

Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (Text with EEA relevance)

Article 8

Tasks of the ENTSO for Gas

1 The ENTSO for Gas shall elaborate network codes in the areas referred to in paragraph 6 of this Article upon a request addressed to it by the Commission in accordance with Article 6(6).

2 The ENTSO for Gas may elaborate network codes in the areas set out in paragraph 6 with a view to achieving the objectives set out in Article 4 where those network codes do not relate to areas covered by a request addressed to it by the Commission. Those network codes shall be submitted to the Agency for an opinion. That opinion shall be duly taken into account by the ENTSO for Gas.

3 The ENTSO for Gas shall adopt:

- a common network operation tools to ensure coordination of network operation in normal and emergency conditions, including a common incidents classification scale, and research plans;
- b a non-binding Community-wide ten-year network development plan (Community-wide network development plan), including a European supply adequacy outlook, every two years;
- c recommendations relating to the coordination of technical cooperation between Community and third-country transmission system operators;
- d an annual work programme;
- e an annual report;
- f annual summer and winter supply outlooks.

4 The European supply adequacy outlook referred to in point (b) of paragraph 3 shall cover the overall adequacy of the gas system to supply current and projected demands for gas for the next five-year period as well as for the period between five and 10 years from the date of that outlook. The European supply adequacy outlook shall build on national supply outlooks prepared by each individual transmission system operator.

5 The annual work programme referred to in point (d) of paragraph 3 shall contain a list and description of the network codes to be prepared, a plan on coordination of operation of the network, and research and development activities, to be realised in that year, and an indicative calendar.

6 The network codes referred to in paragraphs 1 and 2 shall cover the following areas, taking into account, if appropriate, regional special characteristics:

- a network security and reliability rules;
- b network connection rules;
- c third-party access rules;
- d data exchange and settlement rules;
- e interoperability rules;
- f operational procedures in an emergency;

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 715/2009 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- g capacity-allocation and congestion-management rules;
- h rules for trading related to technical and operational provision of network access services and system balancing;
- i transparency rules;
- j balancing rules including network-related rules on nominations procedure, rules for imbalance charges and rules for operational balancing between transmission system operators' systems;
- k rules regarding harmonised transmission tariff structures; and
- l energy efficiency regarding gas networks.

7 The network codes shall be developed for cross-border network issues and market integration issues and shall be without prejudice to the Member States' right to establish national network codes which do not affect cross-border trade.

8 The ENTSO for Gas shall monitor and analyse the implementation of the network codes and the Guidelines adopted by the Commission in accordance with Article 6(11), and their effect on the harmonisation of applicable rules aimed at facilitating market integration. The ENTSO for Gas shall report its findings to the Agency and shall include the results of the analysis in the annual report referred to in point (e) of paragraph 3 of this Article.

9 The ENTSO for Gas shall make available all information required by the Agency to fulfil its tasks under Article 9(1).

10 The ENTSO for Gas shall adopt and publish a Community-wide network development plan referred to in point (b) of paragraph 3 every two years. The Community-wide network development plan shall include the modelling of the integrated network, scenario development, a European supply adequacy outlook and an assessment of the resilience of the system.

The Community-wide network development plan shall, in particular:

- [^{F1}a build on national investment plans, taking into account regional investment plans as referred to in Article 12(1), and, if appropriate, Union aspects of network planning as set out in Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure⁽¹⁾; it shall be the subject to a cost-benefit analysis using the methodology established as set out in Article 11 of that Regulation;]
- b regarding cross-border interconnections, also build on the reasonable needs of different network users and integrate long-term commitments from investors referred to in Articles 14 and 22 of Directive 2009/73/EC; and
- c identify investment gaps, notably with respect to cross-border capacities.

In regard to point (c) of the second subparagraph, a review of barriers to the increase of cross-border capacity of the network arising from different approval procedures or practices may be annexed to the Community-wide network development plan.

11 The Agency shall review national ten-year network development plans to assess their consistency with the Community-wide network development plan. If the Agency identifies inconsistencies between a national ten-year network development plan and the Community-wide network development plan, it shall recommend amending the national ten-year network development plan or the Community-wide network development plan as appropriate. If such national ten-year network development plan is elaborated in accordance with Article 22 of Directive 2009/73/EC, the Agency shall recommend that the competent national regulatory authority amend the national ten-year network development plan in accordance with Article 22(7) of that Directive and inform the Commission thereof.

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12 Upon request of the Commission, the ENTSO for Gas shall give its views to the Commission on the adoption of the Guidelines as laid down in Article 23.

Textual Amendments

- F1** Substituted by [Regulation \(EU\) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations \(EC\) No 713/2009, \(EC\) No 714/2009 and \(EC\) No 715/2009 \(Text with EEA relevance\).](#)

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(1) [^{F1}OJ L 115, 25.4.2013, p. 39.]

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Changes and effects yet to be applied to :

- Art. 8-12 omitted by [S.I. 2019/530 Sch. 2 para. 4](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/530 Sch. 2 para. 18](#)
- Art. 6(1)(d) words substituted in earlier amending provision S.I. 2018/1286, reg. 10 by [S.I. 2020/1016 reg. 2\(5\)\(a\)](#)
- Art. 6(1)(h) words substituted in earlier amending provision S.I. 2018/1286, reg. 10 by [S.I. 2020/1016 reg. 2\(5\)\(b\)](#)
- Art. 16(2)(c) substituted by [S.I. 2019/530 Sch. 2 para. 7\(2\)](#)
- Art. 28A28B inserted by [S.I. 2018/1286 reg. 14](#)
- Art. 30A30B substituted for Art. 30 by [S.I. 2019/530 Sch. 2 para. 16](#)