POZAGAS

joint-stock company
Natural gas underground storage

STRICTLY CONFIDENTIAL

From:
POZAGAS a.s.
Malé námestie 1
901 01 Malacky
Slovak Republic

To:
Energie-Control Austria
Rudolfsplatz 13a
A-1010 Vienna
Austria

Attn: Mr. Mag. Michael Schmöltzer

in Malacky, on 14th September 2012

No. 39/2012

Re: Comments to the E-control Consultation draft of System Charges Ordinance 2013

Dear Mr. Schmöltzer,

We would like to take the given opportunity to share our opinion on the updated E-control consultation draft of system charges ordinance 2013, published on the E-control web site, with you.

In order to be able to comment the newly proposed system usage fee (for both FZK and DZK) for Storage facilities, we would appreciate to know the logic/methodology behind the calculation of the fee setting (i.e. driver for difference between the fee for FZK and DZK).

Taking into consideration (i) the principles on which the Natural Gas Act is based, mainly to ensure gas supply at reasonable cost and high quality and (ii) the fact that there is no substantial cost (only possibly administration cost) for the interconnection point WAG/MAB we would like to state that in case of fee (both FZK and DZK) for Storage MAB this principle is not implemented (only if this fee includes the cost of GCA for MAB pipeline).

The consequence of current system charges ordinance 2013 adoption would mean (i) unjust payment to BOG GmbH as there are no WAG/MAB connection related costs of BOG GmbH and (ii) unreasonable high storage cost to be paid by customer of POZAGAS a. s.

Please note that we already proposed possible solution in our letter dated 27 August 2012 (compensation payment from BOG to GCA).

By the same token we would like to underline that there are still no clear rules of booking the capacities on WAG/MAB interconnection point and quality of available capacities after 1 January 2013. This fact can have significant impact on our current position.

In case you have any questions, please feel free to contact us. We look forward to provide any assistance needed.

Kind regards,

Mária Bronišová
Chairman of the Board of Directors

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Member of the Board of Directors

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POZAGAS a.s. is recorded in the Commercial Register of the Bratislava I District Court, Volume Sa, Entry 1271/B