

Commission Regulation (EU) 2017/459 of 16 March 2017 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 984/2013 (Text with EEA relevance)

CHAPTER VI

INTERRUPTIBLE CAPACITY

Article 32

Allocation of interruptible services

1 As from 1 January 2018, transmission system operators may only offer standard capacity products for interruptible capacity of a duration longer than one day if the corresponding monthly, quarterly or yearly standard capacity product for firm capacity was sold at an auction premium, was sold out, or was not offered.

2 Transmission system operators shall offer a daily capacity product for interruptible capacity in both directions at interconnection points where the respective standard capacity product for firm capacity was sold out day-ahead or was not offered. At unidirectional interconnection points where firm capacity is offered only in one direction, transmission system operators shall offer at least a daily product for interruptible capacity in the other direction.

3 If interruptible capacity is offered, this shall not be detrimental to the amount of firm capacity on offer. Transmission system operators shall not set aside capacity that can be offered as firm capacity in order to offer it as interruptible capacity.

4 To the extent interruptible capacity products other than daily products are offered, the same standard capacity products for firm capacity shall also apply for interruptible capacity, in terms of duration of the products.

5 To the extent interruptible capacity is offered, it shall be allocated via an auction process with the exception of within-day interruptible capacity.

6 Within-day interruptible capacity shall be allocated by means of an over-nomination procedure.

7 Within-day interruptible capacity shall only be allocated when firm capacity, whether technical capacity or additional capacity, is sold out.

8 Where auctions are held for any interruptible products longer than within-day transmission system operators shall, if known, publish the amounts of interruptible capacity on offer before the start of the auction process.

9 If offered, interruptible capacity shall be allocated by means of a separate auction after firm capacity of equal duration has been allocated, but before the auction of firm capacity with a shorter duration starts, with the exception of within-day interruptible capacity.

10 If offered, interruptible capacity auctions shall be conducted in accordance with the same design principles and timescales as applied for firm capacity. The exact auction dates to be used for the interruptible capacity auctions shall be detailed within the auction calendar with the exception of within-day interruptible capacity. For the annual yearly, all annual quarterly and all rolling monthly capacity auctions, the transmission system operators shall notify network

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) 2017/459. 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

users about the amount of interruptible capacity to be offered one week before the auction starts. Where an auction of firm capacity has not closed on the scheduled start day for the interruptible auctions, the interruptible auctions shall open no later than the next business day after the closing of the respective auctions of firm capacity. In such cases, any change in the offered amounts shall be notified at least 12 hours before the start of the respective interruptible capacity auction.

Article 33

Minimum interruption lead times

1 Interruptible capacities shall have minimum interruption lead times, which shall be decided jointly by adjacent transmission system operators.

2 The default minimum interruption lead time for a given gas hour shall be 45 minutes after the start of the re-nomination cycle for that gas hour. Where two transmission system operators wish to shorten the lead time for interruptions, any related agreement entered into between the transmission system operators shall be subject to competent national regulatory authority approval.

Article 34

Coordination of interruption process

The transmission system operator that initiates the interruption shall notify the relevant adjacent transmission system operator. Adjacent transmission system operators shall notify their respective affected network users as soon as possible, but with due regard to the reliability of the information.

Article 35

Defined sequence of interruptions

1 The order in which interruptions shall be performed, if the total of nominations exceeds the quantity of gas that can flow at a certain interconnection point, shall be determined based on the contractual time stamp of the respective transport contracts on an interruptible basis. In case of an interruption, transport contract coming into force earlier shall prevail over transport contract coming into force later.

2 If, after applying the procedure provided for in paragraph 1, two or more nominations are ranked at the same position within the interruption order and the transmission system operator does not interrupt all of them, a pro rata reduction of these specific nominations shall apply.

3 To accommodate the differences between the various interruptible capacity services within the Union, the adjacent transmission system operators shall implement and coordinate the joint procedures provided for in this Article on an interconnection point by interconnection point basis.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) 2017/459. 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](#)*

Article 36

Reasons for interruptions

Transmission system operators shall include reasons for interruptions either directly in their interruptible transport contracts or in the general terms and conditions that govern these contracts. Reasons for interruptions can include but are not limited to gas quality, pressure, temperature, flow patterns, use of firm contracts, maintenance, up- or downstream constraints, public service obligations and capacity management deriving from congestion management procedures.

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EU) 2017/459. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

- Signature words omitted by [S.I. 2019/531 Sch. 4 para. 28](#)
- Art. 3(13) words substituted by [S.I. 2019/531 Sch. 4 para. 3\(3\)](#)
- Art. 3(15) words substituted by [S.I. 2019/531 Sch. 4 para. 3\(4\)](#)
- Art. 3(16) words substituted by [S.I. 2019/531 Sch. 4 para. 3\(5\)](#)
- Art. 3(26)(27) inserted by [S.I. 2019/531 Sch. 4 para. 3\(6\)](#)
- Art. 6(1)(a)(7) inserted by [S.I. 2019/531 Sch. 4 para. 6\(5\)](#)
- Art. 6(1)(a)(5) word omitted by [S.I. 2019/531 Sch. 4 para. 6\(4\)\(a\)](#)
- Art. 6(1)(a)(5) words inserted by [S.I. 2019/531 Sch. 4 para. 6\(4\)\(b\)](#)
- Art. 6(1)(a)(3) words omitted by [S.I. 2019/531 Sch. 4 para. 6\(3\)](#)
- Art. 6(1)(a)(1) words substituted by [S.I. 2019/531 Sch. 4 para. 6\(2\)](#)
- Art. 6(1A) inserted by [S.I. 2019/531 Sch. 4 para. 6\(6\)](#)
- Art. 19(10) inserted by [S.I. 2019/531 Sch. 4 para. 14\(4\)](#)
- Art. 26(12)(a) substituted by [S.I. 2019/531 Sch. 4 para. 18\(6\)](#)
- Art. 28(1A) inserted by [S.I. 2019/531 Sch. 4 para. 20\(3\)](#)
- Art. 29(3)(a) words inserted by [S.I. 2019/531 Sch. 4 para. 21\(3\)](#)