



Gas Transmission Operator
GAZ-SYSTEM S.A.

TARIFF No. 13
FOR GASEOUS FUELS
TRANSMISSION SERVICES

Warsaw, May 2019

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1. GENERAL PROVISIONS

- 1.1. Tariff No. 13 for gaseous fuels transmission services is developed by the energy company – Gas Transmission Operator GAZ-SYSTEM S.A. having its registered office in Warsaw, hereinafter referred to as the “TSO”, based on the following legislation and the decision of the President of Energy Regulatory Office:
- 1.1.1. Regulation No. 715/2009 of the European Parliament and of the Council (EC) of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No. 1775/2005 (OJ EU L. 2009.211.36, as amended),
 - 1.1.2. Act of 10 April 1997 – the Energy Law (Journal of Laws of 2019, Item 775, as amended),
 - 1.1.3. Act of 16 February 2007 on stocks of crude oil, petroleum products and natural gas, the principles of proceeding in circumstances of a threat to the fuel security of the State and disruption on the petroleum market (Journal of Laws of 2018, Item 1323),
 - 1.1.4. Regulation of the Minister of Energy of 15 March 2018 on detailed terms for determination and calculation of tariffs and billing in trade in gaseous fuels (Journal of Laws of 2018, Item 640),
 - 1.1.5. Regulation of the Minister of Economy of 2 July 2010 on detailed terms of operation of the gas system (Journal of Laws of 2014, No 1059, as amended),
 - 1.1.6. Regulation of the Council of Ministers of 19 September 2007 on manner and method of imposing reductions on natural gas offtake (Journal of Laws No. 178, Item 1252),
 - 1.1.7. Decision of the President of Energy Regulatory Office from 29 March 2019 (number: DRG.DRG-2.745.1.2019.JDo1) approving The Reference price methodology in respect of the transmission system owned by Gas Transmission Operator GAZ-SYSTEM S.A. valid from 1 January 2020 to 31 December 2022 constituting appendix to this decision (Biuletyn Branżowy URE – Gaseous Fuels No 32 (1226) z 29 March 2019 - <http://bip.ure.gov.pl/bip/taryfy-i-inne-decyzje-b/inne-decyzje-informacj/3777,Inne-decyzje-informacje-sprawozdania-opublikowane-w-2019-r.html>),

- 1.1.8. Communication of the President of the Energy Regulatory Office No 24/2019 concerning multipliers, seasonal factors and discounts, referred to in Article 28(1)(a) to (c) of the Tariff Code, to be taken into account in the calculation of tariffs for gaseous fuels transmission services for the period from 1 January 2020 to 31 December 2020 (<https://www.ure.gov.pl/pl/biznes/taryfy-zalozenia/konsultacje-art-28-nc-t/7848>, [Konsultacje-w-zakresie-rabatow-mnozownikow-i-wspolczynnikow-sezonowych-do-taryf-na.html](#)),
- 1.1.9. Commission Regulation (EU) 2017/460 of March 16 2017 establishing a network code on harmonised transmission tariff structures for gas (Official Journal of the European Union from 17 March 2017, L 72/29).

1.2. The Tariff includes:

- 1.2.1. transmission fee rates,
- 1.2.2. manner of determination of fees for connection to the network,
- 1.2.3. discounts for failure to meet system user service quality standards,
- 1.2.4. manner of determination of fees for failure to meet:
- 1.2.4.1 quality standards of provided gaseous fuels transmission services,
 - 1.2.4.2 gaseous fuels quality parameters;
- 1.2.5. manner of determination of charges for exceedance of the contracted capacity and for illegal gas take [offtake],
- 1.2.6. fee rates or manner of determination of fees for additional services provided upon request,
- 1.2.7. fee rates for renewal of supply of gaseous fuels, if suspended for reasons referred to in Article 6b of the Act specified in para. 1.1.2,
- 1.2.8. manner of determination of transmission fees for services provided under short-term contracts,

- 1.2.9. manner of determination of transmission fees for interruptible services,
 - 1.2.10. manner of determination of transmission fees for reverse flow services,
 - 1.2.11. manner of determination of transmission fees for conditional transmission services.
- 1.3. The GRP, fees and the Tariff fee rates do not include the value added tax (VAT). The VAT is calculated in accordance with the applicable tax laws.
 - 1.4. The readings of the measurement system facilities are determined within an accuracy of one cubic metre (m³) or accuracy of one kilowatt-hour (kWh), and the amounts of contracted capacity are determined within an accuracy of one kilowatt-hour per hour (kWh/h).
 - 1.5. The reference, as applied in the Tariff, to the “amount of gaseous fuel” means the reference to the amount of gaseous fuel, expressed in kWh, unless explicitly provided otherwise. “Volume of gaseous fuel” is expressed in cubic metres (m³) in normal conditions.

2. DEFINITIONS

- 2.1. Gas Reference Price (GRP) – the weighted average purchase price of gaseous fuel for the TSO, expressed in PLN/kWh, published on the TSO's website, and determined in accordance with the methodology set out in the TNC.
- 2.2. Gross Calorific Value (GCV) – the amount of heat released as a result of complete combustion in air of a specific volume of gaseous fuel determined in accordance with the methodology set out in the TNC.
- 2.3. Gas Day – the period of time defined pursuant to the TNC.
- 2.4. Physical Entry Point – the place of the delivery of gaseous fuel with specified physical location, including interconnection physical entry points, physical entry point from the LNG terminal or Point of Interconnection (PWP).
- 2.5. Physical Entry Point PPM ($FPWE_{PPM}$) – a point of interconnection between transmission systems which is used for the provision of integrated capacity services and is the place of the delivery of gaseous fuel.
- 2.6. Physical Exit Point PPM ($FPWY_{PPM}$) – a point of interconnection between transmission systems which is used for the provision of integrated capacity services and is the place of the offtake of gaseous fuel.
- 2.7. Physical Exit Point – the place of the offtake of gaseous fuel with specified physical location, including interconnection physical entry points or a UGS facility taking gaseous fuel for its own needs or a Point of Interconnection.
- 2.8. TNC – the Transmission Network Code established in accordance with the provisions of Art. 9g of the Act referred to in para. 1.1.2 of the Tariff and accepted by the President of the Energy Regulatory Office.
- 2.9. TGPS TNC – the Polish Section Transmission Network Code of the Yamal – Europe Transit Gas Pipeline System established in accordance with the provisions of Art. 9g of the

Act referred to in para. 1.1.2 of the Tariff and accepted by the President of the Energy Regulatory Office.

- 2.10. Kilowatt hour (kWh) – a settlement unit applied to express the amount of energy contained in the transmitted gaseous fuel, determined in compliance with the TNC.
- 2.11. Maximum registered capacity – a maximum hourly amount of gaseous fuel delivered to a physical exit point determined based on readings of the measurement system facilities.
- 2.12. Cubic meter of gas under standard conditions (m³) – a unit of account, corresponding to the amount of gaseous fuel contained in a volume of 1 m³ at a pressure of 101.325 kPa and at temperature of 0°C.
- 2.13. Gas Month – the period of time defined pursuant to the TNC.
- 2.14. Interconnection physical entry point – an entry point to the transmission system at an interconnection with a storage facility or a distribution system.
- 2.15. Interconnection physical exit point – an exit point from the transmission system at an interconnection with a storage facility or a distribution system.
- 2.16. Connection capacity – planned maximum hourly capability to supply or offtake gaseous fuel, used as the basis for the design of a connection, as defined in the agreement on connection to the network.
- 2.17. Contracted capacity – the maximum hourly quantity of gaseous fuel, expressed in energy units (kWh/h), as specified in the capacity allocation (PP), which may be delivered for transmission at a physical entry point or offtaken from the transmission system at a physical exit point.
- 2.18. Interruptible conditionally firm capacity – the contracted capacity provided at physical exit points specified in the capacity allocation (PP), which may be reduced by the TSO, subject to the terms and conditions specified in the TNC, in case of the failure to deliver gaseous fuel at specific physical entry points.

- 2.19. Interruptible capacity – the contracted capacity as specified in the capacity allocation (PP), which may be reduced by the TSO under the terms and conditions specified in the TNC and the Tariff.
- 2.20. Distribution System Operator (DSO) – an energy company engaged in the distribution of gaseous fuels that is responsible for network operation in the gas distribution system, the duties of which are specified in the Act referred to in para. 1.1.2, designated as an Operator by virtue of a decision of the President of Energy Regulatory Office.
- 2.21. Storage System Operator (SSO) – an energy company engaged in the storage of gaseous fuels, which is responsible for the maintenance of the storage installation, the duties of which are specified by the Act referred to in para. 1.1.2, designated as an Operator by virtue of a decision of the President of Energy Regulatory Office.
- 2.22. Interoperating System Operator (ISO) – the Distribution System Operator, the Storage System Operator or an operator of a transmission system interoperating with the TSO's transmission system.
- 2.23. UGS – a storage facility as defined in the TNC. Physical exit points as part of the underground gas storage facilities, where gas is offtaken for storage facilities' own needs, are not the UGS.
- 2.24. Point of Interconnection (PWP) – the point of exit which includes all physical points at the point of connection of the transmission system and the Yamal – Europe Transit Gas Pipeline System.
- 2.25. Capacity Allocation (PP) – a part of the transmission contract that specifies the capacity (contracted capacity) the Network User is eligible to at the specified physical entry point or physical exit point.
- 2.26. Connection – a section of the transmission network from the supply gas piping to the stop fittings downstream the gas station, used to connect:
- 2.26.1. the gas installation in the area or of the facility of the entity connected to the transmission network, or

- 2.26.2. the networks of energy companies operating in the business of gas transmission or distribution.
- 2.27. Gas Year – the period of time defined pursuant to the TNC.
- 2.28. Transmission Network – a high-pressure gas network excluding upstream and direct gas pipelines, for the operation of which the TSO is responsible.
- 2.29. Distribution System – the distribution network and interconnected equipment and installations which co-function with the network.
- 2.30. Transmission System – the transmission network and interconnected equipment and installations which co-function with the network.
- 2.31. Measurement System Facilities – gas meters and other measuring instruments or measuring-billing systems, and connections between them, used to measure volumes of gas offtaken or supplied to the network, and for billing.
- 2.32. Transmission Contract – a gas transmission contract concluded between the TSO and the Network User, including the interoperator transmission contract (ITC).
- 2.33. Transmission Services – services provided by the TSO consisting in granting the right to use the transmission system, i.e. awarding contracted capacity and in transport of gas by means of the transmission network.
- 2.34. Virtual Reverse Flow Services – the services provided by the TSO which involve the contractual transmission of gaseous fuels into a direction reverse to a physical flow of gaseous fuels.
- 2.35. Network User – a natural or legal person, or an organizational unit without legal personality but with legal capacity, which acquired the right to the contracted capacity of the transmission system under a transmission contract executed with the TSO and the capacity allocation (PP), including a DSO providing distribution services in a distribution system or an OSM.

- 2.36. System User – an entity using the transmission system under a transmission system being either a Shipper or a Network User.

3. GENERAL TERMS AND CONDITIONS FOR PROVISION OF TRANSMISSION SERVICES

3.1. Manner of Provision of Services and Billing.

3.1.1. The TSO provides transmission services under the contract concluded with a Network User and including the capacity allocation (PP).

3.1.2. The gaseous fuel is transmitted by means of two natural gas transmission systems respectively for:

3.1.2.1 Group E, high-methane natural gas,

3.1.2.2 Group L, sub-group Lw low-methane natural gas.

3.2. The high-methane natural gas transmission system includes:

3.2.1. physical entry points to the transmission network, including interconnection physical entry points from the distribution system, the Point of Interconnection – Ewe or the physical entry point to the transmission network at the connection with the LNG terminal,

3.2.2. interconnection physical entry points to the transmission network from storage facilities (UGS) – Ewe PMG,

3.2.3. physical exit points from the transmission network, including interconnection physical exit points to the distribution system – Ewy,

3.2.4. interconnection physical exit points from the transmission network to storage facilities (UGS) – Ewy PMG,

3.3. The low-methane natural gas transmission system includes:

3.3.1. physical entry points to the transmission network, including interconnection physical entry points from the distribution system – Lwe,

3.3.2. physical exit points from the transmission network, including interconnection physical exit points to the distribution system – Lwy.

- 3.4. The quality standards for transmission services and Network User services are defined in the TNC and in the Regulation referred to in para. 1.1.5.
- 3.5. TSO bills for the transmission services provided in monthly billing periods corresponding to gas months, and for short-term services provided for daily product – corresponding to one gas day, and for within-day product from a specific hour until the end of the Gas Day – during these hours.
- 3.6. In the event of irregularities in operation of the measurement system facilities or acceptance of false readings of the measurement system facilities resulting in overstatement or understatement of receivables for transmission services provided, the TSO adjusts the invoices issued for previous periods.
- 3.7. Correction of invoices referred to in para. 3.6 in the event of:
- 3.7.1. Overestimating or underestimating amounts due – covers the whole billing period or the period in which such irregularities or errors occur, except for para. 3.7.2,
 - 3.7.2. underestimating amounts due to the Network User collecting gas fuel in the amount of no more than 110 kWh/h – covers the last billing period.
- 3.8. Unless the contract provides otherwise, in the event for reasons beyond the Network User's control a damage to the measurement system facilities resulted in failure to register the volume of gas transmitted during the billing period, in order to determine the amount of the gaseous fuel constituting the grounds to calculate the fee for the services of transmission of gaseous fuel is as follows:
- 3.8.1. The volume of gaseous fuel measured by the measurement system facilities in the corresponding billing period, taking into account the nature of offtake, seasonality and other documented circumstances affecting the volume of gaseous fuel transmitted and heat of combustion determined in accordance with the TNC,
 - 3.8.2. in the event the volume cannot be determined in accordance with para. 3.8.1, the amount is determined based on the product of the number of hours during the billing period and the contracted capacity specified in the capacity allocation (PP).

4. NETWORK USER BILLING

4.1. Billing for Provision of Transmission Services.

- 4.1.1. The fee for provision of transmission services at the physical entry points to the transmission system and the physical exit points from the transmission system, is a fixed fee based on the contracted capacity, subject to para. 4.1.2.
- 4.1.2. No fees shall be charged for provision of transmission services at the physical entry point to the transmission network at the connection with the LNG terminal.
- 4.1.3. The fee for provision of transmission services at the physical entry point to the transmission system, excluding interconnection physical entry points from storage facilities (UGS), is determined according to the formula:

$$O_{WE} = S_{FPWE} * M_p / 1000 * T$$

where:

- O_{WE}** – the fee for provision of transmission services at the physical entry point [PLN],
- S_{FPWE}** – the fixed fee rate at the physical entry point per hour of the billing period [PLN/(MWh/h) per h],
- M_p** – the contracted capacity at the physical entry point [kWh/h],
- T** – the number of hours during the billing period [h].

- 4.1.4. The fee for provision of transmission services at the physical exit point from the transmission system, including at the interconnection physical exit points to the distribution system, excluding the interconnection physical exit points to the storage facilities (UGS), is determined according to the formula:

$$O_{WY} = S_{FPWY} * M_p / 1000 * T$$

where:

- O_{WY}** – the fee for provision of transmission services at the physical exit point [PLN],
- S_{FPWY}** – the fixed fee rate at the physical exit point per hour of the billing period [PLN/(MWh/h) per h],

- M_p** – the contracted capacity at the physical exit point [kWh/h],
T – the number of hours during the billing period [h].

4.1.5. The fee for provision of transmission services at the interconnection physical entry point from the storage facilities (UGS) is determined according to the formula:

$$O_{WE\ PMG} = S_{WE\ PMG} * M_p / 1000 * T$$

where:

- O_{WE PMG}** – the fee for provision of transmission services at the UGS physical entry point [PLN],
S_{WE PMG} – the fixed fee rate at the UGS physical entry point per hour of the billing period [PLN/(MWh/h) per h],
M_p – the contracted capacity at the interconnection physical entry point [kWh/h],
T – the number of hours during the billing period [h].

4.1.6. The fee for the provision of transmission services at the interconnection physical exit point to the storage facilities (UGS) is determined according to the formula:

$$O_{WY\ PMG} = S_{WY\ PMG} * M_p / 1000 * T$$

where:

- O_{WY PMG}** – the fee for provision of transmission services at the UGS physical exit point [PLN],
S_{WY PMG} – the fixed fee rate at the UGS physical exit point per hour of the billing period [PLN/(MWh/h) per h],
M_p – the contracted capacity at the interconnection physical exit point [kWh/h],
T – the number of hours during the billing period [h].

4.1.7. The fee for the provision of transmission services at a PPM physical entry point shall be calculated as the sum of the fees for the provision of transmission services

as determined on the basis of the free rate applicable to the points integrated within the PPM physical entry point and the terms of their application set out in this tariff and the tariff referred to in para. 10.3.

- 4.1.8. The fee for the provision of transmission services at a PPM physical exit point shall be calculated as the sum of the fees for the provision of transmission services as determined on the basis of the free rate applicable to the points integrated within the PPM physical exit point and the terms of their application set out in this tariff and the tariff referred to in para. 10.3.
- 4.1.9. The fee for provision of transmission services is charged from the Network User for the whole billing period, regardless of the amount of gas offtaken and the contracted capacity (throughout) actually used.
- 4.1.10. The contracted capacity which is the basis for determination of the fee for provision of transmission services is made available to the Network Users as the following products:
- 4.1.10.1 annual products,
 - 4.1.10.2 quarterly products,
 - 4.1.10.3 monthly products,
 - 4.1.10.4 daily products,
 - 4.1.10.5 within-day products.
- 4.1.11. The contracted capacity, referred to in para. 4.1.10.1, for a given physical entry or exit point, is determined in the capacity allocation (PP) and is valid throughout the gas year at the same amount for all months of the gas year. The change of the contracted capacity determined within the capacity allocation (PP) is effected in compliance with the rules specified in TNC.
- 4.1.12. The contracted capacity referred to in para. 4.1.10.2 is determined in the capacity allocation (PP) and is valid for the entire duration of the capacity allocation (PP) in the same amount.

- 4.1.13. The contracted capacity referred to in para. 4.1.10.3 is determined in the capacity allocation (PP) and is valid for the entire duration of the capacity allocation (PP) in the same amount.
- 4.1.14. The contracted capacity referred to in para. 4.1.10.4 is determined in the capacity allocation (PP) or in the nomination accepted by the TSO under the overnomination procedure referred to in TNC and is valid to all hours of the gas day in the same amount.
- 4.1.15. The contracted capacity referred to in para. 4.1.10.5 is determined in the capacity allocation (PP) or in the nomination accepted by the TSO under the overnomination procedure referred to in TNC and is valid in the same amount until the end of the gas day.
- 4.1.16. The TSO conducts settlements with the Network User which, in compliance with the TNC, has acquired the right to the contracted capacity, through assuming the rights and obligations of the former Network User, in particular as a result of a change of a seller or a sale of contracted capacity, according to the rates which apply to the products acquired by the Network User which sells them.
- 4.1.17. The TSO may indicate the physical entry point to the transmission system, for which, due to technical limitations, the contracted capacity may be different in different months of the gas year. The TSO publishes a list of these points on its website.
- 4.1.18. The volume of the contracted capacity should be within the range of the measurement system facilities and capacity of the technological devices installed at the physical entry or exit point. The measurement range of the measurement system facilities and contracted capacity of technological equipment are determined in energy units, in accordance with the TNC.
- 4.1.19. In the event of reduction, suspension or interruption in capability of supply or offtake of gas at the physical entry or exit point for reasons beyond the TSO's control, the Network User is obliged to pay the fee for provision of transmission services (at the physical entry and exit points) in the same amount as if there was no reduction, suspension or interruption in the use of allocated contracted capacity for the entire duration of such reduction, suspension or interruption.

- 4.1.20. In the event the Network User exceeds, without the consent of the TSO, the volume of the contracted capacity at the physical exit point from the transmission system or at the interconnection exit point to the storage facilities (UGS), an extra fee is charged amounting to the product of the maximum capacity recorded by the measurement system facilities over the contracted capacity, the number of hours during the billing period and three times the rate of the fixed fee for transmission services, referred to in para. 4.2.1.
- 4.1.21. In the event Network User exceeds, without the consent of the TSO, the volume of the contracted capacity at the physical exit point from the transmission system, where the transmission services are provided based on two (or more) capacity allocations (PP) or on the accepted nomination as referred to in para. 4.1.10.4 or 4.1.10.5, for the same Network User, an extra fee is charged amounting to the product of the maximum capacity recorded by the measurement system facilities over the sum of contracted capacities based on the capacity allocations (PP), the number of hours during the billing period and three times the rate of the fixed fee for transmission services, referred to in para. 4.2.1. If the Network User uses the contracted capacity as a part of annual or quarterly or monthly products and at the same time uses the contracted capacity as a part of the daily products, for the purpose of calculating the fee referred to above, it is assumed that the billing period is a gas month.
- 4.1.22. Fees for exceeding the contracted capacity at the interconnection physical exit points to distribution systems are charged when the aggregate contracted capacity at all the interconnection physical exit points comprised in a given group of interconnection physical exit points is smaller than the total quantity of gaseous fuel offtaken within a given hour at all the interconnection physical exit points comprised in such group of points.
- 4.1.23. In the event the contracted capacity referred to in para. 4.1.10.4 or in para. 4.1.10.5 determined in the capacity allocation (PP) was not assigned under the overnomination procedure referred to in TNC or in the event the Network User uses contracted capacity referred to in para. 4.1.10.4 or in para. 4.1.10.5 that was not allocated by the TSO, it is assumed that in case of exceedance of the contracted capacity at physical exit point or interconnection physical exit point to UGS by the Network User without the permission of the TSO, an additional fee is charged amounting to the product of the maximum

capacity recorded by the measurement system facilities over the contracted capacity, the number of hours during the billing period and three times the rate of the fixed fee for transmission services, referred to in para. 4.2.1. For the purpose of calculating the fee referred to above, it is assumed that the billing period is a gas month.

4.1.24. In the event of exceedance of the volume of the contracted capacity, at physical exit points as a result of:

4.1.24.1 a failure of or damage to the distribution network caused by actions of a third party,

4.1.24.2 works conducted by the Distribution System Operator [DSO] within the distribution network, whose date has been previously agreed by the TSO and DSO, in compliance with para. 4.1.26,

4.1.24.3 evidenced force majeure event,

fees for exceedance of the contracted capacity are not collected.

4.1.25. If the exceedance of the contracted capacity, referred to in para. 4.1.24.1, is a consequence of a failure or damage of the distribution network, it is to be documented with:

4.1.25.1 a copy of the TSO's dispatcher services' confirmation of the e-mail notification of the failure, within the timeframe specified in TNC,

4.1.25.2 the failure report signed by the perpetrator of the failure and the services present on the site,

4.1.25.3 the declaration of the DSO that the earthworks had been neither commissioned nor executed in the name of the DSO,

4.1.25.4 a copy of the land survey plat, confirmed by a competent local land records office, with the pipeline and place of failure marked by the DSO.

4.1.26. The TSO may give consent to exceedance of the volume of the contracted capacity at a given physical exit point within the capacity allocation (PP), for a certain time, in the following cases:

- 4.1.26.1 conduct of connection or maintenance and repair works by the Interoperating System Operator, subject to prior arrangement with the TSO of:
- 4.1.26.1.1 start and finish dates of the works,
 - 4.1.26.1.2 the measurement system facilities at which the exceedance is to take place,
 - 4.1.26.1.3 the volume of the exceedance;
- 4.1.26.2 conduct of connection or maintenance and repair works by the TSO involving the transmission network resulting in actual reduction of the contracted capacity, in the event an increase in gas offtake at another physical exit point can compensate such reductions.
- 4.1.27. In the event the Network User fails to adapt to the reductions imposed by the TSO in relation to the on-going connection or maintenance and repair works, or in connection with the change of gaseous fuel or failure removal, an additional fee is charged amounting to the product of the maximum offtake volume recorded by the measurement system facilities in excess of the permitted offtake resulting from the reduction, the duration of the reduction and three times the rate of the fee for the provision of transmission services, referred to in para. 4.2.1. The provisions of para. 4.1.21 and para. 4.1.30 shall apply accordingly.
- 4.1.28. Fees for the exceedance of capacity are not charged if the Network User is not notified of reductions imposed by the TSO, referred to in para. 4.1.27.
- 4.1.29. If, at a specific physical exit point, the transmission services are provided in favour of a few Network Users, the maximum capacity registered by the measurement system facilities, referred to in para. 4.1.20, para. 4.1.21, para. 4.1.27 is allocated in accordance with the TNC.
- 4.1.30. In the event the Network User exceeds, without the consent of the TSO, the volume of the contracted capacity at the physical exit point, where the transmission services are provided in a favour of a few Network Users, an extra fee is charged amounting to the product of the maximum capacity recorded by the measurement system facilities over the sum of contracted capacities based on the capacity allocations (PP),

the number of hours during the billing period and three times the rate of the fixed fee for transmission services, referred to in para. 4.2.1.

- 4.1.31. For the Network User, that is assigned a contracted capacity in the capacity allocation (PP) at several physical entry points or several physical exit points, the fixed fees for services provided are billed based on the contractual capacity defined separately for each of these points in the capacity allocation (PP).
- 4.1.32. For the Network User, who is assigned a contracted capacity in the capacity allocation (PP) at a given physical entry point or a physical exit point and the allocation becomes valid during the billing period, the fees for the provision of transmission services provided are billed in the amount proportionate to the time of validity of this capacity allocation (PP) during the billing period.
- 4.1.33. In the event the rates of fixed fees for the provision of transmission services change during the billing period, the fee is billed in the amount proportionate to the number of days of validity of the previous rates and new rates.
- 4.1.34. Fees are not charged for the provided transmission services in favour of ISO in the event of emergency or conducting maintenance works at the ISO network.
- 4.1.35. The billing period for annual, quarterly, monthly products shall be a gas month, the billing period for daily products shall be a gas day and for with-in day products the billing period shall be the number of hours the with-in day product has been assigned for.

4.2. Rates of transmission fees.

4.2.1. The transmission services fee rates (transmission fees) are presented in the table below:

Physical entry points / physical exit points	Fee rates
	fixed fee rate [PLN/(MWh/h) per h]
For Network Users using high-methane natural gas	
Ewe	3.015
Ewy	1.852
Ewe PMG	0.603
Ewy PMG	0.370
For low-methane natural gas users	
Lwe	1.818
Lwy	1.529

4.2.2. The fee rates are completed with the value added tax (VAT) in the amount based on the applicable tax law.

4.2.3. The fee rates presented in table in para. 4.2.1 for points located within the interconnection between the systems, i.e. at the connection points with the transmission systems of other countries and at the connection point with the Yamal-Europe Transit Gas Pipeline System, are minimum rates in the event of offering contracted capacity at these points through an auction procedure.

4.2.4. As a result of the conversion of the unbundled contracted capacity to the bundled contracted capacity under the TNC, the Network User shall incur charges only for the related contracted capacity (after conversion), taking into account the provisions of para. 4.2.5 and para. 4.2.6. The provisions of this paragraph shall apply only to that part (quantity) of the unbundled contracted capacity which has been converted.

4.2.5. In the case of the conversion referred to in para. 4.2.4, the fee for the provision of transmission services shall be determined based on the bundled contracted capacity

(after conversion) and the fixed fee rate for the relevant product regarding the unbundled contracted capacity being the subject of the conversion.

4.2.6. If during an auction of the unbundled contracted capacity or the bundled contracted capacity being the subject of the conversion, there is an auction premium, the TSO shall collect from the Network User for the bundled contracted capacity (after conversion) the sum of the auction premiums used in such auctions, i.e. the sum of the auction premiums from the auction of the unbundled contracted capacity and from the auction of the bundled contracted capacity .

4.3. Technological start-up.

4.3.1. Ordering contracted capacity during the technological start-up of a customer.

4.3.1.1 A Network User may apply to the TSO for special terms of the contracted capacity for a period not longer than two (2) months for a new or upgraded physical exit point (FPWY), at which the customer collects gas in order to engage in the business of manufacture (excluding an Interoperating System Operator), or in the event a new network-Interoperating System Operator's network exit point is connected, at which a new end customer is connected in order to engage in the business of manufacture and who orders the contracted capacity, at the level determined in section 2.5 of the Schedule to the Regulation referred to in para. 1.1.5.

4.3.1.2 Following the approval of the TSO's consent referred to in para. 4.3.1.1, the Network User applies for a capacity allocation (PP), subject to possible changes in accordance with the rules set out in the TNC, while making a determination of the capacity allocation (PP) during the technological start-up.

4.3.2. Ordering contracted capacity during the technological start-up of a storage facility.

4.3.2.1 A Storage System Operator may apply to the TSO for special terms of the contracted capacity allocation for a period not longer than two (2) months for a new or upgraded MFPWY_{OSM} and MFPWE_{OSM}, at which the Storage System Operator collects gas from a storage facility and delivers gas to a storage facility in order

to engage in the business of commencing and testing of storage facilities, or in the event new MFPWY_{OSM} and MFPWE_{OSM} are connected.

- 4.3.2.2 Following the approval of the TSO's consent referred to in para. 4.3.2.1, the Storage System Operator applies for a capacity allocation (PP), subject to possible changes in accordance with the rules set out in the TNC, while making a determination of the capacity allocation (PP) during the technological start-up.
- 4.3.3. During the technological start-up referred to in para. 4.3.1 and para. 4.3.2, the Network User makes a payment of the fixed fee based on the maximum recorded capacity during the gas month, but not lower than the contracted capacity determined within the capacity allocation (PP) and according to a relevant fixed fee rate.
- 4.3.4. If a Network User realizes, during the technological start-up, the contracted capacity lower than that determined within the capacity allocation (PP), it is obliged to pay the fee for the transmission services calculated based on the contracted capacity within the capacity allocation (PP) and according to a relevant fixed fee rate.
- 4.3.5. In the event of exceedance of the maximum contracted capacity allocated by the TSO for the period of technological start-up, the Network User makes a payment to the TSO of an additional fee by way of exceedance of the maximum contracted capacity, during the technological start-up, calculated in accordance with the rules of charging for exceedance of the contracted capacity, referred to in para. 4.1.21.
- 4.3.6. In particularly justified cases arising out of the need for a long-term technological start-up, the TSO and the Network User may agree that the rules for billing for the contracted capacity during the technological start-up are valid for more than two (2) months, but not longer than six (6) gas months, subject to the provisions of para. 4.3.7.
- 4.3.7. In particularly justified cases arising out of the need for a long-term technological start-up of a storage facility, the TSO and the Interoperating System Operator may agree that the rules for billing for the contracted capacity during the technological start-up are valid for more than two (2) months, but not longer than twelve (12) gas months.

5. DISCOUNTS

5.1. Discounts for Failure to Meet System User's Service Quality Standards.

5.1.1. The TSO's failure to meet the service quality standards entitle the System User to receive discounts determined in accordance with § 41.1 of the Regulation referred to in para. 1.1.4, in the following amounts:

Discount	PLN
a) for refusing to provide the System User, at their request, with information on the expected date of resumption of gas transmission interrupted due to failure of the transmission network	91.70
b) for failing to accept a notification concerning a failure or disruption in the transmission of gaseous fuel	91.70
c) for unreasonable delay in removing a failure which has occurred in the transmission network and removing any disruptions in the supply of gaseous fuel	305.67
d) for failing to inform the System User, by individual written notifications to be delivered by fax or e-mail, at the address indicated by the System User, at least fourteen days in advance, of the dates and times of scheduled interruptions in the supply of gaseous fuel to a physical exit point	458.50
e) for failing to inform Network Users supplied from the transmission network, at least one week in advance, by the means of press or Internet advertisements, radio or television communiques, in another manner accepted at a specific area, or by individual written notifications to be delivered in writing, by telephone, or by any other means of telecommunications, of a planned change of the pressure or other specification parameters of gaseous fuel which affect the interoperability with the network	152.83
f) for refusing to undertake, for a fee, appropriate procedures within the transmission network in order to enable the safe performance of works by the System User or a third party within an area affected by the operation of such network	152.83

Discount	PLN
g) for failing to provide, at the System User's request, information about the settlement principles and current tariffs	91.70
h) for the extension of the fourteen days' time limit for the processing of and responding to an application or a complaint concerning the settlement principles, for each day of delay; in case when the application or complaint requires an inspection or measurements, the fourteen days' time limit runs from the date on which such inspection or measurement are completed	18.34
i) for the extension of the fourteen days' time limit for the verification of the accuracy of a measurement system owned by the energy company, for each day of delay	18.34
j) for the extension of the seven days' time limit for delivering a measurement system owned by the energy company for laboratory tests, counted from the date of the notification of such request by the Customer, for each day of delay	18.34
k) for preventing the performance of an additional examination of a previously tested measurement system	305.67
l) for a failure of the energy company engaged in business activity in respect of gas transmission, after the termination of the supply of gaseous fuel and in case of the replacement of a measurement system during the supply of such gaseous fuel, at the request of the System User, to deliver a document containing the identification details of such system, or for a failure to provide measurement data as at the date of the termination of the supply or dismantling the measurement system	22.93

5.1.2. The System User receives discounts for the TSO's failure to meet the System User service quality standards subject to a written request. The TSO is obliged to consider the request within 14 days from the submission date.

5.2. Discounts for Reduction in Contracted Capacity.

5.2.1. In the event of interruptions or disruptions in the supply or offtake of gas at the physical entry points or physical exit points due to:

5.2.1.1 scheduled repair and maintenance works, scheduled connection works or works related to the change of the type of gas supplied conducted by the TSO,

5.2.1.2 such reasons, on the side of the TSO, beyond the Network User's control as: failure, explosion, fire, threat of such events or in the event of the need to remove their effects,

the fixed transmission services fee is reduced proportionately to the size of the actual contracted capacity reduction and the duration of such interruptions or disruptions.

5.2.2. In the event of reduction of the contracted capacity by the TSO at a physical exit point under the capacity oversubscription and buy-back procedure described in detail in the TNG, the fixed fee for the transmission services shall be reduced proportionally to the extent of the actual reduction of the contracted capacity and the and the duration (in hours) of such interruptions or disruptions.

5.2.3. In the event of reduction of the contracted capacity by the TSO at a physical exit point for reasons other than those mentioned in para. 5.2.1 and para. 5.2.2, and specifically due to temporary decrease of the network pressure below the value specified on the TSO's website, for a period longer than 60 minutes – the TSO shall grant the Network User a discount on the transmission services fee proportionately to the size and duration of such reduction.

5.2.4. The discount referred to in para. 5.2.3 does not apply in particular in the event:

5.2.4.1 the pressure decrease is caused by the Network User as a result of exceeding thereby the contracted capacity at physical exit point,

5.2.4.2 a Network User does not keep the gas quality parameters at a physical entry point,

5.2.4.3 a Network User does not keep the minimum supply pressures at the physical entry points determined in accordance with the TNC.

5.2.5. The discount referred to in para. 5.2.1 and para. 5.2.3 does not apply in the event:

5.2.5.1 the Network User is afforded a possibility to collect gas at another physical exit point as agreed with the TSO, or

5.2.5.2 no actual reduction in the supply of gas to the customer occurs.

5.2.6. The TSO awards or refuses to award a discount referred to in para. 5.2.3 within fourteen (14) days of a written request filed by a Network User.

5.3. Discounts for Failure to Meet Quality Parameters

5.3.1. For the purpose to determine discounts, the following gross calorific values H_{SN} transmitted in the transmission system are determined:

5.3.1.1 for the E group high-methane natural gas system:

not less than $H_{SNmin} = 10.556 \text{ kWh/m}^3$ (38.0 MJ/m³),

5.3.1.2 for the Lw sub-group low-methane natural gas system:

not less than $H_{SNmin} = 8.333 \text{ kWh/m}^3$ (30.0 MJ/m³).

5.3.2. The actual gross calorific value (H_{ZW}) is determined in compliance with the TNC.

5.3.3. In the event of collecting at the physical exit point, from the transmission system with gross calorific value (H_{ZW}) below $H_{SNmingr}$ which for specific systems:

$H_{SNmingr}$	9.444 kWh/m ³ (34 MJ/m ³) for the group E high-methane gas system
$H_{SNmingr}$	8.333 kWh/m ³ (30 MJ/m ³) for the Lw sub-group low-methane gas system

the TSO will award to a Network User the following discount to be determined in compliance with the formula:

$$B_{NCWgr} = I_{GI} * 2 * GRP * (1 - H_{ZW} / H_{SNmin})$$

where:

B_{NCWgr} - Discount for an off-spec gross calorific value at a physical exit point from the transmission system [PLN],

I _{GI} -	Actual quantity of gaseous fuel with off-spec gross calorific value that is delivered at a physical exit point from the transmission system [kWh],
GRP -	Gas Reference Price [PLN/kWh],
H _{ZW} -	Actual gross calorific value of the gaseous fuel delivered at a physical entry point or offtaken at a physical exit point [kWh/m ³],
H _{SNmin} -	Minimum gross calorific value [kWh/m ³].

- 5.3.4. If the TSO delivers, without a consent of a Network User, to the physical exit point, from the transmission system, the E group gaseous fuel with gross calorific value equal or higher than $H_{SNmingr} = 9.444 \text{ kWh/m}^3$, but lower than $H_{SNmin} = 10.556 \text{ kWh/m}^3$, the TSO will award to a Network User a discount to be determined according to the following formula:

$$B_{NCW} = I_{GI} * GRP * (1 - H_{ZW} / H_{SNmin})$$

where:

B _{NCW} -	Discount for an off-spec gross calorific value at a physical exit point from the transmission system [PLN],
I _{GI} -	Actual quantity of gaseous fuel with off-spec gross calorific value that is delivered at a physical exit point from the transmission system [kWh],
GRP -	Gas Reference Price [PLN/kWh],
H _{ZW} -	Actual gross calorific value of the gaseous fuel delivered at a physical entry point or offtaken at a physical exit point [kWh/m ³],
H _{SNmin} -	Minimum gross calorific value referred to in point 5.3.1 [kWh/m ³].

- 5.3.5. If a Network User grants its written consent to accept gaseous fuel with a reduced gross calorific, a Network User is entitled to a 50% discount for the accepted amount of gaseous fuel, referred to in para. 5.3.4.
- 5.3.6. If gaseous fuel accepted at the physical exit point does satisfy the quality parameters specified in the following table, a Network User is awarded the following discount.

Value characterising quality of gaseous fuel	Unit of measure	Highest acceptable value of X_{SJNmax}
Content of hydrogen sulphide*	mg/m ³	7.0
Content of mercury vapours*	µg/m ³	30.0
Total sulphur content*	mg/m ³	40.0

*Values in table are indicated for normal conditions

- 5.3.7. If the TSO delivers, at the physical exit point, gaseous fuel which does not satisfy at least one of the quality standards referred to in para. 5.3.6, the TSO will award to a Network User a discount, for each of the exceeded parameters referred to in para. 5.3.6, to be determined according to the following formula:

$$B_{NSJW} = I_{GI} * 2 * GRP * (X_{SJW} - X_{SJNmax}) / X_{SJNmax}$$

where:

- B_{NSJW} - discount for exceeding a given quality parameter at the physical exit point from the transmission system [PLN],
- I_{GI} - actual quantity of gaseous fuel with off-spec gross calorific value that is offtaken at a physical exit point from the transmission system [kWh],
- GRP - Gas Reference Price [PLN/kWh],
- X_{SJNmax} - the highest acceptable value of a given quality parameter referred to in para. 5.3.6 [mg/m³ or µg/m³],
- X_{SJW} - the actual value of a specific quality parameter of the gaseous fuel offtaken at a physical exit point from the transmission system [mg/m³ or µg/m³].

- 5.3.8. The TSO will award to a Network User a discount to be calculated in compliance with the formula referred to in para. 5.3.7 with regard to each of the quality parameters referred to in para. 5.3.6. The discount is to be determined separately for each of the failed quality parameters.

5.3.9. The TSO will ensure an appropriate water dew point for gaseous fuel offtaken at a physical exit point from the transmission system, in compliance with the following requirements:

5.3.9.1 the maximum acceptable value of the water dew point (X_{STNmax}) for 5.5 MPa, from 1 April to 30 September, is +3.7°C (276.85 K),

5.3.9.2 the maximum acceptable value of the water dew point (X_{STNmax}) for 5.5 MPa, from 1 October to 31 March, is -5°C (268.15 K).

5.3.10. If the TSO delivers, at the physical exit point, from the transmission system, gaseous fuel which does not satisfy the quality parameters referred to in para. 5.3.9, the TSO will award to a Network User a discount, to be determined according to the following formula:

$$B_{NSTW} = I_{GI} * 0.1 * GRP * (X_{STW} - X_{STNmax}) / X_{STNmax}$$

where:

- B_{NSTW} - discount for an off-spec water dew point parameter [PLN],
- I_{GI} - the actual quantity of gaseous fuel with off-spec water dew point parameter that is delivered at a physical exit point from the transmission system [kWh],
- GRP - Gas Reference Price [PLN/kWh],
- X_{STNmax} - the highest acceptable value of water dew point [K],
- X_{STW} - the actual value of the water dew point temperature [K] of the gaseous fuel delivered at a physical entry exit.

5.3.11. When calculating the water dew point temperature for various pressures, the tables referred to in Annex A to the Polish Standard PN-C-04752 will apply.

5.3.12. In the event of complaints concerning the quality of the transmitted gaseous fuel, the Network User or the TSO may request that its quality test be conducted by an independent research laboratory which holds a certification accreditation obtained in compliance with applicable regulations. If the gaseous fuel is confirmed as compliant with the parameters referred to in para. 5.3.1, 5.3.6 or 5.3.9, the costs

of these tests will be covered by an entity which requested to conduct the tests; otherwise, the test costs will be covered by the other party.

- 5.3.13. In the event of a possibility to transmit gaseous fuel with insufficient quality, the party will promptly notify the other party of a possibility that this situation can occur.
- 5.3.14. If, at a specific point, transmission contracts are performed for more than one Network User, the discounts, referred to in para. 5.3, are awarded to Network Users proportionally to the billing allocation for each of them at a specific point.

6. CHARGES FOR ILLEGAL GASEOUS FUEL OFFTAKE

6.1. Illegal gaseous fuel offtake is any gaseous fuel offtake:

- 6.1.1. without a contract concluded with the TSO or without a capacity allocation (PP) for a given physical point,
- 6.1.2. totally or partially bypassing the measurement system facilities,
- 6.1.3. interfering with the measurement system facilities so as to manipulate the measurements taken by the system.

6.2. In the event of illegal gaseous fuel offtake referred to in para. 6.1.1, the TSO bills the user with charges amounting to the product of:

- 6.2.1. three times the GRP effective on the date of confirmation of illegal gaseous fuel offtake,
- 6.2.2. the lump sum amount of energy contained in gaseous fuel amounting to the product of the sum of the capacities of receiving devices installed [m^3/h] and the heat of combustion of 10.972 [kWh/m^3] for group E high-methane natural gas system and 9.111 [kWh/m^3] for group L subgroup Lw low-methane natural gas, and the number of hours of the illegal offtake.

6.3. In the event of illegal gas offtake referred to in para. 6.1.2 and 6.1.3, a Network User is billed with charges amounting to the product of:

- 6.3.1. three times the GRP effective on the date of confirmation of illegal gaseous fuel offtake,
- 6.3.2. the lump sum amount of energy contained in gaseous fuel determined as the amount of gaseous fuel collected in the corresponding periods prior to or posterior to the illegal gas offtake.

6.4. In the event referred to in para. 6.1.2 and 6.1.3, when the amount of the illegally offtaken gaseous fuel cannot be determined, a Network User is billed with the charges amounting to the product of:

- 6.4.1. three times the GRP effective on the date of confirmation of illegal gaseous fuel offtake,

- 6.4.2. the lump sum amount of energy contained in gaseous fuel amounting to the product of the contracted capacity and the number of hours of the period during which the illegal gaseous fuel offtake is found.
- 6.5. The lump sum amounts of energy contained in gaseous fuel referred to in para. 6.2.2, para. 6.3.2 and para. 6.4.2 are determined as maximum amounts. Determining the charges, the TSO may apply smaller amounts taking into account the actual capabilities of gas offtake of a given entity.
- 6.6. For sealing by the TSO with new wire and lead seals replacing the seals removed or damaged for reasons attributable to the Network User in any part of the measuring device in the gaseous fuel installation or in the measuring device, a charge is billed amounting to 100% of the costs incurred.
- 6.7. For any activities related to installation of a new measuring device to replace the damaged, destroyed or lost device for reasons attributable to the Network User, a charge is billed amounting to the value of a new measuring device valid at the date of its installation and the amount of 100% of the actual costs incurred for installation and replacement.

7. BILLING RULES FOR CONNECTION TO TRANSMISSION NETWORK

- 7.1. The fee for connection to the transmission network [connection fee] is set out in the connection contract based on the costs of connection.
- 7.2. The fee for connection to the transmission network amounts to 25% of the actual costs incurred for execution of the connection, subject to the provisions of para. 7.3.
- 7.3. The fee for connection to the transmission network of:
- 7.3.1. gas sources co-operating with the network,
 - 7.3.2. the networks of energy companies operating in the business of gaseous fuel transmission or distribution,
 - 7.3.3. installations of entities whose activity consists in production, processing, mining or storage of gaseous fuels and condensation or gas-supply of the condensed natural gas,
- amounts to 100% of the actual costs incurred for execution of the connection.
- 7.4. The detailed connection fee billing terms and conditions and the rules of financial collateral, are set out in connection contracts.
- 7.5. A Network User declaring any intention of changes in offtake of gas resulting in a necessity to replace the transmission network elements or to expand the network is treated as an entity applying for a connection. Any change referred to above is, in particular, a change of the contracted capacity exceeding a current connection capacity, i.e. allowable margin of the devices installed at the gas station.
- 7.6. In the event a connection is replaced or reconstructed upon request by the entity under connection without an increase of the existing connection capacity, a fee is billed amounting to the actual costs incurred in this respect.

- 7.7. In the event a connection is replaced or reconstructed, the network is expanded upon request by the entity under connection with an increase of the connection capacity, a fee is billed amounting to the connection fee.
- 7.8. For the replacement of the measurement system due to a change of the connection capacity or characteristics of gaseous fuel, conducted at the request of the connected entity, a fee is charged of 25% of expenditures incurred in relation to its purchase and installation. However, if an entity that applies for the replacement of the measurement system deals with the transmission or distribution of gaseous fuels, their production, processing or mining, storage of gaseous fuels and condensation and gas-supply of condensed natural gas, a fee is charged of actual expenditures incurred in relation to its purchase and installation.
- 7.9. In the event of repeated confirmed gas offtake in the amount below the minimum hourly amount, as determined in the connection conditions or connection agreement, which constitutes the parameter for selection of the measuring device, any adaptation of the measurement system facilities is performed at the expense of the Network User.
- 7.10. Any expenditures constituting the basis for the connection fee calculations include the costs of the network elements and all activities related to the execution of the connection specified in the connection terms and conditions, including the cost of gaseous fuel for gassing up the network elements that are the part of the connection, and in particular all and any spending on design work and surveying, documentation approvals, location decisions or building permits, construction supervision costs, purchase and construction of the network elements and equipment necessary to execute the connection, owner representation services, construction and assembly works together with necessary tests and fees for purchase of land or land take, including public charges and compensation to landholders.
- 7.11. The fee policy for the connection specified in this Tariff apply to entities applying for connection only if technical and economic conditions for gas transmission are met. The billing rules for connection to the transmission network set out in this Tariff apply to entities for which the network specific connection conditions are approved (including the contracted capacity and the annual gas amounts).

- 7.12. The connection fee is determined and billed in accordance with the rules set out in the tariff in force at the date of the connection contract.

8. CHARGES PAYABLE IN CONSIDERATION FOR ADDITIONAL SERVICES

- 8.1. Fees for suspension and resumption of gas transmission, accuracy of readings of the measurement system facilities and the quality of the gas offtaken from the transmission system.
- 8.1.1. The charge of PLN 880 is billed for suspension of gas transmission.
- 8.1.2. For the activities conducted in relation to the order to suspend gas transmission, in the event the order to suspend is delivered later than 24 hours before the date indicated in the order to suspend, the fee of PLN 800 is billed.
- 8.1.3. For the resumption of gas transmission after suspension of gas transmission, for reasons referred to in Article 6b of the Act, as specified in para. 1.1.2, the fee of PLN 880 is billed.
- 8.1.4. For checking the accuracy of readings of the measurement system facilities upon the System User's request, the fee is billed amounting to 100% of the actual costs incurred. The fee is not billed in the event of irregularities in the measurement system facilities owned by the TSO.
- 8.1.5. For tests conducted upon the System User's request of the quality of gas offtaken from the transmission system, the fee is billed of 100% of the actual costs incurred. The fee is not billed in the event inconsistencies are found between the parameter readings and the standards set out in the contract and in § 38 of the Regulation referred to in para. 1.1.5.
- 8.1.6. For other services or activities performed upon the System User's request, the fees are set out in a separate contract.

9. RULES FOR SHORT-TERM CONTRACTS AND PROVISION OF INTERRUPTIBLE SERVICES

9.1. The conditions of capacity allocation for short-term services.

9.1.1. The TSO provides short-term services within the following products:

- 9.1.1.1 within-day capacity product – where the capacity is made available for a given hour in the gas day to the end of this gas day,
- 9.1.1.2 daily – where the capacity is made available for the term of one gas day,
- 9.1.1.3 monthly – where the capacity is made available for the term of one month in a gas year (consecutive months start on 1st day of each gas month), at a constant rate for each hour during the month,
- 9.1.1.4 quarterly – where the capacity is made available for the term of one quarter in a gas year (consecutive quarters of the gas year start, respectively, on 1 October, 1 January, 1 April or 1 July), at a constant rate for each hour during the quarter,

according to the provisions of the TNC.

9.2. Fee Rates for Short-Term Services.

9.2.1. The fee for provision of short-term services is determined in accordance with the provisions of para. 4.1.3 – 4.1.6, and in order to determine the fixed fee rates, the fixed fee rate referred to in para. 4.2.1 of this Tariff is multiplied by an appropriate correction coefficient listed in the table below:

Correction coefficients for fixed fees for short-term services				
MONTH \ TYPE OF SERVICE	WITHIN-DAY PRODUCT	DAILY PRODUCT	MONTHLY PRODUCT	QUARTERLY PRODUCT
October	2.2440	2.2440	1.4790	1.3843
November	2.4200	2.4200	1.5950	
December	2.5520	2.5520	1.6820	
January	2.6620	2.6620	1.7545	1.4224
February	2.4200	2.4200	1.5950	
March	2.3100	2.3100	1.5225	
April	2.1780	2.1780	1.4355	1.1430
May	1.9580	1.9580	1.2905	
June	1.8040	1.8040	1.1890	
July	1.8920	1.8920	1.2470	1.0795
August	1.8260	1.8260	1.2035	
September	1.9140	1.9140	1.2615	

9.2.2. No capacity allocations (PP) are agreed upon except for the short-term periods indicated in para. 9.2.1.

9.2.3. In all matters not referred to in para. 9.1 and 9.2 all Network User billing in relation to the capacity allocation (PP) for short-term periods is subject to the provisions of the Tariff.

9.3. The principles for the provision of interruptible and conditional gas transmission services relevant for the calculation of charges.

9.3.1. In the absence of possibilities to provide firm services, the TSO may provide interruptible transmission services, which are billed in accordance with the rules set out in para. 9.3 and para. 9.4.

9.3.2. Conditional transmission services are provided at a limited number of physical exit points indicated on the TSO's website (www.gaz-system.pl). Conditional transmission services are provided and settled according to the provisions of para. 9.3 and para. 9.4.

9.3.3. The TSO offers interruptible services of transmission of gaseous fuel for annual, quarterly, monthly, daily and within – day products. The interruptible services of transmission of gaseous fuels for quarterly, monthly, daily and within – day products, are billed in compliance with para. 9.2.1.

9.3.4. For interruptible transmission services, the TSO may limit the interruptible contracted capacity at a specified physical entry point or a physical exit point in accordance with the TNC. The maximum length of a single limitation may equal the number of gas days or hours in the gas day within the capacity allocation (PP). The lack of limit of the number of gas hours and days during the capacity allocation (PP), on interruptible basis, where the contracted capacity may be limited.

9.3.5. The Network User is obliged, in accordance with the provisions of para. 9.3.6, to observe the reductions in the interruptible contracted capacity imposed by the TSO at a given physical entry point or physical exit point.

9.3.6. The reduction of the interruptible contracted capacity for a given Network User is imposed down to the level of capacity available thereto at a specific physical entry point or physical exit point.

- 9.3.7. In order to determine whether the reductions of interruptible contracted capacity during a specific hour of a gas day have been established, it is accepted that the reduction is effected at the moment and in line with the rules specified in the TNC.
- 9.3.8. When reducing the contracted capacity, the TSO determines the number of hours during a specific gas day which are to be reduced.
- 9.3.9. In the event the Network User fails to observe the reductions imposed by the TSO, as referred to in para. 9.3.4, despite prior notification in writing, delivered to a Network User by fax or electronic mail, to the number indicated in the contract, of the intention to terminate the capacity allocation (PP) and of setting of an additional 24-hour period to observe the reductions imposed, the TSO has the right to terminate the capacity allocation (PP) with immediate effect in part related to provision of interruptible transmission services.
- 9.4. The compensation for reduction of the capacity contracted for interruptible capacity products.
- 9.4.1. In case of every reduction of the capacity contracted for interruptible capacity products a Network User is entitled to compensation, determined in the following manner:

$$R = S_o * W_k * \frac{M_o}{1000} * T_d * 3$$

where:

- R** - Compensation for each reduction of the capacity contracted for interruptible capacity products [PLN]
- S_o** Fixed fee rate for transmission services referred to in para. 4.2.1, for physical entry of physical exit point where the reduction of the contracted capacity incurred [PLN/MWh/h per h]
- W_k**- Correction coefficient for daily product for certain month when the reduction of the capacity contracted for interruptible products incurred referred to in para. 9.2.1
- M_o** Amount of the interrupted capacity contracted for interruptible products [kWh/h]
- T_d** Number of hours of the reduction of the capacity contracted for interruptible products.

- 9.4.2. The compensation referred to in para. 9.4.1 does not apply in case the interruption refers to capacity contracted for interruptible conditionally firm products and was caused by the failure of the conditions required for the firmness of the contracted capacity.
- 9.4.3. In the event the Network User fails to observe the reductions imposed by the TSO, as referred to in para. 9.3.6, an additional fee is billed amounting to the product of the maximum capacity recorded by the measurement system facilities over the capacity subject to no reductions, the amount of hours during the billing period and three times the rate of the fixed fee set out in para. 4.2.1. The provisions of para. 4.1.30 apply accordingly. For the purpose of calculating the fee referred to above, it is assumed that the billing period is a gas month.
- 9.4.4. The fee referred to in para. 9.4.3, is calculated separately for each gas day on which a Network User does not observe the reductions imposed by the TSO.
- 9.4.5. In all matters not referred to in para. 9.3 and 9.4 all Network User billing in relation to the interruptible capacity allocation (PP) is subject to the provisions of the Tariff.
- 9.5. Fee Rates for Provision of Reverse Flow Services.
- 9.5.1. The TSO offers virtual gas transmission services.
- 9.5.2. The virtual reverse flow services are provided in relation to a limited number of physical entry and exit points, indicated on the TSO's website (www.gaz-system.pl).
- 9.5.3. The reverse flow services are provided as interruptible transmission services.
- 9.5.4. Unless this paragraph provides otherwise, the virtual reverse flow services are subject to the provisions of para. 9.3 and 9.4 of the Tariff.
- 9.5.5. The fixed fee for the provision of virtual reverse flow services determined in accordance with para. 4.2.1, is corrected in accordance with para. 9.2.1, and additionally is multiplied by a coefficient of 0.2.

10. BILLING RULES FOR SERVICES PROVIDED BY TSO BY MEANS OF YAMAL-EUROPE TRANSIT GAS PIPELINE SYSTEM

- 10.1. The TSO provides gas transmission services by means of the Yamal-Europe Transit Gas Pipeline System based on a contract concluded with a client for transmission services referred to in the TGPS TNC.
- 10.2. The quality standards for transmission services and customer service, referred to in the TGPS TNC, are set out in the contract and the TGPS TNC.
- 10.3. The TSO bills for the services provided by means of the Yamal-Europe Transit Gas Pipeline System based on the tariff set out by EuRoPol-GAZ S.A., and accepted by the President of the Energy Regulatory Office, applied during the period of provision of these services, in accordance with the general rules of law, in particular with the legislation referred to in para. 1.1.2.