c)				
638				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(c) the reasons for the duration of the exemption and the share of the total capacity of the infrastructure for which the exemption is granted;	(c) the reasons for the duration of the exemption and the share of the total capacity of the infrastructure for which the exemption is granted;	(c) the reasons for the duration of the exemption and the share of the total capacity of the infrastructure for which the exemption is granted;	
Article 60(9), point (d)				
639	(d) where the exemption relates to an interconnector, the result of the consultation with the regulatory authorities concerned;	(d) where the exemption relates to an interconnector, the result of the consultation with the regulatory authorities concerned;	(d) where the exemption relates to an interconnector, the result of the consultation with the regulatory authorities concerned;	
Article 60(9), point (e)				
640	(e) the contribution of the infrastructure to the diversification of supply.	(e) the contribution of the infrastructure to the diversification of supply.	(e) the contribution of the infrastructure to the diversification of supply.	
Article 60(10), first subparagraph				
641	10. Within 50 working days of the day following that of receipt of the notification under paragraph 7, the Commission may take a decision requesting the notifying bodies to amend or withdraw the decision to grant an exemption. That period may be extended by an additional 50 working days where further information is requested by the	10. Within 50 working days of the day following that of receipt of the notification under paragraph 7, the Commission may ~~take~~ <u>adopt</u> a decision requesting the notifying bodies to amend or withdraw the decision to grant an exemption. <u>Before adopting the decision on the exemption, the Commission may seek an opinion of the</u>	10. Within 50 working days of the day following that of receipt of the notification under paragraph ~~7~~ <u>9</u> , the Commission may take a decision requesting the notifying bodies to amend or withdraw the decision to grant an exemption. That period may be extended by an additional 50 working days where further information is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Commission. The additional period shall begin on the day following receipt of the complete information. The initial period may also be extended by consent of both the Commission and the notifying bodies.	<u>European Scientific Advisory Board on Climate Change established under Article 10a of Regulation (EC) No 401/2009¹ as to whether the exemption contributes to achieving the Union's climate and energy targets</u> . That period may be extended by an additional 50 working days where further information is requested by the Commission. The additional period shall begin on the day following receipt of the complete information. The initial period may also be extended by consent of both the Commission and the notifying bodies. <u>1. Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network (OJ L 126 21.5.2009, p. 13).</u>	requested by the Commission. The additional period shall begin on the day following receipt of the complete information. The initial period may also be extended by consent of both the Commission and the notifying bodies.	
Article 60(10), second subparagraph				
642	Where the requested information is not provided within the period set out in the request, the notification shall be deemed to be withdrawn unless, before the	Where the requested information is not provided within the period set out in the request, the notification shall be deemed to be withdrawn unless, before the	Where the requested information is not provided within the period set out in the request, the notification shall be deemed to be withdrawn unless, before the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	expiry of that period, either the period has been extended with the consent of both the Commission and the regulatory authority, or the regulatory authority, in a duly reasoned statement, has informed the Commission that it considers the notification to be complete.	expiry of that period, either the period has been extended with the consent of both the Commission and the regulatory authority, or the regulatory authority, in a duly reasoned statement, has informed the Commission that it considers the notification to be complete.	expiry of that period, either the period has been extended with the consent of both the Commission and the regulatory authority, or the regulatory authority, in a duly reasoned statement, has informed the Commission that it considers the notification to be complete.	
Article 60(10), third subparagraph				
643	The regulatory authority shall comply with the Commission decision to amend or withdraw the exemption decision within a period of one month and shall inform the Commission accordingly.	The regulatory authority shall comply with the Commission decision to amend or withdraw the exemption decision within a period of one month and shall inform the Commission accordingly.	The regulatory authority shall comply with the Commission decision to amend or withdraw the exemption decision within a period of one month and shall inform the Commission accordingly.	
Article 60(10), fourth subparagraph				
644	The Commission shall preserve the confidentiality of commercially sensitive information.	The Commission shall preserve the confidentiality of commercially sensitive information.	The Commission shall preserve the confidentiality of commercially sensitive information.	
Article 60(10), fifth subparagraph				
645	When the Commission approves an exemption decision, that approval shall lose its effect:	When the Commission approves an exemption decision, that approval shall lose its effect:	When the Commission approves an exemption decision, that approval shall lose its effect:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60(10), fifth subparagraph, point (a)				
646	(a) after two years from its adoption where the construction of the infrastructure has not yet started,	(a) after two years from its adoption where the construction of the infrastructure has not yet started,	(a) after two years from its adoption where the construction of the infrastructure has not yet started,	
Article 60(10), fifth subparagraph, point (b)				
647	(b) after five years from its adoption where the infrastructure has not become operational within that period, unless the Commission decides that any delay is due to major obstacles beyond control of the person to whom the exemption has been granted.	(b) after five years from its adoption where the infrastructure has not become operational within that period, unless the Commission decides that any delay is due to major obstacles beyond control of the <u>natural or legal</u> person to whom the exemption has been granted.	(b) after five years from its adoption where the infrastructure has not become operational within that period, unless the Commission decides that any delay is due to major obstacles beyond control of the person to whom the exemption has been granted.	
Article 60(11)				
648	11. The Commission is empowered to adopt delegated acts in accordance with Article 63 in order to set guidelines for the application of the conditions laid down in paragraph 1 of this Article and for the procedure to be followed for the application of	11. The Commission is empowered to adopt delegated acts in accordance with Article 63 in order to set guidelines for the application of the conditions laid down in paragraph 1 of this Article and for the procedure to be followed for the application of	11. The Commission is empowered to adopt delegated acts in accordance with Article 63 in order to ~~set~~ supplement this Regulation by setting guidelines for the application of the conditions laid down in paragraph 1 of this Article and for the procedure to be followed for the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	paragraphs 3, 6, 8 and 9 of this Article.	paragraphs 3, 6, 8 and 9 of this Article.	application of paragraphs 3, 6, 8 and 9 of this Article.	
648a		<u>11a. The exemptions granted by ... [the date of entry into force of this Regulation] shall remain valid.</u>		
Article 61				
649	Article 61 Committee procedure	Article 61 Committee procedure	Article 61 Committee procedure	
Article 61(1)				
650	1. The Commission shall be assisted by the [name of the committee] established by Article 84 of [the recast Gas Directive as proposed in COM(2021) xxx]. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the [name of the committee] established by Article 84 of [the recast Gas Directive as proposed in COM(2021) xxx]. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the [name of the committee] established by Article 84 of [the recast Gas Directive as proposed in COM(2021) ~~xxx~~ 803 final]. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	
Article 61(2)				
651				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2. Where reference is made to this paragraph, Article 4 of regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of regulation (EU) No 182/2011 shall apply.	
Article 61(3)				
652	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	
Article 62				
653	Article 62 Derogations	Article 62 Derogations	Article 62 Derogations	
Article 62, first paragraph				
654	This Regulation shall not apply to	This Regulation shall not apply to	This Regulation shall not apply to The division between lines 654 and 655 is not needed. We should fix this. Will talk with IT	
Article 62, second paragraph				
655	natural gas transmission systems situated in Member States for the duration of derogations granted under Article 80 of [new Gas Directive];	natural gas transmission systems situated in Member States for the duration of derogations granted under Article 80 of [new Gas Directive];	natural gas transmission systems situated in Member States for the duration of derogations granted under Article 80 of [new Gas Directive] ;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
655a		<u>As regards the derogations granted under Article 81 (of recast Gas Directive XXXX) the Commission shall, by ... [three months after the date of entry into force of this Regulation] submit a report to the European Parliament and to the Council on derogations granted under that Article of [recast Gas Directive]. Thereafter, the Commission shall submit such a report upon the request of at least one Member State. The report shall, in particular, assess the impact of derogations on the effective functioning of and competition in the internal market in natural gas as well as on security of energy supply and the essential security interests of the Union and the Member States, taking into account the principle of energy solidarity and the REPowerEU Plan objectives. If the report finds that a derogation granted presents a threat to the effective functioning of or competition in the internal market in natural gas, to security of energy supply</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>or the essential security interests of the Union or the Member States, the Commission shall, within one month of the submission of the report, adopt a decision requiring the relevant competent authority to revoke the derogation. Following any such revocation, the relevant Member State shall ensure that the enforcement of rules set out in this Regulation and [recast Gas Directive] takes into account their effective application on Union territory and the integrated nature of the transmission line.</u>		
Article 63				
656	Article 63 Exercise of the delegation	Article 63 Exercise of the delegation	Article 63 Exercise of the delegation	
Article 63(1)				
657	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	
Article 63(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
658	2. The power to adopt delegated acts referred to in Article 16, 28, 53, 54, 56 and 60 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force].	2. The power to adopt delegated acts referred to in ~~Article 16~~ , <u>Articles 28, 53, 54, 56 and 60</u> shall be conferred on the Commission for ~~an indeterminate~~ <u>period of time from five years from ...</u> [date of entry into force]. <u>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</u>	2. The power to adopt delegated acts referred to in ~~Article~~ Articles 13, 16, 28, 53, 54, 56 and 60 shall be conferred on the Commission for an indeterminate period of time from [date of entry into force].	
Article 63(3)				
659	3. The delegation of power referred to in Article 16, 28, 53, 54, 56 and 60 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect on the day following the publication of the decision in	3. The delegation of power referred to in ~~Article 16~~ , <u>Articles 28, 53, 54, 56 and 60</u> may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect on the day following the publication of the	3. The delegation of power referred to in ~~Article~~ Articles 13, 16, 28, 53, 54, 56 and 60 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect on the day following the publication of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
Article 63(4)				
660	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	
Article 63(5)				
661	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	
Article 63(6)				
662	6. A delegated act adopted pursuant to Article 16, 28, 53, 54, 56 and 60 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a	6. A delegated act adopted pursuant to Article ~~16~~ , 28, 53, 54, 56 ~~and~~ 60 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a	6. A delegated act adopted pursuant to ~~Article~~ Articles 13 , 16, 28, 53, 54, 56 and 60 shall enter into force only if no objection has been expressed either by the European Parliament	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	
662a			Article 63a Review and reporting	
Article 63a, first paragraph				
662b			By 31 December 2030 the Commission shall review this Regulation and shall submit a report to the European Parliament and to the Council, accompanied, if necessary by appropriate legislative proposals.	
Article 64				
663				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 64 Amendment to Decision (EU) 2017/684	Article 64 Amendment to Decision (EU) 2017/684	Article 64 Amendment to Decision (EU) 2017/684	
Article 64, first paragraph				
664	The notification obligations for intergovernmental agreements in the field of energy relating to gas as laid down in Decision (EU) 2017/684 shall be construed as including intergovernmental agreements relating to hydrogen, including hydrogen compounds such as ammonia and liquid organic hydrogen carriers.	The notification obligations for intergovernmental agreements in the field of energy relating to gas as laid down in Decision (EU) 2017/684 shall be construed as including intergovernmental agreements relating to hydrogen, including hydrogen compounds such as ammonia and liquid organic hydrogen carriers.	The notification obligations for intergovernmental agreements in the field of energy relating to gas as laid down in Decision (EU) 2017/684 shall be construed as including intergovernmental agreements relating to hydrogen, including hydrogen compounds such as ammonia and liquid organic hydrogen carriers.	
Article 65				
665	Article 65 Amendments to Regulation (EU) 2019/942	Article 65 Amendments to Regulation (EU) 2019/942	Article 65 Amendments to Regulation (EU) 2019/942	
Article 65, first paragraph				
666	Regulation (EU) 2019/942 is amended as follows:	Regulation (EU) 2019/942 is amended as follows:	Regulation (EU) 2019/942 is amended as follows:	
Article 65, first paragraph, point (1)				
667				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(1) Article 2, point (a) is replaced by the following:	(1) Article 2, point (a) is replaced by the following:	(1) Article 2, point (a) is replaced by the following:	
Article 65, first paragraph, point (1), amending provision, first paragraph				
668	‘ (a) issue opinions and recommendations addressed to transmission system operators, the ENTSO for Electricity, the ENTSO for Gas, the European Network of Network Operators for Hydrogen (ENNOH), the EU DSO Entity, regional coordination centres, nominated electricity market operators, and entities established by transmission system operators for gas, LNG system operators, gas or hydrogen storage system operators or operators of networks for hydrogen; ,’	‘ (a) issue opinions and recommendations addressed to transmission system operators, the ENTSO for Electricity, the ~~ENTSO for Gas, the European Network of Network Operators for Hydrogen~~ ~~(ENNOH)~~ <u>ENTSOG&H</u> , the EU DSO Entity, regional coordination centres, nominated electricity market operators, and entities established by transmission system operators for gas, LNG system operators, gas or hydrogen storage system operators or operators of networks for hydrogen; ’,	‘ (a) issue opinions and recommendations addressed to transmission system operators, the ENTSO for Electricity, the ENTSO for Gas, the European Network of Network Operators for Hydrogen (‘ENNOH’), the EU DSO Entity, regional coordination centres, nominated electricity market operators, and entities established by transmission system operators for gas, LNG system operators, gas or hydrogen storage system operators or operators of networks for hydrogen; ,’	
Article 65, first paragraph, point (2)				
669	(2) Article 3(2), 1 st subparagraph is replaced by the following:	(2) Article 3(2), ~~1st~~ <u>the first</u> subparagraph is replaced by the following:	(2) Article 3(2), 1 st subparagraph is replaced by the following:	
Article 65, first paragraph, point (2), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
670	At ACER's request, the regulatory authorities, the ENTSO for Electricity, the ENTSO for Gas, the ENNOH, the regional coordination centres, the EU DSO entity, the transmission system operators, hydrogen network operators, the nominated electricity market operators, and entities established by transmission system operators for gas, LNG system operators, gas or hydrogen storage system operators or hydrogen terminal operators shall provide to ACER the information in the same level of detail necessary for the purpose of carrying out ACER's tasks under this Regulation, unless ACER has already requested and received such information.	At ACER's request, the regulatory authorities, the ENTSO for Electricity, the ~~ENTSO for Gas, the ENNOH~~<u>ENTSOG&H</u>, the regional coordination centres, the EU DSO entity, the transmission system operators, hydrogen network operators, the nominated electricity market operators, and entities established by transmission system operators for gas, LNG system operators, gas or hydrogen storage system operators or hydrogen terminal, <u>gas or hydrogen market</u> operators ~~shall~~<u>and gas and hydrogen suppliers</u> provide to ACER the information in the same level of detail necessary for the purpose of carrying out ACER's tasks under this Regulation, unless ACER has already requested and received such information.	At ACER's request, the regulatory authorities, the ENTSO for Electricity, the ENTSO for Gas, the ENNOH, the regional coordination centres, the EU DSO entity, the transmission system operators, hydrogen network operators, the nominated electricity market operators, and entities established by transmission system operators for gas, LNG system operators, gas or hydrogen storage system operators or hydrogen terminal operators shall provide to ACER the information in the same level of detail necessary for the purpose of carrying out ACER's tasks under this Regulation, unless ACER has already requested and received such information.	
Article 65, first paragraph, point (3)				
671	(3) Articles 4(1), 4(2), 4(3)(a) and (b) are replaced by the following:	(3) Articles 4(1), 4(2), 4(3)(a) and (b) are replaced by the following:	(3) Articles 4(1), 4(2), 4(3)(a) and (b) are replaced by the following:	
Article 65, first paragraph, point (3), amending provision, numbered paragraph (1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
672	1. ACER shall provide an opinion to the Commission on the draft statutes, list of members and draft rules of procedure of the ENTSO for Electricity in accordance with Article 29(2) of Regulation (EU) 2019/943 and on those of the ENTSO for Gas in accordance with Article 22(2) of [Gas Regulation] and on those of the ENNOH in accordance with Article 40(5) of Regulation [the recast Gas Regulation as proposed in COM(2021) 804] and on those of the EU DSO entity in accordance with Article 53(3) of Regulation (EU) 2019/943 and Article 37(4) of [the recast Gas Regulation as proposed in COM(2021) 804].	1. ACER shall provide an opinion to the Commission on the draft statutes, list of members and draft rules of procedure of the ENTSO for Electricity in accordance with Article 29(2) of Regulation (EU) 2019/943 and on those of the ~~ENTSO for Gas~~ ENTSOG&H in accordance with Article 22(2) of [Gas Regulation] ~~and on those of the ENNOH in accordance with Article 40(5) of Regulation [the recast Gas Regulation as proposed in COM(2021) 804]~~ and on those of the EU DSO entity in accordance with Article 53(3) of Regulation (EU) 2019/943 and Article 37(4) of [the recast Gas Regulation as proposed in COM(2021) 804].	1. ACER shall provide an opinion to the Commission on the draft statutes, list of members and draft rules of procedure of the ENTSO for Electricity in accordance with Article 29(2) of Regulation (EU) 2019/943 and on those of the ENTSO for Gas in accordance with Article 22(2) of [Gas Regulation] and on those of the ENNOH in accordance with Article 40(5) of Regulation [the recast Gas Regulation as proposed in COM(2021) 804] and on those of the EU DSO entity in accordance with Article 53(3) of Regulation (EU) 2019/943 and Article 37(4) of [the recast Gas Regulation as proposed in COM(2021) 804].	
Article 65, first paragraph, point (3), amending provision, numbered paragraph (2)				
673	2. ACER shall monitor the execution of the tasks of the ENTSO for Electricity in accordance with Article 32 of Regulation (EU) 2019/943, of the ENTSO for Gas in accordance with Article 24 of [the recast Gas Regulation as proposed in	2. ACER shall monitor the execution of the tasks of the ENTSO for Electricity in accordance with Article 32 of Regulation (EU) 2019/943, of the ~~ENTSO for Gas~~ ENTSOG&H in accordance with Article 24 of ~~the recast Gas Regulation as~~	2. ACER shall monitor the execution of the tasks of the ENTSO for Electricity in accordance with Article 32 of Regulation (EU) 2019/943, of the ENTSO for Gas in accordance with Article 24 of [the recast Gas Regulation as proposed in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	COM(2021) 804] and of the ENNOH in accordance with Article 46 of Regulation [the recast Gas Regulation as proposed in COM(2021) 804] and of the EU DSO entity as set out in Article 55 of Regulation (EU) 2019/943 and Article 38 of [the recast Gas Regulation as proposed in COM(2021) 804].	~~proposed in COM(2021) 804] and of the ENNOH in accordance with Article 46 of Regulation~~ [the recast Gas Regulation as proposed in COM(2021) 804] and of the EU DSO entity as set out in Article 55 of Regulation (EU) 2019/943 and Article 38 of [the recast Gas Regulation as proposed in COM(2021) 804].	COM(2021) 804] and of the ENNOH in accordance with Article 46 of Regulation [the recast Gas Regulation as proposed in COM(2021) 804] and of the EU DSO entity as set out in Article 55 of Regulation (EU) 2019/943 and Article 38 of [the recast Gas Regulation as proposed in COM(2021) 804].	
Article 65, first paragraph, point (3), amending provision, numbered paragraph (3)				
674	3. ACER may provide an opinion:	3. ACER may provide an opinion:	3. ACER may provide an opinion:	
Article 65, first paragraph, point (3), amending provision, numbered paragraph (3), point (a)				
675	(a) to the ENTSO for Electricity in accordance with point (a) of Article 30(1) of Regulation (EU) 2019/943 and to the ENTSO for Gas in accordance with Article 23(2) of [the recast Gas Regulation as proposed in COM(2021) 804] and to the ENNOH in accordance with Article XX of Regulation [the recast Gas Regulation as proposed in COM(2021) 804] on the network codes;	(a) to the ENTSO for Electricity in accordance with point (a) of Article 30(1) of Regulation (EU) 2019/943 and to the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> in accordance with Article 23(2) of [the recast Gas Regulation as proposed in ~~COM(2021) 804] and to the ENNOH in accordance with Article XX of Regulation [the recast Gas Regulation as proposed in COM(2021) 804]~~ <u>COM(2021)804</u> on the network codes;	(a) to the ENTSO for Electricity in accordance with point (a) of Article 30(1) of Regulation (EU) 2019/943 and to the ENTSO for Gas in accordance with Article 23(2) of [the recast Gas Regulation as proposed in COM(2021) 804] and to the ENNOH in accordance with Article XX of Regulation [the recast Gas Regulation as proposed in COM(2021) 804] on the network codes;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 65, first paragraph, point (3), amending provision, numbered paragraph (3), point (b)				
676	(b) the ENTSO for Electricity in accordance with Article 32(2) of Regulation (EU) 2019/943, to the ENTSO for Gas in accordance with the Article 24(2) of [the recast Gas Regulation as proposed in COM(2021) xxx], and to the ENNOH in accordance with Article 43(2) of [the recast Gas Regulation as proposed in COM(2021) xxx] on the draft Union-wide network development plan and on other relevant documents referred to in Article 30(1) of Regulation (EU) 2019/943 Articles 23(3) and 42(1) of [the recast Gas Regulation as proposed in COM(2021) 804], taking into account the objectives of non-discrimination, effective competition and the efficient and secure functioning of the internal markets for electricity and natural gas;	(b) <u>to</u> the ENTSO for Electricity in accordance with Article 32(2) of Regulation (EU) 2019/943, to the ~~ENTSO for Gas~~ <u>ENTSOG&H</u> in accordance with the Article 24(2) of [the recast Gas Regulation as proposed in COM(2021) ~~xxx~~], ~~and to the ENNOH in accordance with Article 43(2) of [the recast Gas Regulation as proposed in COM(2021) xxx]~~ on the draft Union-wide network development plan and on other relevant documents referred to in Article 30(1) of Regulation (EU) 2019/943 Articles 23(3) and 42(1) of [the recast Gas Regulation as proposed in ~~COM(2021) 804~~ <u>COM(2021)804</u>], taking into account the objectives of non-discrimination, effective competition and the efficient and secure functioning of the internal markets for electricity and natural gas;	(b) ~~to~~ the ENTSO for Electricity in accordance with Article 32(2) of Regulation (EU) 2019/943, to the ENTSO for Gas in accordance with the Article 24(2) of [the recast Gas Regulation as proposed in COM(2021) xxx], and to the ENNOH in accordance with Article 43(2) of [the recast Gas Regulation as proposed in COM(2021) ~~xxx~~ 804] on the draft Union-wide network development plan and on other relevant documents referred to in Article 30(1) of Regulation (EU) 2019/943 Articles 23(3) and 42(1) of [the recast Gas Regulation as proposed in COM(2021) ~~804~~ xxx], taking into account the objectives of non-discrimination, effective competition and the efficient and secure functioning of the internal markets for electricity and natural gas;	
Article 65, first paragraph, point (4)				
677				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(4) Articles 4(6), 4(7) and 4(8) are replaced by the following:	(4) Articles 4(6), 4(7) and 4(8) are replaced by the following:	(4) Articles 4(6), 4(7) and 4(8) are replaced by the following:	
Article 65, first paragraph, point (4), amending provision, numbered paragraph (6), first subparagraph				
678	6. The relevant regulatory authorities shall coordinate in order to jointly identify whether there is non-compliance of the ENTSO for Electricity, the ENTSO for Gas, the ENNOH, the EU DSO entity or regional coordination centres with their obligations under Union law, and shall take appropriate action in accordance with Article 59(1) point (c) and Article 62(1) point (f) of Directive (EU) 2019/944 or with Article 72(1) point (e) of [the recast Gas Directive as proposed in COM(2021) 803].	6. The relevant regulatory authorities shall coordinate in order to jointly identify whether there is non-compliance of the ENTSO for Electricity, the ~~ENTSO for Gas, the~~ <u>ENNOH</u>~~ENTSO~~<u>G&H</u>, the EU DSO entity or regional coordination centres with their obligations under Union law, and shall take appropriate action in accordance with Article 59(1) point (c) and Article 62(1) point (f) of Directive (EU) 2019/944 or with Article 72(1) point (e) of [the recast Gas Directive as proposed in COM(2021) 803].	6. The relevant regulatory authorities shall coordinate in order to jointly identify whether there is non-compliance of the ENTSO for Electricity, the ENTSO for Gas, the ENNOH, the EU DSO entity or regional coordination centres with their obligations under Union law, and shall take appropriate action in accordance with Article 59(1) point (c) and Article 62(1) point (f) of Directive (EU) 2019/944 or with Article 72(1) point (e) of [the recast Gas Directive as proposed in COM(2021) 803].	
Article 65, first paragraph, point (4), amending provision, numbered paragraph (6), second subparagraph				
679	At the request of one or more regulatory authorities or at its own initiative, ACER shall issue a reasoned opinion as well as a recommendation to the ENTSO for Electricity, the ENTSO for	At the request of one or more regulatory authorities or at its own initiative, ACER shall issue a reasoned opinion as well as a recommendation to the ENTSO for Electricity, the ~~ENTSO for~~	At the request of one or more regulatory authorities or at its own initiative, ACER shall issue a reasoned opinion as well as a recommendation to the ENTSO for Electricity, the ENTSO for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Gas, the European Network of Network Operators for Hydrogen, the EU DSO entity or the regional coordination centres with regard to compliance with their obligations.’;	~~Gas, the European Network of Network Operators for Hydrogen~~ <u>ENTSOG&H</u> , the EU DSO entity or the regional coordination centres with regard to compliance with their obligations.’;	Gas, the European Network of Network Operators for Hydrogen, the EU DSO entity or the regional coordination centres with regard to compliance with their obligations.’;	
Article 65, first paragraph, point (4), amending provision, numbered paragraph (7)				
680	7. Where a reasoned opinion of ACER identifies a case of potential non-compliance of the ENTSO for Electricity, the ENTSO for Gas, the European Network of Network Operators for Hydrogen, the EU DSO entity or a regional coordination centre with their respective obligations, the regulatory authorities concerned shall unanimously take coordinated decisions establishing whether there is non-compliance with the relevant obligations and, where applicable, determining the measures to be taken by the ENTSO for Electricity, the ENTSO for Gas, ENNOH, the EU DSO entity or the regional coordination centre to remedy that non-compliance. Where the regulatory authorities fail to take such coordinated decisions	7. Where a reasoned opinion of ACER identifies a case of potential non-compliance of the ENTSO for Electricity, the ~~ENTSO for Gas, the European Network of Network Operators for Hydrogen~~ <u>ENTSOG&H</u> , the EU DSO entity or a regional coordination centre with their respective obligations, the regulatory authorities concerned shall unanimously take coordinated decisions establishing whether there is non-compliance with the relevant obligations and, where applicable, determining the measures to be taken by the ENTSO for Electricity, the ~~ENTSO for Gas, ENNOH~~ <u>ENTSOG&H</u> , the EU DSO entity or the regional coordination centre to remedy that non-compliance. Where the	7. Where a reasoned opinion of ACER identifies a case of potential non-compliance of the ENTSO for Electricity, the ENTSO for Gas, the European Network of Network Operators for Hydrogen, the EU DSO entity or a regional coordination centre with their respective obligations, the regulatory authorities concerned shall unanimously take coordinated decisions establishing whether there is non-compliance with the relevant obligations and, where applicable, determining the measures to be taken by the ENTSO for Electricity, the ENTSO for Gas, ENNOH, the EU DSO entity or the regional coordination centre to remedy that non-compliance. Where the regulatory authorities fail to take such coordinated decisions	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	unanimously within four months of the date of receipt of ACER's reasoned opinion, the matter shall be referred to ACER for a decision pursuant to Article 6(10).	regulatory authorities fail to take such coordinated decisions unanimously within four months of the date of receipt of ACER's reasoned opinion, the matter shall be referred to ACER for a decision pursuant to Article 6(10).	unanimously within four months of the date of receipt of ACER's reasoned opinion, the matter shall be referred to ACER for a decision pursuant to Article 6(10).	
Article 65, first paragraph, point (4), amending provision, numbered paragraph (8)				
681	8. Where the non-compliance by the ENTSO for Electricity, the ENTSO for Gas, the ENNOH, the EU DSO entity or a regional coordination centre that was identified pursuant to paragraph 6 or 7 of this Article has not been remedied within three months, or where the regulatory authority in the Member State in which the entity has its seat has not taken action to ensure compliance, ACER shall issue a recommendation to the regulatory authority to take action in accordance with Article 59(1) point (c) and Article 62(1) point (f) of Directive (EU) 2019/944 or with Article 74(1) point (d) of [the recast Gas Directive as proposed in COM(2021) xxx, in order to ensure that the ENTSO for Electricity, the ENTSO for Gas,	8. Where the non-compliance by the ENTSO for Electricity, the ~~ENTSO for Gas, the ENNOH~~ <u>ENTSOG&H</u> , the EU DSO entity or a regional coordination centre that was identified pursuant to paragraph 6 or 7 of this Article has not been remedied within three months, or where the regulatory authority in the Member State in which the entity has its seat has not taken action to ensure compliance, ACER shall issue a recommendation to the regulatory authority to take action in accordance with Article 59(1) point (c) and Article 62(1) point (f) of Directive (EU) 2019/944 or with Article 74(1) point (d) of [the recast Gas Directive as proposed in COM(2021) xxx, in order to ensure that the ENTSO for	8. Where the non-compliance by the ENTSO for Electricity, the ENTSO for Gas, the ENNOH, the EU DSO entity or a regional coordination centre that was identified pursuant to paragraph 6 or 7 of this Article has not been remedied within three months, or where the regulatory authority in the Member State in which the entity has its seat has not taken action to ensure compliance, ACER shall issue a recommendation to the regulatory authority to take action in accordance with Article 59(1) point (c) and Article 62(1) point (f) of Directive (EU) 2019/944 or with Article 74(1) point (d) of [the recast Gas Directive as proposed in COM(2021) xxx, in order to ensure that the ENTSO for Electricity, the ENTSO for Gas,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the ENNOH, the EU DSO entity or the regional coordination centre comply with their obligations, and shall inform the Commission.;	Electricity, the ~~ENTSO for Gas;~~ ~~the ENNOH~~ <u>ENTSOG&H</u> , the EU DSO entity or the regional coordination centre comply with their obligations, and shall inform the Commission.;	the ENNOH, the EU DSO entity or the regional coordination centre comply with their obligations, and shall inform the Commission.;	
Article 65, first paragraph, point (5)				
682	(5) Article 5(1) is replaced by the following:	(5) Article 5(1) is replaced by the following:	(5) Article 5(1) is replaced by the following:	
Article 65, first paragraph, point (5), amending provision, numbered paragraph (1)				
683	" 1. ACER shall participate in the development of network codes in accordance with Article 59 of Regulation (EU) 2019/943 and Articles 53 and 54 of [the recast Gas Regulation as proposed in COM(2021) 804] and of guidelines in accordance with Article 61(6) of Regulation (EU) 2019/943 and Article 56(5) of [the recast Gas Regulation as proposed in COM(2021) 804]. It shall in particular:	" 1. ACER shall participate in the development of network codes in accordance with Article 59 of Regulation (EU) 2019/943 and Articles 53 and 54 of [the recast Gas Regulation as proposed in COM(2021) 804] and of guidelines in accordance with Article 61(6) of Regulation (EU) 2019/943 and Article 56(5) of [the recast Gas Regulation as proposed in COM(2021) 804]. It shall in particular:	" 1. ACER shall participate in the development of network codes in accordance with Article 59 of Regulation (EU) 2019/943 and Articles 53 and 54 of [the recast Gas Regulation as proposed in COM(2021) 804] and of guidelines in accordance with Article 61(6) of Regulation (EU) 2019/943 and Article 56(5) of [the recast Gas Regulation as proposed in COM(2021) 804]. It shall in particular:	
Article 65, first paragraph, point (5), amending provision, numbered paragraph (1), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
684	(a) submit non-binding framework guidelines to the Commission where it is requested to do so under Article 59(4) of Regulation (EU) 2019/943 or Articles 53(4) or 54(4) of [the recast Gas Regulation as proposed in COM(2021) 804]. ACER shall review the framework guidelines and re-submit them to the Commission where requested to do so under Article 59(7) of Regulation (EU) 2019/943 or Articles 53(7) or 54(7) of [the recast Gas Regulation as proposed in COM(2021) 804]	(a) submit non-binding framework guidelines to the Commission where it is requested to do so under Article 59(4) of Regulation (EU) 2019/943 or Articles 53(4) or 54(4) of [the recast Gas Regulation as proposed in COM(2021) 804]. ACER shall review the framework guidelines and re-submit them to the Commission where requested to do so under Article 59(7) of Regulation (EU) 2019/943 or Articles 53(7) or 54(7) of [the recast Gas Regulation as proposed in COM(2021) 804]	(a) submit non-binding framework guidelines to the Commission where it is requested to do so under Article 59(4) of Regulation (EU) 2019/943 or Articles 53(4) or 54(4) of [the recast Gas Regulation as proposed in COM(2021) 804]. ACER shall review the framework guidelines and re-submit them to the Commission where requested to do so under Article 59(7) of Regulation (EU) 2019/943 or Articles 53(7) or 54(7) of [the recast Gas Regulation as proposed in COM(2021) 804]	
Article 65, first paragraph, point (5), amending provision, numbered paragraph (1), point (b)				
685	(b) revise the network code in accordance with Article 59(11) of Regulation (EU) 2019/943 or Articles 53(11) or 54(11) of [the recast Gas Regulation as proposed in COM(2021) 804]. In its revision, ACER shall take account of the views provided by the parties involved during the drafting of that revised network code led by the ENTSO for Electricity, the ENTSO for Gas, the ENNOH or the EU DSO	(b) revise the network code in accordance with Article 59(11) of Regulation (EU) 2019/943 or Articles 53(11) or 54(11) of [the recast Gas Regulation as proposed in COM(2021) 804]. In its revision, ACER shall take account of the views provided by the parties involved during the drafting of that revised network code led by the ENTSO for Electricity, the ~~ENTSO for Gas,~~ ~~the ENNOH~~ <u>ENTSOG&H</u> or the	(b) revise the network code in accordance with Article 59(11) of Regulation (EU) 2019/943 or Articles 53(11) or 54(11) of [the recast Gas Regulation as proposed in COM(2021) 804]. In its revision, ACER shall take account of the views provided by the parties involved during the drafting of that revised network code led by the ENTSO for Electricity, the ENTSO for Gas, the ENNOH or the EU DSO	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	entity, and shall consult the relevant stakeholders on the version to be submitted to the Commission. For this purpose, ACER may use the committee established under the network codes where appropriate. ACER shall report to the Commission on the outcome of the consultations. Subsequently, ACER shall submit the revised network code to the Commission in accordance with Article 59(11) of Regulation (EU) 2019/943 or Articles 53(11) or 54(11) of [the recast Gas Regulation as proposed in COM(2021) 804]. Where the ENTSO for Electricity, the ENTSO for Gas, the ENNOH or the EU DSO entity have failed to develop a network code, ACER shall prepare and submit a draft network code to the Commission where it is requested to do so under Article 59(12) of Regulation (EU) 2019/943 or Articles 53(12) or 54(12) of [the recast Gas Regulation as proposed in COM(2021) 804];	EU DSO entity, and shall consult the relevant stakeholders on the version to be submitted to the Commission. For this purpose, ACER may use the committee established under the network codes where appropriate. ACER shall report to the Commission on the outcome of the consultations. Subsequently, ACER shall submit the revised network code to the Commission in accordance with Article 59(11) of Regulation (EU) 2019/943 or Articles 53(11) or 54(11) of [the recast Gas Regulation as proposed in COM(2021) 804]. Where the ENTSO for Electricity, the ~~ENTSO for Gas, the ENNOH~~<u>ENTSOG&H</u> or the EU DSO entity have failed to develop a network code, ACER shall prepare and submit a draft network code to the Commission where it is requested to do so under Article 59(12) of Regulation (EU) 2019/943 or Articles 53(12) or 54(12) of [the recast Gas Regulation as proposed in COM(2021) 804];	entity, and shall consult the relevant stakeholders on the version to be submitted to the Commission. For this purpose, ACER may use the committee established under the network codes where appropriate. ACER shall report to the Commission on the outcome of the consultations. Subsequently, ACER shall submit the revised network code to the Commission in accordance with Article 59(11) of Regulation (EU) 2019/943 or Articles 53(11) or 54(11) of [the recast Gas Regulation as proposed in COM(2021) 804]. Where the ENTSO for Electricity, the ENTSO for Gas, the ENNOH or the EU DSO entity have failed to develop a network code, ACER shall prepare and submit a draft network code to the Commission where it is requested to do so under Article 59(12) of Regulation (EU) 2019/943 or Articles 53(12) or 54(12) of [the recast Gas Regulation as proposed in COM(2021) 804];	
Article 65, first paragraph, point (5), amending provision, numbered paragraph (1), point (c)				
686				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(c) provide a duly reasoned opinion to the Commission, in accordance with Article 32(1) of Regulation (EU) 2019/943 or Articles 24(1) or 46(2) of [the recast Gas Regulation as proposed in COM(2021) 804], where the ENTSO for Electricity, the ENTSO for Gas, the ENNOH or the EU DSO entity has failed to implement a network code elaborated under Article 30(1), point (a) of Regulation (EU) 2019/943 or Articles 23(1) or 42(1), point (a) of [the recast Gas Directive as proposed in COM(2021) xxx] or a network code which has been established in accordance with Article 59(3) to (12) of Regulation (EU) 2019/943 or Articles 53(3) to (12) or 54(3) to (12) of [the recast Gas Regulation as proposed in COM(2021) 804] but which has not been adopted by the Commission under Article 59(13) of Regulation (EU) 2019/943 or under Articles 53(13) or 54(13) of [the recast Gas Regulation as proposed in COM(2021) 804].	(c) provide a duly reasoned opinion to the Commission, in accordance with Article 32(1) of Regulation (EU) 2019/943 or Articles 24(1) or 46(2) of [the recast Gas Regulation as proposed in COM(2021) 804], where the ENTSO for Electricity, the ~~ENTSO for Gas, the ENNOH~~ ENTSOG&H or the EU DSO entity has failed to implement a network code elaborated under Article 30(1), point (a) of Regulation (EU) 2019/943 or Articles 23(1) or 42(1), point (a) of [the recast Gas Directive as proposed in COM(2021) xxx] or a network code which has been established in accordance with Article 59(3) to (12) of Regulation (EU) 2019/943 or Articles 53(3) to (12) or 54(3) to (12) of [the recast Gas Regulation as proposed in COM(2021) 804] but which has not been adopted by the Commission under Article 59(13) of Regulation (EU) 2019/943 or under Articles 53(13) or 54(13) of [the recast Gas Regulation as proposed in COM(2021) 804].	(c) provide a duly reasoned opinion to the Commission, in accordance with Article 32(1) of Regulation (EU) 2019/943 or Articles 24(1) or 46(2)- of [the recast Gas Regulation as proposed in COM(2021) 804], where the ENTSO for Electricity, the ENTSO for Gas, the ENNOH or the EU DSO entity has failed to implement a network code elaborated under- Article 30(1), point (a) of Regulation (EU) 2019/943 or Articles 23(1) or 42(1), point (a)- of [the recast Gas ~~Directive~~ Regulation as proposed in COM(2021) ~~xxx~~ 804] or a network code which has been established in accordance with Article 59(3) to (12) of Regulation (EU) 2019/943 or Articles 53(3) to (12) or 54(3) to (12)- of [the recast Gas Regulation as proposed in COM(2021) 804] but which has not been adopted by the Commission under Article 59(13) of Regulation (EU) 2019/943 or under Articles 53(13) or 54(13) of [the recast Gas Regulation as proposed in ~~COM(2021) 804~~ COM(2021) 804].	
Article 65, first paragraph, point (5), amending provision, numbered paragraph (1), point (d)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
687	(d) monitor and analyse the implementation of the network codes adopted by the Commission in accordance with Article 59 of Regulation (EU) 2019/943 and Articles 53 and 54 of [the recast Gas Regulation as proposed in COM(2021) 804] and the guidelines adopted in accordance with Article 61 of Regulation (EU) 2019/943 and Article 56 of [the recast Gas Regulation as proposed in COM(2021) 804], and their effect on the harmonisation of applicable rules aimed at facilitating market integration as well as on non-discrimination, effective competition and the efficient functioning of the market, and report to the Commission "	(d) monitor and analyse the implementation of the network codes adopted by the Commission in accordance with Article 59 of Regulation (EU) 2019/943 and Articles 53 and 54 of [the recast Gas Regulation as proposed in COM(2021) 804] and the guidelines adopted in accordance with Article 61 of Regulation (EU) 2019/943 and Article 56 of [the recast Gas Regulation as proposed in COM(2021) 804], and their effect on the harmonisation of applicable rules aimed at facilitating market integration as well as on non-discrimination, effective competition and the efficient functioning of the market, and report to the Commission. " "	(d) monitor and analyse the implementation of the network codes adopted by the Commission in accordance with Article 59 of Regulation (EU) 2019/943 and Articles 53 and 54- of [the recast Gas Regulation as proposed in ~~COM(2021) 804~~ COM(2021)804] and the guidelines adopted in accordance with Article 61 of Regulation (EU) 2019/943 and Article 56 of [the recast Gas Regulation as proposed in ~~COM(2021) 804~~ COM(2021)804], and their effect on the harmonisation of applicable rules aimed at facilitating market integration as well as on non-discrimination, effective competition and the efficient functioning of the market, and report to the Commission "	
Article 65, first paragraph, point (6)				
688	(6) Article 6(3), first subparagraph is replaced by the following:	(6) Article 6(3), first subparagraph is replaced by the following:	(6) Article 6(3), first subparagraph is replaced by the following:	
Article 65, first paragraph, point (6), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
689	3. By 5 July 2022, and every four years thereafter the Commission shall submit a report to the European Parliament and the Council on the independence of regulatory authorities pursuant to Article 57(7) of Directive (EU) 2019/944 and Article 70(6) of [the recast Gas Directive as proposed in COM(2021) 803].	3. By 5 July 2022, and every four years thereafter the Commission shall submit a report to the European Parliament and the Council on the independence of regulatory authorities pursuant to Article 57(7) of Directive (EU) 2019/944 and Article 70(6) of [the recast Gas Directive as proposed in COM(2021) 803].	3. By 5 July 2022, and every four years thereafter the Commission shall submit a report to the European Parliament and the Council on the independence of regulatory authorities pursuant to Article 57(7) of Directive (EU) 2019/944 and Article 70(6) of [the recast Gas Directive as proposed in ~~COM(2021) 803~~ COM(2021)803].	
Article 65, first paragraph, point (7)				
690	(7) In Article 6 the following paragraphs (9a), (9b), (9c) and (9d) are inserted:	(7) In Article 6 the following paragraphs (9a), (9b), (9c) and (9d) are inserted:	(7) In Article 6 the following paragraphs (9a), (9b), (9c) and (9d) are inserted:	
Article 65, first paragraph, point (7), amending provision, first paragraph				
691	" (9a) ACER shall issue recommendations to regulatory authorities and network operators related to regulated asset bases pursuant to Article 4(4) of [Gas Regulation].	" (9a) ACER shall issue recommendations to regulatory authorities and network operators related to regulated asset bases pursuant to Article 4(4) of [Gas Regulation].	" (9a) ACER shall issue recommendations to regulatory authorities and network operators related to ~~regulated~~ regulatory asset bases pursuant to Article 4(4) of [the recast Gas Regulation as proposed in COM(2021) 804].	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 65, first paragraph, point (7), amending provision, second paragraph				
692	(9b) ACER may issue recommendations to regulatory authorities on the allocation of costs of solutions for restrictions to cross-border flows due to gas quality differences pursuant to Article 19(8) of [the recast Gas Regulation as proposed in COM(2021) 804].	(9b) ACER may issue recommendations to regulatory authorities on the allocation of costs of solutions for restrictions to cross-border flows due to gas quality differences pursuant to Article 19(8) of [the recast Gas Regulation as proposed in ~~COM(2021) 804~~ <u>COM (2021)804</u>] and due to the <u>disruption of the gas supply</u> .	(9b) ACER may issue recommendations to regulatory authorities on the allocation of costs of solutions for restrictions to cross-border flows due to gas quality differences pursuant to Article 19(8) of [the recast Gas Regulation as proposed in COM(2021) 804].	
Article 65, first paragraph, point (7), amending provision, third paragraph				
693	(9c) ACER may issue recommendations to regulatory authorities on the allocation of costs of solutions for restrictions to cross-border flows due to hydrogen quality differences pursuant to Article 39(8) of [the recast Gas Regulation as proposed in COM(2021) 804].	(9c) ACER may issue recommendations to regulatory authorities on the allocation of costs of solutions for restrictions to cross-border flows due to hydrogen quality differences pursuant to Article 39(8) of [the recast Gas Regulation as proposed in COM(2021) 804].	(9c) ACER may issue recommendations to regulatory authorities on the allocation of costs of solutions for restrictions to cross-border flows due to hydrogen quality differences pursuant to Article 39(8) of [the recast Gas Regulation as proposed in COM(2021) 804].	
Article 65, first paragraph, point (7), amending provision, fourth paragraph				
694	(9d) ACER shall publish monitoring reports on congestion at interconnection points pursuant to Annex I, section 2.2.1, point 2	(9d) ACER shall publish monitoring reports on congestion at interconnection points pursuant to Annex I, section 2.2.1, point 2	(9d) ACER shall publish monitoring reports on congestion at interconnection points pursuant to Annex I, section 2.2.1, point 2	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of [the recast Gas Regulation as proposed in COM(2021) 804]. "	of [the recast Gas Regulation as proposed in COM(2021) 804]. "	of [the recast Gas Regulation as proposed in COM(2021) 804]. "	
Article 65, first paragraph, point (8)				
695	(8) Article 6(10), first subparagraph, points (b) and (c) are replaced by the following:	(8) Article 6(10), first subparagraph, points (b) and (c) are replaced by the following:	(8) Article 6(10), first subparagraph, points (b) and (c) are replaced by the following:	
Article 65, first paragraph, point (8), amending provision, first paragraph				
696	(b) network codes and guidelines referred to in Articles 59 to 61 of Regulation (EU) 2019/943 adopted before 4 July 2019 and subsequent revisions of those network codes and guidelines;	(b) network codes and guidelines referred to in Articles 59 to 61 of Regulation (EU) 2019/943 adopted before 4 July 2019 and subsequent revisions of those network codes and guidelines;	(b) network codes and guidelines referred to in Articles 59 to 61 of Regulation (EU) 2019/943 adopted before 4 July 2019 and subsequent revisions of those network codes and guidelines;	
Article 65, first paragraph, point (8), amending provision, second paragraph				
697	(c) network codes and guidelines referred to in Articles 59 to 61 of Regulation (EU) 2019/943 adopted as implementing acts pursuant to Article 5 of Regulation (EU) No 182/2011; or	(c) network codes and guidelines referred to in Articles 59 to 61 of Regulation (EU) 2019/943 adopted as implementing acts pursuant to Article 5 of Regulation (EU) No 182/2011; or	(c) network codes and guidelines referred to in Articles 59 to 61 of Regulation (EU) 2019/943 adopted as implementing acts pursuant to Article 5 of Regulation (EU) No 182/2011; or	
Article 65, first paragraph, point (9)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
698	(9) In Article 6(10), first subparagraph, the following points are added:	(9) In Article 6(10), first subparagraph, the following points are added:	(9) In Article 6(10), first subparagraph, the following points are added:	
Article 65, first paragraph, point (9), amending provision, first paragraph				
699	" (d) guidelines pursuant to Annex I to [Gas Regulation]; or	" (d) guidelines pursuant to Annex I to [Gas Regulation]; or	" (d) guidelines pursuant to Annex I to [Gas Regulation]; or	
Article 65, first paragraph, point (9), amending provision, second paragraph				
700	(e) network codes and guidelines referred to in Article 53 to 56 of [Gas Regulation]. "	(e) network codes and guidelines referred to in Article 53 to 56 of [Gas Regulation]. "	(e) network codes and guidelines referred to in Article 53 to 56 of [Gas Regulation]. "	
Article 65, first paragraph, point (10)				
701	(10) In Article 6(10), second subparagraph, point (a) is replaced by the following:	(10) In Article 6(10), second subparagraph, point (a) is replaced by the following:	(10) In Article 6(10), second subparagraph, point (a) is replaced by the following:	
Article 65, first paragraph, point (10), amending provision, first paragraph				
702	" (a) where the competent regulatory authorities have not been able to reach an agreement	" (a) where the competent regulatory authorities have not been able to reach an agreement	" (a) where the competent regulatory authorities have not been able to reach an agreement	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	within six months of referral of the case to the last of those regulatory authorities, or within four months in cases under Article 4(7) of this Regulation or under point (c) of Article 59(1) or point (f) of Article 62(1) of Directive (EU) 2019/944 or Article 72(1) point (e) of [the recast Gas Directive as proposed in COM(2021) 803]; "	within six months of referral of the case to the last of those regulatory authorities, or within four months in cases under Article 4(7) of this Regulation or under point (c) of Article 59(1) or point (f) of Article 62(1) of Directive (EU) 2019/944 or Article 72(1) point (e) of [the recast Gas Directive as proposed in COM(2021) 803]; "	within six months of referral of the case to the last of those regulatory authorities, or within four months in cases under Article 4(7) of this Regulation or under point (c) of Article 59(1) or point (f) of Article 62(1) of Directive (EU) 2019/944 or Article 72(1) point (e) of [the recast Gas Directive as proposed in COM(2021) 803]; "	
Article 65, first paragraph, point (11)				
703	(11) Article 6(10), third subparagraph is replaced by the following:	(11) Article 6(10), third subparagraph is replaced by the following:	(11) Article 6(10), third subparagraph is replaced by the following:	
Article 65, first paragraph, point (11), amending provision, first paragraph				
704	‘ The competent regulatory authorities may jointly request that the period referred to in point (a) of the second subparagraph of this paragraph be extended by a period of up to six months, except in cases under Article 4(7) of this Regulation or under point (c) of Article 59(1) or point (f) of Article 62(1) of Directive (EU) 2019/944 or Article 72(1) point (e) of [the	‘ The competent regulatory authorities may jointly request that the period referred to in point (a) of the second subparagraph of this paragraph be extended by a period of up to six months, except in cases under Article 4(7) of this Regulation or under point (c) of Article 59(1) or point (f) of Article 62(1) of Directive (EU) 2019/944 or Article 72(1) point (e) of [the	‘ The competent regulatory authorities may jointly request that the period referred to in point (a) of the second subparagraph of this paragraph be extended by a period of up to six months, except in cases under Article 4(7) of this Regulation or under point (c) of Article 59(1) or point (f) of Article 62(1) of Directive (EU) 2019/944 or Article 72(1) point (e) of [the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	recast Gas Directive as proposed in COM(2021) 803];	recast Gas Directive as proposed in COM(2021) 803];	recast Gas Directive as proposed in COM(2021) 803]’;	
Article 65, first paragraph, point (12)				
705	(12) Article 6(10), fourth subparagraph, is replaced by the following:	(12) Article 6(10), fourth subparagraph, is replaced by the following:	(12) Article 6(10), fourth subparagraph, is replaced by the following:	
Article 65, first paragraph, point (12), amending provision, first paragraph				
706	‘ Where the competences to decide on cross-border issues referred to in the first subparagraph have been conferred on the regulatory authorities in new network codes or guidelines referred to in Articles 59 to 61 of Regulation (EU) 2019/943 adopted as delegated acts after 4 July 2019, ACER shall only be competent on a voluntary basis pursuant to point (b) of the second subparagraph of this paragraph, upon a request from at least 60 % of the competent regulatory authorities. Where only two regulatory authorities are involved, either one may refer the case to ACER.;	‘ Where the competences to decide on cross-border issues referred to in the first subparagraph have been conferred on the regulatory authorities in new network codes or guidelines referred to in Articles 59 to 61 of Regulation (EU) 2019/943 adopted as delegated acts after 4 July 2019, ACER shall only be competent on a voluntary basis pursuant to point (b) of the second subparagraph of this paragraph, upon a request from at least 60 % of the competent regulatory authorities. Where only two regulatory authorities are involved, either one may refer the case to ACER.;	‘ Where the competences to decide on cross-border issues referred to in the first subparagraph have been conferred on the regulatory authorities in new network codes or guidelines referred to in Articles 59 to 61 of Regulation (EU) 2019/943- adopted as delegated acts after 4 July 2019, ACER shall only be competent on a voluntary basis pursuant to point (b) of the second subparagraph of this paragraph, upon a request from at least 60 % of the competent regulatory authorities. Where only two regulatory authorities are involved, either one may refer the case to ACER.’;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 65, first paragraph, point (13)				
707	(13) Article 6(12), point (a) is replaced by the following:	(13) Article 6(12), point (a) is replaced by the following:	(13) Article 6(12), point (a) is replaced by the following:	
Article 65, first paragraph, point (13), amending provision, first paragraph				
708	" (a) shall issue a decision within six months of the date of referral, or within four months thereof in cases pursuant to Article 4(7) of this Regulation or point (c) of Article (59)(1) or point (f) of Article 62(1) of Directive (EU) 2019/944 or Article 72(1) point (e) of [the recast Gas Directive as proposed in COM(2021) 803]; and "	" (a) shall issue a decision within six months of the date of referral, or within four months thereof in cases pursuant to Article 4(7) of this Regulation or point (c) of Article (59)(1) or point (f) of Article 62(1) of Directive (EU) 2019/944 or Article 72(1) point (e) of [the recast Gas Directive as proposed in COM(2021) 803]; and and ;"	" (a) shall issue a decision within six months of the date of referral, or within four months thereof in cases pursuant to Article 4(7) of this Regulation or point (c) of Article (59)(1) or point (f) of Article 62(1) of Directive (EU) 2019/944 or Article 72(1) point (e) of [the recast Gas Directive as proposed in COM(2021) 803]; and "	
Article 65, first paragraph, point (14)				
709	(14) Article 14(1) is replaced by the following:	(14) Article 14(1) is replaced by the following:	(14) Article 14(1) is replaced by the following:	
Article 65, first paragraph, point (14), amending provision, first paragraph				
710	,	,	,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	In carrying out its tasks, in particular in the process of developing framework guidelines in accordance with Article 59 of Regulation (EU) 2019/943 or Articles 53 and 54 of [the recast Gas Regulation as proposed in COM(2021) xxx], and in the process of proposing amendments of network codes under Article 60 of Regulation (EU) 2019/943 or Article 55 of [the recast Gas Regulation as proposed in COM(2021) xxx] ACER shall, extensively consult at an early stage market participants, transmission system operators, hydrogen network operators, consumers, end-users and, where relevant, competition authorities, without prejudice to their respective competence, in an open and transparent manner, in particular when its tasks concern transmission system operators and hydrogen network operators ,	In carrying out its tasks, in particular in the process of developing framework guidelines in accordance with Article 59 of Regulation (EU) 2019/943 or Articles 53 and 54 of [the recast Gas Regulation as proposed in COM(2021) xxx], and in the process of proposing amendments of network codes under Article 60 of Regulation (EU) 2019/943 or Article 55 of [the recast Gas Regulation as proposed in COM(2021) xxx] ACER shall, extensively consult at an early stage market participants, transmission system operators, hydrogen network operators, consumers, end-users and, where relevant, competition authorities, without prejudice to their respective competence, in an open and transparent manner, in particular when its tasks concern transmission system operators and hydrogen network operators ,	In carrying out its tasks, in particular in the process of developing framework guidelines in accordance with Article 59 of Regulation (EU) 2019/943 or Articles 53 and 54 of [the recast Gas Regulation as proposed in COM(2021) xxx], and in the process of proposing amendments of network codes under Article 60 of Regulation (EU) 2019/943 or Article 55 of [the recast Gas Regulation as proposed in COM(2021) xxx] ACER shall, extensively consult at an early stage market participants, transmission system operators, hydrogen network operators, consumers, end-users and, where relevant, competition authorities, without prejudice to their respective competence, in an open and transparent manner, in particular when its tasks concern transmission system operators and hydrogen network operators ,	
Article 65, first paragraph, point (15)				
711	(15) In Article 15 the following paragraphs (6) and (7) are added:	(15) In Article 15 the following paragraphs (6) and (7) are added:	(15) In Article 15 the following paragraphs (6) and (7) are added:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 65, first paragraph, point (15), amending provision, numbered paragraph (6)				
712	‘ (6) ACER shall issue studies comparing the efficiency of EU transmission system operators’ costs pursuant to Article 17(2) of [the recast Gas Regulation as proposed in COM(2021) 804].	‘ (6) ACER shall issue studies comparing the efficiency of EU transmission system operators’ costs pursuant to Article 17(2) of [the recast Gas Regulation as proposed in COM(2021) 804].	‘ (6) ACER shall issue studies comparing the efficiency of EU transmission system operators’ costs pursuant to Article 17(2) of [the recast Gas Regulation as proposed in COM(2021) 804].’	
Article 65, first paragraph, point (15), amending provision, numbered paragraph (7)				
713	(7) ACER shall submit opinions providing a harmonised format for the publication of technical information on access to hydrogen networks pursuant to Annex I to this Regulation.	(7) ACER shall submit opinions providing a harmonised format for the publication of technical information on access to hydrogen networks pursuant to Annex I to this Regulation.	(7) ACER shall submit opinions providing a harmonised format for the publication of technical information on access to hydrogen networks pursuant to Annex I to this Regulation.’	
Article 65, first paragraph, point (16)				
714	(16) Article 15(1) is replaced by the following:	(16) Article 15(1) is replaced by the following:	(16) Article 15(1) is replaced by the following:	
Article 65, first paragraph, point (16), amending provision, first paragraph				
715	‘ ACER, in close cooperation with the Commission, the Member States and the relevant national	‘ ACER, in close cooperation with the Commission, the Member States and the relevant national	‘ ACER, in close cooperation with the Commission, the Member States and the relevant national	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	authorities, including the regulatory authorities, and without prejudice to the competences of competition authorities, shall monitor the wholesale and retail markets in electricity and natural gas, in particular the retail prices of electricity and natural gas, compliance with the consumer rights laid down in Directive (EU) 2019/944 and [the recast Gas Directive as proposed in COM(2021) 803], the impact of market developments on household customers, access to the networks including access of electricity produced from renewable energy sources, the progress made with regard to interconnectors, potential barriers to cross-border trade, including the impact of blending hydrogen into the natural gas system and barriers to the cross-border flow of biomethane, regulatory barriers for new market entrants and smaller actors, including citizen energy communities, state interventions preventing prices from reflecting actual scarcity, such as those set out in Article 10(4) of Regulation (EU) 2019/943, the performance of the Member States in the area of security of supply of electricity	authorities, including the regulatory authorities, and without prejudice to the competences of competition authorities, shall monitor the wholesale and retail markets in electricity and natural gas, ~~in particular the retail prices of~~ <u>including the functioning of those markets, wholesale and retail</u> electricity and natural gas <u>prices and price-setting mechanism, including those set out in commercial contracts, with regard to possible anti-competitive, unfair or untransparent behaviour by market operators, and with regard to</u> ~~compliance with the~~ consumer rights laid down in Directive (EU) 2019/944 and [the recast Gas Directive as proposed in ~~COM(2021)~~ <u>COM (2021)</u> 803], the impact of market developments on household customers, access to the networks including access of electricity produced from renewable energy sources, the progress made with regard to interconnectors, potential barriers to cross-border trade, including the impact of blending hydrogen into the natural gas system and barriers to the cross-border flow of biomethane,	authorities, including the regulatory authorities, and without prejudice to the competences of competition authorities, shall monitor the wholesale and retail markets in electricity and natural gas, in particular the retail prices of electricity and natural gas, compliance with the consumer rights laid down in Directive (EU) 2019/944 and [the recast Gas Directive as proposed in COM(2021) 803], the impact of market developments on household customers, access to the networks including access of electricity produced from renewable energy sources, the progress made with regard to interconnectors, potential barriers to cross-border trade, including the impact of blending hydrogen into the natural gas system and barriers to the cross-border flow of biomethane, regulatory barriers for new market entrants and smaller actors, including citizen energy communities, state interventions preventing prices from reflecting actual scarcity, such as those set out in Article 10(4) of Regulation (EU) 2019/943, the performance of the Member States in the area of security of supply of electricity	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	based on the results of the European resource adequacy assessment as referred to in Article 23 of that Regulation, taking into account, in particular, the ex-post evaluation referred to in Article 17 of Regulation (EU) 2019/941.’	regulatory barriers for new market entrants and smaller actors, including citizen energy communities <u>and renewable energy communities</u> , state interventions preventing prices from reflecting actual scarcity, such as those set out in Article 10(4) of Regulation (EU) 2019/943, the performance of the Member States in the area of security of supply of electricity based on the results of the European resource adequacy assessment as referred to in Article 23 of that Regulation, taking into account, in particular, the ex-post evaluation referred to in Article 17 of Regulation (EU) 2019/941. ²⁴	based on the results of the European resource adequacy assessment as referred to in Article 23 of that Regulation, taking into account, in particular, the ex-post evaluation referred to in Article 17 of Regulation (EU) 2019/941. ²	
Article 65, first paragraph, point (17)				
716	(17) In Article 15(1) the following subparagraph 2 is added:	(17) In Article 15(1) the following subparagraph 2 is added:	(17) In Article ~~15(1)~~ 15 (1) the following subparagraph 2 is added:	
Article 65, first paragraph, point (17), amending provision, first paragraph				
717	" ACER, in close cooperation with the Commission, the Member	" ACER, in close cooperation with the Commission, the Member	" ACER, in close cooperation with the Commission, the Member	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	States and the relevant national authorities, including the regulatory authorities, and without prejudice to the competences of competition authorities, shall monitor the hydrogen markets, in particular the impact of market developments on hydrogen customers, access to the hydrogen network, including access to the network of hydrogen produced from renewable energy sources, the progress made with regard to interconnectors, potential barriers to cross-border trade.	States and the relevant national authorities, including the regulatory authorities, and without prejudice to the competences of competition authorities, shall monitor the hydrogen markets, in particular the impact of market developments on hydrogen customers, access to the hydrogen network, including access to the network of hydrogen produced from renewable energy sources, the progress made with regard to interconnectors, potential barriers to cross-border trade.	States and the relevant national authorities, including the regulatory authorities, and without prejudice to the competences of competition authorities, shall monitor the hydrogen markets, in particular the impact of market developments on hydrogen customers, access to the hydrogen network, including access to the network of hydrogen produced from renewable energy sources, the progress made with regard to interconnectors, potential barriers to cross-border trade.	
Article 65, first paragraph, point (18)				
718	(18) Article 15(2) is replaced by the following:	(18) Article 15(2) is replaced by the following:	(18) Article 15(2) is replaced by the following:	
Article 65, first paragraph, point (18), amending provision, first paragraph				
719	‘ ACER shall publish annually a report on the results of the monitoring referred to in paragraph 1. In that report, it shall identify any barriers to the completion of the internal markets	‘ ACER shall publish annually a report on the results of the monitoring referred to in paragraph 1. In that report, it shall identify any barriers, <u>including any behaviour on the part of market operators that is anti-</u>	‘ ACER shall publish annually a report on the results of the monitoring referred to in paragraph 1. In that report, it shall identify any barriers to the completion of the internal markets	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	for electricity, natural gas and hydrogen.	<u>competitive, unfair or untransparent</u> , to the completion of the internal markets for electricity, natural gas and hydrogen.	for electricity, natural gas and hydrogen.’.	
Article 66				
720	Article 66 Amendment to Regulation (EU) No 1227/2011	Article 66 Amendment to Regulation (EU) No 1227/2011	Article 66 Amendment to Regulation (EU) No 1227/2011	
Article 66, first paragraph				
721	Regulation No 1227/2011 is amended as follows:	Regulation No 1227/2011 is amended as follows:	Regulation No 1227/2011 is amended as follows:	
Article 66, first paragraph, point (a)				
722	(a) In Article 2, Article 3(3) and (4), Article 4(1), Article 8(5) the term ‘electricity or natural gas’ is replaced by the term “electricity, hydrogen or natural gas”;	(a) In Article 2, Article 3(3) and (4), Article 4(1), Article 8(5) the term ‘electricity or natural gas’ is replaced by the term “electricity, hydrogen or natural gas”;	(a) In Article 2, Article 3(3) and (4), Article 4(1), Article 8(5) the term ‘electricity or natural gas’ is replaced by the term "electricity, hydrogen or natural gas”;	
722a		<u>(aa) In Article 2, the following points are added:</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
722b		<u><i>'(16) 'LNG trading' means bids, offers or transactions for the purchase or sale of LNG;</i></u>		
Article 66, first paragraph, point (aa), second subparagraph, point (a)				
722c		<u><i>(a) that specify delivery in the Union;</i></u>		
Article 66, first paragraph, point (aa), second subparagraph, point (b)				
722d		<u><i>(b) that result in delivery in the Union; or</i></u>		
Article 66, first paragraph, point (aa), second subparagraph, point (c)				
722e		<u><i>(c) in which one counterparty re-gasifies the LNG at a terminal in the Union;</i></u>		
722f		<u><i>(17) 'LNG market data' means records of bids, offers or transactions for LNG trading</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>with corresponding information as specified in Article 8d;</u>		
722g		<u>(18) ‘LNG market participant’ means any natural or legal person, irrespective of that person’s place of incorporation or domicile, who engages in LNG trading;</u>		
722h		<u>(19) ‘LNG price assessment’ means the determination of a daily reference price for LNG trading in accordance with a methodology to be established by the Agency;</u>		
722i		<u>(20) ‘LNG benchmark’ means the determination of a spread between the LNG price assessment and the settlement price for the Title Transfer Facility (TTF) Gas Futures front-month contract established by</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>ICE Endex Markets B.V. on a daily basis.</u>		
Article 66, first paragraph, point (b)				
723	(b) In Article 6(2) the term ‘electricity and gas markets’ is replaced by the term ‘electricity, hydrogen and natural gas markets’.	(b) In Article 6(2) the term ‘electricity and gas markets’ is replaced by the term ‘electricity, hydrogen and natural gas markets’.	(b) In Article 6(2) the term ‘electricity and gas markets’ is replaced by the term ‘electricity, hydrogen and natural gas markets’.	
723a		<u>(ba) The following articles are inserted:</u>		
723b		<u>‘Article 8a Tasks and powers of Agency to carry out LNG price assessments and benchmarks</u>		
723c		<u>1. The Agency shall produce and publish an LNG price assessment. For the purpose of the LNG price assessment, the Agency shall systematically</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>collect and process LNG market data on transactions.</u>		
723d		<u>2. The Agency shall produce and publish the LNG benchmark, for the purposes of which the Agency shall systematically collect and process all LNG market data.</u>		
723e		<u>3. By way of derogation from Article 3(4), point (b), of Regulation 1227/2011, the market participant obligations and prohibitions of this Regulation shall apply to LNG market participants. The powers conferred on the Agency under this Regulation and Implementing Regulation (EU) No 1348/2014 shall also apply in relation to LNG market participants including the provisions on confidentiality.</u>		
723f				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Article 8b</u> <u>Publication of LNG price assessments and benchmark</u>		
723g		<u>1. The LNG price assessment referred to in Article 8a(1) shall be published daily, and by no later than 18.00 CET for the outright transaction price assessment. The Agency shall also, on a daily basis, publish the LNG benchmark referred to in Article 8a(2) by no later than 19.00 CET or as soon as technically possible.</u>		
723h		<u>2. For the purposes of this Article, the Agency may make use of the services of a third party.</u>		
723i		<u>Article 8c</u> <u>Provision of LNG market data to the Agency</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
723j		<u>1. LNG market participants shall submit daily to the Agency the LNG market data in accordance with the specifications set out in Article 8d, in a standardised format, through a high-quality transmission protocol, and as close to real-time as technologically possible before the daily publication of the LNG price assessment (18.00 CET).</u>		
723k		<u>2. The Commission may adopt implementing acts specifying the point in time by which LNG market data is to be submitted before the daily publication of the LNG price assessment as referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21(2).</u>		
723l				
7231				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>3. Where appropriate, the Agency shall, after consulting the Commission, issue guidance on:</u>		
Article 66, first paragraph, point (ba), twelfth subparagraph, point (a)				
723m		<u>(a) the details of the information to be reported, in addition to the current details of reportable transactions and fundamental data under Implementing Regulation (EU) No 1348/2014, including bids and offers; and</u>		
Article 66, first paragraph, point (ba), twelfth subparagraph, point (b)				
723n		<u>(b) the procedure, standard and electronic format and the technical and organisational requirements for submitting data to be used for the provision of the required LNG market data.</u>		
723o		<u>4. LNG market participants shall submit the required LNG market data to the Agency free of charge and through the reporting channels established by the Agency, where possible using</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>existing and available procedures.</u>		
723p		<u>Article 8d</u> <u>LNG market data quality</u>		
723q		<u>1. LNG market data shall include details of:</u>		
Article 66, first paragraph, point (ba), fifteenth subparagraph, point (a)				
723r		<u>(a) the parties to the contract, including buy/sell indicator;</u>		
Article 66, first paragraph, point (ba), fifteenth subparagraph, point (b)				
723s		<u>(b) the reporting party;</u>		
Article 66, first paragraph, point (ba), fifteenth subparagraph, point (c)				
723t		<u>(c) the transaction price;</u>		
Article 66, first paragraph, point (ba), fifteenth subparagraph, point (d)				
723u				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(d) the contract quantities;</u>		
Article 66, first paragraph, point (ba), fifteenth subparagraph, point (e)				
723v		<u>(e) the value of the contract;</u>		
Article 66, first paragraph, point (ba), fifteenth subparagraph, point (f)				
723w		<u>(f) the arrival window for the LNG cargo;</u>		
Article 66, first paragraph, point (ba), fifteenth subparagraph, point (g)				
723x		<u>(g) the terms of delivery;</u>		
Article 66, first paragraph, point (ba), fifteenth subparagraph, point (h)				
723y		<u>(h) the delivery points;</u>		
Article 66, first paragraph, point (ba), fifteenth subparagraph, point (i)				
723z		<u>(i) the timestamp information on all of the following;</u>		
Article 66, first paragraph, point (ba), fifteenth subparagraph, point (i)				
723aa		<u>(i) the time of placing the bid or offer;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 66, first paragraph, point (ba), fifteenth subparagraph, point (ii)			
723ab		<u>(ii) the transaction time;</u>		
	Article 66, first paragraph, point (ba), fifteenth subparagraph, point (iii)			
723ac		<u>(iii) the time of reporting of the bid, offer or transaction;</u>		
	Article 66, first paragraph, point (ba), fifteenth subparagraph, point (iv)			
723ad		<u>(iv) the receipt of LNG market data by the Agency.</u>		
723ae		<u>2. LNG market participants shall provide the Agency with LNG market data in the following manner:</u>		
	Article 66, first paragraph, point (ba), sixteenth subparagraph, point (a)			
723af		<u>(a) transaction, bid and offer unit prices shall be reported in the currency specified in the contract and in €/MWh and shall</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>include applied conversion and exchange rates if applicable;</i></u>		
Article 66, first paragraph, point (ba), sixteenth subparagraph, point (b)				
723ag		<u><i>(b) contract quantities shall be reported in the units specified in the contracts and in MWh;</i></u>		
Article 66, first paragraph, point (ba), sixteenth subparagraph, point (c)				
723ah		<u><i>(c) arrival windows shall be reported in terms of delivery dates expressed in UTC format;</i></u>		
Article 66, first paragraph, point (ba), sixteenth subparagraph, point (d)				
723ai		<u><i>(d) the delivery point shall indicate a valid identifier listed by the Agency, such as that referred to in the list of LNG facilities subject to reporting and this Regulation and Implementing Regulation (EU) No 1348/2014; the timestamp information shall be indicated in UTC format;</i></u>		
Article 66, first paragraph, point (ba), sixteenth subparagraph, point (e)				
723aj				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(e) if relevant, the price formula in the long-term contract from which the price is derived shall be reported in its integrity.</u>		
723ak		<u>3. The Agency shall issue guidance regarding the criteria under which a single submitter accounts for a significant portion of LNG market data submitted within a certain reference period and how this situation is to be addressed in its LNG price assessment and LNG benchmarks.</u>		
723al		<u>Article 8e Business continuity</u>		
723am		<u>The Agency shall regularly review, update and publish its LNG reference price assessment and LNG benchmark methodology as well as the methodology used for LNG</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>market data reporting and the publication of its LNG price assessments and LNG benchmarks, taking into account the views of market data contributors.</u>		
Article 67				
724	Article 67 Amendments to Regulation (EU) 2017/1938	Article 67 Amendments to Regulation (EU) 2017/1938	Article 67 Amendments to Regulation (EU) 2017/1938	
Article 67, first paragraph				
725	Regulation (EU) 2017/1938 is amended as follows:	Regulation (EU) 2017/1938 is amended as follows:	Regulation (EU) 2017/1938 is amended as follows:	
Article 67, first paragraph, point (1)				
726	(1) In Article 1, the first sentence is replaced by the following:	(1) In Article 1, the first sentence is replaced by the following:	(1) In Article 1, the first sentence is replaced by the following:	
Article 67, first paragraph, point (1), amending provision, first paragraph				
727	‘ This Regulation establishes provisions aiming to safeguard the security of gas supply in the Union by ensuring the proper and	‘ This Regulation establishes provisions aiming to safeguard the security of gas supply in the Union by ensuring the proper and	‘ This Regulation establishes provisions aiming to safeguard the security of gas supply in the Union by ensuring the proper and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	continuous functioning of the internal market in natural gas and renewable and low carbon gases ('gas'), by allowing for exceptional measures to be implemented when the market can no longer deliver the gas supplies required, including solidarity measure of a last resort, and by providing for the clear definition and attribution of responsibilities among natural gas undertakings, the Member States and the Union regarding both preventive action and the reaction to concrete disruptions of gas supply.;	continuous functioning of the internal market in natural gas and renewable ~~and low-carbon gases~~ <u>gas and low-carbon gas</u> ('gas'), by allowing for exceptional measures to be implemented when the market can no longer deliver the gas supplies required, including solidarity measure of a last resort, and by providing for the clear definition and attribution of responsibilities among natural gas undertakings, the Member States and the Union regarding both preventive action and the reaction to concrete disruptions of gas supply.;	continuous functioning of the internal market in natural gas and renewable and low carbon gases ('gas'), by allowing for exceptional measures to be implemented when the market can no longer deliver the gas supplies required, including solidarity measure of a last resort, and by providing for the clear definition and attribution of responsibilities among natural gas undertakings, the Member States and the Union regarding both preventive action and the reaction to concrete disruptions of gas supply.';	
727a		<u><i>This Regulation also encourages preventive measures that reduce gas demand, including measures enhancing energy efficiency and increasing the share of renewable energy, in order to decrease the Union's dependence on gas imports.</i></u>		
Article 67, first paragraph, point (2)				
728				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(2) In Article 2, the following definitions are added:	(2) In Article 2, the following definitions are added:	(2) In Article 2, the following definitions are added:	
Article 67, first paragraph, point (2), amending provision, numbered paragraph (27)				
729	‘ (27) ‘gas’ – means natural gas as defined in point (1) of Article 2 of [recast Gas Directive as proposed in COM(2021) xxx];	‘ (27) ‘gas’ – means natural gas as defined in point (1) of Article 2 of [recast Gas Directive as proposed in COM(2021) xxx];	‘ ~~(27)~~ (32) ‘gas’ – means natural gas as defined in point (1) of Article 2 of [recast Gas Directive as proposed in COM(2021) xxx];’	
729a		<u>27a. ‘trading venue’ means any of the following:</u>		
729b		<u>(a) ‘regulated market’ as defined in Article 4(1), point (21), of Directive 2014/65/EU;</u>		
729c		<u>(b) ‘multilateral trading facility’ as defined in Article 4(1), point (22), of Directive 2014/65/EU;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
729d		<u>(c) ‘organised trading facility’ as defined in Article 4(1), point (23), of Directive 2014/65/EU;</u>		
729e		<u>27b. ‘energy-related commodity derivative’ means a commodity derivative, as defined in Article 2(1), point (30), of Regulation (EU) No 600/2014 of the European Parliament and of the Council¹, traded on a trading venue and the underlying of which is electricity or gas, and whose maturity does not exceed 12 months;’;</u> <u>1. Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173 12.6.2014, p. 84).</u>		
Article 67, first paragraph, point (2), amending provision, numbered paragraph (28)				
730	(28) ‘strategic stock’ means gas purchased, managed and stored by transmission system operators exclusively for carrying out their functions as transmission system	deleted	~~(28) ‘strategic stock’ means gas purchased, managed and stored by transmission system operators exclusively for carrying out their functions as transmission system~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	operators and for the purpose of security of supply. Gas stored as part of a strategic stock shall be dispatched only where required to keep the system in operation under secure and reliable conditions in line with Article 35 [recast Gas Directive as proposed in COM(2021) xxx] or in case of a declared emergency under Article 11 of Regulation (EU) 2017/1938 of the European Parliament and of the Council and can otherwise not be sold on wholesale gas markets;		~~operators and for the purpose of security of supply. Gas stored as part of a strategic stock shall be dispatched only where required to keep the system in operation under secure and reliable conditions in line with Article 35 [recast Gas Directive as proposed in COM(2021) xxx] or in case of a declared emergency under Article 11 of Regulation (EU) 2017/1938 of the European Parliament and of the Council and can otherwise not be sold on wholesale gas markets;~~	
Article 67, first paragraph, point (2), amending provision, numbered paragraph (29)				
731	(29) ‘storage user’ means a customer or a potential customer of a storage system operator. ,	<i>deleted</i>	~~(29)~~ (33) ‘storage user’ means a customer or a potential customer of a storage system operator. ,	
Article 67, first paragraph, point (3)				
732	(3) In Article 2, the following subparagraph is added:	(3) In Article 2, the following subparagraph is added:	(3) In Article 2, the following subparagraph is added:	
Article 67, first paragraph, point (3), amending provision, first paragraph				
733	,	,	,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	References to natural gas shall be construed as references to gas as defined in point (27).	References to natural gas shall be construed as references to gas as defined in point (27). ²	References to natural gas shall be construed as references to gas as defined in point (27 ³²).	
733a		<u>(3a) In Article 6b(1), third subparagraph, point (e) is replaced by the following: '(e) using voluntary mechanisms for the joint procurement of natural gas;'</u>		
Article 67, first paragraph, point (4)				
734	(4) Article 7 is amended as follows:	(4) Article 7 is amended as follows:	(4) Article 7 is amended as follows:	
Article 67, first paragraph, point (4)(a)				
735	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	
Article 67, first paragraph, point (4)(a), amending provision, numbered paragraph (1)				
736	‘ 1. By 1 November 2017, ENTSOG shall carry out a Union-wide simulation of gas supply and	‘ 1. By 1 November 2017, ENTSOG shall carry out a Union-wide simulation of gas supply and	‘ 1. By 1 November 2017, ENTSOG shall carry out a Union-wide simulation of gas supply and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	infrastructure disruption scenarios. The simulation shall include the identification and assessment of emergency gas supply corridors and shall also identify which Member States can address identified risks, including in relation to storage and LNG. The gas supply and infrastructure disruption scenarios and the methodology for the simulation shall be defined by ENTSOG in cooperation with the GCG. ENTSOG shall ensure an appropriate level of transparency and access to the modelling assumptions used in its scenarios. The Union-wide simulation of gas supply and infrastructure disruption scenarios shall be repeated every four years unless circumstances warrant more frequent updates.	infrastructure disruption scenarios. The simulation shall include the identification and assessment of emergency gas supply corridors and shall also identify which Member States can address identified risks, including in relation to storage and LNG, <u>and shall in addition include scenarios examining ways to decrease gas demand through energy savings and energy efficiency measures</u>. The gas supply and infrastructure disruption scenarios and the methodology for the simulation shall be defined by ENTSOG in cooperation with the GCG. ENTSOG shall ensure an appropriate level of transparency and access to the modelling assumptions used in its scenarios. The Union-wide simulation of gas supply and infrastructure disruption scenarios shall be repeated every four years ~~unless~~<u>until</u> circumstances warrant more frequent updates.	infrastructure disruption scenarios. The simulation shall include the identification and assessment of emergency gas supply corridors and shall also identify which Member States can address identified risks, including in relation to storage and LNG. The gas supply and infrastructure disruption scenarios and the methodology for the simulation shall be defined by ENTSOG in cooperation with the GCG. ENTSOG shall ensure an appropriate level of transparency and access to the modelling assumptions used in its scenarios. The Union-wide simulation of gas supply and infrastructure disruption scenarios shall be repeated every four years unless circumstances warrant more frequent updates.	
Article 67, first paragraph, point (5)				
737				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(5) In paragraph 4, point (e) is replaced by the following:	(5) In paragraph 4, point (e) is replaced by the following:	(5) In paragraph 4, point (e) is replaced by the following:	
Article 67, first paragraph, point (5), amending provision, first paragraph				
738	‘ (e) taking into account risks relating to the control of infrastructure relevant to the security of gas supply to the extent that they may involve, inter alia, risks of underinvestment, undermining diversification, misuse of existing infrastructure, including hoarding of storage capacities, or an infringement of Union law; ,	‘ (e) taking into account risks relating to the control of infrastructure relevant to the security of gas supply to the extent that they may involve, inter alia, risks of underinvestment, undermining diversification, misuse of existing infrastructure, including hoarding of storage capacities, or an infringement of Union law; ,	‘ (e) taking into account risks relating to the control of infrastructure relevant to the security of gas supply to the extent that they may involve, inter alia, risks of underinvestment, undermining diversification, misuse of existing infrastructure, including hoarding of storage capacities, or an infringement of Union law; ,	
Article 67, first paragraph, point (6)				
739	(6) The following new Article 7a is inserted:	(6) The following ~~new~~ Article ~~7a~~ is inserted:	(6) The following new Article 7a is inserted:	
Article 67, first paragraph, point (6), amending provision, first paragraph				
740	" Article 7a	" Article 7a	" ~~Article 7a~~	
Article 67, first paragraph, point (6), amending provision, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
741	Preventive and emergency measures	Preventive and emergency measures	Preventive and emergency measures	
Article 67, first paragraph, point (6), amending provision, third paragraph				
742	Member States shall take appropriate preventive and emergency measures. These measures have to take into account the results of the most recent Union wide simulation of disruption scenarios foreseen in Article 7 and need to be appropriate to address the risks identified in the common and national risk assessments.' "	Member States shall take appropriate preventive and emergency measures, <u>including energy savings and energy efficiency measures</u> . These measures have to take into account the results of the most recent Union wide simulation of disruption scenarios foreseen in Article 7 and need to be appropriate to address the risks identified in the common and national risk assessments.' "	Member States shall take appropriate preventive and emergency measures. These measures have to take into account the results of the most recent Union wide simulation of disruption scenarios foreseen in Article 7 and need to be appropriate to address the risks identified in the common and national risk assessments.' "	
Article 67, first paragraph, point (7)				
743	(7) Articles 8(1) and 9(3) to 9(10) shall be moved to become Article 7a(2) to 7a(12).	(7) Articles 8(1) and 9(3) to 9(10) shall be moved to become Article 7a(2) to 7a(12). <u>i</u>	(7) Articles 8(1) and 9(3) to 9(10) shall be moved to become Article 7a(2) to 7a(12).	
Article 67, first paragraph, point (8)				
744	(8) The following new Articles 7b, 7c and 7d are inserted:	(8) The following ~~new~~ <u>new</u> articles ~~7b, 7c and 7d~~ are inserted:	(8) The following new Articles 7b, 7c and 7d are inserted:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 67, first paragraph, point (8), amending provision, first paragraph			
745	" Article 7b	" Article 7b	" Article 7b	
	Article 67, first paragraph, point (8), amending provision, second paragraph			
746	Efficient and joint use of infrastructures and gas storage	Efficient and joint use of infrastructures and gas storage	~~Efficient and joint use of infrastructures and gas storage~~	
	Article 67, first paragraph, point (8), amending provision, numbered paragraph (1)			
747	1. Member States shall ensure the use of the existing infrastructure at national and regional level, for the benefit of the security of supply in an efficient way. In particular, Member States shall enable the cross border exchange of gas and cross border access to storage and LNG.	1. Member States shall ensure the use of the existing infrastructure at national and regional level, for the benefit of the security of supply in an efficient way. In particular, Member States shall enable the cross border exchange of gas and cross border access to storage and LNG.	~~1. Member States shall ensure the use of the existing infrastructure at national and regional level, for the benefit of the security of supply in an efficient way. In particular, Member States shall enable the cross border exchange of gas and cross border access to storage and LNG.~~	
	Article 67, first paragraph, point (8), amending provision, numbered paragraph (2)			
748	2. The common risk assessments and any subsequent updates shall include an analysis of the adequacy of the capacity of storage facilities available in the	2. The common risk assessments and any subsequent updates shall include an analysis of the adequacy of the capacity of storage facilities available in the	~~2. The common risk assessments and any subsequent updates shall include an analysis of the adequacy of the capacity of storage facilities available in the~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	region, on the functioning of the storage capacities and their contribution to security of supply of the Union, including risks related to control of storage infrastructure relevant for the security of gas supply by third-country entities. This analysis shall compare the role of gas storages with alternative measures such as investments in energy efficiency and renewables.	region, on the functioning of the storage capacities and their contribution to security of supply of the Union, including risks related to <u>the direct or indirect ownership or</u> control of storage infrastructure relevant for the security of gas supply by third-country entities. <u>The common risk assessments and any subsequent updates shall identify energy savings and energy efficiency measures, in line with the energy efficiency first principle pursuant to [Article X Energy Efficiency Directive recast] and the system efficiency principle pursuant to [Article X Energy Efficiency Directive recast].</u> This analysis shall compare the role of gas storages with alternative measures such as investments in energy efficiency and renewables. <u>The analysis shall include the cost efficiency of gas storage and shall take into account the risk of stranded investments.</u>	~~region, on the functioning of the storage capacities and their contribution to security of supply of the Union, including risks related to control of storage infrastructure relevant for the security of gas supply by third-country entities. This analysis shall compare the role of gas storages with alternative measures such as investments in energy efficiency and renewables.~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (3)				
749	3. Where the results of this analysis in the common risk assessment or in any updates to	3. Where the results of this analysis in the common risk assessment or in any updates to	~~3. Where the results of this analysis in the common risk assessment or in any updates to~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	this assessment indicate that there is a risk at regional level, which may be a risk for one or several Member States of the same risk group, that cannot otherwise be addressed, the Member States shall consider one or several of the following measures:	this assessment indicate that there is a risk at regional level, which may be a risk for one or several Member States of the same risk group, that cannot otherwise be addressed, the Member States shall consider <u>allowing for a possibility to fully integrate storages in the network</u> ~~one or several~~ of the ~~following~~ <u>transmission system operator in case the storage would otherwise stop operations, if such stop of operations would put at risk the secure and reliable functioning of the transmission system. Member States shall consult the relevant risk group before allowing for such a possibility, in particular with regard to how the</u> measures ~~address the risks identified in the common risk assessment. Such a measure shall apply to any storage facility, including storage sites controlled by third-country entities.~~	this assessment indicate that there is a risk at regional level, which may be a risk for one or several Member States of the same risk group, that cannot otherwise be addressed, the Member States shall consider one or several of the following measures:	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (3), point (a)				
750	a) obliging gas storage users to store a minimum volume of gas in underground storage,	<i>deleted</i>	a) ~~obliging gas storage users to store a minimum volume of gas in underground storage,~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 67, first paragraph, point (8), amending provision, numbered paragraph (3), point (b)				
751	b) tendering, auctioning or equivalent mechanisms which incentivise bookings of storage capacities under which the potential shortfalls in costs are covered,	<i>deleted</i>	~~b) tendering, auctioning or equivalent mechanisms which incentivise bookings of storage capacities under which the potential shortfalls in costs are covered,~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (3), point (c)				
752	c) obliging a transmission system operator to purchase and manage strategic stocks of gas,	<i>deleted</i>	~~c) obliging a transmission system operator to purchase and manage strategic stocks of gas,~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (3), point (d)				
753	d) allowing for a possibility to fully integrate storages in the network of the transmission system operator in case the storage would otherwise stop operations, if such stop of operations would put at risk the secure and reliable functioning of the transmission system.	<i>deleted</i>	~~d) allowing for a possibility to fully integrate storages in the network of the transmission system operator in case the storage would otherwise stop operations, if such stop of operations would put at risk the secure and reliable functioning of the transmission system.~~	
753a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>3a. Member States in the relevant risk group shall agree on a common coordinated procedure to withdraw the gas stored in storage referred to in paragraph 3 of this Article in the case of a crisis, as referred to in Article 11(1). The common coordinated procedure shall include the arrangements for the withdrawal of gas as part of the actions coordinated by the Commission in the case of a regional or Union emergency pursuant to Article 12(3).</u>		
Article 67, first paragraph, point (8), amending provision, sixth paragraph				
754	Such measures shall be subject to consultation in the relevant risk group, in particular on how the measures address the risks identified in the common risk assessment.	<i>deleted</i>	~~Such measures shall be subject to consultation in the relevant risk group, in particular on how the measures address the risks identified in the common risk assessment.~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (4)				
755	4. The measures adopted pursuant to Article 7a and paragraph 3 of this Article shall be necessary, clearly defined, transparent, proportionate, non-discriminatory	4. The measures adopted pursuant to Article 7a and paragraph 3 of this Article ~~shall be necessary, clearly defined, transparent, proportionate, non-discriminatory~~	~~4. The measures adopted pursuant to Article 7a and paragraph 3 of this Article shall be necessary, clearly defined, transparent, proportionate, non-~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and verifiable, and shall not unduly distort competition or the effective functioning of the internal market in gas or endanger the security of gas supply of other Member States or of the Union. The measures shall not block or restrict cross-border capacities allocated in line with the provisions of Commission Regulation (EU) 2017/459.	~~and verifiable, and~~ shall not unduly distort competition or the effective functioning of the internal market in gas or endanger the security of gas supply of other Member States or of the Union. ~~The measures and shall not block or restrict cross-border capacities allocated in line with the provisions of Commission Regulation (EU) 2017/459.~~ <u>be without prejudice to national security of supply rules which include gas stocks.</u>	~~discriminatory and verifiable, and shall not unduly distort competition or the effective functioning of the internal market in gas or endanger the security of gas supply of other Member States or of the Union. The measures shall not block or restrict cross-border capacities allocated in line with the provisions of Commission Regulation (EU) 2017/459.~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (5), first subparagraph				
756	5. If regional risks are identified, Member States in the relevant risk group shall aim at agreeing in the regional risk group on the targeted level of stocks in the region to ensure that the identified security of supply risk is covered in line with the common analysis of risks.	<i>deleted</i>	~~5. If regional risks are identified, Member States in the relevant risk group shall aim at agreeing in the regional risk group on the targeted level of stocks in the region to ensure that the identified security of supply risk is covered in line with the common analysis of risks.~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (5), second subparagraph				
757	Member States in the relevant risk group shall seek to agree on joint financing schemes of the measures taken pursuant to paragraph 3	<i>deleted</i>	~~Member States in the relevant risk group shall seek to agree on joint financing schemes of the measures taken pursuant to paragraph 3~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	chosen on the basis of the common risk assessment. The allocation of cost across Member States shall be fair and based on the analysis conducted in accordance with paragraph 2. If the measure is financed through a levy, this levy shall not be allocated to cross-border interconnection points. If Member States cannot agree on joint financing schemes, the Commission may adopt a legally non-binding guidance on the key elements to be included.		~~chosen on the basis of the common risk assessment. The allocation of cost across Member States shall be fair and based on the analysis conducted in accordance with paragraph 2. If the measure is financed through a levy, this levy shall not be allocated to cross-border interconnection points. If Member States cannot agree on joint financing schemes, the Commission may adopt a legally non-binding guidance on the key elements to be included.~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (6)				
758	6. Member States in the relevant risk group shall agree on a common coordinated procedure to withdraw the gas stored in storage referred to in paragraph 3 of this Article in case of emergency, as defined in Article 11(1). The common coordinated procedure shall include the procedure in case of withdrawal of gas as part of the actions coordinated by the Commission in case of regional or Union emergency as referred to in Article 12(3).	<i>deleted</i>	~~6. Member States in the relevant risk group shall agree on a common coordinated procedure to withdraw the gas stored in storage referred to in paragraph 3 of this Article in case of emergency, as defined in Article 11(1). The common coordinated procedure shall include the procedure in case of withdrawal of gas as part of the actions coordinated by the Commission in case of regional or Union emergency as referred to in Article 12(3).~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (7)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
759	7. After the internal consultation in the relevant risk group referred to in paragraph 3, the Member States shall consult the Gas Coordination Group. The Member States shall inform the Gas Coordination Group of the joint financing schemes and withdrawal procedures in paragraph 5 and 6.	7. After the internal consultation in the relevant risk group referred to in paragraph 3, the Member States shall consult the ~~Gas Coordination Group. The Member States shall inform the Gas Coordination Group of the joint financing schemes and withdrawal procedures in paragraph 5 and~~ <u>6-GCG.</u>	~~7. After the internal consultation in the relevant risk group referred to in paragraph 3, the Member States shall consult the Gas Coordination Group. The Member States shall inform the Gas Coordination Group of the joint financing schemes and withdrawal procedures in paragraph 5 and 6.~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (8)				
760	8. The measures which result from paragraph 3 shall be included in the risk assessments, and where applicable in the preventive action plan and the emergency plan, corresponding to the given period.	<i>deleted</i>	~~8. The measures which result from paragraph 3 shall be included in the risk assessments, and where applicable in the preventive action plan and the emergency plan, corresponding to the given period.~~	
Article 67, first paragraph, point (8), amending provision, twelfth paragraph				
761	Article 7c	Article 7c	~~Article 7e~~	
Article 67, first paragraph, point (8), amending provision, thirteenth paragraph				
762	EU wide risk assessment	EU wide risk assessment	~~EU wide risk assessment~~	
Article 67, first paragraph, point (8), amending provision, fourteenth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
763	As a transitional provision, within six months from the date of entry into force of this Regulation, all Member States shall complete the existing common and national risk assessments, and where applicable the preventive action plan and the emergency plan, by the necessary addendum to comply with Article 7b, paragraph 2 to 6. These updated plans shall be made public and notified to the Commission following the procedure in Article 8(7), and the Commission shall issue a recommendation under the conditions defined in Article 8(8), to be taken into consideration by the competent authority concerned following the procedure described in Article 8(9).	As a transitional provision, within six months from the date of entry into force of this Regulation, all Member States shall complete the existing common and national risk assessments, and where applicable the preventive action plan and the emergency plan, by the necessary addendum to comply with Article 7b, paragraph 2 to 6. These updated plans shall be made public and notified to the Commission following the procedure in Article 8(7), and the Commission shall issue a recommendation under the conditions defined in Article 8(8), to be taken into consideration by the competent authority concerned following the procedure described in Article 8(9).	~~As a transitional provision, within six months from the date of entry into force of this Regulation, all Member States shall complete the existing common and national risk assessments, and where applicable the preventive action plan and the emergency plan, by the necessary addendum to comply with Article 7b, paragraph 2 to 6. These updated plans shall be made public and notified to the Commission following the procedure in Article 8(7), and the Commission shall issue a recommendation under the conditions defined in Article 8(8), to be taken into consideration by the competent authority concerned following the procedure described in Article 8(9).~~	
Article 67, first paragraph, point (8), amending provision, fifteenth paragraph				
764	Article 7d	Article 7d	~~Article 7d~~	
Article 67, first paragraph, point (8), amending provision, sixteenth paragraph				
765	Joint procurement for strategic stocks	~~Joint procurement for strategic stocks~~ <u>Voluntary mechanism for the joint procurement of gas</u>	Joint procurement for strategic stocks	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 67, first paragraph, point (8), amending provision, numbered paragraph (1), first subparagraph				
766	1. Member States may set up a mechanism for the joint procurement of strategic stocks by transmission system operators as part of the preventive measures to ensure security of supply.	1. Member States may set up a <u>voluntary</u> mechanism for the joint procurement of ~~strategic stocks~~ <u>gas</u> by transmission system operators <u>or other undertakings designated by the Member States</u> as part of the preventive measures to ensure security of supply.	~~1. Member States may set up a mechanism for the joint procurement of strategic stocks by transmission system operators as part of the preventive measures to ensure security of supply.~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (1), second subparagraph				
767	The mechanism shall be designed in compliance with EU law and competition rules and in a way so that the strategic stocks can be used as part of the actions coordinated by the Commission in case of regional or Union emergency, as referred to in Article 12(3).	~~The~~ <u>Such a</u> mechanism shall be designed in compliance with ~~EU law and~~ <u>Union law, in particular Union and national</u> competition rules and in a way so that ~~the strategic stocks can~~ <u>gas can also</u> be used as part of the actions coordinated by the Commission in ~~case of~~ <u>the event of a</u> regional or Union emergency, as referred to in Article 12(3).	~~The mechanism shall be designed in compliance with EU law and competition rules and in a way so that the strategic stocks can be used as part of the actions coordinated by the Commission in case of regional or Union emergency, as referred to in Article 12(3).~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (1), third subparagraph				
768	The mechanism shall be open to participation of all transmission system operators within the Union who wish to join after its establishment.	The mechanism shall be open to participation of all transmission system operators <u>or other undertakings designated by the Member State, gas suppliers and</u>	~~The mechanism shall be open to participation of all transmission system operators within the Union who wish to join after its establishment.~~	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>other relevant market participants</u> within the Union who wish to join after its establishment.		
Article 67, first paragraph, point (8), amending provision, numbered paragraph (2)				
769	2. The participating Member States shall notify their intention to establish such mechanism to the Commission. The notification shall include the information necessary to assess the compliance with this Regulation, such as the volume of gas to be purchased, the duration of the measure, the participating transmission system operators, the governance arrangements, the operating procedures and conditions for activation in an emergency situation. It shall also specify the costs and benefits expected.	2. The participating Member States shall notify their intention to establish such <u>a</u> mechanism to the Commission. The notification shall include the information necessary to assess the compliance with this Regulation, such as the volume of gas to be purchased, the duration of the measure, the participating transmission system operators <u>or other undertakings designated by the Member States as well as gas suppliers and other relevant market participants</u> , the governance arrangements, the operating procedures and conditions for activation in an emergency situation. It shall also specify the costs and benefits expected. <u>The Commission shall inform the Gas Coordination Group of the notification received and if appropriate ACER.</u>	~~2. The participating Member States shall notify their intention to establish such mechanism to the Commission. The notification shall include the information necessary to assess the compliance with this Regulation, such as the volume of gas to be purchased, the duration of the measure, the participating transmission system operators, the governance arrangements, the operating procedures and conditions for activation in an emergency situation. It shall also specify the costs and benefits expected.~~	
Article 67, first paragraph, point (8), amending provision, numbered paragraph (3)				
770				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. The Commission may issue an opinion within a time limit of three months as to the compliance of the envisaged mechanism with this Regulation. The Commission shall inform the Gas Coordination Group of the notification received and if appropriate ACER. The participating Member States shall take the Commission opinion in the utmost account.	3. ~~The Commission may issue an opinion~~ Within ~~a time limit of three months as to the compliance of the envisaged mechanism with this Regulation. The Commission shall inform the Gas Coordination Group~~ <u>three months of a notification as referred to in paragraph 2, the Commission may issue an opinion as to the compliance</u> of the ~~notification received and if appropriate ACER~~ <u>envisaged mechanism with this Regulation.</u> - The participating Member States shall take the Commission opinion in the utmost account.	3. The Commission may issue an opinion within a time limit of three months as to the compliance of the envisaged mechanism with this Regulation. The Commission shall inform the Gas Coordination Group of the notification received and if appropriate ACER. The participating Member States shall take the Commission opinion in the utmost account.	
770a		<u>Article 7da</u>		
770b		<u>Commission guidelines on the use of voluntary mechanism for the joint procurement of gas</u>		
770c				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>By ... [three months after the date of entry into force of this Regulation], the Commission shall adopt guidelines on the use of voluntary mechanism for the joint procurement of gas referred to in Article 7d of this Regulation. When adopting those guidelines, the Commission shall take into account the lessons learnt from demand aggregation and joint purchasing established under Regulation (EU) 2022/2576.</u>		
Article 67, first paragraph, point (8), amending provision, twentieth paragraph				
771	Article 7e	Article 7e	~~Article 7e~~	
Article 67, first paragraph, point (8), amending provision, twenty-first paragraph				
772	Report on storage and joint procurement for strategic stocks	Report on storage and ~~joint procurement for strategic stocks~~ <u>voluntary mechanism for the joint procurement of gas</u>	Report on storage and joint procurement for strategic stocks	
Article 67, first paragraph, point (8), amending provision, twenty-second paragraph				
773	The Commission shall issue a report three years after the entry into force of this Regulation on the application of Articles 7b, Articles	~~The Commission shall issue a report three years after the~~ <u>By ... [one year after the date of entry into force of this Regulation], the</u>	~~The Commission shall issue a report three years after the entry into force of this Regulation on the~~ application of Articles 7b, Articles	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	7c and Article 7d and on the experience, benefits, costs, and any obstacles encountered in the use of the possibility of joint procurement for strategic stocks. "	<u>Commission shall submit a report to the European Parliament and to the Council</u> on the application of Articles 7b, ~~Articles~~ 7c and ~~Article~~ 7d and on the experience, benefits, costs, and any obstacles encountered in the use of the possibility of joint procurement ~~for strategic stocks~~ of gas. <u>That report shall be accompanied, if appropriate, by a legislative proposal.</u> "	~~7c and Article 7d and on the experience, benefits, costs, and any obstacles encountered in the use of the possibility of joint procurement for strategic stocks.~~ "	
773a		<u>Article 7ea</u>		
773b		<u>Transparency and information exchange</u>		
773c		<u>Natural gas undertakings or undertakings consuming gas established in the Union or authorities or regulated entities of Member States, which intend to enter into negotiations with</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>natural gas producers or suppliers on the purchase, trade or supply of gas of a volume above 5 TWh/year, shall inform the Commission of their intention to conclude a gas supply contract or a memorandum of understanding before concluding such a contract or memorandum of understanding in accordance with this Article.</u>		
773d		<u>Natural gas undertakings or undertakings consuming gas established in the Union or authorities or regulated entities of Member States shall inform the Commission at least six weeks before concluding a legally binding contract or memorandum of understanding referred to in paragraph 1, about the identity of the contract partner or partners, the relevant volumes, the relevant dates, the origin of gas and, where applicable, the service provider organising such purchases on behalf of a Member State.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
773e		<u>If the Commission considers that planned gas purchases of natural gas undertakings or undertakings consuming gas established in the Union or of authorities or regulated entities of Member States may have a negative impact on functioning of joint purchasing, the internal market, essential security interests of the Union, or on security of supply or energy solidarity, the Commission shall issue a recommendation to the relevant Member States to take appropriate measures to avoid such a negative impact. The Member State concerned shall take the utmost account of the Commission's recommendation.</u>		
773f		<u>When providing information to the Commission in accordance with paragraphs 1 and 2, the entities providing the information may indicate whether any part of the information, be it commercial or other information the disclosure of which could harm the activities of the parties involved, is to be regarded as</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>confidential and whether the information provided can be shared with other Member States.</u>		
773g		<u>Requests for confidentiality under this Article shall not restrict the access of the Commission itself to confidential information. The Commission shall ensure that access to the confidential information is strictly limited to the Commission services for which it is absolutely necessary to have the information available. Commission representatives shall handle sensitive information with due confidentiality.</u>		
773h		<u>Without prejudice to Article 346 TFEU, information that is confidential shall be exchanged with the Commission and other relevant authorities only where such exchange is necessary for the application of this Regulation. The information exchanged shall be limited to that which is relevant and proportionate to the</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>purpose of such exchange. Such exchange of information shall preserve the confidentiality of that information and protect the security and commercial interests of the entities falling within the scope of this Regulation. The Facility shall not use the information collected for any other purpose than for carrying out the contract.</i></u>		
773i		<u><i>All servers and information shall be physically located and stored in the territory of the Union.';</i></u>		
Article 67, first paragraph, point (9)				
774	(9) Article 8 is amended as follows:	(9) Article 8 is amended as follows:	(9) Article 8 is amended as follows:	
Article 67, first paragraph, point (9)(a)				
775	(a) paragraph 1 is deleted;	(a) paragraph 1 is deleted;	(a) paragraph 1 is deleted;	
Article 67, first paragraph, point (9)(b)				
776				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	(b) paragraph 3 is replaced by the following:	
Article 67, first paragraph, point (9)(b), amending provision, numbered paragraph (3), first subparagraph				
777	‘ 3. The preventive action plan and the emergency plan shall contain a regional chapter, or several regional chapters, where a Member State is a member of different risk groups as defined in Annex I.	‘ 3. The preventive action plan and the emergency plan shall contain a regional chapter, or several regional chapters, where a Member State is a member of different risk groups as defined in Annex I.	‘ 3. The preventive action plan and the emergency plan shall contain a regional chapter, or several regional chapters, where a Member State is a member of different risk groups as defined in Annex I.	
Article 67, first paragraph, point (9)(b), amending provision, numbered paragraph (3), second subparagraph				
778	The regional chapters shall be developed jointly by all Member States in the risk group before incorporation in the respective national plans. The Commission shall act as a facilitator so as to enable that the regional chapters collectively enhance the security of gas supply in the Union, and, do not give rise to any contradiction, and to overcome any obstacles to cooperation.	The regional chapters shall be developed jointly by all Member States in the risk group before incorporation in the respective national plans. The Commission shall act as a facilitator so as to enable that the regional chapters collectively enhance the security of gas supply in the Union, and, do not give rise to any contradiction, and to overcome any obstacles to cooperation.	The regional chapters shall be developed jointly by all Member States in the risk group before incorporation in the respective national plans. The Commission shall act as a facilitator so as to enable that the regional chapters collectively enhance the security of gas supply in the Union, and, do not give rise to any contradiction, and to overcome any obstacles to cooperation.	
Article 67, first paragraph, point (9)(b), amending provision, numbered paragraph (3), third subparagraph				
779				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The regional chapters shall contain appropriate and effective cross-border measures, including in relation to storages and LNG, subject to agreement between the Member States implementing the measures from the same or different risk groups affected by the measure on the basis of the simulation referred to in Article 7(1) and the common risk assessment.;	The regional chapters shall contain appropriate and effective cross-border measures, including in relation to storages and LNG, subject to agreement between the Member States implementing the measures from the same or different risk groups affected by the measure on the basis of the simulation referred to in Article 7(1) and the common risk assessment.;	The regional chapters shall contain appropriate and effective cross-border measures, including in relation to storages and LNG, subject to agreement between the Member States implementing the measures from the same or different risk groups affected by the measure on the basis of the simulation referred to in Article 7(1) and the common risk assessment.’;	
Article 67, first paragraph, point (10)				
780	(10) in paragraph 6, the following sentence is added:	(10) in paragraph 6, the following sentence is added:	~~(10) in paragraph 6, the following sentence is added:~~	
Article 67, first paragraph, point (10), amending provision, first paragraph				
781	‘ The proposal for cooperation may include the voluntary participation in joint procurement of strategic stocks, as referred to in Article 7c.;	‘ The proposal for cooperation may include the voluntary participation in joint procurement of strategic stocks, as referred to in Article 7c.;	‘ ~~The proposal for cooperation may include the voluntary participation in joint procurement of strategic stocks, as referred to in Article 7c.;~~	
Article 67, first paragraph, point (11)				
782				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(11) The following new Article 8a is inserted:	(11) The following new Article 8a is inserted:	(11) The following new Article 8a is inserted:	
Article 67, first paragraph, point (11), amending provision, first paragraph				
783	‘ Article 8a	‘ Article 8a	‘ Article 8a	
Article 67, first paragraph, point (11), amending provision, second paragraph				
784	Measures on cybersecurity	Measures on cybersecurity	Measures on cybersecurity	
Article 67, first paragraph, point (11), amending provision, numbered paragraph (1)				
785	1. When establishing the preventive action plans and the emergency plans, the Member States shall consider the appropriate measures related to cybersecurity.	1. When establishing the preventive action plans and the emergency plans, the Member States shall consider the appropriate measures related to cybersecurity.	1. When establishing the preventive action plans and the emergency plans, the Member States shall consider the appropriate measures related to cybersecurity.	
Article 67, first paragraph, point (11), amending provision, numbered paragraph (2)				
786	2. The Commission may adopt a delegated act in accordance with Article 19 establishing gas sector-specific rules for the cyber security aspects of cross-border gas flows, including rules on common minimum requirements,	2. The Commission may adopt a delegated act in accordance with Article 19 establishing gas sector-specific rules for the cyber security aspects of cross-border gas flows, including rules on common minimum requirements,	2. The Commission may adopt a delegated act in accordance with Article 19 establishing gas sector-specific rules for the cyber security aspects of cross-border gas flows, including rules on common minimum requirements,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	planning, monitoring, reporting and crisis management.	planning, monitoring, reporting and crisis management.	planning, monitoring, reporting and crisis management.	
Article 67, first paragraph, point (11), amending provision, numbered paragraph (3)				
787	3. To develop this delegated act, the Commission shall work closely with the European Union Agency for the Cooperation of Energy Regulators ACER, the Cybersecurity Agency ENISA, the European Network of Transmission System Operators for Gas (ENTSOG) and a limited number of main affected stakeholders, as well as entities with existing competences in cybersecurity, within their own mandate, such as cybersecurity operation centres (SOCs) relevant for regulated entities, and computer security incident response teams (CSIRT), as referred in Art 9 of the DIRECTIVE (EU) 2022/xxx on measures for a high common level of cybersecurity across the Union ,	3. To develop this delegated act, the Commission shall work closely with the European Union Agency for the Cooperation of Energy Regulators ACER, the Cybersecurity Agency ENISA, the European Network of Transmission System Operators for Gas (ENTSOG) and a limited number of main affected stakeholders, as well as entities with existing competences in cybersecurity, within their own mandate, such as cybersecurity operation centres (SOCs) relevant for regulated entities, and computer security incident response teams (CSIRT), as referred in Art 9 of the DIRECTIVE (EU) 2022/xxx on measures for a high common level of cybersecurity across the Union. 2 ;	3. To develop this delegated act, the Commission shall work closely with the European Union Agency for the Cooperation of Energy Regulators (‘ACER’), the European Union ~~ACER~~ , the ~~Cybersecurity Agency for~~ Cybersecurity (‘ENISA’), the European Network of Transmission System Operators for Gas (‘ENTSOG’) and a limited number of main affected stakeholders, as well as entities with existing competences in cybersecurity, within their own mandate, such as cybersecurity operation centres (SOCs) relevant for regulated ~~entities~~ , entities and computer security incident response teams (CSIRT), as referred to in the in ~~in~~ Art 9 of the ~~DIRECTIVE~~ Directive (EU) 2022/xxx ~~on~~ measures for a high common level of cybersecurity across the Union’ ,	
Article 67, first paragraph, point (12)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
788	(12) Article 9 is amended as follows:	(12) Article 9 is amended as follows:	(12) Article 9 is amended as follows:	
Article 67, first paragraph, point (12)(a)				
789	(a) paragraph 1 is amended as follows:	(a) paragraph 1 is amended as follows:	(a) paragraph 1 is amended as follows:	
Article 67, first paragraph, point (12)(a)(i)				
790	(i) point (e) is replaced by the following:	(i) point (e) is replaced by the following:	(i) point (e) is replaced by the following:	
Article 67, first paragraph, point (12)(a)(i), amending provision, first paragraph				
791	‘ (e) other preventive measures designed to address the risks identified in the risk assessment, as referred to in Article 7a(1), such as those relating to the need to enhance interconnections between neighbouring Member States, to further improve energy efficiency, to prevent capacity hoarding, to reduce gas demand and the possibility to diversify gas routes and sources of gas supply and the regional utilisation of existing storage and LNG capacities, if	‘ (e) other preventive measures designed to address the risks identified in the risk assessment, as referred to in Article 7a(1), such as those relating to the need to enhance interconnections between neighbouring Member States, to further improve energy efficiency, to prevent capacity hoarding, to reduce gas demand and the possibility to diversify gas routes and sources of gas supply and the regional utilisation of existing storage and LNG capacities, if	‘ (e) other preventive measures designed to address the risks identified in the risk assessment, as referred to in Article 7a(1), such as those relating to the need to enhance interconnections between neighbouring Member States, to further improve energy efficiency, to prevent capacity hoarding, to reduce gas demand and the possibility to diversify gas routes and sources of gas supply and the regional utilisation of existing storage and LNG capacities, if	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	appropriate, in order to maintain gas supply to all customers as far as possible;;	appropriate, in order to maintain gas supply to all customers as far as possible;;	appropriate, in order to maintain gas supply to all customers as far as possible;;	
Article 67, first paragraph, point (12)(a)(ii)				
792	(ii) point (k) is replaced by the following:	(ii) point (k) is replaced by the following:	(ii) point (k) is replaced by the following:	
Article 67, first paragraph, point (12)(a)(ii), amending provision, first paragraph				
793	‘ (k) information on all public service obligations that relate to the security of gas supply, including storage capacity obligations and strategic stocks;’	‘ (k) information on all public service obligations that relate to the security of gas supply, including storage capacity obligations and strategic stocks;’	‘ (k) information on all public service obligations that relate to the security of gas supply, including storage capacity obligations and strategic stocks;’ ² .	
Article 67, first paragraph, point (12)(a)(iii)				
794	(iii) the following point (l) is added:	(iii) the following point (l) is added:	(iii) the following point (l) is added:	
Article 67, first paragraph, point (12)(a)(iii), amending provision, first paragraph				
795	‘	‘	‘	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(l) information on measures related to cybersecurity, as referred to in Article 8a.;	(l) information on measures related to cybersecurity, as referred to in Article 8a.;	(l) ‘ (l) information on measures related to cybersecurity, as referred to in Article 8a.’;	
Article 67, first paragraph, point (13)				
796	(13) In Article 12(3), the following point (d) is added:	(13) In Article 12(3), the following point (d) is added:	(13) In Article 12(3), the following point (d) is added:	
Article 67, first paragraph, point (13), amending provision, first paragraph				
797	‘ (d) coordinate the actions with regard to the joint procurement of strategic stocks, as referred to in Article 7c.;	‘ (d) coordinate the actions with regard to the joint procurement of strategic stocks, as referred to in Article 7c.;	‘ (d) coordinate the actions with regard to the joint procurement of strategic stocks, as referred to in Article 7c.;	
Article 67, first paragraph, point (14)				
798	(14) Article 13 is amended as follows:	<i>deleted</i>	(14) Article 13 is amended as follows:	
Article 67, first paragraph, point (14)(a)				
799	(a) paragraphs 3, 4 and 5 are replaced by the following:	<i>deleted</i>	(a) paragraphs 3, 4 and 5 are replaced by the following:	
Article 67, first paragraph, point (14)(a), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
800	3. A solidarity measure shall be a last resort measure that shall apply only if the requesting Member State has:	<i>deleted</i>	3. A solidarity measure shall be a last resort measure that shall apply only if the requesting Member State has:	
Article 67, first paragraph, point (14)(a), amending provision, numbered paragraph (3), point (a)				
801	(a) declared an emergency state under Article 11;	<i>deleted</i>	(a) declared an emergency state under Article 11;	
Article 67, first paragraph, point (14)(a), amending provision, numbered paragraph (3), point (b)				
802	(b) not been able to cover the deficit in gas supply to its solidarity protected customers despite the application of the measure referred to in Article 11(3);	<i>deleted</i>	(b) not been able to cover the deficit in gas supply to its solidarity protected customers despite the application of the measure referred to in Article 11(3);	
Article 67, first paragraph, point (14)(a), amending provision, numbered paragraph (3), point (c)				
803	(c) exhausted all market-based measures ('voluntary measures'), all non-market based measures ('mandatory measures') and other measures contained in its emergency plan;	<i>deleted</i>	(c) exhausted all market-based measures ('voluntary measures'), all non-market based measures ('mandatory measures') and other measures contained in its emergency plan;	
Article 67, first paragraph, point (14)(a), amending provision, numbered paragraph (3), point (d)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
804	(d) notified an explicit request to the Commission and to the competent authorities of all Member States with which it is connected either directly or pursuant to paragraph 2 via a third country, accompanied by a description of the implemented measures referred to in point (b) of this paragraph and by the explicit commitment to pay fair and prompt compensation to the Member State providing solidarity in accordance with paragraph 8.	<i>deleted</i>	(d) notified an explicit request to the Commission and to the competent authorities of all Member States with which it is connected either directly or pursuant to paragraph 2 via a third country, accompanied by a description of the implemented measures referred to in point (b) of this paragraph and by the explicit commitment to pay fair and prompt compensation to the Member State providing solidarity in accordance with paragraph 8.	
Article 67, first paragraph, point (14)(a), amending provision, numbered paragraph (4), first subparagraph				
805	4. The Member States that receive a request for a solidarity measure shall make such offers on the basis of voluntary demand-side measures as much as and for as long as possible, before resorting to non-market-based measures.	<i>deleted</i>	4. The Member States that receive a request for a solidarity measure shall make such offers on the basis of voluntary demand-side measures as much as and for as long as possible, before resorting to non-market-based measures.	
Article 67, first paragraph, point (14)(a), amending provision, numbered paragraph (4), second subparagraph				
806	Where market-based measures prove insufficient for the Member State providing solidarity to address the deficit in gas supply to	<i>deleted</i>	Where market-based measures prove insufficient for the Member State providing solidarity to address the deficit in gas supply to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	solidarity protected customers in the requesting Member State, the Member State providing solidarity may introduce non-market-based measures in order to comply with the obligations laid down in paragraphs 1 and 2.		solidarity protected customers in the requesting Member State, the Member State providing solidarity may introduce non-market-based measures in order to comply with the obligations laid down in paragraphs 1 and 2.	
Article 67, first paragraph, point (14)(a), amending provision, numbered paragraph (5)				
807	5. If there is more than one Member State that could provide solidarity to a requesting Member State, the requesting Member State shall, after consulting all Member States required to provide solidarity, seek the most advantageous offer on the basis of cost, speed of delivery, reliability and diversification of supplies of gas. Should the available market based offers not be enough to cover the deficit in gas supply to the solidarity protected customers in the requesting Member State, the Member States required to provide solidarity shall be obliged to activate non-market based measures.	<i>deleted</i>	5. If there is more than one Member State that could provide solidarity to a requesting Member State, the requesting Member State shall, after consulting all Member States required to provide solidarity, seek the most advantageous offer on the basis of cost, speed of delivery, reliability and diversification of supplies of gas. Should the available market based offers not be ~~enough~~ sufficient to cover the deficit in gas supply to the solidarity protected customers in the requesting Member State, the Member States required to provide solidarity shall be obliged to activate non-market based measures.'	
Article 67, first paragraph, point (14)(b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
808	(b) In paragraph 10, the following subparagraph is added:	<i>deleted</i>	(b) In paragraph 10, the following subparagraph is added:	
Article 67, first paragraph, point (14)(b), amending provision, first paragraph				
809	Where a solidarity measure has been provided in accordance with paragraphs 1 and 2, the final amount of the compensation that has been paid by the requesting Member State shall be subject to ex-post control by the Regulatory Authority and/or the Competition Authority of the Providing Member State, within three months of the lifting of the emergency. The Requesting Member State shall be consulted and give its opinion on the conclusion of the ex-post control. Following the consultation with the Requesting Member State, the authority which exercises this ex-post control is entitled to require a rectification of the amount of the compensation, taking into account the opinion of the Requesting Member State. The conclusions of this ex-post control shall be transmitted to the European Commission, which will take them	<i>deleted</i>	Where a solidarity measure has been provided in accordance with paragraphs 1 and 2, the final amount of the compensation that has been paid by the requesting Member State shall be subject to ex-post control by the Regulatory Authority and/or the Competition Authority of the Providing Member State, within three months of the lifting of the emergency. The Requesting Member State shall be consulted and give its opinion on the conclusion of the ex-post control. Following the consultation with the Requesting Member State, the authority which exercises this ex-post control is entitled to require a rectification of the amount of the compensation, taking into account the opinion of the Requesting Member State. The conclusions of this ex-post control shall be transmitted to the European Commission, which will take them	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	into consideration in its report on the emergency pursuant to Article 14(3).;		into consideration in its report on the emergency pursuant to Article 14(3).’;	
Article 67, first paragraph, point (14)(c)				
810	(c) paragraph 14 is replaced by the following:	<i>deleted</i>	(c) paragraph 14 is replaced by the following:	
Article 67, first paragraph, point (14)(c), amending provision, numbered paragraph (14)				
811	‘ 14. The applicability of this Article shall not be affected if Member States fail to agree or finalise their technical, legal and financial arrangements. In such a situation, where a solidarity measure is needed to guarantee the gas supply to solidarity protected customers, the arrangements contained in (new) Annex IX shall apply by default to the request and provision of the relevant gas.’;	<i>deleted</i>	‘ 14. The applicability of this Article shall not be affected if Member States fail to agree or finalise their technical, legal and financial arrangements. In such a situation, where a solidarity measure is needed to guarantee the gas supply to solidarity protected customers, the arrangements contained in ~~(new)~~ Annex IX shall apply by default to the request and provision of the relevant gas.’;	
811a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(14a) The following articles are inserted:</u>		
811b		<u>Article 13a</u>		
811c		<u>Extension of solidarity protection to critical gas volumes for electricity security of supply</u>		
811d		<u>By way of derogation from Article 13(3), a solidarity measure pursuant to Article 13(1) and (2) shall apply only if the Member State requesting solidarity has not been able to cover:</u>		
811e		<u>(a) the deficit in gas supply to its solidarity protected customers or, where a Member State has taken temporary measures to reduce the non-essential consumption of protected customers in</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>accordance with Article 13b, the essential volumes of consumption of gas to its solidarity protected customers;</u>		
811f		<u>(b) the critical gas volume for electricity security of supply, despite the application of the measure referred to in Article 11(3). The conditions set out in Article 13(3), points (b), (c) and (d) shall apply.</u>		
811g		<u>The Member States which are obliged to provide solidarity pursuant to paragraph 1 shall be entitled to deduct from the solidarity offer;</u>		
811h		<u>(a) supplies to its solidarity protected customers to the extent essential volumes are affected or, where a Member State has taken temporary measures to reduce the non-essential consumption of</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>protected customers in accordance with Article 13b, the supplies of the essential volumes of consumption of gas of its solidarity protected customers;</u>		
811i		<u>(b) supplies of critical gas volumes for electricity security of supply;</u>		
811j		<u>(c) supplies of gas volumes for the electricity needed for the production and transportation of gas; and</u>		
811k		<u>(d) gas volumes necessary for the operations of security of supply critical infrastructure as referred to in Annex VIIIb as well as other installations crucial for the functioning of military, national security and humanitarian aid services.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
811l		<u>The critical gas volumes for electricity security of supply as referred to in paragraph 1, point (b), and paragraph 2, points (b) and (d) shall not exceed the volumes indicated in Annex VIIIa. If a Member State can demonstrate that a higher volume of gas is required to avoid an electricity crisis of a Member State, the Commission may, upon a duly reasoned request, decide to allow the deduction of higher volumes.</u>		
811m		<u>If Member States whose electricity system is synchronised only with the electricity system of a third country are requested to provide solidarity measures, they may exceptionally deduct higher volumes of gas in the event the electricity system is desynchronised from that third country's system for as long as isolated power system services or other services to the power transmission system operator are required to ensure the safe and</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>reliable operation of the power system.</u>		
811n		<u>Article 13b</u>		
811o		<u>Demand reduction measures concerning protected customers</u>		
811p		<u>Member States may, exceptionally, take temporary measures to reduce the non-essential consumption of protected customers, in particular when one of the crisis levels pursuant to Article 11(1) and Article 12, or the Union alert pursuant to Regulation (EU) 2022/1369, has been declared. Such measures shall be limited to non-essential uses of gas and shall take into account the elements set out in Article 6(2) of Regulation (EU) 2022/1369. Such exceptional measures may be taken only after an assessment is</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>carried out by the competent authorities with regard to the conditions to determine such non-essential volumes of gas.</u>		
811q		<u>As a result of measures referred to in paragraph 1 of this Article, the consumption of vulnerable customers, as defined by Member States in accordance with Article 25 of the recast Directive 2009/73/EC, shall under no circumstance be reduced, and Member States shall not disconnect protected customers as a result of the application of paragraph 1 of this Article.</u>		
811r		<u>Article 13c</u>		
811s		<u>Safeguards for cross-border flows</u>		
811t				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>In the case of a Commission request pursuant to Article 12(6), first subparagraph, to terminate undue restrictions of cross-border gas flows or of access to gas infrastructure, or measures endangering the gas supply in another Member State, the competent authority, or the Member State shall, instead of following the procedure provided for in Article 12(6), second subparagraph, modify its action or take action in order to ensure compliance with Article 12(5).</i></u>		
811u		<u><i>Article 13d</i></u>		
811v		<u><i>Temporary extension of solidarity obligations to Member States with LNG facilities</i></u>		
811w		<u><i>The obligation to provide solidarity measures pursuant to Article 13(1) shall not only apply</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>to Member States directly connected to the requesting Member State, but also to Member States with LNG facilities, provided that the necessary capacity in the relevant infrastructure, including the LNG vessels and carriers, is available.</u>		
811x		<u>Article 13, paragraphs (2) to (9), shall apply to Member States with LNG facilities unless otherwise provided for in this Regulation.</u>		
811y		<u>Member States with LNG facilities that are not directly connected to a requesting Member State may agree bilaterally with any other Member States on the necessary technical, legal and financial solidarity arrangements that apply to the provision of solidarity.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
811z		<u><i>The default rules for the provision of solidarity measures pursuant to Article 13e shall also apply to the non-connected Member States in so far as no bilateral arrangement is concluded at the time of the receipt of a solidarity request.</i></u>		
811aa		<u><i>Article 13e</i></u>		
811ab		<u><i>Default rules for solidarity measures</i></u>		
811ac		<u><i>Where two Member States have not agreed on the necessary technical, legal and financial arrangements pursuant to Article 13(10) (solidarity agreement), the delivery of gas pursuant to the obligation in Article 13(1) in the event of an emergency shall be subject to the conditions in this Article.</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
811ad		<u><i>The compensation for the solidarity measure shall not exceed the reasonable costs and, by derogation from Article 13(8), shall in any event include:</i></u>		
811ae		<u><i>(a) the price for gas in the Member State providing solidarity;</i></u>		
811af		<u><i>(b) the storage and transport costs, including possible fees resulting from the deviation of LNG cargoes to the interconnection point requested;</i></u>		
811ag		<u><i>(c) litigation costs for related judicial or arbitration proceedings involving the Member State providing solidarity;</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
811ah		<u>(d) other indirect costs that are not covered by the price for gas, such as the reimbursement of financial or other damages resulting from enforced firm load shedding of customers related to the provision of solidarity, provided that those indirect costs do not exceed 100 % of the price for gas.</u>		
811ai		<u>If a Member State requests compensation for indirect costs pursuant to paragraph (2), point (d) exceeding 100% of the gas price, the Commission shall, after consulting the relevant competent authorities, decide whether a higher compensation is appropriate, taking into account the specific contractual and national circumstances of the case and the principle of energy solidarity.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
811aj		<u>Unless the Member State requesting solidarity and the Member State providing solidarity agree on another price, the price for the gas supplied to the Member State requesting solidarity shall correspond to the day-ahead market price in the Member State providing solidarity the day preceding the request for solidarity or the corresponding day-ahead market price at the closest accessible exchange virtual trading point, or at an agreed hub over the day preceding the request for solidarity.</u>		
811ak		<u>Compensation for the gas volumes delivered in the context of a solidarity request pursuant to Article 13f shall be paid directly by the Member State requesting solidarity to the Member State providing solidarity or the entity both Member States indicate in their response to the solidarity request and the confirmation of receipt and of the volume to be taken.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
811al		<u><i>A Member State to which the request for a solidarity measure is addressed shall provide the solidarity measures as soon as possible and no later than three days after the request. A Member State may refuse to provide solidarity to a Member State requesting solidarity only where the first Member State demonstrates that:</i></u>		
811am		<u><i>(a) it does not have enough gas for the volumes referred to in Article 13a(2); or</i></u>		
811an		<u><i>(b) it does not have sufficient interconnection capacity available, as set out in Article 13(7) and it does not have the possibility to provide sufficient volumes of LNG.</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
811ao		<u><i>In addition to the default rules provided for in this Article, Member States may agree on technical arrangements and coordination of the provision of solidarity.</i></u>		
811ap		<u><i>This Article shall be without prejudice to existing arrangements for the safe and reliable operation of the gas system</i></u>		
811aq		<u><i>Article 13f</i></u>		
811ar		<u><i>Procedure for solidarity measures in the absence of a solidarity agreement</i></u>		
811as		<u><i>The Member State requesting the application of the solidarity</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>measures shall issue a solidarity request to another Member State, indicating at least the following information:</u>		
811at		<u>(a) the contact details of the competent authority of the Member State;</u>		
811au		<u>(b) the contact details of the relevant transmission system operators of the Member State (if relevant);</u>		
811av		<u>(c) the contact details of the third party acting on behalf of the Member State (if relevant);</u>		
811aw		<u>(d) the delivery period including the timing of the first possible delivery and the anticipated duration of deliveries;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
811ax		<u>(e) delivery and interconnection points;</u>		
811ay		<u>(f) the gas volume in kWh for each interconnection point;</u>		
811az		<u>(g) the gas quality.</u>		
811ba		<u>The solidarity request shall be sent, simultaneously, to Member States that are potentially able to provide solidarity measures, to the Commission and to the crisis managers designated pursuant to Article 10(1), point (g).</u>		
811bb		<u>The Member States receiving a solidarity request shall send a</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>response that indicates the contact details referred to in paragraph 1, points (a), (b) and (c), and the volume that can be supplied to the interconnection points and at the time requested as referred to in paragraph 1, points (d) to (g). The response shall indicate the volume resulting from possible curtailment, or, where strictly indispensable, release of strategic stocks where the volume that can be supplied by voluntary measures is insufficient.</u>		
811bc		<u>Solidarity requests shall be submitted at least 72 hours before the indicated delivery time for LNG and at least 24 hours before the indicated delivery time for gas transported by pipeline. The response to solidarity requests shall be effected within 12 hours. The confirmation of receipt and of the volume to be taken by the Member State requesting solidarity shall be effected within four hours of receipt of the solidarity offer.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
811bd		<u><i>The request may be submitted for a period of one day or several days, and the response shall match the requested duration.</i></u>		
811be		<u><i>Where there are several Member States providing solidarity and bilateral solidarity arrangements are in place with one or several of them, those arrangements shall prevail between the Member States having agreed bilaterally. The default rules provided for in this Article shall be applicable only in relation to the other Member States providing solidarity.</i></u>		
811bf		<u><i>The Commission may facilitate the implementation of solidarity agreements, in particular by a template in the form of a secured online platform to enable real-time transmission of requests and offers.</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
811bg		<u>Article 13g</u>		
811bh		<u>Review of solidarity measures</u>		
811bi		<u>By 1 July 2025, the Commission shall assess the applicability and efficiency of the LNG solidarity and the feasibility of solidarity involving Member States not directly connected. The Commission shall submit a report on the main findings of that assessment to the European Parliament and to the Council, and shall, if appropriate, propose amendments to the solidarity provisions of this Regulation.';</u>		
Article 67, first paragraph, point (15)				
812	(15) In Article 14(3), the first subparagraph is replaced by the following:	(15) In Article 14(3), the first subparagraph is replaced by the following:	(15) In Article 14(3), the first subparagraph is replaced by the following:	
Article 67, first paragraph, point (15), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
813	After an emergency, the competent authority referred to in paragraph 1 shall, as soon as possible and at the latest six weeks after the lifting of the emergency, provide the Commission with a detailed assessment of the emergency and the effectiveness of the measures implemented, including an assessment of the economic impact of the emergency, the impact on the electricity sector and the assistance provided to or received from, the Union and its Member States. Where relevant, the assessment shall include a detailed description of the circumstances that led to activating the mechanism in Article 13 and the conditions under which the missing gas supplies were received, including the price and financial compensation paid, and – where relevant – the reasons why the solidarity offers were not accepted and/or gas was not supplied. Such assessment shall be made available to the GCG and shall be reflected in the updates of the preventive action plans and the emergency plans.	After an emergency, the competent authority referred to in paragraph 1 shall, as soon as possible and at the latest six weeks after the lifting of the emergency, provide the Commission with a detailed assessment of the emergency and the effectiveness of the measures implemented, including an assessment of the economic impact of the emergency, the impact on the electricity sector and the assistance provided to or received from, the Union and its Member States. Where relevant, the assessment shall include a detailed description of the circumstances that led to activating the mechanism in Article 13 and the conditions under which the missing gas supplies were received, including the price and financial compensation paid, and – where relevant – the reasons why the solidarity offers were not accepted and/or gas was not supplied. Such assessment shall be made available to the GCG and shall be reflected in the updates of the preventive action plans and the emergency plans.	After an emergency, the competent authority referred to in paragraph 1 shall, as soon as possible and at the latest six weeks after the lifting of the emergency, provide the Commission with a detailed assessment of the emergency and the effectiveness of the measures implemented, including an assessment of the economic impact of the emergency, the impact on the electricity sector and the assistance provided to or received from, the Union and its Member States. Where relevant, the assessment shall include a detailed description of the circumstances that led to activating the mechanism in Article 13 and the conditions under which the missing gas supplies were received, including the price and financial compensation paid, and – where relevant – the reasons why the solidarity offers were not accepted and/or gas was not supplied. Such assessment shall be made available to the GCG and shall be reflected in the updates of the preventive action plans and the emergency plans.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 67, first paragraph, point (15a)				
813a			(15a) in Article 17a, the following paragraph is added:	
Article 67, first paragraph, point (15a), amending provision, numbered paragraph (2)				
813b			'2. The report that is to be submitted by 28 February 2025 shall also include a general assessment of the application of Articles 6a to 6d, Article 7(1) and (4)(g), Article 16(3), Article 17a, Article 18a, Article 20(4), and Annexes Ia and Ib to this Regulation. The report shall be accompanied, where necessary, by a legislative proposal to amend this Regulation.';	
813c		<u>(15a) The following articles are inserted:</u>		
813d				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>'Article 14a</u>		
813e		<u>Intra-day volatility management mechanism</u>		
813f		<u>By ... [one month after the entry into force of this Regulation], each trading venue on which energy-related commodity derivatives are traded shall set up, for each energy-related commodity derivative traded on it, an intra-day volatility management mechanism based on an upper and lower price boundary (price boundaries) that defines the prices above and below which orders may not be executed (intra-day volatility management mechanism).</u> <u>Trading venues shall ensure that the intra-day price volatility management mechanism prevents excessive movements of prices within a trading day for energy-related commodity derivatives.</u> <u>When setting up the intra-day volatility management</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>mechanism, trading venues shall also ensure that the implementation of these measures does not prevent the formation of reliable end-of-day closing prices.</u>		
813g		<u>For each energy-related commodity derivative traded on them, trading venues shall establish the applicable calculation method to determine the price boundaries relative to a reference price. The first reference price of the day shall be equal to the price determined upon the opening of the relevant trading session. The subsequent reference prices shall be the last market price observed at regular intervals. In the case of an interruption in trading during the trading day, the first reference price after the interruption shall be the opening price of the resumed trading.</u>		
813h		<u>The price boundaries shall be expressed either in absolute</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>value, or in relative terms in the form of a percentage variation relative to the reference price. Trading venues shall adjust that calculation method to the specificities of each energy-related commodity derivative, the liquidity profile of the market for such derivative and its volatility profile. The trading venue shall inform the competent authority of the method without undue delay.</u>		
813i		<u>Trading venues shall renew the price boundaries at regular intervals during trading hours, based on the reference price.</u>		
813j		<u>Trading venues shall without undue delay make public the features of the intra-day volatility management mechanism they have put in place or whenever they have applied a modification.</u>		
813k				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>Trading venues shall implement the intra-day volatility management mechanism either by integrating it into their existing circuit breakers already established in accordance with Directive 2014/65/EU or as an additional mechanism thereto.</u>	PUBLIC	
813l		<u>Where a trading venue intends to modify the calculation method for the price boundaries applicable to a given energy-related commodity derivative, it shall inform the competent authority of the intended modifications without undue delay.</u>		
813m		<u>Where the information collected by the European Securities and Market Authority (ESMA) in accordance with Article 14b(3) show that further consistency of implementation of the mechanism is needed to ensure more efficient management of excessive price volatility across the Union, the Commission may adopt</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>implementing acts specifying the uniform principles for the implementation of the intra-day volatility management mechanism, taking into account the specificities of each energy-related commodity derivative, the liquidity profile of the market for such derivative and its volatility profile. In particular, in order to ensure the smooth operation of trading venues that offer trading in energy-related commodity derivatives, the Commission may specify the intervals at which the price boundaries will be renewed or the measures to be taken if trading moves outside those price boundaries including provisions to ensure the formation of reliable closing prices. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 18a(2).</u>		
813n		<u>Article 14b</u>		
813o				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>Role of competent authorities</i></u>		
813p		<u><i>Competent authorities shall supervise the implementation of the intra-day volatility management mechanism. Competent authorities shall ensure that divergences in the implementation of the intra-day volatility management mechanisms by trading venues established in their Member States are duly justified by the specificities of the trading venues or energy-related commodity derivative concerned.</i></u>		
813q		<u><i>Competent authorities shall ensure that trading venues implement appropriate preliminary mechanisms ensuring that excessive volatility in energy-related commodity derivatives markets is mitigated until the set-up of the intra-day volatility management mechanism as referred to in Article 14a(1).</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
813r		<u>Competent authorities shall report to ESMA on the implementation of the intra-day volatility management mechanism by trading venues they supervise within three weeks from the date referred to in Article 14a(1) and at least on a quarterly basis.</u>		
813s		<u>Article 14c</u>		
813t		<u>Coordination role of ESMA</u>		
813u		<u>ESMA shall coordinate and monitor the implementation of the intra-day volatility management mechanisms on the basis of reports submitted to it by the competent authorities in accordance with Article 14b(3).</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
813v		<u>ESMA shall document any divergences in the implementation of the intra-day volatility management mechanisms across jurisdictions in the Union based on the reports from competent authorities. By 30 June 2023 and periodically thereafter, ESMA shall submit a report to the Commission evaluating the efficiency of the intra day volatility management mechanisms. On the basis of that report, the Commission shall consider whether to submit a legislative proposal for the amendment of this Regulation to the Council.’;</u>		
813w		<u>(15b) In Article 17a, the following paragraph is added:</u>		
813x		<u>2. The Commission shall, when it submits its report pursuant to</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>paragraph 1, by 28 February 2025, include a general assessment of the application of Articles 6a to 6d, Article 7(1) and (4)(g), Article 16(3), Article 17a, Article 18a, Article 20(4), and Annexes Ia and Ib. The report shall be accompanied, if appropriate, by a legislative proposal.';</u>		
Article 67, first paragraph, point (16)				
814	(16) Article 19 is amended as follows:	(16) Article 19 is amended as follows:	(16) Article 19 is amended as follows:	
Article 67, first paragraph, point (16)(a)				
815	(a) the first sentence of paragraph 2 is replaced by the following:	(a) the first sentence of paragraph 2 is replaced by the following:	(a) the first sentence of paragraph 2 is replaced by the following:	
Article 67, first paragraph, point (16)(a), amending provision, first paragraph				
816	‘ The power to adopt delegated acts referred to in Article 3(8), Article 7(5), Article 8(5) and Article 8a(2) shall be conferred on the Commission for a period of five years from [the date of adoption of the amendments].;	‘ The power to adopt delegated acts referred to in Article 3(8), Article 7(5), Article 8(5) and Article 8a(2) shall be conferred on the Commission for a period of five years from [the date of adoption of the amendments].;	‘ The power to adopt delegated acts referred to in Article 3(8), Article 7(5), Article 8(5) and Article 8a(2) (cybersecurity) shall be conferred on the Commission for a period of five years from [the date of adoption of the amendments].’;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	,	,	,	
Article 67, first paragraph, point (16)(b)				
817	(b) the first sentence of paragraph 3 is replaced by the following:	(b) the first sentence of paragraph 3 is replaced by the following:	(b) the first sentence of paragraph 3 is replaced by the following:	
Article 67, first paragraph, point (16)(b), amending provision, numbered paragraph (3)				
818	‘ 3. The delegation of power referred to in Article 3(8), Article 7(5), Article 8(5) and Article 8a(2) may be revoked at any time by the European Parliament or by the Council.;’	‘ 3. The delegation of power referred to in Article 3(8), Article 7(5), Article 8(5) and Article 8a(2) may be revoked at any time by the European Parliament or by the Council.;	‘ 3. The delegation of power referred to in Article 3(8), Article 7(5), Article 8(5) and Article 8a(2) (cybersecurity) may be revoked at any time by the European Parliament or by the Council.’;	
Article 67, first paragraph, point (16)(c)				
819	(c) the first sentence of paragraph 6 is replaced by the following:	(c) the first sentence of paragraph 6 is replaced by the following:	(c) the first sentence of paragraph 6 is replaced by the following:	
Article 67, first paragraph, point (16)(c), amending provision, numbered paragraph (6)				
820	‘ 6. A delegated act adopted pursuant to Article 3(8), Article 7(5), Article 8(5) and Article 8a(2) shall enter into force only if no	‘ 6. A delegated act adopted pursuant to Article 3(8), Article 7(5), Article 8(5) and Article 8a(2) shall enter into force only if no	‘ 6. A delegated act adopted pursuant to Article 3(8), Article 7(5), Article 8(5) and Article 8a(2) (cybersecurity) shall enter into	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object.;	objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object.;	force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object.’;	
820a		<u>(16a) In Article 22, paragraph 4 is deleted;</u>		
Article 67, first paragraph, point (17)				
821	(17) Annex VI is amended as follows:	(17) Annex VI is amended as follows:	(17) Annex VI is amended as follows:	
Article 67, first paragraph, point (17)(a)				
822	(a) in section 5(a), second subparagraph, the following indent is inserted after the second indent ‘Measures to diversify gas routes and sources of supply,’	(a) in section 5(a), second subparagraph, the following indent is inserted after the second indent ‘Measures to diversify gas routes and sources of supply,’	(a) in section 5(a), second subparagraph, the following indent is inserted after the second indent ‘Measures to diversify gas routes and sources of supply,’	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 67, first paragraph, point (17)(a), amending provision, first paragraph				
823	‘ - Measures to prevent capacity hoarding,; ’,	‘ - Measures to prevent capacity hoarding,; ’,	‘ - Measures to prevent capacity hoarding, ’; ’,	
Article 67, first paragraph, point (17)(b)				
824	(b) in section 11.3, point (a), second subparagraph, the following indent is inserted after the second indent ‘Measures to diversify gas routes and sources of supply, ’;	(b) in section 11.3, point (a), second subparagraph, the following indent is inserted after the second indent ‘Measures to diversify gas routes and sources of supply, ’;	(b) in section 11.3, point (a) , second subparagraph, the following indent is inserted after the second indent ‘Measures to diversify gas routes and sources of supply, ’;	
Article 67, first paragraph, point (17)(b), amending provision, first paragraph				
825	‘ - Measures to prevent capacity hoarding,; ’,	‘ - Measures to prevent capacity hoarding,; ’,	‘ - Measures to prevent capacity hoarding, ’; ’,	
825a		<u><i>(17a) The following Annexes are inserted:</i></u>		
825b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>ANNEX VIIIa</u>		
825c		<u>(a) Maximum critical gas volumes for electricity security of supply pursuant to Article 13a for the period between December 2022 to March 2023 (values in million cubic metres) ⁽¹⁾:</u> <u>(¹) The figures in Annex I, parts (a) and (b), are based on data from the winter adequacy assessment pursuant to Article 9 of Regulation (EU) 2019/941 by the European Network of Transmission System Operators for Electricity (ENTSO-E), except for Malta for which the electricity generation relies exclusively on LNG deliveries with no significant storage capacities. Given the specificity of the low-calorific gas, the values for the Netherlands in this table should be multiplied with a conversion factor of 37,89 divided by 35,17. Annex I, part (a), represents the individual monthly volumes calculated by ENTSO-E for the months December 2022 to March 2023; the figures in Annex I, part</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>(b), for the months April 2023 to December 2023 represent the average of the values in the period between December 2022 and March 2023.</u>		
825d		<u>(b) Maximum critical gas volumes for electricity security of supply pursuant to Article 13a for the period between April 2023 to December 2023 (values in million cubic metres):</u>		
825e		<u>ANNEX VIIIb</u>		
825f		<u>Security of supply critical infrastructure pursuant to Article 13a(2), point (d)</u>		
Article 67, first paragraph, point (18)				
826	(18) The text set out in Annex II to this Regulation is added as	(18) The text set out in Annex II to this Regulation is added as	(18) The text set out in Annex II to this Regulation is added as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Annex IX to Regulation (EU) 2017/1938.	Annex IX to Regulation (EU) 2017/1938.	Annex IX to Regulation (EU) 2017/1938.	
Article 68				
827	Article 68 Repeal	Article 68 Repeal	Article 68 Repeal	
Article 68, first paragraph				
828	Regulation (EC) No 715/2009 is repealed. References made to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex II.	Regulation (EC) No 715/2009 is repealed. References made to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex II.	Regulation (EC) No 715/2009 is repealed . References made to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex II.	
Article 69				
829	Article 69 Entry into force	Article 69 Entry into force	Article 69 Entry into force	
Article 69, first paragraph				
830	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
830a		<u>Article 67, point (8a) shall apply from ... [date of end of application of Regulation (EU) 2022/2576].</u>		
Article 69, second paragraph				
831	It shall apply from 1 January 2023.	<i>deleted</i>	It shall apply from [1 January 2023] .	
Article 69, third paragraph				
832	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	
Formula				
833	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				
834	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
835	The President	The President	The President	
Formula				
836	For the Council	For the Council	For the Council	
Formula				
837	The President	The President	The President	
Annex I				
838	Annex I	Annex I	Annex I	
Annex I, first paragraph				
839	GUIDELINES ON	GUIDELINES ON	GUIDELINES ON	
Annex I, Part I				
840	Part I 1. Information to be published on the methodology used to set the regulated revenue of the transmission system operator	Part I 1. Information to be published on the methodology used to set the regulated revenue of the transmission system operator	Part I 1. Information to be published on the methodology used to set the regulated revenue of the transmission system operator	
Annex I, second paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
841	The following information shall be published before the tariff period by the regulatory authority or the transmission system operator as decided by the regulatory authority.	The following information shall be published before the tariff period by the regulatory authority or the transmission system operator as decided by the regulatory authority.	The following information shall be published before the tariff period by the regulatory authority or the transmission system operator as decided by the regulatory authority.	
Annex I, third paragraph				
842	This information shall be provided separately for transmission activities where the transmission system operator is part of a larger commercial entity or holding.	This information shall be provided separately for transmission activities where the transmission system operator is part of a larger commercial entity or holding.	This information shall be provided separately for transmission activities where the transmission system operator is part of a larger commercial entity or holding.	
Annex I, point (1)				
843	1. The entity responsible calculating, setting and approving the different components of the methodology.	1. The entity responsible calculating, setting and approving the different components of the methodology.	1. The entity responsible calculating, setting and approving the different components of the methodology.	
Annex I, point (2)				
844	2. A description of the methodology, including at least a description of:	2. A description of the methodology, including at least a description of:	2. A description of the methodology, including at least a description of:	
Annex I, point (2)(a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
845	(a) the overall methodology, such as revenue-cap, hybrid, cost-plus or tariff benchmarking;	(a) the overall methodology, such as revenue-cap, hybrid, cost-plus or tariff benchmarking;	(a) the overall methodology, such as revenue-cap, hybrid, cost-plus or tariff benchmarking;	
Annex I, point (2)(b)				
846	(b) the methodology to set the regulated asset base (RAB), including:	(b) the methodology to set the regulated asset base (RAB), including:	(b) the methodology to set the ~~regulated~~ regulatory asset base (RAB), including:	
Annex I, point (2)(b)(i)				
847	(i) methodology to determine the initial (opening) value of the assets as applied at the start of the regulation and when incorporating new assets to the regulatory asset base;	(i) methodology to determine the initial (opening) value of the assets as applied at the start of the regulation and when incorporating new assets to the regulatory asset base;	(i) methodology to determine the initial (opening) value of the assets as applied at the start of the regulation and when incorporating new assets to the regulatory asset base;	
Annex I, point (2)(b)(ii)				
848	(ii) methodology to re-evaluate assets;	(ii) methodology to re-evaluate assets;	(ii) methodology to re-evaluate assets;	
Annex I, point (2)(b)(iii)				
849	(iii) explanations of the evolution of the value of the assets;	(iii) explanations of the evolution of the value of the assets;	(iii) explanations of the evolution of the value of the assets;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, point (2)(b)(iv)				
850	(iv) treatment of decommissioned assets;	(iv) treatment of decommissioned assets;	(iv) treatment of decommissioned assets;	
Annex I, point (2)(b)(v)				
851	(v) depreciation methodology applied to the regulated asset base, including any changes applied to the values.	(v) depreciation methodology applied to the regulated asset base, including any changes applied to the values.	(v) depreciation methodology applied to the ~~regulated~~ regulatory asset base, including any changes applied to the values.	
Annex I, point (2)(c)				
852	(c) the methodology to set the cost of capital;	(c) the methodology to set the cost of capital;	(c) the methodology to set the cost of capital;	
Annex I, point (2)(d)				
853	(d) the methodology to determine the total expenditure (TOTEX) or, if applicable, operational expenditure (OPEX) and capital expenditure (CAPEX);	(d) the methodology to determine the total expenditure (TOTEX) or, if applicable, operational expenditure (OPEX) and capital expenditure (CAPEX);	(d) the methodology to determine the total expenditure (TOTEX) or, if applicable, operational expenditure (OPEX) and capital expenditure (CAPEX);	
Annex I, point (2)(e)				
854	(e) the methodology to determine the efficiency of the cost, if applicable;	(e) the methodology to determine the efficiency of the cost, if applicable;	(e) the methodology to determine the efficiency of the cost, if applicable;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, point (2)(f)				
855	(f) the methodology applied to set the inflation;	(f) the methodology applied to set the inflation;	(f) the methodology applied to set the inflation;	
Annex I, point (2)(g)				
856	(g) the methodology to determine premia and incentives, if applicable;	(g) the methodology to determine premia and incentives, if applicable;	(g) the methodology to determine premia and incentives, if applicable;	
Annex I, point (2)(h)				
857	(h) non controllable costs;	(h) non controllable costs;	(h) non controllable costs;	
Annex I, point (2)(i)				
858	(i) services provided within the company holding, if applicable.	(i) services provided within the company holding, if applicable.	(i) services provided within the company holding, if applicable.	
Annex I, point (3)				
859	3. The values of the parameters used in the methodology	3. The values of the parameters used in the methodology	3. The values of the parameters used in the methodology	
Annex I, point (3)(a)				
860				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) the detailed values of the parameters that are part of the cost of equity and cost of debt or weighted average cost of capital expressed in percentages;	(a) the detailed values of the parameters that are part of the cost of equity and cost of debt or weighted average cost of capital expressed in percentages;	(a) the detailed values of the parameters that are part of the cost of equity and cost of debt or weighted average cost of capital expressed in percentages;	
Annex I, point (3)(b)				
861	(b) depreciation periods in years applicable separately to pipelines and compressors;	(b) depreciation periods in years applicable separately to pipelines and compressors;	(b) depreciation periods in years applicable separately to pipelines and compressors;	
Annex I, point (3)(c)				
862	(c) changes in the depreciation period or in the acceleration of the depreciation applied to assets;	(c) changes in the depreciation period or in the acceleration of the depreciation applied to assets;	(c) changes in the depreciation period or in the acceleration of the depreciation applied to assets;	
Annex I, point (3)(d)				
863	(d) efficiency targets in percentages;	(d) efficiency targets in percentages;	(d) efficiency targets in percentages;	
Annex I, point (3)(e)				
864	(e) inflation indices;	(e) inflation indices;	(e) inflation indices;	
Annex I, point (3)(f)				
865				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(f) premia and incentives.	(f) premia and incentives.	(f) premia and incentives.	
Annex I, point (4)				
866	4. The values of costs and expenditures that are used for setting the allowed or target revenue in the local currency and in euro of:	4. The values of costs and expenditures that are used for setting the allowed or target revenue in the local currency and in euro of:	4. The values of costs and expenditures that are used for setting the allowed or target revenue in the local currency and in euro of:	
Annex I, point (4)(a)				
867	(a) the regulated asset base per asset type detailed per year until its full depreciation, including:	(a) the regulated asset base per asset type detailed per year until its full depreciation, including:	(a) the ~~regulated~~ regulatory asset base per asset type detailed per year until its full depreciation, including:	
Annex I, point (4)(b)				
868	(b) investments added to the regulated asset base, per asset type;	(b) investments added to the regulated asset base, per asset type;	(b) investments added to the ~~regulated~~ regulatory asset base, per asset type;	
Annex I, point (4)(c)				
869	(c) the depreciation per asset type until the full depreciation of the assets;	(c) the depreciation per asset type until the full depreciation of the assets;	(c) the depreciation per asset type until the full depreciation of the assets;	
Annex I, point (4)(d)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
870	(d) the cost of capital including the cost of equity and the cost of debt;	(d) the cost of capital including the cost of equity and the cost of debt;	(d) the cost of capital including the cost of equity and the cost of debt;	
Annex I, point (4)(e)				
871	(e) operational expenditures;	(e) operational expenditures;	(e) operational expenditures;	
Annex I, point (4)(f)				
872	(f) premia and incentives detailed separately per item.	(f) premia and incentives detailed separately per item.	(f) premia and incentives detailed separately per item.	
Annex I, point (5), first subparagraph				
873	5. Financial indicators to be provided for the transmission system operator. In the event of the transmission system operator being part of a larger holding or company, these values shall be provided separately for the transmission system operator, including:	5. Financial indicators to be provided for the transmission system operator. In the event of the transmission system operator being part of a larger holding or company, these values shall be provided separately for the transmission system operator, including:	5. Financial indicators to be provided for the transmission system operator. In the event of the transmission system operator being part of a larger holding or company, these values shall be provided separately for the transmission system operator, including:	
Annex I, point (5), first subparagraph, point (a)				
874				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) earnings before interest, taxes, depreciation, and amortisation (EBITDA);	(a) earnings before interest, taxes, depreciation, and amortisation (EBITDA);	(a) earnings before interest, taxes, depreciation, and amortisation (EBITDA);	
Annex I, point (5), first subparagraph, point (b)				
875	(b) earnings before interest and taxes (EBIT);	(b) earnings before interest and taxes (EBIT);	(b) earnings before interest and taxes (EBIT);	
Annex I, point (5), first subparagraph, point (c)				
876	(c) return on assets I (ROA) = EBITDA / RAB;	(c) return on assets I (ROA) = EBITDA / RAB;	(c) return on assets I (ROA) = EBITDA / RAB;	
Annex I, point (5), first subparagraph, point (d)				
877	(d) return on assets II (ROA) = EBIT / RAB;	(d) return on assets II (ROA) = EBIT / RAB;	(d) return on assets II (ROA) = EBIT / RAB;	
Annex I, point (5), first subparagraph, point (e)				
878	(e) return on equity (ROE) = Profit / Equity;	(e) return on equity (ROE) = Profit / Equity;	(e) return on equity (ROE) = Profit / Equity;	
Annex I, fourth paragraph				
879	(aa) return on capital employed (RoCE);	(aa) return on capital employed (RoCE);	(aa) return on capital employed (RoCE);	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, fifth paragraph				
880	(bb) leverage ratio;	(bb) leverage ratio;	(bb) leverage ratio;	
Annex I, sixth paragraph				
881	(cc) net debt / (Net debt + Equity);	(cc) net debt / (Net debt + Equity);	(cc) net debt / (Net debt + Equity);	
Annex I, seventh paragraph				
882	(dd) net debt / EBITDA.	(dd) net debt / EBITDA.	(dd) net debt / EBITDA.	
Annex I, eighth paragraph				
883	The regulatory authority or the transmission system operator shall provide a simplified tariff model including the disaggregated parameters and values of the methodology and allowing to replicate the calculation of the allowed or target revenue of the transmission system operator.	The regulatory authority or the transmission system operator shall provide a simplified tariff model including the disaggregated parameters and values of the methodology and allowing to replicate the calculation of the allowed or target revenue of the transmission system operator.	The regulatory authority or the transmission system operator shall provide a simplified tariff model including the disaggregated parameters and values of the methodology and allowing to replicate the calculation of the allowed or target revenue of the transmission system operator.	
Annex I, point (6)				
884	6. Transmission system operators shall maintain and make available to the competent authority upon	6. Transmission system operators shall maintain and make available to the competent authority upon	6. Transmission system operators shall maintain and make available to the competent authority upon	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	request a daily log of the actual maintenance and flow disruptions that have occurred. Information shall also be made available on request to those affected by any disruption.	request a daily log of the actual maintenance and flow disruptions that have occurred. Information shall also be made available on request to those affected by any disruption.	request a daily log of the actual maintenance and flow disruptions that have occurred. Information shall also be made available on request to those affected by any disruption.	
Annex I, Part II				
885	Part II 2. Principles of capacity-allocation mechanisms and congestion- management procedures concerning transmission system operators and their application in the event of contractual congestion	Part II 2. Principles of capacity-allocation mechanisms and congestion- management procedures concerning transmission system operators and their application in the event of contractual congestion	Part II 2.—— Principles of capacity-allocation mechanisms and congestion- management procedures concerning transmission system operators and their application in the event of contractual congestion	
Annex I, point (6.1)				
886	6.1. Principles of capacity-allocation mechanisms and congestion-management procedures concerning transmission system operators	6.1. Principles of capacity-allocation mechanisms and congestion-management procedures concerning transmission system operators	6.1. 2.1. Principles of capacity-allocation mechanisms and congestion-management procedures concerning transmission system operators	
Annex I, ninth paragraph				
887	1. Capacity-allocation mechanisms and congestion-management procedures shall facilitate the development of	1. Capacity-allocation mechanisms and congestion-management procedures shall facilitate the development of	1. Capacity-allocation mechanisms and congestion-management procedures shall facilitate the development of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	competition and liquid trading of capacity and shall be compatible with market mechanisms including spot markets and trading hubs. They shall be flexible and capable of adapting to evolving market circumstances.	competition and liquid trading of capacity and shall be compatible with market mechanisms including spot markets and trading hubs. They shall be flexible and capable of adapting to evolving market circumstances.	competition and liquid trading of capacity and shall be compatible with market mechanisms including spot markets and trading hubs. They shall be flexible and capable of adapting to evolving market circumstances.	
Annex I, tenth paragraph				
888	2. Those mechanisms and procedures shall take into account the integrity of the system concerned as well as security of supply.	2. Those mechanisms and procedures shall take into account the integrity of the system concerned as well as security of supply.	2. Those mechanisms and procedures shall take into account the integrity of the system concerned as well as security of supply.	
Annex I, eleventh paragraph				
889	3. Those mechanisms and procedures shall neither hamper the entry of new market participants nor create undue barriers to market entry. They shall not prevent market participants, including new market entrants and companies with a small market share, from competing effectively.	3. Those mechanisms and procedures shall neither hamper the entry of new market participants nor create undue barriers to market entry. They shall not prevent market participants, including new market entrants and companies with a small market share, from competing effectively.	3. Those mechanisms and procedures shall neither hamper the entry of new market participants nor create undue barriers to market entry. They shall not prevent market participants, including new market entrants and companies with a small market share, from competing effectively.	
Annex I, twelfth paragraph				
890				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	4. Those mechanisms and procedures shall provide appropriate economic signals for efficient and maximum use of technical capacity and facilitate investment in new infrastructure.	4. Those mechanisms and procedures shall provide appropriate economic signals for efficient and maximum use of technical capacity and facilitate investment in new infrastructure.	4. Those mechanisms and procedures shall provide appropriate economic signals for efficient and maximum use of technical capacity and facilitate investment in new infrastructure.	
Annex I, thirteenth paragraph				
891	5. Network users shall be advised about the type of circumstance that could affect the availability of contracted capacity. Information on interruption should reflect the level of information available to the transmission system operator.	5. Network users shall be advised about the type of circumstance that could affect the availability of contracted capacity. Information on interruption should reflect the level of information available to the transmission system operator.	5. Network users shall be advised about the type of circumstance that could affect the availability of contracted capacity. Information on interruption ~~should~~ shall reflect the level of information available to the transmission system operator.	
Annex I, fourteenth paragraph				
892	6. Should difficulties in meeting contractual delivery obligations arise due to system integrity reasons, transmission system operators should notify network users and seek a non-discriminatory solution without delay.	6. Should difficulties in meeting contractual delivery obligations arise due to system integrity reasons, transmission system operators should notify network users and seek a non-discriminatory solution without delay.	6. Should difficulties in meeting contractual delivery obligations arise due to system integrity reasons, transmission system operators ~~should~~ shall notify network users and seek a non-discriminatory solution without delay.	
Annex I, fifteenth paragraph				
893				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Transmission system operators shall consult network users regarding procedures prior to their implementation and agree them with the regulatory authority.	Transmission system operators shall consult network users regarding procedures prior to their implementation and agree them with the regulatory authority.	Transmission system operators shall consult network users regarding procedures prior to their implementation and agree them with the regulatory authority.	
Annex I, point (6.2)				
894	6.2. Congestion management procedures in the event of contractual congestion	6.2. Congestion management procedures in the event of contractual congestion	6.2. 2.2. Congestion management procedures in the event of contractual congestion	
Annex I, point (6.2)(2.2.1)				
895	2.2.1. General provisions	2.2.1. General provisions	2.2.1. General provisions	
Annex I, sixteenth paragraph				
896	1. The provisions of point 2.2 shall apply to interconnection points between adjacent entry-exit systems, irrespective of whether they are physical or virtual, between two or more Member States or within the same Member State in so far as the points are subject to booking procedures by users. They may also apply to entry points from and exit points to third countries, subject to the decision of the relevant national	1. The provisions of point 2.2 shall apply to interconnection points between adjacent entry-exit systems, irrespective of whether they are physical or virtual, between two or more Member States or within the same Member State in so far as the points are subject to booking procedures by users. They may also apply to entry points from and exit points to third countries, subject to the decision of the relevant national	1. The provisions of point 2.2 shall apply to interconnection points between adjacent entry-exit systems, irrespective of whether they are physical or virtual, between two or more Member States or within the same Member State in so far as the points are subject to booking procedures by users. They may also apply to entry points from and exit points to third countries, subject to the decision of the relevant national	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	regulatory authority. Exit points to end-consumers and distribution networks, entry points from LNG terminals and production facilities, and entry-exit points from and to storage facilities are not subject to the provisions of point 2.2.	regulatory authority. Exit points to end-consumers and distribution networks, entry points from LNG terminals and production facilities, and entry-exit points from and to storage facilities are not subject to the provisions of point 2.2.	regulatory authority. Exit points to end-consumers and distribution networks, entry points from LNG terminals and production facilities, and entry-exit points from and to storage facilities are not subject to the provisions of point 2.2.	
Annex I, seventeenth paragraph				
897	2. On the basis of the information published by the transmission system operators pursuant to Section 3 of this Annex and, where appropriate, validated by national regulatory authorities, ACER shall publish a monitoring report on congestion at interconnection points with respect to firm capacity products sold in the preceding year, taking into consideration to the extent possible capacity trading on the secondary market and the use of interruptible capacity.	2. On the basis of the information published by the transmission system operators pursuant to Section 3 of this Annex and, where appropriate, validated by national regulatory authorities, ACER shall publish a monitoring report on congestion at interconnection points with respect to firm capacity products sold in the preceding year, taking into consideration to the extent possible capacity trading on the secondary market and the use of interruptible capacity.	2. On the basis of the information published by the transmission system operators pursuant to Section 3 of this Annex and, where appropriate, validated by national regulatory authorities, ACER shall publish a monitoring report on congestion at interconnection points with respect to firm capacity products sold in the preceding year, taking into consideration to the extent possible capacity trading on the secondary market and the use of interruptible capacity.	
Annex I, eighteenth paragraph				
898	The monitoring report shall be published every two years. ACER shall publish additional reports based on a substantiated request	The monitoring report shall be published every two years. ACER shall publish additional reports based on a substantiated request	The monitoring report shall be published every two years. ACER shall publish additional reports based on a substantiated request	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	from the Commission up to once per year.	from the Commission up to once per year.	from the Commission up to once per year.	
Annex I, nineteenth paragraph				
899	3. Any additional capacity made available through the application of one of the congestion-management procedures as provided for in points 2.2.2, 2.2.3, 2.2.4 and 2.2.5 shall be offered by the respective transmission system operator(s) in the regular allocation process.	3. Any additional capacity made available through the application of one of the congestion-management procedures as provided for in points 2.2.2, 2.2.3, 2.2.4 and 2.2.5 shall be offered by the respective transmission system operator(s) in the regular allocation process.	3. Any additional capacity made available through the application of one of the congestion-management procedures as provided for in points 2.2.2, 2.2.3, 2.2.4 and 2.2.5 shall be offered by the respective transmission system operator(s) in the regular allocation process.	
Annex I, twentieth paragraph				
900	2.2.2. Capacity increase through oversubscription and buy-back scheme	2.2.2. Capacity increase through oversubscription and buy-back scheme	2.2.2. Capacity increase through oversubscription and buy-back scheme	
Annex I, twenty-first paragraph				
901	1. Transmission system operators shall propose and, after approval by the national regulatory authority, implement an incentive-based oversubscription and buy-back scheme in order to offer additional capacity on a firm basis. Before implementation, the	1. Transmission system operators shall propose and, after approval by the national regulatory authority, implement an incentive-based oversubscription and buy-back scheme in order to offer additional capacity on a firm basis. Before implementation, the	1. Transmission system operators shall propose and, after approval by the national regulatory authority, implement an incentive-based oversubscription and buy-back scheme in order to offer additional capacity on a firm basis. Before implementation, the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	national regulatory authority shall consult with the national regulatory authorities of adjacent Member States and take account of the adjacent national regulatory authorities' opinions. Additional capacity is defined as the firm capacity offered in addition to the technical capacity of an interconnection point calculated on the basis of Article 5 (1) of this Regulation.	national regulatory authority shall consult with the national regulatory authorities of adjacent Member States and take account of the adjacent national regulatory authorities' opinions. Additional capacity is defined as the firm capacity offered in addition to the technical capacity of an interconnection point calculated on the basis of Article 5 (1) of this Regulation.	national regulatory authority shall consult with the national regulatory authorities of adjacent Member States and take account of the adjacent national regulatory authorities' opinions. Additional capacity is defined as the firm capacity offered in addition to the technical capacity of an interconnection point calculated on the basis of Article 5 (1) of this Regulation.	
Annex I, 2 paragraph				
902	2. The oversubscription and buy-back scheme shall provide transmission system operators with an incentive to make available additional capacity, taking account of the technical conditions, such as the calorific value, temperature and expected consumption, of the relevant entry-exit system and the capacities in adjacent networks. Transmission system operators shall apply a dynamic approach with regard to the recalculation of the technical or additional capacity of the entry-exit system.	2. The oversubscription and buy-back scheme shall provide transmission system operators with an incentive to make available additional capacity, taking account of the technical conditions, such as the calorific value, temperature and expected consumption, of the relevant entry-exit system and the capacities in adjacent networks. Transmission system operators shall apply a dynamic approach with regard to the recalculation of the technical or additional capacity of the entry-exit system.	2. The oversubscription and buy-back scheme shall provide transmission system operators with an incentive to make available additional capacity, taking account of the technical conditions, such as the calorific value, temperature and expected consumption, of the relevant entry-exit system and the capacities in adjacent networks. Transmission system operators shall apply a dynamic approach with regard to the recalculation of the technical or additional capacity of the entry-exit system.	
Annex I, 3 paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
903	3. The oversubscription and buy-back scheme shall be based on an incentive regime reflecting the risks of transmission system operators in offering additional capacity. The scheme shall be structured in such a way that revenues from selling additional capacity and costs arising from the buy-back scheme or measures pursuant to point 6 are shared between the transmission system operators and the network users. National regulatory authorities shall decide on the distribution of revenues and costs between the transmission system operator and the network user.	3. The oversubscription and buy-back scheme shall be based on an incentive regime reflecting the risks of transmission system operators in offering additional capacity. The scheme shall be structured in such a way that revenues from selling additional capacity and costs arising from the buy-back scheme or measures pursuant to point 6 are shared between the transmission system operators and the network users. National regulatory authorities shall decide on the distribution of revenues and costs between the transmission system operator and the network user.	3. The oversubscription and buy-back scheme shall be based on an incentive regime reflecting the risks of transmission system operators in offering additional capacity. The scheme shall be structured in such a way that revenues from selling additional capacity and costs arising from the buy-back scheme or measures pursuant to point 6 are shared between the transmission system operators and the network users. National regulatory authorities shall decide on the distribution of revenues and costs between the transmission system operator and the network user.	
Annex I, 4 paragraph				
904	4. For the purpose of determining transmission system operators' revenues, technical capacity, in particular surrendered capacity as well as, where relevant, capacity arising from the application of firm day-ahead use-it-or-lose-it and long term use-it-or-lose-it mechanisms, shall be considered to be allocated prior to any additional capacity.	4. For the purpose of determining transmission system operators' revenues, technical capacity, in particular surrendered capacity as well as, where relevant, capacity arising from the application of firm day-ahead use-it-or-lose-it and long term use-it-or-lose-it mechanisms, shall be considered to be allocated prior to any additional capacity.	4. For the purpose of determining transmission system operators' revenues, technical capacity, in particular surrendered capacity as well as, where relevant, capacity arising from the application of firm day-ahead use-it-or-lose-it and long term use-it-or-lose-it mechanisms, shall be considered to be allocated prior to any additional capacity.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, 5 paragraph				
905	5. In determining the additional capacity, the transmission system operator shall take into account statistical scenarios for the likely amount of physically unused capacity at any given time at interconnection points. It shall also take into account a risk profile for offering additional capacity which does not lead to excessive buy-back obligation. The oversubscription and buy-back scheme shall also estimate the likelihood and the costs of buying back capacity on the market and reflect this in the amount of additional capacity to be made available.	5. In determining the additional capacity, the transmission system operator shall take into account statistical scenarios for the likely amount of physically unused capacity at any given time at interconnection points. It shall also take into account a risk profile for offering additional capacity which does not lead to excessive buy-back obligation. The oversubscription and buy-back scheme shall also estimate the likelihood and the costs of buying back capacity on the market and reflect this in the amount of additional capacity to be made available.	5. In determining the additional capacity, the transmission system operator shall take into account statistical scenarios for the likely amount of physically unused capacity at any given time at interconnection points. It shall also take into account a risk profile for offering additional capacity which does not lead to excessive buy-back obligation. The oversubscription and buy-back scheme shall also estimate the likelihood and the costs of buying back capacity on the market and reflect this in the amount of additional capacity to be made available.	
Annex I, 6 paragraph				
906	6. Where necessary to maintain system integrity, transmission system operators shall apply a market-based buy-back procedure in which network users can offer capacity. Network users shall be informed about the applicable buy-back procedure. The application of	6. Where necessary to maintain system integrity, transmission system operators shall apply a market-based buy-back procedure in which network users can offer capacity. Network users shall be informed about the applicable buy-back procedure. The application of	6. Where necessary to maintain system integrity, transmission system operators shall apply a market-based buy-back procedure in which network users can offer capacity. Network users shall be informed about the applicable buy-back procedure. The application of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	a buy-back procedure is without prejudice to the applicable emergency measures.	a buy-back procedure is without prejudice to the applicable emergency measures.	a buy-back procedure is without prejudice to the applicable emergency measures.	
Annex I, 7 paragraph				
907	7. Transmission system operators shall, before applying a buy-back procedure, verify whether alternative technical and commercial measures can maintain system integrity in a more cost-efficient manner.	7. Transmission system operators shall, before applying a buy-back procedure, verify whether alternative technical and commercial measures can maintain system integrity in a more cost-efficient manner.	7. Transmission system operators shall, before applying a buy-back procedure, verify whether alternative technical and commercial measures can maintain system integrity in a more cost-efficient manner.	
Annex I, 8 paragraph				
908	8. When proposing the oversubscription and buy-back scheme the transmission system operator shall provide all relevant data, estimates, and models to the national regulatory authority in order for the latter to assess the scheme. The transmission system operator shall regularly report to the national regulatory authority on the functioning of the scheme and, upon request of the national regulatory authority, provide all relevant data. The national regulatory authority may request	8. When proposing the oversubscription and buy-back scheme the transmission system operator shall provide all relevant data, estimates, and models to the national regulatory authority in order for the latter to assess the scheme. The transmission system operator shall regularly report to the national regulatory authority on the functioning of the scheme and, upon request of the national regulatory authority, provide all relevant data. The national regulatory authority may request	8. When proposing the oversubscription and buy-back scheme the transmission system operator shall provide all relevant data, estimates, and models to the national regulatory authority in order for the latter to assess the scheme. The transmission system operator shall regularly report to the national regulatory authority on the functioning of the scheme and, upon request of the national regulatory authority, provide all relevant data. The national regulatory authority may request	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the transmission system operator to revise the scheme.	the transmission system operator to revise the scheme.	the transmission system operator to revise the scheme.	
Annex I, 9 paragraph				
909	2.2.3. Firm day-ahead use-it-or-lose-it mechanism	2.2.3. Firm day-ahead use-it-or-lose-it mechanism	2.2.3. Firm day-ahead use-it-or-lose-it mechanism	
Annex I, 4 paragraph				
910	1. National regulatory authorities shall require transmission system operators to apply at least the rules laid down in point 3 per network user at interconnection points with respect to altering the initial nomination if, on the basis of the yearly monitoring report of ACER in accordance with point 2.2.1(2), it is shown that at interconnection points demand exceeded offer, at the reserve price when auctions are used, in the course of capacity allocation procedures in the year covered by the monitoring report for products for use in either that year or in one of the subsequent two years,	1. National regulatory authorities shall require transmission system operators to apply at least the rules laid down in point 3 per network user at interconnection points with respect to altering the initial nomination if, on the basis of the yearly monitoring report of ACER in accordance with point 2.2.1(2), it is shown that at interconnection points demand exceeded offer, at the reserve price when auctions are used, in the course of capacity allocation procedures in the year covered by the monitoring report for products for use in either that year or in one of the subsequent two years,	1. National regulatory authorities shall require transmission system operators to apply at least the rules laid down in point 3 per network user at interconnection points with respect to altering the initial nomination if, on the basis of the yearly monitoring report of ACER in accordance with point 2.2.1(2), it is shown that at interconnection points demand exceeded offer, at the reserve price when auctions are used, in the course of capacity allocation procedures in the year covered by the monitoring report for products for use in either that year or in one of the subsequent two years,	
Annex I, 4 paragraph, point (a)				
911				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) for at least three firm capacity products with a duration of one month or	(a) for at least three firm capacity products with a duration of one month or	(a) for at least three firm capacity products with a duration of one month or	
Annex I, 4 paragraph, point (b)				
912	(b) for at least two firm capacity products with a duration of one quarter or	(b) for at least two firm capacity products with a duration of one quarter or	(b) for at least two firm capacity products with a duration of one quarter or	
Annex I, 4 paragraph, point (c)				
913	(c) for at least one firm capacity product with a duration of one year or more or	(c) for at least one firm capacity product with a duration of one year or more or	(c) for at least one firm capacity product with a duration of one year or more or	
Annex I, 4 paragraph, point (d)				
914	(d) where for at least six months no firm capacity product with a duration of one month or more has been offered.	(d) where for at least six months no firm capacity product with a duration of one month or more has been offered.	(d) where for at least six months no firm capacity product with a duration of one month or more has been offered.	
Annex I, 2 paragraph				
915	2. If, on the basis of the yearly monitoring report, it is shown that a situation as defined in point 1 is unlikely to reoccur in the following three years, for example	2. If, on the basis of the yearly monitoring report, it is shown that a situation as defined in point 1 is unlikely to reoccur in the following three years, for example	2. If, on the basis of the yearly monitoring report, it is shown that a situation as defined in point 1 is unlikely to reoccur in the following three years, for example	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	as a result of capacity becoming available from physical expansion of the network or termination of long-term contracts, the relevant national regulatory authorities may decide to terminate the firm day-ahead use-it-or-lose-it mechanism.	as a result of capacity becoming available from physical expansion of the network or termination of long-term contracts, the relevant national regulatory authorities may decide to terminate the firm day-ahead use-it-or-lose-it mechanism.	as a result of capacity becoming available from physical expansion of the network or termination of long-term contracts, the relevant national regulatory authorities may decide to terminate the firm day-ahead use-it-or-lose-it mechanism.	
Annex I, 3 paragraph				
916	3. Firm renomination is permitted up to 90 % and down to 10 % of the contracted capacity by the network user at the interconnection point. However, if the nomination exceeds 80 % of the contracted capacity, half of the non-nominated volume may be renominated upwards. If the nomination does not exceed 20 % of the contracted capacity, half of the nominated volume may be renominated downwards. The application of this point is without prejudice to the applicable emergency measures.	3. Firm renomination is permitted up to 90 % and down to 10 % of the contracted capacity by the network user at the interconnection point. However, if the nomination exceeds 80 % of the contracted capacity, half of the non-nominated volume may be renominated upwards. If the nomination does not exceed 20 % of the contracted capacity, half of the nominated volume may be renominated downwards. The application of this point is without prejudice to the applicable emergency measures.	3. Firm renomination is permitted up to 90 % and down to 10 % of the contracted capacity by the network user at the interconnection point. However, if the nomination exceeds 80 % of the contracted capacity, half of the non-nominated volume may be renominated upwards. If the nomination does not exceed 20 % of the contracted capacity, half of the nominated volume may be renominated downwards. The application of this point is without prejudice to the applicable emergency measures.	
Annex I, 4 paragraph				
917	4. The original holder of the contracted capacity may renominate the restricted part of its	4. The original holder of the contracted capacity may renominate the restricted part of its	4. The original holder of the contracted capacity may renominate the restricted part of its	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	contracted firm capacity on an interruptible basis.	contracted firm capacity on an interruptible basis.	contracted firm capacity on an interruptible basis.	
Annex I, 5 paragraph				
918	5. Point 3 shall not apply to network users — persons or undertakings and the undertakings they control pursuant to Article 3 of Regulation (EC) No 139/2004 – holding less than 10% of the average technical capacity in the preceding year at the interconnection point.	5. Point 3 shall not apply to network users — persons or undertakings and the undertakings they control pursuant to Article 3 of Regulation (EC) No 139/2004 – holding less than 10% of the average technical capacity in the preceding year at the interconnection point.	5. Point 3 shall not apply to network users — persons or undertakings and the undertakings they control pursuant to Article 3 of Regulation (EC) No 139/2004 – holding less than 10% of the average technical capacity in the preceding year at the interconnection point.	
Annex I, 6 paragraph				
919	6. On interconnection points where a firm day-ahead use-it-or-lose-it mechanism in accordance with point 3 is applied, an evaluation of the relationship with the oversubscription and buy-back scheme pursuant to point 2.2.2 shall be carried out by the national regulatory authority, which may result in a decision by the national regulatory authority not to apply the provisions of point 2.2.2 at those interconnection points. Such a decision shall be notified,	6. On interconnection points where a firm day-ahead use-it-or-lose-it mechanism in accordance with point 3 is applied, an evaluation of the relationship with the oversubscription and buy-back scheme pursuant to point 2.2.2 shall be carried out by the national regulatory authority, which may result in a decision by the national regulatory authority not to apply the provisions of point 2.2.2 at those interconnection points. Such a decision shall be notified,	6. On interconnection points where a firm day-ahead use-it-or-lose-it mechanism in accordance with point 3 is applied, an evaluation of the relationship with the oversubscription and buy-back scheme pursuant to point 2.2.2 shall be carried out by the national regulatory authority, which may result in a decision by the national regulatory authority not to apply the provisions of point 2.2.2 at those interconnection points. Such a decision shall be notified,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	without delay, to ACER and the Commission.	without delay, to ACER and the Commission.	without delay, to ACER and the Commission.	
Annex I, 7 paragraph				
920	7. A national regulatory authority may decide to implement a firm day-ahead use-it-or-lose-it mechanism pursuant to point 3 on an interconnection point. Before adopting its decision, the national regulatory authority shall consult with the national regulatory authorities of adjacent Member States. In adopting its decision, the national regulatory authority shall take account of the adjacent national regulatory authorities' opinions.	7. A national regulatory authority may decide to implement a firm day-ahead use-it-or-lose-it mechanism pursuant to point 3 on an interconnection point. Before adopting its decision, the national regulatory authority shall consult with the national regulatory authorities of adjacent Member States. In adopting its decision, the national regulatory authority shall take account of the adjacent national regulatory authorities' opinions.	7. A national regulatory authority may decide to implement a firm day-ahead use-it-or-lose-it mechanism pursuant to point 3 on an interconnection point. Before adopting its decision, the national regulatory authority shall consult with the national regulatory authorities of adjacent Member States. In adopting its decision, the national regulatory authority shall take account of the adjacent national regulatory authorities' opinions.	
Annex I, 8 paragraph				
921	2.2.4. Surrender of contracted capacity	2.2.4. Surrender of contracted capacity	2.2.4. Surrender of contracted capacity	
Annex I, 5 paragraph				
922	Transmission system operators shall accept any surrender of firm capacity which is contracted by the network user at an	Transmission system operators shall accept any surrender of firm capacity which is contracted by the network user at an	Transmission system operators shall accept any surrender of firm capacity which is contracted by the network user at an	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	interconnection point, with the exception of capacity products with a duration of a day and shorter. The network user shall retain its rights and obligations under the capacity contract until the capacity is reallocated by the transmission system operator and to the extent the capacity is not reallocated by the transmission system operator. Surrendered capacity shall be considered to be reallocated only after all the available capacity has been allocated. The transmission system operator shall notify the network user without delay of any reallocation of its surrendered capacity. Specific terms and conditions for surrendering capacity, in particular for cases where several network users surrender their capacity, shall be approved by the national regulatory authority.	interconnection point, with the exception of capacity products with a duration of a day and shorter. The network user shall retain its rights and obligations under the capacity contract until the capacity is reallocated by the transmission system operator and to the extent the capacity is not reallocated by the transmission system operator. Surrendered capacity shall be considered to be reallocated only after all the available capacity has been allocated. The transmission system operator shall notify the network user without delay of any reallocation of its surrendered capacity. Specific terms and conditions for surrendering capacity, in particular for cases where several network users surrender their capacity, shall be approved by the national regulatory authority.	interconnection point, with the exception of capacity products with a duration of a day and shorter. The network user shall retain its rights and obligations under the capacity contract until the capacity is reallocated by the transmission system operator and to the extent the capacity is not reallocated by the transmission system operator. Surrendered capacity shall be considered to be reallocated only after all the available capacity has been allocated. The transmission system operator shall notify the network user without delay of any reallocation of its surrendered capacity. Specific terms and conditions for surrendering capacity, in particular for cases where several network users surrender their capacity, shall be approved by the national regulatory authority.	
Annex I, 6 paragraph				
923	2.2.5. Long term use-it-or-lose-it mechanism	2.2.5. Long term use-it-or-lose-it mechanism	2.2.5. Long term use-it-or-lose-it mechanism	
Annex I, 6 paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
924	1. National regulatory authorities shall require transmission system operators to partially or fully withdraw systematically underutilised contracted capacity on an interconnection point by a network user where that user has not sold or offered under reasonable conditions its unused capacity and where other network users request firm capacity. Contracted capacity is considered to be systematically underutilised in particular if:	1. National regulatory authorities shall require transmission system operators to partially or fully withdraw systematically underutilised contracted capacity on an interconnection point by a network user where that user has not sold or offered under reasonable conditions its unused capacity and where other network users request firm capacity. Contracted capacity is considered to be systematically underutilised in particular if:	1. National regulatory authorities shall require transmission system operators to partially or fully withdraw systematically underutilised contracted capacity on an interconnection point by a network user where that user has not sold or offered under reasonable conditions its unused capacity and where other network users request firm capacity. Contracted capacity is considered to be systematically underutilised in particular if:	
Annex I, 6 paragraph, point (a)				
925	(a) the network user uses less than on average 80% of its contracted capacity both from 1 April until 30 September and from 1 October until 31 March with an effective contract duration of more than one year for which no proper justification could be provided; or	(a) the network user uses less than on average 80% of its contracted capacity both from 1 April until 30 September and from 1 October until 31 March with an effective contract duration of more than one year for which no proper justification could be provided; or	(a) the network user uses less than on average 80% of its contracted capacity both from 1 April until 30 September and from 1 October until 31 March with an effective contract duration of more than one year for which no proper justification could be provided; or	
Annex I, 6 paragraph, point (b)				
926	(b) the network user systematically nominates close to 100% of its contracted capacity	(b) the network user systematically nominates close to 100% of its contracted capacity	(b) the network user systematically nominates close to 100% of its contracted capacity	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and renominates downwards with a view to circumventing the rules laid down in point 2.2.3(3).	and renominates downwards with a view to circumventing the rules laid down in point 2.2.3(3).	and renominates downwards with a view to circumventing the rules laid down in point 2.2.3(3).	
Annex I, 2 paragraph				
927	2. The application of a firm day-ahead use-it-or-lose-it mechanism shall not be regarded as justification to prevent the application of point 1.	2. The application of a firm day-ahead use-it-or-lose-it mechanism shall not be regarded as justification to prevent the application of point 1.	2. The application of a firm day-ahead use-it-or-lose-it mechanism shall not be regarded as justification to prevent the application of point 1.	
Annex I, 3 paragraph				
928	3. Withdrawal shall result in the network user losing its contracted capacity partially or completely for a given period or for the remaining effective contractual term. The network user shall retain its rights and obligations under the capacity contract until the capacity is reallocated by the transmission system operator and to the extent the capacity is not reallocated by the transmission system operator.	3. Withdrawal shall result in the network user losing its contracted capacity partially or completely for a given period or for the remaining effective contractual term. The network user shall retain its rights and obligations under the capacity contract until the capacity is reallocated by the transmission system operator and to the extent the capacity is not reallocated by the transmission system operator.	3. Withdrawal shall result in the network user losing its contracted capacity partially or completely for a given period or for the remaining effective contractual term. The network user shall retain its rights and obligations under the capacity contract until the capacity is reallocated by the transmission system operator and to the extent the capacity is not reallocated by the transmission system operator.	
Annex I, 4 paragraph				
929	4. Transmission system operators shall regularly provide national	4. Transmission system operators shall regularly provide national	4. Transmission system operators shall regularly provide national	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	regulatory authorities with all the data necessary to monitor the extent to which contracted capacities with effective contract duration of more than one year or recurring quarters covering at least two years are used.	regulatory authorities with all the data necessary to monitor the extent to which contracted capacities with effective contract duration of more than one year or recurring quarters covering at least two years are used.	regulatory authorities with all the data necessary to monitor the extent to which contracted capacities with effective contract duration of more than one year or recurring quarters covering at least two years are used.	
Annex I, Part III				
930	Part III 3. Definition of the technical information necessary for network users to gain effective access to the natural gas system, the definition of all relevant points for transparency requirements and the information to be published at all relevant points and the time schedule according to which this information shall be published	Part III 3. Definition of the technical information necessary for network users to gain effective access to the natural gas system, the definition of all relevant points for transparency requirements and the information to be published at all relevant points and the time schedule according to which this information shall be published	Part III 3.— Definition of the technical information necessary for network users to gain effective access to the natural gas system, the definition of all relevant points for transparency requirements and the information to be published at all relevant points and the time schedule according to which this information shall be published	
Annex I, point (6.3)				
931	6.3. Definition of the technical information necessary for network users to gain effective access to the system	6.3. Definition of the technical information necessary for network users to gain effective access to the system	6.3. 3.1. Definition of the technical information necessary for network users to gain effective access to the system	
Annex I, point (6.3)(3.1.1)				
932				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3.1.1. Form of publication	3.1.1. Form of publication	3.1.1. Form of publication	
Annex I, 5 paragraph				
933	1. Transmission system operators (TSOs) shall provide all information referred to under point 3.1.2 and points 3.3(1) to 3.3(5) in the following manner:	1. Transmission system operators (TSOs) shall provide all information referred to under point 3.1.2 and points 3.3(1) to 3.3(5) in the following manner:	1. Transmission system operators (TSOs) shall provide all information referred to under point 3.1.2 and points 3.3(1) to 3.3(5) in the following manner:	
Annex I, 5 paragraph, point (a)				
934	(a) on a website accessible to the public, free of charge and without any need to register or otherwise sign on with the transmission system operator;	(a) on a website accessible to the public, free of charge and without any need to register or otherwise sign on with the transmission system operator;	(a) on a website accessible to the public, free of charge and without any need to register or otherwise sign on with the transmission system operator;	
Annex I, 5 paragraph, point (b)				
935	(b) on a regular/rolling basis; the frequency shall be according to the changes that take place and the duration of the service;	(b) on a regular/rolling basis; the frequency shall be according to the changes that take place and the duration of the service;	(b) on a regular/rolling basis; the frequency shall be according to the changes that take place and the duration of the service;	
Annex I, 5 paragraph, point (c)				
936	(c) in a user-friendly manner;	(c) in a user-friendly manner;	(c) in a user-friendly manner;	
Annex I, 5 paragraph, point (d)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
937	(d) in a clear, quantifiable, easily accessible way and on a non-discriminatory basis;	(d) in a <u>meaningful, quantifiably</u> clear, ~~quantifiable~~ , <u>and</u> easily accessible way and on a non-discriminatory basis;	(d) in a clear, quantifiable, easily accessible way and on a non-discriminatory basis;	
Annex I, 5 paragraph, point (e)				
938	(e) in a downloadable format that has been agreed between transmission system operators and the national regulatory authorities — on the basis of an opinion on a harmonised format that shall be provided by ACER — and that allows for quantitative analyses;	(e) in a downloadable format that has been agreed between transmission system operators and the national regulatory authorities — on the basis of an opinion on a harmonised format that shall be provided by ACER — and that allows for quantitative <u>and comparative</u> analyses;	(e) in a downloadable format that has been agreed between transmission system operators and the national regulatory authorities — on the basis of an opinion on a harmonised format that shall be provided by ACER — and that allows for quantitative analyses;	
Annex I, 5 paragraph, point (f)				
939	(f) in consistent units, in particular kWh (with a combustion reference temperature of 298,15 K) shall be the unit for energy content and m ³ (at 273,15 K and 1,01325 bar) shall be the unit for volume. The constant conversion factor to energy content shall be provided. In addition to the format above, publication in other units is also possible;	(f) in consistent units, in particular kWh (with a combustion reference temperature of 298,15 K) shall be the unit for energy content and m ³ (at 273,15 K and 1,01325 bar) shall be the unit for volume. The constant conversion factor to energy content shall be provided. In addition to the format above, publication in other units is also possible;	(f) in consistent units, in particular kWh (with a combustion reference temperature of 298,15 K) shall be the unit for energy content and m ³ (at 273,15 K and 1,01325 bar) shall be the unit for volume. The constant conversion factor to energy content shall be provided. In addition to the format above, publication in other units is also possible;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, 5 paragraph, point (g)				
940	(g) in the official language(s) of the Member State and in English;	(g) in the official language(s) of the Member State and in English;	(g) in the official language(s) of the Member State and in English;	
Annex I, 5 paragraph, point (h)				
941	(h) all data shall be made available on one Union-wide central platform, established by ENTSOG on a cost-efficient basis.	(h) all data shall be made available on one Union-wide central platform, established by ENTSOG on a cost-efficient basis.	(h) all data shall be made available on one Union-wide central platform, established by ENTSOG on a cost-efficient basis.	
Annex I, 2 paragraph				
942	2. Transmission system operators shall provide details on actual changes to all information referred to under point 3.1.2 and points 3.3(1) to 3.3(5) in a timely manner as soon as available to them.	2. Transmission system operators shall provide details on actual changes to all information referred to under point 3.1.2 and points 3.3(1) to 3.3(5) in a timely manner as soon as available to them.	2. Transmission system operators shall provide details on actual changes to all information referred to under point 3.1.2 and points 3.3(1) to 3.3(5) in a timely manner as soon as available to them.	
Annex I, 3 paragraph				
943	3.1.2. Content of publication	3.1.2. Content of publication	3.1.2. Content of publication	
Annex I, 3 paragraph				
944	1. Transmission system operators shall publish at least the following	1. Transmission system operators shall publish at least the following	1. Transmission system operators shall publish at least the following	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information about their systems and services:	information about their systems and services:	information about their systems and services:	
Annex I, 3 paragraph, point (a)				
945	(a) a detailed and comprehensive description of the different services offered and their charges;	(a) a detailed and comprehensive description of the different services offered and their charges;	(a) a detailed and comprehensive description of the different services offered and their charges;	
Annex I, 3 paragraph, point (b)				
946	(b) the different types of transportation contracts available for these services;	(b) the different types of transportation contracts available for these services;	(b) the different types of ~~transportation~~ transport contracts available for these services;	
Annex I, 3 paragraph, point (c)				
947	(c) the network code and/or the standard conditions outlining the rights and responsibilities of all network users including:	(c) the network code and/or the standard conditions outlining the rights and responsibilities of all network users including:	(c) the network code and/or the standard conditions outlining the rights and responsibilities of all network users including:	
Annex I, 3 paragraph, point (c)(i)				
948	(i) harmonised transportation contracts and other relevant documents;	(i) harmonised transportation contracts and other relevant documents;	(i) harmonised ~~transportation~~ transport contracts and other relevant documents;	
Annex I, 3 paragraph, point (c)(ii)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
949	(ii) if relevant for access to the system, for all relevant points as defined in point 3.2 of this Annex, a specification of relevant gas quality parameters, including at least the gross calorific value, Wobbe index and oxygen content, and the liability or costs of conversion for network users in case gas is outside these specifications;	(ii) if relevant for access to the system, for all relevant points as defined in point 3.2 of this Annex, a specification of relevant gas quality parameters, including at least the gross calorific value, Wobbe index and oxygen content, and the liability or costs of conversion for network users in case gas is outside these specifications;	(ii) if relevant for access to the system, for all relevant points as defined in point 3.2 of this Annex, a specification of relevant gas quality parameters, including at least the gross calorific value, Wobbe index and oxygen content, and the liability or costs of conversion for network users in case gas is outside these specifications;	
Annex I, 3 paragraph, point (c)(iii)				
950	(iii) if relevant for access to the system, for all relevant points information on pressure requirements;	(iii) if relevant for access to the system, for all relevant points information on pressure requirements;	(iii) if relevant for access to the system, for all relevant points information on pressure requirements;	
Annex I, 3 paragraph, point (c)(iv)				
951	(iv) the procedure in the event of an interruption of interruptible capacity, including, where applicable, the timing, extent, and ranking of individual interruptions (for example pro-rata or first-come-last-interrupted);	(iv) the procedure in the event of an interruption of interruptible capacity, including, where applicable, the timing, extent, and ranking of individual interruptions (for example pro-rata or first-come-last-interrupted);	(iv) the procedure in the event of an interruption of interruptible capacity, including, where applicable, the timing, extent, and ranking of individual interruptions (for example pro-rata or first-come-last-interrupted);	
Annex I, 3 paragraph, point (d)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
952	(d) the harmonised procedures applied when using the transmission system, including the definition of key terms;	(d) the harmonised procedures applied when using the transmission system, including the definition of key terms;	(d) the harmonised procedures applied when using the transmission system, including the definition of key terms;	
Annex I, 3 paragraph, point (e)				
953	(e) provisions on capacity allocation, congestion management and anti-hoarding and reutilisation procedures;	(e) provisions on capacity allocation, congestion management and anti-hoarding and reutilisation procedures;	(e) provisions on capacity allocation, congestion management and anti-hoarding and reutilisation procedures;	
Annex I, 3 paragraph, point (f)				
954	(f) the rules applicable for capacity trade on the secondary market vis-à-vis the transmission system operator;	(f) the rules applicable for capacity trade on the secondary market vis-à-vis the transmission system operator;	(f) the rules applicable for capacity trade on the secondary market vis-à-vis the transmission system operator;	
Annex I, 3 paragraph, point (g)				
955	(g) rules on balancing and methodology for the calculation of imbalance charges;	(g) rules on balancing and methodology for the calculation of imbalance charges;	(g) rules on balancing and methodology for the calculation of imbalance charges;	
Annex I, 3 paragraph, point (h)				
956	(h) if applicable, the flexibility and tolerance levels included in	(h) if applicable, the flexibility and tolerance levels included in	(h) if applicable, the flexibility and tolerance levels included in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	transportation and other services without separate charge, as well as any flexibility offered in addition to this and the corresponding charges;	transportation and other services without separate charge, as well as any flexibility offered in addition to this and the corresponding charges;	transportation and other services without separate charge, as well as any flexibility offered in addition to this and the corresponding charges;	
Annex I, 3 paragraph, point (i)				
957	(i) a detailed description of the gas system of the transmission system operator and its relevant points of interconnection as defined in point 3.2 of this Annex as well as the names of the operators of the interconnected systems or facilities;	(i) a detailed description of the gas system of the transmission system operator and its relevant points of interconnection as defined in point 3.2 of this Annex as well as the names of the operators of the interconnected systems or facilities;	(i) a detailed description of the gas system of the transmission system operator and its relevant points of interconnection as defined in point 3.2 of this Annex as well as the names of the operators of the interconnected systems or facilities;	
Annex I, 3 paragraph, point (j)				
958	(j) the rules applicable for connection to the system operated by the transmission system operator;	(j) the rules applicable for connection to the system operated by the transmission system operator;	(j) the rules applicable for connection to the system operated by the transmission system operator;	
Annex I, 3 paragraph, point (k)				
959	(k) information on emergency mechanisms, as far as it is the responsibility of the transmission system operator, such as measures that can lead to the disconnection	(k) information on emergency mechanisms, as far as it is the responsibility of the transmission system operator, such as measures that can lead to the disconnection	(k) information on emergency mechanisms, as far as it is the responsibility of the transmission system operator, such as measures that can lead to the disconnection	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of customers groups and other general liability rules that apply to the transmission system operator;	of customers groups and other general liability rules that apply to the transmission system operator;	of customers groups and other general liability rules that apply to the transmission system operator;	
Annex I, 3 paragraph, point (l)				
960	(l) procedures agreed upon by transmission system operators at interconnection points, of relevance for access of network users to the transmission systems concerned, relating to interoperability of the network, agreed procedures on nomination and matching procedures and other agreed procedures that set out provisions in relation to gas flow allocations and balancing, including the methods used;	(l) procedures agreed upon by transmission system operators at interconnection points, of relevance for access of network users to the transmission systems concerned, relating to interoperability of the network, agreed procedures on nomination and matching procedures and other agreed procedures that set out provisions in relation to gas flow allocations and balancing, including the methods used;	(l) procedures agreed upon by transmission system operators at interconnection points, of relevance for access of network users to the transmission systems concerned, relating to interoperability of the network, agreed procedures on nomination and matching procedures and other agreed procedures that set out provisions in relation to gas flow allocations and balancing, including the methods used;	
Annex I, 3 paragraph, point (m)				
961	(m) transmission system operators shall publish a detailed and comprehensive description of the methodology and process, including information on the parameters employed and the key assumptions, used to calculate the technical capacity.	(m) transmission system operators shall publish a detailed and comprehensive description of the methodology and process, including information on the parameters employed and the key assumptions, used to calculate the technical capacity.	(m) transmission system operators shall publish a detailed and comprehensive description of the methodology and process, including information on the parameters employed and the key assumptions, used to calculate the technical capacity.	
Annex I, point (6.4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
962	6.4. Definition of all relevant points for transparency requirements	6.4. Definition of all relevant points for transparency requirements	6.4. 3.2. Definition of all relevant points for transparency requirements	
Annex I, 2 paragraph				
963	1. Relevant points shall include at least:	1. Relevant points shall include at least:	1. Relevant points shall include at least:	
Annex I, 2 paragraph, point (a)				
964	(a) all entry and exit points to and from a transmission network operated by a transmission system operator, with the exception of exit points connected to a single final customer, and with the exception of entry points linked directly to a production facility of a single producer that is located within the EU;	(a) all entry and exit points to and from a transmission network operated by a transmission system operator, with the exception of exit points connected to a single final customer, and with the exception of entry points linked directly to a production facility of a single producer that is located within the EU;	(a) all entry and exit points to and from a transmission network operated by a transmission system operator, with the exception of exit points connected to a single final customer, and with the exception of entry points linked directly to a production facility of a single producer that is located within the EU;	
Annex I, 2 paragraph, point (b)				
965	(b) all entry and exit points connecting balancing zones of transmission system operators;	(b) all entry and exit points connecting balancing zones of transmission system operators;	(b) all entry and exit points connecting balancing zones of transmission system operators;	
Annex I, 2 paragraph, point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
966	(c) all points connecting the network of a transmission system operator with an LNG terminal, physical gas hubs, storage and production facilities, unless these production facilities are exempted under point (a);	(c) all points connecting the network of a transmission system operator with an LNG terminal, physical gas hubs, storage and production facilities, unless these production facilities are exempted under point (a);	(c) all points connecting the network of a transmission system operator with an LNG terminal, physical gas hubs, storage and production facilities, unless these production facilities are exempted under point (a);	
Annex I, 2 paragraph, point (d)				
967	(d) all points connecting the network of a given transmission system operator to infrastructure necessary for providing ancillary services as defined by Article 2(30) of [recast Gas Directive as proposed by COM(2021)xxx].	(d) all points connecting the network of a given transmission system operator to infrastructure necessary for providing ancillary services as defined by Article 2(30) of [recast Gas Directive as proposed by COM(2021)xxx].	(d) all points connecting the network of a given transmission system operator to infrastructure necessary for providing ancillary services as defined by Article 2(30) of [recast Gas Directive as proposed by COM(2021)xxx].	
Annex I, 2 paragraph				
968	2. Information for single final customers and for production facilities, that is excluded from the definition of relevant points as described under point 3.2(1)(a), shall be published in aggregate format, at least per balancing zone. The aggregation of single final customers and of production facilities, excluded from the definition of relevant points as	2. Information for single final customers and for production facilities, that is excluded from the definition of relevant points as described under point 3.2(1)(a), shall be published in aggregate format, at least per balancing zone. The aggregation of single final customers and of production facilities, excluded from the definition of relevant points as	2. Information for single final customers and for production facilities, that is excluded from the definition of relevant points as described under point 3.2(1)(a), shall be published in aggregate format, at least per balancing zone. The aggregation of single final customers and of production facilities, excluded from the definition of relevant points as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	described under point 3.2(1)(a), shall for the application of this Annex be considered as one relevant point.	described under point 3.2(1)(a), shall for the application of this Annex be considered as one relevant point.	described under point 3.2(1)(a), shall for the application of this Annex be considered as one relevant point.	
Annex I, 3 paragraph				
969	3. Where points between two or more transmission operators are managed solely by the transmission operators concerned, with no contractual or operational involvement of system users whatsoever, or where points connect a transmission system to a distribution system and there is no contractual congestion at these points, transmission system operators shall be exempted for these points from the obligation to publish the requirements under point 3.3 of this Annex. The national regulatory authority may require the transmission system operators to publish the requirements under point 3.3 of this Annex for groups or all of the exempted points. In such case, the information, if available to the TSO, shall be published in an aggregated form at a meaningful level, at least per balancing zone. This aggregation of these points	3. Where points between two or more transmission operators are managed solely by the transmission operators concerned, with no contractual or operational involvement of system users whatsoever, or where points connect a transmission system to a distribution system and there is no contractual congestion at these points, transmission system operators shall be exempted for these points from the obligation to publish the requirements under point 3.3 of this Annex. The national regulatory authority may require the transmission system operators to publish the requirements under point 3.3 of this Annex for groups or all of the exempted points. In such case, the information, if available to the TSO, shall be published in an aggregated form at a meaningful level, at least per balancing zone. This aggregation of these points	3. Where points between two or more transmission operators are managed solely by the transmission operators concerned, with no contractual or operational involvement of system users whatsoever, or where points connect a transmission system to a distribution system and there is no contractual congestion at these points, transmission system operators shall be exempted for these points from the obligation to publish the requirements under point 3.3 of this Annex. The national regulatory authority may require the transmission system operators to publish the requirements under point 3.3 of this Annex for groups or all of the exempted points. In such case, the information, if available to the TSO, shall be published in an aggregated form at a meaningful level, at least per balancing zone. This aggregation of these points	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall for the application of this annex be considered as one relevant point.	shall for the application of this annex be considered as one relevant point.	shall for the application of this annex be considered as one relevant point.	
Annex I, point (6.5)				
970	6.5. Information to be published at all relevant points and the time schedule according to which this information should be published	6.5. Information to be published at all relevant points and the time schedule according to which this information should be published	6.5. 3.3. Information to be published at all relevant points and the time schedule according to which this information ~~should~~ shall be published	
Annex I, 4 paragraph				
971	1. At all relevant points, transmission system operators shall publish the information as listed in points (a) to (g), for all services and ancillary services provided (in particular information on blending, ballasting and conversion). This information shall be published on a numerical basis, in hourly or daily periods, equal to the smallest reference period for capacity booking and (re-)nomination and the smallest settlement period for which imbalance charges are calculated. If the smallest reference period is different from a daily period, information as listed in points (a)	1. At all relevant points, transmission system operators shall publish the information as listed in points (a) to (g), for all services and ancillary services provided (in particular information on blending, ballasting and conversion). This information shall be published on a numerical basis, in hourly or daily periods, equal to the smallest reference period for capacity booking and (re-)nomination and the smallest settlement period for which imbalance charges are calculated. If the smallest reference period is different from a daily period, information as listed in points (a)	1. At all relevant points, transmission system operators shall publish the information as listed in points (a) to (g), for all services and ancillary services provided (in particular information on blending, ballasting and conversion). This information shall be published on a numerical basis, in hourly or daily periods, equal to the smallest reference period for capacity booking and (re-)nomination and the smallest settlement period for which imbalance charges are calculated. If the smallest reference period is different from a daily period, information as listed in points (a)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to (g) shall be made available also for the daily period. This information and updates shall be published as soon as available to the system operator ('near real time').	to (g) shall be made available also for the daily period. This information and updates shall be published as soon as available to the system operator ('near real time').	to (g) shall be made available also for the daily period. This information and updates shall be published as soon as available to the system operator ('near real time').	
Annex I, 4 paragraph, point (a)				
972	(a) the technical capacity for flows in both directions;	(a) the technical capacity for flows in both directions;	(a) the technical capacity for flows in both directions;	
Annex I, 4 paragraph, point (b)				
973	(b) the total contracted firm and interruptible capacity in both directions;	(b) the total contracted firm and interruptible capacity in both directions;	(b) the total contracted firm and interruptible capacity in both directions;	
Annex I, 4 paragraph, point (c)				
974	(c) the nominations and re-nominations in both directions;	(c) the nominations and re-nominations in both directions;	(c) the nominations and re-nominations in both directions;	
Annex I, 4 paragraph, point (d)				
975	(d) the available firm and interruptible capacity in both directions;	(d) the available firm and interruptible capacity in both directions;	(d) the available firm and interruptible capacity in both directions;	
Annex I, 4 paragraph, point (e)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
976	(e) actual physical flows;	(e) actual physical flows;	(e) actual physical flows;	
Annex I, 4 paragraph, point (f)				
977	(f) planned and actual interruption of interruptible capacity;	(f) planned and actual interruption of interruptible capacity;	(f) planned and actual interruption of interruptible capacity;	
Annex I, 4 paragraph, point (g)				
978	(g) planned and unplanned interruptions to firm services as well as the information on restoration of the firm services (in particular, maintenance of the system and the likely duration of any interruption due to maintenance). Planned interruptions shall be published at least 42 days in advance;	(g) planned and unplanned interruptions to firm services as well as the information on restoration of the firm services (in particular, maintenance of the system and the likely duration of any interruption due to maintenance). Planned interruptions shall be published at least 42 days in advance;	(g) planned and unplanned interruptions to firm services as well as the information on restoration of the firm services (in particular, maintenance of the system and the likely duration of any interruption due to maintenance). Planned interruptions shall be published at least 42 days in advance;	
Annex I, 4 paragraph, point (h)				
979	(h) occurrence of unsuccessful, legally valid requests for firm capacity products with a duration of one month or longer including the number and volume of the unsuccessful requests;	(h) occurrence of unsuccessful, legally valid requests for firm capacity products with a duration of one month or longer including the number and volume of the unsuccessful requests;	(h) occurrence of unsuccessful, legally valid requests for firm capacity products with a duration of one month or longer including the number and volume of the unsuccessful requests;	
Annex I, 4 paragraph, point (i)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
980	(i) in the case of auctions, where and when firm capacity products with a duration of one month or longer have cleared at prices higher than the reserve price;	(i) in the case of auctions, where and when firm capacity products with a duration of one month or longer have cleared at prices higher than the reserve price;	(i) in the case of auctions, where and when firm capacity products with a duration of one month or longer have cleared at prices higher than the reserve price;	
Annex I, 4 paragraph, point (j)				
981	(j) where and when no firm capacity product with a duration of one month or longer has been offered in the regular allocation process;	(j) where and when no firm capacity product with a duration of one month or longer has been offered in the regular allocation process;	(j) where and when no firm capacity product with a duration of one month or longer has been offered in the regular allocation process;	
Annex I, 4 paragraph, point (k)				
982	(k) total capacity made available through the application of the congestion-management procedures laid down in points 2.2.2, 2.2.3, 2.2.4 and 2.2.5 per applied congestion-management procedure.	(k) total capacity made available through the application of the congestion-management procedures laid down in points 2.2.2, 2.2.3, 2.2.4 and 2.2.5 per applied congestion-management procedure.	(k) total capacity made available through the application of the congestion-management procedures laid down in points 2.2.2, 2.2.3, 2.2.4 and 2.2.5 per applied congestion-management procedure.	
Annex I, 2 paragraph				
983	2. At all relevant points, the information under points 3.3(1)(a), (b) and (d) shall be published for a period at least 24 months ahead.	2. At all relevant points, the information under points 3.3(1)(a), (b) and (d) shall be published for a period at least 24 months ahead.	2. At all relevant points, the information under points 3.3(1)(a), (b) and (d) shall be published for a period at least 24 months ahead.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, 3 paragraph				
984	3. At all relevant points, transmission system operators shall publish historical information on the requirements of points 3.3(1)(a) to (g) for the past 5 years on a rolling basis.	3. At all relevant points, transmission system operators shall publish historical information on the requirements of points 3.3(1)(a) to (g) for the past 5 years on a rolling basis.	3. At all relevant points, transmission system operators shall publish historical information on the requirements of points 3.3(1)(a) to (g) for the past 5 years on a rolling basis.	
Annex I, 4 paragraph				
985	4. Transmission system operators shall publish measured values of the gross calorific value, the Wobbe index, the hydrogen content blended in the natural gas system, methane content and oxygen content at all relevant points, on a daily basis. Preliminary figures shall be published at the latest 3 days following the respective gas day. Final figures shall be published within 3 months after the end of the respective month.	4. Transmission system operators shall publish measured values of the gross calorific value, the Wobbe index, the hydrogen content blended in the natural gas system, methane content and oxygen content at all relevant points, on a daily basis. Preliminary figures shall be published at the latest 3 days following the respective gas day. Final figures shall be published within 3 months after the end of the respective month.	4. Transmission system operators shall publish measured values of the gross calorific value, the Wobbe index, the hydrogen content blended in the natural gas system, methane content and oxygen content at all relevant points, on a daily basis. Preliminary figures shall be published at the latest 3 days following the respective gas day. Final figures shall be published within 3 months after the end of the respective month.	
Annex I, 5 paragraph				
986	5. For all relevant points, transmission system operators	5. For all relevant points, transmission system operators	5. For all relevant points, transmission system operators	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall publish available capacities, booked and technical capacities, on an annual basis over all years where capacity is contracted plus 1 year, and at least for the next 10 years. This information shall be updated at least every month or more frequently, if new information becomes available. The publication shall reflect the period for which capacity is offered to the market.	shall publish available capacities, booked and technical capacities, on an annual basis over all years where capacity is contracted plus 1 year, and at least for the next 10 years. This information shall be updated at least every month or more frequently, if new information becomes available. The publication shall reflect the period for which capacity is offered to the market.	shall publish available capacities, booked and technical capacities, on an annual basis over all years where capacity is contracted plus 1 year, and at least for the next 10 years. This information shall be updated at least every month or more frequently, if new information becomes available. The publication shall reflect the period for which capacity is offered to the market.	
Annex I, point (6.6)				
987	6.6. Information to be published regarding the transmission system and the time schedule according to which this information should be published	6.6. Information to be published regarding the transmission system and the time schedule according to which this information should be published	6.6. 3.4. Information to be published regarding the transmission system and the time schedule according to which this information ~~should~~ shall be published	
Annex I, 6 paragraph				
988	1. Transmission system operators shall ensure the publication on a daily basis and updated every day the aggregated amounts of capacities offered, and contracted on the secondary market (i.e. sold from one network user to another network user), where the	1. Transmission system operators shall ensure the publication on a daily basis and updated every day the aggregated amounts of capacities offered, and contracted on the secondary market (i.e. sold from one network user to another network user), where the	1. Transmission system operators shall ensure the publication on a daily basis and updated every day the aggregated amounts of capacities offered, and contracted on the secondary market (i.e. sold from one network user to another network user), where the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	information is available to the TSO. This information shall include the following specifications:	information is available to the TSO. This information shall include the following specifications:	information is available to the TSO. This information shall include the following specifications:	
Annex I, 6 paragraph, point (a)				
989	(a) interconnection point where the capacity is sold;	(a) interconnection point where the capacity is sold;	(a) interconnection point where the capacity is sold;	
Annex I, 6 paragraph, point (b)				
990	(b) type of capacity, i.e. entry, exit, firm, interruptible;	(b) type of capacity, i.e. entry, exit, firm, interruptible;	(b) type of capacity, i.e. entry, exit, firm, interruptible;	
Annex I, 6 paragraph, point (c)				
991	(c) quantity and duration of the capacity usage rights;	(c) quantity and duration of the capacity usage rights;	(c) quantity and duration of the capacity usage rights;	
Annex I, 6 paragraph, point (d)				
992	(d) type of sale, e.g. transfer or assignment;	(d) type of sale, e.g. transfer or assignment;	(d) type of sale, e.g. transfer or assignment;	
Annex I, 6 paragraph, point (e)				
993	(e) the total number of trades/transfers;	(e) the total number of trades/transfers;	(e) the total number of trades/transfers;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, 6 paragraph, point (f)				
994	(f) any other conditions known to the transmission system operator as mentioned in point 3.3.	(f) any other conditions known to the transmission system operator as mentioned in point 3.3.	(f) any other conditions known to the transmission system operator as mentioned in point 3.3.	
Annex I, 2 paragraph				
995	In so far such information is provided by a third party, transmission system operators shall be exempted from this provision.	In so far such information is provided by a third party, transmission system operators shall be exempted from this provision.	In so far such information is provided by a third party, transmission system operators shall be exempted from this provision.	
Annex I, 3 paragraph				
996	2. Transmission system operators shall publish harmonised conditions under which capacity transactions (e.g. transfers and assignments) will be accepted by them. These conditions must at least include:	2. Transmission system operators shall publish harmonised conditions under which capacity transactions (e.g. transfers and assignments) will be accepted by them. These conditions must at least include:	2. Transmission system operators shall publish harmonised conditions under which capacity transactions (e.g. transfers and assignments) will be accepted by them. These conditions must at least include:	
Annex I, 3 paragraph, point (a)				
997	(a) a description of standardised products which can be sold on the secondary market;	(a) a description of standardised products which can be sold on the secondary market;	(a) a description of standardised products which can be sold on the secondary market;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, 3 paragraph, point (b)				
998	(b) lead time for the implementation/acceptation/registration of secondary trades. In case of delays the reasons have to be published;	(b) lead time for the implementation/acceptation/registration of secondary trades. In case of delays the reasons have to be published;	(b) lead time for the implementation/acceptation/registration of secondary trades. In case of delays the reasons have to be published;	
Annex I, 3 paragraph, point (c)				
999	(c) the notification to the transmission system operator by the seller or the third party as referred to under point 3.4(1) about name of seller and buyer and capacity specifications as outlined in point 3.4(1).	(c) the notification to the transmission system operator by the seller or the third party as referred to under point 3.4(1) about name of seller and buyer and capacity specifications as outlined in point 3.4(1).	(c) the notification to the transmission system operator by the seller or the third party as referred to under point 3.4(1) about name of seller and buyer and capacity specifications as outlined in point 3.4(1).	
Annex I, 3 paragraph				
1000	In so far such information is provided by a third party, transmission system operators shall be exempted from this provision.	In so far such information is provided by a third party, transmission system operators shall be exempted from this provision.	In so far such information is provided by a third party, transmission system operators shall be exempted from this provision.	
Annex I, 4 paragraph				
1001				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. Regarding the balancing service of its system, each transmission system operator shall provide to each network user, for each balancing period, its specific preliminary imbalance volumes and cost data per individual network user, at the latest 1 month after the end of the balancing period. Final data of customers supplied according to standardised load profiles may be provided up to 14 months later. In so far such information is provided by a third party, transmission system operators shall be exempted from this provision. The provision of this information shall respect confidentiality of commercially sensitive information.	3. Regarding the balancing service of its system, each transmission system operator shall provide to each network user, for each balancing period, its specific preliminary imbalance volumes and cost data per individual network user, at the latest 1 month after the end of the balancing period. Final data of customers supplied according to standardised load profiles may be provided up to 14 months later. In so far such information is provided by a third party, transmission system operators shall be exempted from this provision. The provision of this information shall respect confidentiality of commercially sensitive information.	3. Regarding the balancing service of its system, each transmission system operator shall provide to each network user, for each balancing period, its specific preliminary imbalance volumes and cost data per individual network user, at the latest 1 month after the end of the balancing period. Final data of customers supplied according to standardised load profiles may be provided up to 14 months later. In so far such information is provided by a third party, transmission system operators shall be exempted from this provision. The provision of this information shall respect confidentiality of commercially sensitive information.	
Annex I, 4 paragraph				
1002	4. Where flexibility services, other than tolerances, are offered for third party access, transmission system operators shall publish daily forecasts on a day-ahead basis of the maximum amount of flexibility, the booked level of flexibility and the availability of flexibility for the market for the next gas day. The transmission	4. Where flexibility services, other than tolerances, are offered for third party access, transmission system operators shall publish daily forecasts on a day-ahead basis of the maximum amount of flexibility, the booked level of flexibility and the availability of flexibility for the market for the next gas day. The transmission	4. Where flexibility services, other than tolerances, are offered for third party access, transmission system operators shall publish daily forecasts on a day-ahead basis of the maximum amount of flexibility, the booked level of flexibility and the availability of flexibility for the market for the next gas day. The transmission	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	system operator shall also publish ex- post information on the aggregate utilization of every flexibility service at the end of each gas day. If the national regulatory authority is satisfied that such information could give room to potential abuse by network users, it may decide to exempt the transmission system operator from this obligation.	system operator shall also publish ex- post information on the aggregate utilization of every flexibility service at the end of each gas day. If the national regulatory authority is satisfied that such information could give room to potential abuse by network users, it may decide to exempt the transmission system operator from this obligation.	system operator shall also publish ex- post information on the aggregate utilization of every flexibility service at the end of each gas day. If the national regulatory authority is satisfied that such information could give room to potential abuse by network users, it may decide to exempt the transmission system operator from this obligation.	
Annex I, 5 paragraph				
1003	5. Transmission system operators shall publish, per balancing zone, the amount of gas in the transmission system at the start of each gas day and the forecast of the amount of gas in the transmission system at the end of each gas day. The forecast amount of gas for the end of the gas day shall be updated on an hourly basis throughout the gas day. If imbalance charges are calculated on an hourly basis, the transmission system operator shall publish the amount of gas in the transmission system on an hourly basis. Alternatively, transmission system operators shall publish, per balancing zone, the aggregate	5. Transmission system operators shall publish, per balancing zone, the amount of gas in the transmission system at the start of each gas day and the forecast of the amount of gas in the transmission system at the end of each gas day. The forecast amount of gas for the end of the gas day shall be updated on an hourly basis throughout the gas day. If imbalance charges are calculated on an hourly basis, the transmission system operator shall publish the amount of gas in the transmission system on an hourly basis. Alternatively, transmission system operators shall publish, per balancing zone, the aggregate	5. Transmission system operators shall publish, per balancing zone, the amount of gas in the transmission system at the start of each gas day and the forecast of the amount of gas in the transmission system at the end of each gas day. The forecast amount of gas for the end of the gas day shall be updated on an hourly basis throughout the gas day. If imbalance charges are calculated on an hourly basis, the transmission system operator shall publish the amount of gas in the transmission system on an hourly basis. Alternatively, transmission system operators shall publish, per balancing zone, the aggregate	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	imbalance position of all users at the start of each balancing period and the forecast of the aggregated imbalance position of all users at the end of each gas day. If the national regulatory authority is satisfied that such information could give room to potential abuse by network users, it may decide to exempt the transmission system operator from this obligation.	imbalance position of all users at the start of each balancing period and the forecast of the aggregated imbalance position of all users at the end of each gas day. If the national regulatory authority is satisfied that such information could give room to potential abuse by network users, it may decide to exempt the transmission system operator from this obligation.	imbalance position of all users at the start of each balancing period and the forecast of the aggregated imbalance position of all users at the end of each gas day. If the national regulatory authority is satisfied that such information could give room to potential abuse by network users, it may decide to exempt the transmission system operator from this obligation.	
Annex I, 6 paragraph				
1004	6. Transmission system operators shall provide user-friendly instruments for calculating tariffs.	6. Transmission system operators shall provide user-friendly instruments for calculating tariffs.	6. Transmission system operators shall provide user-friendly instruments for calculating tariffs.	
Annex I, 7 paragraph				
1005	7. Transmission system operators shall keep at the disposal of the relevant national authorities, for at least five (5) years, effective records of all capacity contracts and all other relevant information in relation to calculating and providing access to available capacities, in particular individual nominations and interruptions. Transmission system operators must keep documentation of all	7. Transmission system operators shall keep at the disposal of the relevant national authorities, for at least five (5) years, effective records of all capacity contracts and all other relevant information in relation to calculating and providing access to available capacities, in particular individual nominations and interruptions. Transmission system operators must keep documentation of all	7. Transmission system operators shall keep at the disposal of the relevant national authorities, for at least five (5) years, effective records of all capacity contracts and all other relevant information in relation to calculating and providing access to available capacities, in particular individual nominations and interruptions. Transmission system operators must keep documentation of all	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	relevant information under point 3.3(4) and (5) for at least five (5) years and make them available to the regulatory authority upon request. Both parties shall respect commercial confidentiality.	relevant information under point 3.3(4) and (5) for at least five (5) years and make them available to the regulatory authority upon request. Both parties shall respect commercial confidentiality.	relevant information under point 3.3(4) and (5) for at least five ~~(5)~~ 5 years and make them available to the regulatory authority upon request. Both parties shall respect commercial confidentiality.	
Annex I, 8 paragraph				
1006	8. Transmission system operators shall publish at least annually, by a predetermined deadline, all planned maintenance periods that might affect network users' rights from transport contracts and corresponding operational information with adequate advance notice. This shall include publishing on a prompt and non-discriminatory basis any changes to planned maintenance periods and notification of unplanned maintenance, as soon as that information becomes available to the transmission system operator. During maintenance periods, transmission system operators shall publish regularly updated information on the details of and expected duration and effect of the maintenance.	8. Transmission system operators shall publish at least annually, by a predetermined deadline, all planned maintenance periods that might affect network users' rights from transport contracts and corresponding operational information with adequate advance notice. This shall include publishing on a prompt and non-discriminatory basis any changes to planned maintenance periods and notification of unplanned maintenance, as soon as that information becomes available to the transmission system operator. During maintenance periods, transmission system operators shall publish regularly updated information on the details of and expected duration and effect of the maintenance.	8. Transmission system operators shall publish at least annually, by a predetermined deadline, all planned maintenance periods that might affect network users' rights from transport contracts and corresponding operational information with adequate advance notice. This shall include publishing on a prompt and non-discriminatory basis any changes to planned maintenance periods and notification of unplanned maintenance, as soon as that information becomes available to the transmission system operator. During maintenance periods, transmission system operators shall publish regularly updated information on the details of and expected duration and effect of the maintenance.	
Annex I, Part IV				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1007	Part IV 4. Format and content of the publication of technical information on network access by hydrogen network operators and information to be published at all relevant points and time schedule	Part IV 4. Format and content of the publication of technical information on network access by hydrogen network operators and information to be published at all relevant points and time schedule	Part IV 4. Format and content of the publication of technical information on network access by hydrogen network operators and information to be published at all relevant points and time schedule	
Annex I, point (6.7)				
1008	6.7. Format of the publication of technical information on network access	6.7. Format of the publication of technical information on network access	6.7. 4.1. Format of the publication of technical information on network access	
Annex I, 9 paragraph				
1009	1. Hydrogen network operators shall provide all information necessary for network users to gain effective access to the network referred to under points 4.2 and 4.3 in the following manner:	1. Hydrogen network operators shall provide all information necessary for network users to gain effective access to the network referred to under points 4.2 and 4.3 in the following manner:	1. Hydrogen network operators shall provide all information necessary for network users to gain effective access to the network referred to under points 4.2 and 4.3 in the following manner:	
Annex I, 9 paragraph, point (a)				
1010	(a) on a website accessible to the public, free of charge and without any need to register or otherwise	(a) on a website accessible to the public, free of charge and without any need to register or otherwise	(a) on a website accessible to the public, free of charge and without any need to register or otherwise	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	sign on with the hydrogen network operator;	sign on with the hydrogen network operator;	sign on with the hydrogen network operator;	
Annex I, 9 paragraph, point (b)				
1011	(b) on a regular/rolling basis; the frequency shall be according to the changes that take place and the duration of the service;	(b) on a regular/rolling basis; the frequency shall be according to the changes that take place and the duration of the service;	(b) on a regular/rolling basis; the frequency shall be according to the changes that take place and the duration of the service;	
Annex I, 9 paragraph, point (c)				
1012	(c) in a user-friendly manner;	(c) in a user-friendly manner;	(c) in a user-friendly manner;	
Annex I, 9 paragraph, point (d)				
1013	(d) in a clear, quantifiable, easily accessible way and on a non-discriminatory basis;	(d) in a clear, quantifiable, easily accessible way and on a non-discriminatory basis;	(d) in a clear, quantifiable, easily accessible way and on a non-discriminatory basis;	
Annex I, 9 paragraph, point (e)				
1014	(e) in a downloadable format that has been agreed between hydrogen network operators and the regulatory authorities – on the basis of an opinion on a harmonised format that shall be provided by ACER – and that allows for quantitative analyses;	(e) in a downloadable format that has been agreed between hydrogen network operators and the regulatory authorities – on the basis of an opinion on a harmonised format that shall be provided by ACER – and that allows for quantitative analyses;	(e) in a downloadable format that has been agreed between hydrogen network operators and the regulatory authorities – on the basis of an opinion on a harmonised format that shall be provided by ACER – and that allows for quantitative analyses;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, 9 paragraph, point (f)				
1015	(f) in consistent units, in particular kWh shall be the unit for energy content and m3 shall be the unit for volume. The constant conversion factor to energy content shall be provided. In addition to the format above, publication in other units is also possible;	(f) in consistent units, in particular kWh shall be the unit for energy content and m3 shall be the unit for volume. The constant conversion factor to energy content shall be provided. In addition to the format above, publication in other units is also possible;	(f) in consistent units, in particular kWh shall be the unit for energy content and m3 shall be the unit for volume. The constant conversion factor to energy content shall be provided. In addition to the format above, publication in other units is also possible;	
Annex I, 9 paragraph, point (g)				
1016	(g) in the official language(s) of the Member State and in English;	(g) in the official language(s) of the Member State and in English;	(g) in the official language(s) of the Member State and in English;	
Annex I, 9 paragraph, point (h)				
1017	(h) all data shall be made available as of [1 October 2025] on one Union-wide central platform, established by the European Network of Network Operators for Hydrogen on a cost efficient basis.	(h) all data shall be made available as of [1 October 2025] on one Union-wide central platform, established by the European Network of Network Operators for Hydrogen on a cost efficient basis.	(h) all data shall be made available as of [1 October 2025] on one Union-wide central platform, established by the European Network of Network Operators for Hydrogen on a cost efficient basis.	
Annex I, 2 paragraph				
1018				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2. Hydrogen network operators shall provide details on actual changes to all information referred to under points 4.2 and 4.3 in a timely manner as soon as available to them.	2. Hydrogen network operators shall provide details on actual changes to all information referred to under points 4.2 and 4.3 in a timely manner as soon as available to them.	2. Hydrogen network operators shall provide details on actual changes to all information referred to under points 4.2 and 4.3 in a timely manner as soon as available to them.	
Annex I, point (6.8)				
1019	6.8. Content of the publication of technical information on network access	6.8. Content of the publication of technical information on network access	6.8. 4.2. Content of the publication of technical information on network access	
Annex I, 3 paragraph				
1020	1. Hydrogen network operators shall publish at least the following information about their systems and services:	1. Hydrogen network operators shall publish at least the following information about their systems and services:	1. Hydrogen network operators shall publish at least the following information about their systems and services:	
Annex I, 3 paragraph, point (a)				
1021	(a) a detailed and comprehensive description of the different services offered and their charges;	(a) a detailed and comprehensive description of the different services offered and their charges;	(a) a detailed and comprehensive description of the different services offered and their charges;	
Annex I, 3 paragraph, point (b)				
1022				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) the different types of transportation contracts available for these services;	(b) the different types of transportation contracts available for these services;	(b) the different types of ~~transportation~~ transport contracts available for these services;	
Annex I, 3 paragraph, point (c)				
1023	(c) the network codes and/or the standard conditions outlining the rights and responsibilities of all network users including:	(c) the network codes and/or the standard conditions outlining the rights and responsibilities of all network users including:	(c) the network codes and/or the standard conditions outlining the rights and responsibilities of all network users including:	
Annex I, 2 paragraph				
1024	(1) harmonised transportation contracts and other relevant documents;	(1) harmonised transportation contracts and other relevant documents;	(1) harmonised ~~transportation~~ transport contracts and other relevant documents;	
Annex I, 2 paragraph				
1025	(2) if relevant for access to the network, for all relevant points, a specification of relevant hydrogen quality parameters and the liability or costs of conversion for network users in case hydrogen is outside these specifications;	(2) if relevant for access to the network, for all relevant points, a specification of relevant hydrogen quality parameters and the liability or costs of conversion for network users in case hydrogen is outside these specifications;	(2) if relevant for access to the network, for all relevant points, a specification of relevant hydrogen quality parameters and the liability or costs of conversion for network users in case hydrogen is outside these specifications;	
Annex I, 3 paragraph				
1026				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(3) if relevant for access to the system, for all relevant points information on pressure requirements;	(3) if relevant for access to the system, for all relevant points information on pressure requirements;	(3) if relevant for access to the system, for all relevant points information on pressure requirements;	
Annex I, 4 paragraph				
1027	(d) the harmonised procedures applied when using the hydrogen network, including the definition of key terms;	(d) the harmonised procedures applied when using the hydrogen network, including the definition of key terms;	(d) the harmonised procedures applied when using the hydrogen network, including the definition of key terms;	
Annex I, DI paragraph				
1028	(e) if applicable, the flexibility and tolerance levels included in transportation and other services without separate charge, as well as any flexibility offered in addition to this and the corresponding charges;	(e) if applicable, the flexibility and tolerance levels included in transportation and other services without separate charge, as well as any flexibility offered in addition to this and the corresponding charges;	(e) if applicable, the flexibility and tolerance levels included in ~~transportation~~ transport and other services without separate charge, as well as any flexibility offered in addition to this and the corresponding charges;	
Annex I, f paragraph				
1029	(f) a detailed description of the hydrogen network of the hydrogen network operator and its relevant points of interconnection as defined in point 2 as well as the names of the operators of the	(f) a detailed description of the hydrogen network of the hydrogen network operator and its relevant points of interconnection as defined in point 2 as well as the names of the operators of the	(f) a detailed description of the hydrogen network of the hydrogen network operator and its relevant points of interconnection as defined in point 2 as well as the names of the operators of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	interconnected networks or facilities;	interconnected networks or facilities;	interconnected networks or facilities;	
Annex I, g paragraph				
1030	(g) the rules applicable for connection to the network operated by the hydrogen network operator;	(g) the rules applicable for connection to the network operated by the hydrogen network operator;	(g) the rules applicable for connection to the network operated by the hydrogen network operator;	
Annex I, h paragraph				
1031	(h) information on emergency mechanisms, as far as it is the responsibility of the hydrogen network operator, such as measures that can lead to the disconnection of customers groups and other general liability rules that apply to the hydrogen network operator;	(h) information on emergency mechanisms, as far as it is the responsibility of the hydrogen network operator, such as measures that can lead to the disconnection of customers groups and other general liability rules that apply to the hydrogen network operator;	(h) information on emergency mechanisms, as far as it is the responsibility of the hydrogen network operator, such as measures that can lead to the disconnection of customers groups and other general liability rules that apply to the hydrogen network operator;	
Annex I, i paragraph				
1032	(i) procedures agreed upon by hydrogen network operators at interconnection points, of relevance for access of network users to the hydrogen network concerned, relating to interoperability of the network.	(i) procedures agreed upon by hydrogen network operators at interconnection points, of relevance for access of network users to the hydrogen network concerned, relating to interoperability of the network.	(i) procedures agreed upon by hydrogen network operators at interconnection points, of relevance for access of network users to the hydrogen network concerned, relating to interoperability of the network.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, II paragraph				
1033	2. Relevant points shall include at least:	2. Relevant points shall include at least:	2. Relevant points shall include at least:	
Annex I, II paragraph, point (a)				
1034	(a) all entry and exit points to and from a hydrogen network operated by a hydrogen network operator, with the exception of exit points connected to a single final customer, and with the exception of entry points linked directly to a production facility of a single producer that is located within the EU;	(a) all entry and exit points to and from a hydrogen network operated by a hydrogen network operator, with the exception of exit points connected to a single final customer, and with the exception of entry points linked directly to a production facility of a single producer that is located within the EU;	(a) all entry and exit points to and from a hydrogen network operated by a hydrogen network operator, with the exception of exit points connected to a single final customer, and with the exception of entry points linked directly to a production facility of a single producer that is located within the EU;	
Annex I, II paragraph, point (b)				
1035	(b) all entry and exit points connecting the networks of hydrogen network operators;	(b) all entry and exit points connecting the networks of hydrogen network operators;	(b) all entry and exit points connecting the networks of hydrogen network operators;	
Annex I, II paragraph, point (c)				
1036	(c) all points connecting the network of a hydrogen network operator with an LNG terminal,	(c) all points connecting the network of a hydrogen network operator with an LNG terminal,	(c) all points connecting the network of a hydrogen network operator with an LNG terminal,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	hydrogen terminals, physical gas hubs, storage and production facilities, unless these production facilities are exempted under point (a);	hydrogen terminals, physical gas hubs, storage and production facilities, unless these production facilities are exempted under point (a);	hydrogen terminals, physical gas hubs, storage and production facilities, unless these production facilities are exempted under point (a);	
Annex I, II paragraph, point (d)				
1037	(d) all points connecting the network of a given hydrogen network operator to infrastructure necessary for providing ancillary services.	(d) all points connecting the network of a given hydrogen network operator to infrastructure necessary for providing ancillary services.	(d) all points connecting the network of a given hydrogen network operator to infrastructure necessary for providing ancillary services.	
Annex I, 3 paragraph				
1038	3. Information for single final customers and for production facilities, that is excluded from the definition of relevant points as described under point 2(a) of this section shall be published in aggregate format and considered as one relevant point.	3. Information for single final customers and for production facilities, that is excluded from the definition of relevant points as described under point 2(a) of this section shall be published in aggregate format and considered as one relevant point.	3. Information for single final customers and for production facilities, that is excluded from the definition of relevant points as described under point 2(a) of this section shall be published in aggregate format and considered as one relevant point.	
Annex I, point (6.9)				
1039	6.9. Information to be published at all relevant points and time schedule	6.9. Information to be published at all relevant points and time schedule	~~6.9.~~ 4.3. Information to be published at all relevant points and time schedule	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex I, 4 paragraph				
1040	1. At all relevant points, hydrogen network operators shall publish the information as listed in points (a) to (g), for all services on a numerical basis, in hourly or daily periods. This information and updates shall be published as soon as available to the hydrogen network operator ('near real time'):	1. At all relevant points, hydrogen network operators shall publish the information as listed in points (a) to (g), for all services on a numerical basis, in hourly or daily periods. This information and updates shall be published as soon as available to the hydrogen network operator ('near real time'):	1. At all relevant points, hydrogen network operators shall publish the information as listed in points (a) to (g), for all services on a numerical basis, in hourly or daily periods. This information and updates shall be published as soon as available to the hydrogen network operator ('near real time'):	
Annex I, 4 paragraph, point (a)				
1041	(a) the technical capacity for flows in both directions;	(a) the technical capacity for flows in both directions;	(a) the technical capacity for flows in both directions;	
Annex I, 4 paragraph, point (b)				
1042	(b) the total contracted capacity in both directions;	(b) the total contracted capacity in both directions;	(b) the total contracted capacity in both directions;	
Annex I, 4 paragraph, point (c)				
1043	(c) the nominations and re-nominations in both directions;	(c) the nominations and re-nominations in both directions;	(c) the nominations and re-nominations in both directions;	
Annex I, 4 paragraph, point (d)				
1044				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(d) the available capacity in both directions;	(d) the available capacity in both directions;	(d) the available capacity in both directions;	
Annex I, 4 paragraph, point (e)				
1045	(e) actual physical flows;	(e) actual physical flows;	(e) actual physical flows;	
Annex I, 4 paragraph, point (f)				
1046	(f) planned and actual interruption of capacity;	(f) planned and actual interruption of capacity;	(f) planned and actual interruption of capacity;	
Annex I, 4 paragraph, point (g)				
1047	(g) planned and unplanned interruptions to services. Planned interruptions shall be published at least 42 days in advance;	(g) planned and unplanned interruptions to services. Planned interruptions shall be published at least 42 days in advance;	(g) planned and unplanned interruptions to services. Planned interruptions shall be published at least 42 days in advance;	
Annex I, 2 paragraph				
1048	2. At all relevant points, the information under points 1(a), (b) and (d) of this Article shall be published for a period of at least 24 months ahead.	2. At all relevant points, the information under points 1(a), (b) and (d) of this Article shall be published for a period of at least 24 months ahead.	2. At all relevant points, the information under points 1(a), (b) and (d) of this Article shall be published for a period of at least 24 months ahead.	
Annex I, 3 paragraph				
1049				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. At all relevant points, hydrogen network operators shall publish historical information on the requirements of points 1(a) to (f) of this Article for the past 5 years on a rolling basis.	3. At all relevant points, hydrogen network operators shall publish historical information on the requirements of points 1(a) to (f) of this Article for the past 5 years on a rolling basis.	3. At all relevant points, hydrogen network operators shall publish historical information on the requirements of points 1(a) to (f) of this Article for the past 5 years on a rolling basis.	
Annex I, 4 paragraph				
1050	4. Hydrogen network operators shall publish measured values of the hydrogen purity and contaminants at all relevant points, on a daily basis. Preliminary figures shall be published at the latest within 3 days. Final figures shall be published within 3 months after the end of the respective month.	4. Hydrogen network operators shall publish measured values of the hydrogen purity and contaminants at all relevant points, on a daily basis. Preliminary figures shall be published at the latest within 3 days. Final figures shall be published within 3 months after the end of the respective month.	4. Hydrogen network operators shall publish measured values of the hydrogen purity and contaminants at all relevant points, on a daily basis. Preliminary figures shall be published at the latest within 3 days. Final figures shall be published within 3 months after the end of the respective month.	
Annex I, point (7)				
1051	7. Further details required to implement points 4.1, 4.2 and 4.3, e.g. details on the format and content of the information necessary for network users for effective access to the network, information to be published at relevant points, details on time schedules, shall be set in a network code established on the	7. Further details required to implement points 4.1, 4.2 and 4.3, e.g. details on the format and content of the information necessary for network users for effective access to the network, information to be published at relevant points, details on time schedules, shall be set in a network code established on the	~~7.~~ 5. Further details required to implement points 4.1, 4.2 and 4.3, e.g. details on the format and content of the information necessary for network users for effective access to the network, information to be published at relevant points, details on time schedules, shall be set in a network code established	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	basis of Article 52 of this Regulation.	basis of Article 52 of this Regulation.	on the basis of Article 52 of this Regulation.	
Annex II				
1052	Annex II	Annex II	Annex II	
Annex II, first paragraph				
1053	Default technical, legal and financial arrangements pursuant to Article 13(14) of regulation (EU) 2017/1938	Default technical, legal and financial arrangements pursuant to Article 13(14) of regulation (EU) 2017/1938	Default technical, legal and financial arrangements pursuant to Article 13(14) of regulation (EU) 2017/1938	
Annex II, second paragraph				
1054	This Annex contains the procedure – in the form of mandatory templates – for implementing a solidarity measure under Article 13, to be followed in the event that the Member State requesting solidarity ('Requesting Member State') and the Member State obliged to provide the solidarity measure under Article 13(1) and (2) ('Providing Member State') have failed to agree or finalise the technical, legal and financial arrangements under Article 13(10).	This Annex contains the procedure – in the form of mandatory templates – for implementing a solidarity measure under Article 13, to be followed in the event that the Member State requesting solidarity ('Requesting Member State') and the Member State obliged to provide the solidarity measure under Article 13(1) and (2) ('Providing Member State') have failed to agree or finalise the technical, legal and financial arrangements under Article 13(10).	This Annex contains the procedure – in the form of mandatory templates – for implementing a solidarity measure under Article 13, to be followed in the event that the Member State requesting solidarity ('Requesting Member State') and the Member State obliged to provide the solidarity measure under Article 13(1) and (2) ('Providing Member State') have failed to agree or finalise the technical, legal and financial arrangements under Article 13(10).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, third paragraph				
1055	Where there are several Providing Member States and bilateral solidarity arrangements are in place with one or several of them, those arrangements should prevail between the Member States having agreed bilaterally. The default arrangements will be applicable only with the remaining Providing Member State.	Where there are several Providing Member States and bilateral solidarity arrangements are in place with one or several of them, those arrangements should prevail between the Member States having agreed bilaterally. The default arrangements will be applicable only with the remaining Providing Member State.	Where there are several Providing Member States and bilateral solidarity arrangements are in place with one or several of them, those arrangements ~~should~~ shall prevail between the Member States having agreed bilaterally. The default arrangements will be applicable only with the remaining Providing Member ~~State~~ States .	
Annex II, fourth paragraph				
1056	Communication between the Requesting and Providing Member States shall primarily be made by e-mail; if not possible, by telephone or any other available means, to be specified in the solidarity request and in confirmed in the acknowledgment of receipt of the request.	Communication between the Requesting and Providing Member States shall primarily be made by e-mail; if not possible, by telephone or any other available means, to be specified in the solidarity request and in confirmed in the acknowledgment of receipt of the request.	Communication between the Requesting and Providing Member States shall primarily be made by e-mail; if not possible, by telephone or any other available means, to be specified in the solidarity request and ~~in~~ confirmed in the acknowledgment of receipt of the request.	
Annex II, fifth paragraph				
1057	The following templates, as filled-in, shall be sent by e-mail to the relevant counterparts in other	The following templates, as filled-in, shall be sent by e-mail to the relevant counterparts in other	The following templates, as filled-in, shall be sent by e-mail to the relevant counterparts in other	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Member States (main addressee, for action), as well as to the Commission's contact point for gas crisis management (in copy, for information).	Member States (main addressee, for action), as well as to the Commission's contact point for gas crisis management (in copy, for information).	Member States (main addressee, for action), as well as to the Commission's contact point for gas crisis management (in copy, for information).	
Annex II, Part I				
1058	Part I 1. Solidarity request (to be filled in in English)	Part I 1. Solidarity request (to be filled in in English)	Part I 1. Solidarity request (to be filled in in English)	
Annex II, Table 1, Column 1, Row 1				
1059	Instructions: To be sent at the latest 20 hours before start of the delivery day (save force majeure). Where there are several Providing Member States, the solidarity request shall be sent simultaneously to all of them, preferably using the same e-mail. The solidarity measures must be requested for the following gas day, as defined in Article 3(7) of Regulation (EU) No 984/201. If needed, the request will be repeated for additional gas days.	Instructions: To be sent at the latest 20 hours before start of the delivery day (save force majeure). Where there are several Providing Member States, the solidarity request shall be sent simultaneously to all of them, preferably using the same e-mail. The solidarity measures must be requested for the following gas day, as defined in Article 3(7) of Regulation (EU) No 984/201. If needed, the request will be repeated for additional gas days.	Instructions: To be sent at the latest 20 hours before start of the delivery day (save force majeure). Where there are several Providing Member States, the solidarity request shall be sent simultaneously to all of them, preferably using the same e-mail. The solidarity measures must be requested for the following gas day, as defined in Article 3(7) of Regulation (EU) No ~~984/201~~984/2013. If needed, the request will be repeated for additional gas days.	
Annex II, sixth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1060	Date: _____	Date: _____	Date: _____	
Annex II, seventh paragraph				
1061	Time: _____	Time: _____	Time: _____	
Annex II, point (1)				
1062	1. On behalf of (Requesting Member State), I request from (Providing Member State) the implementation of solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant). I confirm that the requirements of Article 13(3) are complied with.	1. On behalf of (Requesting Member State), I request from (Providing Member State) the implementation of solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant). I confirm that the requirements of Article 13(3) are complied with.	1. On behalf of (Requesting Member State), I request from (Providing Member State) the implementation of solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant). I confirm that the requirements of Article 13(3) are complied with.	
Annex II, point (2), first subparagraph				
1063	2. Short description of measures implemented by (Requesting Member State) (as foreseen in Article 13(2)(c)):	2. Short description of measures implemented by (Requesting Member State) (as foreseen in Article 13(2)(c)):	2. Short description of measures implemented by (Requesting Member State) (as foreseen in Article ~~13(2)(c)~~ 13(3)(c)):	
Annex II, point (2), second subparagraph				
1064				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (3)				
1065	3. (Requesting Member State) undertakes to pay fair and prompt compensation for the solidarity measures to (Providing Member State) in accordance with Article 13(8). The compensation will be paid in EUR within 30 days of receipt of the invoice.	3. (Requesting Member State) undertakes to pay fair and prompt compensation for the solidarity measures to (Providing Member State) in accordance with Article 13(8). The compensation will be paid in EUR within 30 days of receipt of the invoice.	3. (Requesting Member State) undertakes to pay fair and prompt compensation for the solidarity measures to (Providing Member State) in accordance with Article 13(8). The compensation will be paid in EUR within 30 days of receipt of the invoice.	
Annex II, point (4), first subparagraph				
1066	4. Competent authority of requesting Member State	4. Competent authority of requesting Member State	4. Competent authority of requesting Member State	
Annex II, point (4), second subparagraph				
1067				
Annex II, point (4), third subparagraph				
1068				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Contact person: _____ _____	Contact person: _____ _____	Contact person: _____ _____	
Annex II, point (4), fourth subparagraph				
1069	E-mail: _____ _____	E-mail: _____ _____	E-mail: _____ _____	
Annex II, point (4), fifth subparagraph				
1070	Phone: + _____ _____ back-up phone: _____ _____	Phone: + _____ _____ back-up phone: _____ _____	Phone: + _____ _____ back-up phone: _____ _____	
Annex II, point (4), sixth subparagraph				
1071	Alternative instant messaging: + _____ _____	Alternative instant messaging: + _____ _____	Alternative instant messaging: + _____ _____	
Annex II, point (5), first subparagraph				
1072	5. Competent authority of providing Member State (please confirm it in your acknowledgement of receipt):	5. Competent authority of providing Member State (please confirm it in your acknowledgement of receipt):	5. Competent authority of providing Member State (please confirm it in your acknowledgement of receipt):	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (5), second subparagraph				
1073	_____ _____ _____	_____ _____ _____	_____ _____ _____	
Annex II, point (5), third subparagraph				
1074	Contact person: _____ _____	Contact person: _____ _____	Contact person: _____ _____	
Annex II, point (5), fourth subparagraph				
1075	E-mail: _____ _____	E-mail: _____ _____	E-mail: _____ _____	
Annex II, point (5), fifth subparagraph				
1076	Phone: + _____ _____ back-up phone: _____ _____	Phone: + _____ _____ back-up phone: _____ _____	Phone: + _____ _____ back-up phone: _____ _____	
Annex II, point (5), sixth subparagraph				
1077	Alternative instant messaging: + _____ _____	Alternative instant messaging: + _____ _____	Alternative instant messaging: + _____ _____	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (6), first subparagraph				
1078	6. Responsible TSO in requesting Member State:	6. Responsible TSO in requesting Member State:	6. Responsible TSO in requesting Member State:	
Annex II, point (6), second subparagraph				
1079	_____	_____	_____	
Annex II, point (6), third subparagraph				
1080	Contact person: _____	Contact person: _____	Contact person: _____	
Annex II, point (6), fourth subparagraph				
1081	Phone + _____	Phone + _____	Phone + _____	
Annex II, point (7), first subparagraph				
1082	7. Responsible market area manager in requesting Member State (where relevant):	7. Responsible market area manager in requesting Member State (where relevant):	7. Responsible market area manager in requesting Member State (where relevant):	
Annex II, point (7), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1083	_____ _____ _____	_____ _____ _____	_____ _____ _____	
Annex II, point (7), third subparagraph				
1084	Contact person: _____	Contact person: _____	Contact person: _____	
Annex II, point (7), fourth subparagraph				
1085	Phone + _____	Phone + _____	Phone + _____	
Annex II, point (8), first subparagraph				
1086	8. In case of voluntary (market-based) solidarity measures, gas delivery contracts with market participants in the providing Member State shall be concluded	8. In case of voluntary (market-based) solidarity measures, gas delivery contracts with market participants in the providing Member State shall be concluded	8. In case of voluntary (market-based) solidarity measures, gas delivery contracts with market participants in the providing Member State shall be concluded	
Annex II, point (8), second subparagraph				
1087	☐ by the requesting Member State or	☐ by the requesting Member State or	☐ by the requesting Member State or	
Annex II, point (8), third subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1088	☐ by an agent acting on behalf of the requesting Member State (under State guarantee).	☐ by an agent acting on behalf of the requesting Member State (under State guarantee).	☐ by an agent acting on behalf of the requesting Member State (under State guarantee).	
Annex II, point (8), fourth subparagraph				
1089	Name: _____ _____.	Name: _____ _____.	Name: _____ _____.	
Annex II, point (8), fifth subparagraph				
1090	Contact person: _____ _____.	Contact person: _____ _____.	Contact person: _____ _____.	
Annex II, point (8), sixth subparagraph				
1091	Phone: + _____ _____.	Phone: + _____ _____.	Phone: + _____ _____.	
Annex II, point (9)				
1092	9. Technical details of the request	9. Technical details of the request	9. Technical details of the request	
Annex II, point (9)(a), first subparagraph				
1093	a) Volume of gas needed (total):	a) Volume of gas needed (total):	a) Volume of gas needed (total):	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (9)(a), second subparagraph				
1094	_____ kWh,	_____ kWh,	_____ kWh,	
Annex II, point (9)(a), third subparagraph				
1095	of which	of which	of which	
Annex II, point (9)(a), fourth subparagraph				
1096	high caloric gas: _____ kWh;	high caloric gas: _____ kWh;	high caloric gas: _____ kWh;	
Annex II, point (9)(a), fifth subparagraph				
1097	low caloric gas: _____ kWh.	low caloric gas: _____ kWh.	low caloric gas: _____ kWh.	
Annex II, point (9)(b), first subparagraph				
1098	b) Delivery points (interconnectors):	b) Delivery points (interconnectors):	b) Delivery points (interconnectors):	
Annex II, point (9)(b), second subparagraph				
1099	_____;	_____;	_____;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (9)(b), third subparagraph				
1100	_____;	_____;	_____;	
Annex II, point (9)(b), fourth subparagraph				
1101	_____;	_____;	_____;	
Annex II, point (9)(b), fifth subparagraph				
1102	_____.	_____.	_____.	
Annex II, point (9)(b), sixth subparagraph				
1103	There are limitations with regard to the delivery points:	There are limitations with regard to the delivery points:	There are limitations with regard to the delivery points:	
Annex II, eighth paragraph				
1104	☐ No	☐ No	☐ No	
Annex II, ninth paragraph				
1105	☐ Yes	☐ Yes	☐ Yes	
Annex II, tenth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1106	If yes, please indicate the exact delivery points and volumes of gas needed:	If yes, please indicate the exact delivery points and volumes of gas needed:	If yes, please indicate the exact delivery points and volumes of gas needed:	
Annex II, eleventh paragraph				
1107	Delivery point: Volume of gas:	Delivery point: Volume of gas:	Delivery point: Volume of gas:	
Annex II, twelfth paragraph				
1108	_____ kWh	_____ kWh	_____ kWh	
Annex II, thirteenth paragraph				
1109	_____ kWh	_____ kWh	_____ kWh	
Annex II, fourteenth paragraph				
1110	_____ kWh	_____ kWh	_____ kWh	
Annex II, fifteenth paragraph				
1111				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	_____	_____	_____	
	kWh _____	kWh _____	kWh _____	
Annex II, sixteenth paragraph				
1112	Signature: _____	Signature: _____	Signature: _____	
Annex II, Part II				
1113	Part II 2. Acknowledgement of receipt / request for additional information (to be filled in in English)	Part II 2. Acknowledgement of receipt / request for additional information (to be filled in in English)	Part II 2. Acknowledgement of receipt / request for additional information (to be filled in in English)	
Annex II, Table 2, Column 1, Row 1				
1114	Instructions: To be sent within 30' of receipt of the request.	Instructions: To be sent within 30' of receipt of the request.	Instructions: To be sent within 30 ² minutes of receipt of the request.	
Annex II, seventeenth paragraph				
1115	To the attention of (Competent Authority of the Requesting Member State):	To the attention of (Competent Authority of the Requesting Member State):	To the attention of (Competent Authority of the Requesting Member State):	
Annex II, eighteenth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1116	On behalf of (Providing Member State) I acknowledge receipt of your request for solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant).	On behalf of (Providing Member State) I acknowledge receipt of your request for solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant).	On behalf of (Providing Member State) I acknowledge receipt of your request for solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant).	
Annex II, nineteenth paragraph				
1117	I confirm / rectify the contact details to be used for the next steps:	I confirm / rectify the contact details to be used for the next steps:	I confirm / rectify the contact details to be used for the next steps:	
Annex II, twentieth paragraph				
1118	Contact person: _____ _____	Contact person: _____ _____	Contact person: _____ _____	
Annex II, twenty-first paragraph				
1119	E-mail: _____ _____	E-mail: _____ _____	E-mail: _____ _____	
Annex II, twenty-first paragraph				
1120	Phone: + _____	Phone: + _____	Phone: + _____	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	_____ back-up phone: _____	_____ back-up phone: _____	_____ back-up phone: _____	
Annex II, twenty-firsv paragraph				
1121	Alternative instant messaging: + _____ _____	Alternative instant messaging: + _____ _____	Alternative instant messaging: + _____ _____	
Annex II, twenty-firsw paragraph				
1122	(If request is incomplete/contains errors or omissions) After verification, it seems that your request is incomplete / contains the following errors / missing information:	(If request is incomplete/contains errors or omissions) After verification, it seems that your request is incomplete / contains the following errors / missing information:	(If request is incomplete/contains errors or omissions) After verification, it seems that your request is incomplete / contains the following errors / missing information:	
Annex II, twenty-firsx paragraph				
1123	..... ..... ..... ..... ..... .....	..... ..... ..... ..... ..... .....	..... ..... ..... ..... ..... .....	
Annex II, twenty-firsy paragraph				
1124				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Please send us an amended request, with the missing / correct data within 30', if possible.	Please send us an amended request, with the missing / correct data within 30', if possible.	Please send us an amended request, with the missing / correct data within 30' minutes , if possible.	
Annex II, twenty-first paragraph				
1125	Done on (date) at (time)	Done on (date) at (time)	Done on (date) at (time)	
Annex II, twenty-first paragraph				
1126	Signature:	Signature:	Signature:	
Annex II, Part III				
1127	Part III 3. Solidarity offer (to be filled in in English)	Part III 3. Solidarity offer (to be filled in in English)	Part III 3. Solidarity offer (to be filled in in English)	
Annex II, Table 3, Column 1, Row 1				
1128	Instructions: (1) To be sent at the latest 11 hours before start of the delivery day (save force majeure). (2) The solidarity offer shall include primarily gas offers based on voluntary measures ('Primary	Instructions: (1) To be sent at the latest 11 hours before start of the delivery day (save force majeure). (2) The solidarity offer shall include primarily gas offers based on voluntary measures ('Primary	Instructions: (1) To be sent at the latest 11 hours before start of the delivery day (save force majeure). (2) The solidarity offer shall include primarily gas offers based on voluntary measures ('Primary	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	offers'). In addition, should the primary offers not be enough to cover the volumes stated in the solidarity request, the solidarity offer shall include additional gas offers ('Secondary offers'), based on mandatory measures. Should the primary offers from other Providing Member States (if relevant) not sufficient to cover the request for solidarity, (the competent authority of the providing Member State) shall be ready to activate non-market based measures and supply the missing volumes. (3)The compensation pursuant to Article 13(8) for solidarity gas based on voluntary measures shall include the gas price (as resulting from contract clauses, tenders or other market based mechanism applied) and the transmission costs to the delivery point. This compensation shall be paid directly by the Requesting Member State to the gas supplier(s) of the Providing party. (4) The compensation (to be paid to the Providing Member State) pursuant to Article 13(8) for the provision of solidarity gas based on mandatory measures shall include:	offers'). In addition, should the primary offers not be enough to cover the volumes stated in the solidarity request, the solidarity offer shall include additional gas offers ('Secondary offers'), based on mandatory measures. Should the primary offers from other Providing Member States (if relevant) not sufficient to cover the request for solidarity, (the competent authority of the providing Member State) shall be ready to activate non-market based measures and supply the missing volumes. (3)The compensation pursuant to Article 13(8) for solidarity gas based on voluntary measures shall include the gas price (as resulting from contract clauses, tenders or other market based mechanism applied) and the transmission costs to the delivery point. This compensation shall be paid directly by the Requesting Member State to the gas supplier(s) of the Providing party. (4) The compensation (to be paid to the Providing Member State) pursuant to Article 13(8) for the provision of solidarity gas based on mandatory measures shall include:	offers'). In addition, should the primary offers not be enough to cover the volumes stated in the solidarity request, the solidarity offer shall include additional gas offers ('Secondary offers'), based on mandatory measures. Should the primary offers from other Providing Member States (if relevant) not sufficient to cover the request for solidarity, (the competent authority of the providing Member State) shall be ready to activate non-market based measures and supply the missing volumes. (3)The compensation pursuant to Article 13(8) for solidarity gas based on voluntary measures shall include the gas price (as resulting from contract clauses, tenders or other market based mechanism applied) and the transmission costs to the delivery point. This compensation shall be paid directly by the Requesting Member State to the gas supplier(s) of the Providing party. (4) The compensation (to be paid to the Providing Member State) pursuant to Article 13(8) for the provision of solidarity gas based on mandatory measures shall include:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	a. the gas price, which corresponds to the last available spot market price, for the relevant gas quality, on the exchange of the providing Member State at the date of the provision of the solidarity measure; if several exchanges in the territory of the providing Member State, it corresponds to the arithmetic mean of the last available spot market prices on all the exchanges; if the absence of an exchange in the territory of the providing Member State, it corresponds to the arithmetic mean of the last available spot market prices on all exchanges in the territory of the Union. b. any compensation to be paid by the Providing Member State to affected third parties on the basis of the relevant laws and regulations as a result of the mandatory measure, including, if appropriate, any related non-judicial and judicial procedural costs, and c. the transport costs to the delivery point. (4) The providing Member State shall bear the transport risk for the transport to the delivery point. (5) The requesting Member State shall ensure that the gas volumes	a. the gas price, which corresponds to the last available spot market price, for the relevant gas quality, on the exchange of the providing Member State at the date of the provision of the solidarity measure; if several exchanges in the territory of the providing Member State, it corresponds to the arithmetic mean of the last available spot market prices on all the exchanges; if the absence of an exchange in the territory of the providing Member State, it corresponds to the arithmetic mean of the last available spot market prices on all exchanges in the territory of the Union. b. any compensation to be paid by the Providing Member State to affected third parties on the basis of the relevant laws and regulations as a result of the mandatory measure, including, if appropriate, any related non-judicial and judicial procedural costs, and c. the transport costs to the delivery point. (4) The providing Member State shall bear the transport risk for the transport to the delivery point. (5) The requesting Member State shall ensure that the gas volumes	a. the gas price, which corresponds to the last available spot market price, for the relevant gas quality, on the exchange of the providing Member State at the date of the provision of the solidarity measure; if several exchanges in the territory of the providing Member State, it corresponds to the arithmetic mean of the last available spot market prices on all the exchanges; if the absence of an exchange in the territory of the providing Member State, it corresponds to the arithmetic mean of the last available spot market prices on all exchanges in the territory of the Union. b. any compensation to be paid by the Providing Member State to affected third parties on the basis of the relevant laws and regulations as a result of the mandatory measure, including, if appropriate, any related non-judicial and judicial procedural costs, and c. the transport costs to the delivery point. (4) The providing Member State shall bear the transport risk for the transport to the delivery point.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	provided at the agreed delivery points are taken off. The compensation for the solidarity measures will be due irrespective of the actual take-off of the gas volumes provided in line with the contract.	provided at the agreed delivery points are taken off. The compensation for the solidarity measures will be due irrespective of the actual take-off of the gas volumes provided in line with the contract.	(5) The requesting Member State shall ensure that the gas volumes provided at the agreed delivery points are taken off. The compensation for the solidarity measures will be due irrespective of the actual take-off of the gas volumes provided in line with the contract.	
Annex II, twenty-first paragraph				
1129	Date Time.....	Date Time.....	Date Time.....	
Annex II, twenty-third paragraph				
1130	To the attention of (Competent Authority of the Requesting Member State).	To the attention of (Competent Authority of the Requesting Member State).	To the attention of (Competent Authority of the Requesting Member State).	
Annex II, point (10)				
1131	10. Following your request for solidarity, measures under Article 13(1) and Article 13(2) (delete the latter if not relevant), received on (date) at (time), (the competent authority of the providing Member State) transmits you the following offer(s):	10. Following your request for solidarity, measures under Article 13(1) and Article 13(2) (delete the latter if not relevant), received on (date) at (time), (the competent authority of the providing Member State) transmits you the following offer(s):	10. Following your request for solidarity, measures under Article 13(1) and Article 13(2) (delete the latter if not relevant), received on (date) at (time), (the competent authority of the providing Member State) transmits you the following offer(s):	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (11)				
1132	11. Information on the gas providing party	11. Information on the gas providing party	11. Information on the gas providing party	
Annex II, point (11)(a), first subparagraph				
1133	a. Gas supplier / market participant signing the contract (for voluntary measures / if relevant)	a. Gas supplier / market participant signing the contract (for voluntary measures / if relevant)	a. Gas supplier / market participant signing the contract (for voluntary measures / if relevant)	
Annex II, point (11)(a), second subparagraph				
1134	Contact person: _____ –	Contact person: _____ –	Contact person: _____ –	
Annex II, point (11)(a), third subparagraph				
1135	Phone: + _____ _____	Phone: + _____ _____	Phone: + _____ _____	
Annex II, point (11)(b), first subparagraph				
1136	b. Contracting competent authority	b. Contracting competent authority	b. Contracting competent authority	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (11)(b), second subparagraph				
1137	Contact person: _____ –	Contact person: _____ –	Contact person: _____ –	
Annex II, point (11)(b), third subparagraph				
1138	Phone: + _____ _____	Phone: + _____ _____	Phone: + _____ _____	
Annex II, point (11)(c), first subparagraph				
1139	c. Responsible TSO:	c. Responsible TSO:	c. Responsible TSO:	
Annex II, point (11)(c), second subparagraph				
1140	_____ _____	_____ _____	_____ _____	
Annex II, point (11)(c), third subparagraph				
1141	Contact person: _____ –	Contact person: _____ –	Contact person: _____ –	
Annex II, point (11)(c), fourth subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1142	Phone: + _____ _____	Phone: + _____ _____	Phone: + _____ _____	
Annex II, point (11)(d), first subparagraph				
1143	d. Responsible market area manager (where relevant):	d. Responsible market area manager (where relevant):	d. Responsible market area manager (where relevant):	
Annex II, point (11)(d), second subparagraph				
1144	_____ _____	_____ _____	_____ _____	
Annex II, point (11)(d), third subparagraph				
1145	Contact person: _____ —	Contact person: _____ —	Contact person: _____ —	
Annex II, point (11)(d), fourth subparagraph				
1146	Phone + _____ _____	Phone + _____ _____	Phone + _____ _____	
Annex II, point (12)				
1147				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	12. Primary offers – based on voluntary measures (‘market based’)	12. Primary offers – based on voluntary measures (‘market based’)	12. Primary offers – based on voluntary measures (‘market based’)	
Annex II, point (12)(a), first subparagraph				
1148	a. Volume of gas (total):	a. Volume of gas (total):	a. Volume of gas (total):	
Annex II, point (12)(a), second subparagraph				
1149	_____ kWh, of which	_____ kWh, of which	_____ kWh, of which	
Annex II, point (12)(a), third subparagraph				
1150	high caloric gas: _____ kWh,	high caloric gas: _____ kWh,	high ~~caloric~~ calorific gas: _____ kWh,	
Annex II, point (12)(a), fourth subparagraph				
1151	low caloric gas: _____ kWh.	low caloric gas: _____ kWh.	low ~~caloric~~ calorific gas: _____ kWh.	
Annex II, point (12)(b), first subparagraph				
1152	b. Period of supply:	b. Period of supply:	b. Period of supply:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (12)(b), second subparagraph				
1153	_____	_____	_____	
Annex II, point (12)(c), first subparagraph				
1154	c. Maximum transport capacity:	c. Maximum transport capacity:	c. Maximum transport capacity:	
Annex II, point (12)(c), second subparagraph				
1155	_____ kWh/h, of which	_____ kWh/h, of which	_____ kWh/h, of which	
Annex II, point (12)(c), third subparagraph				
1156	firm capacity: _____ kWh/h;	firm capacity: _____ kWh/h;	firm capacity: _____ kWh/h;	
Annex II, point (12)(c), fourth subparagraph				
1157	interruptible capacity: _____ kWh/h.	interruptible capacity: _____ kWh/h.	interruptible capacity: _____ kWh/h.	
Annex II, point (12)(d), first subparagraph				
1158				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	d. Delivery points (interconnectors):	d. Delivery points (interconnectors):	d. Delivery points (interconnectors):	
Annex II, point (12)(d), second subparagraph				
1159	Delivery point Firm transport capacity Interruptible transport capacity	Delivery point Firm transport capacity Interruptible transport capacity	Delivery point Firm transport capacity Interruptible transport capacity	
Annex II, point (12)(d), third subparagraph				
1160	_____ kWh/h _____ kWh/h	_____ kWh/h _____ kWh/h	_____ kWh/h _____ kWh/h	
Annex II, point (12)(d), fourth subparagraph				
1161	_____ kWh/h _____ kWh/h	_____ kWh/h _____ kWh/h	_____ kWh/h _____ kWh/h	
Annex II, point (12)(d), fifth subparagraph				
1162	_____ kWh/h _____ kWh/h	_____ kWh/h _____ kWh/h	_____ kWh/h _____ kWh/h	
Annex II, point (12)(d), sixth subparagraph				
1163				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	_____ kWh/h _____ kWh/h	_____ kWh/h _____ kWh/h	_____ kWh/h _____ kWh/h	
Annex II, point (12)(d), seventh subparagraph				
1164	_____ kWh/h _____ kWh/h	_____ kWh/h _____ kWh/h	_____ kWh/h _____ kWh/h	
Annex II, point (12)(e), first subparagraph				
1165	e. Reference to capacity booking platform:	e. Reference to capacity booking platform:	e. Reference to capacity booking platform:	
Annex II, point (12)(e), second subparagraph				
1166	_____ _____	_____ _____	_____ _____	
Annex II, point (12)(f), first subparagraph				
1167	f. Estimated compensation for the voluntary measure:	f. Estimated compensation for the voluntary measure:	f. Estimated compensation for the voluntary measure:	
Annex II, point (12)(f), second subparagraph				
1168	gas price: EUR;	gas price: EUR;	gas price: EUR;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (12)(f), third subparagraph				
1169	other costs: EUR (please specify)	other costs: EUR (please specify)	other costs: EUR (please specify)	
Annex II, point (12)(g), first subparagraph				
1170	g. Payment details:	g. Payment details:	g. Payment details:	
Annex II, point (12)(g), second subparagraph				
1171	Recipient: _____	Recipient: _____	Recipient: _____	
Annex II, point (12)(g), third subparagraph				
1172	Bank details: _____	Bank details: _____	Bank details: _____	
Annex II, point (13)				
1173	13. Secondary offers – based on mandatory measures (‘non-market based’)	13. Secondary offers – based on mandatory measures (‘non-market based’)	13. Secondary offers – based on mandatory measures (‘non-market based’)	
Annex II, point (13)(a), first subparagraph				
1174	a. Volume of gas (total):	a. Volume of gas (total):	a. Volume of gas (total):	
Annex II, point (13)(a), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1175	_____ kWh, of which _____ kWh, of which	_____ kWh, of which _____ kWh, of which	_____ kWh, of which _____ kWh, of which	
Annex II, point (13)(a), third subparagraph				
1176	high caloric gas: _____ kWh,	high caloric gas: _____ kWh,	high caloric gas: _____ kWh,	
Annex II, point (13)(a), fourth subparagraph				
1177	low caloric gas: _____ kWh.	low caloric gas: _____ kWh.	low caloric gas: _____ kWh.	
Annex II, point (13)(b), first subparagraph				
1178	b. Period of supply:	b. Period of supply:	b. Period of supply:	
Annex II, point (13)(b), second subparagraph				
1179	_____ _____	_____ _____	_____ _____	
Annex II, point (13)(c), first subparagraph				
1180	c. Maximum transport capacity:	c. Maximum transport capacity:	c. Maximum transport capacity:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (13)(c), second subparagraph				
1181	_____ kWh/h, of which	_____ kWh/h, of which	_____ kWh/h, of which	
Annex II, point (13)(c), third subparagraph				
1182	firm capacity: _____ kWh/h;	firm capacity: _____ kWh/h;	firm capacity: _____ kWh/h;	
Annex II, point (13)(c), fourth subparagraph				
1183	interruptible capacity: _____ kWh/h.	interruptible capacity: _____ kWh/h.		
Annex II, point (13)(d), first subparagraph				
1184	d. Delivery points (interconnectors):	d. Delivery points (interconnectors):	d. Delivery points (interconnectors):	
Annex II, point (13)(d), second subparagraph				
1185	Delivery point Firm transport capacity Interruptible transport capacity	Delivery point Firm transport capacity Interruptible transport capacity	Delivery point Firm transport capacity Interruptible transport capacity	
Annex II, point (13)(d), third subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1186	kWh/h kWh/h	kWh/h kWh/h	kWh/h kWh/h	
Annex II, point (13)(d), fourth subparagraph				
1187	kWh/h kWh/h	kWh/h kWh/h	kWh/h kWh/h	
Annex II, point (13)(d), fifth subparagraph				
1188	kWh/h kWh/h	kWh/h kWh/h	kWh/h kWh/h	
Annex II, point (13)(d), sixth subparagraph				
1189	kWh/h kWh/h	kWh/h kWh/h	kWh/h kWh/h	
Annex II, point (13)(d), seventh subparagraph				
1190	kWh/h kWh/h	kWh/h kWh/h	kWh/h kWh/h	
Annex II, point (13)(e), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1191	e. Reference to capacity booking platform:	e. Reference to capacity booking platform:	e. Reference to capacity booking platform:	
Annex II, point (13)(e), second subparagraph				
1192	_____	_____	_____	
Annex II, point (13)(f), first subparagraph				
1193	f. Likely costs of mandatory measures:	f. Likely costs of mandatory measures:	f. Likely costs of mandatory measures:	
Annex II, point (13)(f), second subparagraph				
1194	estimated price of gas per kWh: _____ EUR;	estimated price of gas per kWh: _____ EUR;	estimated price of gas per kWh: _____ EUR;	
Annex II, point (13)(f), third subparagraph				
1195	likely transportation costs: _____ EUR;	likely transportation costs: _____ EUR;	likely ~~transportation~~ transport costs: _____ EUR;	
Annex II, point (13)(f), fourth subparagraph				
1196	estimated amount of compensation payments to sectors of the	estimated amount of compensation payments to sectors of the	estimated amount of compensation payments to sectors of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	economy of the providing Member State affected by reductions in supply:	economy of the providing Member State affected by reductions in supply:	economy of the providing Member State affected by reductions in supply:	
Annex II, twenty-first paragraph				
1197	_____ EUR.	_____ EUR.	_____ EUR.	
Annex II, twenty-second paragraph				
1198	g. Payment details:	g. Payment details:	g. Payment details:	
Annex II, h paragraph				
1199	Recipient: _____	Recipient: _____	Recipient: _____	
Annex II, i paragraph				
1200	Bank details: _____	Bank details: _____	Bank details: _____	
Annex II, II paragraph				
1201	Done on (date) at (time)	Done on (date) at (time)	Done on (date) at (time)	
Annex II, III paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1202	Signature:	Signature:	Signature:	
Annex II, Part IV				
1203	Part IV 4. Acknowledgement of receipt of the solidarity offer (to be filled in in English)	Part IV 4. Acknowledgement of receipt of the solidarity offer (to be filled in in English)	Part IV 4. Acknowledgement of receipt of the solidarity offer (to be filled in in English)	
Annex II, Table 4, Column 1, Row 1				
1204	Instructions: To be sent within 30' of receipt of the solidarity offer.	Instructions: To be sent within 30' of receipt of the solidarity offer.	Instructions: To be sent within 30 ² minutes of receipt of the solidarity offer.	
Annex II, IV paragraph				
1205	To the attention of (Competent Authority of the Providing Member State).	To the attention of (Competent Authority of the Providing Member State).	To the attention of (Competent Authority of the Providing Member State).	
Annex II, V paragraph				
1206	On behalf of (Requesting Member State), I acknowledge receipt of your solidarity offer received on (date)....., at (time).	On behalf of (Requesting Member State), I acknowledge receipt of your solidarity offer received on (date)....., at (time).	On behalf of (Requesting Member State), I acknowledge receipt of your solidarity offer received on (date)....., at (time).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, VI paragraph				
1207	(Competent Authority of the Requesting Party)	(Competent Authority of the Requesting Party)	(Competent Authority of the Requesting Party)	
Annex II, VII paragraph				
1208	Contact person:	Contact person:	Contact person:	
Annex II, VIII paragraph				
1209	Phone: + ...	Phone: + ...	Phone: + ...	
Annex II, IX paragraph				
1210	Done on (date) at (time)	Done on (date) at (time)	Done on (date) at (time)	
Annex II, X paragraph				
1211	Signature:	Signature:	Signature:	
Annex II, Part V				
1212	Part V 5. Acceptance / refusal of solidarity offers based on voluntary measures (to be filled in in English)	Part V 5. Acceptance / refusal of solidarity offers based on voluntary measures (to be filled in in English)	Part V 5. Acceptance / refusal of solidarity offers based on voluntary measures (to be filled in in English)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, Table 5, Column 1, Row 1				
1213	Instructions: (1) To be sent within 2 hours of receipt of the offer. (2) If offer is accepted in full, the acceptance shall reproduce the exact terms of the offer, as received from the Providing Member State. Partial acceptance of the offer may only relate to the volumes to be provided.	Instructions: (1) To be sent within 2 hours of receipt of the offer. (2) If offer is accepted in full, the acceptance shall reproduce the exact terms of the offer, as received from the Providing Member State. Partial acceptance of the offer may only relate to the volumes to be provided.	Instructions: (1) To be sent within 2 hours of receipt of the offer. (2) If offer is accepted in full, the acceptance shall reproduce the exact terms of the offer, as received from the Providing Member State. Partial acceptance of the offer may only relate to the volumes to be provided.	
Annex II, XI paragraph				
1214	Date Time	Date Time	Date Time	
Annex II, point (14)				
1215	14. On behalf of (Requesting Member State), I (fully / partially) accept / refuse the offer made by (Providing Member State) on (date) at (time) in implementation of solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant).	14. On behalf of (Requesting Member State), I (fully / partially) accept / refuse the offer made by (Providing Member State) on (date) at (time) in implementation of solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant).	14. On behalf of (Requesting Member State), I (fully / partially) accept / refuse the offer made by (Providing Member State) on (date) at (time) in implementation of solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex II, point (15), first subparagraph				
1216	2. Competent authority of requesting Member State:	2. Competent authority of requesting Member State:	2. Competent authority of requesting Member State:	
Annex II, point (15), second subparagraph				
1217	_____ _____ _____	_____ _____ _____	_____ _____ _____	
Annex II, point (15), third subparagraph				
1218	Contact person: _____ _____	Contact person: _____ _____	Contact person: _____ _____	
Annex II, point (15), fourth subparagraph				
1219	Phone: + _____ _____	Phone: + _____ _____	Phone: + _____ _____	
Annex II, point (16), first subparagraph				
1220	3. Responsible TSO in requesting Member State:	3. Responsible TSO in requesting Member State:	3. Responsible TSO in requesting Member State:	
Annex II, point (16), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1221	_____ _____ _____	_____ _____ _____	_____ _____ _____	
Annex II, point (16), third subparagraph				
1222	Contact person: _____	Contact person: _____	Contact person: _____	
Annex II, point (16), fourth subparagraph				
1223	Phone: + _____ _____	Phone: + _____ _____	Phone: + _____ _____	
Annex II, point (17), first subparagraph				
1224	4. Responsible market area manager in requesting Member State (where relevant):	4. Responsible market area manager in requesting Member State (where relevant):	4. Responsible market area manager in requesting Member State (where relevant):	
Annex II, point (17), second subparagraph				
1225	_____ _____ _____	_____ _____ _____	_____ _____ _____	
Annex II, point (17), third subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1226	Contact person: _____	Contact person: _____	Contact person: _____	
Annex II, point (17), fourth subparagraph				
1227	Phone + _____	Phone + _____	Phone + _____	
Annex II, point (18), first subparagraph				
1228	5. Accepted primary offer(s), based on voluntary measures (please reproduce the exact terms of the 'Primary offer(s)', as accepted):	5. Accepted primary offer(s), based on voluntary measures (please reproduce the exact terms of the 'Primary offer(s)', as accepted):	5. Accepted primary offer(s), based on voluntary measures (please reproduce the exact terms of the 'Primary offer(s)', as accepted):	
Annex II, point (18), second subparagraph				
1229	..... ..... .....	..... ..... .....	..... ..... .....	
Annex II, point (18), third subparagraph				
1230	Done on (date) at (time)	Done on (date) at (time)	Done on (date) at (time)	
Annex II, point (18), fourth subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1231	Signature:	Signature:	Signature:	
Annex II, Part VI				
1232	Part VI 6. Acceptance of solidarity offers based on mandatory measures (to be filled in in English)	Part VI 6. Acceptance of solidarity offers based on mandatory measures (to be filled in in English)	Part VI 6. Acceptance of solidarity offers based on mandatory measures (to be filled in in English)	
Annex II, Table 6, Column 1, Row 1				
1233	Instructions: (1) To be sent within 3 hours of receipt of the solidarity offer. (2) If offer is accepted in full, the acceptance shall reproduce the exact terms of the offer, as received from the Providing Member State. Partial acceptance of the offer may only relate to the volumes to be provided by delivery point. (3) The acceptance of offers based on mandatory measures shall include: (a) short description of offers based on voluntary measures received from other Providing Member States; (b) if relevant, the reasons why these	Instructions: (1) To be sent within 3 hours of receipt of the solidarity offer. (2) If offer is accepted in full, the acceptance shall reproduce the exact terms of the offer, as received from the Providing Member State. Partial acceptance of the offer may only relate to the volumes to be provided by delivery point. (3) The acceptance of offers based on mandatory measures shall include: (a) short description of offers based on voluntary measures received from other Providing Member States; (b) if relevant, the reasons why these	Instructions: (1) To be sent within 3 hours of receipt of the solidarity offer. (2) If offer is accepted in full, the acceptance shall reproduce the exact terms of the offer, as received from the Providing Member State. Partial acceptance of the offer may only relate to the volumes to be provided by delivery point. (3) The acceptance of offers based on mandatory measures shall include: (a) short description of offers based on voluntary measures received from other Providing Member States; (b) if relevant, the reasons why these	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	offers were not accepted (nb. reasons may not relate to price); (c) short description of offers based on mandatory measures received from other Providing Member States; (d) an indication of whether these offers have been accepted as well and, if not, the reasons for refusing them. (4) The Commission may convene a coordination call with the Requesting Member State and all Providing Member States; it shall convene it upon request of one Member State. This phone call shall be held within 30' after receipt of the acceptance of the solidarity offers based on mandatory measures (if at Commission's initiative) or of after receipt of the request for a coordination call by a Member State.	offers were not accepted (nb. reasons may not relate to price); (c) short description of offers based on mandatory measures received from other Providing Member States; (d) an indication of whether these offers have been accepted as well and, if not, the reasons for refusing them. (4) The Commission may convene a coordination call with the Requesting Member State and all Providing Member States; it shall convene it upon request of one Member State. This phone call shall be held within 30' after receipt of the acceptance of the solidarity offers based on mandatory measures (if at Commission's initiative) or of after receipt of the request for a coordination call by a Member State.	offers were not accepted (nb. reasons may not relate to price); (c) short description of offers based on mandatory measures received from other Providing Member States; (d) an indication of whether these offers have been accepted as well and, if not, the reasons for refusing them. (4) The Commission may convene a coordination call with the Requesting Member State and all Providing Member States; it shall convene it upon request of one Member State. This phone call shall be held within 30² minutes after receipt of the acceptance of the solidarity offers based on mandatory measures (if at Commission's initiative) or of after receipt of the request for a coordination call by a Member State.	
Annex II, XII paragraph				
1234	Date Time	Date Time	Date Time	
Annex II, point (19)				
1235				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	19. On behalf of (Requesting Member State), I (fully / partially) accept / refuse the offer made by (Providing Member State) on (date) at (time) in implementation of solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant).	19. On behalf of (Requesting Member State), I (fully / partially) accept / refuse the offer made by (Providing Member State) on (date) at (time) in implementation of solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant).	19. On behalf of (Requesting Member State), I (fully / partially) accept / refuse the offer made by (Providing Member State) on (date) at (time) in implementation of solidarity measures under Article 13(1) and Article 13(2) (delete the latter if not relevant).	
Annex II, point (20), first subparagraph				
1236	2. Competent authority of requesting Member State:	2. Competent authority of requesting Member State:	2. Competent authority of requesting Member State:	
Annex II, point (20), second subparagraph				
1237	_____	_____	_____	
Annex II, point (20), third subparagraph				
1238	Contact person: _____	Contact person: _____	Contact person: _____	
Annex II, point (20), fourth subparagraph				
1239				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Phone: + _____ _____	Phone: + _____ _____	Phone: + _____ _____	
Annex II, point (21), first subparagraph				
1240	3. Responsible TSO in requesting Member State:	3. Responsible TSO in requesting Member State:	3. Responsible TSO in requesting Member State:	
Annex II, point (21), second subparagraph				
1241	_____ _____ _____	_____ _____ _____	_____ _____ _____	
Annex II, point (21), third subparagraph				
1242	Contact person: _____	Contact person: _____	Contact person: _____	
Annex II, point (21), fourth subparagraph				
1243	Phone: + _____ _____	Phone: + _____ _____	Phone: + _____ _____	
Annex II, point (22), first subparagraph				
1244				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	4. Responsible market area manager in requesting Member State (where relevant):	4. Responsible market area manager in requesting Member State (where relevant):	4. Responsible market area manager in requesting Member State (where relevant):	
Annex II, point (22), second subparagraph				
1245	_____ _____ _____	_____ _____ _____	_____ _____ _____	
Annex II, point (22), third subparagraph				
1246	Contact person: _____	Contact person: _____	Contact person: _____	
Annex II, point (22), fourth subparagraph				
1247	Phone + _____	Phone + _____	Phone + _____	
Annex II, point (23), first subparagraph				
1248	5. Accepted secondary offer, based on mandatory measures (please reproduce the exact wording of the 'secondary offer', as received from the Providing Member State).	5. Accepted secondary offer, based on mandatory measures (please reproduce the exact wording of the 'secondary offer', as received from the Providing Member State).	5. Accepted secondary offer, based on mandatory measures (please reproduce the exact wording of the 'secondary offer', as received from the Providing Member State).	
Annex II, point (23), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1249	..... ..... .....	..... ..... .....	..... ..... .....	
Annex II, point (24)				
1250	24. Additional information on the acceptance of secondary offers:	24. Additional information on the acceptance of secondary offers:	24. Additional information on the acceptance of secondary offers:	
Annex II, point (24)(a), first subparagraph				
1251	(a) short description of offers based on voluntary measures received from other Providing Member States:	(a) short description of offers based on voluntary measures received from other Providing Member States:	(a) short description of offers based on voluntary measures received from other Providing Member States:	
Annex II, point (24)(a), second subparagraph				
1252	..... ..... .....	..... ..... .....	..... ..... .....	
Annex II, point (24)(b), first subparagraph				
1253	(b) have these offers been accepted? If not, state the reasons:	(b) have these offers been accepted? If not, state the reasons:	(b) have these offers been accepted? If not, state the reasons:	
Annex II, point (24)(b), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1254	..... ..... .....	..... ..... .....	..... ..... .....	
Annex II, point (24)(c), first subparagraph				
1255	(c) short description of offers based on mandatory measures received from other Providing Member States:	(c) short description of offers based on mandatory measures received from other Providing Member States:	(c) short description of offers based on mandatory measures received from other Providing Member States:	
Annex II, point (24)(c), second subparagraph				
1256	..... ..... .....	..... ..... .....	..... ..... .....	
Annex II, point (24)(d), first subparagraph				
1257	(d) have these offers been accepted? If not, state the reasons:	(d) have these offers been accepted? If not, state the reasons:	(d) have these offers been accepted? If not, state the reasons:	
Annex II, point (24)(d), second subparagraph				
1258	..... ..... .....	..... ..... .....	..... ..... .....	
Annex II, point (24)(d), third subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1259	Done on (date) at (time)	Done on (date) at (time)	Done on (date) at (time)	
Annex II, point (24)(d), fourth subparagraph				
1260	Signature	Signature	Signature	
Annex III				
1261	Annex III	Annex III	Annex III	
Annex III, first paragraph				
1262	Repealed Regulation with list of the successive amendments thereto	Repealed Regulation with list of the successive amendments thereto	Repealed Regulation with list of the successive amendments thereto	
Annex III, Table 8, Column 1, Row 1				
1263	Regulation (EC) No 715/2009 of the European Parliament and of the Council (OJ L 211, 14.8.2009, p. 36)	Regulation (EC) No 715/2009 of the European Parliament and of the Council (OJ L 211, 14.8.2009, p. 36)		
Annex III, Table 8, Column 1, Row 2				
1264				
Annex III, Table 8, Column 1, Row 3				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1265				
Annex III, Table 8, Column 1, Row 4				
1266				
Annex III, Table 8, Column 1, Row 5				
1267				
Annex III, Table 8, Column 1, Row 6				
1268				
Annex III, Table 8, Column 2, Row 2				
1269	Commission Decision 2010/685/EU (OJ L 293, 11.11.2010, p. 67)	Commission Decision 2010/685/EU (OJ L 293, 11.11.2010, p. 67)	Commission Decision 2010/685/EU (OJ L 293, 11.11.2010, p. 67)	
Annex III, Table 8, Column 2, Row 3				
1270	Commission Decision 2012/490/ EU (OJ L 231, 28.8.2012, p. 16)	Commission Decision 2012/490/ EU (OJ L 231, 28.8.2012, p. 16)	Commission Decision 2012/490/ EU (OJ L 231, 28.8.2012, p. 16)	
Annex III, Table 8, Column 2, Row 4				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1271	Regulation (EU) No 347/2013 of the European Parliament and of the Council (OJ L 115, 25.4.2013, p. 39)	Regulation (EU) No 347/2013 of the European Parliament and of the Council (OJ L 115, 25.4.2013, p. 39)	Regulation (EU) No 347/2013 of the European Parliament and of the Council (OJ L 115, 25.4.2013, p. 39)	
Annex III, Table 8, Column 2, Row 5				
1272	Commission Decision (EU) 2015/715 (OJ L 114, 5.5.2015, p. 9)	Commission Decision (EU) 2015/715 (OJ L 114, 5.5.2015, p. 9)	Commission Decision (EU) 2015/715 (OJ L 114, 5.5.2015, p. 9)	
Annex III, Table 8, Column 2, Row 6				
1273	Regulation (EU) 2018/1999 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1)	Regulation (EU) 2018/1999 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1)	Regulation (EU) 2018/1999 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1)	
Annex III, Table 8, Column 3, Row 1				
1274				
Annex III, Table 8, Column 4, Row 2				
1275				
Annex III, Table 8, Column 4, Row 3				
1276				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex III, Table 8, Column 4, Row 4				
1277	(Only Article 22)	(Only Article 22)	(Only Article 22)	
Annex III, Table 8, Column 4, Row 5				
1278				
Annex III, Table 8, Column 4, Row 6				
1279	(Only Article 50)	(Only Article 50)	(Only Article 50)	
Annex III, Table 8, Column 5, Row 1				
1280				
Annex III, second paragraph				
1281	_____	_____	_____	
Annex IV				
1282	Annex IV	Annex IV	Annex IV	
Annex IV, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1283	Correlation Table	Correlation Table	Correlation Table	
Annex IV, Table 9, Column 1, Row 1				
1284	Regulation (EU) No 715/2009	Regulation (EU) No 715/2009	Regulation (EU) No 715/2009	
Annex IV, Table 9, Column 1, Row 2				
1285	Article 1 first subparagraph (introductory wording)	Article 1 first subparagraph (introductory wording)	Article 1 first subparagraph (introductory wording)	
Annex IV, Table 9, Column 1, Row 3				
1286	Article 1 point (a)	Article 1 point (a)	Article 1 point (a)	
Annex IV, Table 9, Column 1, Row 4				
1287	Article 1 point (b)	Article 1 point (b)	Article 1 point (b)	
Annex IV, Table 9, Column 1, Row 5				
1288	Article 1 point (c)	Article 1 point (c)	Article 1 point (c)	
Annex IV, Table 9, Column 1, Row 6				
1289	Article 1 second, third and fourth subparagraphs	Article 1 second, third and fourth subparagraphs	Article 1 second, third and fourth subparagraphs	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex IV, Table 9, Column 1, Row 7				
1290	Article 2(1) (introductory wording)	Article 2(1) (introductory wording)	Article 2(1) (introductory wording)	
Annex IV, Table 9, Column 1, Row 8				
1291	-	-	-	
Annex IV, Table 9, Column 1, Row 9				
1292	Article 2(1) point 1	Article 2(1) point 1	Article 2(1) point 1	
Annex IV, Table 9, Column 1, Row 10				
1293	Article 2(1) point 2	Article 2(1) point 2	Article 2(1) point 2	
Annex IV, Table 9, Column 1, Row 11				
1294	Article 2(1) point 3	Article 2(1) point 3	Article 2(1) point 3	
Annex IV, Table 9, Column 1, Row 12				
1295	Article 2(1) point 4	Article 2(1) point 4	Article 2(1) point 4	
Annex IV, Table 9, Column 1, Row 13				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1296	Article 2(1) point 5	Article 2(1) point 5		
Annex IV, Table 9, Column 1, Row 14				
1297	Article 2(1) point 6	Article 2(1) point 6	Article 2(1) point 6	
Annex IV, Table 9, Column 1, Row 15				
1298	Article 2(1) point 7	Article 2(1) point 7	Article 2(1) point 7	
Annex IV, Table 9, Column 1, Row 16				
1299	Article 2(1) point 8	Article 2(1) point 8	Article 2(1) point 8	
Annex IV, Table 9, Column 1, Row 17				
1300	Article 2(1) point 9	Article 2(1) point 9	Article 2(1) point 9	
Annex IV, Table 9, Column 1, Row 18				
1301	Article 2(1) point 10	Article 2(1) point 10	Article 2(1) point 10	
Annex IV, Table 9, Column 1, Row 19				
1302	Article 2(1) point 11	Article 2(1) point 11	Article 2(1) point 11	
Annex IV, Table 9, Column 1, Row 20				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1303	Article 2(1) point 12	Article 2(1) point 12	Article 2(1) point 12	
Annex IV, Table 9, Column 1, Row 21				
1304	Article 2(1) point 13	Article 2(1) point 13	Article 2(1) point 13	
Annex IV, Table 9, Column 1, Row 22				
1305	Article 2(1) point 14	Article 2(1) point 14	Article 2(1) point 14	
Annex IV, Table 9, Column 1, Row 23				
1306	Article 2(1) point 15	Article 2(1) point 15	Article 2(1) point 15	
Annex IV, Table 9, Column 1, Row 24				
1307	Article 2(1) point 16	Article 2(1) point 16	Article 2(1) point 16	
Annex IV, Table 9, Column 1, Row 25				
1308	Article 2(1) point 17	Article 2(1) point 17	Article 2(1) point 17	
Annex IV, Table 9, Column 1, Row 26				
1309	Article 2(1) point 18	Article 2(1) point 18	Article 2(1) point 18	
Annex IV, Table 9, Column 1, Row 27				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1310	Article 2(1) point 19	Article 2(1) point 19	Article 2(1) point 19	
Annex IV, Table 9, Column 1, Row 28				
1311	Article 2(1) point 20	Article 2(1) point 20	Article 2(1) point 20	
Annex IV, Table 9, Column 1, Row 29				
1312	Article 2(1) point 21	Article 2(1) point 21	Article 2(1) point 21	
Annex IV, Table 9, Column 1, Row 30				
1313	Article 2(1) point 22	Article 2(1) point 22	Article 2(1) point 22	
Annex IV, Table 9, Column 1, Row 31				
1314	Article 2(1) point 23	Article 2(1) point 23	Article 2(1) point 23	
Annex IV, Table 9, Column 1, Row 32				
1315	Article 2(1) point 24	Article 2(1) point 24	Article 2(1) point 24	
Annex IV, Table 9, Column 1, Row 33				
1316	Article 2(1) point 25	Article 2(1) point 25	Article 2(1) point 25	
Annex IV, Table 9, Column 1, Row 34				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1317	Article 2(1) point 26	Article 2(1) point 26	Article 2(1) point 26	
Annex IV, Table 9, Column 1, Row 35				
1318	Article 2(1) point 27	Article 2(1) point 27	Article 2(1) point 27	
Annex IV, Table 9, Column 1, Row 36				
1319	Article 2(1) point 28	Article 2(1) point 28	Article 2(1) point 28	
Annex IV, Table 9, Column 1, Row 37				
1320	-	-	-	
Annex IV, Table 9, Column 1, Row 38				
1321	-	-	-	
Annex IV, Table 9, Column 1, Row 39				
1322	-	-	-	
Annex IV, Table 9, Column 1, Row 40				
1323	-	-	-	
Annex IV, Table 9, Column 1, Row 41				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1324	-	-	-	
Annex IV, Table 9, Column 1, Row 42				
1325	-	-	-	
Annex IV, Table 9, Column 1, Row 43				
1326	-	-	-	
Annex IV, Table 9, Column 1, Row 44				
1327	-	-	-	
Annex IV, Table 9, Column 1, Row 45				
1328	-	-	-	
Annex IV, Table 9, Column 1, Row 46				
1329	Article 2(2)	Article 2(2)	Article 2(2)	
Annex IV, Table 9, Column 1, Row 47				
1330	-	-	-	
Annex IV, Table 9, Column 1, Row 48				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1331	-	-	-	
Annex IV, Table 9, Column 1, Row 49				
1332	Article 14	Article 14	Article 14	
Annex IV, Table 9, Column 1, Row 50				
1333	Article 14(1)	Article 14(1)	Article 14(1)	
Annex IV, Table 9, Column 1, Row 51				
1334	-	-	-	
Annex IV, Table 9, Column 1, Row 52				
1335	Article 14(3)	Article 14(3)	Article 14(3)	
Annex IV, Table 9, Column 1, Row 53				
1336	Article 14(2)	Article 14(2)	Article 14(2)	
Annex IV, Table 9, Column 1, Row 54				
1337	-	-	-	
Annex IV, Table 9, Column 1, Row 55				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1338	Article 15	Article 15	Article 15	
Annex IV, Table 9, Column 1, Row 56				
1339	Article 7(1) to (2)	Article 7(1) to (2)	Article 7(1) to (2)	
Annex IV, Table 9, Column 1, Row 57				
1340	-	-	-	
Annex IV, Table 9, Column 1, Row 58				
1341	Article 7(3)	Article 7(3)	Article 7(3)	
Annex IV, Table 9, Column 1, Row 59				
1342	-	-	-	
Annex IV, Table 9, Column 1, Row 60				
1343	Article 7(4)	Article 7(4)	Article 7(4)	
Annex IV, Table 9, Column 1, Row 61				
1344	Article 7(5)	Article 7(5)	Article 7(5)	
Annex IV, Table 9, Column 1, Row 62				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1345	-	-	-	
Annex IV, Table 9, Column 1, Row 63				
1346	Article 16	Article 16	Article 16	
Annex IV, Table 9, Column 1, Row 64				
1347	Article 16(1) to 3	Article 16(1) to 3	Article 16(1) to 3	
Annex IV, Table 9, Column 1, Row 65				
1348	-	-	-	
Annex IV, Table 9, Column 1, Row 66				
1349	Article 9(4)	Article 9(4)	Article 9(4)	
Annex IV, Table 9, Column 1, Row 67				
1350	Article 9(5)	Article 9(5)	Article 9(5)	
Annex IV, Table 9, Column 1, Row 68				
1351	Article 17	Article 17	Article 17	
Annex IV, Table 9, Column 1, Row 69				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1352	Article 22	Article 22	Article 22	
Annex IV, Table 9, Column 1, Row 70				
1353	Article 21	Article 21	Article 21	
Annex IV, Table 9, Column 1, Row 71				
1354	Article 3	Article 3	Article 3	
Annex IV, Table 9, Column 1, Row 72				
1355	-	-	-	
Annex IV, Table 9, Column 1, Row 73				
1356	Article 13	Article 13	Article 13	
Annex IV, Table 9, Column 1, Row 74				
1357	-	-	-	
Annex IV, Table 9, Column 1, Row 75				
1358	-	-	-	
Annex IV, Table 9, Column 1, Row 76				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1359	-	-	-	
Annex IV, Table 9, Column 1, Row 77				
1360	-	-	-	
Annex IV, Table 9, Column 1, Row 78				
1361	-	-	-	
Annex IV, Table 9, Column 1, Row 79				
1362	Article 4	Article 4	Article 4	
Annex IV, Table 9, Column 1, Row 80				
1363	Article 5	Article 5	Article 5	
Annex IV, Table 9, Column 1, Row 81				
1364	Article 5(1) to (4)	Article 5(1) to (4)	Article 5(1) to (4)	
Annex IV, Table 9, Column 1, Row 82				
1365	Article 8	Article 8	Article 8	
Annex IV, Table 9, Column 1, Row 83				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1366	Article 8(1) to (3)(f)	Article 8(1) to (3)(f)	Article 8(1) to (3)(f)	
Annex IV, Table 9, Column 1, Row 84				
1367	-	-	-	
Annex IV, Table 9, Column 1, Row 85				
1368	-	-	-	
Annex IV, Table 9, Column 1, Row 86				
1369	Article 8(4)	Article 8(4)	Article 8(4)	
Annex IV, Table 9, Column 1, Row 87				
1370	-	-	-	
Annex IV, Table 9, Column 1, Row 88				
1371	Article 8(5) to (6) point 1	Article 8(5) to (6) point 1	Article 8(5) to (6) point 1	
Annex IV, Table 9, Column 1, Row 89				
1372	-	-	-	
Annex IV, Table 9, Column 1, Row 90				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1373	Article 8(7) to (11)	Article 8(7) to (11)	Article 8(7) to (11)	
Annex IV, Table 9, Column 1, Row 91				
1374	Article 8 (11)	Article 8 (11)	Article 8 (11)	
Annex IV, Table 9, Column 1, Row 92				
1375	Article 8 (12)	Article 8 (12)	Article 8 (12)	
Annex IV, Table 9, Column 1, Row 93				
1376	Article 9	Article 9	Article 9	
Annex IV, Table 9, Column 1, Row 94				
1377	Article 24	Article 24	Article 24	
Annex IV, Table 9, Column 1, Row 95				
1378	Article 10	Article 10	Article 10	
Annex IV, Table 9, Column 1, Row 96				
1379	Article 11	Article 11	Article 11	
Annex IV, Table 9, Column 1, Row 97				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1380	Article 12	Article 12	Article 12	
Annex IV, Table 9, Column 1, Row 98				
1381	Article 29	Article 29	Article 29	
Annex IV, Table 9, Column 1, Row 99				
1382	-	-	-	
Annex IV, Table 9, Column 1, Row 100				
1383	Article 29(b) and (c)	Article 29(b) and (c)	Article 29(b) and (c)	
Annex IV, Table 9, Column 1, Row 101				
1384	Article 18	Article 18	Article 18	
Annex IV, Table 9, Column 1, Row 102				
1385	Article 18(1) to (6)	Article 18(1) to (6)	Article 18(1) to (6)	
Annex IV, Table 9, Column 1, Row 103				
1386	-	-	-	
Annex IV, Table 9, Column 1, Row 104				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1387	Article 19	Article 19	Article 19	
Annex IV, Table 9, Column 1, Row 105				
1388	Article 19(1)	Article 19(1)	Article 19(1)	
Annex IV, Table 9, Column 1, Row 106				
1389	-	-	-	
Annex IV, Table 9, Column 1, Row 107				
1390	Article 19(2)	Article 19(2)	Article 19(2)	
Annex IV, Table 9, Column 1, Row 108				
1391	Article 19(3)	Article 19(3)	Article 19(3)	
Annex IV, Table 9, Column 1, Row 109				
1392	Article 19(4)	Article 19(4)	Article 19(4)	
Annex IV, Table 9, Column 1, Row 110				
1393	Article 19(5)	Article 19(5)	Article 19(5)	
Annex IV, Table 9, Column 1, Row 111				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1394	-	-	-	
Annex IV, Table 9, Column 1, Row 112				
1395	Article 20	Article 20	Article 20	
Annex IV, Table 9, Column 1, Row 113				
1396	-	-	-	
Annex IV, Table 9, Column 1, Row 114				
1397	-	-	-	
Annex IV, Table 9, Column 1, Row 115				
1398	-	-	-	
Annex IV, Table 9, Column 1, Row 116				
1399	-	-	-	
Annex IV, Table 9, Column 1, Row 117				
1400	-	-	-	
Annex IV, Table 9, Column 1, Row 118				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1401	-	-	-	
Annex IV, Table 9, Column 1, Row 119				
1402	-	-	-	
Annex IV, Table 9, Column 1, Row 120				
1403	-	-	-	
Annex IV, Table 9, Column 1, Row 121				
1404	-	-	-	
Annex IV, Table 9, Column 1, Row 122				
1405	-	-	-	
Annex IV, Table 9, Column 1, Row 123				
1406	-	-	-	
Annex IV, Table 9, Column 1, Row 124				
1407	-	-	-	
Annex IV, Table 9, Column 1, Row 125				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1408	-	-	-	
Annex IV, Table 9, Column 1, Row 126				
1409	-	-	-	
Annex IV, Table 9, Column 1, Row 127				
1410	-	-	-	
Annex IV, Table 9, Column 1, Row 128				
1411	-	-	-	
Annex IV, Table 9, Column 1, Row 129				
1412	-	-	-	
Annex IV, Table 9, Column 1, Row 130				
1413	-	-	-	
Annex IV, Table 9, Column 1, Row 131				
1414	-	-	-	
Annex IV, Table 9, Column 1, Row 132				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1415				
Annex IV, Table 9, Column 1, Row 133				
1416	Article 6	Article 6	Article 6	
Annex IV, Table 9, Column 1, Row 134				
1417				
Annex IV, Table 9, Column 1, Row 135				
1418	Article 6(1) to (12)	Article 6(1) to (12)	Article 6(1) to (12)	
Annex IV, Table 9, Column 1, Row 136				
1419	-	-	-	
Annex IV, Table 9, Column 1, Row 137				
1420				
Annex IV, Table 9, Column 1, Row 138				
1421	Article 7	Article 7	Article 7	
Annex IV, Table 9, Column 1, Row 139				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1422	Article 7(1) to (4)	Article 7(1) to (4)	Article 7(1) to (4)	
Annex IV, Table 9, Column 1, Row 140				
1423	Article 23	Article 23	Article 23	
Annex IV, Table 9, Column 1, Row 141				
1424	Article 23(1)	Article 23(1)		
Annex IV, Table 9, Column 1, Row 142				
1425	-	-	-	
Annex IV, Table 9, Column 1, Row 143				
1426	Article 23(6) and (7)	Article 23(6) and (7)	Article 23(6) and (7)	
Annex IV, Table 9, Column 1, Row 144				
1427	Article 25	Article 25	Article 25	
Annex IV, Table 9, Column 1, Row 145				
1428	Article 23	Article 23	Article 23	
Annex IV, Table 9, Column 1, Row 146				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1429	Article 58(1) and (2)	Article 58(1) and (2)	Article 58(1) and (2)	
Annex IV, Table 9, Column 1, Row 147				
1430				
Annex IV, Table 9, Column 1, Row 148				
1431	Article 27	Article 27	Article 27	
Annex IV, Table 9, Column 1, Row 149				
1432	-	-	-	
Annex IV, Table 9, Column 1, Row 150				
1433	Article 27(1) and (2)	Article 27(1) and (2)	Article 27(1) and (2)	
Annex IV, Table 9, Column 1, Row 151				
1434	-	-	-	
Annex IV, Table 9, Column 1, Row 152				
1435	Article 28	Article 28	Article 28	
Annex IV, Table 9, Column 1, Row 153				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1436	Article 28(1)	Article 28(1)	Article 28(1)	
Annex IV, Table 9, Column 1, Row 154				
1437	-	-	-	
Annex IV, Table 9, Column 1, Row 155				
1438	Article 28(2)	Article 28(2)	Article 28(2)	
Annex IV, Table 9, Column 1, Row 156				
1439	Article 30	Article 30	Article 30	
Annex IV, Table 9, Column 1, Row 157				
1440	Article 30(, point a)	Article 30(, point a)	Article 30(, point a)	
Annex IV, Table 9, Column 1, Row 158				
1441	Article 30, point (b)	Article 30, point (b)	Article 30, point (b)	
Annex IV, Table 9, Column 1, Row 159				
1442	Article 30, point (c)	Article 30, point (c)	Article 30, point (c)	
Annex IV, Table 9, Column 1, Row 160				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1443	Article 30 subparagraph 2	Article 30 subparagraph 2		
Annex IV, Table 9, Column 1, Row 161				
1444	-	-	-	
Annex IV, Table 9, Column 1, Row 162				
1445	-	-	-	
Annex IV, Table 9, Column 1, Row 163				
1446	-	-	-	
Annex IV, Table 9, Column 1, Row 164				
1447	-	-	-	
Annex IV, Table 9, Column 1, Row 165				
1448	-	-	-	
Annex IV, Table 9, Column 1, Row 166				
1449	Article 31	Article 31	Article 31	
Annex IV, Table 9, Column 1, Row 167				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1450	Article 32	Article 32	Article 32	
Annex IV, Table 9, Column 1, Row 168				
1451	Annex I	Annex I	Annex I	
Annex IV, Table 9, Column 1, Row 169				
1452	-	-	-	
Annex IV, Table 9, Column 1, Row 170				
1453	-	-	-	
Annex IV, Table 9, Column 1, Row 171				
1454	Annex III	Annex III	Annex III	
Annex IV, Table 9, Column 2, Row 1				
1455	This Regulation	This Regulation	This Regulation	
Annex IV, Table 9, Column 2, Row 2				
1456	Article 1 first subparagraph (introductory wording)	Article 1 first subparagraph (introductory wording)	Article 1 first subparagraph (introductory wording)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex IV, Table 9, Column 2, Row 3				
1457	Article 1(a)	Article 1(a)	Article 1(a)	
Annex IV, Table 9, Column 2, Row 4				
1458	-	-	-	
Annex IV, Table 9, Column 2, Row 5				
1459	Article 1(b)	Article 1(b)	Article 1(b)	
Annex IV, Table 9, Column 2, Row 6				
1460	Article 1 second, third and fourth subparagraphs	Article 1 second, third and fourth subparagraphs	Article 1 second, third and fourth subparagraphs	
Annex IV, Table 9, Column 2, Row 7				
1461	Article 2(1) (introductory wording)	Article 2(1) (introductory wording)	Article 2(1) (introductory wording)	
Annex IV, Table 9, Column 2, Row 8				
1462	Article 2(1) point 1	Article 2(1) point 1	Article 2(1) point 1	
Annex IV, Table 9, Column 2, Row 9				
1463				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 2(1) point 2	Article 2(1) point 2	Article 2(1) point 2	
Annex IV, Table 9, Column 2, Row 10				
1464	Article 2(1) point 3	Article 2(1) point 3	Article 2(1) point 3	
Annex IV, Table 9, Column 2, Row 11				
1465	Article 2(1) point 4	Article 2(1) point 4	Article 2(1) point 4	
Annex IV, Table 9, Column 2, Row 12				
1466	Article 2(1) point 5	Article 2(1) point 5	Article 2(1) point 5	
Annex IV, Table 9, Column 2, Row 13				
1467	Article 2(1) point 6	Article 2(1) point 6	Article 2(1) point 6	
Annex IV, Table 9, Column 2, Row 14				
1468	Article 2(1) point 7	Article 2(1) point 7	Article 2(1) point 7	
Annex IV, Table 9, Column 2, Row 15				
1469	Article 2(1) point 8	Article 2(1) point 8	Article 2(1) point 8	
Annex IV, Table 9, Column 2, Row 16				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1470	Article 2(1) point 9	Article 2(1) point 9	Article 2(1) point 9	
Annex IV, Table 9, Column 2, Row 17				
1471	Article 2(1) point 10	Article 2(1) point 10	Article 2(1) point 10	
Annex IV, Table 9, Column 2, Row 18				
1472	Article 2(1) point 11	Article 2(1) point 11	Article 2(1) point 11	
Annex IV, Table 9, Column 2, Row 19				
1473	Article 2(1) point 12	Article 2(1) point 12	Article 2(1) point 12	
Annex IV, Table 9, Column 2, Row 20				
1474	Article 2(1) point 13	Article 2(1) point 13	Article 2(1) point 13	
Annex IV, Table 9, Column 2, Row 21				
1475	Article 2(1) point 14	Article 2(1) point 14	Article 2(1) point 14	
Annex IV, Table 9, Column 2, Row 22				
1476	Article 2(1) point 15	Article 2(1) point 15	Article 2(1) point 15	
Annex IV, Table 9, Column 2, Row 23				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1477	Article 2(1) point 16	Article 2(1) point 16	Article 2(1) point 16	
Annex IV, Table 9, Column 2, Row 24				
1478	Article 2(1) point 17	Article 2(1) point 17	Article 2(1) point 17	
Annex IV, Table 9, Column 2, Row 25				
1479	Article 2(1) point 18	Article 2(1) point 18	Article 2(1) point 18	
Annex IV, Table 9, Column 2, Row 26				
1480	Article 2(1) point 19	Article 2(1) point 19	Article 2(1) point 19	
Annex IV, Table 9, Column 2, Row 27				
1481	Article 2(1) point 20	Article 2(1) point 20	Article 2(1) point 20	
Annex IV, Table 9, Column 2, Row 28				
1482	Article 2(1) point 21	Article 2(1) point 21	Article 2(1) point 21	
Annex IV, Table 9, Column 2, Row 29				
1483	Article 2(1) point 22	Article 2(1) point 22	Article 2(1) point 22	
Annex IV, Table 9, Column 2, Row 30				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1484	Article 2(1) point 23	Article 2(1) point 23	Article 2(1) point 23	
Annex IV, Table 9, Column 2, Row 31				
1485	Article 2(1) point 24	Article 2(1) point 24	Article 2(1) point 24	
Annex IV, Table 9, Column 2, Row 32				
1486	Article 2(1) point 25	Article 2(1) point 25	Article 2(1) point 25	
Annex IV, Table 9, Column 2, Row 33				
1487	Article 2(1) point 26	Article 2(1) point 26	Article 2(1) point 26	
Annex IV, Table 9, Column 2, Row 34				
1488	Article 2(1) point 27	Article 2(1) point 27	Article 2(1) point 27	
Annex IV, Table 9, Column 2, Row 35				
1489	Article 2(1) point 28	Article 2(1) point 28	Article 2(1) point 28	
Annex IV, Table 9, Column 2, Row 36				
1490	Article 2(1) point 29	Article 2(1) point 29	Article 2(1) point 29	
Annex IV, Table 9, Column 2, Row 37				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1491	Article 2(1) point 30	Article 2(1) point 30	Article 2(1) point 30	
Annex IV, Table 9, Column 2, Row 38				
1492	Article 2(1) point 31	Article 2(1) point 31	Article 2(1) point 31	
Annex IV, Table 9, Column 2, Row 39				
1493	Article 2(1) point 32	Article 2(1) point 32	Article 2(1) point 32	
Annex IV, Table 9, Column 2, Row 40				
1494	Article 2(1) point 33	Article 2(1) point 33	Article 2(1) point 33	
Annex IV, Table 9, Column 2, Row 41				
1495	Article 2(1) point 34	Article 2(1) point 34	Article 2(1) point 34	
Annex IV, Table 9, Column 2, Row 42				
1496	Article 2(1) point 35	Article 2(1) point 35	Article 2(1) point 35	
Annex IV, Table 9, Column 2, Row 43				
1497	Article 2(1) point 36	Article 2(1) point 36	Article 2(1) point 36	
Annex IV, Table 9, Column 2, Row 44				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1498	Article 2(1) point 37	Article 2(1) point 37	Article 2(1) point 37	
Annex IV, Table 9, Column 2, Row 45				
1499	Article 2(1) point 38	Article 2(1) point 38	Article 2(1) point 38	
Annex IV, Table 9, Column 2, Row 46				
1500	Article 2(2)	Article 2(2)	Article 2(2)	
Annex IV, Table 9, Column 2, Row 47				
1501	Article 3	Article 3	Article 3	
Annex IV, Table 9, Column 2, Row 48				
1502	Article 4	Article 4	Article 4	
Annex IV, Table 9, Column 2, Row 49				
1503	Article 5	Article 5	Article 5	
Annex IV, Table 9, Column 2, Row 50				
1504	Article 5(1) to (2)	Article 5(1) to (2)	Article 5(1) to (2)	
Annex IV, Table 9, Column 2, Row 51				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1505	Article 5(3)	Article 5(3)	Article 5(3)	
Annex IV, Table 9, Column 2, Row 52				
1506	Article 5(4)	Article 5(4)	Article 5(4)	
Annex IV, Table 9, Column 2, Row 53				
1507	Article 5(5)	Article 5(5)	Article 5(5)	
Annex IV, Table 9, Column 2, Row 54				
1508	Article 6	Article 6	Article 6	
Annex IV, Table 9, Column 2, Row 55				
1509	Article 7	Article 7	Article 7	
Annex IV, Table 9, Column 2, Row 56				
1510	Article 7(1) to (2)	Article 7(1) to (2)	Article 7(1) to (2)	
Annex IV, Table 9, Column 2, Row 57				
1511	Article 7(3)	Article 7(3)	Article 7(3)	
Annex IV, Table 9, Column 2, Row 58				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1512	Article 7(4)	Article 7(4)	Article 7(4)	
Annex IV, Table 9, Column 2, Row 59				
1513	Article 7(4) second subparagraph	Article 7(4) second subparagraph	Article 7(4) second subparagraph	
Annex IV, Table 9, Column 2, Row 60				
1514	Article 7(5)	Article 7(5)	Article 7(5)	
Annex IV, Table 9, Column 2, Row 61				
1515	Article 7(6)	Article 7(6)	Article 7(6)	
Annex IV, Table 9, Column 2, Row 62				
1516	Article 8	Article 8	Article 8	
Annex IV, Table 9, Column 2, Row 63				
1517	Article 9	Article 9	Article 9	
Annex IV, Table 9, Column 2, Row 64				
1518	Article 9(1) to (3)	Article 9(1) to (3)	Article 9(1) to (3)	
Annex IV, Table 9, Column 2, Row 65				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1519	Article 9(4)	Article 9(4)	Article 9(4)	
Annex IV, Table 9, Column 2, Row 66				
1520	-	-	-	
Annex IV, Table 9, Column 2, Row 67				
1521	-	-	-	
Annex IV, Table 9, Column 2, Row 68				
1522	Article 10	Article 10	Article 10	
Annex IV, Table 9, Column 2, Row 69				
1523	Article 11	Article 11	Article 11	
Annex IV, Table 9, Column 2, Row 70				
1524	Article 12	Article 12	Article 12	
Annex IV, Table 9, Column 2, Row 71				
1525	Article 13	Article 13	Article 13	
Annex IV, Table 9, Column 2, Row 72				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1526	Article 14	Article 14	Article 14	
Annex IV, Table 9, Column 2, Row 73				
1527	Article 15	Article 15	Article 15	
Annex IV, Table 9, Column 2, Row 74				
1528	Article 16	Article 16	Article 16	
Annex IV, Table 9, Column 2, Row 75				
1529	Article 17	Article 17	Article 17	
Annex IV, Table 9, Column 2, Row 76				
1530	Article 18	Article 18	Article 18	
Annex IV, Table 9, Column 2, Row 77				
1531	Article 19	Article 19	Article 19	
Annex IV, Table 9, Column 2, Row 78				
1532	Article 20	Article 20	Article 20	
Annex IV, Table 9, Column 2, Row 79				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1533	Article 21	Article 21	Article 21	
Annex IV, Table 9, Column 2, Row 80				
1534	Article 22	Article 22	Article 22	
Annex IV, Table 9, Column 2, Row 81				
1535	Article 22(1) to (4)	Article 22(1) to (4)	Article 22(1) to (4)	
Annex IV, Table 9, Column 2, Row 82				
1536	Article 23	Article 23	Article 23	
Annex IV, Table 9, Column 2, Row 83				
1537	Article 23(1) to (3)(f)	Article 23(1) to (3)(f)	Article 23(1) to (3)(f)	
Annex IV, Table 9, Column 2, Row 84				
1538	Article 23(3) point (g)	Article 23(3) point (g)	Article 23(3) point (g)	
Annex IV, Table 9, Column 2, Row 85				
1539	Article 23(3) subparagraph 2	Article 23(3) subparagraph 2	Article 23(3) subparagraph 2	
Annex IV, Table 9, Column 2, Row 86				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1540	Article 23(4)	Article 23(4)	Article 23(4)	
Annex IV, Table 9, Column 2, Row 87				
1541	Article 23(4) subparagraph 2	Article 23(4) subparagraph 2	Article 23(4) subparagraph 2	
Annex IV, Table 9, Column 2, Row 88				
1542	Article 23(5) to (6) point 1	Article 23(5) to (6) point 1	Article 23(5) to (6) point 1	
Annex IV, Table 9, Column 2, Row 89				
1543	Article 23(6)(m)	Article 23(6)(m)	Article 23(6)(m)	
Annex IV, Table 9, Column 2, Row 90				
1544	Article 23(7) to (11)	Article 23(7) to (11)	Article 23(7) to (11)	
Annex IV, Table 9, Column 2, Row 91				
1545	Article 23(10)	Article 23(10)	Article 23(10)	
Annex IV, Table 9, Column 2, Row 92				
1546	Article 23(11)	Article 23(11)	Article 23(11)	
Annex IV, Table 9, Column 2, Row 93				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1547	Article 24	Article 24	Article 24	
Annex IV, Table 9, Column 2, Row 94				
1548	Article 25	Article 25	Article 25	
Annex IV, Table 9, Column 2, Row 95				
1549	Article 26	Article 26	Article 26	
Annex IV, Table 9, Column 2, Row 96				
1550	Article 27	Article 27	Article 27	
Annex IV, Table 9, Column 2, Row 97				
1551	Article 28	Article 28	Article 28	
Annex IV, Table 9, Column 2, Row 98				
1552	Article 29	Article 29	Article 29	
Annex IV, Table 9, Column 2, Row 99				
1553	Article 29(a)	Article 29(a)	Article 29(a)	
Annex IV, Table 9, Column 2, Row 100				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1554	Article 29(b) and (c)	Article 29(b) and (c)	Article 29(b) and (c)	
Annex IV, Table 9, Column 2, Row 101				
1555	Article 30	Article 30	Article 30	
Annex IV, Table 9, Column 2, Row 102				
1556	Article 30(1) to (6)	Article 30(1) to (6)	Article 30(1) to (6)	
Annex IV, Table 9, Column 2, Row 103				
1557	Article 30(7)	Article 30(7)	Article 30(7)	
Annex IV, Table 9, Column 2, Row 104				
1558	Article 31	Article 31	Article 31	
Annex IV, Table 9, Column 2, Row 105				
1559	Article 31(1)	Article 31(1)	Article 31(1)	
Annex IV, Table 9, Column 2, Row 106				
1560	Article 31(2)	Article 31(2)	Article 31(2)	
Annex IV, Table 9, Column 2, Row 107				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1561	Article 31(3)	Article 31(3)	Article 31(3)	
Annex IV, Table 9, Column 2, Row 108				
1562	Article 31(4)	Article 31(4)	Article 31(4)	
Annex IV, Table 9, Column 2, Row 109				
1563	Article 31(5)	Article 31(5)	Article 31(5)	
Annex IV, Table 9, Column 2, Row 110				
1564	Article 31(6)	Article 31(6)	Article 31(6)	
Annex IV, Table 9, Column 2, Row 111				
1565	Article 31(6) second subparagraph	Article 31(6) second subparagraph	Article 31(6) second subparagraph	
Annex IV, Table 9, Column 2, Row 112				
1566	Article 32	Article 32	Article 32	
Annex IV, Table 9, Column 2, Row 113				
1567	Article 33	Article 33	Article 33	
Annex IV, Table 9, Column 2, Row 114				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1568	Article 34	Article 34	Article 34	
Annex IV, Table 9, Column 2, Row 115				
1569	Article 35	Article 35	Article 35	
Annex IV, Table 9, Column 2, Row 116				
1570	Article 36	Article 36	Article 36	
Annex IV, Table 9, Column 2, Row 117				
1571	Article 37	Article 37	Article 37	
Annex IV, Table 9, Column 2, Row 118				
1572	Article 38	Article 38	Article 38	
Annex IV, Table 9, Column 2, Row 119				
1573	Article 39	Article 39	Article 39	
Annex IV, Table 9, Column 2, Row 120				
1574	Article 40	Article 40	Article 40	
Annex IV, Table 9, Column 2, Row 121				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1575	Article 41	Article 41	Article 41	
Annex IV, Table 9, Column 2, Row 122				
1576	Article 42	Article 42	Article 42	
Annex IV, Table 9, Column 2, Row 123				
1577	Article 43	Article 43	Article 43	
Annex IV, Table 9, Column 2, Row 124				
1578	Article 44	Article 44	Article 44	
Annex IV, Table 9, Column 2, Row 125				
1579	Article 45	Article 45	Article 45	
Annex IV, Table 9, Column 2, Row 126				
1580	Article 46	Article 46	Article 46	
Annex IV, Table 9, Column 2, Row 127				
1581	Article 47	Article 47	Article 47	
Annex IV, Table 9, Column 2, Row 128				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1582	Article 48	Article 48	Article 48	
Annex IV, Table 9, Column 2, Row 129				
1583	Article 49	Article 49	Article 49	
Annex IV, Table 9, Column 2, Row 130				
1584	Article 50	Article 50	Article 50	
Annex IV, Table 9, Column 2, Row 131				
1585	Article 51	Article 51	Article 51	
Annex IV, Table 9, Column 2, Row 132				
1586	Article 52	Article 52	Article 52	
Annex IV, Table 9, Column 2, Row 133				
1587	Article 53	Article 53	Article 53	
Annex IV, Table 9, Column 2, Row 134				
1588	Article 53(1) to (15)	Article 53(1) to (15)	Article 53(1) to (15)	
Annex IV, Table 9, Column 2, Row 135				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1589	-	-	-	
Annex IV, Table 9, Column 2, Row 136				
1590	Article 54	Article 54	Article 54	
Annex IV, Table 9, Column 2, Row 137				
1591	Article 55	Article 55	Article 55	
Annex IV, Table 9, Column 2, Row 138				
1592	Article 55(1) to (3)	Article 55(1) to (3)	Article 55(1) to (3)	
Annex IV, Table 9, Column 2, Row 139				
1593	-	-	-	
Annex IV, Table 9, Column 2, Row 140				
1594	Article 56	Article 56	Article 56	
Annex IV, Table 9, Column 2, Row 141				
1595	-	-	-	
Annex IV, Table 9, Column 2, Row 142				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1596	Article 56(1) to (5)	Article 56(1) to (5)	Article 56(1) to (5)	
Annex IV, Table 9, Column 2, Row 143				
1597	-	-	-	
Annex IV, Table 9, Column 2, Row 144				
1598	-	-	-	
Annex IV, Table 9, Column 2, Row 145				
1599	Article 57	Article 57	Article 57	
Annex IV, Table 9, Column 2, Row 146				
1600	Article 58(1) and (2)	Article 58(1) and (2)	Article 58(1) and (2)	
Annex IV, Table 9, Column 2, Row 147				
1601	Article 58(3) to (7)	Article 58(3) to (7)	Article 58(3) to (7)	
Annex IV, Table 9, Column 2, Row 148				
1602	Article 59	Article 59	Article 59	
Annex IV, Table 9, Column 2, Row 149				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1603	Article 59(1) to (3)	Article 59(1) to (3)	Article 59(1) to (3)	
Annex IV, Table 9, Column 2, Row 150				
1604	-	-	-	
Annex IV, Table 9, Column 2, Row 151				
1605	Article 60	Article 60	Article 60	
Annex IV, Table 9, Column 2, Row 152				
1606	Article 61	Article 61	Article 61	
Annex IV, Table 9, Column 2, Row 153				
1607	Article 61(1)	Article 61(1)	Article 61(1)	
Annex IV, Table 9, Column 2, Row 154				
1608	Article 61(2) and (3)	Article 61(2) and (3)	Article 61(2) and (3)	
Annex IV, Table 9, Column 2, Row 155				
1609	-	-	-	
Annex IV, Table 9, Column 2, Row 156				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1610	Article 62	Article 62	Article 62	
Annex IV, Table 9, Column 2, Row 157				
1611	-	-	-	
Annex IV, Table 9, Column 2, Row 158				
1612	-	-	-	
Annex IV, Table 9, Column 2, Row 159				
1613	-	-	-	
Annex IV, Table 9, Column 2, Row 160				
1614	-	-	-	
Annex IV, Table 9, Column 2, Row 161				
1615	Article 63	Article 63	Article 63	
Annex IV, Table 9, Column 2, Row 162				
1616	Article 64	Article 64	Article 64	
Annex IV, Table 9, Column 2, Row 163				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1617	Article 65	Article 65	Article 65	
Annex IV, Table 9, Column 2, Row 164				
1618	Article 66	Article 66	Article 66	
Annex IV, Table 9, Column 2, Row 165				
1619	Article 67	Article 67	Article 67	
Annex IV, Table 9, Column 2, Row 166				
1620	Article 68	Article 68	Article 68	
Annex IV, Table 9, Column 2, Row 167				
1621	Article 69	Article 69	Article 69	
Annex IV, Table 9, Column 2, Row 168				
1622	Annex I	Annex I	Annex I	
Annex IV, Table 9, Column 2, Row 169				
1623	Annex II	Annex II	Annex II	
Annex IV, Table 9, Column 2, Row 170				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1624	Annex III	Annex III	Annex III	
Annex IV, Table 9, Column 2, Row 171				
1625	Annex IV	Annex IV	Annex IV	