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Injection Code Gas TSO

Valid from 12-05-2016 to date

Decision of the Dutch Authority for Consumers and Markets of 21 April 2016, reference ACM/DE/2016/202164, adopting the conditions referred to in article 12b of the Dutch Gas Act (Injection Code Gas TSO)

The Dutch Authority for Consumers and Markets,

In view of article 12f, paragraph 1 of the Dutch Gas Act;

Decision:

1. General provisions

1.1. Scope and definitions

1.1.1

The Injection Code Gas TSO applies to connections and connection points, with the exception of links between high-pressure gas transmission networks, through which gas is injected into the national grid by an injector. Provisions in the Injection Code Gas TSO concerning connections relate exclusively to connections brought into use before 1 April 2011 in accordance with article 10a, paragraph 1 (d) of the Dutch Gas Act. This Injection Code Gas TSO contains the conditions relating to the way in which the injector and the network operator of the national grid allow the injection facility and the national grid to be, and continue to be, technically and operationally compatible, such that the injection facility and the national grid are, and remain, safely connected to each other and such that the gas can be measured and injected into the national grid in a controlled manner. This Injection Code Gas TSO aims to guarantee the safety, efficiency and reliability of the injection facility and the national grid and to spare the environment.

1.1.2

Terms that are defined in the Dutch Gas Act or the Definitions Code Gas have the meaning defined in the Dutch Gas Act or the Definitions Code Gas.

1.2. Transmission agreement

1.2.1

The network operator of the national grid shall only permit gas to be injected via the connection or connection point if injection is supported by at least one transmission agreement, an agreement has been concluded as referred to in 1.3 and a shipper bears programme responsibility for the injected gas, unless the injected gas is intended for the network operator of the national grid so that it can perform its statutory obligations.

1.2.2

If the transmission agreement referred to in 1.2.1 is terminated or suspended at any time, without a new consecutive transmission agreement being concluded, the network operator of the national grid shall

inform the injector of this immediately.

1.3

The network operator of the national grid and the injector shall draw up an agreement to establish injection facility and gas injection arrangements.

2. Injection facility

2.1

The injector shall ensure that the injection facility complies (or continues to comply) with the safety conditions laid down pursuant to legislation and regulations, so that the injection facility will not pose any risk to the undisturbed functioning of the national grid, or to the staff of the network operator of the national grid or to third parties brought in by the network operator of the national grid. The network operator of the national grid is not obliged to check, on its own initiative, whether the legislation and regulations applicable to the injection facility have been satisfied.

2.2

Before a connection or a connection point is brought (back) into use, the injector shall show, to the satisfaction of the network operator of the national grid, that the injection facility complies with the relevant safety legislation and regulations.

2.3

The injector is obliged to keep all information relating to the construction, modifications and maintenance of the injection facility up to date, insofar as this is relevant to show that the injection facility complies with the relevant safety legislation and regulations.

2.4

The injector is, moreover, obliged to report any adaptations to the injection facility, such that these may be of significance to the safety or undisturbed functioning of the national grid, to the network operator of the national grid in good time prior to the execution of the adaptation.

2.5

If there is serious doubt as to whether the injection facility complies with the relevant safety legislation and regulations, the injector shall be able to show, as soon as possible but in any case within twenty four hours, at the request and to the satisfaction of the network operator of the national grid, that the injection facility is compliant, where necessary by providing the network operator of the national grid with all information relating to the construction, modifications and maintenance of the injection facility. Any costs arising from this shall be payable by the injector if it is proved that the injection facility does not comply with the relevant legislation and regulations.

2.6

If the injector does not comply with the provisions of 1.2.1, 2.4 and/or 2.5, the network operator of the national grid is authorised to close the connection or connection point. This measure shall not be withdrawn before the reason for taking this measure has been removed and the costs of the measure and of withdrawing the measure have been reimbursed by the injector to the network operator of the national grid.

2.7

If the reason for closing the connection or connection point is removed and the provisions of 2.2 are satisfied, the network operator of the national grid shall bring the connection or connection point back into use within two working days of compliance with the provisions of 2.2. The network operator of the

national grid may attach more detailed financial and operational conditions to recommissioning the connection or connection point, relating to the effort it has had to make and the costs it has had to incur in connection with closing and then reopening it.

2.8

The injector shall ensure that access to the injection facility, as well as to the building or part of the building which houses the measuring and control equipment, is guaranteed for the network operator of the national grid, insofar as this is necessary for the network operator of the national grid in order to guarantee the safety and/or efficient and reliable operation of the national grid. The network operator of the national grid shall observe the injector's safety policy in this regard.

2.9. Pressure or flow control and pressure protection

2.9.1

The injection facility shall be equipped with a system for controlling the flow in order to comply with the results arising from performance of the procedures described in 4.2.2 and 4.2.3 of the Transmission Code Gas at a pressure that complies with the provisions of 3.2.1.

2.9.2

The injection facility shall be equipped with pressure safety that meets the relevant legislation and regulations. Pressure safety settings shall be agreed between the injector and the network operator of the national grid and shall guarantee that the safety and/or efficient and reliable operation of the national grid is not endangered.

2.9.3

Pressure safety shall be maintained and tested in accordance with relevant legislation and regulations. The network operator of the national grid is entitled to attend these tests. In order to guarantee the safety and/or efficient and reliable operation of the national grid, the network operator of the national grid is entitled to inspect pressure safety maintenance and testing.

2.9.4

If the safety and/or reliable operation of the national grid is endangered, the network operator of the national grid is entitled, as a precautionary measure, to close the connection or connection point causing the hazard immediately. The network operator of the national grid shall inform the injector of this action immediately and, if possible, prior to taking the action. The network operator of the national grid shall inform the injector of the reasons for the closure.

3. Connecting

3.1. Construction of the connection point

3.1.1

The creation of a connection point by the network operator of the national grid takes place on the basis of an agreement to be concluded between the network operator of the national grid and the injector. The network operator of the national grid shall, within a reasonable period, provide a written explanation of any refusal to create the connection point.

3.1.2

The network operator of the national grid and the injector shall determine, by joint consultation, the period within which the connection point shall be completed. The network operator of the national grid and the injector shall make every effort to obtain the required permits as soon as possible.

3.1.3

The network operator of the national grid and the injector shall determine, by joint consultation, the location where the connection point shall be completed.

3.2. Operating pressure

3.2.1

The network operator of the national grid shall consult with the injector in order to agree the minimum and maximum pressures at which gas is to be injected at the gas transfer point. Without prejudice to the provisions of 5.1.3 and 5.1.4, it is the responsibility of the injector to set operating pressure such that it can inject gas into the national grid at the prevailing pressure insofar as this is in between the agreed minimum and maximum pressure and at the same time control the flow as referred to in 2.9.1.

3.2.2

If the network operator of the national grid or the injector should determine that the gas at the gas transfer point is not being made available at an operating pressure within the bandwidth according to article 3.2.1, the network operator of the national grid and the injector shall inform each other of this as soon as possible.

3.3. Gas quality

3.3.1

If the injector anticipates that gas will be made available at the gas transfer point that does not comply with the agreed gas quality, then it shall inform the network operator of the national grid of this as soon as possible.

3.3.2

If gas is or will be made available at the gas transfer point that does not comply with the (agreed) gas quality, the injector and network operator of the national grid shall inform each other of this as soon as possible and take measures that may reasonably be expected to remove the cause and/or limit the consequences. The network operator of the national grid shall inform the injector as soon as possible as to whether the gas will be wholly or partially rejected or accepted. The injector is responsible for operational and/or financial consequences until the moment that the network operator of the national grid accepts the gas that does not comply with the (agreed) gas quality. If the safety and/or efficient and reliable operation of the national grid is endangered, the network operator of the national grid is entitled, as a precautionary measure, to close the connection or connection point immediately. The network operator of the national grid shall inform the injector of this action immediately and, if possible, prior to taking the action.

3.4. Gas transfer point

3.4.1

The gas transfer point is at the site of the physical connection point between, on the one hand, the national grid, and, on the other hand, the injection facility where the gas is injected into the national grid; this connection point (seen from the point of view of the national grid) lies one metre behind the insulation sleeve of the connection or connection point, unless the network operator of the national grid and the injector concerned have agreed otherwise.

4. Injecting, measuring and controlling

4.1

The injector is responsible for ensuring that gas is not injected in such a way that the safety and/or

reliable operation of the national grid is endangered or may be endangered. If this sort of situation should occur or is at risk of occurring, the injector is obliged to inform the network operator of the national grid as soon as possible prior to the occurrence of the situation and to follow the instructions given by the network operator of the national grid regarding this matter.

4.2

If the network operator of the national grid suspects that actions of the injector are endangering the safety and/or reliable operation of the national grid, the network operator of the national grid shall inform the injector of this immediately. The network operator of the national grid is entitled, as a precautionary measure, to close the connection or connection point immediately.

4.3

The measuring and control equipment shall be constructed, operated and maintained by the injector unless the injector and the network operator of the national grid agree otherwise.

4.4

The injector and the network operator of the national grid shall set up a metering handbook. This metering handbook concerns both fiscal (custody transfer) and non-fiscal measurements and contains a description of the equipment erected, calculation methods, the handling of identified errors, the precision requirements of the equipment and the methods and criteria used to guarantee the quality of the measurements as well as the information required to ensure that the national grid functions safely, efficiently and reliably. The methods and procedures used shall be in accordance with the relevant (international) standards. If a new version of a standard is published, the injector and the network operator of the national grid shall come to an agreement as to whether, and if so when, this is to be applied to the measuring and control equipment.

4.5

The fiscal measuring system shall comply with the following specifications:

measurement uncertainty in quantity of energy on a monthly basis	< 0,75%
measurement uncertainty in quantity of energy per hour	< 2%
data availability per hour (annual average)	≥ 99%
maximum down time for measurement and/or data acquisition	2 hours

The network operator of the national grid and the injector may agree different specifications.

4.6

The fiscal measuring system's local data acquisition systems shall be remotely readable by the network operator of the national grid with a minimum frequency of once every 5 minutes for the purpose of near-real-time information provision.

4.7

If the injector operates the measuring system, the hourly fiscal measurement readings shall be supplied to the network operator of the national grid by the injector no later than the fourth working day of the month following the month to which the measurement readings apply.

4.8

The network operator of the national grid is entitled to construct, maintain and use the telecommunications infrastructure and/or data lines, connected to the measuring and control equipment, it may require (for the performance of its tasks as network operator of the national grid). The network operator of the national grid shall observe the injector's safety policy in this regard.

4.9

The injector and the network operator of the national grid have access to all information related to measuring. The party that operates the measuring and control equipment shall give the other party the opportunity to attend the testing and calibration work to be performed and to discuss the results.

4.10

The injector shall ensure that the quantity of gas to be injected is, structurally and/or systematically, within the capacity range between the minimum measuring capacity and the maximum measuring capacity. The injector shall inject gas in such a way that proper use of the measuring equipment is guaranteed. If the injector does not or will not be able to comply with this, the injector is obliged to inform the network operator of the national grid and to follow the instructions given by the latter regarding this matter. Moreover, the injector is obliged, if and insofar as it falls below the agreed minimum measuring capacity or exceeds the maximum measuring capacity, structurally and/or systematically, to consult with the network operator of the national grid about a lower minimum or higher maximum measuring capacity. An amended measuring capacity shall be specified by the network operator of the national grid and the injector.

4.11

If a party has well-founded reasons for believing that the measuring equipment is not functioning correctly or is showing a deviation, the party responsible for operating the measuring equipment shall check this and, if necessary, take action (adjust the equipment). The costs relating to this are payable by the party that operates the measuring equipment unless any confirmed inaccuracy does not exceed the permitted deviations, as defined in the metering handbook, in which case the costs relating to checking are payable by the party requesting the verification.

5. Cooperation

5.1. Work

5.1.1

The network operator of the national grid and the injector shall, at all times, exchange sufficient information and take sufficient measures, so that the work performed on bringing the connection or connection point, the injection facility and/or the national grid (or parts thereof) into or out of operation and/or the telecommunication provisions in connection with this work, are coordinated such that any disruption to normal gas injection or to the mutual provision of information is kept to a minimum.

5.1.2

Where reasonably necessary in connection with the safety, efficiency and/or reliability of the national grid, the network operator of the national grid and the injector shall, for work performed on the connection or connection point, the injection facility or the national grid requiring, for a specific period, a certain injection or injection pattern at the connection or connection point, work with each other and with other network users to achieve this type of injection or injection pattern during this period.

5.1.3

If an injector is intending to carry out work, not relating to disruptions or incidents, which may lead to interruption to, increase or decrease in gas injections, or to changes in the conditions under which gas is injected, the injector shall inform the network operator of the national grid of the date and duration of the

interruption to, increase or decrease in the gas injections or the changes in the conditions under which gas is injected. When planning and performing this work, the injector shall take account, as far as is reasonably possible, of the interests of the network operator of the national grid.

5.1.4

If the network operator of the national grid is intending to carry out work, not relating to disruptions or incidents, which may lead to interruption to, increase or decrease in gas injections, or to changes in the conditions under which gas is injected, this work shall not be carried out before agreement has been reached between the network operator of the national grid and the injector regarding the date and duration of the interruption to, increase or decrease in the gas injections or the changes in the conditions under which gas is injected. When planning and performing this work, the network operator of the national grid shall take account, as far as is reasonably possible, of the interests of the injector.

5.1.5

If an incident or disruption is a threat to the connection or connection point, the injection facility and/or the safety, efficiency and/or reliability of the national grid, the injector may perform the necessary work on the injection facility immediately and without prior consultation with the network operator of the national grid or with third parties. In these circumstances, the network operator of the national grid and the injector shall, as far as is reasonably possible, maintain contact with each other and work together to resolve the incident or disruption or the consequences thereof.

5.1.6

The injector and the network operator of the national grid are authorised, without giving prior notice to each other or other parties concerned, to close the connection or connection point if this is required due to direct danger to individuals. The network operator of the national grid and the injector shall inform each other thereof immediately.

5.1.7

Neither the injector nor the network operator of the national grid shall cause any hindrance or loss to the national grid or to the connection or connection point and/or to the injection facility, respectively, through the connection or connection point and/or the injection facility or the national grid, respectively, or in any other way. The injector and the network operator of the national grid shall not use the connection or connection point for earthing electrical installations, appliances, lightning conductors or the like, or for any other purpose than is expressly permitted under this Injection Code Gas TSO .

5.2. Communication

5.2.1

The network operator of the national grid and the injector shall cooperate fully with each other when applying and implementing the provisions of this Injection Code Gas TSO and when checking that the provisions are being observed. The network operator of the national grid and the injector are, in particular, obliged to inform each other as soon as possible of any information, occurrences or changes in circumstances or in the actual situation, which are (or may be) significant for the implementation of this Injection Code Gas TSO .

5.2.2

The network operator of the national grid and the injector shall, in order to comply with the situations described in 5.2.1, among other things, be accessible twenty-four hours per day and each day of the year by telephone or by any other agreed system of communication and they shall be in a position to take action if necessary. All relevant address and communication details shall be recorded. If these details change, the network operator of the national grid and the injector shall inform each other of this, in writing, addressed to their recorded addresses, as soon as possible but no later than ten working days prior to the change in the details.

5.2.3

The network operator of the national grid and the injector shall make sufficient effort to ensure that they continue to hold the necessary permits and to inform each other of any changes in those permits and the conditions under which they have been issued.

5.2.4

Insofar as operational measures are required in the national grid in order to transport gas safely, efficiently and reliably, the network operator of the national grid may agree operational conditions with the injector, which record the communication process needed for harmonising planned quantities of gas to be injected and transported. The communication process to be agreed shall reflect international recommendations on this subject as closely as possible. If a new version of these recommendations is published, the injector and the network operator of the national grid shall come to an agreement as to whether, and if so when, this is to be applied.

5.3

At the request of the network operator of the national grid, the injector shall, for each connection or connection point, provide annual information about the anticipated capacity at which gas shall be injected over at least the next five years. If the network operator of the national grid should so request, the injector shall provide the network operator of the national grid with more detailed (background) information relating to the information it has supplied. The injector is responsible for ensuring that the statements it has supplied have been put together carefully and provide as good an estimate as possible of future capacity to be injected.

5.4. Compensation in the event of serious disruptions

5.4.1

The injector is entitled to financial compensation in the event of disruptions leading to an interruption in gas transmission for a period lasting longer than 4 hours, except for anticipated interruptions.

5.4.2

The period of 4 hours referred to in 5.4.1 shall, for all injectors affected by the interruption, begin at the moment that the network operator of the national grid receives the first report of an interruption from an injector or, if earlier, at the moment that the interruption is established by the network operator of the national grid.

5.4.3

The financial compensation referred to in 5.4.1 shall be € 910 for the injector for an interruption lasting between 4 and 8 hours, plus € 500 for each subsequent consecutive 4-hour period. Payment shall be within three months.

6. Final provisions

6.1

The Injection Code Gas - TSO, as established by the Decision of 24 July 2014 and subsequently amended once, is withdrawn.

6.2

This Decision enters into force with effect from the day after the date of issue of the Dutch Government Gazette in which it has been published.

6.3

This Decision is cited as: Injection Code Gas TSO.

This Decision and its explanatory notes shall be published in the Dutch Government Gazette.

The Hague, 21 April 2016

On behalf of the Dutch Authority for Consumers and Markets:

F.J.H. Don

board member