

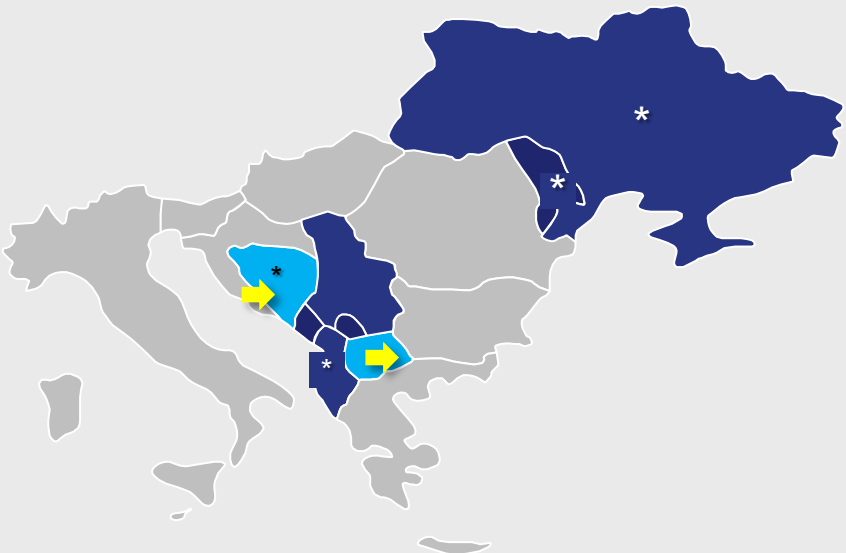


Energy Community Developments

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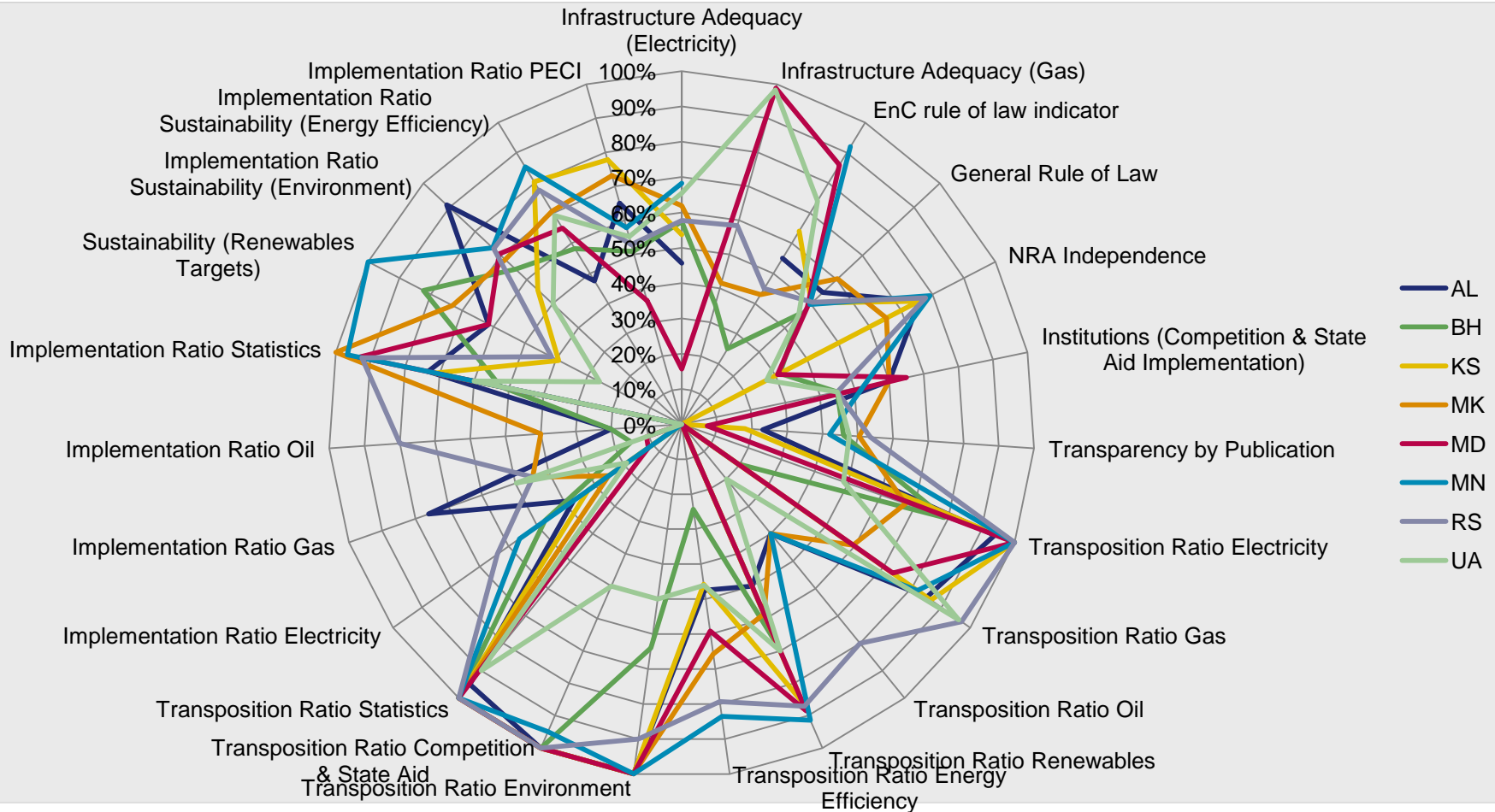
29th Madrid Forum, October 2016

Gas primary legislation in place in 6 Contracting Parties



- 3rd Package compliant Primary Law adopted
[* prepared by ECS]
- Draft Law exists
[* prepared by ECS]
- ➡ slow progress towards adoption

Transposition and implementation indicators



Including Gas NCs in the EnC acquis - concept

1. Addresses the CPs' ability to implement the NC provisions content and time wise → reflecting the development status of the CPs' gas markets
 2. Therefore: proposes step-by-step implementation that targets:
 - implementation “packages” for each NC → which Articles are 1st, 2nd priority
 - adds realistic implementation deadlines for the implementation “packages” for each NC
 - But: does not lose sight of the final scope of implementing the *entire* NCs
 3. Leads to legally binding commitment to implement the NCs *not only* at CP-CP IPs but also at CP-MS IPs
- ☞ Concept jointly developed by ECS | ECS | ACER Gas NC team | ENTSOG Gas NC team
 - ☞ 2 meetings including EU MS and EnC CP NRAs & TSOs took place so far
 - ☞ Solution for reciprocal bindingness on EU-CP IPs **requires commitment from EU MS NRA** to apply NCs on IPs to CPs

Going deeper below the surface of transposition – case study in Ukraine



Secondary legislation – developed, adopted, assessed in particular and ECS in some cases called for improvements

Naftogaz unbundling - conditional approval of the plan in May after hearing took place

Government adopted Action plan in July (delays, controversies, but the process on going)

International arbitration between Naftogaz and Gazprom

Donor coordination



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Annex: Re-cap - EnC NC adoption procedure

