

## SUMMARY

**In accordance with the provisions of art. 26 of Commission Regulation (EU) 2017/460 of 16 March 2017, ANRE carried out, between octomber 10th and december 9th, 2024, the public consultation process related to the Methodology for setting the regulated tariffs for gas transmission services.**

**By the end of the consultation process only SNTG Transgaz SA and OMV Petrom SA submitted their proposals/responses.**

### **I. SNTGN Transgaz SA**

**Transgaz's proposals are mainly related to the expenditures and theirs new rules of recognition or limitations, as follows:**

- operational expenditures may not exceed the average annual expenditure incurred in the previous regulatory period,
- introduction of technological consumption reduction plan,
- no correction of inflation, if the operational costs incurred during the the regulatory year are lower than their estimated level,
- updating the RAB with the inflation rate taken into account in determining the RRR value approved for the fifth regulatory period,
- non-recognition of interest related to bank loans, which was not capitalized in the value of the asset,
- applying a different RRR to administrative buildings and tangible and intangible fixed assets, defined in the Procedure on the substantiation and criteria for approval of investment plans of gas transmission system, decreased by 2 percentage points.

### **II. OMV Petrom SA**

**OMV Petrom had asked for clarifications on the estimations included in Annex 4 and Annex 15, as follows:**

- the reasoning for estimation a quantity of 190.693.173 MWh to be transmitted through the NTS in the gas year 2025-2026,
- the investment projects that will be comissioned through the regulatory period and their values.

**All the responses submitted and ANRE's viewpoint are presented in the Annex of the summary.**

## I. SNTGN Transgaz SA

No	Existing text	Proposed text	Motivation	ANRE viewpoint
I.	<i>Draft Order on the approval of the Methodology for the establishment of the regulated tariffs related to the gas transmission services</i>			
1	Art. 1 - (3) The provisions of this methodology do not apply to Isaccea II and III - Negru Voda II and III gas transmission pipelines, for which the establishment of regulated revenue and tariffs is based on the regulations approved by ANRE.	<p><b>We propose to delete Art. 1, para (3)</b></p> <p><del>(3) The provisions of this methodology do not apply to Isaccea II and III - Negru Voda II and III gas transmission pipelines, for which the establishment of regulated revenue and tariffs is based on the regulations approved by ANRE.</del></p>	<p><b>We propose the deletion</b>, as the gas transmission pipelines Isaccea II and III -- Negru Voda II and III, are interconnected to the NTS</p>	Accepted
2	<p>Art. 2 – (2)</p> <p>f) Technological consumption – the amount of gas representing the technological consumption of the</p>	<p><b>Propunem menținerea actualiei prevederi din Metodologia de tarifare</b></p> <p>f) Technological consumption – the amount of gas representing the</p>	<p>We propose to keep the current definition, in order to maintain the correlation with ANRE Order no. 85/2023 approving the <i>Methodology for calculating the technological consumption in the natural gas transmission system.</i></p>	<p><b>Partially accepted</b></p> <p><b>Reformulated as follows:</b></p> <p>f) Technological consumption – the amount of gas representing the technological consumption of the gas transmission system, <b>calculated</b></p>

	gas transmission system.	technological consumption of the gas transmission system, calculated on the basis of the Methodology for calculating the technological consumption in the natural gas transmission system, approved by the Order of the President of the National Energy Regulatory Authority no. 85/2023;		on the basis of the Methodology approved by ANRE.
3	Art. 15 – (1) For the first year of the regulatory period, the amount of OPEXP(i), based on the real terms of this year, may not exceed the average annual expenditure incurred in the previous regulatory period, discounted to the real terms of this year.	<p><b>We propose to amend Article 15(1) as follows:</b></p> <p>Art. 15 – (1) For the first year of the regulatory period, <del>the amount of OPEXP(i), based on the real terms of this year, may not exceed the average annual expenditure incurred in the previous regulatory period, discounted to the real terms of this year.</del> the determination of the value of OPEXP shall be made by summing the substantiated values for each year of the regulatory period, in real terms of the first year of the regulatory period, and dividing the total</p>	<p>We propose to eliminate the restriction at the level of the average annual expenditure achieved in the previous regulatory period, considering that the expenditure will be based on the expenditure necessary for the safe and efficient provision of transmission services by the transmission operator.</p> <p>We propose to use the treatment applied to OPEXL - linearized OPEX</p>	<p><b>Not accepted</b></p> <p>Due to the fact that the level of expenses incurred in the last 2 regulatory periods were much lower than those estimated, and operator estimations were unrealistic.</p>

		value by the length of the regulatory period.		
4	Art.15 - (4) By way of exception from the provisions of paragraph (2), if the level of $RI_{r(i-1)}$ is higher than that of $RI_{e(i-1)}$ , the inflation-corrected value of the term $OPEXP_{(i-1)}$ , from which the adjustment shall start to be applied as from the second year of the regulatory period, shall be the minimum between the value of $OPEXP_{(i-1)}$ resulting after the inflation correction and the value of $OPEXP_{(i-1)}$ realized by the DO and accepted by ANRE, but not lower than the value of $OPEXP_{(i-1)}$ initially calculated on the basis of the estimated inflation.	<b>We propose to delete Art. 15, paragraph (4)</b> <del>Art.15 — (4) By way of exception from the provisions of paragraph (2), if the level of <math>RI_{r(i-1)}</math> is higher than that of <math>RI_{e(i-1)}</math>, the inflation-corrected value of the term <math>OPEXP_{(i-1)}</math>, from which the adjustment shall start to be applied as from the second year of the regulatory period, shall be the minimum between the value of <math>OPEXP_{(i-1)}</math> resulting after the inflation correction and the value of <math>OPEXP_{(i-1)}</math> realized by the DO and accepted by ANRE, but not lower than the value of <math>OPEXP_{(i-1)}</math> initially calculated on the basis of the estimated inflation.</del>	It does not take into account achieved inflation. It removes the incentive for the operator to be more efficient.	<b>Not accepted</b>  Efficiency gain can not be made from the differences of inflation
5	Art.15 - (6) Recognition by ANRE of unforeseen permanent OPEX shall only be made if, in the regulatory year	<b>We propose to delete paragraphs 6 and 7 of Article 15</b> <del>(6) — Recognition by ANRE of unforeseen permanent OPEX shall</del>	No incentive for the Operator to become more efficient.	<b>Not accepted</b>  Unforeseen expenses will be accepted, in whole or in part, only if the their related revenues

	<p>in which these costs were incurred, the amount of the contingencies incurred is greater than the efficiency gain realized on the basis of the OPEXP already included in the VR.</p> <p>(7) The recognized amount of contingencies may not exceed the difference between the amount of the contingencies claimed by the TSO and the efficiency gain realized in the regulatory year in which these costs were incurred.</p>	<p><del>only be made if, in the regulatory year in which these costs were incurred, the amount of the contingencies incurred is greater than the efficiency gain realized on the basis of the OPEXP already included in the VR.</del></p> <p><del>(7) The recognized amount of contingencies may not exceed the difference between the amount of the contingencies claimed by the TSO and the efficiency gain realized in the regulatory year in which these costs were incurred.</del></p>		<p>do not already covered these expenses.</p>
6	<p>Art.17 - (2) The quantity of natural gas, representing the forecasted CT taken into account in the calculation of the regulated revenue, is the annual quantity of natural gas of year i in the CT reduction plan for the fifth regulatory period, proposed by the operator and accepted by ANRE.</p>	<p><b>We propose to maintain the provisions of the current Tariff Methodology,</b></p> <p>Article 17  (1) The quantity of natural gas, representing the forecasted CT taken into account for the substantiation of the regulated revenue, shall not exceed the annual quantity of CT achieved</p>	<p>We propose to maintain the provisions of the current Tariff Methodology and to delete the proposal to use a consumption reduction plan, on the grounds that the application of such a plan cannot quantify an exact quantity.</p> <p>The technological consumption recorded in the NTS has mainly two components: determined and undetermined. The determined consumption generated by the consumption of compressor stations and gas-heating technology stations is expected to increase in view of the NTS development prospects.</p> <p>As for the undetermined consumption, it is below half of the best uncertainty of the metering systems located at the entry-exit points of the NTS according to Order</p>	<p><b>Not accepted</b></p> <p>The objective of this paragraph is to minimize the cost of technological consumption through reducing the quantity of this element. Accomplishment of preventive and corrective maintenance ensure the reduction of technological consumption</p>

<p>(3) The quantity of natural gas, representing the CT forecast for the first year of the regulatory period, shall not exceed the annual quantity of CT realized in the last calendar year preceding the regulatory period.</p>	<p>during the last completed calendar year of the previous regulatory period.</p> <p>(2) For the first year of the regulatory period, for the determination of the expenditure related to the forecasted CT, the TSO shall propose an estimated and justified procurement price.</p> <p>(3) The quantity of natural gas, representing the achieved CT, recognized in the transmission tariffs, is the minimum between the annual quantity of CT calculated in accordance with the provisions of the Methodology for calculating the technological consumption in the natural gas transmission system and the one requested by the TSO.</p> <p>(4) The expenditure related to the achieved CT shall be determined as the product of the weighted average purchase price realized annually by the TSO in a prudent manner and the quantity of natural gas</p>	<p>62/2008 as subsequently amended and supplemented. Therefore, we are in the area of random errors and a model of systematic reduction of these values is unpredictable and impossible to achieve.</p> <p>Given the above arguments, a plan to reduce technological consumption cannot be quantified and undertaken by Transgaz.</p>	
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		representing the achieved CT.		
7	Art. 18 – (1) For the first year of the regulatory period, the amount of personnel costs substantiated by the TSO, in real terms of this year, may not exceed the amount realized, reported in the ECR and accepted by ANRE of the last reported year of the previous regulatory period, updated in real terms of the first year of the regulatory period and indexed with the real earnings from salary or wage growth index published by the National Commission for Strategy and Prognosis for that year.	<p><b>We propose to supplement Article 18(1) as follows:</b></p> <p>Art. 18 – (1) For the first year of the regulatory period, the amount of personnel costs substantiated by the TSO, in real terms of this year, may not exceed the amount realized, reported in the ECR and accepted by ANRE of the last reported year of the previous regulatory period, updated in real terms of the first year of the regulatory period <b>adjusted by the increase in the national gross minimum wage</b> and indexed with the real earnings from salary or wage growth index published by the National Commission for Strategy and Prognosis for that year.</p>	We propose to supplement the article taking into account the impact of the increase of the gross minimum wage at national level	<p><b>Not accepted</b></p> <p>The rule is applied to all system operators (gas and electricity)</p>
8	Art.18 (2) Starting from the second year of the regulatory period, the adjustment of	<b>We propose to supplement Article 18(2) as follows:</b>	We propose the amendment to include achieved values, inflation and the real wage growth index in the formula for calculating the personnel cost adjustments.	<b>Accepted</b> by reformulating in accordance with the provisions approved for gas and electricity DSOs and electricity TSO, as follows

<p>personnel costs allowed in year (i) shall be determined according to the formula:  <math display="block">CPERS(i) = [CPERS(i-1) + CNPCPERS(i)] \times (1+RIe(i)) \times CIS(i)</math> where;  CPERS(i-1) – personnel costs at the level recognized for year (i-1);  RIe(i) – estimated inflation rate for year (i);  CIS(i) – real earnings from salary or wage growth index published by the National Commission for Strategy and Prognosis for year (i), according to the latest available forecast published before the approval of the transmission tariffs;  CNPCPERS(i) – permanent unforeseen CPERS recognized by ANRE and included in OPEX as of year (i);</p>	<p>(2) Starting from the second year of the regulatory period, the adjustment of personnel costs allowed in year (i) shall be determined according to the formula:  <math display="block">CPERS(i) = [CPERS(i-1) / ((1+RIe(i-1)) \times (1+RIr(i-1)) + CPERS(i-1) / ((1+CISe(i-1)) \times (1+CISr(i-1)))) + CNPCPERS(i)] \times (1+RIe(i)) \times CIS(i)</math> where;  CPERS(i-1) – personnel costs at the level recognized for year (i-1);  RIe(i) – estimated inflation rate for year (i);  CIS(i) – real earnings from salary or wage growth index published by the National Commission for Strategy and Prognosis for year (i), according to the latest available forecast published before the approval of the transmission tariffs;  CNPCPERS(i) – permanent unforeseen CPERS recognized by ANRE and included in OPEX as of year (i);</p>		<p>Art.18  (2) Starting from the second year of the regulatory period, the adjustment of personnel costs allowed in year (i) shall be determined according to the formula:  <math display="block">CPERS(i) = [CPERS(i-1) + CNPCPERS(i)] \times (1+RIe(i)) \times RCS(i)</math> where;  CPERS(i-1) – personnel costs at the level recognized for year (i-1);  RIe(i) – estimated inflation rate for year (i);  RCS(i) – real wage growth rate for year (i);  CNPCPERS(i) – permanent unforeseen CPERS recognized by ANRE and included in OPEX as of year (i);</p> <p>In addition, <b>article 47</b> it's reformulated as follows:</p> <p><b>Art. 47</b> – (1) <math>(\Delta)C_{PERS(i-1)}</math> is calculated as a difference between the achieved amount <b>accepted by ANRE for previous year</b> and the forecasted amount of the personnel expenses, in the <b>nominal</b> terms of the year for</p>
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RI<sub>e(i-1)</sub> - estimated inflation rate for year (i-1);

RI<sub>r(i-1)</sub> - achieved inflation rate for year (i-1);

CIS<sub>e(i-1)</sub> - the estimated real wage growth index published by the National Commission for Strategy and Forecasting, for the year (i-1), according to the latest available forecast published before the approval of the transmission tariffs;

CIS<sub>r(i-1)</sub> - the achieved real wage growth index published by the National Commission for Strategy and Forecasting, for the year (i-1), according to the latest available forecast published before the approval of the transmission tariffs;

which the correction is calculated, according to the following formula:

$$(\Delta)CPERS_{(i-1)} = CPERS_{r(i-1)} - CPERS_{p(i-1)}$$

unde:

(Delta)CPERS<sub>(i-1)</sub> - correction component of the personnel costs of year (i-1)  
CPERS<sub>r(i-1)</sub> - achieved amount of personnel expenses accepted by ANRE for year (i-1);  
CPERS<sub>p(i-1)</sub> - forecasted amount of personnel expenses for year (i-1).

(2) Forecasted amount referred to in paragraph (1) also includes unforecasted permanent expenses accepted by ANRE for the year in cause.

(3) Where the forecasted inflation rate is higher than the achieved inflation rate, the amount of

				<p>personnel costs accepted is minimum between the achieved amount of these costs and the forecasted amount referred to in paragraph (1).</p> <p>(4) Where the forecasted inflation rate is lower than the achieved inflation rate, the amount of personnel costs accepted is minimum between the achieved amount of these costs and the amount of the forecasted costs recalculated based on achieved inflation.</p>
9	<p>Art. 21</p> <p>(1) For each year of the regulatory period, the forecast CAPEX is determined according to the following formula, based on this methodology:</p> $\text{CAPEX}_{\text{forecast}(i)} = \text{RRR} \times \text{RAB}_{1\text{oct}(i)} + \text{AR}_{\text{RAB}1\text{oct}(i)}$	<p><b>We propose the supplementation of Art. 21 (1) as follows:</b></p> $\text{CAPEX}_{\text{forecast}(i)} = \text{RRR} \times \text{RAB}_{1\text{oct}(i)} + \text{SI} \times \text{VRINV}_{(i-1)} + \text{AR}_{\text{RAB}1\text{oct}(i)}$ <p><b>SI - incentive above the regulated rate of return on invested capital;</b>  <b>VRINV_(i-1) - regulated value remaining in year</b></p>	<p>We propose to keep the supplement in the calculation formula considering the possibility of granting a supplement in accordance with the provisions of Art. 24 (2), Art. 26 (3) and Art. 34 (3).</p>	<p><b>Accepted</b></p>

<p>where:  <math>CAPEX_{forecast(i)}</math> – the value of the regulated depreciation and of the estimated regulated rate of return on the invested capital to be recovered by the regulated revenue allowed for year (i) of the regulatory period;  RRR – the regulated rate of return on invested capital;  <math>RAB_{1oct(i)}</math> – the RAB value at the beginning of the year (i) of the regulatory period, including the value of the tangible and intangible assets estimated to be commissioned or accepted/delivered to be used as well as the value estimated for asset outputs by the end of the year (i-1), recognized by ANRE for the gas transmission activity;  <math>AR_{RAB1oct(i)}</math> – the regulated depreciation related to <math>RAB_{1oct(i)}</math>.</p>	<p>(i-1) of the regulatory period, of tangible and intangible assets put into operation or received/put into use recognized by ANRE, for which an incentive above the regulated rate of return on invested capital is granted;</p>		
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<p>10</p>	<p>Art. 21 - (3) RAB value as of the first year of the fifth regulatory period is determined as follows:  a) at the beginning of each regulatory year the estimated RAB value shall be calculated by the formula:  <math display="block">\text{RAB}_{1\text{oct}(i)} = \text{RAB}_{30\text{sept}(i-1)} \times (1 + \text{RI}_{\text{RRR}(i)})</math> <math display="block">\text{RI}_{\text{RRR}(i)} - \text{inflation rate for regulatory year (i), taken into account for the determination of the approved RRR for the fifth regulatory period;}</math></p>	<p><b>We propose the amending of Art. 21 (3) as follows:</b>  RAB value as of the first year of the fifth regulatory period is determined as follows:  a) at the beginning of each regulatory year the estimated RAB value shall be calculated by the formula:  <math display="block">\text{RAB}_{1\text{oct}(i)} = \text{RAB}_{30\text{sept}(i-1)} \times (1 + \text{RI}_{\text{RRR}(i)})</math> <math display="block">\text{RI}_{\text{RRR}(i)} - \text{inflation rate for regulatory year (i);}</math> <del>taken into account for the determination of the approved RRR for the fifth regulatory period;</del></p>	<p>By Updating the RAB with the inflation rate taken into account in determining the RRR value approved for the fifth regulatory period, it is not ensured that the asset value is updated with the actual realized inflation, which is why we propose to use the actual realized CPI in the CAPEX correction component</p> <p>The inflation rate taken into account in determining the approved RRR value for the fifth regulatory period is an average of annual inflation determined on the basis of the annual inflation rates forecast and published by the National Commission for Prognosis for the regulatory period. The annual realized inflation rates during the regulatory period may deviate significantly from the average of the forecasts, negatively affecting the present value of the cost of capital.</p> <p>In order to highlight the significant deviations between the average of the estimates and the realized inflation rates, we present below the comparative analysis of the inflation rates taken into account for the RRR for the fourth regulatory period with the inflation rates realized in the corresponding years:</p> <table border="1" data-bbox="831 930 1541 1062"> <thead> <tr> <th>Indicator</th> <th>2019</th> <th>2020</th> <th>2021</th> <th>2022</th> <th>2023</th> </tr> </thead> <tbody> <tr> <td>RI_RRR_P_IV</td> <td>2,85</td> <td>2,85</td> <td>2,85</td> <td>2,85</td> <td>2,85</td> </tr> <tr> <td>CPI realized</td> <td>3,83</td> <td>2,63</td> <td>5,05</td> <td>13,80</td> <td>10,40</td> </tr> </tbody> </table> <p>It can be seen that the inflation rate taken into account for the RRR for the fourth regulatory period is much lower than the one actually realized.</p>	Indicator	2019	2020	2021	2022	2023	RI_RRR_P_IV	2,85	2,85	2,85	2,85	2,85	CPI realized	3,83	2,63	5,05	13,80	10,40	<p><b>Not accepted</b></p> <p>The use of a different inflation rate, other than the inflation used to determine the rate of return (RRR), would imply the recalculation of RRR, otherwise, the the value of the RRR determined based on other inflation rates would lose its relevance</p> <p>The value of the RRR is calculated in real terms by deducting an estimated rate of inflation from the a nominal value of RRR.</p>
Indicator	2019	2020	2021	2022	2023																	
RI_RRR_P_IV	2,85	2,85	2,85	2,85	2,85																	
CPI realized	3,83	2,63	5,05	13,80	10,40																	
<p>11</p>	<p>Art. 22 – (1) When determining the forecast CAPEX and the realized CAPEX, at the beginning of</p>	<p><b>We propose the amending of Art. 22 as follows:</b></p>	<p>We propose to carry out the revaluation only for the purpose of comparison with the RAB value without recording in the accounting records similar to the treatment applicable for determining the tax on buildings</p>	<p><b>Accepted by reformulating</b></p> <p><b>Art. 22 – (1)</b> When determining the forecast CAPEX and the realized CAPEX, at the</p>																		

<p>each regulatory period ANRE compares the value of the RAB as at 30 September of the previous year with the accounting value as at 30 September of the tangible and intangible fixed assets related to the RAB.</p> <p>(2) The accounting value as at 30 September of the tangible and intangible fixed assets related to the RAB also includes the value of revaluations of tangible and intangible fixed assets carried out by authorized valuers and recorded in the accounting records.</p> <p>(3) During the regulatory period, ANRE may, at the request of the TSO, carry out the comparison referred to in paragraph (1), when setting the transmission tariffs on an annual basis.</p>	<p>1) When determining the forecast CAPEX and the realized CAPEX, at the beginning of each regulatory period ANRE compares the value of the RAB as at 30 September of the previous year with the <del>accounting</del> revalued value <del>as at 30 September of the tangible and intangible fixed assets related to the RAB</del> of tangible and intangible fixed assets carried out by authorized valuers. The revaluation of tangible and intangible fixed assets is carried out solely for the purpose of comparison with the RAB value.</p> <p><del>(2) The accounting value as at 30 September of the tangible and intangible fixed assets related to the RAB also includes the value of revaluations of tangible and intangible fixed assets carried out by authorized valuers and recorded in the accounting records.</del></p>	<p>for companies, stipulated by the Methodological Norms for the application of Law 227/2015 on the Tax Code:  ` Section 4 Calculation of tax on non-residential buildings  39. (1) The valuation reports shall be prepared by an approved valuer in accordance with the property valuation standards in force at the valuation date and shall reflect the value of the building as at 31 December of the year preceding the reference year and shall not be recorded in the accounting records`</p> <p>Transgaz applies IFRS and inflated historical cost.</p>	<p>beginning of each regulatory period ANRE compares the value of the RAB as at 30 September of the previous year with the revalued value of tangible and intangible fixed assets carried out by authorized valuers. The revaluation of tangible and intangible fixed assets is carried out solely for the purpose of comparison with the RAB value.</p> <p>(2) During the regulatory period, ANRE may, at the request of the TSO, carry out the comparison referred to in paragraph (1), when setting the transmission tariffs on an annual basis.</p> <p>(3) If the OTS does not transmit the reevaluated value at 30 September of the tangible and intangible fixed assets related to the RAB or following the comparisons stipulated in paragraphs (1) and (2), the 30 September value of the RAB is higher than the accounting or revaluated value, as appropriate, at 30 September of the tangible and intangible fixed assets related to the RAB, the inflation rate taken into account for the regulatory year (i) shall be zero.</p>
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	<p>(4) If the OTS does not transmit the accounting value at 30 September of the tangible and intangible fixed assets related to the RAB or following the comparisons stipulated in paragraphs (1) and (3), the 30 September value of the RAB is higher than the accounting value at 30 September of the tangible and intangible fixed assets related to the RAB, the inflation rate taken into account for the regulatory year (i) shall be zero.</p>			
12	<p>Art. 23 i) interest charges on bank loans, if the memorandum and supporting documents show that they relate to loans used within the eligible amount of projects financed by European Funds and other non-reimbursable fund programs, where the</p>	<p><b>We propose the amending of Art. 23 (i) as follows:</b></p> <p>i) interest charges <del>on bank loans, if the memorandum and supporting documents show that they relate to loans used within the eligible amount of projects financed by European Funds and other non-reimbursable</del></p>	<p>We propose to reintroduce in the category of CPD costs the non-capitalized interest expenses related to bank loans contracted to finance tangible fixed assets for the purpose of establishing or expanding the NTS, based on the following grounds:</p> <ul style="list-style-type: none"> <li>- the interest expenses are a cost that Transgaz bears to secure the source of financing for investments</li> <li>- Transgaz is committed to carry out the national energy strategy established for the domestic and international gas transmission, dispatching, research and design in conditions of efficiency, transparency, safety and competitiveness.</li> </ul>	<p><b>Not accepted</b></p> <p>Interest expenses related to bank loans not capitalized in the value of the asset are covered by the value of RRR</p>

<p>Managing Authorities exceed the payment deadlines. The period for which this interest shall be recognized shall be equal to the duration of the delay in receipt of the request for reimbursement.</p>	<p><del>fund programs, where the Managing Authorities exceed the payment deadlines. The period for which this interest shall be recognized shall be equal to the duration of the delay in receipt of the request for reimbursement.</del> which have not been capitalized in accordance with the law, relating to bank loans contracted to finance tangible fixed assets for the establishment or expansion of TS.</p>	<ul style="list-style-type: none"> <li>- Transgaz, as the technical operator of the National Natural Gas Transmission System in Romania, developed the National Natural Gas Transmission System Development Plan for SNTGN TRANSGAZ SA for 2022-2031, approved by ANRE by Decision No.1944/01.11.2022 and updated and approved by ANRE by Decision No.1956/04.08.2023, which includes major investment projects and their financing modality.</li> <li>- The non-recognition in the regulated revenue of bank interest expenses (63 million lei in tariff 24-25, and approximately 200 million lei after the commissioning of the Black Sea - Podișor project) combined with the non-recognition of the monopoly tax (78 million lei considering the estimated quantities in tariff 24-25 and approximately ----) has the effect of decapitalizing the company, the decrease in financial indicators (EBITDA) with a direct impact in limiting access to financing (the company being limited by its financing contracts to a maximum net indebtedness of 5.5 X EBITDA, the indicator recorded in Transgaz's modelling in 2027 - 7 X EBITDA and over 10 X EBITDA in 2028, 2029) and increasing pressure on the company's cash flows, which is obliged to pay major expenses with the monopoly tax and interest expenses but which it does not collect through the transmission tariff.</li> <li>- The international rating agency Fitch affirmed on 24.05.2024 the rating assigned to the National Natural Gas Transmission Company Transgaz at ``BBB-`` with stable outlook. ``The rating affirmation reflects Transgaz's solid business profile as the concessionaire and operator of the gas transport network in Romania, which we</li> </ul>	
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			perceive as broadly unchanged following the recent inclusion of Moldova's gas TSO operations, <b>as well as our expectation of regulatory continuity into the new five-year regulatory period (RP5), whose start has been postponed by one year to October 2025`</b>	
13		<b>i) expenses related to the natural monopoly tax;</b>	<p>The prohibition of the recovery by Transgaz of the monopoly tax expense through the regulated income of natural gas transmission, starting from October 1, 2019, the date of approval of the tariff methodology approved by Order 41/2019, is in contradiction with the provisions of the same methodology which establishes that the regulated income shall recognize the costs related to the activity of natural gas transmission, which cannot be controlled by the TSO's management and on which it cannot act directly to increase the efficiency of the gas transmission activity, being recognized in the regulated income expenses from the category of royalties, fees and taxes established in accordance with the legal regulations in force, contributions related to the payroll fund as well as other categories of expenses.</p> <p>By not recognizing the monopoly tax expense in the regulated revenue, the compliance with the general principle of the tariff methodology, which allows the recognition in the regulated revenue of expenses that are not under the control of the TSO's management (fees, taxes), is not ensured.</p> <p>In order to present more clearly the Non-sense of not recognizing the regulated income through the transmission tariff, please note that a doubling of the quantity of natural gas transmitted will lead to a doubling of the monopoly tax expense without leading to an increase in the transmission income, which is a fixed regulated income for a regulatory year (01.10.n - 30.09.n+1). In other words, the more natural gas is transmitted, with the regulated revenue being fixed, the</p>	<p><b>Not accepted</b> considering the explanatory note of Ordinance No. 5/2013 which specify that the monopoly tax is in fact an additional tax on profit, which is not recognized in the tariffs. This tax is unrecognized in the natural gas and electricity sector.</p>

			<p>more financially inefficient the transmission activity becomes, due to the higher monopoly tax expense.</p> <p>The registration and payment of the monopoly tax, without the possibility of recovering this major expense through the revenue from the gas transmission, has as a result the company's decapitalization, the decrease of financial indicators (EBITDA) with a direct impact in limiting the access to financing (the company being limited by the financing contracts to a maximum net borrowing of 5.5 X EBITDA) and the increase of cash flow pressure on the company, which has the obligation to pay a major expense with the monopoly tax but does not collect it via the transmission tariff.</p>	
14	<p>Art. 26 - (3) For investments in infrastructure projects necessary for the energy transition, ANRE may grant a supplement of 0.5% above the regulated rate of return.</p>	<p><b>We propose to amend Article 26, paragraph (3) as follows:</b></p> <p>(3) For investments in infrastructure projects necessary for the energy transition, ANRE <del>may grants</del> a supplement of 0.5% above the regulated rate of return.</p>	<p>We propose to clarify the term of energy transition.</p>	<p>The term should be interpreted according to the provisions of EU Directive no. 1788/2024 and will be further detailed in the procedure for approving TYNDP.</p>
15	<p>Art. 30 - (4) By exception from the provisions of paragraphs. (1), (2) and (3), the estimated and realized inflation rate for CAPEX costs shall be deemed to be the inflation rate used by ANRE in the</p>	<p><b>We propose deleting paragraph (4) of Art. 30</b></p> <p><del>Art.30-(4) Prin excepție de la prevederile alin. (1), (2) și (3), rata estimată și rata realizată a inflației pentru costurile CAPEX se</del></p>	<p>We propose to delete the Article in view of the explanations in Article 21(3)</p>	<p><b>Not accepted</b></p> <p>See explanations for Art.21</p>

	calculation of the RRR approved for the fifth regulatory period.	<del>consideră a fi rata inflației utilizată de ANRE în calculul RRR aprobată pentru cea de a cincea perioadă de reglementare.</del>		
16	Art. 34 - (5) For administrative buildings and tangible and intangible fixed assets defined in the Procedure on the substantiation and criteria for approval of investment plans of gas transmission system , distribution and storage operators, as well as LNG/hydrogen terminals as facilities, commissioned as of 01.10.2025, the RRR shall be granted decreased by 2 percentage points.	<b>We propose deleting paragraph (5) of Art. 34</b> <del>Art.34 (5) For administrative buildings and tangible and intangible fixed assets defined in the Procedure on the substantiation and criteria for approval of investment plans of gas transmission system , distribution and storage operators, as well as LNG/hydrogen terminals as facilities, commissioned as of 01.10.2025, the RRR shall be granted decreased by 2 percentage points.</del>	We propose deleting the provision, considering that a reduction in the regulated rate of return below the level substantiated and approved by ANRE does not stimulate the investments.	<b>Not accepted</b>  The provisions of art. 178 of Energy Law no. 123/2012 allows granting a rate of return of capital set by ANRE for transmission system objectives and for facilities a rate reduced by 2 percentage points. This reduced rate is also applied to all system operators in the natural gas and electricity sector.
17	Art. 44 – (5) The non-realization of maintenance costs compared to forecast costs is not considered as an efficiency gain and is not included in the incentive mechanism for	<b>We propose to delete Art. 44 para. (5)</b> <del>Art.44 (5) The non-realization of maintenance costs compared to forecast costs is not considered as an efficiency gain and is not included in the incentive mechanism for</del>	We argue that the non-realization of the maintenance costs compared to the projected costs is considered as an efficiency gain due to: <ul style="list-style-type: none"> <li>- These forecasts have an insurance nature</li> <li>- Their non-realization in full, without affecting the NTS's operational safety, highlights the TSO's effort to optimize costs and streamline expenses.</li> </ul>	<b>Not accepted</b>  From the analysis of the costs incurred in the last regulatory periods, it follows that the maintenance cost forecast by the TSO was made taking into account activities that were not carried out.

	sharing the efficiency gain.	<del>sharing the efficiency gain.</del>		At the same time, if there are additional expenses related to the operational safety of the system, the TSO has the possibility to request, justified, the recognition of these costs, through the CN component.
18	Art. 45 - (3) As of the fifth regulatory period, 5% of the efficiency gain achieved by the TSO will be surrendered 60% to gas consumers and 40% will be kept by the TSO. The difference of 95% of the efficiency gain realized by the TSO is fully allocated to gas consumers.	<b>We propose to delete para. (3) of Art. 45</b> <del>Art.45 (3) As of the fifth regulatory period, 5% of the efficiency gain achieved by the TSO will be surrendered 60% to gas consumers and 40% will be kept by the TSO. The difference of 95% of the efficiency gain realized by the TSO is fully allocated to gas consumers.</del>	We propose to delete - it does not increase the efficiency	<b>Not accepted</b>  The incentive principle of sharing efficiency gains is maintained, given that efficiency gains are not fully returned to customers.  The proposed method of allocating efficiency gains ensures non-discriminatory treatment between all system operators in the electricity and natural gas sectors
19	Art. 46 - (2) The quantity of natural gas, representing the realized CT, recognized in the transmission tariffs, is the minimum between the annual quantity of CT calculated according to the provisions of the Methodology for calculating the technological consumption in the	<b>We propose to amend para. (2) as follows:</b> (2) The quantity of natural gas, representing the realized CT, recognized in the transmission tariffs, is <del>the minimum between</del> annual quantity of CT calculated according to the provisions of the Methodology for calculating the technological consumption in the	See the arguments in Art. 17	<b>Not accepted</b>  See explanations for Art.17

	<p>natural gas transmission system, the one requested by the TSO and the one related to year (i-1) of the regulatory period of the CT reduction plan proposed by the operator and accepted by ANRE.</p>	<p>natural gas transmission system, <del>the one requested by the TSO and the one related to year (i-1) of the regulatory period of the CT reduction plan proposed by the operator and accepted by ANRE.</del></p>		
<p>20</p>	<p>Art. 49 – The correction component related to other revenue assimilated to the transmission activity reflects the revenue realized by the TSO in the previous year from other activities that are considered as part of the transmission activity, i.e., revenues realized in year (i-1) from:</p> <p>a) the rental of tangible fixed assets buildings, used as headquarters and work points for the natural gas transmission activity that are part of the RAB, which must be at least equal to the sum of the costs of depreciation,</p>	<p>b) the profit realized from the activity of connecting third parties to the transmission system, from activities related to the operation of transmission systems, and from other operating</p>	<p>We propose to supplement the article in order to cover by legislation also the situation in which a loss is recorded or the 5% profit is not realized.</p>	<p><b>Not accepted</b></p> <p>TSO has the possibility to revise his tariffs</p>

	<p>profitability, and controllable and non-controllable operating costs related to those assets;</p> <p>b) the profit realized from the activity of connecting third parties to the transmission system, from activities related to the operation of transmission systems, and from other operating activities, which exceeds 5%;</p> <p>c) revenue from the sale of decommissioned assets that were part of the RAB, the materials resulting from dismantling, less the remaining regulatory value and the costs of their decommissioning, dismantling and sale.</p>	<p>activities, which exceeds 5%.</p> <p>Loss recorded from the activity of connecting third parties to the transmission system, from activities related to the operation of transmission systems and the unrealized profit up to 5%.</p>		
21	<p>Art. 60 - (5) By exception to para. (1), as of the fifth regulatory period, for investments in sub-groups 1.3, 1.5 and 1.6 of Annex No 1, the annual regulated</p>		<p>To be clarified whether it is applicable only for entries in the fifth period or on all fixed assets in the RAB.</p>	<p><b>Accepted</b></p> <p>Art. 60 - (5) By exception to para. (1), as of the fifth regulatory period, for <b>new</b> investments in sub-groups 1.3, 1.5 and 1.6 of Annex No 1, the annual regulated depreciation</p>

	depreciation shall be calculated using the straight-line method, based on a regulated period of 25 years.			shall be calculated using the straight-line method, based on a regulated period of 25 years.  Also in Annex No.1, 3 new subgroups will be introduced with correspondig duration
22	Art.71 - K(ts_dep) – is the multiplier related to the firm short term services for underground storage facilities.	<b>We propose to add the following:</b>  K_((ts_dep) — is the multiplier related to the firm short term services for underground storage facilities, <b>amounting to 50% of K_(ts).</b>	We propose to amend this by indicating the exact percentage similar to the current methodology.	<b>Reformulated as in art.9 of Reg.EU460/2017</b>  K_((ts_dep) — is the multiplier related to the firm short term services for underground storage facilities, <b>no less than 50 %.</b>
23	Art. 80 – (1) The substantiation of the regulated revenue, of the adjusted regulated revenue and of the transmission tariff related to the first year of the regulatory period shall be accompanied by all the data, information and documents necessary for the justification of the substantiation elements as well as the premises considered and the methods used upon	<b>We propose to delete paragraph 1) of Article 80 and renumber it as follows:</b>  (1) The substantiation of the regulated revenue, of the adjusted regulated revenue and of the transmission tariff related to the first year of the regulatory period shall be accompanied by all the data, information and documents necessary for the justification of the substantiation elements as well as the premises considered and the	See the arguments in Art. 17	<b>Not accepted</b>  See explanations for Art.17

	<p>their determination and refer mainly to:</p> <p>l) plan for the reduction of CT of the regulatory period;</p> <p>m) the report on transactions between the TSO and affiliated companies, including: ongoing contracts, their subject matter, justification for concluding contracts with affiliated persons, procurement procedures used for each contract, how the contract price is established, the contract price, other costs additional to the contract price;</p> <p>n) copies of transfer pricing records for transactions with affiliated companies during the previous regulatory period;</p>	<p>methods used upon their determination and refer mainly to:</p> <p><del>l) plan for the reduction of CT of the regulatory period;</del></p> <p><del>m) the report on transactions between the TSO and affiliated companies, including: ongoing contracts, their subject matter, justification for concluding contracts with affiliated persons, procurement procedures used for each contract, how the contract price is established, the contract price, other costs additional to the contract price;</del></p> <p><del>n) copies of transfer pricing records for transactions with affiliated companies during the previous regulatory period;</del></p>		
24	<p><b>Additional rules on setting the regulated amount remained from the regulated</b></p>	<p>We propose the deletion of Art. 1 <del>Art.1</del></p>	<p><b>The CONTRACTUAL AGREEMENT FOR CONTRACTS FOR THE EXECUTION OF WORKS, HG 1/2018 with subsequent amendments and additions, provides:</b></p>	<p><b>Partially accepted</b> Art.1</p>

<p><b>asset base related to the gas transmission activity</b></p> <p>Art.1</p> <p>(3) Expenditure incurred in the course of realization of an accepted tangible or intangible fixed asset, put into operation or put into use, but which was not included by the TSO in the value of the fixed asset at the date of acceptance, is not included in the RAB;</p> <p>(4) Tangible fixed assets, or increases in their value, with an input value below the limit set by normative acts to be considered as fixed assets shall not be considered as tangible fixed assets. The rule applies also to increases in the value of such fixed assets;</p> <p>(5) Increases in the value of existing intangible fixed assets generated by upgrades, improvements, modifications, are not</p>	<p><del>(3) Expenditure incurred in the course of realization of an accepted tangible or intangible fixed asset, put into operation or put into use, but which was not included by the TSO in the value of the fixed asset at the date of acceptance, is not included in the RAB;</del></p> <p><del>(4) Tangible fixed assets, or increases in their value, with an input value below the limit set by normative acts to be considered as fixed assets shall not be considered as tangible fixed assets. The rule applies also to increases in the value of such fixed assets;</del></p> <p><del>(5) Increases in the value of existing intangible fixed assets generated by upgrades, improvements, modifications, are not included in the RAB, but can be claimed as unforeseen costs of a non-permanent nature.</del></p>	<p>Clause 51 Final payment</p> <p>51.1 Final Statement of Works</p> <p>Within 45 days of the approval of the Final Acceptance, the Contractor shall submit to the Supervisor, in four copies, the Final Statement of Works, together with supporting documents. The Final Statement of Works shall include:</p> <p>(a) the final contract value for all Works executed (including Amendments, Provisional Sums and/or Contractor's Documents prepared), from which the corresponding value of previously paid Works shall be subtracted;</p> <p>(b) final amounts to be added or subtracted for price adjustment in accordance with the provisions of Clause 48 [Price Adjustment];</p> <p>(c) final amounts to be added or subtracted in respect of Amounts Withheld in accordance with the provisions of clause 47 [Amounts Withheld];</p> <p>(d) final amounts to be added or subtracted in respect of the Advance Payment and the justification thereof in accordance with the provisions of Clause 46 [Advance Payment];</p> <p>(e) final amounts to be added or subtracted for Equipment and Materials in accordance with the provisions of sub-clause 50.2;</p> <p>(f) any other sums which the Contractor considers himself entitled to receive under the Contract or otherwise, including those under the provisions of Clauses 69 [Claims and Awards] and 70 [Disputes and Arbitration].</p> <p>The final Statement of Work shall include a breakdown of the amounts by Subcontractors in accordance with the provisions of the Direct Payment of Subcontracts Attachments attached to the Contract.</p> <p>The Beneficiary shall have no further liability to the Contractor in any way or for any matter in connection with or under the provisions of the Contract or the</p>	<p>(3) Expenditure incurred in the course of realization of an accepted tangible or intangible fixed asset, put into operation or put into use, but which was not included by the TSO in the value of the fixed asset at the date of acceptance, is not included in the RAB, with the exception of those investments that fall under the provisions of Government Decision no. 1/2018 for the approval of the general and specific conditions for certain categories of purchase contracts related to investment objectives financed from public funds.</p>
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	included in the RAB, but can be claimed as unforeseen costs of a non-permanent nature.		<p>performance of the Works, unless the Contractor has expressly included sums in this regard in item (f) of the Final Statement of Works.</p> <p>If the Contractor fails to issue the Final Statement of Works within the prescribed time limit, the Supervisor shall issue a Final Certificate of Payment in accordance with the provisions of subclause</p>	
II.	<i>Draft Order supplementing some orders of the President of the National Energy Regulatory Authority</i>			
1.	<p><b>Art. III - The methodology for setting the regulated tariffs for activities related to the operation of the natural gas transmission system, approved by the Order of the President of the National Energy Regulatory Authority no. 187/2019, published in the Official Monitor of Romania, Part I, no. 734 of September 6, 2019, with subsequent amendments and additions, is completed as follows:</b></p> <p>2. After article 9 a new article is</p>	<p><b>We propose to amend Article 9<sup>1</sup> by introducing the text in para. 2 of Article 5 as follows:</b></p> <p>2. Article 5 is amended as follows:</p> <p>(1) Within the related activity of issuing permits related to TS, in accordance with the legal provisions on the authorization of the execution of construction works, the following specific sub-activities are generally included: a) registration of the application and related documentation at the territorial headquarters of the OTS;b) verification of the documentation and request for additions, if necessary;c)</p>	<p>Justification:</p> <p>Art. 9, 10, 11 refer to the related activity of <b>modifying the objectives of the TS</b> by deviation, at the request of the end customer or a third party (...), carried out in several stages, etc.</p> <p><b>Natural Gas Utilization Installations (NGUIs) are not ST Objectives and do not fall under the provisions of Art. 9 - 11 mentioned above.</b></p>	<p><b>Not accepted</b></p> <p>The last article referring to activities related to the operation of the natural gas transmission system is Article 9 (aspects of legislative technique)</p> <p>Commissioning the natural gas utilization installation is an obligation that all system operators have.</p>

<p>inserted, article 9^1 with the following content:</p> <p>"Art. 9^1 - (1) The following specific sub-activities are generally included in the related activity of commissioning the natural gas utilization installation, belonging to final customers directly connected to the TS:</p> <p>a) registration of the application and verification of the conformity of the documents submitted by the executor of the gas utilization installation at the territorial office of the TSO;</p> <p>b) forward the registration number of the application to the executor;</p> <p>c) setting and scheduling, together with the beneficiary and the contractor, the date of commissioning of the gas utilization facility;</p>	<p>communication of the fee for the type of permit requested;d) issuance of the invoice and/or receipt;e) allocation of the necessary resources and travel scheduling;f) travel to and from the designated site of the technical team of the OTS, for the identification and on-site verification of the site for which the permit is requested; g) identification and field verification of the TS objectives and the site for which the permit is requested;h) plotting the TS objectives on the site plan structure, specifying the GPS coordinates and endorsing the site plan;i) analyzing the documentation and drafting the permit;j) handing over/transmission of the permit to/to the applicant.</p> <p><b>(2)</b> The following specific sub-activities are generally included in the related activity of commissioning of the natural gas utilization</p>	<p>According to Order 157/2020, art.27</p> <p><b>We propose the deletion of letters e), f) and g)</b> as in the case of TSO the installation of the measuring equipment/system does not apply.</p>	<p><b>Accepted</b></p> <p><b>the deletion of letters e), f) and g) from art. Art. 9^1</b></p>
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<p>d) field transportation of the TSO technical team to the site;</p> <p>e) installing the natural gas measuring equipment/system or commissioning the regulating-measuring station, as appropriate, depending on the natural gas pressure regime at which the gas-using installation is operating;</p> <p>f) checking the tightness of the fittings/flanges of the natural gas metering equipment/system or checking the tightness of the technological installation related to the regulating-measuring station and the tight closing of the bypasses of the natural gas metering equipment/system, as appropriate, depending on the natural gas pressure regime at which the utilization installation operates;</p> <p>g) sealing of the fittings/flanges of the natural gas metering</p>	<p>facility belonging to final customers directly connected to the ST:</p> <p>a) registration of the application and verification of the conformity of the documents submitted by the executor of the natural gas utilization installation at the territorial office of the TSO;</p> <p>b) forwarding the registration number of the application to the executor;</p> <p>c) setting and scheduling, together with the beneficiary and the contractor, the date of commissioning of the gas utilization facility;</p> <p>d) deployment of the OTS technical team to the <b>consumption site address to the site;</b></p> <p><del>e) installing the natural gas measuring equipment/system or commissioning the regulating-measuring station, as appropriate, depending on the natural gas pressure regime at which the gas using installation is operating;</del></p>	<p>The IUGN is located downstream of the outlet tap from the SRMP through which the connection to the NTS is made.</p> <p>Given this and the fact that the IUGN is positioned downstream of the SRMP outlet tap, <b>the provision to install SRM metering equipment or PIF, as applicable, as a related activity is not applicable.</b></p> <p>In addition, according to the definition of utilization installation in the <i>Law on Electricity and Natural Gas No. 123/2012, as amended:</i></p> <p><i>"utilization plant - the piping, apparatus and accessories, including the flue gas inlet and flue gas outlet stack, located after the pressure regulating and flow metering station/station, where applicable, <b>with the exception of the flow metering equipment, which is part of the distribution system;</b>"</i></p>	
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<p>equipment/system or sealing with single series seals of all components belonging to the natural gas metering system and all valves/blinds on the metering line, the bypass of the metering line, the bypass of the station, as well as other bypass pipes that make it possible to bypass the natural gas metering system, as appropriate, depending on the natural gas pressure regime at which the gas user installation is operating;</p> <p>h) verification of the existence of special fittings (plugs) at the ends of the natural gas utilization installation, where there are no appliances consuming gaseous fuels;</p> <p>i) verifying the existence of at least one gaseous fuel appliance coupled into the natural gas</p>	<p><del>f) — checking — the tightness — of — the fittings/flanges — of — the natural — gas equipment/metering system — or — checking — the tightness — of — the technological installation — related — to — the regulating — measuring station — and — the tight closing — of — the bypasses — of — the — natural — gas equipment/metering system, — as — appropriate, — depending — on — the — natural — gas — pressure — regime — at — which — the — utilization — installation — operates;</del></p> <p><del>g) — the — sealing — of — the fittings/flanges — of — the — natural — gas — metering — equipment/system — or — the — sealing — with — single — series — seals — of — all — components — belonging — to — the — natural — gas — metering — system — and — all — valves/blinds — on — the — metering — line, — the — bypass — of — the — metering — line, — the — bypass — of — the — station, — as — well — as — other — bypass — pipes — which — make — it — possible — to — bypass — the — natural — gas — metering — system, — as — appropriate, — depending — on — the — natural — gas — pressure — regime — at</del></p>		
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	<p>utilization installation;</p> <p>j) providing the beneficiary with a copy of the instructions for the use of natural gas;</p> <p>k) completing and signing the commissioning report of the natural gas utilization installation;</p> <p>l) the actual commissioning of the natural gas utilization facility.</p>	<p><del>which the gas user installation is operating;</del></p> <p>h) checking for the existence of special fittings (plugs) at the ends of the natural gas utilization installation, where there are no appliances consuming gaseous fuels;</p> <p>i) verifying the existence of at least one gaseous fuel appliance coupled into the natural gas utilization installation;</p> <p>j) providing the beneficiary with a copy of the instructions for the use of natural gas;</p> <p>k) completing and signing the commissioning report of the natural gas utilization installation;</p> <p>l) the actual commissioning of the natural gas utilization facility.</p>		
2.	<p><b>Art.9<sup>1</sup></b> - (2) In the situation in which the commissioning of the natural gas utilization installation, belonging to final customers directly connected to the TS, is not carried</p>	<p><b>We propose deleting paragraph 2 of Article 9<sup>1</sup>:</b></p> <p><del>(2) In the situation in which the commissioning of the natural gas utilization</del></p>	<p>We propose the deletion of this paragraph for the same reasons as those mentioned under e), f), g).</p> <p>They do not correspond to Transgaz's proposal. Strictly carrying out the activities listed in points a), j), k) does not cover the provisions of Order 156/2020 and Order 157/2020 on the PIF IUGN.</p>	

	<p>out with the installation of the natural gas metering equipment/system, for the provision of the related activity referred to in paragraph. (1), only the activities referred to in par. (1) letters a), j) and k).".</p>	<p><del>installation, belonging to final customers directly connected to the TS, is not carried out with the installation of the natural gas metering equipment/system, for the provision of the related activity referred to in paragraph. (1), only the activities referred to in par. (1) letters a), j) and k).".</del></p>		
<p>3.</p>	<p>3. In Article 16, after paragraph (3), two new paragraphs, paragraphs (3<sup>1</sup>) and (3<sup>2</sup>) are inserted with the following content:</p> <p>"(3<sup>1</sup>) In the calculation of regulated tariffs, a maximum permissible number of 0.5 hours shall be used, cumulatively, for the performance of the sub-activities referred to in Article 9<sup>1</sup> letters a), b) and c).</p> <p>(3<sup>2</sup>) In the calculation of regulated tariffs, a maximum permitted number of 2 hours shall be used,</p>	<p><b>We propose amending Article 16, paragraphs (3<sup>1</sup>) and (3<sup>2</sup>) as follows:</b></p> <p>"(3<sup>1</sup>) In the calculation of regulated tariffs, a maximum permissible number of 0.5 hours shall be used, cumulatively, for the performance of the sub-activities referred to in Article <del>9<sup>1</sup></del> 5, para. (2) letters a), b) and c).</p> <p>(3<sup>2</sup>) In the calculation of regulated tariffs, a maximum permitted number of 2 hours shall be used, cumulatively, for the performance of the sub-activities referred to in Article <del>9<sup>1</sup></del></p>	<p>Correlation with the proposal in point 1</p>	<p><b>Accepted partialy</b></p> <p>Will be corellated with art. 9<sup>1</sup></p>

cumulatively, for the performance of the sub-activities referred to in Article 9 <sup>1</sup> , letters h), i), j), k) and l)."	5, para. (2) letters h), i), j), k) and l)."		
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## II. OMV Petrom SA

1. In accordance with the provisions of the report approving Methodology for setting regulated tariffs for transport services of natural gas "starting with the fifth regulatory period for investments under subgroups 1.3, 1.5 and 1.6 of Annex No. 1, the annual regulated depreciation shall be calculated using the linear method based on a regulated duration of 25 years". According to Annex no. 1 to the Methodology, the regulated durations of depreciation for those subgroups are not amended, being 40 years for subgroups 1.3, 1.6 and 30 years for subgroup 1.5, respectively.

### **ANRE viewpoint - in Annex No.1, 3 new subgroups will be introduced with correspondig duration**

2. As regards Annex no. 4, in 2025-2026 gas year is estimated a quantity of 190,693,173 MWh to be transported through NTS, with 35,000,000 MWh higher than previous year. Correlatively, an increase in booking capacity in entry point Negru Voda 1 and exit point (direct consumers and distribution system). Given the impact that the failure of such estimations could have on the evolution of the transport tariff level, it is necessary to clarify the assumptions taken into consideration.

### **TSO viewpoint:**

The assumptions that have led to the increase in the quantities estimated to be transported and the capacities estimated to be booked in gas year 2025/2026 are set out below:

- It is expected that the deliveries of natural gas to the Mintia power plant will start progressively, from the autumn of the next calendar year (beginning of the 2025/2026 gas year);
- The announced commissioning of the Iernut power plant could lead to a doubling of the volumes currently transmitted to this plant, even earlier than the beginning of the next gas year (2025/2026);
- There are plans to partially restart the Azomures chemical fertilizer plant, depending on market conditions for these products, also starting from next gas year;
- An analysis of the requests for access to the NTS revealed a large number of applications for the establishment of new natural gas distribution networks, some of which are also expected to be commissioned in the next gas year;

The estimated increase in the quantities transported was correlated with the forecast of increased bookings of transmission capacity at the exit of the NTS to direct consumers and to the distribution systems, forecast correlated with an increase in the capacity expected to be booked, most

likely, at the entry points of the NTS Negru Voda 1 and/or Giurgiu-Ruse, in the conditions of a domestic production estimated to be relatively constant during the gas year 2025/2026.

3. As regards Annex no. 15, it is necessary to specify, within each year, what are the investment projects that will be put into operation.

### **TSO viewpoint:**

The investment projects taken into account in the estimation of the regulated revenue related to the natural gas transmission activity are the major projects presented in the 10-year National Transmission System Development Plan approved by ANRE, which have the deadline for completion within the analyzed period, as follows:

- In the gas year 2024-2025, the projects "Development of the southern transmission corridor on the Romanian territory for the gas transmission from the Black Sea coast (Black Sea coast - Podișor)" worth 1.569 million lei and "Supply of natural gas to the Mintia cogeneration plant" worth 251 million lei are expected to be commissioned;
- In the gas year 2025-2026 the commissioning of the projects "Natural Gas Transmission Pipeline Dn600 Mihai Bravu - Siliștea and transformation into a piggyback gas pipeline" worth 402 million lei and "Natural Gas Transmission Pipeline Ghercești - Jitaru" worth 241 million lei is estimated;
- In the gas years 2027-2028 and respectively 2028-2029, the projects "Increasing the natural gas transmission capacity of the Romania-Bulgaria interconnection in the Giurgiu-Ruse direction " worth lei 259 mil., "Prunișor - Orșova - Băile Herculane - Jupa natural gas transmission pipeline" worth lei 568 million and "Increasing the transmission capacity of the NTS and the security of natural gas supply of the Ișalnița Electrocentral Branch (Dolj County) and the Turceni Electrocentral Branch (Gorj County)" worth lei 77 million, " Upgrading of the bi-directional natural gas transmission corridor Bulgaria - Romania - Hungary - Austria (BRUA Phase 2) worth lei 750 million", "Romania-Serbia interconnection" worth lei 434 million, "Development- Upgrading of the natural gas transmission infrastructure in the North-West area of Romania" worth lei 2.025 million, " Upgrading GMS Isaccea 2,3 and GMS Negru Voda 2,3 in order to achieve bidirectional flow on T2, T3 pipelines" worth lei 267 million and "Horia - Borș transmission pipeline" worth lei 130 million are estimated to be commissioned;
- The project values do not include non-reimbursable funds, according to the provisions of the methodology for setting transmission tariffs;

Investments estimated to be commissioned in a regulatory year have an impact on the estimated regulated revenue starting from the gas year following the commissioning.