



*EASE Reply to the European Commission's Public  
Consultation – Hydrogen and Gas Market Decarbonisation  
Package*

*June 2021*



## INTRODUCTION

The Commission opened a public consultation for the revision of the EU gas networks rules on market access: feedback is open until the 18<sup>th</sup> of June. Adoption is planned for the fourth quarter of 2021.

As the Commission points out, a fully functioning internal energy market is key to ensuring security of supply, industry competitiveness and affordable energy for all consumers. It also contributes to achieving the emissions goals of the European Green Deal.

The key proposals from this initiative foresee the review of gas rules in order to:

- facilitate the market entry of renewable and low-carbon gases
- remove any undue regulatory barriers

**EASE is preparing a reply to this consultation to improve the Hydrogen and Gas Market Directive and Regulation proposal in a way that is favourable to the energy storage sector.**



## Public Consultation

### Give your feedback on: Proposal for a Hydrogen and Gas Decarbonisation Package

#### I. General questions on the review and possible revision of the Gas Directive and Gas Regulation

*Costs for renewable energies have decreased significantly in the last ten years. In the relevant scenarios used by the Climate Target Plan Impact Assessment, biogas, renewable and low-carbon hydrogen and synthetic fuels would represent two-thirds of the gaseous fuels in the 2050 energy mix, with fossil gas used in combination with CCU/S representing the remainder. The areas where renewable and low-carbon gaseous fuels are expected to come into play include today's industrial sectors (e.g. refineries, fertilisers, steel making, glass, ceramics) and certain heavy duty transport sectors (ships, aviation, long distance heavy vehicles). They are also expected to continue serving the needs of the electricity system as flexible power production. The role of gas in heating depends on the competition with other technologies, including heat pumps. The process to decarbonise the gas supply and to shift demand for gases to most needed uses must start already now. Achieving the 2030 renewable, energy efficiency and greenhouse-gas reduction targets in time is an important step in this process.*

1. What is your view on the role of gaseous fuels in 2030, in particular as regards hydrogen, biogas and biomethane?

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Renewable gases should focus on maturing/gaining competitiveness to strengthen their role in reaching 2050 goals. To this end, up to 2030, R&D&I should be complemented with scale under a no-regret approach (i.e. demand-side measures in hard-to-electrify sectors; develop infrastructures only if supported by market tests).

Power-to-Gas (PtG) and Power-to-Liquid (PtL) technologies have the potential to secure a supply of clean energy through the seasons and ensure sector integration.

2. Do you see a need to revise the Gas Directive and Gas Regulation to help to achieve decarbonisation objectives?

- Yes
- No



3. If, yes what should the main elements of the reform be? Which benefits do you expect?

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- Rely on a market-based regulation, enable non-discriminatory integration of RES-gases
- Define a regulation for H2 able to a.o. introduce new flexibility services and remunerate PtG's services to e.g. the grid, with clear principles, a timeline for regulatory revisions
- Develop a transparent certification system - Guarantee of Origins
- Adapt gas and H2 infrastructure planning to the Energy System Integration and fossil gas decline
- Ensure gas quality and EU gas market interoperability

4. How could the revised legislation support the aims of the Energy Efficiency Directive (2018/2002) and the Renewables Energy Directive (2018/2001/EU)?

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Climate targets should be in line with the revised legislation. Energy efficiency, optimisation and the reliance of flexibility services should be key points to address. Sound provisions related to smart sector integrations must also be present. The role of consumers and end-users should also be clarified and in line with existing legislation.

5. Should the revised legislation, in addition to the instruments under the Fit for 55 package, in particular the Renewables Energy Directive and the Energy Efficiency Directive, include also measures that dis-incentivise the use of unabated fossil gases?

- Yes
- No

6. Should the revised legislation, in addition to the instruments under the Fit for 55 package, in particular the Renewables Energy Directive and the Energy Efficiency Directive, include also measures that incentivise the use of renewable and low carbon gases, for example via specific targets?

- Yes
- No



7. Do you expect that the technological and regulatory changes necessary to decarbonise the gas market have a potential to create new jobs by 2030?

- Yes
- On balance neutral
- No

8. What type of jobs will be created? What are the characteristics of jobs that are at risk of being discontinued? If applicable please identify the potential changes in the skills requirements, job quality and occupational safety of the gas market jobs.

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Significant changes in the job market are to be expected, with new positions. A new generation of energy-sensitive workers will be needed. To educate them, a continuous collaborative definition of the knowledge-competencies-skills required for the energy transition.

9. Do you consider that investments in installations and infrastructure operating on fossil methane gas subject to the risk of stranded assets. If so can the revised legislation address this issue, and how?

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It is important to take into account the evolution of the gas demand in the long run when assessing the investment decision on gas infrastructure, in order to ensure its economic efficiency/viability and to avoid stranded assets.

## II. Consumer's choice and renewable and low-carbon gases

*Recognising that citizens must be at the core of the Energy Union and the European Green Deal, clear and easily accessible information is essential to enable citizens to change energy consumption patterns, switch to solutions offered by an integrated energy system, and whenever applicable, switch supplier. Today's consumers are not always made aware of the origin of gases they consume and their climate impacts. To that effect, the certification of renewable and low-carbon gases is envisaged in the context of the upcoming revision of the Renewable Energy Directive (EU) 2018/2001. Recent changes to market rules for electricity have*



*established a comprehensive framework for consumer protection and empowerment (see articles 4, 5, 9–19, 22–29, and Annexes I and II of recast Electricity Directive (EU) 2019/944) in the sector. While technical and economic conditions in gas markets may differ from electricity markets, updating the legislative framework for gases could ensure an equal level of protection and empowerment for electricity and consumers of gaseous fuels, and increase certainty for market actors. This revision could establish the tools to empower consumers to actively take part in the energy transition while enjoying high level of consumer protection, and ensure that they fully benefit from their contributions to the decarbonisation process. This gives also an opportunity to complement existing legislation addressing the challenges related to vulnerable households and energy poverty. Consumers should become well-informed and empowered as buyers. This could be achieved through clearer billing and advertising rules, trustworthy price comparison tools, the possibility to conclude contracts to buy specifically renewable or low carbon gas and by leveraging their significant bargaining power through collective schemes (such as collective switching and energy communities). Finally, consumers need to be free to generate and consume their own energy under fair and transparent conditions in order to save money, help the environment, and ensure security of supply.*

10. Do you consider that the Gas Directive needs to be modified to ensure consumer protection and empowerment?  
(multiple answers possible)

- Yes, it needs to be more ambitious to reflect the citizen/consumer focus of the Clean Energy Package for all Europeans and the Green Deal.
- Yes, and mirroring consumer protection and empowerment rights of electricity consumers conferred by the recast Electricity Directive and by 2018 Energy Efficiency Directive would be the most straightforward approach to do so.
- No, it strikes the right balance as it is.

11. If you answered 'yes' to the previous question, which provisions pertaining to consumer protection and empowerment should be prioritised in the revised Gas Directive?  
(multiple answers possible)

- Provisions on protection of energy poor and vulnerable customers.
- Provisions on single points of contact for consumers for information on rights, gas consumption and costs, legislation and dispute settlement.



- Provisions on protection mechanisms to ensure efficient treatment of complaints through transparent, simple and inexpensive procedures and out-of-court dispute settlements.
- Provisions on supply contract information and modification.
- Provisions on accessibility to transparent information on share of renewable gas consumed, gas quality, applicable prices and tariffs and on standard terms and conditions.
- Provisions on frequency of billing and available payment methods.
- Provisions on cost of access to metering and billing information.
- Provisions related to switching suppliers (switching related fees, final closure account).
- Provisions on accessibility of consumption data.
- Provisions on smart installation of individual meters in multi-apartment or multi-purpose buildings.
- Provisions on intelligent and remotely metering systems and their costs.
- Provisions on protection against disconnection during winter.
- Other

12 Which of the following do you think would be appropriate in strengthening the rights and information of consumers in the gas market? (multiple answers possible)

- Consumer participation in demand response through aggregation contracts to sell or buy gases.
- Enabling the participation/the establishment of energy communities.
- Access to reliable online price comparison tools for improved switching rates.
- Introduction/deployment of smart metering systems for gases.
- Obligations to provide pro-active consumer information on switching possibilities, consumer rights etc.
- More consumption and billing information.
- Additional requirements (please explain further in next question).
- Enabling self-consumption for large customers using gas absorption heat pumps.



- Setting minimum requirements for billing information.
- Providing further billing information on breakdown of gas supply prices.
- Providing further information about historical consumption and energy sources.
- Providing information on the nature of gas supply i.e. fossil, renewable, low carbon.
- Other

13. Please specify and/or explain your choice for the three previous questions.

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EASE believes that consumers and communities can significantly contribute to the energy transition. To do so, they must be empowered by receiving appropriate information, incentives to participate in different markets and contribute to the stability of the different energy grids.

14. Whether for residential or commercial purposes, consumers may bundle their utilities with a single energy provider. The idea of bundling is based on combining several services in one package. As regards households, some utility companies can provide electricity, gases and heating offers in a single deal. How do you think transparency and the flexibility of such bundled electricity, gases and heating offers could be further improved to benefit consumers?

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While bundling products can foster higher efficiencies, it should not reduce transparency and/or consumers protection and empowerment. Therefore, there should not be exceptions for bundled products in these areas.

15. To what extent has current EU legal framework on gas been effective:

*for vulnerable consumers in:*

	Highly effective	Effective	Moderately effective	Somewhat ineffective	Not effective	No opinion
<b>ensuring a fair protection against disconnections?</b>						

*for customer empowerment in:*





	Highly effective	Effective	Moderately effective	Somewhat ineffective	Not effective	No opinion
contributing to decarbonisation i.e. choose the most affordable sustainable energy source?						
contributing to the achievement of the EU internal energy market (i.e. choose the preferred supplier irrespective of their place of residence)?						
stimulating the availability of comparison tools?						
protecting consumers from aggressive marketing practice?						
stimulating <i>green offers</i> ?						
stimulating diversity in the choice of payment methods?						
setting clear deadlines for dealing with						



	Highly effective	Effective	Moderately effective	Somewhat ineffective	Not effective	No opinion
requests to switch supplier?						
establishing unique contact points for consumers?						

*for information about dispute settlement mechanisms in:*

	Highly effective	Effective	Moderately effective	Somewhat ineffective	Not effective	No opinion
establishing conditions to exercise the right of withdrawal?						
accessing to speedy and effective complaint handling procedures?						
providing available out-of-court procedures?						

*for right to information in:*

	Highly effective	Effective	Moderately effective	Somewhat ineffective	Not effective	No opinion
spreading the practice of clear						



	Highly effective	Effective	Moderately effective	Somewhat ineffective	Not effective	No opinion
description of the service/product?						
spreading the practice of offers presented in a clear, consistent and simple manner?						
spreading the practice of clearly presenting key information about prices, discounts, termination fees?						

*for access to consumption data in:*

	Highly effective	Effective	Moderately effective	Somewhat ineffective	Not effective	No opinion
ensuring access to consumption data shortly after consumption?						
boosting consumer confidence in the market?						
ensuring transparency and fairness of						



	Highly effective	Effective	Moderately effective	Somewhat ineffective	Not effective	No opinion
contractual conditions?						
preventing unilateral change of contractual conditions by the supplier?						

*for right to accurate information on billing and switching in:*

	Highly effective	Effective	Moderately effective	Somewhat ineffective	Not effective	No opinion
providing price increase notifications?						
stimulating transparent bundled offers to consumers?						
discouraging surcharges in the payment methods?						
ensuring a smooth and fast switching process?						
preventing termination fee or penalty for switching?						



16. Do you see the price of residential gaseous fuel products as an important element in affordability? Do you see an energy poverty challenge in households' access to gaseous fuel products in the future?

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Competition can ensure affordability. Social measures should be applied for disfavoured consumers. Measures that distort competition between carriers (e.g. cross-subsidies) or obstacles for the efficient development of infrastructures should be avoided. There is a lack of level playing field in energy taxation between gas and electricity consumers. Gas is the cheapest option for most consumers; yet, unlike electricity, gas consumers do not bear the cost of the energy transition.

17. In your view, how important are price signals to consumers in the gas market?

	Very important	Important	Neutral	Not very important	Not important	No opinion
<b>Would consumers benefit from price signals?</b>	x					
<b>Would price signals drive system integration and energy efficiency and decarbonisation?</b>	x					

18. The recast Electricity Directive clarifies the scope of Public Service Obligations which concern notably the price setting for the supply of electricity (see Art. 5) in the electricity market. In your view, should such provisions be introduced in the field of gas?

- Yes
- No



### III. Integrated infrastructure planning

*Coordinated infrastructure planning across multiple energy carriers, types of infrastructure, and consumption sectors – is the cornerstone of an integrated energy system. In this spirit, the TEN-E Regulation requires that projects of common interest are to be included in national network development plans with highest priority. The Commission [proposal](#) envisages provisions for cross-sectoral infrastructure planning. Hydrogen infrastructure is included as a new infrastructure category and used for the network development plan on European level. The requirements for national development plans of the Gas Directive and Gas Regulation are focused on preventing underinvestment that could result in less competition. These requirements correspond neither to the decarbonisation objectives nor to the planning requirements on European level. They also lack consistency between gases and electricity sectors.*

#### 19. How to ensure non-biased scenario building and planning?

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Scenarios for different carriers must be aligned with the 2030/2050/NECPs targets. An integrated approach with electricity, gas, hydrogen and heat according to the energy efficiency, optimisation first principle. Stronger oversight by ACER, which should set the planning methodology, and NRAs is necessary. The increasing importance of links between energy carriers infrastructure should be reflected in new requirements for joint grid planning/joint market activities, at both EU/MS levels.

20. Do you support an alignment of the national network planning with the European Network Development, for instance regarding frequency of the plans (i.e. timing of submission), time-frames and scenarios to consider?

- Yes
- No

21. Should the national network development plan be based on a joint scenario used for gases and electricity planning?

- Yes
- No



22. What actions are needed to ensure that national network development plans properly take into account the Energy Efficiency First Principle, meaning that energy efficiency alternative solutions must be first considered when national network development decision are made?

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When developing national network development plans it is key to involve all the stakeholders, and especially those active in the context of energy efficiency, optimisation, and flexibility. The energy system is rapidly changing and energy storage is a key actor in that, and stakeholders can provide key inputs for better planning.

23. What is your position on establishing a single national network development plan for all energy carriers?

Statement	Completely agree	Agree	Neutral	Disagree	Completely disagree	No opinion
A single national network development plan can optimise infrastructure needs.				x		
All regulated infrastructure should be part of a single national network development plan.				x		
Should the single national network development plan be binding?			x			



<p><b>There is no objective model to optimise network planning across different energy carriers.</b></p>			<p>x</p>			
<p><b>It is better to keep separate network plans for each sector, but based on a joint scenario.</b></p>				<p>x</p>		

24. Do you support requiring the setting up of national network development plans by all electricity and gas transmission system operators, irrespective of the unbundling model (i.e. also including ownership unbundled transmission system operators)?

- Yes
- No

25. What role should distribution system operators have in relation to network planning?  
(multiple answers possible)

- Provide information on expected supply and demand for the creation of a joint scenario for the national plan.
- Prepare their own distribution system network plan.
- Share information with transmission system operators for network planning purposes.
- Be allowed to conduct their own cross-sectoral optimisation.
- None of the above.

26. Should hydrogen transmission/distribution infrastructure be included in national network development plans?

- Yes





- No

27. What should the network development plan be used for?  
(multiple answers possible)

- Provide transparency.
- Ensure a robust network to match supply and demand for different scenarios.
- Enable execution of investments.
- Regulatory prerequisite for cost acceptance in regulated network tariffs.
- Guarantee that infrastructure contained in the plan is built (binding plan).

28. Should the national network development plans provide information where new electricity production, consumers, storages or electrolysers reduce additional investment needs into the network?

(multiple answers possible)

- No, the selection of production, consumption and storage sites is not an activity system operators should be involved in.
- Yes, but only as information, without legal consequence.
- Yes, for hydrogen production.
- Yes, for electricity production (renewable and/or conventional).
- Yes, for electricity and/or hydrogen storage.
- Yes, for major consumption sites.
- Yes, to take into account externalities not necessarily perceived by market participants.

29. If you answered yes, how should this be achieved?

- By selecting indicative areas which are particularly suitable from an energy network perspective for the given type of production/storage/major consumption site, as an information only.
- By defining areas where sufficient connection capacity to the energy networks for such sites can be guaranteed.



- By establishing that this type of site may only be connected in the indicated areas.
- By establishing areas in which lower network tariffs for the use of the respective sites, and/or connection charges can be expected, based on the tariffs approved/decided by the national regulatory authority.
- By indicating in which areas system operators expect to make offers for the purchase of system services which could typically be provided by the given type of site.
- By using connection in designated areas as a prerequisite for eligibility in support schemes.

Other

30. If you consider that, in question 29, other approaches are required, please explain what approach is needed and why?

*500 character(s) maximum*

Combining the selection of indicative areas which are particularly suitable from an energy network perspective for the given type energy storage consumption site (as an information only) with defining areas where sufficient connection capacity to the energy networks for such sites can be guaranteed can be a valid solution.

#### IV. Hydrogen infrastructure and a hydrogen market

Pure hydrogen, used today mainly as a feedstock, can be expected to be used as a fuel or as an energy carrier. Pure hydrogen may be transported via a network of dedicated pipelines that could consist of repurposed methane gas pipelines and/or newly built pipelines. Currently, infrastructure for the transport of pure hydrogen is not covered by the Gas Directive, as the gas system currently does not include network infrastructure dedicated to the transport of pure hydrogen.

The Commission's vision as set out in the EU's hydrogen [strategy](#) is that (low carbon and, preferably renewable) hydrogen will be used first in certain industrial applications (like refineries, steel production, fertiliser production, chemical complexes) and certain transportation modes (heavy duty road transportation, maritime) and that, progressively, an integrated market will emerge from initially disconnected hydrogen valleys. The hydrogen landscape is expected to evolve rapidly in the coming years, but its development is likely to differ in speed and scope per Member State. The present consultation seeks to collect views on regulatory measures that may be required to accompany the emergence of an EU hydrogen market over the next 10–15 years.



31. Which are in your view the main regulatory barriers to the development of a well-functioning cross-border hydrogen market and a cross-border hydrogen infrastructure within the EU?

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First, there is a lack of product definition/standards and consumer disclosure. Hydrogen (that stored in e.g. underground salt caverns) may either be classified as gas storage, and fall under the scope of the Gas Directive; or as energy (electricity) storage, and fall under the Electricity Directive. Second, unfair tariff structures hinder PtG in the gas system. Third, a mutual recognition of Guarantee of Origins is key to facilitate cross border trade. Also, cost of GHG emissions not internalised for all competing carriers / end-uses.

32. Which are in your view the main regulatory barriers to the development of a cross-border hydrogen market and a cross-border hydrogen infrastructure with third countries?

*500 character(s) maximum*

Hydrogen imports should be subjected to the same requirements, thresholds for certification applied in the EU. A new system, revising arrangements regarding hydrogen imports, is necessary to facilitate trade. This will pose challenges in terms of e.g. accountability, transparency: the EU will have to collaborate at the international level. Also, a mutual recognition of Guarantee of Origins is needed. "Projects of Mutual Interest" defined in the EC's TEN-E review proposal must play a key role.

#### **Section IV.1. Regulatory framework for pure hydrogen markets and pure hydrogen infrastructure**

33. What regulatory model at EU level do you consider suitable to foster the emergence of a well-functioning and competitive hydrogen market and hydrogen infrastructure?

- No regulatory intervention is needed. Progress so far has been made without rules at EU level and competitive markets outcomes are likely to emerge without intervention.
- The creation of 'competition for the market' by tendering concessions at national level to own and operate hydrogen networks is a market model that can work for hydrogen. It will foster infrastructure development. Rules on the operation of the network are not needed.
- We need regulation to ensure "competition in the market". A common approach is needed in which an EU legislative framework outlining key regulatory principles (such as neutrality of network operation, third party access, cost reflective and market



compatible network tariffs, treatment of private networks) are set as networks can represent natural monopolies. The rules could be developed stepwise, e.g. the creation of more detailed EU-wide technical rules could be left to later, or Member States could be allowed to develop such rules earlier where needed.

- We need regulation to ensure “competition in the market”, already with a greater level of detail at EU level. The final market organisation should be specified now to prevent regulatory divergence between Member States and create investment certainty. Detailed rules (with implementing regulatory principles and technical rules) are needed at EU level from the start.
- Other approaches are needed/required to regulate the hydrogen network as the regulatory approach currently used in gas and electricity offers little guidance.

34. If you consider that other approaches are needed/required, please explain what approach is needed and why.

*500 character(s) maximum*

At early stages of the H2 market, the priority should be to define regulatory principles (unbundling, neutral SO, etc.) rather than every detailed rule. However, for the sake of reducing uncertainty for investors, from the very outset it should be defined (a) the basic technical rules (e.g. quality standards) and (b) a clear way forward for the regulation (e.g. define the H2 market Target Model to be gradually implemented), thus ensuring the convergence of national regulatory developments.

35. Although further development of hydrogen markets along the value chain seems highly likely, significant uncertainties remain. How should this uncertainty be taken account of in designing a ‘fit for purpose’ regulatory framework?

- Setting clear key regulatory principles for infrastructures will remove important uncertainties, while flexible rules do not. Precise rules are thus better than flexible ones.
- Setting main regulatory principles leaves enough flexibility for details to be set later or at Member State level. No specific provisions are required to allow for flexible application of main regulatory principles.
- Main regulatory principles are needed. However, flexibility needs to be built in, e.g. by allowing temporary exemptions/derogations from main regulatory principles.



- A dynamic regulatory approach should apply. Based on a periodic assessment of the market's maturity, it will be decided if regulatory intervention along pre-defined principles is needed. The benefits of such a flexible approach outweigh the costs of interventions with retroactive effect and regulatory uncertainty.

37. How important would you consider to define the following regulatory roles and principles early in order to facilitate the development of a dedicated hydrogen network and market framework towards 2030?

Role/regulatory principle	No opinion	Very important	Important	Neutral	Not very important	Not important
Role of existing network operators (TSOs/DSOs) in developing hydrogen infrastructure			x			
Role of private parties (non-TSO/DSO operators) in developing hydrogen infrastructure			x			
Rules to ensure the neutrality of hydrogen network operations (i.e. unbundling)		x				
Third Party Access to hydrogen infrastructure				x		
Cost-reflective, non-		x				



Role/regulatory principle	No opinion	Very important	Important	Neutral	Not very important	Not important
discriminatory network tariffs for hydrogen networks that are market compatible.						
Market rules on capacity allocation and congestion management at cross-border interconnection points in hydrogen networks				x		
Market rules on balancing the injection of hydrogen in a network with the volumes taken off the network by a given network user				x		
Rules on cross-border operability of hydrogen networks.				x		
Rules on tariff setting for hydrogen networks		x				



Role/regulatory principle	No opinion	Very important	Important	Neutral	Not very important	Not important
Rules on the valuation of assets when they are repurposed and taken out of the regulated asset base of a gas-TSO			x			

#### Section IV.2. Regulated versus non-regulated hydrogen networks

38. With the imminent phase out of low-calorific methane gas (L-gas) and the demand for methane gas expected to decline after 2030, parts of the existing pan-European gas infrastructure could be repurposed to provide for the necessary infrastructure for large-scale cross-border transport of hydrogen. Should existing methane gas network operators be allowed to own, operate and invest in hydrogen networks?

- Yes, the current gas network operators (TSOs/DSOs) should have a prominent role. The current gas market model could serve as a model for future hydrogen markets.
- Yes, but a parallel pathway for non-regulated infrastructure investments by private parties should exist.
- No, a hydrogen network will need to be regulated, but the current gas network operators (TSOs/DSOs) should not have a prominent role.
- No, hydrogen networks should be left unregulated. “Competition for the market” can work.

39. How should **existing private** hydrogen pipelines (pipelines directly connecting hydrogen supply and demand whilst not being part of a meshed, interconnected network) be regulated?

- Existing private networks should be left unregulated. This is a pathway for infrastructure development in parallel to a regulated system.
- Existing private network operators should be left unregulated but able to unilaterally choose to ‘opt-in’ into an existing regulated system.
- Existing private networks can be exempted (under NRA supervision) from regulatory requirements (such as unbundling and third party access) but a sunset date needs to



be set (e.g. once supply contracts expire, once it is integrated in a other, already regulated hydrogen network or by conducting regular market tests to verify market interest in accessing the pipeline).

- No special treatment for existing private infrastructure. Main regulatory principles should apply to all networks as of the moment of their introduction.

#### 40. Should **future private** investments in hydrogen pipelines be regulated?

- Future private networks should be left unregulated. This is a pathway for infrastructure development in parallel to a regulated system.
- The default rule for future networks should be that they are regulated. Exemptions for private investment from certain provisions (e.g. unbundling, third party access, tariff regulation) can be considered provided conditions are met (akin to Article 36 of the current Gas Directive).
- Private investments should be allowed and exemptions for private investors to stimulate them should be considered. However, day-to-day operations of private networks could be left to other bodies, e.g. an Independent System Operator (ISO).
- No special treatment for future private infrastructure. Main regulatory principles should apply to all networks.

### Section IV.3. Main principles for regulated hydrogen networks

41. Vertical unbundling<sup>[2]</sup> should prevent that hydrogen network operators (i) discriminate against third parties with regard to the connection or access to the network in favour of affiliated production and supply activities, and/or (ii) that hydrogen network operators over- or under-invest in their energy network which could increase energy system costs or purposely limit capacity to hinder competitor's access. Please indicate the extent to which the vertical unbundling principle should apply to hydrogen networks:

[2] For the purpose of this questionnaire and to reflect the specific situation of interrelation between hydrogen and methane gas networks, the Commission will refer to "vertical unbundling" when describing the separation of hydrogen production, trade and supply activities from hydrogen network-related activities and to horizontal unbundling, when describing the separation between ownership of hydrogen and methane gas networks.

- Accounts unbundling should be applied: the use of separate accounts for the regulated hydrogen network activities and hydrogen production and supply activities.





- Functional unbundling should be applied: the effective separation of the decision making rights between the network and production/supply activities, as well as the separation of the human, technical, physical and financial resources.
- Legal unbundling should be applied: the separation of network operation activities in a distinct legal entity.
- Based on the experience in gas and electricity markets, ownership unbundling should be applied from the start: the same company is not allowed to control both the hydrogen network and hydrogen production or supply interests, although e.g. the ownership of minority shares without rights to vote or appoint board members may be allowed.

42. Should (regulated) network operators (e.g. gas, electricity or hydrogen TSOs/DSOs) have a role in Power-to-gas installations (i.e. electrolyzers)?

- Network operators should never own or operate Power-to-gas installations. To avoid conflicts of interest and network foreclosure, system operators should be precluded from investing in and running power-to-gas installations (as is currently the case). Investment and management of power-to-gas installations should be market-based and open to competition among market players. Investment by regulated entities will discourage investments by market participants and create competition distortions.
- Network operators should never own or operate Power-to-gas installations. However, network operators should be encouraged to be involved in R&D and development projects that are related to energy grid operations (e.g. grid connection and grid services, like balancing provision). Network operators are well placed to assist in such projects and encouraging their active involvement will facilitate the integration of Power-to-gas installations where no rules exist and speed-up rule setting.
- Vertical unbundling remains the default option. Exemptions for network operators to own or operate Power-to-gas installations should only be allowed in clearly defined circumstances. For example, only if this is necessary to guarantee network operations and if no other market party is willing to carry out the investment. Clear and limited conditions should be defined (e.g. limitations in scope, scale and time), after it has been proven that the market is not willing to invest in such installations and foreseeing a procedure to transfer such installations back to a market-based regime once the derogation expires.
- There are no reasons to impose restrictions on network operators to operate or invest in power to gas installations or such choices can be left to Member States or National Regulatory Authorities.



43. How should non-discriminatory access to future regulated hydrogen networks be ensured?

- The principle of *negotiated* third party access should apply. It will be left to the hydrogen network operator and the network users to negotiate the terms of access to the network, such as tariffs. National regulators play a role at distance only.
- The principle of *regulated* third party access should apply. Infrastructure operators should be obliged in EU legislation to provide non-discriminatory access to network users on the basis of published terms and conditions, including tariffs that are set or approved by the national regulator.
- Third party access does not have to be ensured.

44. Today's rules for gas network tariffs (see Art. 13 of the Gas Directive) seek to avoid cross-subsidies between network users but also to provide incentives for investments. In an emerging hydrogen market, the transported hydrogen volumes as well as the customer base might be low initially. This could lead in certain cases to high initial hydrogen network tariffs for early users of a hydrogen network. Please indicate the appropriateness of the statements below in case incumbent methane gas network operators should be allowed to retrofit their assets for hydrogen transport:

Statement	No opinion	Completely agree	Agree	Neutral	Disagree	Completely disagree
Horizontal unbundling rules should ensure that hydrogen pipelines are being financed by hydrogen network users only and not by methane gas network users. Methane gas network users should not carry the costs and risks for a hydrogen network and non-TSO hydrogen operators				x		



Statement	No opinion	Completely agree	Agree	Neutral	Disagree	Completely disagree
should not suffer a competitive disadvantage.						
Cross-subsidisation between users of the methane gas infrastructure and the hydrogen infrastructure should be allowed. This could lower the initial tariffs for the use of hydrogen networks and could facilitate the conversion of parts of the methane gas infrastructure into hydrogen infrastructure.						x
Cross-subsidies between methane and hydrogen network users should not be allowed. Other measures should be made available to lower initial hydrogen network tariffs (such as public grants or subsidies to network		x				



Statement	No opinion	Completely agree	Agree	Neutral	Disagree	Completely disagree
users or network operators).						

45. Do you think the current structure of cross-border gas transmission tariff system is suitable for the development of the hydrogen market (or other renewable and low carbon gases) in the EU?

- Yes
- No, other ideas should be developed, for instance to avoid tariffs on cross-border points between EU Member States.

*Please explain why – 500 character(s) maximum*

The principles and rules defined in Regulation (EU) 2017/460, establishing a network code on harmonised transmission tariff structures for gas (NC TAR), should be fully transferred to the case of H2. This would ensure (a) building on the experience gained in the gas network (i.e. avoid past mistakes), and (b) a level playing field in a context dominated by the need to advance in the energy system integration for the sake of the whole system's efficiency.

46. The creation of hydrogen networks, specifically by repurposing, may give rise to coordination problems when operated by separate and fragmented system operators. This may hamper the development of a well-functioning cross-border hydrogen market. The creation of hydrogen markets opens up a possibility to manage and operate the hydrogen pipelines by a European Independent System Operator (ISO). Do you support to introduce an EU ISO model for hydrogen?

- Yes
- No

*Please explain your answer – 500 character(s) maximum*

This would be a positive step for creating a fully-fledged internal H2 market, which could save future governance issues: however, it may take long to find an agreement on the matter. Thus, a more workable option could be an ambitious regional coordination defined from the outset (i.e. included in the H2 Target Model to be defined in this legislation). This Model – including its regional coordination leg – could be detailed in technical rules and



47. The configuration of many energy networks and the rules that apply to them set out a clear distinction between a transmission and distribution level. Is this distinction relevant for a hydrogen regulatory framework before 2030? Do you expect the development of a “transmission” and a “distribution” level for hydrogen?

- No: hydrogen networks may have different features than methane networks (e.g. high/low pressure distinction less relevant in hydrogen network). At this stage, main regulatory principles should apply at any point in a hydrogen network.
- Yes: Many potential customers are connected to distribution grids; it should already be anticipated now that different rules should apply for the distribution and transmission level.
- Yes: At this stage, rules should be set for the transmission level only. EU rules for the distribution level can wait until later or be defined at Member State level.
- Yes: At this stage, rules should be set for the distribution level. EU rules for the transmission level can wait until later or be defined at Member State level.

*Please explain your answer – 500 character(s) maximum*

Key H2 customers will be hard-to-electrify industries, which at some point will require a connection to transmission (i.e. to forming clusters and, later, to connect with other clusters). However, infrastructures to import H2 from third countries are not a priority (focus on building an EU-based value chain). Hence, at present define EU-wide regulatory principles and rules for transmission only (for distribution defining regulatory principles would be enough by now).

#### **Section IV.4. Inventory of national rules on the construction of methane and hydrogen pipelines**

48. In order to repurpose the existing methane gas infrastructure for hydrogen transport, it is necessary to clarify whether rights of land use, private easements as well as (other) public permits that have been granted for the construction and operation of methane gas pipelines will remain valid once the transported gaseous energy carrier changes from methane gas to hydrogen. In addition, a legal framework covering these aspects might also be required for the construction and operation of new hydrogen pipelines. Will the construction of dedicated hydrogen pipelines (either repurposed or new built pipelines) be considered a public interest in your Member State?

- Yes
- No



Do not know

49. Will rights and permits in your Member State initially obtained for the construction and operation of methane gas pipelines remain valid in case the development and (re-) use of these pipelines for hydrogen transport is foreseen?

- Yes
- No
- Do not know

50. Is a (new) legal framework covering public permits and rights of land use required in your Member State for the construction and operation of new hydrogen pipelines?

- Yes
- No
- Do not know

51. Should rights and permitting requirements for hydrogen infrastructure be similar to that of those that are applicable today to methane gas pipelines in your Member State?

- Yes
- No
- Do not know

52. If you replied 'no', please explain

*500 character(s) maximum*

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#### Section IV.5. Consumer rights for users of pure hydrogen

53. The Commission expects as set out in the [EU hydrogen strategy](#) that renewable and low carbon hydrogen will be used first in certain industrial applications (like refineries, steel production, fertiliser productions, chemical complexes) and certain transportation modes



(heavy duty road transportation, maritime). In view of these typical end-users that may adopt hydrogen by 2030, what rights and protection rules for users connected to a pure hydrogen network may be needed?

- Other than network access rights, little needs to be done in terms of customers rights. These typical end-users do not need specific consumer rights and protection.
- It is important that these typical users of a hydrogen network have the same rights as if they would be connected to the methane gas grid. Having the same consumer rights and protection ensures a level playing field between energy carriers.
- It is important that consumer rights and protection rules for all consumers connected to a hydrogen grid are fully aligned with those for consumers of connected to the methane grid, regardless as to whether they are likely to use hydrogen or not or their size (i.e. households).

54. What consumers rights and protection rules will need to be clarified already now for users receiving pure hydrogen from dedicated hydrogen networks?

Consumers rights and protection rules	No opinion	Very important	Important	Neutral	Not important	Very important
Access to consumption data			x			
Information on billing			x			
Information on quality of H2 supplied			x			
Information on CO <sup>2</sup> content of hydrogen along its life-cycle[4] [Including			x			



Consumers rights and protection rules	No opinion	Very important	Important	Neutral	Not important	Very important
emissions determined from hydrogen transport, distribution, liquefaction and storage].						
Information on rights to switch supplier			x			
Information about dispute settlement mechanisms			x			

#### Section IV.6. Quality standards for pure hydrogen and its governance

55. Different hydrogen production methods produce hydrogen of different purity and different end-uses require specific purity levels[4]. To ensure the cross-border flow of pure hydrogen from production to consumption centres and to ensure the interoperability of the connected, neighbouring markets, common quality standards or cross-border operational rules may be necessary. In your view, at what level should such binding hydrogen quality (purity) standard be established?

- At Member State level (i.e. maintaining potential differences between Member States).
- At Member State level with EU-level cross-border coordination rules (i.e. allowing for coordination between Member States).
- At EU-level, setting common standards for hydrogen quality across the EU.
- No common rules on hydrogen quality standard are necessary before 2030.

56. In a cross-border dedicated hydrogen network, adapting the quality of hydrogen for specific end uses (purification) might become an important task (including the measurement and monitoring of hydrogen quality). In your view, what would be the most efficient and appropriate





way to establish the necessary rules on roles, responsibilities and cost-allocation for the management of hydrogen quality?

- Member State level regulatory framework (i.e. with potentially very different regimes per Member State).
- EU-level principles providing for a common overall approach in the Member States.
- EU-level principles providing for a common approach combined with regional implementation.
- EU-level rules ensuring a harmonised approach across the EU.
- No common rules are necessary before 2030.

#### Section IV.7. Hydrogen storage and hydrogen import from outside the European Union

57. Do you see the need to develop larger-scale, dedicated hydrogen storage facilities in the EU in light of the increased use of hydrogen in the EU?

- Yes
- No

58. Do you think that regulation of hydrogen storage would be necessary?

- Yes, to the same degree as for methane storage (leaving Member States the choice of negotiated or regulated third party access).
- Yes, but it should not be directly available to the market itself and should only be used by the operators for network operation purposes.
- No, hydrogen storage facilities can be left unregulated.

59. Hydrogen is likely to be produced inside the EU at the same time imports from outside the EU may be possible and competitive for the supply of hydrogen.

- I disagree, imports will not take place before 2030 and therefore there is no need to look into relevant infrastructure.
- Whilst imports may still be modest by 2030, they will require the necessary infrastructure and reflection on appropriate measures should start now.
- It is important that import infrastructure is in place by 2030.



60. Hydrogen may be transported via pipelines into the EU, but also via non-network based transport options. In case you expect non-network based imports from outside the EU, in which way do you expect hydrogen to be carried into the EU?

- Shipped into the EU as liquefied hydrogen.
- Shipped into the EU as ammonia.
- Shipped into the EU on the basis of Liquid Organic Hydrogen Carriers ('LOHCs').
- Transported into the EU via trucks.

61. Do you see a need to prepare EU LNG terminals to receive liquefied hydrogen?

- Yes, today's import terminals can play an important role in supplying the EU.
- No, imports will become important but large-scale LNG terminals will not be relevant.

62. In case hydrogen is carried into the EU as liquefied hydrogen, ammonia or LOHC, would you expect subsequent injection into pipelines?

	No	Yes
<b>If imported as liquefied hydrogen</b>		x
<b>If imported as ammonia</b>	x	
<b>If imported as LOHC</b>	x	

63. How important would you consider to define the following regulatory principles early in order to facilitate the development of a dedicated hydrogen infrastructure and market framework towards 2030?

Regulatory principle	No opinion	Very important	Important	Neutral	Not very important	Not important
<b>Market rules for access to storage for</b>		x				



Regulatory principle	No opinion	Very important	Important	Neutral	Not very important	Not important
(pure) hydrogen						
Market rules for access to import terminals for pure hydrogen		x				

V. Access of renewable and low carbon gases to the existing methane gas networks and markets, including LNG terminals and gas storages

*Today, biogas[5] and biomethane provide the most significant sources of renewable and low carbon gases in the EU with some 18 bcm annually (5% of total gas demand). Whereas biogas is used off the grid (for power production or by the industry to reduce process related CO2 emissions), biomethane can be injected into the existing methane network. However, the deployment of biomethane is currently below its potential. There are about 725 biomethane plants connected to the gas grid, the majority at the distribution grid level.*

*Synthetic methane has the potential to support the decarbonisation of gas as well. It is produced by adding CO2 captured during the upgrading of biogas to biomethane, from industrial processes, or eventually directly from the air to renewable or low carbon hydrogen.*

*Biomethane and synthetic methane injected at distribution level may face barriers preventing it from being traded on the EU's wholesale markets to the same degree as methane gas. Similar difficulties may be encountered by hydrogen when blended into the existing gas grid.*

*[5] Biogas is about 60% methane, 40% CO2 + some impurities. Upgrading biogas to biomethane level requires removal of CO2 and impurities. If used and, more importantly, stored the CO2 obtained in production of biomethane from biogas is sometimes argued to create 'negative' emission*

64. Which are in your view the main regulatory barriers to the deployment of biomethane and synthetic methane?

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Regarding renewable liquid and gaseous transport fuels of non-biological origin, it key to clarify the methodology to qualify as a REFUNOBIO in a flexible way that will not hinder the development of Power-to-Gas. It is key considering (i) setting clear rules regarding gas quality, and (ii) defining a harmonised approach in the rules for the injection of gases into the network (such as rights and responsibilities; rules for connection and access; cost-reflective non-discriminatory tariffs), including also for biomethane and synthetic methane.

65. Do you consider it important to adapt the Gas Directive and Gas Regulation to facilitate injection biomethane and synthetic methane into the existing methane gas grid?

- Yes
- No

66. Do you consider it important to adapt the Gas Directive and Gas Regulation to the needs of hydrogen to be injected into the existing gas grid?

- Yes
- No

67. How do you rate the measures below? (one answer per question)

Measure	No opinion	Very important	Important	Neutral	Not very important	Not important
Adapt tasks and responsibilities of national regulatory authorities to oblige them to facilitate the process of decarbonisation of gas when taking decisions (e.g. as regards development of infrastructure).		x				



Measure	No opinion	Very important	Important	Neutral	Not very important	Not important
Improve the coordination between transmission and distribution system operators to facilitate the process of decarbonisation of gas.		x				
Ensure access to the transmission level and to the EU's wholesale market of renewable and low-carbon gases produced at distribution level.			x			
Integrate the distribution system operator level into the entry-exit system with the same balancing regime that is applicable to the transmission system operator.			x			
Extending the model of energy communities of			x			



Measure	No opinion	Very important	Important	Neutral	Not very important	Not important
the Electricity Directive to the gas market to consume volumes of biogas, biomethane or hydrogen not injected to the interconnected grid.						
Obliging operators to ensure connection for new renewable gases facilities i.e. priority connection and dispatch.				x		
Reducing network tariffs for injection of renewable gases to the grid.		x				
Limit tariffs to efficient network operations, not supporting other policy objectives.				x		
Make the short term capacity products for methane pipeline and storage		x				



Measure	No opinion	Very important	Important	Neutral	Not very important	Not important
infrastructure more attractive to better reflect the interdependency with electricity and compatibility with the support schemes for renewable and low-carbon gases.						
Abolish special treatment of fossil methane long-term contracts e.g. abolish derogations for take-or-pay clauses.		x				
System operators should be obliged to explore the opportunities for improving the energy efficiency of the system (i.e. eliminate leaks, recovering energy from pressure drops between high, medium and low pressure grids, optimise heat management including cold		x				



Measure	No opinion	Very important	Important	Neutral	Not very important	Not important
recovery from pressure decrease).						

68. *The current gas market model implies diverging access tariffs at the borders of Member States. As pointed out by ACER “Cross-border tariffs tend to have a referential role over hub price spreads, although the role may vary per case. In hub pairs, mainly in the Nord-West Europe area, day-ahead price spreads are regularly below daily transportation tariffs and frequently also below yearly transportation tariffs (the latter being usually more economic)[6]”. For the sake of an enhanced efficiency of gas markets into an integrated EU-wide internal market so as to facilitate the uptake of renewable and low-carbon gases within the market, a re-design of the access tariff to be more compatible with market dynamics could be introduced. This would lead to a full integration of gas markets and avoid price spreads across EU. It would however bear the risk of redistribution of transportation tariff between Member States in accordance with inter-TSO agreements and changes to end-user tariffs. Moreover, the re-designing of the short-term capacity products may avoid capacity foreclosure/lock-in in favour of long-term (natural) gas trade to the detriment to the renewable and low carbon gases. This may also help in aligning the capacity products of the future methane-based system with the electricity market operating on the basis of short-term trading. This could be done even in absence of EU-wide common rules on e.g. the overall rate of return, depreciation times or asset value for the gas grids, as these are set out at national level.*

[6] see ACER’s Market Monitoring Report 2019, p.58)

How do you rate the measures below to reach this enhanced level of design?

Measure	No opinion	Very important	Important	Neutral	Not very important	Not important
Abolishing grid charges on intra-EU cross-border points, payable price for capacity						X





Measure	No opinion	Very important	Important	Neutral	Not very important	Not important
booking determined by auctions only (minimum price fixed at variable costs only)						
Charging the entry points from non-EU countries based on capacity weighted distance to a virtual point in the middle of EU's grid in addition to some fees set according to market and security of supply criteria					x	
Collecting the remuneration of the EU's network operators from capacity auction revenues at extra-EU entry points, intra-EU entry points for gas' production and from exit points	x					



Measure	No opinion	Very important	Important	Neutral	Not very important	Not important
Introducing an inter-TSO compensation mechanism to reconcile revenues by keeping TSOs revenues neutral with the current circumstances.	x					
Setting up short-term capacity products		x				
Harmonising allowed revenues parameters for TSOs (e.g. WACC, depreciation time, valuation of assets)	x					
EU level guidance for the regional integration of the gas market, including gas market mergers			x			



69. The measures under question 67 and 68 could be combined. How do you see such a possibility?

*500 character(s) maximum*

Several aspects of current legislation are still suitable. In stead of a dramatic overhaul, it is key on some aspects such as (i) extending the energy community model to the gas sector, (ii) develop short-term capacity products for pipelines and storage for the sake of system integration, and (iii) ensure a level playing field by e.g. abolishing special treatment for fossil ToP capacity contracts.

70. *The LNG market in Europe has significantly changed since the adoption of the Third Energy Package setting the rules applicable to LNG terminals in the EU. Additional LNG volumes imported to the EU, more short-term trade and an increased number of LNG terminals in the EU change the way the terminals operate. Market participants are calling for more transparency, flexibility of products and access rules. Provided that adaptations are made and that sustainable renewable gases can be verified in third countries, LNG terminals can play a role in importing renewable and low-carbon gases (i.e. liquid hydrogen, biomethane, ammonia, synthetic-fuels). Gas storage facilities may also play an important role for renewable and low-carbon gases either directly or after adaptations. Do you think the existing regulatory framework for LNG needs to be modified? (multiple answers possible)*

- Yes, it needs to incentivise and promote the access of renewable and low-carbon gases into the LNG terminals (i.e. synthetic methane, bioLNG, etc.)
- Yes, it needs to be more harmonised in terms of transparency and access to available capacities to improve the functioning of LNG market in the
- Yes, it needs to be less prescriptive compared to the current framework, allowing for negotiated access rules to LNG terminals
- No, it strikes the right balance as it is
- Other:

/

71. Do you think that LNG terminals will play an important role in the decarbonisation of the gas sector?

- Yes, the import of renewable and low-carbon gases via LNG terminals into the EU will play an important role



- No, LNG terminals cannot be used to import renewable and low-carbon gases

72. Which renewable and low-carbon gases, in your view, can be imported via LNG terminals?

*100 character(s) maximum*

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73. How important do you consider the following measures to be to improve the current regulatory framework for LNG terminals?

	No opinion	Very important	Important	Neutral	Not very important
Require LNG terminals and other gas depressurising sites to provide waste heat/cold to nearby heat/cold consumers	x				
Introduction of measures coordinating the adaptation of LNG terminals to renewable and low-carbon gases e.g. coordination of development plans, market tests etc.	x				
Removing of the tariff discount for gaseous fuels entering the TSO grid from LNG terminals, regardless of the type of gas.					x
Introduction of stronger enforcement rules preventing cross-	x				



	No opinion	Very important	Important	Neutral	Not very important
subsidisation of LNG terminals.					
Introduction of an EU-wide information platform that ensures transparency on and comparability between terminal service offerings, tariff levels, and available capacities.		x			
Facilitate more transparency in the secondary trading of capacity.		x			
Harmonise the congestion management rules to improve terminals' usage.				x	
Provide an option for Member States to opt for "negotiated" access similar to storage facilities.				x	

74. Do you have any other view or ideas related to improve current regulatory framework for LNG? Please specify.

*500 character(s) maximum*

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75. Do you think the Gas Directive and Gas Regulation should be revised to encourage and promote the role of storage for use of renewable and low-carbon gases by introducing transparency measures such as coordination of development plans, market tests?



- Yes
- No

76. The blending of hydrogen and other renewable or low carbon gases into the existing methane gas grid requires a consideration of its contribution to the decarbonisation of the energy system as well as its economic and technical implications (see specific questions on technical implications in section on gas quality). Please indicate the appropriateness of the statements below with regard to blending

Statement	Completely disagree	Completely agree	Agree	Neutral	Disagree
Blending provides a cost efficient and fast first step to energy system decarbonisation. It will facilitate the offtake of hydrogen and other renewable and low carbon gases by using existing methane gas infrastructure				x	
Blending prevents the direct use of pure hydrogen in applications where its value in terms of GHG-emission reductions is higher, such as industry and transport.				x	
Blending creates technical constraints and additional costs at injection and end-use appliances which makes it a less cost-efficient option for decarbonisation.			x		



## VI. Gas Quality

*The variety of sources of gases transported through the EU's methane gas networks<sup>[8]</sup> leads to a corresponding variety of gas quality with different physical and chemical characteristics. These gas quality characteristics are an essential consideration for the design of gas infrastructure and end-use appliances, as well as for industrial processes using gas as feedstock, in order to ensure the safety and efficiency of operation. To this end, gas quality standards have been developed. Member States have established their own practices to control gas qualities at national level, adapted to their national context (e.g. quality of gases historically consumed and appliances in use). In addition, the CEN standard on H-gas quality<sup>[9]</sup> is currently the fundamental standard for the EU gas sector used in EU Member States. However, the CEN standard is not applied in a coordinated<sup>[10]</sup> or binding manner and therefore, is not sufficient on its own to provide for a harmonisation of gas quality standards across EU Member States. Differences in gas quality can lead to problems for end users and have negative effects on cross-border trade. The issue of gas quality is becoming more pressing with the effort to decarbonise the EU's energy sector, as this will require the injection of growing volumes of renewable and low-carbon gases into the existing gas transmission and distribution networks. The quality parameters of gas consumed and transported in Europe will change, leading to more frequent quality fluctuations to a much larger extent than is the case today. This will affect the design of methane gas infrastructure and end-user applications, as well as industrial processes using gases as feedstock. However, the existing regulatory framework was not designed to cater for such developments<sup>[11]</sup>.*

*[8] Currently mainly natural gas from different sources in and outside of the EU combined with a growing volume of renewable and low-carbon gases produced in the EU.*

[9] European Committee for Standardisation, EN 16726 "Gas infrastructure – quality of gas – group H", OJEU, December 2015.

[10] Study: Potentials of sector coupling for decarbonisation: Assessing regulatory barriers in linking the gas and electricity sectors in the EU, December 2019, [https://ec.europa.eu/energy/studies/potentials-sector-coupling-decarbonisation-assessing-regulatory-barriers\\_en](https://ec.europa.eu/energy/studies/potentials-sector-coupling-decarbonisation-assessing-regulatory-barriers_en); 6th CEER benchmarking report on the quality of electricity and gas supply, 2016.

[11] The Interoperability and Data Exchange Network Code is establishing a dispute resolution process in case of cross-border trade restrictions due to gas quality differences; Commission Regulation (EU) 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules, Article 15.

78. In your view, what is necessary to ensure efficient coordination on gas quality between Member States?

- The current cross-border coordination framework, is sufficient to deal with problems due to gas quality differences in the energy transition.



- Reinforced cross-border coordination tools (e.g. streamlined procedure, involving all impacted market participants, increased transparency).
- **Harmonised application of gas quality standards across the EU.**

79. In your view, the harmonised application of the CEN standard across EU Member States would be best achieved by:

	Completely disagree	Completely agree	Agree	Neutral	Disagree
Increased transparency on the application of the current standards (e.g. on measured parameters, on frequency of measurement, on rules of information provision).		x			
EU-wide harmonised rules on information provision and publication of CEN quality parameters.		x			
Harmonising the gas quality standard across the EU based on the CEN H-gas standard.			x		
Harmonising the gas quality standard across the EU based on a standard taking fully into account renewable and low-carbon gases, developed by an independent technical expert group.		x			





80. The injection of hydrogen into the existing methane gas network (blending) is currently explicitly accepted only in a few Member States and only possible at very low concentration levels. Similarly, hydrogen blending limits at cross-border interconnection points are applied only in a few Member States. In your view, what would be necessary to avoid or limit potential negative effects of hydrogen blending into the existing methane gas network from the perspective of end-users and infrastructure operators (e.g. for safety, production efficiency, product quality, emissions, etc.)?

- Not to blend hydrogen into the current methane gas network.
- Develop robust gas quality standards (e.g. CEN, national) allowing for the injection of renewable and low-carbon gases (including hydrogen) into the existing methane gas network.
- Establish EU wide harmonised quality specification at the transmission level, including at cross-border interconnection points, allowing for the injection of renewable and low-carbon gases (including hydrogen) into the existing methane gas network.

81. Clearly defined allowed blending levels at the EU or national level (e.g. minimum and/or maximum level of hydrogen in % by volume to be accepted in the network) could provide certainty for producers, infrastructure and appliance manufacturers and end-users. Applied at cross-border interconnection points, such blending levels would enable the unhindered flow of blended gases across Member States. In your view, should allowed hydrogen blending levels be introduced, and if yes in what form?

- Not at all.
- National hydrogen blending levels set by Member States.
- National hydrogen blending levels set by Member States in a standardised and transparent way, based on EU rules.
- Harmonised EU-wide hydrogen acceptance level for hydrogen blends, which TSOs have to accept at cross-border interconnection points (minimum and/or maximum level of hydrogen in % by volume).

82. Do you consider that rules on roles and responsibilities on gas quality management, including e.g. on cost allocation, dispute resolution and regulatory oversight, should be defined, and if yes in what form?

- Not necessary to define such rules.



- At Member State level (i.e. maintaining potential differences of the regulatory framework across Member States).
- **By establishing EU-level principles providing for a common approach in the Member States.**
- By setting EU-level rules ensuring a harmonised regulatory framework across the EU.

83. Do you see changes to the roles, tasks and liabilities of market participants with regard to gas quality monitoring, measurement and management?

Type of market participant	No	Yes
Gas producers, including producers of renewable and low-carbon gases		x
Transmission System Operators		x
Distribution System Operators		x
Consumers		x
Gas appliance manufacturers	x	
Service providers	x	
Others (please specify)		

Please specify what these changes would entail:

*100 character(s) maximum*

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84. In your view, at what point in the gas value chain should the quality of gases be adapted to the standard specifications, considering also technical feasibility and cost-effectivity?



- At gas production/injection points by the producer (i.e. before injection into the gas system, e.g. with adequate quality contracts).
- In the transmission and/or distribution system by the system operator.
- At the exit point by end-users.
- At the exit point to end-users by a third party service provider.

85. While handling varying qualities and more frequent quality fluctuations of the different renewable and low-carbon gases, gas quality management should remain cost-effective in the coming years and decades. Cost effective quality management requires sufficient transparency and information sharing. Do you consider that providing improved visibility on gas quality and transparency on the cost of gas quality measurement, monitoring and handling is needed?

- Yes
- No

86. The current regulatory framework<sup>[12]</sup> includes some requirements on TSOs to share information on gas quality. In order to enable market participants to deal with different gas qualities and potentially with quality fluctuations, it might be however necessary to further develop the visibility on gas quality for market participants. Please indicate the importance of the measures below.

[12] Commission Regulation (EU) 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules (Articles 7, 16, 17 and 18).

Measure	Not important	Very important	Important	Neutral	Not very important
The current regulatory framework is sufficient to ensure adequate transparency on gas quality (Interoperability and Data Exchange Network Code).				x	
Provide improved visibility on gas quality (actual and			x		



Measure	Not important	Very important	Important	Neutral	Not very important
forecast) to market participants.					
Extend the group of market participants receiving gas quality information (e.g. to include producers, all end-users, appliance manufacturers).			x		
Ensure transparency on the roles, responsibilities and liabilities for gas quality management.			x		
Provide for transparency on the costs of gas quality management (incl. measurement, monitoring and handling).		x			
Include gas quality aspects into the coordinated network planning (national and EU-wide).		x			

87. The potential changes to the regulatory framework and the changing role of market participants in gas quality management requires revisiting the question of proper regulatory oversight. However, harmonised rules on the role of National Regulatory Authorities (NRAs) for gas quality issues is currently missing. While NRAs have a role in dispute resolution in case of cross-border trade restrictions due to gas quality differences<sup>[13]</sup>, most of them are not involved in setting gas quality standards or in monitoring gas quality parameters. Do you consider it necessary to reinforce the roles and responsibilities of NRAs in a harmonised way to ensure proper regulatory oversight of the revised gas quality regulatory framework?



[13] Commission Regulation (EU) 2015/703 of 30 April 2015 establishing a network code on interoperability and data exchange rules, Article 15.

Yes

No

88. Do you see any other issues related to improving the regulatory framework on gas quality management you would like to raise? Please explain.

*500 character(s) maximum*

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## VII. Alignment of institutional rules for gaseous fuels to the Clean Energy Package

*EU electricity and gas market rules have been developed in parallel over the last 20 years and no distinction was made so far as concerns regulatory oversight over gas and electricity markets. Sector integration, i.e. more integrated EU electricity and gas markets may even require more aligned rules.*

*The revision of the Electricity Directive and Electricity Regulation adopted in 2019 (Directive (EU) 2019/944 on common rules for the internal market for electricity and Regulation (EU) 2019/943 on the internal market for electricity) reinforced the institutional framework to make it fit-for-purpose for the changes in the electricity sector (integration of renewables, decentralised electricity production, regionalisation, etc.). However, this creates differences in the institutional set-up between the electricity and gas sectors, which might lead to detrimental regulatory divergence and unnecessary complexity that could affect consumers, industry and regulators alike.*

*The revision of the gas legislation would envisage to align the provisions on the institutional framework for the gas sector to those already adopted for electricity, as this would also help implementing the sector integration principle. Updating the institutional framework for gas appears also necessary to make the EU gas sector fit for decarbonisation.*



89. In your view, to ensure the consistency of the regulatory framework, in which areas is it important to align the institutional provisions of the electricity and gas sectors?

Area of alignment to the electricity institutional framework	Gas market specificities require a different set of rules for gas	Align gas legislation to the rules in the Clean Energy Package (electricity legislation)
Adapting ENTSOG's mission, tasks and the rules governing its transparency and oversight by the Agency for the Cooperation for Energy Regulators (Electricity Regulation, Articles 28–31).		x
Adapt the role of ACER to oversee the effective functioning of the integrated markets and cross-border infrastructure (ACER Regulation, Article 4).		x
Aligning the process for developing detailed regulatory rules on the operation of the market and networks (i.e. network codes and guidelines, Electricity Regulation, Articles 58–60 and ACER Regulation, Article 5).		x
Aligning the provisions reflecting the increasing link between the distribution and transmission network levels in the regulatory framework (e.g. requirements for cooperation on network planning;		x



Area of alignment to the electricity institutional framework	Gas market specificities require a different set of rules for gas	Align gas legislation to the rules in the Clean Energy Package (electricity legislation)
Electricity Regulation, Article 57).		

90. The revision of the Electricity Market Design formalised the role of Distribution System Operators (DSOs) at European level by creating a single European DSO entity, rendering their participation effective and independent (Electricity Regulation, Articles 52–55). The aim was to facilitate distributed resources to participate in the market by – among others – enabling DSOs to become more active at European level and have increased responsibilities and tasks (similar to those of the TSOs). In your view, what would be required to ensure the EU-level representation of gas DSOs?

- There is no need to establish a DSO entity for gases.
- It is necessary to establish a separate DSO entity for gases.
- It is necessary to establish a “department” for gases under the existing electricity DSO entity with all rules from electricity applying.
- It is necessary to establish a “department” for gases under the existing electricity DSO entity with some specific rules applicable to gas DSOs.

91. Do you see any other issues related to the alignment of the gas institutional provisions to the Clean Energy Package provisions? Please explain.

*300 character(s) maximum*

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## VIII. Security of supply dimensions

With the adoption of the Security of Gas Supply Regulation<sup>[14]</sup>, the framework for the security of gas supply in the EU has developed significantly over the past years. Other EU initiatives such



as the protection of critical energy infrastructure and cybersecurity were added to the energy security and safety framework. The revision of the Gas Directive and the Gas Regulation needs to take into account this evolution. At the same time, the upcoming revision and the clean energy transition might imply amendments to these other pieces of EU acquis applicable in the sector of gases.

[14] Regulation (EU) 2017/1938 of the European Parliament and of the Council of 25 October 2017 concerning measures to safeguard the security of gas supply and repealing Regulation (EU) No 994/2010, OJ L 280, 28.10.2017.

92. How do you see the security of supply challenge in the context of the decarbonisation of the supply of gases in the EU in line with the climate–neutrality objectives?

- Security of supply will not be an issue when renewable and low–carbon gases will be used in the EU.
- Security of gas supply will still be an important challenge that needs to be taken into account in the context of increased use of renewable and low–carbon gases in the EU.
- New security issues should be taken into account.**

93. In case you consider that new security issues should be taken into account please explain which

*500 character(s) maximum*

The process of decentralisation and decarbonisation of the energy and gas system will lead to new challenges related to security of supply and costs. Energy storage is needed to ensure stability at different timeframes (e.g. daily vs seasonal storage) and cost–efficient solutions that allow for energy efficiency and optimisation in the context of a competitive market.

94. Do you think that changes are needed to guarantee consistency between the Gas Directive and the Security of Gas Supply Regulation:

Area of alignment	Not important	Very important	Important	Neutral	Not very important
Definitions, in general		x			
Definition of “protected customers”, in particular		x			





Area of alignment	Not important	Very important	Important	Neutral	Not very important
Clarify the conditions under which PSOs on security of gas supply grounds may be justified				x	
Solidarity mechanism				x	
Safeguard measures				x	

95. Do you see room for harmonising other elements, in addition to those listed under 94?

- Yes
- No

96. The scope of the Security of Gas Supply Regulation is currently limited to guaranteeing the provision of “methane gas”. Do you think that the rules on security of gas supply need to be amended ?

- Yes, the SoS Regulation should be amended as soon as possible.
- Yes, the SoS Regulation should be amended, based on the experience of the application of the new gas market rules.
- No, the SoS Regulation is fit for purpose (guaranteeing the methane gas supply, based on existing gas corridors).
- No, the provisions of the SoS Regulation are flexible enough and already allow to take into consideration the expected adaptation of the market to the needs of renewable and low carbon gases.

97. *The increasing digitalisation of energy technologies and networks makes the energy system smarter and enables consumers to benefit from innovative energy services. At the same time, digitalisation creates significant risks as an increased exposure to cyberattacks and cybersecurity incidents potentially jeopardise the security of energy supply and the privacy of consumer data. Cybersecurity and challenges related to it are evolving at a rapid pace, which is why the European Commission has taken a series of measures to tackle it[15]. Taking into*



*account the specific challenges in the energy sector<sup>[16]</sup>, the Commission adopted a dedicated recommendation on cybersecurity in the energy sector in April 2019. Further, the recent Clean Energy for all Europeans Package<sup>[17]</sup> introduced the possibility to develop cybersecurity rules for electricity.*

*[15] At horizontal cross-sectoral level, the Commission adopted a package on cybersecurity and critical infrastructure on December 2020, including a revised NIS Directive (Cybersecurity, COM(2020) 823 final), a revised Cybersecurity Strategy (JOIN(2020) 18 final) as well as a new proposal for a Directive on the resilience of Critical Entities (COM(2020) 829 final).*

*[16] E.g. real-time requirements, cascading effects and the mix of legacy technologies with smart/state of the art technology.*

*[17] Further information on cybersecurity measures: [https://ec.europa.eu/energy/topics/energy-security/critical-infrastructure-and-cybersecurity\\_en?redir=1](https://ec.europa.eu/energy/topics/energy-security/critical-infrastructure-and-cybersecurity_en?redir=1)*

Do you consider that developments in the gas sector also require establishing cybersecurity rules \_\_\_\_\_ for \_\_\_\_\_ gas?  
(only one answer possible)

- There is no need to develop cybersecurity measures for the gas sector.
- It is necessary to establish EU-level legislation for cybersecurity specifically for the gas sector.
- It is necessary to establish a comprehensive EU-level legislative framework for cybersecurity for the energy sector (covering the electricity, gas, hydrogen and heating sectors).

98. Do you think that energy-specific measures should be introduced to improve the resilience of critical gas infrastructure, including renewable and low-carbon gases?

- Yes
- No



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#### *About EASE*

*The European Association for Storage of Energy (EASE) is the voice of the energy storage community, actively promoting the use of energy storage in Europe and worldwide. It supports the deployment of energy storage as an indispensable instrument within the framework of the European energy and climate policy to deliver services to, and improve the flexibility of, the European energy system. EASE seeks to build a European platform for sharing and disseminating energy storage-related information and supports the transition towards a sustainable, flexible and stable energy system in Europe.*

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#### *Disclaimer*

*This response was elaborated by EASE and reflects a consolidated view of its members from an energy storage point of view. Individual EASE members may adopt different positions on certain topics from their corporate standpoint.*

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