



E-CONTROL

Guidelines for exiting the natural gas market

August 2016

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If you are a balance responsible party (BRP), gas trader, supplier of consumers or virtual trader in Austria and would like to cease your business activities, you must take a number of steps.

Links to English translations to legal documents below generally lead to pages that carry the most recent version available, but please note that these might not always refer to the version that is currently in force as legislation might have further developed since the English translations were last updated.

1. Ending activities as a balance responsible party

Legal basis

General terms and conditions for the market area manager and balance responsible parties in the eastern market area

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_5AHjq7tOA6se (in German)

General terms and conditions of the clearing and settlement agent in the eastern distribution area - AGCS

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_LpCTpurki6oC (in German)

General terms and conditions of the clearing and settlement agent in Tyrol or Vorarlberg - A&B

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_y0pyhliBJfUI (in German)

General terms and conditions for the distribution area manager and balance responsible parties in the eastern market area

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_rKIGgKKB1OML (in German)

General terms and conditions for the distribution area manager and balance responsible parties in Tyrol or Vorarlberg

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_2qPjiUeR4jVh (in German)

General terms and conditions for the operator of the virtual trading point - CEGH

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_8VUftx87HfXA (in German)

Sections 93, 94, 95 and 121 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20007523> (in German)

<https://www.e-control.at/en/recht/bundesrecht> (in English)

Short description

Gas traders and suppliers that also registered as balance responsible parties when they entered the market must inform other relevant market players and the authorities both that their balance group(s) are dissolved and that they are ending their business activities as balance responsible party. Before a balance group can be dissolved, the balance responsible party must make sure that all balance group members are assigned to other balance groups. Then, E-Control cancels the official licensing decision for the balance responsible party.

Required steps

- 1) If you plan to dissolve one or several balance groups but still want to be active as BRP (for other balance groups), you must inform the relevant market players without delay, but in any case no later than 21 days before you plan to dissolve the balance group(s). The relevant market players in this case are the **clearing and settlement agent, distribution area manager, market area manager** (only in the eastern market area) and the system operators concerned. Specifically, the information you send to the clearing and settlement agent must include:
 - The balance group(s) to be dissolved (BG identifier)
 - The planned dissolution date
 - Records to prove that you have informed the concerned system operators, DAM and MAM
- 2) BRPs can only dissolve balance groups once all their members have been moved to other balance groups. This could also happen through a process under section 94(5) Natural Gas Act 2011 in conjunction with section 95 Natural Gas Act 2011, where the regulatory authority issues an official decision to assign the group's suppliers to another balance group.
- 3) If you plan to cease all your activities as BRP or the CSA contract is terminated or dissolved this also requires that all of your balance groups be dissolved first. The above rules then apply accordingly. In addition, you must then also inform the other **clearing and settlement agent (either AGCS or A&B)** and **E-Control**. A three-month notice period from the end of a month

applies for terminating contracts with the clearing and settlement agent. They will then effectively terminate at the end of that gas day. This period can only start if all members of the balance group have already been moved to other groups. If a group still has members when you try to terminate the CSA contract, the termination date is pushed backwards in one-month steps. You must also terminate your contracts with the **DAM** and **MAM** and bear in mind any notice periods you have agreed with them. If the contract is dissolved on reasonable grounds, the MAM informs E-Control, the transmission system operator(s), clearing and settlement agents, the virtual trading point (CEG), storage system operator(s), production system operator(s) and the DAM.

- 4) When ceasing your activities as a BRP, you must take care to balance your carry forward account by the second Tuesday of the following month, in line with the MAM's general terms and conditions for balance responsible parties.
- 5) The CSA will settle the balancing energy and clearing fees as part of first and second clearing. The collateral you have provided will be released after the second clearing.
- 6) You must inform the **operator of the virtual trading point (CEGH)** that you wish to cease your activities as a BRP. If applicable, you must also cancel your membership of CEGH, of course bearing in mind any agreed notice periods. Any contracts you have with the clearing house (European Commodity Clearing AG), exchange memberships and contracts with clearing banks must be terminated in accordance with the applicable notice periods.

Please note: ending your activities as BRP does not necessarily mean that you completely exit the market. You could still be active as a virtual trader and/or be member of the exchange (through membership in a balance group). Both these scenarios require that you are a member of the virtual trading point.

Contact details:

CSA: office@agcs.at, +43 1 9074 177-0
CSA: office@aundb.co.at, +43 512 90 88 55-130
CEGH: susanne.neunteufl@gashub.at , +43 1 2702700-28516
E-Control Austria: market.exit@e-control.at
MAM: marktgebietsmanager@gasconnect.at, 43 1 27500-0
DAM: <http://www.aggm.at/kontakt>, +43 1 27 560

Checklist – dissolving a balance group

Notification of CSA, DAM, E-Control and relevant SOs

Notification of MAM (only for BGs in eastern market area)
Notification of VTP operator (CEGH)
Transfer of all BG members to other BGs

Useful tips and hints:

You should ask for confirmations from the above market players that you have informed them of your ending business activities as a BRP. Also you have to ensure that all your BG members have (been) moved to other BGs or that they have no assigned metering points anymore, i.e. that all customers have successfully switched elsewhere.

2. Ending activities as a gas trader and supplier

Legal basis

General terms and conditions of the clearing and settlement agent in the eastern distribution area
- AGCS

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_LpCTpurki6oC (in German)

General terms and conditions of the clearing and settlement agent in Tyrol or Vorarlberg - A&B

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_y0pyhliBJfUI (in German)

Section 121 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20007523> (in German)

<https://www.e-control.at/en/recht/bundesrecht> (in English)

Short description

As opposed to market players that engage in trading only, suppliers also deliver natural gas to consumers. Players that are both traders and suppliers and wish to end their business activities must inform a number of other market players and authorities. Mirroring the need to notify the regulatory authority when entering the market under section 121 Natural Gas Act 2011, market exit must be notified also. Before this can be done, all metering points assigned to the supplier must be transferred to other suppliers and all contracts with other market participants must be terminated in line with the applicable notice periods.

Required steps

If you are a gas trader and supplier and wish to end your business activities, you must inform a number of other market players and authorities and must terminate contracts, respecting the applicable notice periods.

- You must inform your **trading partners and consumers** and have to terminate the relating contracts, respecting any notice periods that were agreed.
- You must write to **E-Control Austria** (market.exit@e-control.at) to notify cessation of your business activities, including a statement of reasons. The authority uses this information

for market supervision purposes under REMIT and as information for our tariff calculator team. Deleting your rates from the tariff calculator is your own responsibility.

- Unless you have formed your own balance group and are the BRP yourself, you must inform your **BRP** and terminate the relevant contracts in keeping with the applicable notice periods.
- You must notify the **CSA and the switching platform** that you are ending your activities as gas trader and supplier. The switching platform will reflect this change and the CSA will incorporate this information in its balancing energy system.
- You must inform and terminate contracts, in line with any notice periods, with all transmission and distribution **system operators** in whose grids you were active.
- If you have used storage or production, you must also inform the **DAM**.

Contact details:

CSA: office@agcs.at, +43 1 9074 177-0

CSA: office@aundb.co.at, +43 512 90 88 55-130

E-Control Austria: market.exit@e-control.at

DAM: <http://www.aggm.at/kontakt>, +43 1 27 560

Checklist – ending activities as a gas trader and supplier

Notification and termination of contracts with
• Trading partners and consumers
• E-Control (including for REMIT and tariff calculator)
• BRP
• CSA and switching platform
• System operators
• DAM

Useful tips and hints:

As a gas trader or supplier that wishes to cease activities, you must ensure that all customers have been switched to other suppliers.

3. Ending activities as a gas trader

Legal basis

Section 121 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20007523> (in German)

<https://www.e-control.at/en/recht/bundesrecht> (in English)

Short description

As opposed to market players that trade and supply gas, a “trader only” does not supply consumers with natural gas. Even so, there are a number of other market players and authorities that must be informed if a gas trader wishes to end business activities. Mirroring the need to notify the regulatory authority when entering the market under section 121 Natural Gas Act 2011, market exit must be notified also. In addition, all contracts with other market players must be terminated in accordance with the applicable notice periods.

Required steps

As a gas trader that wishes to cease business activities, you must inform a number of other market players and the authorities and must terminate your contracts with them, respecting all applicable notice periods.

- You must inform your **trading partners** and terminate your contracts with them in keeping with the agreed notice periods.
- You must write to **E-Control Austria** (market.exit@e-control.at) to notify cessation of your business activities, including a statement of reasons. The authority uses this information for market supervision purposes under REMIT.
- Unless you have formed your own balance group and are the BRP yourself, you must inform your **BRP** and terminate the relevant contracts in keeping with the applicable notice periods.
- You must inform and terminate contracts, in line with any notice periods, with all transmission and distribution **system operators** in whose grids you were active.
- If you have used storage or production, you must also inform the **DAM**.

Contact details:

E-Control Austria: market.exit@e-control.at

DAM: <http://www.aggm.at/kontakt>, +43 1 27 560

Checklist – ending activities as a gas trader

Notification and termination of contracts with
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- | |
|---|
| <ul style="list-style-type: none">• Trading partners and consumers |
| <ul style="list-style-type: none">• E-Control (including for REMIT) |
| <ul style="list-style-type: none">• BRP |
| <ul style="list-style-type: none">• System operators |
| <ul style="list-style-type: none">• DAM |

4. Ending activities as a virtual trader

Legal basis

General terms and conditions for the operator of the virtual trading point - CEGH

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_8VUftx87HfXA (in German)

Section 121 *Gaswirtschaftsgesetz* (Natural Gas Act) 2011

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20007523> (in German)

<https://www.e-control.at/en/recht/bundesrecht> (in English)

Short description

“Virtual traders” or “paper traders” are traders that buy and sell natural gas at the virtual trading point without physical delivery. Virtual traders that want to cease their activities must inform several other market players and the authorities. Mirroring the need to notify the regulatory authority when entering the market under section 121 Natural Gas Act 2011, market exit must be notified also. Contracts with other market players must be terminated in accordance with the applicable notice periods.

Required steps

As a virtual trader that wishes to cease business activities, you must inform a number of other market players and the authorities and must terminate your contracts with them, respecting all applicable notice periods.

- You must inform your **trading partners** and terminate your contracts with them in keeping with the agreed notice periods.
- You must write to **E-Control Austria** (<mailto:market.exit@e-control.at>) to notify cessation of your business activities, including a statement of reasons. The authority uses this information for market supervision purposes under REMIT.
- You must inform the **operator of the virtual trading point (CEGH)** that you wish to cease your activities and you must terminate your contracts, of course bearing in mind any agreed notice periods.

Contact details:

CEGH: susanne.neunteufl@gashub.at , +43 1 2702700-28516

E-Control Austria: market.exit@e-control.at

Checklist – ending activities as a virtual trader

Notification and termination of contracts with
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- | |
|---|
| <ul style="list-style-type: none">• Trading partners |
| <ul style="list-style-type: none">• E-Control (including for REMIT) |
| <ul style="list-style-type: none">• VTP operator (CEGH) |

5. ANNEX: Legal basis

This document contains extracts of and links to non-binding English versions of a variety of legal texts. E-Control assumes no liability or responsibility whatsoever for the accuracy, correctness or completeness of the text in this document or the linked ones or any parts thereof. For a legally binding version of the texts, please refer to the relevant issues of the *Bundesgesetzblatt* (Federal Law Gazette).

Links to referenced legal texts

Basic legal framework

The *Gaswirtschaftsgesetz* (Natural Gas Act) 2011 forms the main legal framework for activities in the Austrian natural gas market.

Natural Gas Act 2011:

<http://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=2000752>

[3](#) (in German)

<https://www.e-control.at/en/recht/bundesrecht> (in English)

Further legal references

General terms and conditions for the market area manager and balance responsible parties in the eastern market area

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_5AHjq7tOA6se (in German)

General terms and conditions of the clearing and settlement agent in the eastern distribution area - AGCS

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_LpCTpurki6oC (in German)

General terms and conditions of the clearing and settlement agent in Tyrol or Vorarlberg - A&B

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_y0pyhliBJfUI (in German)

General terms and conditions for the distribution area manager and balance responsible parties in the eastern market area

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_rKIGgKKB1OML (in German)

General terms and conditions for the distribution area manager and balance responsible parties in Tyrol or Vorarlberg

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_2qPjiUeR4jVh (in German)

General terms and conditions for the operator of the virtual trading point - CEGH

https://www.e-control.at/de/recht/allgemeine-bedingungen/allgemeine-bedingungen-gas#p_p_id_56_INSTANCE_8VUftx87HfXA (in German)