Gas Transmission Operator
GAZ-SYSTEM S.A.

TRANSMISSION NETWORK CODE (TNC)

Part II
Balancing and System Congestion Management

Warsaw, July 2008

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1. DEFINITIONS AND UNITS

1.1. Definitions

Allocation	*The assignment of a quantity of gas to individual shippers, which is introduced for transmission at the entry point or off-taken from the exit point, if the gas is introduced or off-taken at the given point within the framework of more than one transmission contract.*
Physical balancing	*The activities of a TSO which has common entry and exit points with our system in order to balance the quantity of gas introduced into and off-taken from the transmission system through ongoing control of operation of the transmission system.*
Commercial balancing	*The activities of a TSO involving the definition and settlement of imbalanced values arising from the difference between the quantities of gas introduced into and off-taken from the transmission system by the shipper.*
System balancing	*The business activities conducted by a TSO within the framework of the transmission services provided involving the balancing of requirements for gas with the suppliers of these fuels, including physical balancing and commercial balancing.*
Gas Reference Price (GRP)	*The weighted average purchase price of gas by Gas Transmission Operator Gaz-System on the TSO website and defined in accordance with the methodology specified in the TNC.*
Gross calorific value (G_{CV})	*The amount of energy that would be given off as heat as a result of the complete or total combustion of 1m^3 of gas in air under normal conditions if the reaction takes place under a constant absolute pressure of 101.325 kPa, all products of combustion, except water, are in a gaseous state, the steam created in the combustion process condenses and all products of combustion (both products in gaseous state and water in liquid state) are brought to a temperature of 25^oC.*
Pressure	*The pressure of gas measured under static conditions as overpressure, which is the difference between the absolute static pressure of the gas and atmospheric pressure.*
Working days	*The days from Monday to Friday, except statutory holidays.*

Gas day	*The period from 22:00 hours on the previous day to 22:00 hours on the current day.*
Direct gas pipeline	*A gas pipeline that has been built to supply gas directly to the supplier's installation, bypassing the gas system.*
Interconnector pipeline	*A gas transmission pipeline crossing the borders of European Union member states or member states of the European Free Trade Agreement (EFTA) - the parties to the agreement on the European Economic Zone, exclusively for the purpose of interconnecting the national transmission systems of these states.*
Commercial Transmission Report (CTR)	*A document prepared by TSO containing a set of information on the provision of transmission services by the TSO to the shipper in the settlement period (gas month).*
Storage facility	*Facility used to store gas including containerless storage of gas and storage capacity of gas pipelines being the property of an energy company or operated by that company including the part of the liquefaction of natural gas facility used for its storage, with the exception of that part of the facility which is used to production activity, as well as facilities serving exclusively the performance of the tasks of transmission system operators.*
Wobbe index	*The ratio of the gross calorific value of gas to the square root of its relative density under the same reference conditions.*
Gas month	*The period from 22:00 hours on the last day of the month immediately proceeding the current month to 22:00 hours of the last day of the current month.*
Contracted capacity	*The maximum hourly quantity of gas under normal conditions, as specified in the transmission contract, which can be admitted for transmission at the entry point or off-taken from the transmission system at the exit point.*
Imbalance	*The difference between the quantity of gas that the shipper has introduced at the entry points for transmission and off-taken from the transmission system at the exit points, calculated on the basis of the results of measurements and the methods of allocation within the framework of the performance of a given transmission contract.*
Nomination	*The shipper's declaration passed to the TSO regarding the quantity of gas that shall be introduced at the entry points of the transmission system by the shipper at a specified time*

	and off-taken by the shipper from the transmission system at the exit points.
Final customer	*The customer purchasing gas for his own use.*
Contractual congestion	*Restrictions on the possibility of transmitting gas arising from capacity booking by shippers at a greater level than is actually used.*
Technical congestion	*Restrictions on the ability to transmit gas arising from congestion in the technical devices, installations or networks.*
Billing Point Operator (BPO)	*An entity performing metering and settlement tasks at the entry points to or exit points from the transmission system.*
Distribution System Operator (DSO)	*An energy company that distributes gas, which is responsible for network operation in the gas distribution system, the duties of which are specified in the Energy Law.*
Storage Facility Operator (SFO)	*An energy company that stores gas, which is responsible for the maintenance of the storage installation, the duties of which are specified by the Energy Law.*
Transmission System Operator (TSO)	*Gas Transmission Operator Gaz-System Ltd. - an energy company that transmits gas, which is responsible for network operation in the gas transmission system, the duties of which are specified by the Energy Law.*
Interconnecting System Operator (ISO)	*The DSO, SFO or the operator of an interconnecting system to the TSO's transmission system other than the TSO.*
Gas	*High-methane natural gas or nitrified natural gas transported through the transmission system.*
Linepack	*The quantity of gas that is under pressure in the gas pipelines.*
Technical capacity	*The maximum constant capacity of the transmission system within the framework of which the TSO can provide gas transmission services.*
Booked capacity	*The part of the technical capacity of the transmission system that is booked as a result of transmission contracts and connection agreements signed by the TSO and applications for the provision of transmission services accepted by the TSO.*

Transmission	*The transport of gas through the transmission grid between entry points and exit points.*
Importation	*The importation of gas into the territory of the Republic of Poland within intra-community acquisition or import, in the meaning of the Act on reserves.*
Entry point	*The place of introduction of gas into the transmission system.*
Exit point	*The place of off-take of gas from the transmission system.*
Re-nomination	*A change to the approved nomination.*
Gas year	*The period from 22:00 hours on 31 December of the previous year to 22:00 hours of 31 December of the current year,*
Distribution network / distribution system	*A high, medium and low pressure gas network excluding upstream and direct gas pipelines, for the operation of which the DSO is responsible.*
Transmission system	*A high, medium and low pressure gas network excluding upstream and direct gas pipelines, for the operation of which the TSO is responsible.*
Force majeure	*An extraordinary external event that is independent of the shall of a party, which prevents the permanent or temporary performance of an agreement, the event or the consequences of which the party was unable to predict with due care at the time of signature of an agreement, or avoid or overcome.*
Interoperating system	*A distribution, storage or transmission system other than the TSO's transmission system that interoperates with the TSO's transmission system.*
Emergency situation	*A situation resulting in the loss of technical operability of the transmission grid or the networks, installations or devices connected to it or a direct threat to lives, health, property, the environment, or a sudden need to counter or avoid the emergence of such threats or to eliminate the consequences caused by their emergence and resulting in a restriction in the supply, transmission or off-take of gas.*
Tariff	*A set of prices and charges, as well as the conditions for applying them, which is introduced as obligatory in the settlements with the shippers.*

Gas week	*The period from 22:00 hours on Sunday of the week prior to the current week and 22:00 hours on Sunday of the current week.*
Transmission contract	*A gas transmission contract concluded by and between the shipper and the TSO.*
Transmission system user	*An entity that delivers gas to the transmission system or is supplied by this system.*
Energy Law	*The Energy Law of 10/04/1997 - consolidated text (Journal of Laws of 2006, No. 89, item 625, as amended).*
Act on reserves	*The Act of 16 February 2007 on the reserves of crude oil, petroleum products and natural gas and the course of action in the event of a threat to the state fuel security and disruptions on petroleum market (Journal of Laws of 2007, no. 52, item 343)*
Net calorific value	*The amount of heat that would be given off as a result of the complete combustion of a specified quantity of gas, if the reaction takes place under a constant pressure of 101.325 kPa, all products of this combustion are in a gaseous state and have been taken to the same temperature as the substrates had.*
Normal conditions	*The reference conditions for billing purposes, absolute pressure of 101.325 kPa and temperature of 273.15 K.*
System congestion management	*Business activities conducted by the TSO within the framework of the transmission services provided in order to ensure the safe operation of the transmission system and to provide the required technical parameters of gas in the event of the appearance of technical congestion in this system's capacity.*
Shipper	*A natural or legal person, as well as an entity not having legal personality, but having legal capacity, which uses transmission services under a transmission contract concluded with the TSO.*

1.2. Units used

m^3 cubic metre (defined in the TNC under normal conditions),
^oC degree Celsius,
h hour,
K Kelvin,

km kilometre,
MJ megajoule,
mg milligramme,
µg microgramme,
MPa megapascal,
kPa kilopascal.

2. SUBMISSION OF TRANSMISSION CONTRACTS FOR IMPLEMENTATION

2.1. Procedures for submitting agreements for implementation

2.1.1. The shipper submits the quantities of gas for transmission in nominations in order to implement a transmission contract. The nominations may be amended under the re-nomination procedure. The re-nomination, which is approved in accordance with the provisions of the TNC receives the status of an approved nomination.
2.1.2. The quantities of gas are specified in the nominations and re-nominations in m^3.
2.1.3. Nominations are submitted in annual and weekly cycles.
2.1.4. The total quantity of gas specified in the nominations and re-nominations for the entry points should equal the total quantity of gas specified in these nominations the for exit points.
2.1.5. Nominations and re-nominations submitted by the shipper should take into consideration the restrictions and stoppages that have been introduced in accordance with the provisions of TNC.
2.1.6. The minimum quantities of gas that are to be supplied to the transmission system shall be specified in the transmission contract and shall be included in the nominations and re-nominations submitted by the shipper for specific entry points, because of the system congestion. With the TSO's consent, the minimum values of the nominations may change during the period in which agreed work is being conducted or in the event of an emergency situation resulting in the reduction in the ability to supply gas in accordance with the nomination.
2.1.7. Should the TSO be informed by the ISO or the Billing Point Operator also under different procedures than those specified in point 2.3 or point 2.4 that it is not possible to transmit the quantities of gas specified in the weekly nominations, the TSO shall immediately inform the shipper of this. The shipper is obliged to adjust the nomination at the given point and correspondingly at the other entry points or exit points and to supply the re-nomination to the TSO within 2 hours of the receipt of this information.
2.1.8. The shipper is liable for providing the information on the quantities of gas contained in the ISO's nominations and re-nominations to his suppliers and customers.
2.1.9. Nominations and re-nominations, as well as the information on their approval, are submitted in accordance with the procedures and on the terms and conditions specified in point 5.
2.1.10. The TSO may pass information on nominations and re-nominations to the ISOs and BPOs.
2.1.11 The parties to the transmission contract may specify the groups of exit points for which the combined values of inconsistencies in the performance of the nominations approved for these points shall be agreed.

2.1.11.1 Exit points belonging to a given group must satisfy the following criteria:
2.1.11.1.1 exit points are connected hydraulically at the distribution network side or the side of the final customer's installations,
2.1.11.1.2 in the summer period, it is possible for the remaining exit points belonging to the given group to take over a quantity of gas received at a freely selected exit point in that group.
2.1.11.2 Groups of points may be created based on other criteria with the consent of the parties.
2.1.12 The shipper within 2 hours from the moment of receiving the information concerning the reduction of interruptible contracted capacity is required to adjust the nomination at a given point and correspondingly in the remaining entry and exit points as well as to submit the re-nomination to the TSO.
2.1.13 In the event of the shipper failing to adjust the nominations in the cases mentioned in point 2.1.7, point 2.1.12, point 6.3.2 or point 4.7.32, the TSO does not bear any responsibility for the performance of the gas transmission service, including for maintaining the pressure and quality parameters of the gas.
2.1.14 The principles under which the TSO reduces the interruptible contracted capacity are specified by the Tariff and the gas transmission contract under interrupted conditions.

2.2 Annual nominations

2.2.1. The transmission contracts specify the annual nominations for the entry points and the exit points, stating the quantity of gas passed for transmission and off-taken from the transmission system in the given year, with a breakdown by month. The annual nomination submitted for short-term transmission contracts specifies the quantity of gas for the months in which the transmission service is to be provided.
2.2.2. The monthly quantities of gas specified in the annual nominations and re-nominations cannot exceed the maximum quantities specified as the product of the number of days in the given month and twenty-four times the applicable contracted capacity for the given point, as agreed in accordance with the provisions of part I of the TNC.
2.2.3. The shipper shall supply the annual nomination for the next gas year, with a breakdown by month, to the TSO by 30 September of every gas year.
2.2.4. The proposition of the shipper's annual nomination is reviewed in connection with a possible application to change the contracted capacity. The TSO shall inform the shipper that the annual nomination has been accepted or rejected by 31 October. The failure to provide the information specified in the previous sentence constitutes an approval of the annual nomination.
2.2.5. The nomination may be rejected because of:
2.2.5.1. inconsistencies with the provisions of point 2.1,
2.2.5.2. exceeding the maximum quantities specified in accordance with the provisions of point 2.2.2,
2.2.5.3. differences between the nominations for the entry points or exit points at the connection of the transmission system with interoperating systems, which are found while undergoing the nomination matching process in the interoperating systems in accordance with point 2.4,

2.2.5.4. notification by the ISO or the Billing Point Operator at the entry points or exit points of congestion, which prevents the performance of the service in accordance with the nominations submitted by the shipper,

2.2.5.5. the failure to satisfy the conditions of the minimum values of the nominations, as referred to in point 2.1.6.

2.2.6. In the event that a nomination is rejected, the TSO shall state the reason for the rejection of the nomination.

2.2.7. In the event of a rejection of the nomination, the shipper shall submit an adjusted annual nomination to the TSO within 10 working days from the date of notification of the rejection of the nomination.

2.2.8. The TSO shall notify the shipper of whether the adjusted nomination has been accepted or rejected within 20 working days of the date of its receipt.

2.2.9. In the event that the shipper fails to submit an annual nomination within the deadline specified in point 2.2.3, the TSO shall accept the nomination to be the annual amount specified monthly by the shipper in the last annual nomination approved by the TSO.

2.3 Weekly nominations.

2.3.1 The shipper is obliged to submit weekly nominations to the TSO. The weekly nominations specify the quantity of gas introduced for transmission or off-take from the transmission system for every gas day of every gas week for every entry point or exit point specified in the transmission contract.

2.3.2 The daily quantities of gas specified in the weekly nominations and re-nominations cannot exceed the maximum quantities specified as twenty-four times the applicable contracted capacity for the given point.

2.3.3 The shipper submits the weekly nomination to the TSO every Thursday by 10:00 hours.

2.3.4 The TSO informs the shipper that the weekly nomination has been approved or rejected by Friday at 10:00 hours.

2.3.5 The nomination may be rejected because of:

2.3.5.1 inconsistencies with the provisions of point 2.1,

2.3.5.2 exceeding the maximum quantities specified in accordance with the provisions of point 2.3.2,

2.3.5.3 differences between the nominations for the entry points or exit points at the connection of the transmission system with interoperating systems, which are found while undergoing the nomination matching procedure at the interoperating systems in accordance with point 2.4,

2.3.5.4 notification by the ISO or the Billing Point Operator at the entry points or exit points of congestion, which prevent the performance of the service in accordance with the nominations submitted by the shipper,

2.3.5.5 the failure to satisfy the conditions of minimum values of nominations, as referred to in point 2.1.6.

2.3.6 In the event that a nomination is rejected, the TSO shall provide the reason for the rejection of the nomination.

2.3.7 In the event of a rejection of the nomination within the deadline specified in point 2.3.4, the shipper sends the TSO an adjusted weekly nomination by Friday at 14:00 hours.

2.3.8 The TSO shall inform the shipper of whether the weekly nomination has been approved or rejected by Friday at 16:00 hours.

2.3.9 In the event that the parties fail to agree a weekly nomination in the manner specified above, the TSO shall accept the nomination specifying the quantity of gas arising from the nomination submitted by the shipper, while taking account of the restrictions and stoppages referred to in point 2.1.5, point 2.3.5 and point 2.4.1.3 as that, which is approved. The TSO shall inform the shipper of the approved weekly nominations on Friday by 18:00 hours.

2.3.10 In the event that the shipper fails to provide the nomination for the following gas week to the TSO within the deadline specified in point 2.3.3., the TSO shall accept the last approved weekly nomination as that, which is submitted by the shipper.

2.3.11 The difference between the daily quantities of gas introduced for transmission and those off-taken from the transmission system by the shipper and the daily quantities of gas specified in the corresponding approved weekly nominations is specified for every gas day. In the case of the groups of points referred to in point 2.1.11., the difference is specified between the sum of the nominations and the achievement for all points belonging to the given group.

2.3.12 With the reservation of point 3.2.4, in the event that the difference referred to in point 2.3.11 at a given point or group of points is more than 10% of the annual quantity of gas fuel specified in the weekly nomination, the TSO shall charge the shipper a fee in accordance with the provisions of point 4.5.

2.3.13 In the case of nominations and re-nominations regarding entry points and exit points located on the point of interconnection of the TSO transmission system and another operator's system in which the gas day starts at a different time to that of the TSO's system (i.e. at a different time to 22:00 hours), nominations and re-nominations submitted by the shipper should additionally specify the quantity of gas for the individual hours of every gas day in order to enable nomination matching process with the interoperating systems.

2.4 Nomination matching process with interoperating systems

2.4.1 Nomination matching process in transmission systems and storage facilities

2.4.1.1 Nominations submitted by shippers for entry points and exit points located on the interconnections between the transmission system and other transmission systems or storage facilities should be consistent with the corresponding nominations in other transmission systems or storage facilities.

2.4.1.2 If the matching process discloses a difference in nominations in other transmission systems or storage facilities, the TSO shall inform the shipper of the inconsistencies of the nominations within the deadlines specified respectively for the annual nomination in point 2.2.4, and for the weekly nomination in point 2.3.4.

2.4.1.3 In the event that an inconsistency appears in the weekly nominations referred to in point 2.4.1.2 and an adjusted nomination is not sent by the shipper by Friday at 14:00 hours, the "lesser rule" principle shall be applied, which means a reduction in the flows in both systems to the smaller level of the comparable nominations.

2.4.1.4 In the situation referred to in point 2.4.1.3, the TSO shall accept the nomination that specifies the quantity of gas defined in accordance with the provisions of point 2.4.1.3. and point 2.3.9, TSO shall inform the shipper of the approved weekly nominations on Friday by 18:00 hours.

2.4.2 Nomination matching process in distribution systems.

2.4.2.1 The nominations submitted by shippers for entry or exit points located on the point of interconnection of the transmission system and distribution systems should be compliant with the corresponding nominations in the distribution systems if such nominations were submitted to the DSO.

2.4.2.2 The TSO shall submit to the DSO weekly nominations submitted by the shipper every Thursday by 14:00 hours in order to carry out the nomination matching process in the distribution systems.

2.4.2.3 The DSO shall submit to the TSO on Thursday by 20:00 hours information that it is capable of executing the nomination submitted by the shipper to the TSO mentioned in point 2.5.2.5. In the event of there being no possibility to perform this nomination, the DSO shall submit to the TSO within the same deadline information specifying the maximum possible quantity of gas that can be off-taken by the DSO in given gas days. In the event of the DSO failing to submit the said information mentioned hereinabove, it shall be accepted that the DSO is capable of executing the shipper's nomination submitted to it.

2.4.2.4 If, in compliance with the matching process in distribution systems specified above, it turns out that there is no possibility of executing the nomination submitted by the shipper to the TSO, the TSO shall inform the shipper of the inconsistencies in nominations within the deadlines specified correspondingly to the annual nomination in point 2.2.4, and for the weekly nomination in point 2.3.4.

2.4.2.5 In the event that an inconsistency appears referred to in point 2.4.2.3 and an adjusted nomination is not sent by the shipper within the deadline specified in point 2.3.7, the "lesser rule" principle shall be applied, which means a reduction in the flows in both systems to the smaller level of the comparable nominations. Furthermore, the provisions of point 2.3.9 shall be applicable.

2.4.3 In the event when in a given entry or exit point located on the point of interconnection of the TSO's transmission system and distribution systems, the transmission and distribution services are performed for the same entity (shipper and the party commissioning the distribution service), the nomination matching process referred to in point 2.4.2 is not conducted. The nomination approved by the TSO shall be accepted as the binding nomination for the given point.

2.5 Re-nominations

2.5.1 Annual re-nomination of monthly quantities of gas

2.5.1.1 The shipper may make a re-nomination of the quantities declared in the annual nomination approved by the TSO.

2.5.1.2 The re-nomination may apply to a period of one month or several months.

2.5.1.3 The shipper shall supply the re-nomination to the TSO no later than 35 working days before the start of the period to which the re-nomination applies.

2.5.1.4 The TSO shall inform the shipper of whether the re-nomination has been accepted or rejected within 20 working days of the receipt of the re-nomination from the shipper. In the event that a nomination is rejected, the TSO shall provide the reason for the rejection of its nomination. A nomination may be rejected for one of the reasons mentioned in point 2.2.5. In the event of a rejection of a re-nomination by the TSO, the last annual nomination approved by the TSO shall remain binding on the parties.

2.5.2 Weekly re-nomination of the daily quantities of gas.

2.5.2.1 The shipper may make a re-nomination of the daily quantities of gas submitted in the weekly nominations by 15:00 hours on the day before the day to which the re-nomination applies. In the event that several re-nominations are submitted in a given day, the last re-nomination submitted is reviewed.

2.5.2.2 The TSO shall inform the shipper of whether the re-nomination has been accepted or rejected stating the reasons for rejecting the nomination, on the same day by 16:00 hours.

2.5.2.3 The re-nomination may be rejected for the reasons specified in point 2.3.5.

2.5.2.4 In the event that a re-nomination referred to in point 2.5.2.2 is rejected, the shipper shall provide an adjusted re-nomination, taking into consideration the reasons for the rejection provided by the TSO.

2.5.2.5 The TSO shall inform the shipper whether the nomination referred to in point 2.5.2.4 has been accepted or rejected by 20:00 hours on the day preceding the gas day, which that nomination concerns.

2.5.2.6 In the event of the TSO rejecting the re-nomination referred to in point 2.5.2.4, the weekly nomination last approved by the TSO shall remain the binding nomination for the parties, subject to point 2.3.9.

2.5.2.7 In the event of increasing or decreasing the off-take of gas connected with the planned renovation work agreed with the TSO conducted by the shipper or the customer of the shipper, the appearance of an emergency situation in the TSO's system or a documented emergency situation in the shipper's or his customer's network or installations, the shipper may submit a re-nomination for the current or next gas day by the end of the gas day which the event concerns. The re-nomination may concern the entry point, which supplies the given customer of the shipper, and the points necessary to balance that adjustment.

2.5.2.8 In the event of the shipper submitting the re-nomination referred to in point 2.5.2.7 along with substantiation, the TSO shall inform the shipper within one hour from the moment of submitting the re-nomination, whether it has been accepted or rejected stating the reasons for the rejection.

2.5.3 Re-nomination matching process in transmission systems and storage facilities

2.5.3.1 The re-nominations submitted by the shipper for the entry or exit points located on the point of interconnection of the transmission system with other transmission systems or storage facilities should comply with the respective nominations (re-nominations) in other transmission systems or storage facilities.

2.5.3.2 If the matching process reveals inconsistencies in re-nominations in other transmission systems or storage facilities, the TSO shall inform the shipper of the inconsistencies in re-nominations within the deadlines specified for the annual re-nomination in point 2.5.1.4, and for the weekly re-nominations in point 2.5.2.2, respectively.

2.5.3.3 In the event of inconsistencies arising in weekly re-nominations referred to in point 2.5.3.2 and the shipper failing to submit an adjusted re-nomination by 18:00 hours, the provisions of point 2.5.2.6 shall be applicable.

2.5.4 Re-nomination matching process in distribution systems

2.5.4.1 In the event that the shipper submits to the TSO the weekly re-nominations of the daily quantities of gas pursuant to point 2.5.2.1, the TSO shall submit to the DSO the said re-nomination on the same day by 15:15 hours.

2.5.4.2 The DSO shall submit to the TSO information that it is capable of executing the re-nomination referred to in point 2.5.4.1 on the same day by 15:45 hours. In the event of it being impossible to perform the re-nomination, the DSO shall submit to the TSO information specifying the maximum possible quantity of gas that can be off-taken by the DSO in given gas days. In the event of the DSO failing to submit the information mentioned above, it shall be accepted that the DSO is capable of executing the re-nomination submitted to it.

2.5.4.3 If, pursuant to the above-described matching process in distribution systems, it turns out that it is not possible to perform the re-nomination submitted by the shipper to the TSO, the TSO shall inform the shipper of inconsistencies in the re-nomination within the deadline specified in point 2.5.2.2.

2.5.4.4 The shipper may submit to the TSO an adjusted re-nomination pursuant to point 2.5.2.4.

2.5.4.5 In the event of inconsistencies arising in the weekly re-nominations of the daily quantity of gas referred to in point 2.5.4.2 and the shipper failing to submit a corrected re-nomination within the deadline specified in point 2.5.2.4, the TSO shall inform the shipper of the rejection of the re-nomination pursuant to point 2.5.2.5 and the provisions of point 2.5.2.6 shall be applicable.

2.5.5 In the event if in a given entry or exit point located on the point of interconnection of the TSO's transmission system with the distribution system, transmission and distribution services are performed for the same entity (shipper and entity commissioning the distribution service), the re-nomination matching process referred to in point 2.5.4 is not conducted. The nomination approved by the TSO shall be accepted to be the binding nomination for the given point.

3. TRANSMISSION SYSTEM BALANCING

3.1. General conditions of balancing.

3.1.1. The TSO provides balancing services in the group E high-methane gas system.

3.1.2. Because of the lack of regulatory instruments related to the excessively small linepack and the lack of storage facilities, the nitrified gas systems of the Lw and Ls subgroups, nitrified gas must be introduced by the shipper for transmission in

the transmission system and must be off-taken in the same quantities on every gas day. Physical balancing is conducted by the TSO in order to assure the safe implementation of the transmission contracts.

3.1.3. Physical balancing is conducted by the TSO in order to assure the safe implementation of the transmission contracts.

3.1.4. Commercial balancing is performed in order to settle the shipper's imbalances within the framework of individual transmission contracts on the basis of the quantities of gas assigned to them in accordance with the allocation methods described in point 3.2.

3.2. Allocation

3.2.1. In the event that gas is introduced for transmission or off-taken by only one shipper respectively at the given entry point or exit point, the whole quantity of gas or the maximum hourly quantity of gas specified on the basis of the results of measurements at the given point shall be assigned to that shipper.

3.2.2. In the event that gas is introduced for transmission or off-taken by only one shipper, who has concluded at least two transmission contracts with the TSO respectively at the given entry point or exit point, the quantity of gas and the maximum hourly quantity of gas specified on the basis of the results of the measurements at the given point shall be assigned proportionally to the approved nominations for the individual transmission contracts concluded with the shipper, unless the shipper specifies another method of allocation, which shall apply at the given point after acceptance by the TSO.

3.2.3. The TSO may enter into an agreement with respect to every entry point into the transmission system with at least one shipper, who is the user of such a point, under which it expresses its consent to the assignment of the difference between the quantity of gas specified in the approved nominations and the quantity introduced for transmission at this point.

3.2.4. In the event of entering into an agreement, as referred to in point 3.2.3, the differences between the actual achievement and the nomination at the given entry point shall be taken into consideration when specifying the charge for the inconsistency of the nomination with the actual achievement and when settling imbalances on the terms and conditions specified in the agreement entered into with the shipper.

3.2.5. The shipper who is the user of the given point may enter into an agreement that specifies the methods of allocation regarding that point in accordance with the provisions of point 3.2.8, which shall apply after TSO's acceptance. In order to enable the shipper to conclude an agreement on methods of allocation, the TSO shall inform the shipper at the given point of the TSO having concluded another transmission agreement at that point within a deadline no shorter than 30 days from the planned day of commencing with the performance of the transmission service on the grounds of another agreement.

3.2.6. In the event of a change in any of the users of a point, including an entity being a party to the agreement referred to in point 3.2.5 stopping to use the given point, the agreement shall remain valid - with respect to the TSO - between the parties to the agreement that are still users of the point, unless the provisions of the agreement, despite the change in its parties, are consistent with the provisions of point 3.2.8. In the event that a new entity enters into the agreement, the

amended wording of the agreement shall apply - with respect to the TSO - after its acceptance by the TSO.

3.2.7. In the case of exit points from which gas is transported into the networks of ISOs, the allocation methods shall be determined by the ISO in consultation with the shippers that are the users of the given exit point.

3.2.8. The agreement referred to in point 3.2.5 and point 3.2.7 should enable the quantity of gas assigned for transmission or off-taken from the transmission system to be fully divided and the maximum hourly quantities of gas to be specified for individual shippers at this point. The agreement should specify the methods of allocation in the event of the failure to meet the quality parameters of the gas that are specified in the TNC or the pressure parameters of the supply, as specified in the transmission contracts concluded with the shippers, who are the users of the given point.

3.2.9. Should the agreement referred to in point 3.2.3, point 3.2.5 or point 3.2.7 not be entered into, and if the provisions of point 3.2.10 or 3.2.11 shall not be applicable, the quantity of gas introduced for transmission or off-taken at the individual entry points or exit points shall be assigned to the individual shippers in proportion to the approved nominations.

3.2.10. In the event that the agreement referred to in point 3.2.3 or point 3.2.5 is not entered into, the differences between the total quantity of gas established in all the approved nominations for the given entry point and the quantities conveyed for transmission in that entry point, they shall be allocated to the shipper that is entitled to at least 70% of the total ordered contracted capacity in the given point. The above principles are not applicable in the event of failing to ensure in a given entry point the minimum pressure of the supply or the quality parameters of the gas.

3.2.11. In the event of concluding an interoperator agreement mentioned in point 3.2.17, the daily quantities of gas conveyed by the shipper for transmission shall be accepted as the quantities established in the approved nomination for the given point. The above principles are not applicable in the case of exceeding an operational account limit established in the agreement. The TSO shall submit to the shipper information if the limit of the operational account shall exceed 80%.

3.2.12. In the situation in which the agreement referred to in point 3.2.5 or point 3.2.7 was not entered into by all the shippers being the users of a given point, the quantities of gas introduced for transmission or off-taken from the transmission system at a given entry or exit point will be allocated jointly to all shippers who are party to the agreement and the shipper who is not party to the agreement proportionally to the total approved nominations for the shippers who are party to the agreement. The quantity of gas introduced for transmission or off-taken from the individual entry or exit points for the shippers who are parties to the agreement referred to in point 3.2.5. shall be allocated in accordance with the terms and conditions of that agreement.

3.2.13. In the event of the agreement referred to in point 3.2.3 or point 3.2.5 not being concluded or the provisions of point 3.2.10 or 3.2.11 not being applicable, the maximum hourly quantities of gas in a given gas month in given entry and exit points shall be determined for given shippers on the grounds of the total maximum hourly quantity of gas introduced for transmission or off-taken from the transmission system at a given point proportionally to the approved nominations binding on the day on which the greatest total hourly quantity of gas introduced

for transmission or off-taken from the transmission system in a given month, took place.

3.2.14. With the reservation of point 3.2.15, the allocation on the terms and conditions specified above is performed by the TSO.

3.2.15. With respect to the points for which the Billing Point Operator is an entity other than the TSO or the gas is introduced into an ISO network at a given exit point, the allocation is performed respectively by the BPO or ISO. The shipper shall obligate the BPO or ISO to perform the allocation in accordance with the provisions of this point within the deadlines specified in point 3.2.16.

3.2.16. In the cases described in point 3.2.15, the BPO and ISO shall submit information to the TSO every day by 09:00 hours on the quantities assigned to the individual shippers for the previous gas day, while monthly settlement reports containing the daily data assigned to the individual shall be provided to the TSO by the 5th working day of the month following the month to which the report applies.

3.2.17. The TSO may conclude with an operator of another transmission system an agreement on the conduct of an operational account concerning the gas introduced in the entry point to the TSO's transmission system. The agreement may be concluded if the technical capacity exists for the conduct of such an account. The agreement should specify, in particular:

3.2.17.1 the maximum quantity of gas that can be mutually transmitted between operators in order to level out the differences between the quantities specified in the approved nomination for the given point and the quantities actually transmitted between the transmission systems. The value of those differences is specified based on billing data of the actual flow between the systems.

3.2.17.2 the principles of levelling the balance of the operational account and the billing principles by virtue of transmitted or off-taken gas with the expiry of the binding term of the agreement.

3.3. Physical balancing

3.3.1. In the situation in which there is an imbalance in the quantity of gas introduced for transmission and off-taken from the transmission system, the TSO shall take steps to stabilise system operation using the following regulatory instruments:

3.3.1.1. linepack in the transmission system,

3.3.1.2. the storage capacity reserved for balancing purposes.

3.3.2. The storage system operator or the owner of the storage facilities attached to the transmission system is obliged to provide the TSO access to a part of the capacity of the active storage facilities and the storage facilities injection and withdrawal capacity required for fulfilling the TSO's tasks.

3.3.3. The TSO shall inform the entities referred to in point 3.3.2 by 15 November of the given year about the TSO's reservation of active storage facilities, withdrawal capacity and injection capacity for the following year) from 1 April to 31 March of the following year).

3.3.4. The active capacity of the storage facilities that is reserved for the TSO cannot be made available to other entities without the TSO's consent.

3.3.5. The gas introduced into the storage facilities and off-taken from the storage facilities should reflect the quality parameters specified in part I of the TNC.
3.3.6. The detailed terms and conditions regarding the TSO's use of the reserved active capacity, as well as injection and withdrawal capacity of storage facilities shall be specified in the interoperator agreement or agreement, which is concluded with the entity referred to in point 3.3.2.
3.3.7. Within the framework of physical balancing, the TSO shall deliver the quantity of gas to or from the shipper that has been introduced by the shipper for transmission at the entry points and off-taken by the shipper at the exit points from the transmission system.
3.3.8. In the event that the regulatory instruments described in point 3.3.1 are inadequate, the TSO may introduce restrictions on entry points or exit points in accordance with the provisions of point 4.6.

3.4. Commercial balancing

3.4.1. Terms and conditions of commercial balancing.
3.4.1.1. The TSO shall specify the daily imbalance amount (DIA) for the given gas day as the difference between the quantity of gas that the shipper has introduced to the entry point and off-taken from the transmission system at the exit points during the given gas day.
3.4.1.2. Two levels of limits of imbalances are defined: the daily imbalance limit (DIL) and the top daily imbalance limit (TDIL).
3.4.1.3. The following imbalance levels are defined for shippers, the total of whose contracted capacities at the entry points is less than or equal to 15,000 m^3/h:
3.4.1.3.1. Daily imbalance limit, DIL - amounting to 15% of the quantity of gas introduced by the shipper for transmission at the entry points in a given gas day.
3.4.1.3.2. Top daily imbalance limit, TDIL - amounting to 45% of the quantity of gas introduced by the shipper for transmission at the entry points in a given gas day.
3.4.1.4. The following levels of the imbalance limits are defined for shippers, the total of whose contracted capacities at the entry points is greater than 15,000 m^3/h:
3.4.1.4.1. Daily imbalance limit, DIL - amounting to 5 % of the quantity of gas introduced by the shipper for transmission at the entry points in a given gas day.
3.4.1.4.2. Top daily imbalance limit, TDIL - amounting to 15% of the quantity of gas introduced by the shipper for transmission at the entry points in a given gas day.
3.4.1.5. In the event that the absolute daily imbalance amount, DIA, of a given shipper is:
3.4.1.5.1. less than or equal to DIA, the balancing is performed by the TSO without additional charges,
3.4.1.5.2. greater than DIA, but less than or equal to TDIL, the shipper is obliged to pay a standard charge for the balancing in excess of the limits in accordance with point 3.5.1,
3.4.1.5.3. greater than TDIL, the shipper is obliged to pay an increased charge for balancing in excess of the limits in accordance with point 3.5.2.

3.4.1.6. The shipper is obliged to maintain a balance of the quantity of gas introduced into and off-taken from the transmission system within the framework of the given transmission contract such that the cumulative amount of imbalance (CIA), being the sum of DIAs on successive gas days of a given gas month, does not exceed the maximum cumulative amount of imbalance (MCIA).

3.4.1.7. The value (MCIA) for shippers, the sum of whose contracted capacities at the exit points is less than or equal to 15,000 m^3/h, is set at 40% of the nominal monthly quantity of gas for the given gas month specified in the approved annual nomination at the entry points divided by the number of days in the given gas month.

3.4.1.8. The value (MCIA) for shippers, the sum of whose contracted capacities at the exit points is greater than 15,000 m^3/h, is set at 20% of the nominal monthly quantity of gas for the given gas month specified in the approved annual nomination at the entry points divided by the number of days in the given gas month.

3.4.1.9. Exceeding MCIA during the gas month results in a charge being imposed in accordance with the provisions of point 3.5.3.

3.4.1.10. At the end of each gas month, the parties shall make settlement of the quantity of gas required for balancing in the given gas month which is transferred by the TSO to the shipper or off-taken by the TSO from the shipper, being the difference between the amount of gas introduced by the shipper for transmission at the entry points and off-taken by the shipper at the exit points from the transmission system in accordance with the provisions of point 3.6 and part I of the TNC.

3.4.1.11. In the event that the quantity of gas introduced at the entry points during the gas day under analysis is zero and the quantity off-taken at the exit points is not zero, then DIA is accepted as 100% of the quantity transferred at the exit points.

3.4.2. Operational balancing.

3.4.2.1. Within the framework of operational balancing, the TSO specifies the daily value of the imbalance amount (DIA) on the previous day for every shipper.

3.4.2.2. Operational balancing is conducted by the TSO in daily intervals on the basis of the results of measurements, estimated amounts and agreed allocation methods.

3.4.2.3. Should it be found that a shipper has exceeded the imbalance limit in excess of the MCIA value, which could cause a threat to the security of performance of other transmission contracts, TSO may introduce restrictions on the quantity of gas introduced for transmission at the entry points and off-taken from the transmission system at the exit points in accordance with the provisions of point 4.6.

3.4.2.4. The TSO shall keep the shippers informed for the purpose of specifying the status of the shipper's imbalance. The level of information provided shall reflect the level of information that the TSO has available.

3.4.3. Billing balancing.

3.4.3.1. Billing balancing is conducted by the TSO after the end of the gas month on the basis of the results of measurements that are approved in the form of billing reports.

3.4.3.2. The TSO shall perform the billing balancing procedure for every shipper, which involves the calculation of the value of DIA for every day in the given month.

3.4.3.3. In the event of a correction to the monthly settlement or if the gas used for technological purposes is introduced beyond the point of measurement of the quantity of gas off-taken by the shipper, the above quantities of gas shall be specified as a separate item in the CTR and included in the calculation of the cumulative amount of imbalance (CIA).

3.4.3.4. The amounts specified on the basis of the billing balancing shall be included in the Commercial Transmission Report (CTR) prepared by the TSO.

3.4.3.5. The Gas Reference Price (GRP) constitutes the weighted average price at which the TSO purchased the gas in the previous gas month. The TSO establishes and publishes the GRP on its website by the twentieth (20^{th}) day of every month. The GRP established in this way applies during the following gas month. If gas was not purchased in a given month, the previous GRP shall apply.

3.5. Charges for balancing in excess of the limits.

3.5.1. In the situation in which the absolute daily imbalance amount (DIA) is greater than the daily imbalance limit (DIL), but does not exceed the top daily imbalance limit (TDIL), the TSO shall collect a standard charge for balancing in excess of the limits (SCB) calculated according to the equation:

$$\mathbf{SCB = SCB_S * (MOD(DIA) - DIL)}$$

where:

SCB_S – rate of the standard charge for balancing in excess of the limits, amounting to PLN 0.1681 per m^3,

MOD – absolute value,
DIA – daily imbalance amount (m^3),
DIL – daily imbalance limit (m^3).

3.5.2. In the situation where the absolute value of the daily imbalance amount (DIA) exceeds the top daily imbalance limit (TDIL), the TSO shall collect an increased charge for balancing in excess of the limits (ICB), calculated according to the equation:

$$\mathbf{ICB = ICB_S * (MOD(DIA) - DIL)}$$

where:

ICB_S – rate of the increased charge for balancing in excess of the limits, amounting to PLN 0.3362 per m^3,

MOD – absolute value,

DIA – daily imbalance amount (m^3),
DIL – daily imbalance limit (m^3).

3.5.3. In the event that the absolute cumulative amount of imbalance (CIA) exceeds the value of the maximum cumulative amount of imbalance (MCIA), the shipper is obliged to pay the TSO an additional charge (ADC) for exceeding MCIA, which is specified in the following manner:

ADC = (MOD(MAXCIA) – MCIA) * 0.1 * GRP

where:

MOD – absolute value,

MAXCIA – the highest excess over the maximum cumulative amount of imbalance (MCIA) for every period in which MCIA was exceeded (m^3),

MCIA – maximum cumulative amount of imbalance (m^3),
GRP – gas reference price (PLN/ m^3).

3.5.4. In the event that the absolute cumulative value of the imbalance amount (CIA) at the end of the gas month is not zero, the shipper is obliged to pay TSO an additional charge (BPO), which is specified in the following manner:

BPO = 0.2 * GRP * MOD(CIA)

where:
GRP – gas reference price (PLN/ m^3),
MOD – absolute value,
CIA – cumulative amount of imbalance (m^3),

3.6. Settlement for introducing or off-taking gas within the framework of balancing.

3.6.1. After the end of each gas month, if the value (CIA) is not zero, and:

3.6.1.1. CIA < 0, the shipper is obliged to pay the TSO a charge for the transmission of gas (ACH), which is specified in the following manner:

ACH = MOD(CIA) * GRP

where:
MOD – absolute value,
CIA – cumulative amount of imbalance (m^3),
GRP – gas reference price (PLN/ m^3).

3.6.1.2. CIA > 0, TSO is obliged to pay the shipper a charge for the gas received (ACH), which is specified in the following manner:

ACH = CIA * GRP

where:
CIA – cumulative amount of imbalance (m^3),

GRP – gas reference price (PLN/ m^3).

3.6.2. After making the settlement referred to in point 3.6.1, the value (CIA) is set at 0 m^3.

4. SYSTEM CONGESTION MANAGEMENT

4.1. Reasons for the emergence of system congestion.

4.1.1. System congestion may appear in the transmission system in connection with:
- 4.1.1.1. limited capacity of the network or technological system structures,
- 4.1.1.2. the TSO's limited ability to store gas in the transmission system and in the interoperating storage facilities,
- 4.1.1.3. the need to maintain minimum pressure at entry points in the transmission system,
- 4.1.1.4. the need to maintain stable quality parameters of the gas in the transmission system,
- 4.1.1.5. work performed on the TSO's transmission system or interoperating systems,
- 4.1.1.6. the appearance of emergency situations,
- 4.1.1.7. the actions of the shipper, his suppliers or customers, which are inconsistent with the provisions of the TNC or the transmission contract.

4.2. The TSO's activities helping to eliminate the possibilities that system congestion could emerge.

4.2.1. At the stage of reviewing requests to provide transmission services, the TSO analyses the opportunities for fulfilling new agreements such that they do not result in a reduction in the level of security of deliveries or quality of gas supplied to the existing shippers.

4.2.2. Should it be possible to fulfil transmission services, the TSO shall make free capacity available, while giving consideration to the order of receipt of complete applications for transmission services which passed the process of formal and legal examination.

4.2.3. Should it not be possible to fulfil the transmission service on a firm basis, the TSO shall offer interruptible transmission services, if this is possible.

4.2.4. Should it not be possible to fulfil the transmission service, the TSO may prepare information on the necessary extent to which the transmission system should be expanded on contract to the interested entity in order to enable the fulfilment of the requested service. The TSO collects the charge agreed in the agreement for the preparation of the information, which reflects the costs of its preparation.

4.2.5. The TSO works with the ISOs on the terms and conditions specified in the interoperator agreements in order to prevent the emergence of system congestion.

4.2.6. Furthermore, the TSO takes the following steps to prevent the emergence of system congestion:
- 4.2.6.1. it plans and expands the transmission system,
- 4.2.6.2. it concludes gas transmission contracts which include agreements on the method of proceeding in the event that the booked capacity is not used,

4.2.6.3. it maintains the transmission system and controls its operation so as to reduce the probability of the emergence of system congestion,
4.2.6.4. it monitors the technical and quality parameters of the gas that is transmitted,
4.2.6.5. it plans work in the system so as not to cause any congestion and if congestion is necessary as a result of the work performed, it makes efforts for the consequences of the congestion caused by the planned work to be as small as possible,
4.2.6.6. it prepares procedures for action in the event of an emergency situation appearing in the transmission system,
4.2.6.7. it introduces additional charges, as referred to in point 3.5, point 4.5 and point 4.7.

4.3. System congestion management in the event of the appearance of contractual congestion.

4.3.1. The TSO conducts ongoing assessments of the utilisation of the booked capacity, while taking into account the transmission services currently provided within the framework of the concluded transmission contracts, the accepted applications for the provision of transmission services and the signed agreements on the connection to the transmission network. These analyses have the objective of preventing the possibility of blocking capacity in the transmission system and the emergence of contractual congestion.
4.3.2. In the event of the emergence of contractual congestion, which prevents the conclusion of a transmission contract, the TSO shall make efforts to reduce this and to enable the conclusion of an agreement, at least on interrupted principles.
4.3.3. If, during the review of a new application for a transmission service, it transpires that there is no technical capacity, but, within the framework of the currently performed agreements, there is booked, but unused capacity, the TSO shall demand that the shipper, who is not utilising the booked capacity, provides information in writing within 15 days on the reasons and the expected period of not utilising the capacity in the case of:
  4.3.3.1. utilisation of the contracted capacity at a level of less than 70 % for a period of at least the last quarter, or
  4.3.3.2. transmission of a quantity of gas of less than 70 % of the monthly quantity specified in the approved annual nomination for the given gas month for a period of at least the last quarter.
4.3.4. The TSO has the right to provide other shippers with interrupted access to a part or all of the unused capacity if the shipper presents the explanations referred to in point 4.3.3. and specifies the expected period in which:
  4.3.4.1. he shall not utilise the specified value of the ordered contracted capacity,
  4.3.4.2. the monthly quantities of gas transmitted shall be less than the quantity specified in the approved annual nomination in the given gas month.
4.3.5. If the shipper fails to present the explanations in accordance with point 4.3.3 or the explanations do not provide credible grounds for acknowledging that the lack of utilisation of the capacity by the shipper are justified or the unused capacity is essential for it in order to perform its existing contractual obligations, the TSO, after consulting the President of the ERO, shall demand that the shipper sells or provides access to the unutilised capacity. During the analysis of the explanations presented, the TSO shall take into consideration the archive data on

capacity utilisation by the given shipper, as well as taking into account the seasonality of his off-take of gas.

4.3.6. If, in the event of an amendment in the conditions of the transmission agreement or the notice of termination thereof unutilised technical capacity is available in the transmission system, which may be made available as uninterruptible, the TSO shall make the capacity available for the shipper that concluded a transmission contract under interruptible conditions pursuant to the Tariff.

4.3.7. The shipper may sell or make available the unutilised capacity pursuant to the provisions of point 4.3.9 or point 4.3.20.3.

4.3.8. In order to facilitate for the shipper the purchase, sale or making available of the unutilised capacity (contracted capacity) the TSO shall post a Table of Offers of unutilised capacity containing the shipper's nominations (Bulletin Board) on their website.

4.3.9. In the event of a change in the acquisition, sale or making available of the unutilised capacity, the shipper shall submit to the TSO an offer in compliance with the specimen posted on the TSO's website.

4.3.10. In the event of the intention to acquire the unutilised capacity, the shipper may submit to the TSO an acquisition offer containing:

4.3.10.1 shipper's details: company, registered office and address, court register reference number where the company documentation is stored along with the number under which the company has been entered into the register, the tax identification number (NIP), the amount of share capital (in the case of a joint stock company also the amount of paid-in capital),

4.3.10.2 the shipper's contact details,

4.3.10.3 the name and reference numbers of the entry and exit points which the offer concerns,

4.3.10.4 the demand for the capacity in m^3/hr (contracted capacity),

4.3.10.5 the date from when or up to when the shipper wants to acquire the capacity,

4.3.10.6 the binding date of the offer.

4.3.11 In the event of the intention to sell or make available the unutilised capacity, the shipper may submit to the TSO an offer containing:

4.3.11.1 shipper's details: company, registered office and address, court register reference number where the company documentation is stored along with the number under which the company has been entered into the register, the tax identification number (NIP), the amount of share capital (in the case of a joint stock company also the amount of paid-in capital),

4.3.11.2 the shipper's contact details,

4.3.11.3 the name and reference numbers of the entry and exit points which the offer concerns,

4.3.11.4 the offered capacity in m^3/hr (contracted capacity),

4.3.11.5 in the case of a sale offer, the date from when the capacity is offered for sale,

4.3.11.6 in the case of an offer making capacity available, the date from when and up until when the capacity is made available,

4.3.11.7 the binding date of the offer.

4.3.12 The offer should meet the following requirements:

4.3.12.1 the shipper, pursuant to the transmission contract, must be entitled to the offered capacity at entry and exit points specified in the offer,

4.3.12.2 in the case of offers for making capacity available – the date on which the capacity is made available in the offer, it should encompass full gas months,

4.3.12.3 in the case of offers for sale of capacity – the date from when the sale of capacity is offered, it should fall on the first day of the gas month.

4.3.13 The offer form that complies with the specimen posted on the website of the operator should be submitted to the TSO by e-mail to the following address: rynek.wtorny@gaz-system.pl and by recorded delivery to the seat of the TSO, no later than fourteen (14) days before the date from which the sale, making available or acquisition is offered.

4.3.14 In the event of the offer not complying to the above requirements, the TSO reserves the right not to post the offer while at the same time informing the shipper of this fact in writing by e-mail to the address from which the offer was sent and by recorded delivery.

4.3.15 The TSO shall not be responsible for the content of the posted offers but it is responsible for the compliance of the posted offers with the form supplied by the shipper.

4.3.16 After the expiry of the binding date of the offer, the TSO shall remove the offer from the Table of Offers of unutilised capacity.

4.3.17 In the event of the sale of unutilised capacity for the benefit of the shipper for which the TSO, similarly to the selling shipper, performs a transmission service from the entry point to the exit point in the transmission system of the same gas (E or Lw, Ls grade), the procedure specified hereunder shall be applicable:

4.3.17.1 The declarations of the shipper shall be sent to the TSO concerning the sale of the capacity containing information on the entry and exit points where the capacity shall be sold and along with the contracted capacity values at those points, on the form posted on the TSO's website.

4.3.17.2 Annexes to the transmission contracts signed by the shipper specifying the entry and exit points along with the new contracted capacity at those points shall be sent to the TSO, pursuant to the provisions of the declaration on the sale of the capacity and new annual nominations.

4.3.17.3 The documents referred to in point 4.3.17.1 and point 4.3.17.2 shall be sent by the shipper to the TSO by e-mail to the following address: rynek.wtorny@gaz-system.pl and recorded delivery to the seat of the TSO.

4.3.17.4 The TSO shall check the annexes and gas transmission contracts in the field of the technical capacity for the performance of the transmission service, particularly in the field specified in Part I of the TNC, within 5 (five) working days from the day the complete application is received by the TSO. In the event of a positive verification, the TSO shall sign annexes to the gas transmission contracts within the next 2 (two) working days.

4.3.17.5 If during the course of the verification referred to in point 4.3.17.4 it turns out that the documentation is incomplete or further documents need to be submitted, the TSO shall inform the shipper of this fact by sending a letter during one day counting from the moment of the decision to request such information. Once the incomplete documentation has been supplemented by the shipper, the procedure specified above shall be applicable.

4.3.18 In the event of the intent to sell the unutilised capacity (contracted capacity) in cases other than those referred to in point 4.3.17, the following documentation shall be submitted to the TSO:

4.3.18.1 a declaration from the shipper and the purchasing entity that the capacity is being sold, which contains information on the entry and exit points in which the capacity is to be sold, as well as the values of the contracted capacities at these points on the form that is posted on the TSO's website.

4.3.18.2 an application from the purchasing entity for the provision of transmission services,

4.3.18.3 an annex to the transmission contract signed by the shipper specifying the entry and exit points, together with the new contracted capacities at these points, in accordance with the provisions of the declaration to sell the capacity and the new annual nominations.

4.3.19 The TSO shall assess the application for the provision of transmission services in accordance with the procedures specified in Part I of the TNC. In the event of the acceptance of the application, the TSO shall sign a transmission contract with the purchasing entity, as well as an annex to the transmission contract signed with the shipper.

4.3.20 In the event that unutilised capacity (contracted capacity) is utilised, the shipper shall present a declaration to the TSO that it is making the capacity available, at least three (3) days before the date for the commencement of utilisation of the capacity by the new entity on the form posted on the TSO's website, which shall contain the following information:

4.3.20.1 the name of the entity to which the capacity has been made available,

4.3.20.2 the entry and exit points, as well as the levels of contracted capacities made available by the shipper at these points.

4.3.20.3 Documents referred to in point 4.3.20 shall be sent by the shipper to the TSO by e-mail to the following address: rynek.wtorny@gaz-system.pl and by recorded delivery to the seat of the TSO.

4.3.21 The provision of access to capacity does not result in an amendment to the provisions of the transmission contract concluded by and between the shipper and the TSO.

4.3.22 The TSO does not collect additional charges from the shippers for activities related to the prevention or reduction of the impact of contractual congestion.

4.4 System congestion management in the event of non-conformity of off-takes or gas supplies with the shippers approved nomination (delivery or off-take schedule).

4.4.1 In accordance with the provisions of the TNC and the transmission contract, the shipper is obliged to send the TSO current, balanced nominations, in which the sum of the quantities of gas specified for the entry points should be equal to the sum of the quantity of gas specified for the exit points.

4.4.2 The TSO plans the operation of the transmission system on the basis of the nominations and re-nominations received from the shippers.

4.4.3 In the event that the quantity of gas introduced for transmission and the quantity off-taken from the transmission system are inconsistent with the approved nominations, the TSO shall take additional steps to adjust the system's operation to the new conditions.

4.4.4 If the non-conformance of the achievement with the nomination exceeds the scope of the admissible tolerance, as specified in point 2.3.12, the TSO shall charge additional charges in accordance with point 4.5.

4.5 Method of calculating the charges for the failure to meet the approved nominations.

4.5.1 The charge for failing to meet the daily quantities of gas specified in the approved weekly nomination at the entry point (CUE) is calculated as follows:

4.5.1.1 either the non-observance of the nomination at the entry point (EPN) is calculated with the use of the following equation:

$$\mathbf{EPN = [MOD(N_Z - I_G)/N_Z] * 100\%}$$

where:

MOD – absolute value,

N_Z – daily quantity of gas specified in the approved weekly nomination (m^3),

I_G – daily quantity of gas supplied by the shipper (m^3).

4.5.1.2 if EPN > 10%, the TSO charges and collects the fee for the non-observance of the nomination at the entry point (CUE), which is calculated according to the following equation:

$$\mathbf{CUE = (EPN - 10\%)* N_Z * SNW}$$

where:

EPN – non-observance of the nomination at the entry point,

N_Z – daily quantity of gas specified in the approved weekly nomination (m^3),

RNE – rate of the charge for non-observance of the nomination at the entry point, amounting to PLN 0.0200 per m^3

4.5.1.3 In the event that the value of the daily quantity at the given entry point is nominated as zero ($N_Z = 0$), the TSO charges and collects a fee for the non-observance of the nomination at the entry point (CUE), which is calculated according to the following equation:

$$\mathbf{CUE = I_G * RNE}$$

where:

I_G – quantity of gas supplied by the shipper (m^3).

RNE – rate of the charge for non-observance of the nomination at the entry point, amounting to PLN 0.0200 per m^3

4.5.2 The charge for failing to observe the daily quantities of gas specified in the approved weekly nomination at the exit point (CUEW) is calculated as follows:

4.5.2.1 either the non-observance of the nomination at the exit point (EPNW) is calculated with the use of the following equation:

$$\mathbf{EPNW = [MOD(N_Z - I_G)/N_Z] * 100\%}$$

where:

MOD – absolute value,

N_Z – daily quantity of gas specified in the approved weekly nomination (m^3),

I_G – daily quantity of gas off-taken by the shipper (m^3).

4.5.2.2 if EPNW > 10%, the TSO charges and collects the fee for the non-observance of the nomination at the exit point, which is calculated according to the following equation:

$$\mathbf{CUEW = (EPNW - 10\%)* N_Z * RNEW}$$

where:

EPNW – non-observance of the nomination at the exit point,

NZ – daily quantity of gas specified in the approved weekly nomination (m^3),

RNEW – charge for non-observance of the nomination at the exit point, amounting to PLN 0.0200 per m^3

4.5.2.3 In the event that the value of the daily quantity at the given exit point is nominated as zero (N_Z = 0), the TSO charges and collects a fee for the non-observance of the nomination at the exit point (CUEW), which is calculated according to the following equation:

$$\mathbf{CUEW = I_G * RNEW}$$

where:

I_G – daily quantity of gas off-taken by the shipper (m^3).

RNEW – rate of the charge for non-observance of the nomination at the entry point, amounting to PLN 0.0200 per m^3

4.5.3 The TSO does not collect a charge for the failure to meet the approved nominations at the entry or exit points if the shipper demonstrates that the non-observance of the approved nomination took place through the TSO's fault.

4.6 System congestion management in the event of the imbalance of the levels of deliveries and off-takes of gas.

4.6.1 In situations of the shipper's imbalance resulting in the inability to maintain integrity of the transmission system after using the methods of regulation described in point 3.3.1, the TSO may introduce restrictions on the shippers who have caused the situation of the shortfall or the excess of gas in the transmission system:

4.6.1.1 on the acceptance of gas for transmission at the entry points in a situation of excess gas in the transmission system or

4.6.1.2 in the off-take of gas from the transmission system at the exit points in the situation of a shortfall of gas in the transmission system.

4.6.2 When introducing the restrictions specified in point 4.6.1, the TSO shall inform the shipper of the timing of the start of the restrictions, their expected duration

and the maximum hourly and daily ability to introduce gas to or off-take gas from the transmission system at the given point.

4.6.3 The restrictions introduced in accordance with point 4.6 are implemented by the shipper in accordance with the information provided by the TSO by reducing deliveries or off-takes of gas to / from the transmission system.

4.6.4 The costs of the restrictions in the quantities of gas, as well as the restart of transmission of the contractual quantities of gas are borne by the shipper.

4.6.5 The TSO is entitled to a fixed charge for the transmission service at a level that depends on the contracted capacity specified in accordance with the applicable tariff throughout the period of the restriction.

4.6.6 In the event referred to in point 4.6.1.2 and when the funds that the TSO possesses are not sufficient for the maintenance of the stable operations of the transmission system, the TSO shall initiate the proceedings described in point 6.2 and in point 6.4.

4.7 Management of congestion in the event of the failure to maintain the quality parameters of the gas and the minimum pressure.

4.7.1 In situations in which the appropriate quality parameters of the gas are not observed at the entry points, the TSO may introduce restrictions on the receipt of gas for transmission at the entry points and off-take at the exit points with respect to the shipper on whose part circumstances have arisen resulting in such a situation.

4.7.2 When introducing the restrictions, TSO shall inform the shipper of the timing of the start of the restrictions, their expected duration and the maximum hourly and daily ability to introduce gas to or off-take gas from the transmission system at the specified points.

4.7.3 The restrictions introduced in accordance with point 4.7.1 are implemented by the shipper in accordance with the information provided by the TSO by reducing deliveries or off-takes of gas to or from the transmission system. In the event of the shipper failing to observe the restriction that is introduced, the TSO may withhold from accepting gas into the transmission system.

4.7.4 The following gross calorific values are specified for the gas, G_{CV}, transmitted through the transmission system:

4.7.4.1 for the group E high methane natural gas system:
from G_{CVmin} = 38.0 to G_{CVmax} = 40.0 MJ/m^3,

4.7.4.2 for the Lw subgroup nitrified natural gas system:
from G_{CVmin} = 30.0 to G_{CVmax} = 33.5 MJ/m^3,

4.7.4.3 G_{CV} for the Ls subgroup nitrified natural gas system:
from G_{CVmin} = 26.0 to G_{CVmax} = 30.0 MJ/m^3,

4.7.5 If the shipper introduces gas with a gross calorific value within the limits specified in point 4.7.4 at the entry point and off-takes it from the exit point, the parties to the transmission contract do not make any additional settlements for this.

4.7.6 If the shipper introduces gas of a higher gross calorific value than G_{CVmax} into the transmission system at the entry point, the parties to the transmission contract do not make any additional settlements for this. In such a case, the

TSO is obliged to ensure that the gross calorific value of the gas at the exit point is no lower than $G_{CVmin.}$

4.7.7 In the event of the introduction of gas of a gross calorific value of less than $G_{CVmingr}$ into the transmission system at the entry point, which, for the individual systems, amounts to:

$G_{CVmingr}$ = 34.0 MJ/m^3 for the group E high methane gas system,

$G_{CVmingr}$ = 30.0 MJ/m^3 for the Lw subgroup nitrified gas system,

$G_{CVmingr}$ = 26.0 MJ/m^3 for the Ls subgroup nitrified gas system,

a charge is collected from the shipper, which is calculated according to the following equation:

$$\mathbf{O_{NCWgr} = I_{GI} * 2 * GRP *(1- H_{ZW}/G_{CVmin})}$$

where:

O_{NCWgr} – charge for the non-observance of the gross calorific value at the entry point [PLN],

I_{GI} – quantity of gas that fails to meet the gross calorific value of the gas introduced for transmission at the entry point [m^3],

GRP – Gas Reference Price [PLN/m^3],

H_{ZW} – actual gross calorific value of the gas introduced for transmission at the entry point [MJ/m^3],

G_{CVmin} – minimum gross calorific value referred to in point 4.7.4 [MJ/m^3].

4.7.8 In the event that group E gas of a gross calorific value of more than $G_{CVmingr}$ amounting to 34 MJ/m^3, but less than $G_{CVmingr}$ amounting to 38.0 MJ/m^3, is introduced for transmission, a charge is collected from the shipper according to the following equation:

$$\mathbf{O_{NCW} = I_{GI} * GRP *(1- H_{ZW}/G_{CVmin})}$$

where:

O_{NCW} – charge for the non-observance of the gross calorific value at the entry point [PLN],

I_{GI} – quantity of gas that fails to meet the gross calorific value of the gas introduced for transmission at the entry point [m^3],

GRP – Gas Reference Price [PLN/m^3],

H_{ZW} – actual gross calorific value of the gas introduced for transmission at the entry point [MJ/m^3],

G_{CVmin} – minimum gross calorific value referred to in point 4.7.4 [MJ/m^3].

4.7.9 In the event that the TSO expresses its consent in writing to accept group E gas for transmission of a gross calorific value, as specified in point 4.7.8, the charge for introducing such gas into the transmission system amounts to 50% of the charge referred to in point 4.7.8. The TSO's consent to the acceptance of gas of a reduced gross calorific value that lies within the range specified in point 4.7.8

at the entry point may only be provided on the shipper's written request, which is submitted at least 48 hours before the planned delivery of such gas to the entry point.

4.7.10 The gross calorific value for billing purposes (H_{ZW}) is calculated as the arithmetic mean of the values arising from the measurements taken by the TSO of the gross calorific value during the billing period at specified points in the transmission system, with the reservation of point 4.7.11.

4.7.11 In the event that a facility that is agreed with the TSO and is checked by the TSO, which enables the definition of the gross calorific value of the gas at the entry point or at the exit point, is installed, the gross calorific value shall be specified on the basis of the readings from this facility.

4.7.12 Additional charges shall be imposed or discounts shall be granted if the gas introduced for transmission into the transmission system at the entry point or transported for off-take at the exit point fails to satisfy the quality parameters specified in the table below.

Value describing the quality of gas	Unit of measure	Highest admissible value of X_{SJNmax}
Hydrogen sulphide content*	mg/m^3	7.0
Mercury fume content*	$\mu g/m^3$	30.0
Total sulphur content*	mg/m^3	40.0

*** The amounts contained in the table are specified for normal conditions.**

4.7.13 If the shipper introduces gas fuel for transmission at the entry point, which does not satisfy at least one of the quality parameters specified in point 4.7.12, the TSO is entitled to a charge from the shipper for each of the quality parameters in point 4.7.12 that is exceeded, which is calculated according to the following equation:

$$\mathbf{O_{NSJW} = I_{GI} * 2 * GRP * (X_{SJW} - X_{SJNmax}) / MOD(X_{SJNmax})}$$

where:

- O_{NSJW} – charge for not meeting the quality parameter [PLN],
- I_{GI} – quantity of gas that fails to meet the value of the quality parameter of the gas fuel introduced for transmission at the entry point [m^3],
- GRP – Gas Reference Price [PLN/ m^3],
- MOD – Absolute value,
- X_{SJNmax} – the highest admissible value of the given quality parameter presented in point 4.7.12,
- X_{SJW} – actual value of the given quality parameter of gas introduced for transmission at the entry point.

4.7.14 The parties are required to ensure the appropriate temperature of the water dew point of the gas introduced for transmission in entry points or introduced for off-

take at exit points from the transmission system pursuant to the following requirements:

4.7.14.1 the highest admissible value of the water dew point temperature (X_{STNmax}) for 5.5 MPa from 1 April until 30 September amounts to +3.7 ^{o}C (276.85 K),

4.7.14.2 the highest admissible value of the water dew point temperature (X_{STNmax}) for 5.5 MPa from 1 October until 31 March amounts to -5 ^{o}C (268.15 K).

4.7.15 In the event of introducing for transmission in the entry point to the transmission system gas failing to meet the parameters specified in point 4.7.14, the TSO is entitled to charge the shipper according to the following equation:

$$\mathbf{O_{NSTW} = I_{GI} * 0.1 * GRP * (X_{STW} - X_{STNmax}) / MOD(X_{STNmax})}$$

where:

O_{NSTW} – charge for not meeting the water dew point temperature parameter [PLN],

I_{GI} – quantity of gas that fails to meet the value of the water dew point temperature parameter [m^3],

GRP – Gas Reference Price [PLN/m^3],

MOD – Absolute value,

X_{STNmax} – the highest admissible value of the water dew point temperature [K],

X_{STW} – actual value of the water dew point temperature of gas introduced for transmission at the entry point [K].

4.7.16 In calculating the water dew point temperature for different pressures the table found in Appendix A to the Polish Standard PN-C-04752 should be applied.

4.7.17 The TSO is entitled to a charge from the shipper, which is calculated in accordance with the equation presented in point 4.7.13 or point 4.7.15 for each of the quality parameters referred to in point 4.7.12 or point 4.7.14. This charge shall be calculated for each of the quality parameters that have not been met individually.

4.7.18 In the event that gas of a gross calorific value of less than $G_{CVmingr}$, as specified in point 4.7.7 is introduced for off-take at the exit point from the transmission system, the TSO shall grant the shipper a discount calculated according to the following equation:

$$\mathbf{B_{NCWgr} = I_{GI} * 2 * GRP *(1- H_{ZW}/G_{CVmin})}$$

where:

B_{NCWgr} – discount for the failure to meet the gross calorific value at the exit point from the transmission system [PLN/m^3],

I_{GI} – actual quantity of gas that fails to meet the gross calorific value that is transported for off-take at the exit point from the transmission system [m^3],

GRP – Gas Reference Price [PLN/m^3],

H_{ZW} – actual gross calorific value of the gas transported for off-take at the exit point from the transmission system [MJ/m^3],

G_{CVmin} – minimum gross calorific value referred to in point 4.7.4 [MJ/m^3].

4.7.19 If the TSO introduces group E gas fuel of a gross calorific value of greater than $G_{CVmingr}$, amounting to 34.0 MJ/m^3, but less than G_{CVmin} MJ/m^3 of 38.0 MJ/m^3, to the exit point from the transmission system without the shipper's consent, the TSO shall grant the shipper a discount calculated according to the following equation:

$$\mathbf{B_{NCW} = I_{GI} * GRP *(1- H_{ZW}/G_{CVmin})}$$

where:

B_{NCW} – discount for the failure to meet the gross calorific value at the exit point from the transmission system [PLN],

I_{GI} – actual quantity of gas that fails to meet the gross calorific value that is transported for off-take at the exit point from the transmission system [m^3],

GRP – Gas Reference Price [PLN/m^3],

H_{ZW} – actual gross calorific value of the gas transported for off-take at the exit point from the transmission system [MJ/m^3],

G_{CVmin} – minimum gross calorific value referred to in point 4.7.4 [MJ/m^3].

4.7.20 If the TSO transports gas fuel of a gross calorific value, H_{ZW}, of greater than G_{CVmax}, as referred to in point 4.7.4 for off-take at the exit point, the transmission contract is considered properly performed and the parties shall not make additional settlements for this.

4.7.21 If the shipper expresses his written consent to the acceptance of gas of a reduced gross calorific value, the shipper is entitled to a 50% discount for the quantity of gas accepted, as referred to respectively in point 4.7.18 and point 4.7.19.

4.7.22 If the TSO introduces gas fuel for off-take at the exit point, which does not satisfy at least one of the quality parameters specified in point 4.7.12, the TSO shall award the shipper a discount for each of the quality parameters in point 4.7.12 that is exceeded, which is calculated according to the following equation:

$$\mathbf{B_{NSJW} = I_{GI} * 2 * GRP * (X_{SJW} - X_{SJNmax}) / MOD(X_{SJNmax})}$$

where:

B_{NSJW} – discount for the exceeding the given quality parameter at the exit point from the transmission system [PLN],

I_{GI} – quantity of gas that fails to meet the given quality parameter that is transported for off-take at the exit point from the transmission system [m^3],

GRP – Gas Reference Price [PLN/m^3],

MOD – Absolute value,

X_{SJNmax} – the highest admissible value of the given quality parameter presented in point 4.7.12,

X_{SJW} – actual value of the given quality parameter of gas transported for off-take at the exit point from the transmission system.

4.7.23 The TSO shall grant the shipper a discount, which is calculated in accordance with the equation presented in point 4.7.22 for each of the quality parameters referred to in point 4.7.12. This discount shall be calculated for each of the quality parameters that have not been met individually.

4.7.24 In the event of the TSO introducing for off-take in the exit point from the transmission system a gas that does not fulfil the parameters specified in point 4.7.14, the TSO shall grant a discount to the shipper, calculated according to the following equation:

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

where:

B_{NSTW} – discount for the exceeding the given quality parameter at the exit point from the transmission system [PLN],

I_{GI} – quantity of gas that fails to meet the water dew point temperature parameter that is transported for off-take at the exit point from the transmission system [m^3],

GRP – Gas Reference Price [PLN/m^3],

MOD – Absolute value,

X_{STNmax} – the highest admissible value of the water dew point temperature [K],

X_{STW} – actual value of the water dew point temperature of the gas transported for off-take at the exit point from the transmission system [K].

4.7.25 In calculating the water dew point temperature for different pressures the table found in Appendix A to the Polish Standard PN-C-04752 should be applied.

4.7.26 In the event of any reservations regarding the quality of gas transported, the shipper or the TSO may demand that this quality is analysed at an independent research laboratory that has accreditation of a certifying unit obtained in accordance with separate regulations. In the event that it is found that the quality of the gas complies with the parameters specified in point 4.7.4 or point 4.7.12 or point 4.7.14, the costs of this analysis shall be covered by the entity demanding that the analysis is performed, otherwise the costs of the analysis are covered by the other party.

4.7.27 The parties are required, in the event of assessing the capacity of transporting gas of an inadequate quality, to immediately inform the other party of the possibility of such a situation occurring.

4.7.28 In the event of a reduction in the contracted capacity at the exit points from the transmission system caused by a temporary drop in pressure at the exit point

from the transmission system, the shipper is entitled to be granted a discount from the TSO that is specified in the tariff.

4.7.29 In the event of failing to maintain the minimum pressure of the delivery in the entry point to the transmission system, the TSO is entitled to charge the shipper on account of this, calculated according to the following equation:

$$O_{NMC} = 0{,}0043\sum_{i-1}^{n}\left(I_{GI}\cdot\Delta p_i\right)$$

where:

- O_{NMC} - charge for failing to maintain the minimum pressure of the contractual capacity at the entry point [PLN],
- I_{GI} - quantity of gas that fails to meet the contractual capacity pressure parameter that is introduced for transmission at the entry point to the transmission system [m^3],
- Δpi - difference between the average daily pressure of gas introduced for transmission at the entry point to the transmission system and the contractual pressure [MPa]
- n - gas days in which the contractual pressure parameter was not maintained

4.7.30 In the event of failing to keep the adequate pressure of the supply in the entry point to the transmission system, the TSO may request the shipper, apart from the charge specified in point 4.7.29, to cover the amounts of compensation or discounts that the TSO paid to other users of the transmission system for failing to maintain the pressure at the exit points.

4.7.31 In the event of failing to maintain the minimum pressure of the supply in the entry point to the transmission system, the TSO may introduce in relation to the shipper on the side of which the circumstances causing such a situation arose, to limit the reception of the gas for transmission in the entry points and off-take in the exit points to a value enabling the maintenance of the contractual pressure.

4.7.32 The TSO, by introducing restrictions, shall pass on to the shipper information on the date of introducing the restrictions and their duration as well as the maximum hourly and daily capacity of transmission and off-take of gas from the transmission system in specified entry and exit points. In the event that the TSO passes on information on restrictions or total interruption in the performance of the gas transmission service, the shipper, within a deadline of 2 (two) hours of obtaining such information is required to adapt the nomination in a given point and correspondingly in the remaining entry and exit points and to submit re-nominations to the TSO.

4.7.33 The limitations introduced pursuant to point 4.7.31 are performed by the shipper according to the information submitted pursuant to point 4.7.32. In the event of the shipper failing to accommodate to the restrictions introduced, the TSO may interrupt the reception of gas into the transmission system and its transmission to exit points.

5 INFORMATION INTERCHANGE RELATED TO THE SUBMISSION OF AGREEMENTS FOR FULFILMENT, BALANCING AND CONGESTION SYSTEM MANAGEMENT.

5.1 General provisions

5.1.1 The Information Interchange System (IIS) is used to exchange information related to the provision of transmission services between the TSO and the shipper, the ISO or the BPO.

5.1.2 Electronic information interchange related to the performance of the concluded transmission contracts shall ultimately be based on the electronic document interchange standard (EDI), in the version prepared for the gas industry, named EDIG@S (as described in the document entitled Edig@s Message Implementation Guidelines, which is available through the website www.edigas.org).

5.1.3 Until the electronic information interchange system, which is based on the electronic document interchange standard, EDIG@S, is implemented, the main form of information interchange constitutes documents in written form.

5.1.4 The exception is documents exchanged on a current basis regarding nominations, re-nominations and allocations, which are transferred by e-mail in the format described in point 5.2.

5.1.5 Furthermore, until the system referred to in point 5.1.3 is implemented, the approved nominations and re-nominations shall be delivered in writing or by fax.

5.2 Format of files transferred in connection with information interchange on nominations, re-nominations and allocations.

5.2.1 Information on nominations, re-nominations and allocations shall be sent in the form of ASCII files.

5.2.2 The formats of the ASCII files referred to in point 5.2.1 have been described in detail on the TSO website. Information on the change in the requirements regarding the files transferred shall be provided in writing six months in advance, as well as being posted in the website with the same advance notice.

5.3 Method of information interchange.

5.3.1 The interchange of the files referred to in point 5.2.1 shall take place by e-mail or through the Internet.

5.3.2 The TSO, the DSO, the BPO, the SFO, the owner of the storage facilities and the shipper shall ensure protection and integrity of the files transferred using the mechanism of the qualified electronic signature.

5.4 Liability for the content of data transferred.

5.4.1 Liability for the form and content of the information on the documents rests with the party sending the document.

5.5 Information interchange chart in the annual nomination process.

5.5.1 The annual nomination process is described in point 2.2, while the document interchange chart is illustrated in figure 1.

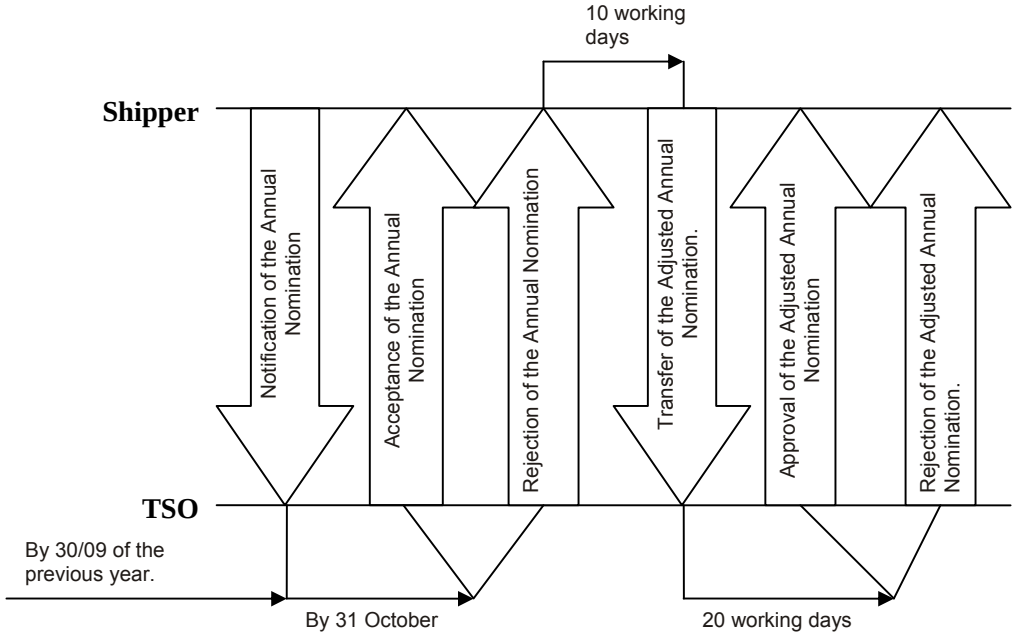

Figure 1 – annual nominations.

5.5.2 The shipper shall supply the annual nomination to the TSO by 30 September of the previous year for the next gas year in which the transmission service is to be provided.

5.5.3 The monthly quantities contained in the transmission contract shall be accepted for agreements concluded for a period of shorter than a year or performed during the period between the conclusion of the agreement and the start of the next gas year, as monthly quantities in the annual nomination.

5.5.4 The TSO shall inform the shipper that the annual nomination has been accepted or rejected by 31 October.

5.5.5 In the event of a rejection of the nomination, the shipper shall submit an adjusted annual nomination to the TSO within 10 working days of the date of receipt of the information on the rejection.

5.5.6 The TSO shall notify the shipper of whether the adjusted nomination has been accepted or rejected within 20 working days of the date of its receipt.

5.6 Information interchange chart in the annual re-nomination process.

5.6.1 The annual re-nomination process (change in the monthly quantities) is described in point 2.5.1, while the chart of document interchange is illustrated in figure 2.

5.6.2 The shipper shall supply the re-nomination to the TSO no later than 35 working days before the start of the period to which the re-nomination applies.

5.6.3 The TSO shall inform the shipper of whether the re-nomination has been accepted or rejected within 20 working days of the receipt of the re-nomination from the shipper.

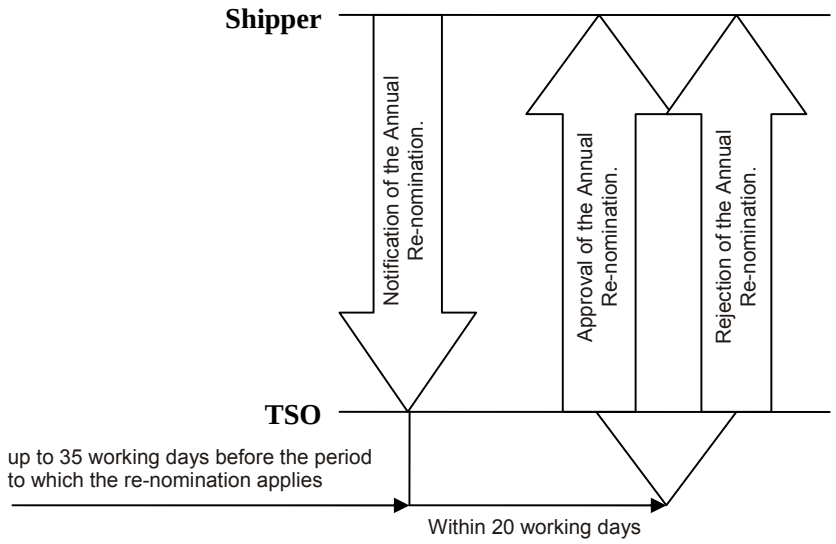

Figure 2 – annual re-nominations

5.7 Information interchange chart in the weekly nomination process.

5.7.1 The weekly nomination process is described in point 2.3, while the document interchange chart is illustrated in figure 3.

5.7.2 The shipper submits the weekly nomination to the TSO every Thursday by 10:00 hours.

5.7.3 The TSO shall inform the shipper of whether the weekly nomination has been approved or rejected by Friday at 10:00 hours.

5.7.4 In the event of a rejection of the nomination, the shipper shall deliver an adjusted weekly nomination to the TSO by Friday at 14:00 hours.

5.7.5 The TSO shall inform the shipper of whether the weekly nomination has been approved or rejected by Friday at 16:00 hours.

The TSO shall provide the approved weekly nomination to the shipper in accordance with the procedure specified in point 2.3.9, on Friday, by 18:00 hours.

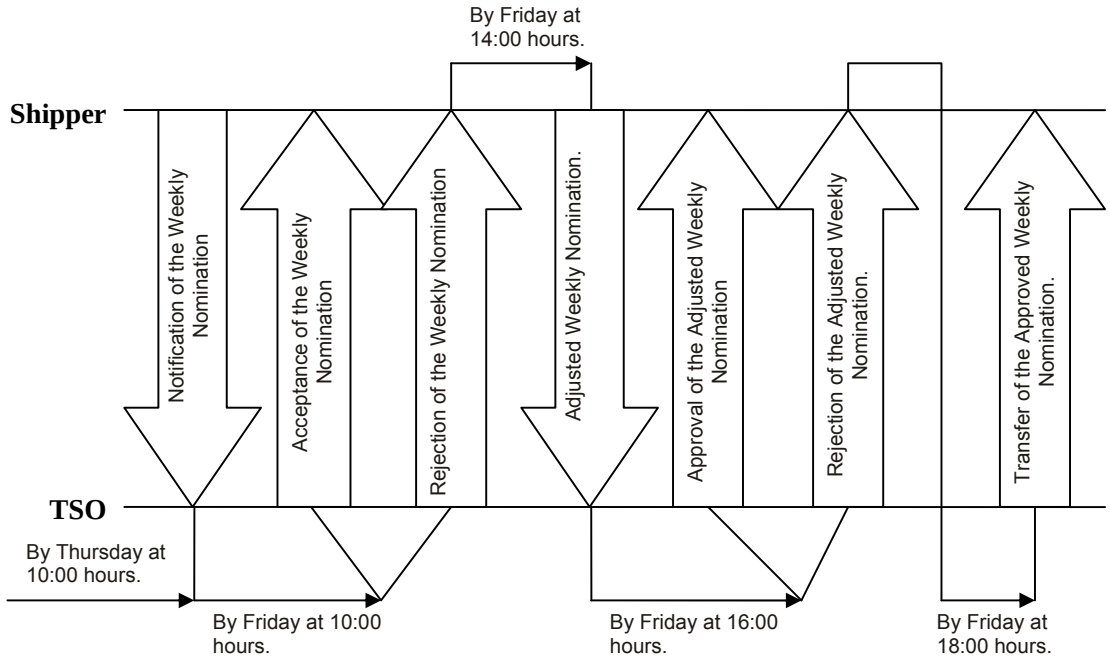

Figure 3 – weekly nominations.

5.8 Information interchange chart in the process of re-nomination of daily quantities.

5.8.1 The process of re-nomination of daily quantities is described in point 2.5.2, point 2.5.3 and point 2.5.4, while the chart of document interchange is illustrated in figure 4.

5.8.2 The shipper may make daily re-nominations of the quantity of gas fuel submitted in the weekly nomination by 15:00 hours on the day before the day to which the re-nomination applies.

5.8.3 The TSO shall inform the shipper of whether the re-nomination has been accepted or rejected on the same day by 16:00 hours.

5.8.4 In the event of rejection of the re-nomination referred to in point 5.8.3, the shipper shall submit to the TSO an adjusted re-nomination by 18:00 hours.

5.8.5 On the dame day by 20:00 hours, the TSO shall inform the shipper of acceptance or rejection of the re-nomination referred to in point 5.8.4.

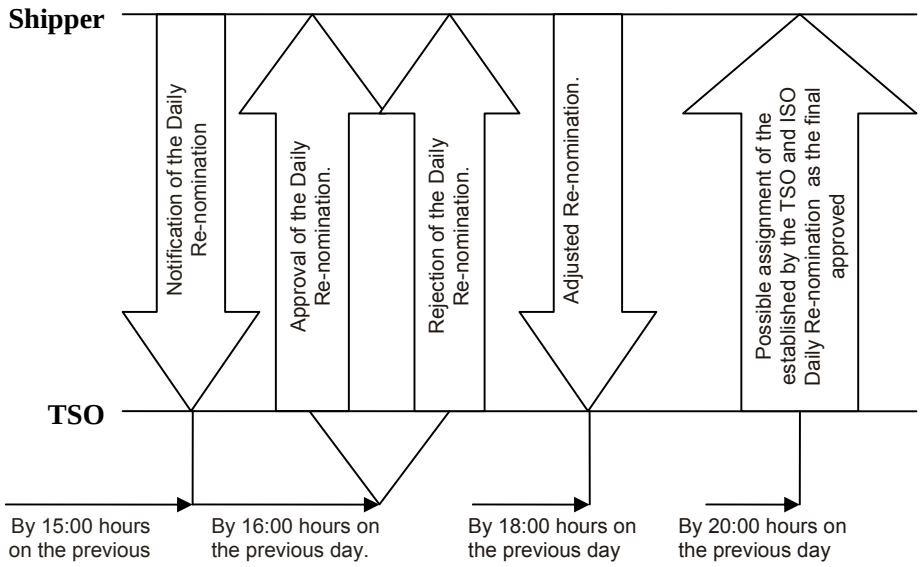

Figure 4 - daily re-nominations.

5.9 Information interchange in the process of billing balancing.

5.9.1 The process of billing balancing is described in point 3.4.3, while the information interchange is illustrated in Figure 5.

5.9.2 Billing balancing is conducted by the TSO after the end of the gas month on the basis of the results of approved measurements in the form of agreed and signed billing reports.

5.9.3 Billing reports from the entry and exit points are prepared by the twenty-first (21^{st}) day of the gas month for the previous month, which contain: excesses over the contracted capacity, the quantities not off-taken and not delivered, the daily quantities, the maximum hourly quantities on the individual days and the excesses over the contractual parameters of the gas.

5.9.4 The Commercial Transmission Report for the previous month is prepared and submitted by the twenty-eighth (28^{th}) day of the gas month.

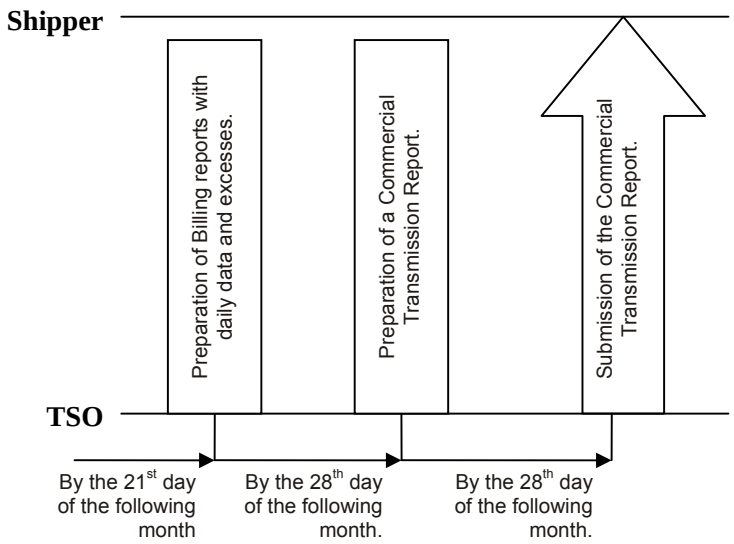

Figure 5 - billing balancing

5.10 Information interchange related to the prevention of the emergence of contractual congestion.

5.10.1 The prevention of the emergence of contractual congestion is described in point 4.3 and illustrated in Figure 6.

5.10.2 In the event that the TSO determines that the shipper is not utilising the capacity, in accordance with the provisions of point 4.3, it demands that written information is submitted in order to explain the reasons.

5.10.3 The shipper shall present the explanations referred to above within 15 days of the date of receipt of the demand.

5.10.4 Should the shipper fail to present the explanations within 15 days or if the TSO acknowledges that the lack of utilisation of the capacity by the shipper is unjustified, the TSO after consulting it with the President of the ERO shall demand that the shipper sells or makes its unutilised capacity available.

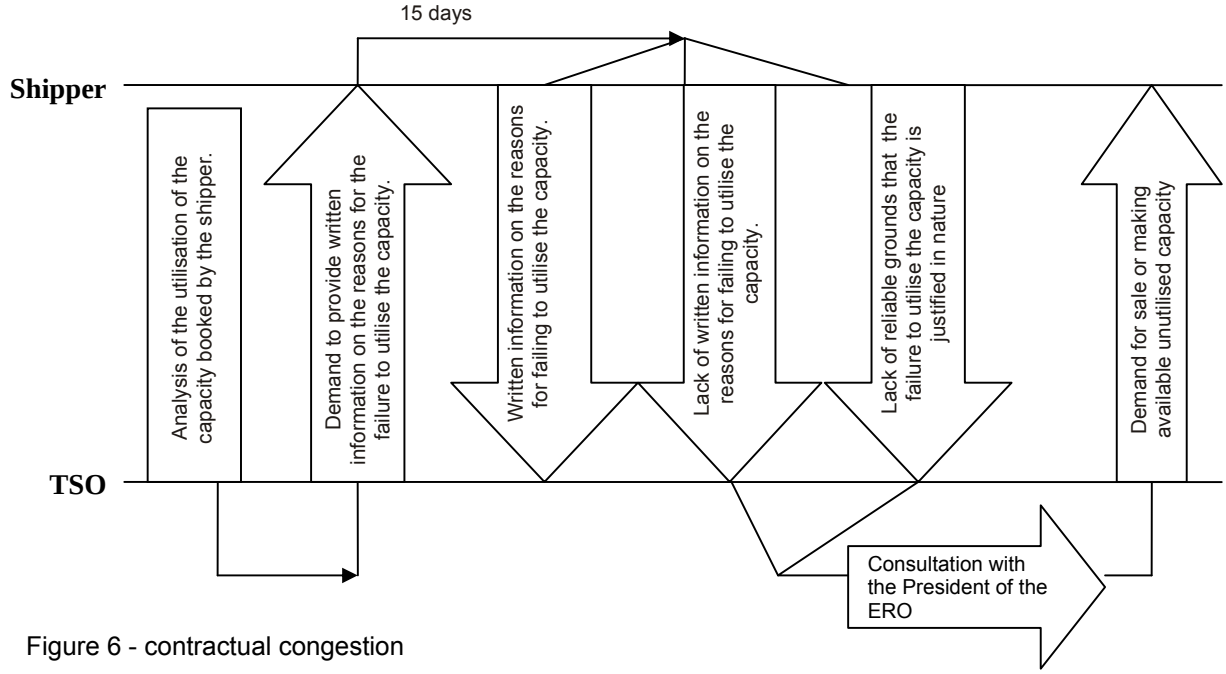

Figure 6 - contractual congestion

5.11 Information provided by the TSO.

5.11.1 The TSO shall publish the full wording of the TNC on its website, which contains standard terms and conditions specifying the shipper's rights and duties.

5.11.2 The TSO shall publish the information specified in the Regulation of the European Parliament and of the Council of 28 August 2005 on conditions for access to the natural gas transmission networks, in particular, the data that is agreed with the competent authorities on entry and exit points.

5.11.3 The TSO shall publish the transmission system chart, together with a list of entry and exit points in its website.

5.11.4 The TSO shall respectively notify the shipper and the ISO of all events that could have an impact on the provision of gas transmission services, as well as the operation of interoperating systems, including changes in the timing of work and the timing of previously unplanned work.

5.11.5 The TSO shall submit to the ISO information on the nomination and re-nomination received from the shipper in order to confirm the possibility of performing them in the interconnecting system with reservation of point 2.4.3 and point 2.5.5.

5.11.6 The TSO shall submit to the shipper by the 12th day of the next month billing information on the total monthly quantities of transported and off-taken gas as well as the monthly average gross calorific value of gas for given entry and exit points, between which the given transmission contract is performed in a given gas month.

5.11.7 The TSO shall submit to the shipper by the 28th day of the next month, the following billing data concerning the current gas month:

5.11.7.1 The daily quantities of transported and off-taken gas in given entry and exit points between which the given transmission contract is performed;

5.11.7.2 Information on the difference between the daily quantities of gas in the approved nominations and the quantities of gas transmitted and off-taken in given entry and exit points between which the given transmission contract is performed;

5.11.7.3 The total quantities of gas included in the approved nominations for the entry and exit points between which the given transmission contract is performed in given gas days of the current gas month;

5.11.7.4 The total quantities of gas transmitted and off-taken in entry and exit points between which the given transmission contract is performed in given gas days in a given gas month;

5.11.7.5 The daily and cumulative imbalance for given gas days;

5.11.7.6 The value of the DIL and TDL and MCIA if such imbalances occurred;

5.11.7.7 The quantity of gas resulting from the cumulative imbalance;

5.11.7.8 The maximum hourly quantity of gas off-taken by the shipper registered in a given month in given exit points for which the given transmission contract is being performed along with information on possible exceeding of the contracted capacity;

5.11.7.9 The average daily pressure of the supply of gas for the following days in a given gas month in given entry and exit points between which the given transmission contract is being performed;

5.11.8 The TSO shall submit to the DSO for the exit points operated by the TSO and located on the connection point of the transmission system and the distribution system by the 3rd working day of the next month, the following information on the given gas month:

5.11.8.1 measurement data containing the daily and monthly quantities of transmitted gas, the pressure of the supply and the maximum registered hourly quantity of gas off-taken at the given point,

5.11.8.2 the average monthly gross calorific value of gas determined based on the analyses conducted, as well as the total sulphur content and the water dew point temperature, if such data is available,

5.11.9 The value of the parameters referred to in point 5.11.8.2 is determined based on the measurements taken at points of the transmission system designated by the TSO.

5.11.10 The information referred to in points from 5.11.6 to 5.11.9 is submitted in formats specified by the TSO.

5.12 Information provided by the DSO.

5.12.1 DSOs supply the following to the TSO:

5.12.1.1 information confirming the capacity to perform the nominations and re-nominations submitted by the shipper at the points of interconnection of the systems in accordance with the provisions of point 2.4.2 with reservation of point 2.4.3 and point 2.5.5,

5.12.1.2 information on the quantities of gas fuel assigned to the individual transmission contracts with the shippers from the exit point of the TSO transmission system from which the gas is transported to the DSO system, in accordance with the solutions accepted in the agreements on

the methods of allocation, under the procedure and within the deadlines specified in point 3.2.16,

5.12.1.3 along with the approved by the President of the ERO plan for the introductions of reductions for customers connected to the DSO's distribution system, the following information on the customers subject to this plan: item number in the plan for the introduction of reductions, the name and address of the seat of the customer along with the post-code, the REGON statistical number of the customer, the name and address of the connected plant (gas off-take point), the type of activity performed, the contracted capacity and a list of exit points from the transmission system of the TSO from which the given customer is or may be supplied with gas,

5.12.1.4 a notification of the disconnection of a customer subject to the approved plan of introducing reductions, from the distribution system within seven (7) days from the termination of the supplies,

5.12.1.5 plans for introducing the restrictions for given customers and the degrees of supply after their approval by the President of the ERO entailing updated tables with the daily and hourly quantities,

5.12.1.6 the total daily quantities of gas used in the previous month by customers subject to the plans of introducing restrictions prepared by the DSO, broken down by types of gas, by the 10th day of each month,

5.12.1.7 during the period of applicability of the restrictions introduced by the Council of Ministers under the procedure of article 56 of the Act on reserves, the DSO shall submit the daily quantities of gas for the previous gas day for the individual customers included in the plan of introducing restrictions prepared by the DSO for every day by 10:00 hours,

5.12.1.8 a notification on the appearance of interference in the DSO system, which could affect the conditions for receiving gas from the TSO system, containing information on the reason for the emergence of the interferences, their expected duration, the reduction in capacity at the points of interconnect with the TSO system, the values of the parameters that do not satisfy the contractual conditions and a confirmation of the amended nominations arising from the interferences taking place.

5.12.2 The DSO shall submit to the TSO by the 3rd working day of the following month, information necessary to perform the billing of the transmission service of gas, i.e. the measurement data obtained from the facilities of the gas stations containing the daily, monthly and hourly quantities of transmitted gas.

5.12.3 The data referred to in point 5.12.1.6 and point 5.12.1.7 as well as point 5.12.2 shall be passed on to the TSO by e-mail, in the form of files saved in a format that has been specified on the TSO's website.

5.13 Information provided by the SFO.

5.13.1 SFOs supply the following to the TSO:

5.13.1.1 information on the compliance of the nominations and re-nominations at the exit / entry points related to the storage facilities in accordance with the provisions of point 2,

5.13.1.2 at the request of the TSO within a deadline of 7 days, the characteristics of injection and withdrawal from the storage facilities and their updates,

5.13.1.3 telemetry data on pressure, quantity and quality of the gas being pumped into and off-taken from the storage facilities,

5.13.1.4 data on the quantity of gas off-taken from and pumped into the storage facilities on the previous gas day and the balance of the active capacity of the storage facility for the previous gas day by 08:00 of every day,

5.13.1.5 a notification on the appearance of interference in the operation of the storage facilities, which could affect the conditions under which these facilities interoperate with the transmission system, containing information on the reason for the emergence of the interferences, their expected duration, the reduction in capacity at the points of interconnect with the TSO system, the values of the parameters that do not satisfy the contractual conditions and a confirmation of the amended nominations arising from the interferences taking place.

5.13.1.6 information on work planned in the storage facilities, which could affect the conditions under which these facilities interoperate with the transmission system, in order to agree the possible timing and duration of the work with TSO.

5.13.1.7 Information on the owners and the daily quantities of gas off-taken from the storage facilities, within a deadline of 7 days from the day of the utilisation of the compulsory reserves of gas referred to in the Act on reserves, on the grounds of the information submitted by the TSO pursuant to point 6.2.5

5.13.2 Furthermore, in the event that the SFO makes an allocation at the exit / entry points connected with the storage facilities, it shall supply information to TSO on the quantities of gas assigned to the individual transmission contracts with the shippers in accordance with the solutions accepted in the agreement on the methods of allocation in the procedure and the deadlines described in point 3.2.16.

5.14 Information provided by the shippers.

5.14.1 The shippers supply the following to the TSO:

5.14.1.1 nominations and re-nominations of the quantity of gas in accordance with the provisions of point 2,

5.14.1.2 information on the interferences on the side of the shipper's customers and suppliers, as well as in the interoperating system, which could affect the operating conditions of the TSO transmission system, including the reason for the emergence of the interferences, their expected duration, the reduction in capacity at the points of interconnect with the TSO system, the values of the parameters that do not satisfy the contractual conditions and a confirmation of the amended nominations arising from the interferences taking place,

5.14.1.3 information on the shipper's customers directly connected to the TSO transmission system who are subject to the restrictions in the supply and off-take of the gass by 31 July of every year. This information should contain the customer's name and address, the identification of the exit

point to which the given customer is connected, as well as the contracted capacity.

5.14.1.4 information on the level of compulsory reserves and the characteristics of the storage facility pursuant to point 6.6.

5.14.1.5 information on the level of compulsory reserves of gas verified and established under a decision of the President of the ERO by 15 June of every year.

5.14.1.6 the actual level of compulsory reserves of gas held and their storage location as at the 15th September – by 20th September of every year.

5.14.1.7 the action procedures prepared pursuant to point 6.4.1.

5.14.2 The shipper shall submit to the TSO from the entry points to the transmission system that are not utilised by the TSO, by the 3rd working day of the next month, the following information:

5.14.2.1 measurement data, containing the hourly, daily and monthly quantities of gas introduced for transmission, as well as the pressure of the supply,

5.14.2.2 average monthly gross calorific value of gas as well as the total sulphur content and the level of the water dew point temperature, if available.

5.14.3 Information referred to in points from 5.14.1 to 5.14.2 is submitted in formats specified by the TSO.

6 METHODS OF PROCEEDING IN EMERGENCY SITUATIONS.

6.1 An emergency situation in the transmission system.

6.1.1 In the event of the appearance of an emergency situation resulting in a threat to the security of the transmission system operations, the TSO shall take immediate action to eliminate the emergency situation and to recover the correct operation of the transmission system.

6.1.2 In the event of the appearance of an emergency situation resulting in a shortage of gas in the transmission system, the TSO shall, in particular:

6.1.2.1 take advantage of the regulatory instruments referred to in point 3.3.1,

6.1.2.2 take the necessary steps in cooperation with the interested entities, as specified in point 6.2 and point 6.4.

6.1.3 If the measures referred to in point 6.1.2 prove inadequate, the TSO shall notify the Minister with competence for the economy the necessity of introducing restrictions in accordance with Article 53 in connection with Article 56 of the Act on reserves.

6.1.4 The TSO shall immediately inform the shippers, end users off-taking the gas directly from the transmission system and the ISOs that an emergency situation has taken place, which could affect the operation of their facilities, installations or networks and, in particular, of the expected duration and extent of the restrictions in the transmission of gas.

6.1.5 In the event of the emergence of an emergency situation, TSO shall not accept gas for transmission or shall not deliver gas to the exit point if this could result in a threat to security of the transmission system operations, human health or lives or the environment or if it could cause damage to property.

6.1.6 In an emergency situation, the shipper is obliged to work with TSO to the necessary extent.

6.1.7 The services of the parties authorised for contacts in the event of the emergence of an emergency situation are specified in the transmission contract.

6.2 Procedure for starting up additional supplies of gas.

6.2.1 In the event of the emergence of interruptions in the supply of gas, unforeseen increase in its use or in the event of sudden, unexpected damage or destruction to facilities, installations or networks resulting in an interruption in their use or their loss of properties, threatening the security of the transmission system operations, the TSO shall take steps, in cooperation with the energy companies performing their activities in the field of foreign trade in gas, entities that transport gas as well as shippers, in order to assure or recover the correct operations of the transmission system.

6.2.2 In the cases referred to in point 6.2.1:

6.2.2.1 energy company performing economic activity in the field of foreign trade in gas, the entity that transports gas, operators of storage facilities and LNG system operators are required to remain in a state of readiness for the start of compulsory reserves of gas;

6.2.2.2 the TSO shall immediately inform the energy company performing the economic activity in the field of foreign trade in gas as well as entities that transport gas of the necessity and date of the start of the compulsory reserves of gas;

6.2.2.3 the energy company performing their activities in the field of foreign trade in gas, entities that transport gas as well as shippers are required to comply with the instructions of the TSO.

6.2.3 The TSO shall start compulsory reserves of gas after obtaining the consent of the Minister with competence for the economy. The start of the compulsory reserves of gas shall take place under a command issued by the TSO to the SFO specifying the required hourly quantities of gas necessary to be transmitted to the transmission system from designated storage facilities.

6.2.4 The TSO shall inform the shippers of the need to start up compulsory reserves on the day of their start. This information shall be passed on to the shippers dispatcher services via electronic means or by fax.

6.2.5 The TSO shall inform the SFO of the total quantity of the started compulsory reserves from its storage facilities by 12:00 hours the next day.

6.2.6 Within 30 days from obtaining from the SFO information on the owners and quantities of gas off-taken from the storage facilities, the TSO shall pass on this information to:

6.2.6.1 the DSO which the distribution service commission this information concerns,

6.2.6.2 energy companies performing economic activity in the field of foreign trade in gas or entities that transport gas – constituting the owners of the off-taken gas,

6.2.6.3 the shippers for the benefit of which the additional supplies of gas were started.

6.2.7 The billing between the owners of the gas and the entities for the benefit of which the additional supplies of gas were started shall take place under the principles specified in Article 52 of the Act on reserves.

6.2.8 In the event of the start-up of the additional supplies gas, the energy company performing the economic activity in the field of foreign trade in gas or entity that transports gas is required to replenish them in the quantity stipulated pursuant

to Article 25 item 2 or item 5 of the Act on reserves within 4 months, counting from the end of the month in which the additional supplies were started. The shipper shall inform DSO about replenishment of the compulsory reserves immediately after their replenishment.

6.2.9 In the cases foreseen in the Act on reserves, the period of replenishing the reserves referred to in point 6.2.8 may, at the request of the shipper, be extended.

6.3 An emergency situation in the installation of the shipper's customer or supplier or in an interoperating system.

6.3.1 In the event of an emergency situation that arises in an installation of the shipper's customer or supplier or in an interoperating system that could result in restrictions on the introduction of gas for transmission or its off-take, the shipper is obliged to immediately inform the TSO of this, stating the expected duration and the extent of the restrictions.

6.3.2 The shipper shall submit a re-nomination to the TSO on the respective period within 2 hours of the receipt of the information referred to in point 6.3.1.

6.3.3 The services of the parties authorised for contacts in the event of the emergence of an emergency situation are specified in the transmission contract.

6.4 Cooperation between the shipper and the TSO in the event of a threat to energy security.

6.4.1 The shipper shall prepare action procedures in the event of the emergence of interference in the supply of gas and, in particular, in the event of the unexpected increase in consumption of gas by customers, the emergence of interference in the supplies of gas and the appearance of an emergency situation in an installation belonging to the shipper's customer or supplier. The procedures and their updates are immediately submitted to the TSO, however no later than by the 14^{th} day from the day of concluding the transmission contract or 14 days from the day of updating the procedure.

6.4.2 In the event of the emergence of an interference in the supply of gas to the transmission system or in the event of the unexpected increase in consumption of gas by the shipper's customers, the shippers undertake action in order to counteract this threat, particularly those specified in the action procedures referred to in point 6.4.1. Furthermore, the shippers involved in the trading of gas immediately inform the TSO of the possibilities of the appearance of a threat to energy security on a specific area of the country, a threat to the safety of people and a threat of the emergence of significant material losses.

6.4.3 Once all the actions have been undertaken enabling the requirements of their customers for gas to be met, the shipper shall inform the TSO of the events referred to in point 6.4.2 occurring and the actions undertaken in order to ensure this security within a term enabling joint action to be undertaken in order to ensure the security of gas supplies to customers and the correct functioning of the transmission system.

6.4.4 After receipt of the notification referred to in point 6.4.3 or in the event of a sudden, unforeseen damage or destruction of equipment, facilities or networks

resulting in an interruption in their use or the loss of their properties, constituting a threat to the security of the transmission system operations, the TSO shall undertake the necessary actions in order to ensure or restore the correct functioning of this system, particularly that referred to in point 6.2.

6.4.5 If according to the judgement of the TSO, the actions referred to above shall not result in the restoration of the state of fuel security of the state in the field of gas, the TSO, of its own initiative or on the grounds of information obtained from the shipper, shall notify the Minister with competence for the economy the necessity of introducing restrictions in gas take, pursuant to the plans of introducing restrictions.

6.4.6 During the period of restrictions in gas take, which are introduced by the Council of Ministers in accordance with the provisions of the Act on reserves, the TSO:

6.4.6.1 performs the duties connected with the introduction of restrictions by defining and announcing the degrees of supply, according to the plan of introducing restrictions,

6.4.6.2 coordinates the actions of energy companies performing their activities in the field of trade in gas, the DSO, SFO, LNG system operators in order to ensure the security of the transmission system and the performance of restrictions in gas take,,

6.4.6.3 uses the full capacity and storage facility capacity of the gas and natural gas liquefaction connected to the transmission system,

6.4.6.4 starts the compulsory reserves of gas.

6.4.7 The shipper is obliged to take account of the restrictions that have been introduced in accordance with the provisions of Act on reserves.

6.4.8 The shipper shall inform and commit to implementing the restrictions in gas take by the shipper's customers located at the exit points that are subject to the restrictions.

6.4.9 The shipper shall inform and make the commitment to implement the restrictions in the supplies of gas from the shipper's suppliers of gas to the entry points subject to the restrictions.

6.4.10 In the event that the shipper or his customers fail to apply the levels of receipts of gass to the restrictions that have been introduced, the TSO shall collect a charge for exceeding the capacity arising from the restrictions that have been introduced in accordance with the provisions of the tariff.

6.5 Preparation and implementation of the plan for introducing restrictions.

6.5.1 Plans for introducing restrictions specify the maximum hourly and daily quantities of gas off-take by given customers connected to the transmission system, for given levels of supply.

6.5.2 The customers and shippers who constitute customers off-taking gas from the transmission system that are subject to restrictions in gas take, shall inform the TSO by 31 July each year, of the minimum quantity of gas the off-take of which does not constitute a threat to the safety of people and does not result in damage or destruction of technological structures and corresponds to the maximum allowable off-take of gas in the 10^{th} degree of supply.

6.5.3 The shipper is required to submit to the TSO by 31 July information on the shipper's customers that are subject to restrictions in gas take, pursuant to the Act on reserves and connected to the TSO's transmission system. The shipper

shall obligate such customers to submit to the TSO the information referred to in point 6.5.1 by 31 July.

6.5.4 The TSO may verify the information provided by the customers concerning the minimum quantity of gas the off-take of which does not constitute a threat to the safety of people and the damage or destruction of technological facilities.

6.5.5 The verification activities are performed, at the request of the TSO, by certified auditors in the field of the energy industry, upon providing their certification and after supplying the company or person authorised thereby, with the authorisation to conduct the audit on the operations of the company issued by the operator.

6.5.6 The minimum hourly quantities of gas the off-take of which does not result in a threat to the safety of people and which does not result in damage or destruction to the technological structures specified during the verification, shall be introduced to the plan for introducing restrictions as corresponding to the 10th degree of supply.

6.5.7 After the restriction plans have been approved by the President of the ERO, the TSO shall inform the shipper referred to in point 6.5.3 and the customers referred to in point 6.5.2 of the specified for them in the approved plan for introducing restrictions maximum quantity of gas off-take in given degrees of supply.

6.5.8 The maximum quantities of gas in given degrees of supply specified in the approved plans for introducing restrictions become an integral part of the transmission contract.

6.5.9 The shipper shall obligate its customers referred to in point 6.5.3 to apply to the limitations in the off-take of gas, consisting in limiting the maximum hourly and daily quantity of gas off-taken by customers pursuant to the announcements of the TSO published in the manner and under the principles specified in the Act on reserves.

6.5.10 The DSO or the companies fulfilling the function of operators, at the request of the TSO, shall submit to it the data for the daily off-take of gas by customers subject to the plans for introducing the restrictions by the 10th day of every month for the previous month.

6.5.11 The DSO and the companies fulfilling the function of operators shall submit to the TSO the plans for introducing restrictions within 5 days from their approval by the President of the ERO.

6.6 Verification of the possibility of supplying to the transmission system compulsory reserves of gas

6.6.1 The shipper and other entities determining the size of compulsory reserves of gas under the procedure of Article 25 item 1 and 2 of the Act on reserves, shall inform the TSO of:

6.6.1.1 verified by the President of the ERO quantities of compulsory reserves, and

6.6.1.2 characteristics of the storage facilities where the compulsory reserves of the gas shall be stored, stating:

6.6.1.2.1. the entry and exit points through which the storage facilities is connected to the transmission system,

6.6.1.2.2 the quantity of gas in the given storage facilities constituting compulsory reserves,

6.6.1.2.3 the total utilised active capacity in the given storage facility.

6.6.2 Entities starting the transport of gas for whom the size of the compulsory reserves is determined under the procedure of Article 25 item 5 of the Act on reserves, shall inform the TSO of:

6.6.2.1 the quantity of compulsory reserves specified by the President of the ERO, and

6.6.2.2 characteristics of the storage facilities where the compulsory reserves of the gas shall be stored, stating:

6.6.2.2.1 the entry and exit points through which the storage facilities is connected to the transmission system,

6.6.2.2.2 the quantity of gas in the given storage facilities constituting compulsory reserves,

6.6.2.2.3 the total utilised active capacity in the given storage facility.

6.6.3 Entities applying for the performance of a gas transmission service submit the information referred to in point 6.6.2 under the procedure specified in Part I of the TNC.

6.6.4 The TSO shall inform that the technical parameters of the storage facilities ensure the possibility of delivering the compulsory reserves of gas to the transmission system within a term of no longer than 40 days:

6.6.4.1 entities applying for the performance of a gas transmission service – under the procedure specified in Part I of the TNC.

6.6.4.2 other entities – within a term of 21 days from the day of receiving the information referred to in point 6.6.1 or point 6.6.2.

6.6.5 In the event of stating that the technical parameters of the storage facilities do not ensure the possibility of supplying the compulsory reserves of gas to the transmission system within a period no longer than 40 days, the TSO shall inform the President of the ERO of this fact within 7 days from stating the occurrence of such a situation.