



COMMISSION  
DE RÉGULATION  
DE L'ÉNERGIE

*Le Président*  
CRE/Pd/DJA/MCA/511

Paris, 24<sup>th</sup> May, 2013

**Bundesnetzagentur**  
The President  
Jochen Homann  
Bonn

***Subject: CRE's response to the public consultation of Bundesnetzagentur on Congestion Management Procedures (CMP)***

Dear President,

Please find below CRE's response to the public consultation of the Ruling Chamber 7 of Bundesnetzagentur on the implementation of the European Congestion Management Procedures (CMP) rules focused on the overbooking and buy-back mechanism.

Yours sincerely,

Philippe de Ladoucette

C.c:

**Mr. Achim Zerres**, Director of the Energy Department  
**Mr. Christian Mielke**, Chairman of Ruling Chamber 7

## **CRE response to the public consultation of Bundesnetzagentur on the European Congestion Management Procedures (CMP) rules**

CRE welcomes the opportunity offered by Bundesnetzagentur to provide comments on the envisaged approach for the oversubscription and buy-back scheme.

The interconnection point of Medelsheim / Obergailbach at the French / German border represents more than 20% of the total entry capacity to the French gas market. As the gas can only flow in the direction of Germany to France due to different odourisation practices, any change in the rules on the German side of the border may affect the French gas market.

Bundesnetzagentur proposes to temporarily suspend the obligation to introduce the oversubscription and buy-back scheme as allowed by the paragraph 2.2.3 (6) of the CMP Regulation. CRE would like to suggest that the assessment of the relationship between the firm day-ahead UIOLI and the oversubscription and buy-back scheme to be carried out by Bundesnetzagentur takes into account the following elements:

- In the recent public consultation of CRE on CMP implementation in France, 15 respondents (out of 16) were opposed to an anticipated implementation of the firm day-ahead UIOLI, as this mechanism significantly reduces the flexibility for the users, in particular for ensuring their balancing needs.
- The firm day-ahead UIOLI has been implemented in Germany since April 2012. CRE wishes to highlight that the implementation of this mechanism at Medelsheim may have negative implications on the functioning of the French market given the direction of the flows from Germany to France. CRE underlines that the CMP Regulation states in paragraph 2.2.3 (7) that the NRA has the obligation to consult with adjacent NRAs before adopting the decision of implementing this mechanism.
- In order to comply with the implementation deadlines of the CMP Regulation, CRE is currently considering to apply the oversubscription and buy-back mechanism on Obergailbach as of 1<sup>st</sup> October 2013. The implementation of an efficient oversubscription and buy-back mechanism on this interconnection point requires coordination efforts between the adjacent TSOs for the offer of consistent additional capacity.

Given all these elements, and in the view of adopting a consistent approach on the two sides of the border, CRE would like to ask Bundesnetzagentur to consider not applying the firm day-ahead UIOLI on Medelsheim, but rather to implement the oversubscription and buy-back scheme as of 1<sup>st</sup> October 2013. CRE is fully ready to jointly work with Bundesnetzagentur on the implementation of this latter mechanism at the Medelsheim / Obergailbach interconnection point.