E-Control Regulation Commission Ordinance Setting the Natural Gas System Charges (Gas System Charges Ordinance 2013)

In exercise of section 70 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011, *BGBl.* (Federal Law Gazette [FLG]) I no 107/2011, as amended by FLG II no 226/2015, in conjunction with section 12 para. 1 *Energie-Control-Gesetz* (E-Control Act), FLG I no 110/2010, as amended by FLG I no 174/2013, the following Ordinance is issued:

(proliferated in FLG II no 309/2012, as amended by the *Gas-Systemnutzungsentgelte-Verordnung – Novelle 2016* [Gas System Charges (Amendment) Ordinance 2016], FLG II no 427/2015)

Title 1

Principles

Regulatory Matter

Section 1. (1) The present Ordinance sets the following transmission system charges:

1. a system utilisation charge;
2. a system admission charge; and
3. a system provision charge.

(2) This Ordinance determines the cost cascading method pursuant to section 83 para. 3 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011, the billing and invoicing modalities for the system charges, the equalisation payments between a network area's system operators, the fee for performing the responsibilities of a distribution area manager applicable for the distribution area managers in the distribution areas east, Tyrol and Vorarlberg, as well as the following distribution system charges:

1. a system utilisation charge;
2. a system admission charge;
2. a system provision charge;
3. a metering charge; and
4. supplementary service charges.

Definitions

Section 2. (1) For the purpose of this Ordinance, the term

1. "billing period" generally means a period of 365 (or 366) days; a period of one month can be agreed upon with load-metered customers;
2. "operating volume" means the gas volume in operating state registered at the meter;
3. "dynamically allocable capacity" means capacity that can only be offered on a firm basis in combination with certain entry/exit points and functions as interruptible capacity in combination with all other entry/exit points and the virtual trading point (section 3 para. 2 item 2 *Gas-Marktmodell-Verordnung* [Gas Market Model Ordinance] 2012, FLG II no 171/2012);
4. "party injecting gas from domestic production" means a producer of natural gas from domestic sources that feeds this gas into a system;
5. "amount of energy" means the standard volume multiplied by the invoiced calorific value;
6. "consumer installation" or "consumer facility" means a facility that is connected to a system operator's grid, owned by a party entitled to system access and used to produce (feed in) or consume (feed out) natural gas;
7. "load profile meter" or "load meter" means a metering device which registers the actual load during each hour;
8. "load metering" means metering by load meter to determine the maximum hourly load per month;
9. "minimum capacity" means 20% of the contractual capacity per metering point if the capacity part is billed for on a monthly basis in accordance with section 10 para. 5. If natural gas is consumed only from March through October and the capacity part is billed for on a monthly basis according to section 10 para. 5, the minimum capacity is 10% of the contractual capacity per metering point for the whole billing period; if the capacity part is billed for on a daily basis in accordance with section 10 para. 6a, a minimum capacity of 15% of the contractual maximum capacity per metering point applies;

10. “standard volume” means the volume of gas in normal state (i.e. at a temperature of 0°C and a pressure of 1.01325 bar);
11. “capacity band” means any of the bands in accordance with section 10, which is defined by a minimum and maximum capacity per billing period; the applicable rate for the entire capacity is that for the capacity band that corresponds to the entire consumption during a billing period;

11a. “standard capacity” means the capacity at the entry and exit points to/from the distribution area. It has a firm and an interruptible part, with the firm part being dynamically allocable and depending on the current off-take in the distribution area;

12. “conversion calorific value” means the calorific value in kWh/Nm3 (at 0 °C) used to calculate the capacity in kWh/h when converting existing, volume-based transport contracts into energy-based entry and exit contracts. In the eastern market area, it is 11.19 kWh/Nm^3 (at 0 °C);
13. “invoiced calorific value”, aka “calorific value”, means the calorific value in kWh/m3 used to determine the amount of energy to be billed to consumers; it is 11.31 kWh/Nm3 for the eastern market area, 11.26 kWh/Nm3 for the Tyrol market area, and 11.26 kWh/Nm3 for the Vorarlberg market area. If the average monthly value published by the competent distribution area manager deviates from these values by more than 2%, the former applies for that period of time;
14. “contractual capacity” means the technical or, if specified, the contracted maximum load, which must correspond to the actual capacity needs of the party entitled to system access. Short-term changes in consumption or injection patterns do not constitute a right to adjust the contractual capacity;
15. “meter size” means the size between the minimum and maximum gas flows in m^3/h set in OIML Recommendations R31 and R32 (row G) of the “International Organisation of Legal Metrology” on 1 October 2002;
16. “metering point” means the injection or withdrawal point where gas volumes are metered and registered. Every consumer installation must have a metering point; connecting several consumer installations to only one metering point is not permissible. If for technical reasons (meter size) it is not possible to register all gas consumed by a consumer facility at one meter, several meters shall be joined to form one metering installation with one connection line for the purpose of metering consumption at one metering point;
17. “energy band” means any of the bands in accordance with section 10, which is defined by a minimum and maximum energy volume per billing period. The applicable charge consists of the sum of all charges for all bands run through until reaching the accumulated consumption according to section 5.

(2) In addition to the above, the definitions in section 7 Natural Gas Act 2011, in section 2 Gas Market Model Ordinance 2012 and in Article 2 of Regulation (EC) No 715/2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005, OJ L 211, 14.08.2009, apply.

Title 2

Transmission Network Charges

System Utilisation Charge for Injecting and Withdrawing Parties

Section 3. (1) The system utilisation charges for feeding into and taking off from the transmission network take the shape of rates that are stated in EUR/kWh/h, unless explicitly provided otherwise, per year and per entry/exit point, and that include the costs for energy needed for compression. System users must pay such charges even if the booked capacity is not nominated or only partially nominated.

(2) The rates for system utilisation for entry into the transmission network at the below entry points payable for firm, freely allocable entry capacity booked by way of contracts with a term of at least one year are:

1. Baumgarten: 0.70
2. Oberkappel: 1.39
3. Überackern: 1.54
4. Arnoldstein: 1.39
5. Mosonmagyaróvár: 0.90
6. Murfeld: 1.10

(3) The rates for system utilisation for exits from the transmission network at the below exit points payable for firm, freely allocable exit capacity booked by way of contracts with a term of at least one year are:

1. Baumgarten: 1.15
2. Oberkappel: 4.21
3. Arnoldstein: 5.26
4. Murfeld: 4.16

5. Mosonmagyaróvár: 1.92
6. Petrzalka: 1.97
7. Distribution area: 0.65
8. Überackern: 4.21

(4) The rates for system utilisation for entry into the transmission network at the below entry points, at which injection is not physically possible and transports can only be offered on an interruptible basis, payable for entry capacity booked by way of contracts with a term of at least one year are:

1. *deleted (FLG II no 427/2015)*
2. *deleted (FLG II no 12/2015)*
3. Petrzalka: 1.97

(5) The rates for system utilisation for entry into the transmission network at the below entry points payable for dynamically allocable capacity (the exit points to be combined with for firm rights are indicated in brackets) that has been booked by way of contracts with a term of at least one year are:

1. Baumgarten (Oberkappel): 0.62
2. Baumgarten (Überackern): 0.62
3. Oberkappel (Überackern): 0.21
4. Oberkappel (Baumgarten): 1.24
5. Baumgarten (MAB storage facility): 0.21
6. Arnoldstein (distribution area): 0.56
7. Überackern (Oberkappel): 1.39
8. Arnoldstein (Murfeld): 0.56

(6) The rates for system utilisation for exits from the transmission network at the below exit points payable for dynamically allocable exit capacity (the entry points to be combined with for firm rights are indicated in brackets) that has been booked by way of contracts with a term of at least one year are:

1. Baumgarten (Oberkappel): 0.75
2. Baumgarten (MAB storage facility): 0.21
3. Oberkappel (Baumgarten): 3.75
4. Überackern (Oberkappel): 2.99
5. Oberkappel (Überackern): 0.21
6. Distribution area (Baumgarten): 0.63
7. Distribution area (Oberkappel): 0.63

(6a) When allocating incremental transmission-level entry capacity under contracts with a term of at least one year before such capacity becomes first available, a markup on the system utilisation charge pursuant to para. 2 applies. The rates for such markup, applicable per unit of firm, freely allocable contractual entry capacity, are set at the following levels for the below entry points:

1. Mosonmagyaróvár: 2.18
2. Murfeld: 1.63

(7) As a rule, the rates for interruptible capacity are the same as those for the corresponding firm capacity. System users shall be compensated if interruptions occur. Such compensations shall take the form of reductions of the charge payable for the respective service month. The amount of such reduction (E_{Rm}) is calculated by the transmission system operator by applying the formula in annex 1. There shall be no compensation in the case of interruptible transports on the basis of dynamically allocable capacity.

(8) The rates for system utilisation exclusively for transports between relevant points pursuant to section 39 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011 at interconnection points in the transmission network where several relevant points pursuant to section 39 Natural Gas Act 2011 meet payable for firm transports (the points to be combined with are indicated in brackets) that has been booked by way of contracts with a term of at least one year are:

1. Überackern-SUDAL (Überackern-ABG): Entry: 0.14 Exit: 0.14
2. Überackern-ABG (Überackern-SUDAL): Entry: 0.14 Exit: 0.14

(9) The rates for system utilisation for entry into and exits from the transmission network payable for capacity booked by way of contracts with a term of less than one year are derived from the rates (E) in paras 2 to 8 with the exception of para. 6a by applying the following formulae:

1. for quarterly products: (E/365)*number of days in the quarter*1.25;
2. for monthly products: (E/365)*number of days in the month*1.5;

3. for daily products: (E/365)*1.75.

4. for rest-of-the-day and within-day products: (E/8760)* number of (remaining) hours in the day*1.

(10) In the event of transport restrictions caused by unplanned maintenance activities that the transmission system operator has not publicly announced 42 days in advance in line with point 3.3(1)(g) of Annex 1 to Regulation (EC) No 715/2009, the charges payable by system users shall be reduced in accordance with the duration and extent of the restriction. This shall take the form of reductions of the charge payable for the respective service month. The amount of such reduction (E_{km}) is calculated by the transmission system operator by applying the formula in annex 2. The hourly capacity to be used in the calculation is the one made available by the transmission system operator, even if the system user does not use such capacity or does not use it to its full extent.

System Utilisation Charge for Storage System Operators

Section 4. (1) The system utilisation charges for exits from the transmission network into storage take the shape of rates that are stated in EUR/kWh/h, unless explicitly provided otherwise, per year and per exit point, and that include the costs for energy needed for compression. Storage system operators must pay such charges even if the capacity booked in accordance with section 16 *Gas-Marktmodell-Verordnung* (Gas Market Model Ordinance) 2012 is not nominated or only partially nominated.

(2) The rates for system utilisation for exits from the transmission network into storage at the below exit points payable for firm, freely allocable exit capacity booked by way of contracts with a term of one year are:

1. Storage facility 7-fields: 0.36

2. Storage facility MAB: 0.36

(2a) *deleted (FLG II no 427/2015)*

(3) The rates for system utilisation for exits from the transmission network into storage at the below exit points payable for dynamically allocable capacity (the entry points to be combined with for firm rights are indicated in brackets) that has been booked by way of contracts with a term of one year are:

1. Storage facility 7-fields (Oberkappel): 0.14

2. Storage facility MAB (Oberkappel): 0.14

(4) As a rule, the rates for interruptible capacity are the same as those for the corresponding firm capacity. System users shall be compensated if interruptions occur. Such compensations shall take the form of reductions of the charge payable for the respective service month. The amount of such reduction (E_{Rm}) is calculated by the transmission system operator by applying the formula in annex 1. There shall be no compensation in the case of interruptible transports on the basis of dynamically allocable capacity.

(5) In the event of transport restrictions caused by unplanned maintenance activities in line with the general terms and conditions for transmission network access approved pursuant to section 32 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011, the charges payable by system users shall be reduced in accordance with the duration and extent of the restriction. This shall take the form of reductions of the charge payable for the respective service month. The amount of such reduction (E_{km}) is calculated by the transmission system operator by applying the formula in annex 2. The hourly capacity to be used in the calculation is the one made available by the transmission system operator, even if the system user does not use such capacity or does not use it to its full extent.

(6) The rates for system utilisation for cross-border use of storage facilities at transmission level in line with para. 8 item 1, in cent/kWh/h per day, are:

1. Storage facility 7-fields: 1.02

2. Storage facility MAB: 0.22

The amount relevant for billing the system utilisation charge is the sum of minimum storage account positions in accordance with para. 8 item 1 recorded for each storage customer during a gas day in kWh/h.

(7) The rates for system utilisation for cross-border use of storage facilities at transmission level in line with para. 8 item 2, in cent/kWh/h per day, are:

1. Storage facility 7-fields: 0.42

2. Storage facility MAB: 0.19

The amount relevant for billing the system utilisation charge is the sum of maximum storage account positions in accordance with para. 8 item 2 for a gas day in kWh/h.

(8) Cross-border use of a storage facility has taken place if the hourly account position pursuant to para. 10 item 2 is not zero.

1. A negative hourly position indicates cross-border storage use from the eastern market area into a neighbouring market area;
2. A positive hourly position indicates cross-border storage use into the eastern market area from a neighbouring market area.

Transmission and distribution system operators shall provide each other with the pertaining data in accordance with para. 9 items 2 and 3.

(9) If no cross-border storage use has taken place, the storage system operator shall prove so to the system operator to whose system the storage facility is connected. If a storage facility is connected to both the transmission and distribution networks, evidence shall be provided to both the transmission and distribution system operators. For this purpose, storage system operators shall set up a storage account for each of their customers and per market area, to record entry and exit nominations pursuant to items 2 and 3, and transfers between the market area storage accounts. Storage system operators shall submit the following data to system operators:

1. the hourly movement in the actual position recorded in each customer's storage account balance, confirmed towards the system operators by an independent auditor;

2. the hourly entry nominations from the transmission and distribution network to the storage facility for each customer and balance group, confirmed towards the system operators by the distribution and market area managers shall confirm validity of the values towards the system operators;

3. the hourly exit nominations from the storage facility into the transmission and distribution network for each storage customer and balance group, confirmed towards the system operators by the distribution area manager.

(10) The hourly storage account position per customer is calculated as follows:

1. the forecast hourly movement of the storage account per customer is calculated by subtracting the exit nominations (para. 9 item 3) from the entry nominations (para. 9 item 2) for each hour;

2. the hourly position of the storage account per customer is calculated by subtracting the forecast hourly movement (item 1) from the actual hourly movement (para. 9 item 1) for that customer.

(11) Storage system operators shall pay to the system operator to whose system their storage facility is connected the charges pursuant to paras 6 and 7 on a monthly basis, in addition to the charges pursuant to paras 2 and 3 and section 12 para. 2. If a storage facility is connected both to the transmission and to the distribution network, the amounts for calculating the system utilisation charge for cross-border storage usage are calculated by the transmission system operator. Based on the amounts calculated by the transmission system operator, the distribution and transmission system operators send separate bills to the storage system operator. The key for distributing the revenue deriving from the charges in accordance with para. 6 between the system operators shall reflect the amount of energy in kWh injected from the storage facility into each system by each balance group during the month in question. The key for distributing the revenue deriving from the charges in accordance with para. 7 between the system operators shall reflect the amount of energy in kWh injected into the storage facility from each system by each balance group during the month in question.

Transmission System Admission Charge

Section 5. The system admission charge compensates the transmission system operator for all reasonable cost, considering normal market prices, directly arising from connecting a facility to a transmission system for the first time or altering a connection to account for a system user's increased connection capacity. The system admission charge is a one-off payment; the system user shall be informed of how it is made up in a transparent and understandable manner. In cases where connection costs are borne by system users themselves, the system admission charge shall be reduced accordingly. The system admission charge shall be cost-reflective; the transmission system operator may set a uniform rate for similar system users.

Transmission System Provision Charge

Section 6. The system provision charge is payable at the time of first connection or increase of contracted maximum capacity as a one-off payment reflective of capacity and covers the past and future network development measures necessary to enable such connection. Its shall be a one-off payment whose amount reflects the agreed extent of system usage and which is billed for at the time of signature of a system access contract or increase of the contracted maximum capacity. The rate for system provision for load-metered facilities and storage facilities at transmission level is:

1. for firm capacity: 3.00 EUR/kWh/h;
2. for interruptible capacity: 1.50 EUR/kWh/h.

Equalisation Payments

Section 7. (1) The payments for equalisation among the transmission system operators are stated as net annual amounts payable in twelve equal instalments, one per month.

(2) TAG GmbH shall make equalisation payments in the amount of EUR 8 366 148.02 to Gas Connect Austria GmbH..

Auctions

Section 8. (1) Where capacity is to be auctioned pursuant to section 6 *Gas-Marktmodell-Verordnung* (Gas Market Model Ordinance) 2012, the rates stated in section 3 serve as the reserve price. Notwithstanding section 3 para. 9, the reserve price for day-ahead capacity at entry points to the eastern market area is 1/365 of the rate stated in section 3 para. 2 item 1 and that at exit points from the eastern market area is 1/365 of the relevant rate stated in section 3 para. 3.

(2) For capacity to be auctioned pursuant to section 6 para. 1 Gas Market Model Ordinance 2012, system users shall pay both the reserve price and the difference between the reserve price and the clearing price of the auction (premium) for the duration of their contract. If the rates according to section 3 change during the contract term, the payable price, consisting of the reserve price and the auction premium, shall be adjusted for the difference between the original and the revised reserve price.

(3) For bundled capacity at cross-border interconnection points, pursuant to section 4 Gas Market Model Ordinance 2012, the rates stated in section 3 form part of the reserve price. For bundled day-ahead capacity, the rates stated in the second sentence in para. 1 above form part of the reserve price.

(4) When allocating incremental capacity before it becomes first available, the markup pursuant to section 3 para. 6a applies on top of the reserve price according to section 3 para. 2. System users shall pay the auction premium and the markup pursuant to section 3 para. 6a in addition to the system utilisation charge pursuant to section 3 para. 2 for the duration of each contract. In the event that the rates pursuant to section 3 para. 2 should change during the contract term, the payable price shall be adjusted accordingly.

Title 3

Distribution Network Charges

Distribution System Provision Charge

Section 9. (1) The system provision charge takes the shape of rates that are stated in EUR per kWh/h payable for the contractual capacity; they are:

1. For load-metered facilities and storage facilities at network levels 1 and 2: In the Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg, and Vienna areas:

a) For firm or standard capacity: 3.00 EUR

b) For interruptible capacity for storage facilities: 1.50 EUR

3. For load-metered facilities and storage facilities at network level 3: In the Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg, and Vienna areas:

a) For firm or standard capacity: 5.00 EUR

b) For interruptible capacity for storage facilities: 2.50 EUR 4. For facilities without load metering at network level 3:
In the Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg, and Vienna areas: 0.00 EUR

System Utilisation Charge for Consumers and System Operators

Section 10. (1) Unless explicitly provided otherwise, the system utilisation charge at distribution level payable by consumers and system operators in network areas in accordance with section 73 para. 2 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011 takes the shape of unit rates in cent/kWh per metering point for energy, and capacity rates in cent/kWh/h per year and metering point or flat rates in cent/month per metering point for capacity. The charges for network level 2 also apply to facilities connected at network level 1.

(2) In cases where meters register gas in normal state, the amount of energy is calculated by multiplying the volume in normal state by the invoiced calorific value pursuant to section 2 para. 1 item 13.

(3) In cases where meters register gas in operating state, the volume in normal state is calculated in accordance with the technical methods set in directive G 0110 of the Austrian Association for Gas and Water, published in October 2015. The pressure ambient (pamb) in the assigned elevation zone is determined once. The

amount of energy is calculated by multiplying the volume in normal state by the invoiced calorific value pursuant to section 2 para. 1 item 13.

(4) The charges are made up of a unit rate (split into energy bands) and a capacity rate (split into capacity bands). The energy and capacity bands 1 through 4 apply to facilities without load metering; the energy and capacity bands A through F apply to load-metered facilities. Energy amounts are accounted for by the rates in energy bands 1-4 and A-F, which imply that bands are run through successively until the annual consumption is reached. Capacity is accounted for by the rates in capacity bands A-F and 1-4, with flat rates for bands 1-4. The flat rates determined for bands 1-4 generally refer to a period of one month. If the billing period is shorter or longer than one month, then the rates shall be prorated on a daily basis. Bands may be merged so that the same energy or capacity rate applies. Invoicing shall correspond to actual meter reading intervals (section 15 para. 3); section 126 para. 2 Natural Gas Act 2011 remains unaffected thereby.

(5) In order to calculate the monthly capacity charge for system utilisation by load-metered facilities, the highest hourly load registered during the one-month billing period shall be multiplied by the twelfth part of the capacity rate set in this Ordinance. Where the billing period is one year, the capacity part of the system utilisation charge shall be determined by multiplying the arithmetic mean of the highest hourly loads of each month of the last billing period by the capacity rate set in this Ordinance. Irrespective of the highest hourly load actually recorded in a month, the capacity part of the system utilisation charge cannot make reference to less than the minimum capacity according to section 2 para. 1 item 9. The minimum capacity only applies for consumers.

(6) If the capacity contracted for a metering point is exceeded during a month, the consumer shall be billed five times the capacity charge for the excess capacity used. The excess capacity shall be determined based on the highest hourly load registered in that month.

Where the following conditions are fulfilled, the capacity charge times five for short-term excess capacity use does not apply:

1. capacity use is limited due to the existence of a capacity bottleneck in the distribution system that has been identified by the distribution area manager;

2. the excess capacity use was agreed between the consumer and the distribution system operator based on the general terms and conditions for distribution systems;

3. the contractual maximum capacity per metering point exceeds 50,000 kWh/h; and

4. the meter readings are available to the distribution system operator online.

(6a) Notwithstanding para. 5 and if so requested by the consumer, the capacity part of the system utilisation charge shall be calculated based on the highest hourly load registered during each day in the case of facilities at network level 2 with contractual capacities of more than 400,000 kWh/h per metering point. The basis for daily charges shall be calculated by multiplying the highest hourly load registered during each day by the capacity rate ordered pursuant to this paragraph. The billing mode can be changed once in twelve months. Irrespective of the highest hourly load actually recorded during a day, the capacity part of the system utilisation charge cannot make reference to less than the minimum capacity according to section 2 para. 1 item 9.

(6b) If the capacity contracted for a metering point is exceeded during a day, the consumer shall be billed five times the capacity charge according to para. 6a for the excess capacity used. The excess capacity shall be determined based on the highest hourly load registered during that day.

Where the following conditions are fulfilled, the capacity charge times five for short-term excess capacity use does not apply:

1. capacity use is limited due to the existence of a capacity bottleneck in the distribution system that has been identified by the distribution area manager;

2. the excess capacity use was agreed between the consumer and the distribution system operator based on the general terms and conditions for distribution systems;

3. the contractual maximum capacity per metering point exceeds 50,000 kWh/h; and

4. the meter readings are available to the distribution system operator online.

(6c) If so requested, facilities that offer balancing services on the electricity balancing markets shall be billed by correspondingly applying para. 6a for days during which the control area operator pursuant to section 23 para. 2 item 6 *Elektrizitätswirtschafts- und -organisationsgesetz* (Electricity Act) 2010 calls off the balancing energy offered. The maximum hourly load registered on days when balancing energy is called off is excluded from calculation of the monthly maximum metered load pursuant to para. 5. The capacity charge pursuant to para. 5 shall be reduced accordingly by the days when balancing energy was called off. The control area operator submits to the gas distribution system operator to whose network the facility is connected the data necessary for billing.

(7) If the billing period is not 356 (or 366) days, the energy bands pursuant to para. 4 shall be scaled to the actual billing period in accordance with the load profile determined following the *Lastprofilverordnung* (Load Profile Ordinance). The energy bands shall also be scaled to actual or calculated consumption whenever the system charges are amended. This calculation (and, if applicable, the statistical calculation of the consumption) shall be presented in a transparent and verifiable way on the bill. The system operator shall provide an explanation of the calculation method on its website for consumers to verify how the energy bands have been scaled and how their consumption has been calculated. Where consumers request so, they shall be provided with the calculated daily and/or monthly consumption data for the last billing period either electronically or in hard copy.

(8) The system utilisation charge at distribution level payable by consumers and system operators in network areas in accordance with section 73 para. 2 Natural Gas Act 2011 is:

1. For network level 2:

a) Burgenland area – network level 2:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6a		Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6a
0 - 5.000.000	**Zone A**	0,4330	0,6495	**Staffel A**	603	2,4781
5.000.001 - 10.000.000	**Zone B**	0,2543	0,3815	**Staffel B**	603	2,4781
10.000.001 - 100.000.000	**Zone C**	0,1202	0,1803	**Staffel C**	603	2,4781
100.000.001 - 200.000.000	**Zone D**	0,0455	0,0683	**Staffel D**	603	2,4781
200.000.001 - 900.000.000	**Zone E**	0,0455	0,0683	**Staffel E**	603	2,4781
Ab 900.000.001	**Zone F**	0,0455	0,0683	**Staffel F**	603	2,4781

b) Carinthia area – network level 2:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6a		Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6a
0 - 5.000.000	**Zone A**	0,2534	0,3801	**Staffel A**	565	2,3219
5.000.001 - 10.000.000	**Zone B**	0,1354	0,2031	**Staffel B**	565	2,3219
10.000.001 - 100.000.000	**Zone C**	0,0803	0,1205	**Staffel C**	565	2,3219
100.000.001 - 200.000.000	**Zone D**	0,0547	0,0821	**Staffel D**	565	2,3219
200.000.001 - 900.000.000	**Zone E**	0,0547	0,0821	**Staffel E**	565	2,3219
Ab 900.000.001	**Zone F**	0,0307	0,0461	**Staffel F**	565	2,3219

c) Lower Austria area – network level 2:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6a		Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6a
0 - 5.000.000	**Zone A**	0,0834	0,1251	**Staffel A**	506	2,0795
5.000.001 - 10.000.000	**Zone B**	0,0771	0,1157	**Staffel B**	506	2,0795
10.000.001 - 100.000.000	**Zone C**	0,0682	0,1023	**Staffel C**	506	2,0795
100.000.001 - 200.000.000	**Zone D**	0,0682	0,1023	**Staffel D**	506	2,0795
200.000.001 - 900.000.000	**Zone E**	0,0489	0,0734	**Staffel E**	506	2,0795
Ab 900.000.001	**Zone F**	0,0422	0,0633	**Staffel F**	506	2,0795

d) Upper Austria area – network level 2:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6a		Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6a
0 - 5.000.000	**Zone A**	0,0754	0,1131	**Staffel A**	569	2,3384
5.000.001 - 10.000.000	**Zone B**	0,0746	0,1119	**Staffel B**	569	2,3384
10.000.001 - 100.000.000	**Zone C**	0,0699	0,1049	**Staffel C**	569	2,3384
100.000.001 - 200.000.000	**Zone D**	0,0639	0,0959	**Staffel D**	569	2,3384
200.000.001 - 900.000.000	**Zone E**	0,0605	0,0908	**Staffel E**	569	2,3384
Ab 900.000.001	**Zone F**	0,0600	0,0900	**Staffel F**	569	2,3384

e) Salzburg area – network level 2:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6a		Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6a
0 - 5.000.000	**Zone A**	0,2740	0,4110	**Staffel A**	378	1,5534
5.000.001 - 10.000.000	**Zone B**	0,2740	0,4110	**Staffel B**	378	1,5534
10.000.001 - 100.000.000	**Zone C**	0,2740	0,4110	**Staffel C**	378	1,5534
100.000.001 - 200.000.000	**Zone D**	0,0429	0,0644	**Staffel D**	378	1,5534
200.000.001 - 900.000.000	**Zone E**	0,0429	0,0644	**Staffel E**	378	1,5534
Ab 900.000.001	**Zone F**	0,0429	0,0644	**Staffel F**	378	1,5534

f) Styria area – network level 2:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6a		Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6a
0 - 5.000.000	**Zone A**	0,1431	0,2147	**Staffel A**	602	2,4740
5.000.001 - 10.000.000	**Zone B**	0,1091	0,1637	**Staffel B**	602	2,4740
10.000.001 - 100.000.000	**Zone C**	0,0772	0,1158	**Staffel C**	602	2,4740
100.000.001 - 200.000.000	**Zone D**	0,0639	0,0959	**Staffel D**	602	2,4740
200.000.001 - 900.000.000	**Zone E**	0,0631	0,0947	**Staffel E**	602	2,4740
Ab 900.000.001	**Zone F**	0,0625	0,0938	**Staffel F**	602	2,4740

g) Tyrol area – network level 2:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6a		Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6a
0 - 5.000.000	**Zone A**	0,8257	1,2386	**Staffel A**	411	1,6890
5.000.001 - 10.000.000	**Zone B**	0,5955	0,8933	**Staffel B**	411	1,6890
10.000.001 - 100.000.000	**Zone C**	0,5043	0,7565	**Staffel C**	411	1,6890
100.000.001 - 200.000.000	**Zone D**	0,5043	0,7565	**Staffel D**	411	1,6890
200.000.001 - 900.000.000	**Zone E**	0,5043	0,7565	**Staffel E**	411	1,6890
Ab 900.000.001	**Zone F**	0,5043	0,7565	**Staffel F**	411	1,6890

h) Vorarlberg area – network level 2:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6a		Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6a
0 - 5.000.000	**Zone A**	0,3970	0,5955	**Staffel A**	510	2,0959
5.000.001 - 10.000.000	**Zone B**	0,2050	0,3075	**Staffel B**	510	2,0959
10.000.001 - 100.000.000	**Zone C**	0,1530	0,2295	**Staffel C**	510	2,0959
100.000.001 - 200.000.000	**Zone D**	0,1010	0,1515	**Staffel D**	510	2,0959
200.000.001 - 900.000.000	**Zone E**	0,1010	0,1515	**Staffel E**	510	2,0959
Ab 900.000.001	**Zone F**	0,1010	0,1515	**Staffel F**	510	2,0959

i) Vienna area – network level 2:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6a		Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6a
0 - 5.000.000	**Zone A**	0,2402	0,3603	**Staffel A**	497	2,0425
5.000.001 - 10.000.000	**Zone B**	0,1985	0,2978	**Staffel B**	497	2,0425
10.000.001 - 100.000.000	**Zone C**	0,1381	0,2072	**Staffel C**	497	2,0425
100.000.001 - 200.000.000	**Zone D**	0,0513	0,0770	**Staffel D**	497	2,0425
200.000.001 - 900.000.000	**Zone E**	0,0509	0,0764	**Staffel E**	497	2,0425
Ab 900.000.001	**Zone F**	0,0495	0,0743	**Staffel F**	497	2,0425

2. For network level 3:

a) Burgenland area – network level 3:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6c		Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6c
0 - 40.000	Zone 1	1,4710		Staffel 1	300		
40.001 - 80.000	Zone 2	1,4605		Staffel 2	300		
80.001 - 200.000	Zone 3	1,3840		Staffel 3	300		
Ab 200.001	Zone 4	1,3840		Staffel 4	300		
0 - 5.000.000	Zone A	0,5269	0,7904	Staffel A		521	2,1411
5.000.001 - 10.000.000	Zone B	0,2634	0,3951	Staffel B		521	2,1411
10.000.001 - 100.000.000	Zone C	0,1255	0,1883	Staffel C		521	2,1411
Ab 100.000.001	Zone D	0,0627	0,0941	Staffel D		521	2,1411

b) Carinthia area – network level 3:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6c		Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6c
0 - 40.000	Zone 1	1,9135		Staffel 1	300		
40.001 - 80.000	Zone 2	1,8836		Staffel 2	300		
80.001 - 200.000	Zone 3	1,6720		Staffel 3	300		
Ab 200.001	Zone 4	1,6700		Staffel 4	300		
0 - 5.000.000	Zone A	0,6851	1,0277	Staffel A		508	2,0877
5.000.001 - 10.000.000	Zone B	0,4076	0,6114	Staffel B		508	2,0877
10.000.001 - 100.000.000	Zone C	0,3145	0,4718	Staffel C		508	2,0877
Ab 100.000.001	Zone D	0,1630	0,2445	Staffel D		508	2,0877

c) Lower Austria area – network level 3:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6c		Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6c
0 - 40.000	Zone 1	1,4878		Staffel 1	300		
40.001 - 80.000	Zone 2	1,4834		Staffel 2	300		
80.001 - 200.000	Zone 3	1,3646		Staffel 3	300		
Ab 200.001	Zone 4	1,3646		Staffel 4	300		
0 - 5.000.000	Zone A	0,5373	0,8060	Staffel A		697	2,8644
5.000.001 - 10.000.000	Zone B	0,5088	0,7632	Staffel B		697	2,8644
10.000.001 - 100.000.000	Zone C	0,4600	0,6900	Staffel C		697	2,8644
Ab 100.000.001	Zone D	0,4510	0,6765	Staffel D		697	2,8644

d) Upper Austria area – network level 3:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6c		Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6c
0 - 40.000	Zone 1	1,7043		Staffel 1	300		
40.001 - 80.000	Zone 2	1,1722		Staffel 2	300		
80.001 - 200.000	Zone 3	1,0332		Staffel 3	300		
Ab 200.001	Zone 4	1,0332		Staffel 4	300		
0 - 5.000.000	Zone A	0,4058	0,6087	Staffel A		494	2,0301
5.000.001 - 10.000.000	Zone B	0,1794	0,2691	Staffel B		494	2,0301
10.000.001 - 100.000.000	Zone C	0,0337	0,0506	Staffel C		494	2,0301
Ab 100.000.001	Zone D	0,0337	0,0506	Staffel D		494	2,0301

e) Salzburg area – network level 3:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6c		Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6c
0 - 40.000	Zone 1	1,4407		Staffel 1	300		
40.001 - 80.000	Zone 2	1,4739		Staffel 2	300		
80.001 - 200.000	Zone 3	1,3090		Staffel 3	300		
Ab 200.001	Zone 4	1,3090		Staffel 4	300		
0 - 5.000.000	Zone A	0,7534	1,1301	Staffel A		532	2,1863
5.000.001 - 10.000.000	Zone B	0,5669	0,8504	Staffel B		532	2,1863
10.000.001 - 100.000.000	Zone C	0,4906	0,7359	Staffel C		532	2,1863
Ab 100.000.001	Zone D	0,4906	0,7359	Staffel D		532	2,1863

f) Styria area – network level 3:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6c		Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6c
0 - 40.000	Zone 1	1,9009		Staffel 1	300		
40.001 - 80.000	Zone 2	1,7840		Staffel 2	300		
80.001 - 200.000	Zone 3	1,4486		Staffel 3	300		
Ab 200.001	Zone 4	1,1924		Staffel 4	300		
0 - 5.000.000	Zone A	0,7133	1,0700	Staffel A		630	2,5890
5.000.001 - 10.000.000	Zone B	0,0990	0,1485	Staffel B		630	2,5890
10.000.001 - 100.000.000	Zone C	0,0872	0,1308	Staffel C		630	2,5890
Ab 100.000.001	Zone D	0,0671	0,1007	Staffel D		630	2,5890

g) Tyrol area – network level 3:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6c		Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6c
0 - 40.000	Zone 1	2,0029		Staffel 1	300		
40.001 - 80.000	Zone 2	1,8888		Staffel 2	300		
80.001 - 200.000	Zone 3	1,7679		Staffel 3	300		
Ab 200.001	Zone 4	1,7679		Staffel 4	300		
0 - 5.000.000	Zone A	1,3642	2,0463	Staffel A		522	2,1452
5.000.001 - 10.000.000	Zone B	1,1365	1,7048	Staffel B		522	2,1452
10.000.001 - 100.000.000	Zone C	0,9094	1,3641	Staffel C		522	2,1452
Ab 100.000.001	Zone D	0,7389	1,1084	Staffel D		522	2,1452

h) Vorarlberg area – network level 3:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6c		Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6c
0 - 40.000	Zone 1	0,9600		Staffel 1	300		
40.001 - 80.000	Zone 2	0,9400		Staffel 2	300		
80.001 - 200.000	Zone 3	0,9400		Staffel 3	300		
Ab 200.001	Zone 4	0,9400		Staffel 4	300		
0 - 5.000.000	Zone A	0,3970	0,5955	Staffel A		510	2,0959
5.000.001 - 10.000.000	Zone B	0,2050	0,3075	Staffel B		510	2,0959
10.000.001 - 100.000.000	Zone C	0,1530	0,2295	Staffel C		510	2,0959
Ab 100.000.001	Zone D	0,1010	0,1515	Staffel D		510	2,0959

i) Vienna area – network level 3:

Verbrauch [kWh/a]		Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 6c		Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 6c
0 - 40.000	Zone 1	1,7774		Staffel 1	300		
40.001 - 80.000	Zone 2	1,1169		Staffel 2	300		
80.001 - 200.000	Zone 3	1,1169		Staffel 3	300		
Ab 200.001	Zone 4	1,1169		Staffel 4	300		
0 - 5.000.000	Zone A	0,3601	0,5402	Staffel A		833	3,4233
5.000.001 - 10.000.000	Zone B	0,2906	0,4359	Staffel B		833	3,4233
10.000.001 - 100.000.000	Zone C	0,1610	0,2415	Staffel C		833	3,4233
Ab 100.000.001	Zone D	0,1610	0,2415	Staffel D		833	3,4233

3. For public installations at network levels 2 and 3 which serve to fuel natural gas vehicles in the Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg, and Vienna network areas:
   a) annual flat rate: 2,400 EUR/year
   b) energy rate: 0.36 cent/kWh

(9) If, on the basis of the general terms for the distribution system, a distribution system operator agrees with a consumer whose contractual capacity exceeds 50,000 kWh/h per metering point and whose meter readings are available to the distribution system operator online that the agreed capacity of the consumer can be reduced by up to 100% on the initiative of the distribution area manager (section 18 para. 1 item 23 Natural Gas Act 2011), any actual restriction of system use effected upon an instruction of the distribution area manager shall cause the respective month's capacity charge to be reduced as follows:

1. If the consumer is informed by noon of a restriction on the following gas day (06.00 – 06.00 hrs), the capacity charge for the month of the restriction is reduced by 25%;
2. If the consumer is informed by Friday noon of a restriction during the week after the following (06.00 hrs, Monday – 06.00 hrs, Monday), the capacity charge for the month of the restriction is reduced by 100%;
3. If the consumer is informed by the 15th of a month of a restriction during the following month, the capacity charge for the month of the restriction is reduced by 100%.

Distribution System Utilisation Charge at Market Area Borders

Section 11. (1) Unless explicitly stated otherwise, the system utilisation charge for entries and exits at distribution-level market area borders in accordance with section 73 para. 4 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011 takes the shape of rates in EUR/kWh/h per year and per entry/exit point. System users must pay such charges even if the booked capacity is not nominated or only partially nominated.

(2) The system utilisation rates for entry into the distribution network at market area borders at the below entry points payable for standard capacity booked by way of contracts with a term of at least one year are:

1. Freilassing: 1.39
2. Laa: 1.05
3. *deleted (FLG II no 427/2015)*
4. *deleted (FLG II no 427/2015)*

(3) The system utilisation rates for exits from the distribution network at market area borders at the below exit points payable for standard capacity booked by way of contracts with a term of at least one year are:

1. Freilassing: 7.07
2. Laa: 5.42
3. Laufen: 7.07
4. Simbach: 6.98
5. Gries am Brenner: 19.90
6. Ruggell: 5.38[1]

(4) As a rule, the rates for interruptible capacity are the same as those for the corresponding standard capacity. System users shall be compensated if interruptions occur. Such compensations shall take the form of reductions of the charge payable for the respective service month. The amount of such reduction (E_{Rm}) shall be calculated by the distribution system operator by applying the formula in annex 1.

(5) The rates for system utilisation for entry into and exits from the distribution network at market area borders payable for capacity booked by way of contracts with a term of less than one year are derived from the rates (E) in paras 2 to 3 above by applying the following formulae:

1. for quarterly products: (E/365)*number of days in the quarter*1.25;
2. for monthly products: (E/365)*number of days in the month*1.5;
3. for daily products: (E/365)*1.75.

Distribution System Utilisation Charge for Storage System Operators

Section 12. (1) Unless explicitly stated otherwise, the system utilisation charge for exits from the distribution network into storage in accordance with section 73 para. 5 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011 takes the shape of rates in EUR/kWh/h per year and per exit point. Such charges are payable even if the booked capacity is not nominated or only partially nominated.

[1] Pursuant to section 21 para. 10, section 11 para. 3 item 6 enters into force at 6.00 a.m. on 1 October 2016.

(2) The system utilisation rate for exits from the distribution network into storage payable for standard exit capacity booked by way of contracts with a term of one year is the following uniform rate for the entire distribution area: 0.54

(3) As a rule, the rates for interruptible capacity are the same as those for the corresponding standard capacity. Storage system operators shall be compensated if interruptions occur. Such compensations shall take the form of reductions of the charge payable for the respective service month. The amount of such reduction (E_{Rm}) shall be calculated by the distribution system operator by applying the formula in annex 1.

(4) The rate for system utilisation for cross-border use of storage facilities at distribution level in line with section 4 para. 8 item 1, in cent/kWh/h per day, is: 1.02

The amount relevant for billing the system utilisation charge is the sum of minimum account positions in accordance with section 4 para. 8 item 1 recorded for the balance groups during a gas day in kWh/h. Section 4 paras 8 to 11 apply mutatis mutandis.

(5) The rate for system utilisation for cross-border use of storage facilities at distribution level in line with section 4 para. 8 item 2, in cent/kWh/h per day, is: 0.42

The amount relevant for billing the system utilisation charge is the sum of maximum account positions in accordance with section 4 para. 8 item 2 recorded for the balance groups during a gas day in kWh/h. Section 4 paras 8 to 11 apply mutatis mutandis.

Distribution System Utilisation Charge for Producers of Natural and Biogenic Gas

Section 13. (1) Unless explicitly stated otherwise, the system utilisation charges for entry from natural or biogenic gas production facilities into the distribution network in accordance with section 73 para. 6 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011 take the shape of rates in EUR/kWh/h per year and per entry point. Such charges are payable even if the booked capacity is not nominated or only partially nominated.

(2) The system utilisation rates for entries from natural or biogenic gas production facilities into the distribution network payable for standard capacity booked by way of contracts with a term of one year are:

1. For natural gas production injected in the Lower Austria area: 0.36
2. For natural gas production injected in the Upper Austria area: 0.72
3. For natural gas production injected in the Salzburg area: 0.74
4. For biogenic gas production injected in the Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg and Vienna areas: 0.11

Cost Cascading

Section 14. (1) Each system operator's network level 1 costs, considering also network level 1 revenues, shall be passed on to network level 2 and shall thus become part of each network area's costs for network level 2. To determine the network level 1 costs in each network area for the purpose of cost cascading, the two procedures described in paras 2 and 3 are carried out and their results weighted equally. The basis for both procedures are each network area's network level 1 costs as resulting from the procedure pursuant to section 69 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011.

(2) For the first procedure, the distribution area manager's costs pursuant to section 74 Natural Gas Act 2011 are added to the total network level 1 costs; 70% of this sum are then allocated to the distribution areas in the eastern market area in proportion to their load (net, kWh/h), and 30% in proportion to consumed energy (gross, kWh).

(3) For the second procedure, the distribution area manager's costs pursuant to section 74 Natural Gas Act 2011 are allocated to the network areas in proportion to the energy each network area has drawn from the transmission network, then forming part of each network area's network level 1 costs. The costs of the primary distribution system 2, considering also the revenues resulting from the primary distribution system 2, are allocated to the Lower Austria and Vienna network areas in proportion to the energy each of them has drawn from the primary distribution system 2. Each network area's level 1 costs as resulting from this calculation form the basis for invoicing the energy exchanged between the network areas.

(4) The relevant distribution area manager's costs according to section 24 Natural Gas Act 2011 are allocated to the corresponding network area's levels 2 and 3 in proportion to the energy consumed (gross, kWh).

(5) The costs at network level 2, considering the revenues at this network level 2, are cascaded to level 3. Within each network area, 70% of these costs are allocated in proportion to load (net, kWh/h) and 30% in proportion to consumed energy (gross, kWh).

(6) Only paras 4 and 5 above apply to market areas without network level 1 distribution lines, while allocation of the distribution area manager's costs pursuant to section 74 Natural Gas Act 2011 in the network area reflects 70% load (net, kWh/h) and 30% consumed energy (gross, kWh).

(7) Cost allocation to the network areas pursuant to paras 1 through 6 results in the below net payments (in '000 EUR). These are annual amounts invoiced in twelve equal monthly instalments.

1. Eastern market area:

	Austrian Gas Grid Management AG	Gas Connect Austria GmbH
a) Wiener Netze GmbH zahlt:	10.714,4	8.170,9
b) Netz Niederösterreich GmbH erhält:	-1.550,8	-1.182,6
c) Netz Burgenland Erdgas GmbH zahlt:	1.354,2	1.032,7
d) Energienetze Steiermark GmbH zahlt:	2.771,7	2.113,7
e) Netz Oberösterreich GmbH zahlt:	5.330,4	4.065,0
f) KNG Kärnten Netz GmbH zahlt:	844,5	644,0
g) Salzburg Netz GmbH zahlt:	1.795,8	1.369,5

2. Tyrol market area:

a) TIGAS-Erdgas Tirol GmbH shall pay the following sum to Austrian Gas Grid Management AG: 2,097.0

b) EVA-Erdgasversorgung Ausserfern GmbH shall pay the following sum to Austrian Gas Grid Management AG: 87.4

3. Vorarlberg market area: Vorarlberger Energienetze GmbH shall pay the following sum to Austrian Gas Grid Management AG: 3,181.6

Metering Charge

Section 15. (1) The metering charges set in accordance with section 77 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011 are ceilings for different types of metering natural gas in m3, Nm3 or kWh; unless otherwise stated, the below are monthly charges. Where consumers provide load meters themselves, the metering charge shall be reduced accordingly. The monthly metering charge for the provision, operation and calibration of metering equipment owned by the system operator but not named in section 6 may not exceed 1.5% of the value of such equipment. In addition to respecting the ceilings set in this Ordinance, metering charges shall be cost reflective. If the billing period is shorter or longer than one month, then the metering charge shall be prorated on a daily basis.

(2) If system operators install, remove or replace meters or subcontract a company for these services, consumers shall be provided with a cost estimate. System operators must install meters in a non-discriminatory and cost-reflective way and must respect the ceilings set in this Ordinance. If the installation costs for the meter(s) at a metering point exceed 200 EUR, customers may choose between a single payment and payment in instalments. Installation and removal as well as functionality checks of metering equipment that is owned by the system operator but not listed in paras 7 and 8 shall be billed for in a non-discriminatory and cost-reflective way. Customers may not be charged for installations or removals that take place in the course of repairs or recalibrations by the system operator.

(3) Meters shall be read annually, except in the case of load meters, which shall be read daily, and in the case of smart meters, which shall be read in accordance with section 129 para. 1 Natural Gas Act 2011. In addition to the charge pursuant to para. 1, system operators may apply a charge of no more than 8.00 EUR per month for monthly reading of load meters. This additional charge shall be listed on the bill separately from the charge pursuant to para. 1.

(4) Meters exempted from recalibration shall be checked after 15 years at the latest. When such a check has been performed, the metering device shall be marked accordingly. If no such check is performed, the metering charge ceiling shall be lowered to a maximum of 0.75% of the metering device's value from this time on.

(5) If load meters and volume correctors are not replaced after 15 years, the metering charge ceiling shall be lowered to a maximum of 0.75% of the metering device's value or 50% of the ceiling set in this Ordinance, as applicable, from this time on.

(6) The following maximum charges per month commenced are payable by system users:

1. Ceilings for diaphragm meters G 2.5 – G 100, smart meters and additional equipment, options for operating pressures up to 0.5 bar:

Type of unit	Diaphragm meter incl. union [EUR]	Smart meters without remote disabling [€]
G 2.5 – G 4	1.35	1.95
G 6	1.75	2.35
G 10 – G 16	3.55	4.15
G 25	5.70	6.30
G 40	11.90	12.50
G 65	16.70	17.30
G 100	26.20	

Further equipment and options	[EUR]
Pulser	0.30
Temperature compensation up to G 6 for diaphragm meters	0.10
Temperature compensation from G 10 for diaphragm meters	0.20
Remote disabling	0.30

2. Ceilings for rotary meters G 25 – G 1000, for operating pressures up to 16 bar and with at least one impeller:

Type of unit	Rotary meter [EUR]
G 25 – G 40	18.60
G 65	19.50
G 100	22.50
G 160	32.85
G 250	35.70
G 400	55.05
G 650	78.75
G 1000	104.40

The charge may be increased by no more than 2.00 EUR for rotary meters that are employed as smart meters.

3. Ceilings for load profile meters (LPM) and online data submission:

Type of unit	LPM without data submission [EUR]	LPM with data submission (landline) [EUR]	LPM with data submission (GSM) [€]
With 1 channel	7.50	10.50	13.50
With 2 channels	9.00	12.00	15.00
With more than 2 channels	10.50	13.50	18.00
Online metering acc. to section 18(7) or 37(7) Gas Market Model Ordinance 2012	40.00		

4. Ceilings for volume correctors and temperature correctors

Type of unit	[EUR]
Volume corrector without LPM	40.00
Volume corrector with LPM and data submission	55.00
Electronic temperature corrector	5.00

(7) The following ceilings apply for installing and removing metering equipment that is owned by the system operator:

1. Ceilings for installing or removing diaphragm or smart meters up to size G 65:

Size (incl. gas pressure regulator)	Installation [EUR]	Removal [EUR]
Up to G 16	60.00	30.00
G 25 – G 65	90.00	45.00

2. Ceilings for installing or removing online reading pursuant to section 18 para. 7 and section 37 para. 7 *Gas-Marktmodell-Verordnung* (Gas Market Model Ordinance) 2012:

Size	Installation [EUR]	Removal [EUR]
Standard	250.00	125

(8) The following ceilings apply for functionality checks of metering equipment that is owned by the system operator, if the system user has requested that such a check take place. These charges only apply if the metering equipment turns out to be in order.

1. on site, if the device is not removed (volume corrector not checked): 40.00 EUR
2. on site, if the device is not removed but additional equipment is checked as well: 80.00 EUR
3. by a competent body for diaphragm meters and smart meters up to G 65 after the device has been removed: 90.00 EUR
4. on site, if the device is removed, for meter sizes G 25 - G 250 (with the exception of diaphragm and smart meters): 200.00 EUR
5. on site, if the device is removed, for meter sizes G 400 - G 1000: 300.00 EUR
6. on site, if the device is removed, for meter sizes above G 1000: 500.00 EUR

Billing for System Charges

Section 16. (1) Bills shall be issued no later than six weeks after the meter reading for the relevant billing period. Where a supplier also bills its customers for the system charges, the system operator shall submit the invoice for the system charges to the supplier within three weeks.

(2) If calculated consumption pursuant to section 73 para. 7 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011 deviates from actual consumption, the relating bill shall be corrected free of charge.

(3) System operators shall publish the metering charges applied in an appropriate manner, e.g. on the Internet.

(4) Where a system operator applies a uniform rate for the charge for admission to the grid for similar system users in accordance with section 75 para. 2 Natural Gas Act 2011, it shall publish the rates applied in an appropriate manner, e.g. on the Internet.

Equalisation Payments

Section 17. (1) The equalisation payments are stated as net annual amounts in units of '000 EUR, payable in twelve equal instalments, one per month.

(2) The equalisation payments for the Carinthia network area are:

Energie Klagenfurt GmbH shall pay the following sum to KNG- Kärnten Netz GmbH: 86.3

(3) The equalisation payments for the Upper Austria network area are:

	Empfänger	
Zahler	Linz Gas Netz GmbH	Energie Ried GmbH
Netz Oberösterreich GmbH zahlt an	467,4	413,2
Stadtbetriebe Steyr GmbH zahlt an	326,9	289,0
eww ag zahlt an	182,0	160,9

(4) The equalisation payments for the Styria network area are:

	Empfänger
Zahler	Energienetze Steiermark GmbH
Energie Graz GmbH & Co KG zahlt an	1.849,8
Stadtwerke Leoben zahlt an	373,3
Stadtwerke Kapfenberg GmbH zahlt an	585,6
Gasnetz Veitsch zahlt an	27,8

(5) The equalisation payments for the Tyrol network area are:

1. EVA-Erdgasversorgung Ausserfern GmbH shall pay the following sum to TIGAS-Erdgas Tirol GmbH: 43.9

(6) The equalisation payments for the Vorarlberg network area are:

1. Stadtwerke Bregenz GmbH shall pay the following sum to Vorarlberger Energienetze GmbH: 467.7

Supplementary Service Charges

Section 18. (1) System operators may apply the following charges for services rendered in addition to those covered by the charges listed in section 72 para. 2 items 1 to 4 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011 if such services are directly caused by the system users themselves.

1. Charges for payment reminders:

a) first reminder	0.00 EUR
b) any further reminder	1.50 EUR
c) last reminder according to section 127 para. 3 Natural Gas Act 2011	5.00 EUR

2. Charges for disabling and re-enabling:

a) disabling and re-enabling system access pursuant to section 127 para. 3 Natural Gas Act 2011 on site	25.00 EUR
b) disabling and re-enabling for safety reasons	30.00 EUR

3. Charges for additional meter readings and invoices issued upon the system user's wish:

a) on-site meter reading without additional invoice	10.00 EUR
b) on-site meter reading with additional invoice	15.00 EUR
c) additional invoice without on-site meter reading	5.00 EUR

4. Daily provision of data recorded by load meters:

a) in the standard format defined in the Gas Market Code	0.00 EUR
b) in other formats	10.00 EUR
c) first establishment of data interface	50.00 EUR

(2) The charge listed under para. 1 item 4(b) above is a monthly charge; the charges under para. 1 items 1 through 3 and para. 1 item 4(c) are one-off charges billed on a case-by-case basis.

Title 4

Fee Payable to Distribution Area Managers

Amount and Payment of the Fee

Section 19. Payment of the annual fee for the distribution area manager is distributed as stated below. It is stated in units of '000 EUR and payable in twelve equal monthly instalments to the distribution area manager:

1. Eastern distribution area:
   a) for the Upper Austria network area, Netz Oberösterreich GmbH shall pay 2,359.9;
   b) for the Lower Austria network area, Netz Niederösterreich GmbH shall pay 1,529.4;
   c) for the Styria network area, Energienetze Steiermark GmbH shall pay 1,186.4;
   d) for the Burgenland network area, Netz Burgenland Erdgas GmbH shall pay 235.1;
   e) for the Carinthia network area, KNG- Kärnten Netz GmbH shall pay 229.3;
   f) for the Salzburg network area, Salzburg Netz GmbH shall pay 284.5;
   g) for the Vienna network area, Wiener Netze GmbH shall pay 1,823.1.
2. Tyrol distribution area:
   a) for the Tyrol network area, TIGAS-Erdgas Tirol GmbH shall pay 479.1.

3. Vorarlberg distribution area:

a) for the Vorarlberg network area, Vorarlberger Energienetze GmbH shall pay 321.1.

Title 5

Final Provisions

Transitional Provisions

Section 20. (1) This Ordinance shall also apply to any parties taking over system operation as the legal successors of the natural gas undertakings covered by this Ordinance.

(2) By derogation from the second sentence of section 14 para. 7, the payments set in section 14 para. 7 items 2 and 3 of the *Gas-Systemnutzungsentgelte-Verordnung 2013 – Novelle 2013* (2013 Gas System Charges [Amendment] Ordinance 2013) are amounts for the period from October 2013 to December 2013; they shall be billed for in equal monthly instalments from 1 October 2013.

(3) The system charges set in sections 9, 10, 15 and 18 of the 2013 Gas System Charges (Amendment) Ordinance 2013 shall apply in the Tyrol and Vorarlberg market areas from 00.00 hrs on 1 January 2013. Those in sections 9 through 13, 15 and 18 of the 2013 Gas System Charges (Amendment) Ordinance 2013 shall apply in the eastern market area from 6.00 hrs on 1 January 2013.

(4) Storage system operators shall transmit the actual position of each customer's storage account as of 6.00 a.m. on 1 April 2016, as confirmed by an independent auditor, to the system operator. The total of the storage account positions for storage customers must correspond to the total of the storage account positions for the balance groups. Should a storage system operator fail to comply with this obligation by 20 April 2016, the position of the customers' storage accounts is assumed to be zero.

Entry Into Force

Section 21. (1) This Ordinance shall come into force on 1 January 2013.

(2) Sections 1 and 2, section 4 para. 1 and para. 3 item 2 as well as titles 3, 4 and 5 of the *Systemnutzungsentgelte-Verordnung 2013 - Novelle 2013* (2013 Gas System Charges [Amendment] Ordinance 2013) shall enter into force on 1 January 2013.

(3) The E-Control Commission ordinance setting the system charges for natural gas (*Gas-Systemnutzungstarife-Verordnung* [Gas System Charges Ordinance] 2008), published in no 021 of the official gazette supplement to the Wiener Zeitung of 30 January 2008, as amended by the 2008 Gas System Charges (Amendment) Ordinance 2009, published in no 252 of the official gazette supplement to the Wiener Zeitung of 24 December 2008, by the 2008 Gas System Charges (Amendment) Ordinance 2010, published in no 249 of the official gazette supplement to the Wiener Zeitung of 24 December 2009, by the 2008 Gas System Charges (Amendment) Ordinance 2011, published in no 249 of the official gazette supplement to the Wiener Zeitung of 23 December 2010, and by the 2008 Gas System Charges (Amendment) Ordinance 2012, FLG II no 441/2011, shall cease to be effective at 6.00 hrs on 1 January 2013.

(4) The E-Control Commission ordinance determining the system charges for cross-border other shipments of natural gas, and for cross-border shipments from control area entry points to control area exit points (*Sonstige Transporte-Gas-Systemnutzungstarife–Verordnung* [Other Gas Shipments Ordinance] 2007), published in no 189 of the official gazette supplement to the Wiener Zeitung of 28 September 2007, as amended by the Other Gas Shipments (Amendment) Ordinance 2008 of 25 January 2008, published in no 021 of the official gazette supplement to the Wiener Zeitung of 30 January 2008, by the Other Gas Shipments (Amendment) Ordinance 2009, published in no 252 of the official gazette supplement to the Wiener Zeitung of 24 December 2008, by the Other Gas Shipments (Amendment) Ordinance 2010, published in no 249 of the official gazette supplement to the Wiener Zeitung of 24 December 2009, by the Other Gas Shipments (Amendment) Ordinance 2011, published in no 249 of the official gazette supplement to the Wiener Zeitung of 23 December 2010, and by the Other Gas Shipments (Amendment) Ordinance 2012, FLG II no 439/2011, shall cease to be effective at 6.00 hrs on 1 January 2013.

(5) The E-Control Commission ordinance on the fee for the control area manager (*Verordnung der Energie-Control Kommission betreffend das Entgelt für den Regelzonenführer* [Gas Control Area Manager Ordinance] 2002), published in no 188 of the official gazette supplement to the Wiener Zeitung of 30 September 2002, as amended by the Gas Control Area Manager (Amendment) Ordinance 2004 of 19 May 2004, published in no 101 of the official gazette supplement to the Wiener Zeitung of 26 May 2004, by the Gas Control Area Manager (Amendment) Ordinance 2005 of 25 October 2005, published in no 212 of the official gazette supplement to the Wiener Zeitung of 29 October 2005, by the Gas Control Area Manager (Amendment) Ordinance 2006 of

20 December 2006, published in no 250 of the official gazette supplement to the Wiener Zeitung of 28 December 2006, by the Gas Control Area Manager (Amendment) Ordinance 2008 of 25 January 2008, published in no 021 of the official gazette supplement to the Wiener Zeitung of 30 January 2008, by the Gas Control Area Manager (Amendment) Ordinance 2009 of 19 December 2008, published in no 252 of the official gazette supplement to the Wiener Zeitung of 24 December 2008, by the Gas Control Area Manager (Amendment) Ordinance 2010 of 22 December 2009, published in no 249 of the official gazette supplement to the Wiener Zeitung of 24 December 2009, by the Gas Control Area Manager (Amendment) Ordinance 2011 of 20 December 2010, published in no 249 of the official gazette supplement to the Wiener Zeitung of 23 December 2010, and by the Gas Control Area Manager (Amendment) Ordinance 2012, FLG II no 438/2011, shall cease to be effective at the end of 31 December 2012.

(6) Section 2 para. 1, section 9 para. 1, section 10 paras 6 to 6b and para. 8, section 11 paras 2 to 4, section 12 para. 3, section 13 para. 2, section 14 para. 7, section 15 paras 3 and 6 to 8, section 16 para. 1, section 17, and section 19 items 1 to 3 as amended by the 2013 Gas System Charges (Amendment) Ordinance 2014 shall enter into force at 6.00 a.m. on 1 January 2014. For consumers that filed corresponding applications pursuant to section 10 para. 6a no later than 31 January 2014, the basis for the capacity part of the system utilisation charge shall be derived from the highest hourly load registered during each day with retroactive application from 1 January 2014.

(7) Section 4 paras 1 and 6 to 11, section 12 paras 4 and 5, and section 20 para. 4 as amended by the 3rd Gas System Charges (Amendment) Ordinance 2014 enter into force at 6 a.m. on 1 May 2014.

(8) Section 2 para. 1 item 13, section 3 para. 8, section 4 para. 5, section 4 para. 9 item 1, section 7 para. 2, section 10 para. 6c, section 10 para. 7, section 10 para. 8 items 1 and 2, section 12 para. 2, section 12 para. 4, section 13 para. 2, section 14 para. 7, section 15 para. 8 item 3, section 17, and section 19, as amended by the 2013 Gas System Charges (Amendment) Ordinance 2015 come into force at 6.00 a.m. on 1 January 2015.

(9) Section 3 para 2 item 5, section 3 para. 4 item 2, section 3 para. 6a, section 3 para. 9, section 4 para. 2a, section 4 para. 6 item 1, and section 8 para. 4, as amended by the 2nd Gas System Charges (Amendment) Ordinance 2015 enter into force at 6 a.m. on 1 February 2015.

(10) Section 2 para. 1 item 13, section 3 para. 2 item 6, section 3 para. 6a items 1 and 2, section 8 paras 1 and 3, section 10 para. 3, section 10 para. 8 items 1 and 2, section 11 para. 2 item 2, section 12 para. 2, section 13 para. 2 items 1 to 3, section 14 para. 7, section 17, and section 19, as amended by the 2013 Gas System Charges (Amendment) Ordinance 2016, FLG II no 427/2015, come into force at 6.00 a.m. on 1 January 2016. Section 4 paras 6, 7, 9, 10 and 11 as well as section 10 paras 6 and 6b, as amended by the 2013 Gas System Charges (Amendment) Ordinance 2016, FLG II no 427/2015, enter into force at 6.00 a.m. on 1 April 2016, section 11 para. 3 item 6, as amended by the 2013 Gas System Charges (Amendment) Ordinance 2016, FLG II no 427/2015, enter into force at 6.00 a.m. on 1 October 2016. Section 3 para. 4 item 1, section 4 para. 2a, and section 11 para. 2 items 3 and 4 cease to be in force at 6.00 a.m. on 1 January 2016.

Energie-Control Austria für die Regulierung der Elektrizitäts- und Erdgaswirtschaft
Regulation Commission

Chairman
Dr Schramm
Vienna, 17 December 2015

Annex 1 (concerning section 3 para. 7 and section 4 para. 4)

$$E_{Rm} = \left(\frac{E_m * rf}{h_m * q} \right) * \left(\sum_{R=1}^{h_R} q_{diffR} * h_R \right) \leq E_m$$

where:

E_{Rm} = the reduction of the monthly charge

E_m = the monthly charge

rf = the compensation factor, with $rf \geq 1$

h_m = the total number of hours of the month during which the interruption occurs

q = the hourly capacity offered

h_R = the number of hours in the service month that were affected by the interruption

q_{diffR} = the difference between the hourly capacity offered and the actually available hourly capacity during each hour affected by the interruption

Annex 2 (concerning section 3 para. 10 and section 4 para. 5)

$$E_{Km} = \left(\frac{E_m}{h_m * q} \right) * \left(\sum_{K=1}^{h_K} q_{diffK} * h_K \right)$$

where:

E_{Km} = the reduction of the monthly charge;

E_m = the monthly charge;

h_m = the total number of hours of the month during which the restriction occurs;

q = the contracted hourly capacity at the exit point;

q_{diffK} = the difference between the hourly capacity contracted at the exit point and the actually available hourly capacity at that point during each hour affected by the restriction;

h_K = the number of hours in the service month that were affected by the restriction.