



Gas Transmission Operator
GAZ-SYSTEM S.A.

**TARIFF No. 15
FOR GASEOUS FUELS
TRANSMISSION SERVICES**

Warsaw, May 2022

The English version is provided for the information purpose only.

If any discrepancy arises between this translation and the Polish original, the Polish original shall prevail.

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1 GENERAL PROVISIONS

- 1.1 Tariff No. 15 for gaseous fuels transmission services is developed by the energy company - Gas Transmission Operator GAZ-SYSTEM S.A. having its registered office in Warsaw, hereinafter referred to as the "TSO", The Tariff shall be in force from 1 January 2022 6:00 AM to 1 January 2023 6:00 AM. based on the following legislation and the decision of the President of Energy Regulatory Office:
- 1.1.1 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 of 14/08/2009, p. 36, as amended)
 - 1.1.2 Commission Regulation (EU) 2017/460 of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas (OJ EU L.72 of 17/03/2017, p. 29),
 - 1.1.3 Act of 10 April 1997 - the Energy Law (consolidated text Journal of Laws of 2021, Item 716),
 - 1.1.4 Act of 16 February 2007 on stocks of crude oil, petroleum products and natural gas, the principles of proceeding in circumstances of a threat to the fuel security of the State and disruption on the petroleum market (consolidated text Journal of Laws of 2020, item 411, as amended),
 - 1.1.5 Regulation of the Minister of Energy of 15 March 2018 on detailed terms for determination and calculation of tariffs and billing in trade in gaseous fuels (Journal of Laws of 2021, Item 280),
 - 1.1.6 Regulation of the Minister of Economy of 2 July 2010 on detailed terms of operation of the gas system (consolidated text Journal of Laws of 2018, No. 1158, as amended),
 - 1.1.7 Regulation of the Council of Ministers of 17 February 2021 on the manner of introducing restrictions of natural gas consumption (Journal of Laws No. 2021, item 549),
 - 1.1.8 Decision of the President of Energy Regulatory Office of 29 March 2019 (number: DRG.DRG-2.745.1.2019.JDo1) approving the Reference Price Methodology in respect of the transmission network owned by Gas Transmission Operator GAZ-SYSTEM S.A. valid from 1 January 2020 to 31 December 2022 constituting appendix to this decision (ERO Branch Bulletin - Gaseous Fuels No. 32 (1226) of 29 March 2019 - <http://bip.ure.gov.pl/bip/taryfy-i-inne-decyzje-b/inne-decyzje-informacji/3777,Inne-decyzje-informacje-sprawozdania-opublikowane-w-2019-r.html>),
 - 1.1.9 Communiqué of the President of the Energy Regulatory Office No 11/2021 concerning multipliers, seasonal factors and discounts, referred to in Article 28(1)(a) to (c) of the Tariff Code, to be taken into account in the calculation of tariffs for gaseous fuels transmission services for the period from 1 January 2022 to 31 December 2022

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<https://www.ure.gov.pl/en/markets/gas/nc-tar-consultation-mul/298,Consultation-on-discounts-multipliers-and-seasonal-factors-for-2022-gas-transmis.html>

1.2 The Tariff includes:

- 1.2.1 transmission fee rates,
- 1.2.2 manner of determination of fees for connection to the network,
- 1.2.3 discounts for failure to meet system user service quality standards,
- 1.2.4 manner of determination of discounts for the failure to maintain:
 - 1.2.4.1 quality standards of provided gaseous fuels transmission services,
 - 1.2.4.2 gaseous fuels quality parameters;
- 1.2.5 manner of determination of charges for exceedance of the contracted capacity and for illegal gas take [offtake],
- 1.2.6 fee rates or manner of determination of fees for additional services provided upon request,
- 1.2.7 fee rates for renewal of supply of gaseous fuels, if suspended for reasons referred to in Article 6b of the Act specified in para. 1.1.3,
- 1.2.8 manner of determination of transmission fees for services provided as short-term services,
- 1.2.9 manner of determination of transmission fees for interruptible services (including for transmission services executed on interruptible conditionally firm principles),
- 1.2.10 manner of determination of fees for virtual reverse-flow transmission services,
- 1.2.11 manner of determination of fees for transmission services during technological start-up at the Customer

1.3 The GRP, fees and the Tariff fee rates do not include the value added tax (VAT). The VAT is calculated in accordance with the applicable tax laws.

1.4 The readings of the measurement system facilities are determined within an accuracy of one cubic meter (m³) or accuracy of one kilowatt-hour (kWh), and the amounts of contracted capacity are determined within an accuracy of one kilowatt-hour per hour (kWh/h).

1.5 The reference, as applied in the Tariff, to the “amount of gaseous fuel” means the reference to the amount of gaseous fuel, expressed in kWh, unless explicitly provided otherwise. “Volume of gaseous fuel” is expressed in cubic meters (m³) in normal conditions.

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2 DEFINITIONS

- 2.1 Gas Reference Price (GRP) - the weighted average purchase price of gaseous fuel defined pursuant to the TNC.
- 2.2 Gross Calorific Value (GCV) - parameter defined pursuant to the TNC.
- 2.3 Gas Day - the period of time defined pursuant to the TNC.
- 2.4 Physical Entry Point - the place of the delivery of gaseous fuel with specified physical location, including interconnection physical entry points, physical entry point from the LNG terminal or Point of Interconnection (PWP).
- 2.5 Physical Entry Point PPM (FPWE_{PPM}) - a point of interconnection between transmission systems which is used for the provision of integrated capacity services and is the place of the delivery of gaseous fuel.
- 2.6 Physical Exit Point PPM (FPWY_{PPM}) - a point of interconnection between transmission systems which is used for the provision of integrated capacity services and is the place of the offtake of gaseous fuel.
- 2.7 Physical Exit Point - the place of the offtake of gaseous fuel with specified physical location, including interconnection physical exit points or a UGS facility taking gaseous fuel for its own needs or a Point of Interconnection.
- 2.8 TNC - the Transmission Network Code established in accordance with the provisions of Art. 9g of the Act referred to in para. 1.1.3 of the Tariff and accepted by the President of the Energy Regulatory Office.
- 2.9 TGPS TNC - the Transmission Network Code of the Polish Section of the Yamal - Europe Transit Gas Pipeline System established in accordance with the provisions of Art. 9g of the Act referred to in para. 1.1.3 and accepted by the President of the Energy Regulatory Office.
- 2.10 Kilowatt-hour (kWh) - a settlement unit applied to express the amount of energy contained in the transmitted gaseous fuel, calculated in compliance with the TNC.
- 2.11 Maximum registered capacity - a maximum hourly amount of gaseous fuel delivered to a physical exit point determined based on readings of the measurement system or maximum hourly amount of gaseous fuel determined pursuant to the TNC as part of the capacity allocation process - in case of providing the transmission service to at least two customers for the transmission service at relevant physical exit point from the transmission system.

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- 2.12 Cubic meter of gaseous fuel under standard conditions (m³) - a unit corresponding to the amount of gaseous fuel contained in a volume of 1 m³ at a pressure of 101.325 kPa and at temperature of 273.15 K.
- 2.13 Gas Month - the period of time defined pursuant to the TNC.
- 2.14 Interconnection physical entry point - an entry point to the transmission system at an interconnection with a storage facility or a distribution system.
- 2.15 Interconnection physical exit point - an exit point from the transmission system at an interconnection with a storage facility or a distribution system.
- 2.16 Connection capacity - planned maximum hourly capability to supply or offtake gaseous fuel, used as the basis for the design of a connection, as defined in the Agreement on Connection to the network.
- 2.17 Contracted Capacity - the maximum hourly quantity of energy contained in gaseous fuel, expressed in kWh/h, as specified in the capacity allocation (PP), which may be delivered for transmission at a physical entry point or offtaken from the transmission system at a physical exit point.
- 2.18 Interruptible contracted capacity - the contracted capacity as specified in the capacity allocation (PP), which may be limited or interrupted by the TSO on the terms specified in the TNC (including the interruptible conditionally firm capacity).
- 2.19 Distribution System Operator (DSO) - an energy company engaged in the distribution of gaseous fuels that is responsible for network operation in the gas distribution system, the duties of which are specified in the Act referred to in para. 1.1.3, designated as an Operator by virtue of a decision of the President of Energy Regulatory Office.
- 2.20 Storage System Operator (SSO) - an energy company engaged in the storage of gaseous fuels, which is responsible for the maintenance of the storage installation, the duties of which are specified by the Act referred to in para. 1.1.3, designated as an Operator by virtue of a decision of the President of Energy Regulatory Office.
- 2.21 Interoperating System Operator (ISO) - the Distribution System Operator, the Storage System Operator or an operator of a transmission system interoperating with the TSO's transmission system.
- 2.22 UGS - a storage facility as defined in the TNC. Physical exit points as part of the underground gas storage facilities, where gas is offtaken for storage facilities' own needs, are not the UGS.
- 2.23 Point of Interconnection (PWP) - the point of exit which includes all physical points at the point of connection of the transmission system and the Yamal - Europe Transit Gas Pipeline System.
- 2.24 Capacity Allocation (PP) - a part of the transmission contract that specifies the contracted capacity a Network User is eligible to at the specified physical entry point or physical exit point.

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- 2.25 Capacity Allocation for technological start-up (PPR) - a part of the transmission contract that specifies the contracted capacity a Network User is eligible to at the specified physical entry point or physical exit point (capacity allocation) on special conditions of using the contracted capacity (throughput) during the technological start-up period. It contains the minimum value of capacity (PPR_{min}) consistent with the minimum contracted capacity established in the Agreement on Connection for specific exit or entry point and the maximum permitted value of capacity during the technological start-up period (PPR_{max}) determined by the TSO.
- 2.26 Connection - a section of the transmission network from the supply gas piping to the stop fittings downstream the gas station, used to connect:
- 2.26.1 the Installation in the area or of the facility of the entity connected to the transmission network,
or
- 2.26.2 the Networks of energy companies operating in the business of gas transmission or distribution.
- 2.27 Gas Year - the period of time defined pursuant to the TNC.
- 2.28 Transmission Network - a high-pressure gas network excluding upstream and direct gas pipelines, for the operation of which the TSO is responsible.
- 2.29 Distribution System - the distribution network and interconnected equipment and installations which co-function with the network.
- 2.30 Transmission System - the transmission network and interconnected equipment and installations which co-function with the network.
- 2.31 Measurement System Facilities - gas meters and other measuring instruments or measuring-billing systems, and connections between them, used to measure volumes of gas offtaken or supplied to the network, and for billing.
- 2.32 Transmission Contract - a gas transmission contract concluded between the TSO and a Network User, including the interoperator transmission contract (ITC).
- 2.33 Transmission services - services for the transport of gaseous fuels through the transmission network for their delivery to distribution networks or end users connected to the transmission network - excluding the sales of these fuels or energy.
- 2.34 Virtual Reverse Flow Services - interruptible transmission services provided by the TSO, at points indicated on the TSO website, which involve the contractual transmission of gaseous fuels into a direction reverse to a physical flow of gaseous fuels. The services are provided at physical points in the direction where the physical flow cannot be provided.

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- 2.35 Network User - a natural or legal person, or an organizational unit without legal personality but with legal capacity, which acquired the right to the contracted capacity of the transmission system under a transmission contract executed with the TSO and the capacity allocation (PP), including a DSO providing distribution services in a distribution system or an SSO.
- 2.36 System User - an entity using the transmission system under a transmission system being either a Shipper or a Network User.

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3 GENERAL TERMS AND CONDITIONS FOR PROVISION OF TRANSMISSION SERVICES

3.1 Manner of Provision of Services and Billing.

3.1.1 The TSO provides transmission services under the contract concluded with a Network User and including the capacity allocation (PP).

3.1.2 The gaseous fuel is transmitted by means of two natural gas transmission systems respectively for:

3.1.2.1 Group E, high-methane natural gas,

3.1.2.2 Group L, sub-group Lw low-methane natural gas.

3.2 The high-methane natural gas transmission system includes:

3.2.1 physical entry points to the transmission network, including: single physical points or groups of physical points specified by the TSO on interconnections with transmission systems (including the Point of Interconnection) and interconnection physical entry points from the distribution system - Ewe or a physical entry point to the transmission network at the connection with the LNG terminal,

3.2.2 interconnection physical entry points to the transmission network from storage facilities (UGS) - Ewe PMG,

3.2.3 physical exit points from the transmission network, including: single physical points or groups of physical points specified by the TSO on interconnections with transmission systems and interconnection physical exit points to the distribution system - Ewy,

3.2.4 interconnection physical exit points from the transmission network to storage facilities (UGS) - Ewy PMG,

3.3 The low-methane natural gas transmission system includes:

3.3.1 physical entry points to the transmission network, including interconnection physical entry points from the distribution system - Lwe,

3.3.2 physical exit points from the transmission network, including interconnection physical exit points to the distribution system - Lwy.

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- 3.4 The quality standards for transmission services and Network User services are defined in the TNC and in the Regulation referred to in para. 1.1.6.
- 3.5 TSO bills for the transmission services provided in monthly billing periods.
- 3.6 In the event of irregularities in operation of the measurement system facilities or acceptance of false readings of the measurement system facilities resulting in overstatement or understatement of receivables for transmission services provided, the TSO adjusts the invoices issued for previous periods.
- 3.7 Correction of invoices referred to in para. 3.6 in the event of:
- 3.7.1 overestimating or underestimating amounts due - covers the whole billing period or the period in which such irregularities or errors occur, except for para. 3.7.2,
 - 3.7.2 underestimating amounts due to a Network User collecting gas fuel in the amount of no more than 110 kWh/h - covers the last billing period.
- 3.8 Unless the transmission contract provides otherwise, in the event for reasons beyond a Network User's control a damage to the measurement system facilities resulted in failure to register the volume of gas transmitted during the billing period, in order to determine the amount of the gaseous fuel constituting the grounds to calculate the fee for the services of transmission of gaseous fuel is as follows:
- 3.8.1 the volume of gaseous fuel measured by the measurement system facilities in the corresponding billing period, taking into account the nature of offtake, seasonality and other documented circumstances affecting the volume of gaseous fuel transmitted and heat of combustion determined in accordance with the TNC,
 - 3.8.2 in the event the volume cannot be determined in accordance with para. 3.8.1, the amount is determined based on the product of the number of hours during the billing period and the contracted capacity specified in the capacity allocation (PP).

Algorithms and detailed information on the method of determining volume corrections can be found in Technical Standard ST-IGG-0202:2014.

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4 NETWORK USER BILLING

4.1 Billing for Provision of Transmission Services.

- 4.1.1 The fee for provision of transmission services at the physical entry points to the transmission network and the physical exit points from the transmission network, is a fixed fee based on the contracted capacity, subject to para. 4.1.2.
- 4.1.2 No fees shall be charged for provision of transmission services at the physical entry point to the transmission network at the connection with the LNG terminal. As per the provisions of clause 2.4 of the Communiqué of the President of Energy Regulatory Office No. 11/2021 of 5 March 2021, a 100% discount is applied at the entry point from the LNG terminal.
- 4.1.3 The fee for provision of transmission services at the physical entry point to the transmission network or physical exit point from the transmission network, is determined according to the formula:

$$O_P = S_S * M_P * T / 100$$

where:

- O_P** - the fee for provision of transmission services at the physical entry point or physical exit point [PLN],
- S_S** - the fixed fee rate at the physical entry point or physical exit point per hour of the billing period [gr/(kWh/h) per h], specified in 4.2.1,
- M_P** - the contracted capacity at the physical entry point or physical exit point [kWh/h],
- T** the number of hours during the billing period [h].

- 4.1.4 The fee for the provision of transmission services at a PPM physical entry point shall be calculated as the sum of the fees for the provision of transmission services as determined on the basis of the free rate applicable to the points integrated within the PPM physical entry point and the terms of their application set out in this tariff and the tariff referred to in para. 10.3.
- 4.1.5 The fee for the provision of transmission services at a PPM physical exit point shall be calculated as the sum of the fees for the provision of transmission services as determined on the basis of the free rate applicable to the points integrated within the PPM physical exit point and the terms of their application set out in this tariff and the tariff referred to in para. 10.3.

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- 4.1.6 The fee for provision of transmission services is charged from a Network User for the whole billing period, regardless of the amount of gas offtaken and the contracted capacity (throughout) actually used.
- 4.1.7 The contracted capacity which is the basis for determination of the fee for provision of transmission services is made available to Network Users as the following products:
- 4.1.7.1 annual products,
 - 4.1.7.2 quarterly products,
 - 4.1.7.3 monthly products,
 - 4.1.7.4 daily products,
 - 4.1.7.5 within-day products.
- 4.1.8 The contracted capacity, referred to in para. 4.1.7.1, for a given physical entry or exit point, is determined in the capacity allocation (PP) and is valid throughout the gas year at the same amount for all months of the gas year.
- 4.1.9 The contracted capacity referred to in para. 4.1.7.2 is determined in the capacity allocation (PP) and is valid for the entire duration of the capacity allocation (PP) in the same amount.
- 4.1.10 The contracted capacity referred to in para. 4.1.7.3 is determined in the capacity allocation (PP) and is valid for the entire duration of the capacity allocation (PP) in the same amount.
- 4.1.11 The contracted capacity referred to in para. 4.1.7.4 is determined in the capacity allocation (PP) or in the nomination accepted by the TSO under the overnomination procedure referred to in TNC and is valid to all hours of the gas day in the same amount.
- 4.1.12 The contracted capacity referred to in para. 4.1.7.5 is determined in the capacity allocation (PP) or in the nomination accepted by the TSO under the overnomination procedure referred to in TNC and is valid in the same amount until the end of the gas day.
- 4.1.13 The contracted capacity determined in the capacity allocation (PP) can be changed as per the principles set out in the TNC.
- 4.1.14 The TSO conducts settlements with a Network User which, in compliance with the TNC, has acquired the right to the contracted capacity, through assuming the rights and obligations of the former Network User, in particular as a result of a change of a seller or a resale of contracted capacity per the provisions of the TNC, according to the rates which apply to the products acquired by the Network User which sells them.

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- 4.1.15 The TSO may indicate the physical entry point to the transmission network, for which, due to technical limitations, the contracted capacity may be different in different months of the gas year. The TSO publishes a list of these points on its website (www.gaz-system.pl).
- 4.1.16 In the event of reduction, suspension or interruption in capability of supply or offtake of gas at the physical entry or exit point for reasons beyond the TSO's control, a Network User is obliged to pay the fee for provision of transmission services (at the physical entry and exit points) in the same amount as if there was no reduction, suspension or interruption in the use of allocated contracted capacity for the entire duration of such reduction, suspension or interruption.
- 4.1.17 In the event a Network User exceeds, without the consent of the TSO, the volume of the contracted capacity at specific physical exit point from the transmission network or at the interconnection exit point from the transmission network to the storage facilities (UGS), made available in one capacity allocation (PP), an extra fee is charged amounting to the product of the maximum capacity recorded during a billing period over the contracted capacity, the number of hours during the billing period and three times the rate of the fixed fee for transmission services at specific exit point, referred to in para. 4.2.1.
- 4.1.18 In the event a Network User exceeds, without the consent of the TSO, the volume of the contracted capacity at specific physical exit point from the transmission network, where the transmission services are provided based on two (or more) capacity allocations (PP) or on the accepted nomination as referred to in para. 4.1.7.4 or 4.1.7.5, for the same Network User, an extra fee is charged amounting to the product of the maximum capacity recorded during a billing period over the sum of contracted capacities based on the capacity allocations (PP), the number of hours during the billing period and three times the rate of the fixed fee for transmission services at specific exit point, referred to in para. 4.2.1. If the Network User uses the contracted capacity as a part of annual or quarterly or monthly products and at the same time uses the contracted capacity as a part of the daily products or within-day products, for the purpose of calculating the fee referred to above, it is assumed that the number of hours in a billing period is equal to the number of hours in a gas month.
- 4.1.19 Fees for exceeding the contracted capacity at the interconnection physical exit points to distribution systems are charged when the aggregate contracted capacity at all the interconnection physical exit points comprised in a given group of interconnection physical exit points is smaller than the total quantity of gaseous fuel offtaken within a given hour at all the interconnection physical exit points comprised in such group of points.
- 4.1.20 In the event the contracted capacity referred to in para. 4.1.7.4 or in para. 4.1.7.5 determined in the capacity allocation (PP) was not assigned under the overnomination procedure referred to

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in TNC or in the event a Network User uses contracted capacity referred to in para. 4.1.7.4 or in para. 4.1.7.5 that was not allocated by the TSO, it is assumed that in case of exceedance of the contracted capacity at physical exit point or interconnection physical exit point to UGS by the Network User without the permission of the TSO, an additional fee is charged amounting to the product of the maximum capacity recorded by the measurement system facilities over the contracted capacity, the number of hours during the billing period and three times the rate of the fixed fee for transmission services, referred to in para. 4.2.1. For the purpose of calculating the fee referred to above, it is assumed that the number of hours in the billing period is equal to the number of hours in a gas month.

4.1.21 In the event of exceedance of the volume of the contracted capacity, at physical exit points as a result of:

4.1.21.1 a failure of or damage of the distribution network caused by actions of a third party,

4.1.21.2 works conducted by the Distribution System Operator (DSO) within the distribution network, whose date has been previously agreed by the TSO and DSO, in compliance with para. 4.1.23,

4.1.21.3 evidenced force majeure event,

fees for exceedance of the contracted capacity are not collected.

4.1.22 If the exceedance of the contracted capacity, referred to in para. 4.1.21.1, is a consequence of a failure or damage of the distribution network, it is to be documented with:

4.1.22.1 a copy of the TSO's dispatcher services' confirmation of the e-mail notification of the failure, within the timeframe specified in TNC,

4.1.22.2 the failure report signed by the perpetrator of the failure and the services present on the site,

4.1.22.3 the declaration of the DSO that the earthworks had been neither commissioned nor executed in the name of the DSO,

4.1.22.4 a copy of the land survey plat, confirmed by a competent local land records office, with the gas pipeline and place of failure marked by the DSO.

4.1.23 The TSO may give consent to exceedance of the volume of the contracted capacity at a given physical exit point within the capacity allocation (PP), for a certain time, in the following cases:

4.1.23.1 conduct of connection or maintenance and repair works by the Interoperating System Operator, subject to prior arrangement with the TSO of:

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- 4.1.23.1.1 date of the works,
- 4.1.23.1.2 the measurement system facilities at which the exceedance is to take place,
- 4.1.23.1.3 the volume of the exceedance;
- 4.1.23.2 when the exceedance in gaseous fuel consumption compensates the actual limitations of the contracted capacity introduced by the TSO at another physical exit point in connection with the connection or maintenance and repair works carried out by the TSO on the transmission network.
- 4.1.24 In the event a Network User fails to adapt to the reductions imposed by the TSO in relation to the on-going connection or maintenance and repair works, or in connection with the change of gaseous fuel or failure removal, an additional fee is charged amounting to the product of the maximum offtake volume recorded by the measurement system facilities in excess of the permitted offtake resulting from the reduction, the duration of the reduction and three times the rate of the fee for the provision of transmission services, referred to in para. 4.2.1. The provisions of para. 4.1.18 shall apply accordingly. In the case of a Network User who at the same point uses simultaneously a firm transmission service and interruptible transmission services, the TSO shall charge an additional fee based on the principles set out in this point and it shall not charge the additional fee referred to in point 9.3.8.
- 4.1.25 Fees for exceeding the capacity are not charged if the TSO did not notify a Network User in the manner specified in the TNC about the introduction of the restrictions referred to in point 4.1.24.
- 4.1.26 For the Network User that is assigned a contracted capacity in the capacity allocation (PP) at several physical entry points or several physical exit points, the fixed fees for transmission services provided are billed based on the contractual capacity defined separately for each of these points in the capacity allocation (PP).
- 4.1.27 For the Network User that is assigned a contracted capacity in the capacity allocation (PP) at a given physical entry point or a physical exit point and the allocation becomes valid during the billing period, the fees for the provision of transmission services provided are billed in the amount proportionate to the time of validity of this capacity allocation (PP) during the billing period.
- 4.1.28 In the event the rates of fixed fees for the provision of transmission services change during the billing period, the fee is billed in the amount proportionate to the number of days of validity of the previous rates and new rates.
- 4.1.29 Fees are not charged for the provided transmission services in favour of ISO in the event of emergency or conducting maintenance works at the ISO network.

4.1.30 To calculate the fee for using gas transmission services or the fee for exceeding capacity for a daily product or for a within-day product, it is assumed that the number of hours in the billing period is equal to: for a daily product - the number of hours in a gas day, and for a within-day product - the number of hours for which the within-day product has been allocated.

4.2 Rates of transmission fees.

4.2.1 The transmission services fee rates (S_s) are presented in the table below:

Physical entry points / physical exit points	Fee rates
	fixed fee rate (S _s) [gr/(kWh/h) per h]
For high-methane natural gas users	
E_{WE}	0.3200
E_{WY}	0.1908
E_{WE} PMG	0.0640
E_{WY} PMG	0.0382
For low-methane natural gas users	
L_{WE}	0.2105
L_{WY}	0.1499

4.2.2 The fee rates are completed with the value added tax (VAT) in the amount based on the applicable tax law.

4.2.3 The fee rates presented in table in para. 4.2.1 for points located within the interconnection between the systems, i.e. at the connection points with the transmission systems of other countries and at the connection point with the Yamal- Europe Transit Gas Pipeline System, are minimum rates in the event of offering contracted capacity at these points through an auction procedure.

4.2.4 As a result of the conversion of the unbundled contracted capacity to the bundled contracted capacity, under the TNC, a Network User shall incur charges only for the related contracted capacity (after conversion), taking into account the provisions of para. 4.2.5 and para. 4.2.6.

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The provisions of this paragraph shall apply only to that part (quantity) of the unbundled contracted capacity which has been converted.

4.2.5 In the case of the conversion referred to in para. 4.2.4, the fee for the provision of transmission services shall be determined based on the bundled contracted capacity (after conversion) and the fixed fee rate for the relevant product regarding the unbundled contracted capacity being the subject of the conversion.

4.2.6 If during an auction of the unbundled contracted capacity or the bundled contracted capacity, being the subject of the conversion, there is an auction premium, the TSO shall collect from a Network User for the bundled contracted capacity (after conversion) the sum of the auction premiums used in such auctions, i.e. the sum of the auction premiums from the auction of the unbundled contracted capacity and from the auction of the bundled contracted capacity.

4.3 Technological start-up

4.3.1 During the technological start-up the TSO may grant special terms for using the contracted capacity to a Network User for a period and under the conditions specified in the TNC.

4.3.2 The rules for billing the contracted capacity during the technological start-up (PPR).

4.3.2.1 Billing of the transmission services is as per para. 4.1, where the contracted capacity is deemed to be the maximum registered capacity, subject to para. 4.3.2.2 and 4.3.2.3.

4.3.2.2 Where the maximum registered capacity is lower than the minimum value (PPR_{min}) the maximum registered capacity is deemed to be that minimum value (PPR_{min}).

4.3.2.3 Where the maximum registered capacity is higher than the maximum value (PPR_{max}) the registered capacity is deemed to be that maximum value (PPR_{max}). In such circumstances a Network User is required to also pay the fee, referred to in para. 4.3.2.4.

4.3.2.4 Where the maximum registered capacity in the billing period is higher than the maximum value (PPR_{max}), a Network User is required to pay an additional fee to the TSO for exceeding the contracted capacity, calculated as the product of the number of hours in the billing period, three times the fee for provision of transmission services referred to in para. 4.2.1 and the difference between the maximum registered capacity and the maximum value (PPR_{max}).

4.3.2.5 A monthly billing period shall apply to the technological start-up period.

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5 DISCOUNTS

5.1 Discounts for failure to meet System User's service quality standards.

5.1.1 The TSO's failure to meet the service quality standards entitle the System User to receive discounts determined in accordance with § 41.1 of the Regulation referred to in para. 1.1.5, in the following amounts:

	Discount	PLN
a)	for refusing to provide the System User, at their request, with information on the expected date of resumption of gas transmission interrupted due to failure of the network	113.25
b)	for failing to accept a notification concerning a failure or disruption in the transmission of gaseous fuel	113.25
c)	for unreasonable delay in removing a failure which has occurred in the gas network and removing any disruptions in the supply of gaseous fuel	377.50
d)	for failing to inform the System Users at least fourteen days in advance, about the dates and the duration of scheduled interruptions in the supply of gaseous fuels, in the form of press announcements, Internet, radio or television communications, or otherwise adopted in the area or on the way individual notices in writing, by telephone or by some other means of telecommunications	566.25
e)	for failing to inform Network Users supplied from the transmission network, at least one week in advance, by the means of press or Internet advertisements, radio or television communiques, in another manner accepted at a specific area, or by individual written notifications to be delivered in writing, by telephone, or by any other means of telecommunications, of a planned change of the pressure or other specification parameters of gaseous fuel which affect the interoperability with the network	188.75
f)	for refusing to undertake, for a fee, appropriate procedures within the transmission network in order to enable the safe performance of works by the System User or a third party within an area affected by the operation of such network	188.75
g)	for failing to provide, at the System User's request, information about the settlement principles and current tariffs	113.25
h)	for the extension of the fourteen days' time limit for the processing of and responding to an application or a complaint concerning the billing principles, for each day of delay; in case when the application or complaint requires an inspection or measurements, the fourteen days' time limit runs from the date on which such inspection or measurement are completed	22.65
i)	for the extension of the fourteen days' time limit for the verification of the accuracy of a measurement system facilities owned by the energy company, for each day of delay	22.65
j)	for the extension of the seven days' time limit for delivering a measurement system facilities owned by the energy company for laboratory tests, counted from the date of the notification of such request by the Customer, for each day of delay	22.65
k)	for preventing the performance of an additional examination of a previously tested measurement system facilities	377.50
l)	for a failure of the energy company engaged in business activity in respect of gas transmission, after the termination of the supply of gaseous fuel and in case of the replacement of a measurement system facilities during the supply of such gaseous fuel, at the request of the System User, to deliver a document containing the identification details of such system, or for a failure to provide measurement data as at the date of the termination of the supply or dismantling the measurement system facilities	28.31

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5.1.2 The TSO awards discounts within 30 days of the events, referred to in para. 5.1.1.

5.2 Discounts for reduction in contracted capacity.

5.2.1 In the event of interruptions or disruptions in the supply or offtake of gaseous fuel at the physical entry points or physical exit points due to:

5.2.1.1 scheduled repair and maintenance works, scheduled connection works or works related to the change of the type of gaseous fuel supplied conducted by the TSO,

5.2.1.2 such reasons, on the side of the TSO, beyond a Network User's control as: failure, explosion, fire, threat of such events or in the event of the need to remove their effects,

the fixed transmission services fee is reduced proportionately to the size of the actual contracted capacity reduction and the duration of such interruptions or disruptions.

5.2.2 In the event of reduction of the contracted capacity by the TSO at a physical entry point under the capacity oversubscription and buy-back procedure described in detail in the TNC, the fixed fee for the transmission services shall be reduced proportionally to the extent of the actual reduction of the contracted capacity and the and the duration (in hours) of such interruptions or disruptions.

5.2.3 In the event of reduction of the contracted capacity by the TSO at a physical exit point for reasons other than those mentioned in para. 5.2.1 and para. 5.2.2, and specifically due to temporary decrease of the network pressure below the value specified on the TSO's website, for a period longer than 60 minutes - the TSO shall grant a Network User a discount on the transmission services fee proportionately to the size and duration of such reduction.

5.2.4 The discount referred to in para. 5.2.3 does not apply in particular in the event of:

5.2.4.1 the pressure decrease is caused by a Network User as a result of exceeding thereby the contracted capacity at physical exit point,

5.2.4.2 a Network User does not keep the gaseous fuel quality parameters at a physical entry point,

5.2.4.3 a Network User does not keep the minimum supply pressures at the physical entry points published on the TSO's website.

5.2.5 The discount referred to in para. 5.2.1 and para. 5.2.3 shall not apply in the event of:

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5.2.5.1 a Network User is afforded a possibility to collect gaseous fuel at another physical exit point or at another interconnection physical exit point included in the group of interconnection physical exit points, as agreed with the TSO, or

5.2.5.2 no actual reduction in the supply of gaseous fuel to the customer occurs.

5.2.6 The TSO awards discounts within 30 days of the events, referred to in para. 5.2.3.

5.3 Discounts for failure to meet quality parameters of gaseous fuel

5.3.1 For the purpose of determining discounts, the following levels of the gross calorific value of the gaseous fuel H_{SN} transmitted in the transmission system are determined:

5.3.1.1 for the E group high-methane natural gas system:

no less than $H_{SNmin} = 10.556 \text{ kWh/m}^3$ (38.0 MJ/m³),

5.3.1.2 for the Lw sub-group low-methane natural gas system:

no less than $H_{SNm} = 8.333 \text{ kWh/m}^3$ (30.0 MJ/m³).

5.3.2 The actual gross calorific value (H_{ZW}) is determined in compliance with the TNC.

5.3.3 In the event of collecting at the physical exit point from the transmission system gaseous fuel with gross calorific value (H_{ZW}) below H_{SNmigr} which for specific systems:

H_{SNmhgr}	9.444 kWh/m³ (34.0 MJ/m³) for the group E high-methane gas system
$H_{SNmIngr}$	8.333 kWh/m³ (30.0 MJ/m³) for the Lw sub-group low-methane gas system

the TSO will award to a Network User the following discount to be determined in compliance with the formula:

$$B_{NCWgr} = I_{GI} * 2 * CRG * (1 - H_{ZW}/H_{SNmin})$$

where:

B_{NCWgr} - discount for an off-spec gross calorific value at a physical exit point from the transmission system [PLN],

I_{GI} - actual quantity of gaseous fuel with off-spec gross calorific value that is delivered at a physical exit point from the transmission system [kWh],

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- CRG - Gas Reference Price [PLN/kWh],
- H_{ZW} - actual gross calorific value of the gaseous fuel offtaken at a physical exit point from the transmission system [kWh/m³],
- H_{SNmin} - minimum gross calorific value [kWh/m³].

5.3.4 If the TSO delivers, without a consent of a Network User, to the physical exit point from the transmission system, the E group gaseous fuel with gross calorific value equal or higher than H_{SNmingr} = 9.444 kWh/m³, but lower than H_{SNmin} = 10.556 kWh/m³, the TSO will shall grant a Network User a discount to be determined according to the following formula:

$$B_{NCW} - I_{GI} * CRG * (1 - H_{ZW}/H_{SNmin})$$

where:

- B_{NCW} - discount for an off-spec gross calorific value at a physical exit point from the transmission system [PLN],
- I_{GI} - actual quantity of gaseous fuel with off-spec gross calorific value that is delivered at a physical exit point from the transmission system [kWh],
- CRG - Gas Reference Price [PLN/kWh],
- H_{ZW} - actual gross calorific value of the gaseous fuel offtaken at a physical exit point from the transmission system [kWh/m³],
- H_{SNmin} - minimum gross calorific value referred to in para. 5.3.1 [kWh/m³].

5.3.5 If a Network User agrees in writing to accept gaseous fuel with a reduced gross calorific value, the Network User is entitled to a 50% discount for the accepted amount of gaseous fuel, referred to in para. 5.3.4.

5.3.6 If gaseous fuel accepted at the physical exit point does satisfy the quality parameters specified in the following table, a Network User is entitled the following discount.

Value characterising quality of gaseous fuel	Unit of measure	Highest acceptable X_{SJNmax} value
Content of hydrogen sulphide*	mg/m ³	7.0
Content of mercury vapours*	pg/m ³	30.0
Total sulphur content*	mg/m ³	40.0

*Values in table are indicated for normal conditions

5.3.7 If the TSO delivers, at the physical exit point, gaseous fuel which does not satisfy at least one of the quality standards referred to in para. 5.3.6., the TSO shall grant a Network User a discount, for each of the exceeded parameters referred to in para. 5.3.6, to be determined according to the following formula:

$$B_{NSJW} = |GI| * 2 * CRG * (X_{SJW} - X_{SJNmax}) / X_{SJNmax}$$

where:

- B_{NSJW} - discount for exceeding a given quality parameter at the physical exit point from the transmission system [PLN],
- $|GI|$ - actual quantity of gaseous fuel with off-spec gross calorific value that is offtaken at a physical exit point from the transmission system [kWh],
- CRG - Gas Reference Price [PLN/kWh],
- X_{SJNmax} - the highest acceptable value of a given quality parameter referred to in para. 5.3.6 [mg/m³ or µg/m³]
- X_{SJW} - the actual value of a specific quality parameter of the gaseous fuel offtaken at a physical exit point from the transmission system [mg/m³ or µg/m³].

5.3.8 The TSO will grant a Network User a discount to be calculated in compliance with the formula referred to in para. 5.3.7 with regard to each of the quality parameters referred to in para. 5.3.6. The discount is to be determined separately for each of the failed quality parameters.

5.3.9 The TSO will ensure an appropriate water dew point for gaseous fuel offtaken at a physical exit point from the transmission system, in compliance with the following requirements:

5.3.9.1 the maximum acceptable value of the water dew point (X_{STNmax}) for reference conditions of 5.5 MPa, from 1 April to 30 September, is +3.7°C (276.85 K),

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5.3.9.2 the maximum acceptable value of the water dew point (X_{STNmax}) for reference conditions of 5.5 MPa, from 1 October to 31 March, is -5°C (268.15 K).

5.3.10 If the TSO delivers, at the physical exit point from the transmission system, gaseous fuel which does not satisfy the quality parameters referred to in para. 5.3.9, the TSO will award to a Network User a discount, to be determined according to the following formula:

$$B_{NSTW} = I_{GI} * 0.1 * CRG * (X_{STW} - X_{STNmax}) / X_{STNmax}$$

where:

B_{NSTW}	- discount for an off-spec water dew point parameter [PLN],
I_{GI}	the actual quantity of gaseous fuel with off-spec water dew point parameter that is delivered at a physical exit point from the transmission system [kWh],
CRG	- Gas Reference Price [PLN/kWh],
X_{STNmax}	- highest acceptable value of water dew point [K],
X_{STW}	- the actual value of the water dew point temperature [K] of the gaseous fuel delivered at a physical exit point.

5.3.11 In the event of complaints concerning the quality of the transmitted gaseous fuel, a Network User or the TSO may request that its quality test be conducted by an independent research laboratory which holds a certification accreditation obtained in compliance with applicable regulations. If the quality of the gaseous fuel is confirmed as compliant with the parameters referred to in para. 5.3.1, 5.3.6 or 5.3.9, the costs of these tests will be covered by an entity which requested to conduct the tests; otherwise, the test costs will be covered by the other party.

5.3.12 In the event of a possibility to transmit gaseous fuel with insufficient quality, the party will promptly notify the other party of a possibility that this situation can occur.

5.3.13 If, at a specific point, transmission contracts are performed for more than one Network User, the discounts, referred to in para. 5.3, are awarded to Network Users proportionally to the billing allocation for each of them at a specific point.

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6 CHARGES FOR ILLEGAL GASEOUS FUEL OFFTAKE

- 6.1 Illegal gaseous fuel offtake is any gaseous fuel offtake:
- 6.1.1 without a contract concluded with the TSO or without a capacity allocation (PP) for a given physical point,
 - 6.1.2 totally or partially bypassing the measurement system facilities,
 - 6.1.3 interfering with the measurement system facilities so as to manipulate the measurements taken by the system.
- 6.2 In the event of illegal gaseous fuel offtake referred to in para. 6.1.1, the TSO bills the user with charges amounting to the product of:
- 6.2.1 three times the GRP effective on the date of confirmation of illegal gaseous fuel offtake,
 - 6.2.2 the lump sum amount of energy contained in gaseous fuel amounting to the product of the sum of the capacities of receiving devices installed and the heat of combustion of 10.972 [kWh/m³] for group E high-methane natural gas system and 9.111 [kWh/m³] for group L subgroup Lw low-methane natural gas, and the number of hours of the illegal offtake.
- 6.3 In the event of illegal gas offtake referred to in para. 6.1.2 and 6.1.3, a Network User is billed with charges amounting to the product of:
- 6.3.1 three times the GRP effective on the date of confirmation of illegal gaseous fuel offtake,
 - 6.3.2 the lump sum amount of energy contained in gaseous fuel determined as the amount of gaseous fuel collected in the corresponding periods prior to or posterior to the illegal gas offtake.
- 6.4 In the event referred to in para. 6.1.2 and 6.1.3, when the amount of the illegally offtaken gaseous fuel cannot be determined, a Network User is billed with the charges amounting to the product of:
- 6.4.1 three times the GRP effective on the date of confirmation of illegal gaseous fuel offtake,
 - 6.4.2 the lump sum amount of energy contained in gaseous fuel amounting to the product of the contracted capacity and the number of hours of the period during which the illegal gaseous fuel offtake is found.

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- 6.5 The lump sum amounts of energy contained in gaseous fuel referred to in para. 6.2.2, para. 6.3.2 and para. 6.4.2 are determined as maximum amounts. Determining the charges, the TSO may apply smaller amounts taking into account the actual capabilities of gas offtake of a given entity.
- 6.6 For sealing by the TSO with new wire and lead seals replacing the seals removed or damaged for reasons attributable to a Network User in any part of the measuring device in the gaseous fuel installation or in the measuring device, a charge is billed amounting to 100% of the costs incurred.
- 6.7 For any activities related to installation of a new measuring device to replace the damaged or destroyed for reasons attributable to a Network User, a charge is billed amounting to the value of a new measuring device valid at the date of its installation and the amount of 100% of the actual costs incurred for installation and replacement.

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7 BILLING RULES FOR CONNECTION TO TRANSMISSION NETWORK

- 7.1 The fee for connection to the transmission network is set out in the agreement for connection based on the costs of the connection.
- 7.2 The fee for connection to the transmission network amounts to 100% of the actual expenditures incurred by the TSO for the connection.
- 7.3 The detailed connection fee billing terms and conditions and the rules of financial collateral, are set out in connection contracts.
- 7.4 A Network User declaring any intention of changes in offtake/supply of gas resulting in a necessity to replace the transmission network elements or to expand the network is treated as an entity applying for a connection. Any change referred to above is, in particular, a change of the contracted capacity exceeding a current connection capacity, i.e. allowable margin of the devices installed at the gas station.
- 7.5 In the event a connection is replaced or reconstructed upon request by the entity under connection without an increase of the existing connection capacity, a fee is billed amounting to the actual expenditures incurred in this respect.
- 7.6 In the case of replacement of the connection, its reconstruction or expansion of the network with an increase in connection capacity, performed at the request of the entity to be connected, a fee is charged in the amount equal to the fee for connection to the network.
- 7.7 For the replacement of the measurement system facilities due to a change of the connection capacity or characteristics of gaseous fuel, conducted at the request of the connected entity, a fee is charged of 25% of expenditures incurred in relation to its purchase and installation. However, if an entity that applies for the replacement of the measurement system deals with the transmission or distribution of gaseous fuels, their production, processing or mining, storage of gaseous fuels and condensation and gas-supply of condensed natural gas, a fee is charged of actual expenditures incurred in relation to its purchase and installation.
- 7.8 In the event of repeated confirmed gaseous fuel offtake in the amount below the minimum hourly amount, as determined in the connection conditions or connection agreement, which constitutes the parameter for selection of the measuring device, any adaptation of the measurement system facilities is performed at the expense of a Network User.

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- 7.9 Any expenditures constituting the basis for the connection fee calculations include the costs of the network elements and all activities related to the execution of the connection specified in the connection terms and conditions, including the cost of gaseous fuel for gasifying the network elements that are the part of the connection, and in particular all and any spending on design work and surveying, documentation approvals, obtaining the location decision, building permit or use permit for a civil structure, purchase and construction or decommissioning of the network elements and equipment necessary to execute the connection, making available a temporary gas station, investor's supervision, construction and assembly works together with necessary tests and fees for purchase of land or land seizure, including public charges and compensation to landholders.
- 7.10 The rules for determining the connection fees specified in this Tariff apply only to entities applying for a connection if the technical and economic conditions for gas transmission are met. The billing rules relating to connection to the transmission network set out in this Tariff apply to entities for which the network specific connection conditions are approved (including the minimum contracted capacity).
- 7.11 The connection fee is determined and billed in accordance with the rules set out in the tariff in force at the date of the connection contract.

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8 CHARGES PAYABLE IN CONSIDERATION FOR ADDITIONAL SERVICES

- 8.1 Fees for suspension and resumption of gaseous fuel transmission, checking the accuracy of readings of the measurement system and testing the quality of the offtaken gaseous fuel.
- 8.1.1 The charge of PLN 880 is billed for suspension of gaseous fuel transmission.
- 8.1.2 For the activities conducted in relation to the order to suspend gaseous fuel transmission, in the event the order to suspend is delivered later than 24 hours before the date indicated in the order to suspend, a fee of PLN 800 is billed.
- 8.1.3 For the resumption of gaseous fuel transmission after suspension of gaseous fuel transmission, for reasons referred to in Article 6b of the Act, as specified in para. 1.1.3, a fee of PLN 880 is billed.
- 8.1.4 For checking the accuracy of readings of the measurement system facilities upon the System User's request, a fee is billed amounting to 100% of the actual costs incurred. The fee is not billed in the event of irregularities in the measurement system facilities owned by the TSO.
- 8.1.5 For tests conducted upon the System User's request of the quality of gaseous fuel offtaken from the transmission network, a fee is billed amounting to 100% of the actual costs incurred. The fee is not billed in the event inconsistencies are found between the parameter readings and the standards set out in the contract and in § 38 of the Regulation referred to in para. 1.1.6.
- 8.1.6 For other services or activities performed upon the System User's request, the fees are set out in a separate contract.

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9 RULES FOR SHORT-TERM CONTRACTS AND PROVISION OF INTERRUPTIBLE SERVICES

9.1 The conditions of capacity allocation for short-term services.

9.1.1 The TSO provides short-term services within the following products:

- 9.1.1.1 within-day capacity product - where the capacity is made available for a given hour in the gas day to the end of this gas day,
- 9.1.1.2 daily - where the capacity is made available for the term of one gas day,
- 9.1.1.3 monthly - where the capacity is made available for the term of one month in a gas year (consecutive months start on the first (1st) day of each gas month), at a constant rate for each hour during the given month,
- 9.1.1.4 quarterly - where the capacity is made available for the term of one quarter in a gas year (consecutive quarters of the gas year start, respectively, on 1 October, 1 January, 1 April or 1 July), at a constant rate for each hour during the given quarter,

according to the provisions of the TNC.

9.2 Fee Rates for Short-Term Services.

9.2.1 The fee for provision of short-term services at the physical entry point to the transmission network or physical exit point from the transmission network is determined according to the formula:

$$O_{PK} = S_S * W_{KOR} * M_P * T / 100$$

where:

- O_{PK} - the fee for provision of short-term services at the physical entry point or physical exit point [PLN],
- S_S - the fixed fee rate at the physical entry point or physical exit point per hour of the billing period [gr/(kWh/h) per h], set out in para. 4.2.1,
- W_{KOR} - correction coefficients for short-term services, set out in para. 9.2.2,
- M_P - the contracted capacity at the physical entry point or physical exit point [kWh/h],
- T - the number of hours during the billing period [h].

9.2.2 The values of correction coefficients for short-term services (W_{KOR}) are presented in the table below:

		Correction coefficients for short-term services (W_{KOR})			
MONTH	TYPE SERVICES	WITHIN-DAY PRODUCT	PRODUCT DAILY	MONTHLY PRODUCT	QUARTERLY PRODUCT
	January		2.62	2.62	1.73
February		2.46	2.46	1.62	
March		2.44	2.44	1.61	
April		2.13	2.13	1.41	1.14
May		1.98	1.98	1.31	
June		1.83	1.83	1.20	
July		1.87	1.87	1.23	1.09
August		1.89	1.89	1.25	
September		1.89	1.89	1.25	
October		2.20	2.20	1.45	1.36
November		2.38	2.36	1.57	
December		2.51	2.51	1.65	

The correction coefficients in the table above are calculated as multiplication of the multiplier and the seasonal factor referred to in points 2.1. and 2.2. of the Communiqué of the President of Energy Regulatory Office No 11/2021 of 5 March 2021.

9.2.3 In all matters not referred to in para. 9.1 and para. 9.2 all Network User billing in relation to the capacity allocation (PP) for short-term periods is subject to the provisions of the Tariff.

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9.3 The principles for the provision of interruptible gaseous fuel transmission services relevant for the calculation of charges.

9.3.1 In the absence of possibilities to provide firm services, the TSO may provide interruptible transmission services, which are billed in accordance with the rules set out in para. 9.3 and para. 9.4.

9.3.2 The TSO offers interruptible services of transmission of gaseous fuel for annual, quarterly, monthly, daily and within - day products. The interruptible services of transmission of gaseous fuels for quarterly, monthly, daily and within - day products, are billed in compliance with para. 9.4.

9.3.3 For interruptible transmission services, the TSO may limit the interruptible contracted capacity at a specified physical entry point or a physical exit point in accordance with the TNC. The maximum length of a single limitation may equal the number of gas days or hours in the gas day within the capacity allocation (PP). The lack of limit of the number of gas hours and days during the capacity allocation (PP), on interruptible basis, where the contracted capacity may be limited.

9.3.4 A Network User is obliged to comply with the interruptible contracted capacity reductions introduced at a given physical entry point or physical exit point by the TSO in accordance with the provisions of para.9.3.5.

9.3.5 The reduction of the interruptible contracted capacity for a given Network User is imposed down to the level of capacity available thereto at a specific physical entry point or physical exit point.

9.3.6 In order to determine whether the reductions of interruptible contracted capacity during a specific hour of a gas day have been established, it is accepted that the reduction is effected at the moment and in line with the rules specified in the TNC.

9.3.7 When reducing the contracted capacity, the TSO determines the number of hours during a specific gas day which are to be reduced.

9.3.8 In the event a Network User does not comply with the reductions imposed by the TSO, as referred to in para. 9.3.3, an additional fee equal to the product of the maximum capacity recorded over the contracted capacity subject to no reductions, the number of hours during the billing period and three times the rate of the fixed fee set out in para. 4.2.1 is charged. For the purpose of calculating the fee referred to above, it is assumed that the number of hours in the billing period is equal to the number of hours in a gas month.

9.3.9 The fee referred to in para.9.3.8, is calculated separately for each gas day on which a Network User does not observe the reductions imposed by the TSO.

9.3.10 Should a Network User fail to follow the restrictions introduced by the TSO, referred to in para. 9.3.3, despite prior notification, submitted to the Network User by e-mail to the e-mail address indicated in the transmission agreement, of the intention to terminate the capacity allocation (PP), the TSO may unilaterally terminate the capacity allocation (PP) with immediate effect in the part concerning the provision of interruptible transmission services.

9.4 Discount (ex-ante) applied in billing for interruptible transmission services.

9.4.1 The fee for provision of interruptible transmission services at the physical entry point to the transmission network or physical exit from the transmission network is determined according to the formula:

$$O_{PP} = S_S * (100\% - R_P) * M_P * T/100$$

where:

- O_{PP} - the fee for provision of interruptible transmission services at the physical entry point or physical exit point [PLN],
- S_S - the fixed fee rate at the physical entry point or physical exit point per hour of the billing period [gr/(kWh/h) per h], specified in para. 4.2.1,
- R_P - ex-ante discount value (%), set out in para. 9.4.2,
- M_P - the contracted capacity at the physical entry point or physical exit point [kWh/h],
- T - the number of hours during the billing period [h].

9.4.2 The ex-ante discount value (R_P) is presented in the table below:

Discount (ex-ante) (R_P)	Type of physical entry point or physical exit point
6%	Physical entry point or physical exit point on interconnections with EU countries, on the interconnection with the transmission system of third countries and PWP
2%	Other physical entry point or physical exit point.

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9.4.3 The fee for provision of short-term interruptible transmission services at the physical entry point to the transmission network or physical exit point from the transmission network, is determined according to the formula:

$$O_{PPK} = S_s * (100\% * R_P) * W_{KOR} * M_P * T/100$$

where:

- O_{PPK} - the fee for provision of interruptible short-term transmission services at the physical entry point or physical exit point [PLN],
- S_s - the fixed fee rate at the physical entry point or physical exit point per hour of the billing period [gr/(kWh/h) per h], specified in para. 4.2.1,
- R_P - ex-ante discount value (%), set out in para. 9.4.2,
- W_{KOR} - correction coefficients for short-term services, set out in para. 9.2.2,
- M_P - the contracted capacity at the physical entry point or physical exit point [kWh/h],
- T - the number of hours during the billing period [h].

9.4.4 Ex-ante discount does not apply for virtual reverse flow services.

9.5 In the scope not regulated in para. 9.3 and para. 9.4, the remaining provisions of the tariff apply accordingly to billing of a Network User for capacity allocation (PP) on interruptible basis.

9.6 Fee Rates for virtual reverse flow services.

9.6.1 TSO offers virtual reverse flow services.

9.6.2 The virtual reverse flow services are provided in relation to a limited number of physical entry points or physical exit points, indicated on the TSO's website (www.gaz-system.pl).

9.6.3 The reverse flow services are provided as interruptible transmission services or conditional transmission services.

9.6.4 Unless this paragraph provides otherwise, the virtual reverse flow services are subject to the provisions of para. 9.3 and 9.4 of the Tariff.

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9.6.5 The fee for provision of virtual reverse-flow services at the physical entry point to the transmission network or physical exit point from the transmission network is determined according to the formula:

$$O_{PR} = S_S * 0.2 * M_p * T/100$$

where:

- O_{PR} - the fee for provision of virtual reverse flow services at the physical entry point or physical exit point [PLN],
- S_S - the fixed fee rate at the physical entry point or physical exit point per hour of the billing period [gr/(kWh/h) per h], specified in para. 4.2.1,
- M_P - the contracted capacity at the physical entry point or physical exit point [kWh/h],
- T - the number of hours during the billing period [h].

9.6.6 The fee for provision of short-term virtual reverse-flow transmission services at the physical entry point to the transmission network or physical exit point from the transmission network is determined according to the formula:

$$O_{PRK} = S_S * 0.2 * W_{KOR} * M_p * T/100$$

where:

- O_{PRK} - the fee for provision of short-term virtual reverse-flow transmission services at the physical entry point or physical exit point in [PLN],
- S_S - the fixed fee rate at the physical entry point or physical exit point per hour of the billing period [gr/(kWh/h) per h], specified in para. 4.2.1,
- W_{KOR} - correction coefficients for short-term services, set out in para. 9.2.2,
- M_P - the contracted capacity at the physical entry point or physical exit point [kWh/h],
- T - the number of hours during the billing period [h].

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9.7 The principles for the provision of interruptible conditionally firm gaseous fuel transmission services relevant for the calculation of charges.

9.7.1 The interruptible conditionally firm transmission services are provided in relation to a limited number of physical exit points and physical entry points, indicated on the TSO's website (www.gaz-system.pl).

9.7.2 The interruptible conditionally firm transmission services are settled as interruptible transmission services.

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10 TERMS OF SETTLEMENT FOR SERVICES PROVIDED BY THE TSO IN THE YAMAL-EUROPE TRANSIT GAS PIPELINE SYSTEM

- 10.1 The TSO provides transmission services via the Yamal-Europe Transit Gas Pipeline System on the basis of a transmission contract concluded with the Shipper referred to in TGPS TNC.
- 10.2 The quality standards for the transmission services provided and the service of the Shipper referred to in the TGPS TNC are set out in the transmission contract and the TGPS TNC.
- 10.3 TSO makes settlements for the services provided via the Yamal-Europe Transit Gas Pipeline System on the basis of tariff specified by EuRoPol-GAZ s.a. and approved by the President of the Energy Regulatory Office, applicable during the provision of those services, in accordance with the generally applicable law, in particular with the Act referred to in para. 1.1.3.