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Your ref./date	Our ref.	Liabile/phone	in Malacky
	L-II/1222-2025-ROaM	M. Beňa/034-772 5939 ext.214	on 14 November 2025
	File Nr.: 1222-2025-OaM		

Subject: **R SNE G 01/2025 / Consultation Gas-Systemnutzungsentgelte-Verordnung 2013 (GSNE-VO 2013) – Novelle 2026**

Dear Madams,

Dear Sirs,

We refer to the draft for amendments to the Gas-Systemnutzungsentgelte-Verordnung 2013 / Novelle 2026 ("GSNE-VO") published by E-Control in October 2025 and welcome the opportunity to submit our comments in the consultation process.

POZAGAS a.s. ("POZAGAS") is a Slovak storage operator, which is connected to the Austria gas grid and a direct competitor of storage facilities connected to the Austrian distribution network.

The system charges proposed by GSNE-VO would result in a markedly disadvantageous treatment of POZAGAS. By adopting the amended tariffs, POZAGAS will be required to pay a **capacity tariff** (as adopted in the 2nd Amendment of the GSNE-VO in 2025) **that is 27% higher** compared to storage operators connected at the distribution level. Even more striking is that our direct competitors in Austria shall be entirely exempted from the commodity element of the tariff (mengenbasiertes Netznutzungsentgelt according to Section 12 para 6 GSNE-VO), whereas for POZAGAS a tariff of 0,11963 EUR/MWh applies. By comparing the total network connection costs (capacity tariff and commodity tariff) of storage operators in Austria, it can be observed that POZAGAS will be required to bear **overall costs that are 46% higher** compared to storage operators connected at the distribution level.

In our view there is no justification for treating us differently than the other storage operators, with whom we compete directly on the Austrian storage market. For the identical mode of storage utilization (injection of gas into the storage from the VTP Austria and its subsequent withdrawal from the storage back to the VTP Austria), a tariff regime is applied that grants our competing operators an economic advantage, which considerably distorts competition.¹ We consider the different treatment of POZAGAS and its competing operators a state measure in violation of European law, including the European competition rules. In addition, the different treatment contravenes the principle of non-discrimination under European and Austrian gas law.

To create a fair level playing field for storage services on the Austrian market and to ensure compliance with European and Austrian law, we urge E-Control to adjust the proposed model. This requires a tariff model, where all storage operators, which are directly connected to the Austrian network are treated equally. This can be easily achieved by applying the same tariff to all market participants.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Beňa'.

Martin Beňa

Sales and marketing director

¹ See also Commission Notice on the notion of State aid as referred to in Article 107(1) of the Treaty on the Functioning of the European Union, C/2016/2946,