



Operator Gazociągów Przesyłowych  
GAZ-SYSTEM S.A.

**TARIFF**

**FOR GASEOUS FUELS TRANSMISSION OF THE  
POLISH SECTION OF THE TRANSIT GAS PIPELINE  
SYSTEM YAMAL-EUROPE**

**No. 1/2023**

Warszawa, December 2022

The English version is provided for the information purpose only.

In case of any discrepancy between this translation and the Polish original, the Polish original shall prevail.

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## 1. GENERAL PROVISIONS

- 1.1. The TGPS Tariff for the gaseous fuel transmission for the Polish section of the Transit Gas Pipeline System Yamal-Europe No. 1/2023 (hereinafter: "TGPS Tariff") has been developed by the energy company – Operator Gazociągów Przesyłowych GAZ-SYSTEM S.A. having its registered office in Warsaw, hereinafter referred to as the "TGPS Operator". The TGPS Tariff shall apply from 1 January 2023, 6:00 AM to 1 January 2024, 6:00 AM. The TGPS Tariff has been prepared based on provisions of the following legislation and decisions of the President of the Energy Regulatory Office (ERO):
- 1.1.1. Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (OJ L 211 of 14 August 2009, p. 36, as amended).
- 1.1.2. Commission Regulation (EU) 2017/460 of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas (OJ L 72 of 17 March 2017, p. 29),
- 1.1.3. Act of 10 April 1997 – Energy Law (consolidated text, Journal of Laws of 2022, item 1385, as amended.),
- 1.1.4. Act of 16 February 2007 on stocks of crude oil, petroleum products and natural gas, the principles of proceeding in circumstances of a threat to the fuel security of the State and disruptions on the petroleum market (Journal of Laws of 2022, item 1537, as amended),
- 1.1.5. Regulation of the Minister of Energy of 15 March 2018 on detailed principles of setting and calculating tariffs and on principles of settlements in trade of gaseous fuels (Journal of Laws of 2021, item 280),
- 1.1.6. Regulation of the Minister of Economy of 2 July 2010 on detailed terms of operation of the gas system (consolidated text, Journal of Laws of 2018, item 1158, as amended),
- 1.1.7. Regulation of the Council of Ministers of 17 February 2021 on the manner of introducing restrictions on natural gas consumption (Journal of Laws No. 2021, item 549),
- 1.1.8. Reference Price Methodology No. 2/SGT in respect of the transmission network owned by the energy company – System Gazociągów Tranzytowych EuRoPol GAZ S.A. with its registered office in Warsaw valid from 1 January 2023, 6:00 AM to 1 January 2025, 6:00 AM, approved by the Decision of the President of the Energy Regulatory Office of 31 March 2022 (ref. no.: DRG.DRG-2.745.2.2022.JDo1), attached to the above decision

(ERO Industry Bulletin – Other decisions, information, reports, No. 39 of 31 March 2022 – <https://bip.ure.gov.pl/bip/taryfy-i-inne-decyzje-b/inne-decyzje-informacj/4193,Inne-decyzje-informacje-sprawozdania-opublikowane-w-2022-r.html>),

- 1.1.9. Communiqué of the President of the Energy Regulatory Office No 11/2022 concerning multipliers, seasonal factors and discounts, referred to in Article 28(1)(a) to (c) of the Tariff Code, to be taken into account in the calculation of tariffs for gaseous fuel transmission services for the period from 1 January 2023 to 31 December 2023 – <https://www.ure.gov.pl/pl/urząd/informacje-ogolne/komunikaty-prezesa-ure/10166,Informacja-nr-112022.html>,
  - 1.1.10. Decision of the President of the Energy Regulatory Office of 29 August 2022 (ref. no.: DRG.DRG-1.4720.1.2022.TA) establishing the content of the agreement on entrusting the duties of the transmission system operator of the Polish section of the Transit Gas Pipeline System Yamal-Western Europe, between OGP GAZ-SYSTEM S.A. and the SGT EuRoPol GAZ s.a.
- 1.2. The TGPS Tariff includes:
    - 1.2.1. transmission services fee rates for firm services,
    - 1.2.2. method used to set charges for connecting to the transmission network,
    - 1.2.3. discounts for failing to meet System User service quality standards,
    - 1.2.4. method used to set discounts for non-compliance with:
      - 1.2.4.1 quality standards of gaseous fuel transmission services provided,
      - 1.2.4.2 gaseous fuel quality parameters,
    - 1.2.5. method used to set charges for exceeding the contracted capacity and for illegal off-take of gaseous fuel,
    - 1.2.6. fee rates or method used to set fees for additional services provided upon request,
    - 1.2.7. fee rates due for resuming supply of gaseous fuels, if suspended for reasons referred to in Article 6(b) of the Act specified in para. 1.1.3,
    - 1.2.8. method used to set fees for transmission services provided on short-term basis,

- 1.2.9. method used to set fees for interruptible transmission services,
- 1.2.10. method used to set fees for virtual reverse-flow transmission services,
- 1.3. The GRP, charges and the TGPS Tariff fee rates do not include value added tax (VAT). The VAT is calculated in accordance with the applicable tax laws.
- 1.4. Readings from metering systems are taken with accuracy to one cubic meter (m<sup>3</sup>) or one kilowatt-hour (kWh), whereas contracted capacities are determined with accuracy to one kilowatt-hour per hour (kWh/h).
- 1.5. References to the “amount of gaseous fuel” in the TGPS Tariff are defined as references to an amount of gaseous fuel expressed in kWh. “Volume of gaseous fuel” is expressed in cubic meters (m<sup>3</sup>) under standard conditions.

## 2. DEFINITIONS

- 2.1. Gas Reference Price (GRP) – the weighted average purchase price of gaseous fuel defined pursuant to TGPS Transmission Network Code.
- 2.2. Gross Calorific Value (GCV –  $H_{SN}$ ) – parameter defined pursuant to TGPS Transmission Network Code.
- 2.3. Gas day – the period of time defined pursuant to TGPS Transmission Network Code.
- 2.4. Physical entry point – the place of the delivery of gaseous fuel with specified physical location or a group of such points (PWP – Point of Interconnection).
- 2.5. Physical exit point – the place of the off-take of gaseous fuel with specified physical location or a group of such points (PWP – Point of Interconnection).
- 2.6. TGPS Transmission Network Code – the Transmission Network Code established for the Polish section of the Yamal-Europe Transit Gas Pipeline System (TGPS) in accordance with the provisions of Art. 9(g) of the Act referred to in para. 1.1.3 and approved by the President of the Energy Regulatory Office.
- 2.7. Kilowatt-hour (kWh) – a billing unit used to express the amount of energy contained in the transmitted gaseous fuel, calculated in compliance with the TGPS Transmission Network Code.
- 2.8. National Transmission System (NTS) – the high-pressure gas network and the associated equipment and systems cooperating with that network, owned by the TGPS Operator.
- 2.9. Maximum registered capacity – maximum hourly amount of gaseous fuel delivered to a physical exit point determined on the basis of readings from the metering system or maximum hourly amount of gaseous fuel determined pursuant to the TGPS Transmission Network Code as part of the capacity allocation process – in case of providing transmission service to at least two customers of the transmission service at the relevant physical exit point from the transmission system.

- 2.10. Cubic meter of gaseous fuel under standard conditions ( $m^3$ ) – unit corresponding to the amount of gaseous fuel contained in a volume of  $1 m^3$  at a pressure of 101.325 kPa and temperature of 273.15 K.
- 2.11. Gas month – period of time defined pursuant to the TGPS Transmission Network Code.
- 2.12. Connection capacity – planned maximum hourly capability to supply or take-off gaseous fuel, used as the basis for the design of a connection, as defined in the contract on connection to the network.
- 2.13. Interoperating System Operator (ISO) – transmission system operator cooperating with the TGPS.
- 2.14. Contracted capacity – the maximum hourly quantity of gaseous fuel, expressed as the energy unit – kWh/h, as specified in the capacity allocation (PP), which may be delivered for transmission at a physical entry point to the TGPS or off-taken from the TGPS at a physical exit point.
- 2.15. Interruptible contracted capacity – the contracted capacity as specified in the capacity allocation (PP), which may be limited or interrupted by the TGPS Operator on terms specified in TGPS Transmission Network Code.
- 2.16. Point of Interconnection (PWP) – point which includes all physical points at the point of connection between the NTS and the TGPS.
- 2.17. Capacity allocation (PP) – a part of the transmission contract that specifies the contracted capacity the Shipper is eligible to at the specified physical entry point or physical exit point.
- 2.18. Connection – section of the transmission network from the gas supply pipeline to the line valves downstream of the gas facility used to connect the networks of energy companies operating in the business of gas transmission.
- 2.19. Gas year – period of time defined pursuant to the TGPS Transmission Network Code.
- 2.20. TGPS – transmission system – **T**ransit **G**as **P**ipeline **S**ystem in the territory of the Republic of Poland, owned by the SGT EuRoPol Gaz S.A. the network operation of which

is the responsibility of Operator Gazociągów Przesyłowych GAZ-SYSTEM S.A., designated by the President of the ERO as the Transit Gas Pipeline System Operator (TGPS Operator).

- 2.21. Metering system – metering and billing equipment, meters and other measuring instruments, as well as interconnection systems between them, used directly or indirectly for measuring the quantities of gaseous fuels off-taken or introduced into the TGPS and billing for that gaseous fuel, in particular gas meters.
- 2.22. Transmission contract – a gas transmission service contract concluded between the TGPS Operator and the Shipper (ZUP).
- 2.23. Transmission services – services for the transport of gaseous fuels through the transmission network for their delivery to distribution networks or end users connected to the transmission network – excluding the sales of these fuels or energy.
- 2.24. Virtual reverse-flow services – interruptible transmission services provided by the TGPS Operator, at points indicated on the TGPS Operator’s website, which involve the contractual transmission of gaseous fuels in a direction reverse to the physical flow of gaseous fuels. The services are provided at physical entry points or physical exit points in the direction where the physical flow cannot be provided.
- 2.25. Shipper (ZUP) – a natural or legal person, or an unincorporated entity with legal capacity, which concluded a transmission contract with the TGPS Operator.



### **3. GENERAL TERMS AND CONDITIONS FOR PROVISION OF TRANSMISSION SERVICES**

- 3.1. Manner of provision of services and billing.
  - 3.1.1. The TGPS Operator provides transmission services under the contract concluded with the Shipper and including the capacity allocation (PP).
- 3.2. The high-methane natural gas transmission system includes:
  - 3.2.1. physical entry points (FPWE) and physical exit points (FPWY),
  - 3.2.2. entry points (PWE) and exit points (PWY), including points with physical locations – individual points or groups of points, including Points of Interconnection (PWP).
- 3.3. The quality standards for transmission services and the Shipper (ZUP) services are defined in TGPS Transmission Network Code and in the Regulation referred to in para. 1.1.6.
- 3.4. The TGPS Operator bills for the transmission services provided on the basis of monthly billing periods.
- 3.5. In the event of any irregularities in the operation of the metering system or using incorrect readings of the metering system resulting in an overestimation or underestimation of amounts due for transmission services provided, the TGPS Operator shall correct invoices previously issued.
- 3.6. Correction of invoices referred to in para. 3.5 in the event of:
  - 3.6.1. overestimating or underestimating amounts due – covers the entire billing period or the period in which such irregularities or errors occurred, subject to para. 3.6.2,
  - 3.6.2. underestimating amounts due from the Shipper whose gaseous fuel off-take does not exceed 110 kWh/h – covers the most recent billing period.
- 3.7. Unless the transmission contract provides otherwise, if damage to the metering system caused by reasons beyond the control of the Shipper results in a failure to record the volume of gas transmitted during the billing period, the following values will be used to

determine the amount of gaseous fuel constituting the basis to calculate the gaseous fuel transmission service fees:

- 3.7.1. the volume of gaseous fuel measured by the metering system in the corresponding billing period, taking into account the nature of the off-take, seasonality and other documented circumstances affecting the volume of gaseous fuel transmitted and the gross calorific value determined in accordance with the TGPS Transmission Network Code,
- 3.7.2. if the volume cannot be determined in accordance with para. 3.7.1, the amount is determined based on the product of the number of hours during the billing period and the contracted capacity specified in the capacity allocation (PP).

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

#### 4. SETTLEMENTS WITH THE SHIPPER

4.1. Billing for provision of transmission services.

4.1.1. The fee for the provision of transmission services at a physical entry point to the TGPS and physical exit point from the TGPS is a fixed fee dependent on the contracted capacity.

4.1.2. The fee for the provision of transmission services at a physical entry point to the TGPS or physical exit point from the TGPS, is calculated according to the following formula:

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

where:

- O<sub>P</sub>** – the fee for the provision of transmission services at a physical entry point or physical exit point [PLN],
- S<sub>S</sub>** – the fixed fee rate at a physical entry point or physical exit point per each hour of the billing period [gr/(kWh/h) per h], specified in para. 4.2.1,
- M<sub>p</sub>** – contracted capacity at a physical entry point or physical exit point [kWh/h],
- T** – number of hours in the billing period [h].

4.1.3. The Shipper is charged with the fee for provision of transmission services for the entire billing period, regardless of the amount of gas off-taken and the contracted capacity actually used.

4.1.4. The contracted capacity which is the basis for determination of the fee for provision of transmission services is made available to the Shipper as the following products:

- 4.1.4.1 annual,
- 4.1.4.2 quarterly,
- 4.1.4.3 monthly,
- 4.1.4.4 daily,
- 4.1.4.5 within-day.

4.1.5. The contracted capacity referred to in para. 4.1.4.1, for a given physical entry or exit point, is determined in the capacity allocation (PP) and is valid throughout the gas year at the same amount for all months of the gas year.

- 4.1.6. The contracted capacity referred to in para. 4.1.4.2 is determined in the capacity allocation (PP) and is valid throughout the entire duration of the capacity allocation (PP) in the same amount.
- 4.1.7. The contracted capacity referred to in para. 4.1.4.3 is determined in the capacity allocation (PP) and is valid throughout the entire duration of the capacity allocation (PP) in the same amount.
- 4.1.8. The contracted capacity referred to in para. 4.1.4.4 is determined in the capacity allocation (PP) or in the nomination approved by TGPS Operator under the overnomination procedure referred to in TGPS Transmission Network Code and applies to all hours of the gas day in the same amount.
- 4.1.9. The contracted capacity referred to in para. 4.1.4.5 is determined in the capacity allocation (PP) or in the nomination approved by TGPS Operator under the overnomination procedure referred to in TGPS Transmission Network Code and applies in the same amount until the end of the gas day.
- 4.1.10. The contracted capacity determined in the capacity allocation (PP) can be changed as per the principles set out in TGPS Transmission Network Code.
- 4.1.11. The TGPS Operator bills the Shipper who, in compliance with TGPS Transmission Network Code, has acquired the right to contracted capacity through assuming the rights and obligations of a former Shipper, in particular as a result of a seller replacement or a resale of contracted capacity as per the provisions of TGPS Transmission Network Code, according to the fee rates which apply to the products acquired by the Shipper who sells them.
- 4.1.12. In the event of reduction, suspension or interruption in the capability to supply or off-take gaseous fuel at a physical entry point or physical exit point for reasons beyond the TGPS Operator's control, the Shipper is obliged to pay the fee for provision of transmission services (at physical entry points and physical exit points) in the same amount as if there was no reduction, suspension or interruption in the use of the allocated contracted capacity for the entire duration of such reduction, suspension or interruption.
- 4.1.13. In the event the Shipper exceeds, without the consent of the TGPS Operator, the contracted capacity at a specific physical exit point from the TGPS, made available under one capacity allocation (PP), an extra fee is charged amounting to the product of the maximum capacity recorded during the billing period over the contracted capacity, the

number of hours during the billing period and three times the fixed fee rate for the transmission services at the specific exit point, referred to in para. 4.2.1.

- 4.1.14. In the event the Shipper exceeds, without the consent of TGPS Operator, the contracted capacity at a specific physical exit point from the TGPS, where the service is provided based on two (or more) capacity allocations (PP) or on the accepted nomination referred to in para. 4.1.4.4 or 4.1.4.5, for the same Shipper, an extra fee is charged amounting to the product of the maximum capacity recorded during the billing period over the sum of contracted capacities based on the capacity allocations (PP), the number of hours during the billing period and three times the rate of the fixed fee for the transmission services at specific exit point, referred to in para. 4.2.1. If the Shipper uses the contracted capacity as a part of annual or quarterly or monthly products and at the same time uses the contracted capacity as a part of the daily products or within-day products, for the purpose of calculating the fee referred to above, it is assumed that the number of hours in a billing period is equal to the number of hours in a gas month.
- 4.1.15. If the contracted capacity referred to in para. 4.1.4.4 or para. 4.1.4.5 was determined in the capacity allocation (PP) but was not assigned under the overnomination procedure referred to in TGPS Transmission Network Code or in the event the Shipper uses the contracted capacity referred to in para. 4.1.4.4 or in para. 4.1.4.5 that was not allocated by the TGPS Operator, it is assumed that in case of the Shipper's exceeding the contracted capacity at physical exit point from the TGPS without the permission of the TGPS Operator, an additional fee is charged amounting to the product of the maximum capacity recorded by the metering system over the contracted capacity, the number of hours in the billing period and three times the rate of the fixed fee for transmission services, referred to in para. 4.2.1. For the purpose of calculating the fee referred to above, it is assumed that the number of hours in the billing period is equal to the number of hours in a gas month.
- 4.1.16. In the event of exceeding the contracted capacity at physical exit points as a result of a documented force majeure event, the fee for exceeding the contracted capacity is not charged.
- 4.1.17. The TGPS Operator may give consent for the volume of the contracted capacity to be exceeded at a given physical exit point within the capacity allocation (PP), for a certain amount time, in the following cases:
- 4.1.17.1 connection or maintenance and repair works are performed by an Interoperating System Operator, subject to prior arrangement with the TGPS Operator of:

- 4.1.17.1.1 time of the works performance,
  - 4.1.17.1.2 metering systems where the volume may be exceeded,
  - 4.1.17.1.3 the volume of the exceedance,
- 4.1.17.2 when the increase of gaseous fuel off-take compensates the actual reductions of contracted capacity implemented by the TGPS Operator at another physical exit point in connection with the connection or maintenance and repair works carried out by the TGPS Operator on the TGPS.
- 4.1.18. If the Shipper fails to comply with reductions implemented by the TGPS Operator in connection with ongoing connection or maintenance and repair works or in connection with a change of gaseous fuel or repair of a failure, an additional fee is charged equivalent to the product of the maximum off-take volume recorded by the metering system in excess of the permitted off-take resulting from the reduction, duration of the reduction and three times the fee for the provision of transmission services referred to in para. 4.2.1. The provisions of para. 4.1.14 shall apply accordingly. In the case of the Shipper who at the same point uses simultaneously a firm transmission service and interruptible transmission services, the TGPS Operator shall charge an additional fee based on the principles set out in this paragraph but shall not charge the additional fee referred to in para. 8.4.8.
- 4.1.19. Fees for exceeding the contracted capacity are not charged if the TGPS Operator did not notify the Shipper, in the manner specified in TGPS Transmission Network Code, about the introduction of the restrictions referred to in para. 4.1.18.
- 4.1.20. If the Shipper to whom a contracted capacity within the capacity allocation (PP) has been assigned at several physical entry points or several physical exit points, the fixed fees for transmission services provided are charged based on the contracted capacity defined separately for each of these points in the capacity allocation (PP).
- 4.1.21. If the Shipper to whom a contracted capacity within the capacity allocation (PP) has been assigned at a given physical entry point or a physical exit point and the allocation becomes valid during the billing period, fees for the provision of transmission services are charged in the amount proportionate to the time of validity of this capacity allocation (PP) during the billing period.
- 4.1.22. In the event the rates of fixed fees for the provision of transmission services change during the billing period, the fee is charged in the amount proportionate to the number of days of validity of the previous rates and new rates.

- 4.1.23. No fees are charged for transmission services provided to ISOs in the event of an emergency or repair, operation, testing, maintenance, connection, installation and modernisation works on the ISO network.
- 4.1.24. To calculate the fee for using gaseous fuel transmission services or the fee for exceeding capacity for a daily product or for a within-day product, it is assumed that the number of hours in the billing period is equal to: for a daily product – the number of hours in a gas day, and for an within-day product – the number of hours for which the within-day product has been allocated.
- 4.1.25. The manner of determining fees for additional services provided at the request of the Shipper is defined in the contract.

#### 4.2. Rates of transmission fees.

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

Physical entry points / physical exit points	Fee rates
	Fixed fee rate ( $S_s$ ) [gr/(kWh/h) per h]
Mallnow entry	0.4412
Mallnow exit	0.4308
Point of Interconnection (PWP) exit	0.4308

4.2.2. Value added tax (VAT) will be added to the above rates, in the amount based on the applicable tax law.

4.2.3. The fee rates presented in the table in para. 4.2.1 for points located at interconnections, i.e. at connection points with transmission systems of other countries, at connection points with transmission systems of third countries and at the connection point with the NTS, are the minimum rates in the event of offering contracted capacity at these points through an auction procedure.

4.2.4. In the event of conversion of unbundled contracted capacity to bundled contracted capacity, within the meaning of TGPS Transmission Network Code, the Shipper shall only incur charges for the bundled capacity (after the conversion) taking into consideration the provisions of para. 4.2.5 and para. 4.2.6. The provisions of this paragraph shall apply only to that part (quantity) of the unbundled contracted capacity which has been converted.

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

If an auction premium is earned during an auction of unbundled contracted capacity or bundled contracted capacity subject to the conversion, the amounts charged by the TGPS Operator from the Shipper for the bundled contracted capacity (after conversion) will constitute the sum of auction premiums earned in such auctions, i.e. the sum of auction premiums earned during an auction of unbundled contracted capacity and auction of bundled contracted capacity.



## 5. DISCOUNTS

5.1. Discounts for failing to meet the quality standards of services provided to the Shipper.

5.1.1. Failure by the TGPS Operator to meet service quality standards entitle the Shipper to receive discounts determined in accordance with § 41(1) of the Regulation referred to in para. 1.1.5, in the following amounts:

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

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

5.2. Discounts for reduction in the firm contracted capacity.

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

5.2.1.1 scheduled repair and maintenance works, scheduled connection works conducted by the TGPS Operator,

5.2.1.2 the following events affecting the TGPS Operator due to reasons beyond the Shipper's control: failure, explosion, fire, threat of such events emerging or remedying the consequences of such events,

the fixed transmission services fee shall be reduced proportionately to the actual contracted capacity reduction and the duration (in hours) of such interruptions or disruptions.

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

5.2.3. In the event of reduction of the contracted capacity by the TGPS Operator at a physical exit point for reasons other than those stated in para. 5.2.1 and para. 5.2.2, and specifically due to temporary decrease of pressure below the value published on the TGPS Operator's website for a period longer than 60 minutes – the TGPS Operator shall grant to the Shipper a discount on the transmission service fee proportionate to the size and duration of such reduction.

5.2.4. The discount referred to in para. 5.2.3 does not apply, in particular, if:

5.2.4.1 the pressure decrease is caused by the Shipper's exceeding the contracted capacity at a physical exit point,

5.2.4.2 the Shipper does not comply with gaseous fuel quality parameters at a physical entry point,

5.2.4.3 the Shipper does not comply with the minimum supply pressures at physical entry points stipulated in accordance with the TGPS Transmission Network Code and published on the TGPS Operator's website.

5.2.5. The discount referred to in para. 5.2.1 and para. 5.2.3 shall not apply if the Shipper is provided with the possibility to off-take gaseous fuel at another physical exit point agreed with the TGPS Operator.

5.2.6. The TGPS Operator awards discounts within 30 days of cessation of the events referred to in para. 5.2.3.

5.3. Discounts for failure to meet quality parameters of gaseous fuel.

5.3.1. If gaseous fuel off-taken at a physical exit point does not meet the quality parameters specified in the table below, the Shipper will be granted a discount.

Value characterising the quality of gaseous fuel	Unit	Maximum allowable value of $X_{SjNmax}$
Hydrogen sulphide content*	mg/m <sup>3</sup>	7.0
Total sulphur content*	mg/m <sup>3</sup>	40.0

\*Values in the table are indicated for standard conditions

5.3.2. If the TGPS Operator supplies gaseous fuel at a physical exit point which does not satisfy at least one of the quality standards referred to in para. 5.3.1, the TGPS Operator will grant the Shipper a discount calculated using the following formula:

$$B_{NSJW} = I_{GI} * 0.2 * CRG * (X_{SjW} - X_{SjNmax}) / X_{SjNmax}$$

where:

$B_{NSJW}$  – discount for exceeding a given quality parameter at a physical exit point from the TGPS [PLN],

$I_{GI}$  – actual quantity of gaseous fuel with off-spec quality parameter delivered at a physical exit point from the TGPS [kWh],

$CRG$  – Gas Reference Price (GRP) [PLN/kWh]

- $X_{SJNmax}$  – the maximum allowable value of a given quality parameter referred to in para. 5.3.1 [ $mg/m^3$  or  $\mu g/m^3$ ]
- $X_{SJW}$  – the actual value of a specific quality parameter of the gaseous fuel off-taken at a physical exit point from the TGPS [ $mg/m^3$  or  $\mu g/m^3$ ].

5.3.3. The TGPS Operator will grant the Shipper a discount calculated using the formula referred to in para. 5.3.2 with regard to each of the quality parameters referred to in para. 5.3.1. The discount shall be determined separately for each of the quality parameters that has not been met.

5.3.4. The TGPS Operator undertakes to ensure an appropriate water dew point temperature of the gaseous fuel off-taken at a physical exit point from the TGPS, in compliance with the following requirements:

5.3.4.1 the maximum allowable value of the water dew point ( $X_{STNmax}$ ) for reference conditions of 3.92 MPa is  $-8\text{ }^{\circ}\text{C}$  (265.15 K).

5.3.5. In the event that the TGPS Operator supplies for the off-take at a physical exit point from the TGPS gaseous fuel which does not meet the quality parameters referred to in para. 5.3.4, the TGPS Operator will grant the Shipper a discount calculated in accordance with the following formula:

$$B_{NSTW} = I_{GI} * 0.0004 * CRG * (X_{STW} - X_{STNmax}) / X_{STNmax}$$

where:

- $B_{NSTW}$  – discount for an off-spec water dew point [PLN],
- $I_{GI}$  – the actual quantity of gaseous fuel with off-spec water dew point that has been delivered at a physical exit point from the TGPS [kWh],
- CRG – Gas Reference Price (GRP) [PLN/kWh]
- $X_{STNmax}$  – maximum allowable value of water dew point [ $^{\circ}\text{C}$ ]
- $X_{STW}$  – the actual value of water dew point temperature [ $^{\circ}\text{C}$ ] of the gaseous fuel delivered at a physical exit point.

5.3.6. In the event of reservations concerning the quality of the transmitted gaseous fuel, the Shipper or the TGPS Operator may demand that the quality of the fuel is tested by an independent laboratory that has been accredited as a certification body in accordance

with separate regulations. If the quality of the gaseous fuel is confirmed as compliant with the parameters referred to in para. 5.3.1 or para. 5.3.4, the costs of these tests will be covered by the entity which requested the testing; otherwise, the test costs shall be covered by the other party.

- 5.3.7. Where a party believes that the supplied gaseous fuel may be of insufficient quality, it is required to immediately notify the other party of the potential occurrence of such a situation.
- 5.3.8. If transmission contracts are performed at a specific point for more than one Shipper, the discounts referred to in para. 5.3 are granted to the Shippers proportionally to their allocation reconciliation at that point.

## 6. CHARGES FOR ILLEGAL GASEOUS FUEL OFF-TAKE

- 6.1. Off-take of gaseous fuel is deemed to be illegal when the off-take of gaseous fuel is conducted:
- 6.1.1. without signed transmission contract with the TGPS Operator or without a capacity allocation (PP) for a given physical point,
  - 6.1.2. in case of total or partial bypassing of the metering system,
  - 6.1.3. tampering with the metering system distorting the measurements taken by the system.
- 6.2. In the event of illegal gaseous fuel off-take referred to in para. 6.1.1, the TGPS Operator charges the off-taker with sums amounting to the product of:
- 6.2.1. three times the GRP effective on the date of confirmation of illegal gaseous fuel off-take,
  - 6.2.2. a fixed amount of energy contained in gaseous fuel equivalent to the product of the sum of the capacity of the installed receivers and the gross calorific value of 10.972 [kWh/m<sup>3</sup>] and the duration (in hours) of the illegal off-take.
- 6.3. In the event of illegal gaseous fuel off-take referred to in para. 6.1.2 or para. 6.1.3, the Shipper shall be charged with fees amounting to the product of:
- 6.3.1. three times the GRP effective on the date of stating illegal gaseous fuel off-take,
  - 6.3.2. a fixed amount of energy contained in gaseous fuel determined as the amount of gaseous fuel off-taken in the corresponding periods prior to or posterior to the illegal gaseous fuel off-take.
- 6.4. In the event referred to in para. 6.1.2 or para. 6.1.3, when the amount of the illegally off-taken gaseous fuel cannot be determined, the Shipper is charged with fees amounting to the product of:
- 6.4.1. three times the GRP effective on the date of stating illegal gaseous fuel off-take,
  - 6.4.2. a fixed amount of energy contained in gaseous fuel equivalent to the product of the contracted capacity and the number of hours in the period when the illegal gaseous fuel off-take has been stated.

- 6.5. The fixed amounts of energy contained in gaseous fuel referred to in para. 6.2.2, para. 6.3.2 and para. 6.4.2 are determined as maximum amounts. When calculating the charges, the TGPS Operator may apply smaller amounts taking into account the actual possibilities of gaseous fuel off-take by a given entity.
- 6.6. Where the TGPS Operator affixes new security seals to replace seals removed or damaged for reasons attributable to the Shipper on any part of the metering device forming part of a gaseous fuel system or on a metering device, a charge is billed amounting to 100% of the costs incurred.
- 6.7. Where any actions need to be taken in order to install a new metering device to replace devices damaged or destroyed for reasons attributable to the Shipper, a charge is billed amounting to the value of the new metering device, applicable as of the day of its installation, and 100% of actual costs incurred in connection with its installation and replacement.

## 7. RULES OF BILLING FOR CONNECTING TO THE TRANSMISSION NETWORK

- 7.1. The entity being connected to the TGPS shall cover the connection costs in the amount of 100% of the actual expenditure incurred by the TGPS Operator to effect the connection.
- 7.2. Any change in the off-take/supply of gaseous fuel resulting in a necessity to replace the transmission network elements or to expand the network is treated as a connection. The change referred to above includes in particular change to the contracted capacity in excess of the current connection capacity, i.e. safe operating envelope of the equipment installed at the gas facility.
- 7.3. In the case of the following works performance at the request of the entity being connected:
- 7.3.1. connection replacement or modification without increasing the existing capacity,
  - 7.3.2. connection replacement, modification or expansion including increase of the capacity,

the entity that is being connected shall cover 100% of the actual expenditure incurred by the TGPS Operator to effect the connection.

- 7.4. The connected entity shall cover 100% of the actual expenditure incurred by the TGPS Operator for purchasing and installing the metering system subject to replacement resulting from the change of the connection capacity or of the parameters of gaseous fuel off-take at the request of the connected entity.
- 7.5. Any expenditures incurred by the TGPS Operator to effect the connection include the costs of the network elements and all activities related to the implementation of the connection specified in the connection terms and conditions, including the cost of gaseous fuel for gas filling of the network elements that are part of the connection, and in particular all and any spending on design and surveying works, documentation approvals, obtaining the location decision, building permit or use permit for a civil structure, purchase or construction or decommissioning of the network elements and equipment necessary to execute the connection, making a temporary gas facility available, investor supervision, construction and installation works together with



necessary tests as well as fees for purchase or occupation of land, including public charges and compensation to landholders.

- 7.6. The rules for settlement of costs for the connection to the TGPS specified in this Tariff apply only to entities applying for a connection if the technical and economic conditions for gas transmission are met. The billing rules relating to connection to the TGPS set out in this Tariff apply to entities for which the network connection conditions have been specified (including the minimum contracted capacity).

## 8. RULES FOR SHORT-TERM SERVICE CONTRACTS AND PROVISION OF INTERRUPTIBLE SERVICES

8.1. Conditions of capacity allocation for short-term services.

8.1.1. The TGPS Operator provides short-term services in respect of the following:

- 8.1.1.1 within-day product – where the contracted capacity is made available from a specified hour in the gas day to the end of this gas day,
- 8.1.1.2 daily product – where the contracted capacity is made available for the term of one gas day,
- 8.1.1.3 monthly product – where the contracted capacity is made available for the term of one month in a gas year (consecutive months start on the first (1<sup>st</sup>) day of each gas month), at a constant rate for each hour during the given month,
- 8.1.1.4 quarterly product – where the contracted capacity is made available for the term of one quarter in a gas year (consecutive quarters of the gas year start on 1 October, 1 January, 1 April and 1 July, respectively), at a constant rate for each hour during the given quarter,

according to the provisions of TGPS Transmission Network Code.

8.2. Fee rates for short-term services.

8.2.1. The fee for the provision of short-term transmission services at a physical entry point to the TGPS or physical exit point from the TGPS, is calculated according to the following formula:

$$O_{PK} = S_s * M_n * M_p * T/100$$

where:

- O<sub>PK</sub>** – fee for provision of short-term services at a physical entry point or physical exit point [PLN],
- S<sub>s</sub>** – fixed fee rate at a physical entry point or physical exit point for each hour of the billing period [gr/(kWh/h) per h], set out in para. 4.2.1,
- M<sub>n</sub>** – multiplier for short-term services, set out in para. 8.2.2,
- M<sub>p</sub>** – contracted capacity at a physical entry point or physical exit point [kWh/h],
- T** – number of hours in the billing period [h].

8.2.2. The values of multipliers for short-term services ( $W_{KOR}$ ) are presented in the table below:

Multipliers for short-term services (Mn)				
GASEOUS FUEL TRANSMISSION SERVICE	WITHIN-DAY PRODUCT	DAILY PRODUCT	MONTHLY PRODUCT	QUARTERLY PRODUCT
MULTIPLIER VALUE	1.95	1.95	1.30	1.10

Multiplier values presented above arise from para. 3.1 of the Communiqué of the President of Energy Regulatory Office of 18 March 2022, No. 11/2022.

8.3. To the extent not regulated in para. **Błąd! Nie można odnaleźć źródła odwołania.** and para. 8.2, the Shipper billing in relation to the capacity allocation (PP) for short-term periods is subject to other provisions of the TGPS Tariff.

8.4. The principles for the provision of interruptible gaseous fuel transmission services relevant for the calculation of fees.

8.4.1. In the absence of possibilities to provide firm services, the TGPS Operator may offer providing interruptible transmission services, which shall be billed in accordance with the rules set out in para. 8.4 and para. 8.5.

8.4.2. The TGPS Operator offers interruptible services of gaseous fuel transmission for annual, quarterly, monthly, daily and within-day products. The interruptible services of gaseous fuel transmission for quarterly, monthly, daily and within-day products, are billed in compliance with para. 8.5.

8.4.3. For interruptible transmission services, the TGPS Operator may reduce the interruptible contracted capacity at a specified physical entry point or a physical exit point in accordance with the rules set out in the TGPS Transmission Network Code. The maximum duration of a single reduction may equal the number of gas days or hours in the gas day within the capacity allocation (PP). There is no limit regarding the number of gas hours and gas days during the capacity allocation (PP) on interruptible basis where the contracted capacity may be reduced.

8.4.4. The Shipper is obliged to comply with the reductions of interruptible contracted capacity at a given physical entry point or physical exit point introduced by the TGPS Operator in accordance with the provisions of para. 8.4.5.

- 8.4.5. The reduction of the interruptible contracted capacity for a given Shipper is imposed down to the level of capacity available thereto at a specific physical entry point or physical exit point.
- 8.4.6. In order to determine whether the reductions of interruptible contracted capacity during a specific hour of a gas day have been established, it is accepted that the reduction is effected at the time and in line with the rules specified in the TGPS Transmission Network Code.
- 8.4.7. When reducing the contracted capacity, the TGPS Operator determines the number of hours during a specific gas day when the capacity will be reduced.
- 8.4.8. Should the Shipper fail to follow the restrictions introduced by the TGPS Operator and referred to in para. 8.4.3, an additional charge equal to the product of the maximum capacity recorded over the contracted capacity subject to no reductions, the number of hours during the billing period and three times the rate of the fixed fee set out in para. 4.2.1 is imposed. For the purpose of calculating the charge referred to above, it is assumed that the number of hours in the billing period is equal to the number of hours in a gas month.
- 8.4.9. The fee referred to in para. **Błąd! Nie można odnaleźć źródła odwołania.**, is calculated separately for each gas day on which the Shipper does not observe the reductions imposed by the TGPS Operator.
- 8.4.10. Should the Shipper fail to follow the restrictions introduced by the TGPS Operator and referred to in para. 8.4.3, despite prior notification submitted to the Shipper by e-mail to the e-mail address indicated in the contract of the intention to terminate the capacity allocation (PP), the TGPS Operator may unilaterally terminate the capacity allocation (PP) with immediate effect in the part concerning the provision of interruptible transmission services.
- 8.5. Ex-ante discount applied in billing for interruptible transmission services.
- 8.5.1. The fee for the provision of interruptible transmission services at a physical entry point to the TGPS or physical exit point from the TGPS, is calculated according to the following formula:

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

where:

- O<sub>PP</sub>** – fee for provision of interruptible transmission services at a physical entry point or physical exit point [PLN],
- S<sub>S</sub>** – fixed fee rate at a physical entry point or physical exit point per each hour of the billing period [gr/(kWh/h) per h], specified in para. 4.2.1,
- R<sub>P</sub>** – ex-ante discount value (%), set out in para. 8.5.2,
- M<sub>p</sub>** – contracted capacity at a physical entry point or physical exit point [kWh/h],
- T** – number of hours in the billing period [h].

8.5.2. The ex-ante discount value (R<sub>p</sub>) is presented in the table below:

Ex-ante discount value (R <sub>p</sub> )	Type of physical entry point or physical exit point
10%	Physical entry point or physical exit point at interconnections with EU countries, at the interconnections with the transmission systems of third countries and the Point of Interconnection (PWP).

8.5.3. The fee for the provision of interruptible short-term transmission services at a physical entry point to the TGPS or physical exit point from the TGPS, is calculated according to the following formula:

$$O_{PPK} = S_S * (100\% - R_P) * M_n * M_p * T/100$$

where:

- O<sub>PPK</sub>** – the fee for provision of interruptible short-term transmission services at a physical entry point or physical exit point [PLN],
- S<sub>S</sub>** – fixed fee rate at a physical entry point or physical exit point per each hour of the billing period [gr/(kWh/h) per h], specified in para. 4.2.1,
- R<sub>P</sub>** – ex-ante discount value (%), specified in para. 8.5.2,
- M<sub>n</sub>** – multiplier for short-term services, specified in para. 8.2.2,
- M<sub>p</sub>** – contracted capacity at a physical entry point or physical exit point [kWh/h],
- T** – number of hours in the billing period [h].

- 8.5.4. Ex-ante discount does not apply to virtual reverse-flow services.
- 8.6. To the extent not regulated in para. 8.4 and para. 8.5, the remaining provisions of the Tariff apply accordingly with regard to the billing of the Shipper for capacity allocation (PP) on an interruptible basis.
- 8.7. Fee rates for virtual reverse-flow services.
- 8.7.1. The TGPS Operator offers virtual reverse-flow services.
- 8.7.2. The virtual reverse-flow services are provided at a limited number of physical entry points or physical exit points, indicated on the TGPS Operator's website ([www.gaz-system.pl](http://www.gaz-system.pl)).
- 8.7.3. The reverse-flow services are provided as interruptible transmission services.
- 8.7.4. Unless this paragraph provides otherwise, the virtual reverse-flow services are subject to the provisions of para. 8.4 and para. 8.5.
- 8.7.5. The fee for the provision of virtual reverse-flow services at a physical entry point to the TGPS or physical exit point from the TGPS, is calculated according to the following formula:

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

where:

- O<sub>PR</sub>** – fee for provision of virtual reverse-flow services at a physical entry point or physical exit point [PLN],
- S<sub>S</sub>** – fixed fee rate at a physical entry point or physical exit point per each hour of the billing period [gr/(kWh/h) per h], specified in para. 4.2.1,
- M<sub>p</sub>** – contracted capacity at a physical entry point or physical exit point [kWh/h],
- T** – number of hours in the billing period [h].

- 8.7.6. The fee for the provision of short-term virtual reverse-flow services at a physical entry point to the TGPS or physical exit point from the TGPS, is calculated according to the following formula:

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

where:

- O<sub>PRK</sub>** – fee for provision of short-term virtual reverse-flow transmission services at a physical entry point or physical exit point in [PLN],
- S<sub>s</sub>** – fixed fee rate at a physical entry point or physical exit point per each hour of the billing period [gr/(kWh/h) per h], specified in para. 4.2.1,
- M<sub>n</sub>** – multiplier for short-term services, specified in para. 8.2.2,
- M<sub>p</sub>** – contracted capacity at a physical entry point or physical exit point [kWh/h],
- T** – number of hours in the billing period [h].