

Gas System Charges Ordinance 2013 – 2nd Amendment 2022

Title 1 Principles

Regulatory matter

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

1. a system utilisation charge with a commodity part and a capacity part;
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 Gas Act 2011, the billing and invoicing modalities for the system charges, the compensation 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 and 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, while a period of one month can be agreed upon for customers with load metering or with a meter pursuant to section 2 item 10 *Lastprofilverordnung* (Load Profile Ordinance) 2018;
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-Marktmittel-Verordnung* [Gas Market Model Ordinance] 2012, FLG II no 171/2012);
4. "fossil gas producer" means a producer of fossil gas from domestic sources that feeds this gas into a system;
5. "energy quantity" means the standard volume multiplied by the calorific value;
- 5a. "capacity part of the system utilisation charge" means the part of the system utilisation charge that is based on contracted capacity;
6. "customer installation" or "customer 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 (take off) gas;
7. "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;
- 8a. "commodity part of the system utilisation charge" means the part of the system utilisation charge that is based on actual use of contracted capacity (confirmed nominations);
9. "minimum capacity" means 20% of the contracted capacity per metering point if the capacity-based part is billed for on a monthly basis in accordance with section 10 para. 5. If 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 contracted capacity per metering point

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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 contracted 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 bracket” means any of the capacity brackets in accordance with section 10 which are defined by a minimum and maximum per billing period; the rate applies for the entire amount during a billing period;
- 11a. “standard capacity” means the capacity at the entry/exit points to/from the distribution area. It has a firm and an interruptible part, with the availability of the firm part 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 quantity-based transport contracts into energy-based entry and exit contracts. In the Market Area East, it is 11.19 kWh/n cu m (at 0 °C);
13. “calorific value”, aka “invoiced calorific value”, means the calorific value in kWh/m³ used to determine the energy quantity to be billed to consumers; it is 11.32 kWh/n cu m for the Market Area East, 11.27 kWh/n cu m for the Market Area Tyrol, and 11.27 kWh/n cu m for the Market Area Vorarlberg. 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. “contracted 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 contracted capacity;
15. “meter size” means the size between the minimum and maximum gas flows in cu m/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 customer installation must have a metering point; connecting several customer 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 customer facility at one meter, several meters with the same pressure shall be joined to form one metering installation with one connection line for the purpose of metering consumption at one metering point;
17. “energy bracket” means any of the energy brackets in accordance with section 10 which are defined by a minimum and maximum per billing period. The applicable charge consists of the sum of all charges for all energy brackets run through until reaching the cumulative consumption according to section 10.

(2) In addition to the above, the definitions in section 7 Gas Act 2011, in section 2 Gas Market Model Ordinance 2012 and in Article 2 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 entry and exit

Section 3. (1) The system utilisation charges for feeding into and taking off from the transmission network are determined by applying the reference price methodology and the chapter on the commodity charges as per annex 3. Unless explicitly provided otherwise, capacity-based system charges take the shape of rates in EUR/kWh/h per year and per entry/exit point and are payable by system users even if they do not nominate all of their booked capacity or do not nominate any of it. Unless explicitly stated otherwise, commodity-based system charges take the shape of rates in EUR/MWh per entry/exit point. Commodity-based system charges apply equally to all types of capacity (firm, freely allocable or dynamically allocable capacity); they are payable by system users based on their actual use of contracted capacity.

(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: 0.85
2. Oberkappel: 0.97
3. Überackern: 0.97
4. Arnoldstein: 0.97
5. Mosonmagyaróvár: 0.85
6. Murfeld: 0.97
7. Petrzalka: 0.85
8. Reintal: 0.85.

(2a) The commodity rate for system utilisation for entry to the transmission grid is 0.08552 EUR/MWh.

(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: 1.23
2. Oberkappel: 3.26
3. Überackern: 3.26
4. Arnoldstein: 4.35
5. Mosonmagyaróvár: 1.23
6. Murfeld: 1.90
7. Petrzalka: 1.23
8. Reintal: 1.23
9. Distribution area: 0.42
10. Carinthia distribution area: 3.85.

(3a) The commodity rate for system utilisation for exit from the transmission grid is 0.31829 EUR/MWh.

(4) Incremental transmission-level entry or exit capacity is subject to a mandatory minimum premium on the system utilisation charge pursuant to section 3 para. 2 or para. 3 until such time as the capacity can first be used. The minimum premium is derived from a mandatory minimum transport volume and decreases proportionally as commitments in excess of this minimum volume are made. System users shall pay any auction premium and the mandatory minimum premium in addition to the system utilisation charge pursuant to section 3 para. 2 or 3 for the duration of each contract. If the system utilisation charge according to section 3 paras 2 or 3 changes during the contract term, the payable price, consisting of the reserve price, the mandatory minimum premium and the auction premium, is adjusted for the difference between the original and the revised reserve price. The rates for the mandatory minimum premium for entries into and exits from the transmission network at the below entry and exit points payable for firm, freely allocable capacity booked by way of contracts with a term of at least one year are:

1. Mosonmagyaróvár entry point (project GCA 2021/01, mandatory minimum transport volume: 763,726 kWh/h) 1.35;
2. Mosonmagyaróvár entry point (project GCA 2021/01, mandatory minimum transport volume: 916,487 kWh/h) 0.98;
3. Murfeld entry point (project GCA 2015/08, mandatory minimum transport volume: 2,775,120 kWh/h) 1.34;
4. Reintal entry point (project GCA 2015/01a, mandatory minimum transport volume: 2,658,744 kWh/h) 4.48;
5. Reintal entry point (project GCA 2020/01, mandatory minimum transport volume: 1,194,924 kWh/h) 5.01.

(4a) For the projects listed in para. 4 items 4 and 5, the f-factor pursuant to Article 23 Commission Regulation (EU) 2017/459 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 984/2013, OJ L 72/1, 17.03.2017, is set at 0.8. For the projects listed in para. 4 items 1 and 2, the f-factor pursuant to Article 23 Commission Regulation (EU) 2017/459 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 984/2013, OJ L 72/1, 17.03.2017, is set at 0.75.

(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. Überackern (Oberkappel): 0.88
2. Arnoldstein (distribution area): 0.68
3. Arnoldstein (Murfeld): 0.68.

(Item 4 deleted by virtue of FLG II no 254/2020)

(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. Überackern (Oberkappel): 2.93
2. Distribution area (Baumgarten): 0.38
3. Distribution area (Oberkappel): 0.38.

(Item 4 deleted by virtue of FLG II no 254/2020)(7) Unless explicitly stated otherwise in para. 7a, 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 take the form of reductions of the charge payable for the respective service month. The amount of such reduction to be granted by the transmission system operator (E_{Rm}) is calculated 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.

(7a) Notwithstanding the provisions under para. 7, a discount of 12% on the grid utilisation charge for firm, freely allocable entry capacity at the Oberkappel or Überackern points applies for interruptible entry capacity at these points. This rule holds for all capacities, regardless of their contract duration.

(8) The rates for system utilisation exclusively for transports between relevant points pursuant to section 39 Gas Act 2011 at interconnection points in the transmission network where several relevant points pursuant to section 39 Gas Act 2011 meet payable for firm capacity (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

(8a) An annual charge of 7.27 EUR/kWh/h for the system operator's service that entitles system users to nominations for exit from the Market Area East and immediate matching entry into the Czech market area is payable for capacity under contracts with a term of at least one year. Para. 9 applies *mutatis mutandis*.

(9) The rates for system utilisation for entries into 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, 5, and 7 to 8 above by applying the following formulae:

1. for quarterly products: $(E/365) \cdot \text{number of days in the quarter} \cdot 1.15$;
2. for monthly products: $(E/365) \cdot \text{number of days in the month} \cdot 1.3$;
3. for daily products: $(E/365) \cdot 1.5$;
4. for rest-of-the-day and within-day products: $(E/8760) \cdot \text{number of (remaining) hours in the day} \cdot 2$.

(9a) The rates for system utilisation for 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 3 and 6 to 8 above by applying the following formulae:

1. for quarterly products: $(E/365) \cdot \text{number of days in the quarter} \cdot 1.15$;
2. for monthly products: $(E/365) \cdot \text{number of days in the month} \cdot 1.3$;

3. for daily products: $(E/365)*1.5$;

4. for rest-of-the-day and within-day products: $(E/8760)*\text{number of (remaining) hours in the day}*2$.

(10) In the event of transport restrictions caused by unplanned maintenance 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, and in the event of transport restrictions at an entry or exit point in excess of 360 hours per gas year, the charges payable by system users are 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 to be granted by the transmission system operator (E_{km}) is calculated by applying the formula in annex 2.

System utilisation charge for storage

Section 4. (1) The system utilisation charges for exits from the transmission network into storage are determined applying the reference price methodology as per annex 3 and 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 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: 0.44;

2. Storage facility MAB: 0.44.

(2a) The commodity rate for system utilisation for exit from the transmission grid into storage is 0.31829 EUR/MWh for all types of capacity.

(3) 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 para. 2 and section 12 para. 2. If a storage facility is connected both to the transmission and to the distribution network, the quantities for calculating the system utilisation charge for cross-border storage usage are calculated by the transmission system operator. Based on the quantities calculated by the transmission system operator, the distribution and transmission system operators send separate bills to the storage system operator within six weeks following the last day of the relevant month. The key for distributing the revenue deriving from the charges in accordance with para. 6 between the system operators shall reflect the energy quantity 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 energy quantity in kWh injected into the storage facility from each system by each balance group during the month in question.

(4) 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 to be granted by the transmission system operator (E_{Rm}) is calculated 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 in line with the general terms and conditions for transmission system access approved under section 32 Gas Act 2011, and in the event of transport restrictions at an entry or exit point in excess of 360 hours per gas year, the charges payable by system users are 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 to be granted by the transmission system operator (E_{km}) is calculated by applying the formula in annex 2.

(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: 0.77

2. Storage facility MAB: 0.22

The quantity 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: 0.27
2. Storage facility MAB: 0.23

The quantity relevant for billing the system utilisation charge is the sum of maximum storage account positions in accordance with para. 8 item 2 recorded for each storage customer during 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 Market Area East into a neighbouring market area;
2. A positive hourly position indicates cross-border storage use into the Market Area East 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 per customer 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 of the storage account balance per storage customer, confirmed by an independent auditor if the system operator has had reason to request so;
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 area manager;
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.

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 capacity as a one-off, capacity-based payment and covers the past and future network development measures necessary to enable such connection. It is 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 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:0.00 EUR/kWh/h

Compensation payments

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

(2) Gas Connect Austria GmbH shall make equalisation payments in the amount of EUR 14,930,464.- to TAG GmbH. With reference to the commodity charges, Gas Connect Austria GmbH shall additionally pay to TAG GmbH 2,646,010.58 EUR/month, by way of derogation from para. 1.

Auctions

Section 8. (1) Where capacity is to be auctioned pursuant to section 6 Gas Market Model Ordinance 2012, the rates stated in section 3 serve as the reserve price.

(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, is adjusted for the difference between the original and the revised reserve price.

(3) Lower multipliers than in section 3 paras 9 or 9a can be applied to implicit allocation methods pursuant to Article 2 para. 5 Regulation (EU) No 2017/459 establishing a Network Code on Capacity Allocation Mechanisms in Gas Transmission Systems and repealing Regulation (EU) No 984/2013.

(para. 4 deleted by virtue of FLG II no 85/2018)

Title 3

Distribution network charges

Distribution system provision charge

Section 9. (1) The system provision charge at distribution level takes the shape of rates that are stated in EUR per kWh/h payable for the contracted 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: 0.00 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: 0.00 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 final customers and system operators

Section 10. (1) Unless explicitly provided otherwise, the system utilisation charge at distribution level payable by final customers and system operators in network areas in accordance with section 73 para. 2 Gas Act 2011 takes the shape of commodity 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. Switching connected facilities from network level 3 to network level 2 is only allowed if there is proof that a technical change that is necessary for the facility to operate necessitates that gas be handed over at a pressure higher than 6 bar.

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

(4) The charges result from application of a commodity rate (split into energy brackets) and a capacity rate (split into capacity brackets). The energy and capacity brackets 1 through 4 apply to facilities without load metering; the energy and capacity brackets A through F apply to load-metered facilities. Energy quantities are accounted for by the rates in energy brackets 1-4 and A-F, which imply that brackets are run through successively until the annual consumption is reached. Capacity is accounted for by the rates in capacity brackets A-F and 1-4, with flat rates for brackets 1-4. The flat rates determined for brackets 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. Brackets may be merged so that the same commodity or capacity rate applies. Invoicing shall correspond to actual meter reading intervals (section 15 para. 3), while section 126 para. 2 Gas Act 2011 remains unaffected thereby.

(5) In order to calculate the monthly capacity-based charge for system utilisation for load-metered facilities, the highest hourly load registered during the one-month billing period is multiplied by the twelfth part of the capacity rate set in this Ordinance. Where the billing period is one year, the capacity-based part of the system utilisation charge is 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-based 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 final customers.

(6) If the capacity contracted for a metering point is exceeded during a month, the final customer is billed five times the capacity charge for the excess capacity used. The excess capacity is 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 final customer and the distribution system operator based on the general terms and conditions for distribution systems;
3. the contracted 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 final customer, the capacity part of the system utilisation charge is calculated based on the highest hourly load registered during each day in the case of facilities at network level 2 with contracted capacities of more than 50,000 kWh/h per metering point. The basis for daily charges is 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 final customer is billed five times the capacity charge according to para. 6a for the excess capacity used. The excess capacity is 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 final customer and the distribution system operator based on the general terms and conditions for distribution systems;
3. the contracted 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 are billed by correspondingly applying para. 6a for days during which the control area operator pursuant to section 23 para. 2 item 6 Electricity Act 2010 purchases the balancing energy offered. The maximum hourly load registered on days when balancing energy is purchased is excluded from calculation of the monthly maximum metered load pursuant to para. 5. The capacity charge pursuant to para. 5 is 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 brackets pursuant to para. 4 are scaled to the actual billing period in accordance with the load profile determined following the Load Profile Ordinance. The energy brackets are also scaled to actual or calculated consumption whenever the system charges are changed. This calculation (and, if applicable, the statistical consumption calculation) 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 final customers to verify how the energy brackets have been scaled and how their consumption has been calculated. Where final customers request so, they are 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 Gas Act 2011 is:

1. For network level 2:

Netzbereich Burgenland Ebene 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	0,4984	0,7476	Staffel A	631	2,5932
>5.000.000 - 10.000.000	Zone B	0,2756	0,4134	Staffel B	631	2,5932
>10.000.000 - 100.000.000	Zone C	0,1384	0,2076	Staffel C	631	2,5932
>100.000.000 - 200.000.000	Zone D	0,0837	0,0956	Staffel D	631	2,5932
>200.000.000 - 900.000.000	Zone E	0,0837	0,0956	Staffel E	631	2,5932
>900.000.000	Zone F	0,0837	0,0956	Staffel F	631	2,5932

Netzbereich Kärnten Ebene 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	564	2,3178
>5.000.000 - 10.000.000	Zone B	0,1354	0,2031	Staffel B	564	2,3178
>10.000.000 - 100.000.000	Zone C	0,0803	0,1205	Staffel C	564	2,3178
>100.000.000 - 200.000.000	Zone D	0,0547	0,0821	Staffel D	564	2,3178
>200.000.000 - 900.000.000	Zone E	0,0547	0,0821	Staffel E	564	2,3178
>900.000.000	Zone F	0,0308	0,0462	Staffel F	564	2,3178

Netzbereich Niederösterreich Ebene 2

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 6	Arbeitspreis [Cent/kWh] gem. Abs 8a	Leistungspreis [Cent/kWh/h] gem. Abs 6	Leistungspreis [Cent/kWh/h] gem. Abs 8a		
0 - 5.000.000	Zone A	0,0812	0,1218	Staffel A	492	2,0219
>5.000.000 - 10.000.000	Zone B	0,0748	0,1122	Staffel B	492	2,0219
>10.000.000 - 100.000.000	Zone C	0,0863	0,0995	Staffel C	492	2,0219
>100.000.000 - 200.000.000	Zone D	0,0863	0,0995	Staffel D	492	2,0219
>200.000.000 - 900.000.000	Zone E	0,0475	0,0713	Staffel E	492	2,0219
>900.000.000	Zone F	0,0410	0,0615	Staffel F	492	2,0219

Netzbereich Oberösterreich Ebene 2

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 6	Arbeitspreis [Cent/kWh] gem. Abs 8a	Leistungspreis [Cent/kWh/h] gem. Abs 6	Leistungspreis [Cent/kWh/h] gem. Abs 8a		
0 - 5.000.000	Zone A	0,0720	0,1080	Staffel A	508	2,0877
>5.000.000 - 10.000.000	Zone B	0,0711	0,1067	Staffel B	508	2,0877
>10.000.000 - 100.000.000	Zone C	0,0482	0,0723	Staffel C	508	2,0877
>100.000.000 - 200.000.000	Zone D	0,0460	0,0690	Staffel D	508	2,0877
>200.000.000 - 900.000.000	Zone E	0,0452	0,0678	Staffel E	508	2,0877
>900.000.000	Zone F	0,0449	0,0674	Staffel F	508	2,0877

Netzbereich Salzburg Ebene 2

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 6	Arbeitspreis [Cent/kWh] gem. Abs 8a	Leistungspreis [Cent/kWh/h] gem. Abs 6	Leistungspreis [Cent/kWh/h] gem. Abs 8a		
0 - 5.000.000	Zone A	0,2311	0,3467	Staffel A	414	1,7014
>5.000.000 - 10.000.000	Zone B	0,2311	0,3467	Staffel B	414	1,7014
>10.000.000 - 100.000.000	Zone C	0,2311	0,3467	Staffel C	414	1,7014
>100.000.000 - 200.000.000	Zone D	0,0450	0,0675	Staffel D	414	1,7014
>200.000.000 - 900.000.000	Zone E	0,0450	0,0675	Staffel E	414	1,7014
>900.000.000	Zone F	0,0450	0,0675	Staffel F	414	1,7014

Netzbereich Steiermark Ebene 2

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 6	Arbeitspreis [Cent/kWh] gem. Abs 8a	Leistungspreis [Cent/kWh/h] gem. Abs 6	Leistungspreis [Cent/kWh/h] gem. Abs 8a		
0 - 5.000.000	Zone A	0,1419	0,2129	Staffel A	569	2,3384
>5.000.000 - 10.000.000	Zone B	0,1060	0,1590	Staffel B	569	2,3384
>10.000.000 - 100.000.000	Zone C	0,0764	0,1146	Staffel C	569	2,3384
>100.000.000 - 200.000.000	Zone D	0,0632	0,0948	Staffel D	569	2,3384
>200.000.000 - 900.000.000	Zone E	0,0627	0,0941	Staffel E	569	2,3384
>900.000.000	Zone F	0,0621	0,0932	Staffel F	569	2,3384

Netzbereich Tirol Ebene 2

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 6	Arbeitspreis [Cent/kWh] gem. Abs 8a	Leistungspreis [Cent/kWh/h] gem. Abs 6	Leistungspreis [Cent/kWh/h] gem. Abs 8a		
0 - 5.000.000	Zone A	0,6568	0,9652	Staffel A	418	1,7178
>5.000.000 - 10.000.000	Zone B	0,4737	0,7106	Staffel B	418	1,7178
>10.000.000 - 100.000.000	Zone C	0,2863	0,4295	Staffel C	418	1,7178
>100.000.000 - 200.000.000	Zone D	0,2863	0,4295	Staffel D	418	1,7178
>200.000.000 - 900.000.000	Zone E	0,2863	0,4295	Staffel E	418	1,7178
>900.000.000	Zone F	0,2863	0,4295	Staffel F	418	1,7178

Netzbereich Vorarlberg Ebene 2

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 6	Arbeitspreis [Cent/kWh] gem. Abs 8a	Leistungspreis [Cent/kWh/h] gem. Abs 6	Leistungspreis [Cent/kWh/h] gem. Abs 8a		
0 - 5.000.000	Zone A	0,4000	0,6000	Staffel A	528	2,1699
>5.000.000 - 10.000.000	Zone B	0,2100	0,3150	Staffel B	528	2,1699
>10.000.000 - 100.000.000	Zone C	0,1500	0,2250	Staffel C	528	2,1699
>100.000.000 - 200.000.000	Zone D	0,1100	0,1650	Staffel D	528	2,1699
>200.000.000 - 900.000.000	Zone E	0,1100	0,1650	Staffel E	528	2,1699
>900.000.000	Zone F	0,1100	0,1650	Staffel F	528	2,1699

Netzbereich Wien Ebene 2

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 6	Arbeitspreis [Cent/kWh] gem. Abs 8a	Leistungspreis [Cent/kWh/h] gem. Abs 6	Leistungspreis [Cent/kWh/h] gem. Abs 8a		
0 - 5.000.000	Zone A	0,2176	0,3264	Staffel A	479	1,9685
>5.000.000 - 10.000.000	Zone B	0,1798	0,2697	Staffel B	479	1,9685
>10.000.000 - 100.000.000	Zone C	0,1250	0,1875	Staffel C	479	1,9685
>100.000.000 - 200.000.000	Zone D	0,0464	0,0696	Staffel D	479	1,9685
>200.000.000 - 900.000.000	Zone E	0,0463	0,0695	Staffel E	479	1,9685
>900.000.000	Zone F	0,0449	0,0674	Staffel F	479	1,9685

2. For network level 3:

Netzbereich Oberösterreich Ebene 3

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 6	Arbeitspreis [Cent/kWh] gem. Abs 8a	Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 6	Leistungspreis [Cent/kWh/h] gem. Abs 8a	
0 - 40.000	Zone 1	1,3486	Staffel 1	300		
>40.000 - 80.000	Zone 2	0,9275	Staffel 2	300		
>80.000 - 200.000	Zone 3	0,7560	Staffel 3	300		
>200.000	Zone 4	0,7234	Staffel 4	300		
0 - 5.000.000	Zone A	0,3051	Staffel A		462	1,8986
>5.000.000 - 10.000.000	Zone B	0,1349	Staffel B		462	1,8986
>10.000.000 - 100.000.000	Zone C	0,0429	Staffel C		462	1,8986
>100.000.000	Zone D	0,0429	Staffel D		462	1,8986

Netzbereich Salzburg Ebene 3

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 8a	Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 8a
0 - 40.000	Zone 1	1,1951	Staffel 1	300	
>40.000 - 80.000	Zone 2	1,1951	Staffel 2	300	
>80.000 - 200.000	Zone 3	1,0935	Staffel 3	300	
>200.000	Zone 4	1,0935	Staffel 4	300	
0 - 5.000.000	Zone A	0,6060	Staffel A		528
>5.000.000 - 10.000.000	Zone B	0,4440	Staffel B		528
>10.000.000 - 100.000.000	Zone C	0,3870	Staffel C		528
>100.000.000	Zone D	0,3870	Staffel D		528

Netzbereich Steiermark Ebene 3

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 8a	Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 8a
0 - 40.000	Zone 1	1,3912	Staffel 1	300	
>40.000 - 80.000	Zone 2	1,3058	Staffel 2	300	
>80.000 - 200.000	Zone 3	1,0603	Staffel 3	300	
>200.000	Zone 4	0,8727	Staffel 4	300	
0 - 5.000.000	Zone A	0,4611	Staffel A		522
>5.000.000 - 10.000.000	Zone B	0,0934	Staffel B		522
>10.000.000 - 100.000.000	Zone C	0,0771	Staffel C		522
>100.000.000	Zone D	0,0592	Staffel D		522

Netzbereich Tirol Ebene 3

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 8a	Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 8a
0 - 40.000	Zone 1	2,0018	Staffel 1	300	
>40.000 - 80.000	Zone 2	1,8879	Staffel 2	300	
>80.000 - 200.000	Zone 3	1,7670	Staffel 3	300	
>200.000	Zone 4	1,7670	Staffel 4	300	
0 - 5.000.000	Zone A	0,9273	Staffel A		541
>5.000.000 - 10.000.000	Zone B	0,7725	Staffel B		541
>10.000.000 - 100.000.000	Zone C	0,6182	Staffel C		541
>100.000.000	Zone D	0,5023	Staffel D		541

Netzbereich Vorarlberg Ebene 3

Verbrauch [kWh/a]	Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 8a	Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh/h] gem. Abs 5	Leistungspreis [Cent/kWh/h] gem. Abs 8a
0 - 40.000	Zone 1	0,9600	Staffel 1	300	
>40.000 - 80.000	Zone 2	0,9600	Staffel 2	300	
>80.000 - 200.000	Zone 3	0,9600	Staffel 3	300	
>200.000	Zone 4	0,9600	Staffel 4	300	
0 - 5.000.000	Zone A	0,4000	Staffel A		528
>5.000.000 - 10.000.000	Zone B	0,2100	Staffel B		528
>10.000.000 - 100.000.000	Zone C	0,1500	Staffel C		528
>100.000.000	Zone D	0,1100	Staffel D		528

Netzbereich Wien Ebene 3

Verbrauch [kWh]	Arbeitspreis [Cent/kWh] gem. Abs 5	Arbeitspreis [Cent/kWh] gem. Abs 8a	Pauschale/Monat [Cent]	Leistungspreis [Cent/kWh] gem. Abs 5	Leistungspreis [Cent/kWh] gem. Abs 8a
0 - 40.000	Zone 1	1,6375	Staffel 1	300	
>40.000 - 80.000	Zone 2	1,0755	Staffel 2	300	
>80.000 - 200.000	Zone 3	1,0755	Staffel 3	300	
>200.000	Zone 4	0,9168	Staffel 4	300	
0 - 5.000.000	Zone A	0,3992	Staffel A	754	3,0986
>5.000.000 - 10.000.000	Zone B	0,2635	Staffel B	754	3,0986
>10.000.000 - 100.000.000	Zone C	0,1459	Staffel C	754	3,0986
>100.000.000	Zone D	0,1459	Staffel D	754	3,0986

3. For public installations at network levels 2 and 3 which serve to fuel gas vehicles in the Burgenland, Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tyrol, Vorarlberg, and Vienna network areas:

- (a) annual flat rate 2520.- EUR/year
- (b) energy price: 0.39 cent/kWh

(9) If, on the basis of the general terms for the distribution system, a distribution system operator agrees with a final customer whose contracted 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 final customer can be reduced by up to 100% on the initiative of the distribution area manager (section 18 para. 1 item 23 Gas Act 2011), any actual restriction of system use effected upon an instruction of the distribution area manager causes the respective month's capacity-based charge to be reduced as follows:

1. If the final customer is informed by noon of a restriction on the following gas day (06.00 – 06.00 hrs), the capacity-based charge for the month of the restriction is reduced by 25%;
2. If the final customer is informed by Friday noon of a restriction during the week after the following (06.00 hrs, Monday – 06.00 hrs, Monday), the capacity-based charge for the month of the restriction is reduced by 100%;
3. If the final customer 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 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. Section 10 para. 6 applies mutatis mutandis.

(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: 0.97;
2. Laa: 0.85.

(items 3 and 4 deleted by virtue of 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: 3.26;
2. Laa: 1.23;
3. Laufen: 8.03;
4. Simbach: 6.04;
5. Gries am Brenner: 7.16;
6. Ruggell: 6.58;
7. Höchst: 6.58.

(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 to be granted by the distribution system operator (ERm) is calculated 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: $(E/365) \times \text{number of days in the quarter} \times 1.1$;
2. for monthly products: $(E/365) \times \text{number of days in the month} \times 1.2$;
3. for daily products: $(E/365) \times 1.5$.

Lower multipliers can be applied to implicit allocation methods pursuant to Article 2(4) Regulation (EU) 2017/459.

(6) A factor of 1.0 applies to the rates for system utilisation for implicitly allocated 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 month.

Distribution system utilisation charge for storage

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 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. Section 10 para. 6 applies mutatis mutandis.

(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: 0.37.

(3) 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 quantity of such reduction to be granted by the distribution system operator (ERm) is calculated 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: 0.77

The quantity 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: 0.27

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 fossil and renewable gas

Section 13. (1) Unless explicitly stated otherwise, the system utilisation charges for entry from fossil or renewable gas production facilities into the distribution network in accordance with section 73 para. 6 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. Section 10 para. 6 applies mutatis mutandis.

(2) The system utilisation rates for entries from fossil or renewable 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 fossil gas production injected in the Lower Austria area:..... 0.56;
2. For fossil gas production injected in the Upper Austria area: 0.67;
3. For fossil gas production injected in the Salzburg area: 2.21;
4. For renewable gas production injected in all network areas: 0.12.

Cost cascading

Section 14. (1) Each system operator's network level 1 costs, considering also network level 1 revenues, are passed on to network level 2 and 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 Gas Act 2011.

(2) For the first procedure, the distribution area manager's costs pursuant to section 74 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 Market Area East 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 Gas Act 2011 are allocated to the network areas in proportion to the energy quantity 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 quantity of 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 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 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. All invoices are payable by the 15th day of the month following the month during which the service is rendered.

1. Market Area East:

	Austrian Gas Grid Management AG	Gas Connect Austria GmbH
a) WIENER NETZE GmbH zahlt:	7.587,5	12.253,2
b) Netz Niederösterreich GmbH zahlt	214,7	346,7
c) Netz Burgenland GmbH zahlt:	815,8	1.317,5
d) Energienetze Steiermark GmbH zahlt:	2.449,3	3.955,4
e) Netz Oberösterreich GmbH zahlt	2.832,3	4.574,0
f) KNG-Kärnten Netz GmbH zahlt:	447,5	722,6
g) Salzburg Netz GmbH zahlt:	1.097,3	1.772,1

All system operators that are foreseen to pay under items a through g shall transfer the relating sums to the stated recipients; these recipients shall then make compensation payments towards the system operator named in item b.

2. Market Area Tyrol:

- a) TIGAS-Erdgas Tirol GmbH shall pay the following sum to Austrian Gas Grid Management AG: 3,273.8;
- b) Vorarlberger Energienetze GmbH shall pay the following sum to Austrian Gas Grid Management AG:132.9.

3. Market Area Vorarlberg: Vorarlberger Energienetze GmbH shall pay the following

sum to Austrian Gas Grid Management AG: 3,071.3.

Metering charge

Section 15. (1) The metering charges set in accordance with section 77 Gas Act 2011 are ceilings for different types of metering gas in m³, Nm³ or kWh; unless otherwise stated, the below are monthly charges. Where consumers provide load meters themselves, the metering charge is 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 is prorated on a daily basis.

(2) If final customers ask system operators to install, remove or replace meters or to subcontract a company for these services, they 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. If asked for by final customers, installation and removal as well as functionality checks of metering equipment that is owned by the system operator but not listed in paras 7 or 8 shall be billed for in a non-discriminatory and cost-reflective way. Final customers may not be charged for installations or removals that take place in the course of repairs or recalibrations triggered by the system operator.

(3) Meters shall be read annually, except in the case of load meters and meters under section 2 item 10 Load Profile Ordinance 2018, which shall be read daily, and in the case of smart meters, which shall be read in accordance with section 129 para. 1 Gas Act 2011. In addition to the charge pursuant to para. 1, system operators may apply a charge of no more than 8.99 EUR per month for reading of load meters and of meters under section 2 item 10 Load Profile Ordinance 2018, unless these are read remotely. This additional charge shall be listed on the bill separately from the charge pursuant to para. 1.

(4) Meters exempted from recalibration must be checked after 15 years at the latest. When such a check has been performed, the metering device is marked accordingly. If no such check is performed, the metering charge ceiling is 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 is 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 [€]	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	[€]
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 [€]
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 meters and remote meter reading in EUR:

(a) one-channel load meter	13.50
(b) two-channel load meter.....	15.00
(c) multi-channel load meter	18.00
(d) remote meter reading	40.00

4. Ceilings for volume correctors and temperature correctors

Type of unit	[€]
Volume corrector without LM	40.00
Volume corrector with LM and RMR	55.00
Volume corrector with LMR	80.00
Electronic temperature corrector	5.00

5. Ceilings for meters under section 2 para. 10 Load Profile Ordinance 2018 with remote meter reading in EUR:
- (a) one-channel meter7.00
 - (b) two-channel meter or multi-channel meter10.00

6. Ceiling for 230 volt supply, in particular for volume correctors, load meters, meters under section 2 para. 10 Load Profile Ordinance 2018, and remote meter reading: 10.00 EUR

(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 [€]	Removal [€]
Up to G 16	60.00	30.00
G 25 – G 65	90.00	45.00

2. Ceilings for installing or removing remote meter reading:

Size	Installation [€]	Removal [€]
Standard	250.00	125.00

(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
- 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 has been read for the relevant billing period and after the relevant calorific value is available. 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 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 Gas Act 2011, it shall publish the rates applied in an appropriate manner, e.g. on the Internet.

(5) The system operator shall claim from the operators of plants under section 75 paras 3 and 4 Gas Act 2011 the prorated costs that the system operator bore in the first place during the first 15 years of the plant's operation, if the system utilisation charge calculated on the basis of the capacity agreed in the original system access contract is not paid in full.

Compensation payments

Section 17. (1) The compensation payments are stated as net annual amounts in units of '000 EUR, payable in twelve equal instalments, one per month. All invoices are payable by the 15th day of the month following the month during which the service is rendered.

(2) The compensation payments for the Carinthia network area are as follows: KNG-Kärnten Netz GmbH shall pay the following sum to Energie Klagenfurt GmbH: 203.0.

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

Zahler	Empfänger		
	Linz Netz GmbH	Energie Ried GmbH	eww ag
Netz Oberösterreich GmbH zahlt an	6.087,8	841,9	867,2
Stadtbetriebe Steyr GmbH zahlt an	198,8	27,5	28,3

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

Zahler	Empfänger		
	Energiernetz Steiermark GmbH	Stadtwerke Kapfenberg GmbH	Gasnetz Veitsch
Energie Graz GmbH & Co KG zahlt an	378,7	175,4	6,5
Stadtwerke Leoben zahlt an	65,6	30,4	1,1

(5) The compensation payments for the Tyrol network area are as follows: TIGAS-Erdgas Tirol GmbH shall pay the following sum to Elektrizitätswerk Reutte AG: 1,525.0.

(6) The compensation payments for the Vorarlberg network area are as follows: Stadtwerke Bregenz GmbH shall pay the following sum to Vorarlberger Energienetze GmbH: 440.8.

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 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 Gas Act 2011	5.00 EUR

2. Charges for disabling and disconnection of service connection branches:

a) disabling and re-enabling system access pursuant to section 127 para. 3 Gas Act 2011 on site	25.00 EUR
b) disabling and re-enabling for safety reasons	30.00 EUR
c) disconnection of service connection branches from the distribution network up to size DA 63, incl. purging of the disconnected portion	450.00 EUR
d) disconnection of service connection branches from the distribution network over size DA 63, incl. purging of the disconnected portion	800.00 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

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. Verteilergbiet Ost:	
a) für den Netzbereich Oberösterreich die Netz Oberösterreich GmbH:	2.374,8
b) für den Netzbereich Niederösterreich die Netz Niederösterreich GmbH:	1.570,5
c) für den Netzbereich Steiermark die Energienetze Steiermark GmbH:	1.435,2
d) für den Netzbereich Burgenland die Netz Burgenland GmbH:	235,9
e) für den Netzbereich Kärnten die KNG-Kärnten GmbH:	198,4
f) für den Netzbereich Salzburg die Salzburg Netz GmbH:	317,8
g) für den Netzbereich Wien die WIENER NETZE GmbH:	2.300,8
2. Verteilergbiet Tirol:	
a) für den Netzbereich Tirol die TIGAS-Erdgas Tirol GmbH:	497,2
3. Verteilergbiet Vorarlberg:	
a) für den Netzbereich Vorarlberg die Vorarlberger Energienetze GmbH:	301,4

All invoices are payable by the 15th day of the month following the month during which the service is rendered.

Title 5

Final provisions

Transitional provisions

Section 20. (1) This Ordinance also applies to any parties taking over system operation as the legal successors of the 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 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 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 apply in the Market Area East from 06.00 hrs on 1 January 2013.

(4) Storage system operators shall transmit the actual position of each customer's storage account as of 06.00 hrs 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.

(5) The multipliers in section 3 para. 9 items 3 and 4 apply for day-ahead contracts, rest-of-the-day contracts and within-day contracts that begin at 6.00 hrs on 1 October 2017 or later; until then, the multiplier is 1.

Entry into force

Section 21. (1) This Ordinance comes 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 2013 Gas System Charges [Amendment] Ordinance 2013 enter into force on 1 January 2013.

(3) The E-Control Commission ordinance setting the system charges for gas (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, ceases to be effective at 06.00 hrs on 1 January 2013.

(4) The E-Control Commission order 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 (Other Gas Shipments Order 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) Order 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) Order 2009, published in no 252 of the official gazette supplement to the Wiener Zeitung of 24 December 2008, by the Other Gas Shipments (Amendment) Order 2010, published in no 249 of the official gazette supplement to the Wiener Zeitung of 24 December 2009, by the Other Gas Shipments (Amendment) Order 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) Order 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 (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, ceases 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 enters into force at 06.00 hrs 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 06:00 hrs 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 06.00 hrs 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 06.00 hrs 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 06.00 hrs 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 30 April 2012, 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 06.00 hrs on 1 October 2021. 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 06.00 hrs on 1 January 2016.

(11) The provisions of the 2013 Gas System Charges (Amendment) Ordinance 2017, FLG II no 425/2016, come into force at 06.00 hrs on 1 January 2017.

(12) The provisions of the 2nd Gas System Charges (Amendment) Ordinance 2017, FLG II no 243/2017, come into force at the beginning of the gas day following the day of promulgation.

(13) The provisions of the 2013 Gas System Charges (Amendment) Ordinance 2018, FLG II no 399/2017, come into force at the beginning of the gas day on 1 January 2018.

(14) The provisions of the 2nd Gas System Charges (Amendment) Ordinance 2018, FLG II no 85/2018, come into force at the beginning of the gas day following the day of promulgation.

(15) Section 2 para. 1 item 1 and item 13 second sentence, section 10 para. 6c last sentence, section 10 para. 8 items 1 and 2, section 11 para. 3 item 6, section 12 para. 2, section 13 para. 2 items 2 and 3, section 14 para. 7 item 1, section 14 para. 7 item 2(a) and (b), section 14 para. 7 item 3, section 15 para. 3, section 17 paras 2 through 6, and section 19 items 1 through 3, as amended by the 2013 Gas System Charges (Amendment) Ordinance 2019, FLG II no 355/2018, come into force at the beginning of the gas day on 1 January 2019.

(16) The provisions of the 2013 Gas System Charges (Amendment) Ordinance 2020, FLG II no 423/2019, come into force at the beginning of the gas day on 1 January 2020.

(17) Section 3 paras 1 to 7a and paras 9 to 10, section 4 paras 1 and 2, and paras 5 to 7, section 7 para. 2, section 8 para. 3, section 12 paras 4 and 5, and annex 1 and 3, as amended by the 2nd Gas System Charges [Amendment] Ordinance 2020, FLG II no 254/2020, shall come into force on 1 January 2021.

(18) Section 2 para. 1 item 13, section 10 para. 8 items 1 and 2, section 11 para. 2 items 1 and 2, section 11 para. 3, section 12 paras 4 and 5, section 14 para. 7 items 1 to 3, section 17 paras 2 to 6, and section 19 items 1 to 3, as amended by the 2013 Gas System Charges (Amendment) Ordinance 2021, FLG II no 574/2020, come into force at the beginning of the gas day on 1 January 2021.

(19) Section 3 para. 4 items 4 and 5, and section 3 para. 4a, as amended by the ordinance in FLG II no 437/2021, come into force on the gas day following promulgation.

(20) Section 2 para. 1 item 13, section 10 para. 8 items 1 and 2, section 11 para. 1, section 11 para. 3 items 6 and 7, section 12 paras 1 and 2, section 13 and its headline, section 14 para. 7 items 1 to 3, section 16 para. 5, section 17 para. 2 item 6, and section 19 items 1 to 2, as amended by the 2022 amendment to the Gas System Charges Ordinance 2013, FLG II no 557/2021, enter into force at the beginning of the gas day on 1 January 2022.

(21) Section 1 para. 1 item 1, section 2 para. 1 items 5a and 8a, section 3 paras 1, 2a and 3a, section 3 para 4 items 1 and 2, section 3 para. 4a, section 4 para. 2a, section 7 para. 2, and annex 3, all as amended by the ordinance in FLG II no 176/2022, enter into force on the beginning of the gas day on 1 June 2022.

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

$$E_{Rm} = (D_{rf} * F_R) * AvgC_{int} \leq F_m$$

Where:

E_{Rm} is the compensation of the interruptible capacity product interruption in line with section 3 para. 7 and section 4 para. 4. The compensation is due for the day during which an interruption occurs;

D_{rf} is:

- (a) in the case of an interruptible capacity product interruption in line with section 3 para. 7, the grid utilisation charge for daily products pursuant to section 3 para. 9 or para. 9a, as applicable, or
- (b) in the case of an interruptible capacity product interruption in line with section 4 para. 4, the prorated grid utilisation charge for the day of the interruption pursuant to section 4 para. 2.

F_R is the compensation factor:

- (a) in the case of an interruptible capacity product interruption in line with section 3 para. 7, it corresponds to 3;
- (b) in the case of an interruptible capacity product interruption in line with section 4 para. 4, it corresponds to 1.5;

is the average interruptible capacity interrupted in the relevant day, calculated as

$AvgC_{int} = AvgC_{int}$, where

$c_{diff,i}$ is the actual interrupted capacity of the product calculated as the difference between the hourly capacity offered and the actually available hourly capacity during each hour affected by the interruption;

h_R is the number of hours of a gas day;

i is the relevant hour where an interruption occurs;

F_m is the grid utilisation charge that would apply if there were no 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 entry or exit point

q_{diffK} = the difference between the nominated hourly capacity contracted at the entry or exit point and the actually available hourly capacity at that point during each hour affected by the restriction, provided that the difference is positive

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

Annex 3 (concerning sections 3 and 4)

Reference price methodology pursuant to Article 6 et sqq. Commission Regulation (EU) 2017/460 and determination of a commodity charge pursuant to Article 4 para. 3(a) Commission Regulation (EU) 2017/460

(Annex 3 and the supplement to annex 3 on the commodity charge, FLG II no 176/2022, are available in pdf format.)