



**AMENDMENT NO. 2
TO
THE STORAGE CODE**

DRAFT FOR CONSULTATION

dated 20 November 2024

Gas Storage Poland Sp. z o.o. having its registered office in Dębogórze

1. In section 6.1.1., the wording "section 8.2.1." has been deleted and replaced with "section 8.2."
2. The wording of section 6.4.2. has been amended to read as follows:
 - 6.4.2. *In case when the demand notified by the TSO under section 6.4.1. exceeds the available Storage Capacity and requires a reduction of the Storage Capacity in respect of Long-Term Storage Services under existing SSAs, then the following rules shall apply:*
 - 6.4.2.1. *The SSO shall first send enquiries to all Storage Customers with contracted Storage Capacity in respect of Long-Term Storage Services, irrespective of the purpose such Storage Services were contracted for, to find out whether they are interested in reducing the amount of Storage Services contracted according to the SSA and, in case of interest, the SSAs shall be amended to provide for the voluntary reduction of Storage Capacity as of the following Storage Year; in case when the amount of Storage Capacity resulting from received declarations exceeds the TSO's demand notified under section 6.4.1., the amount of Storage Services to be reduced for individual Storage Customers shall be determined on a pro rata basis;*
 - 6.4.2.2. *if, following to the procedure set out in section 6.4.2.1, further reduction of Storage Capacity in respect of Long-Term Storage Services under existing SSAs is required to satisfy the TSO's demand notified under section 6.4.1., the SSO shall indicate the pool of Storage Capacity in respect of Long-Term Storage Services contracted under SSAs, which are subject to mandatory reduction;*
 - 6.4.2.3. *under the mandatory reduction, the Storage Capacity in respect of Long-Term Storage Services under the SSAs shall be reduced for individual Storage Customers on a pro rata basis starting from the following Storage Year so as to ensure that the demand notified by the TSO is efficiently fulfilled while taking into account the extent of voluntary reduction of Storage Capacity obtained for each SSA under the procedure described in section 6.4.2.1, as well as the parameters and*

form of Storage Services made available to individual Storage Customers;

- 6.4.2.4. The Storage Capacity which cannot be reduced on a pro rata basis, shall be reduced for the Storage Customer that was allocated the largest amount of Storage Capacity. The Storage Capacity which cannot be reduced on a pro rata basis or reduced for the Storage Customer that was allocated the largest amount of Storage Capacity, shall be reduced on the basis of a draw;*
- 6.4.2.5. The Storage Customer eligible to the Storage Capacity subject to the reduction under section 6.4.2.3, shall be presented with a declaration of the SSO, to be made in writing under the pain of nullity, indicating the scope of the reduction, and shall be informed by the SSO about the need to withdraw the Gaseous Fuel stored under the Storage Capacity being subject to the reduction (to the extent that Gaseous Fuel is stored under the Storage Capacity being subject to the reduction), and the approval of the Storage Customer shall not be required in this regard for the amendment of the SSA to be effective;*
- 6.4.2.6. the Parties shall promptly execute an amendment to the SSA to reflect in its provisions the scope of the reduction in Storage Capacity from the following Storage Year;*
- 6.4.2.7. from the moment of the SSO's declaration presented to the Storage Customer indicating the scope of the reduction, as referred to in section 6.4.2.5, the SSO shall no longer be accountable for a failure to provide Storage Services to the Storage Customer to the extent resulting from the Storage Capacity reduced under sections 6.4.2.3 - 6.4.2.5;*
- 6.4.2.8. in the event of a failure to withdraw the Gaseous Fuel in respect of the reduced Storage Capacity, sections 1.7.11 and 4.8 shall apply as appropriate;*
- 6.4.2.9. the reduction under section 6.4.2 shall only apply to Storage Capacity in respect of Long-Term Storage Services.*

3. After new section 6.4.3. Shall be added after section 6.4.2.:
 - 6.4.3. *The TSO's demand notified under § 37a of the System Regulation and Article 4c(2) and (3) of the Energy Law Act shall not provide a basis for the application of the mandatory Storage Capacity reduction procedure under sections 6.4.2.3 – 6.4.2.6 to the Storage Capacity allocated or used for the purposes of maintaining mandatory stocks of natural gas in accordance with the procedure provided for in the Stockpiling Act.*
4. Section 9.4 provisionally introduced by Amendment No. 1 is deleted and a new Section 9.4 is introduced.
 - 9.4. *For the purposes of carrying out the procedure for the allocation of Storage Capacity for the Storage Year 2025/2026 taking into account:*
 - 9.4.1. *the expiry date of the legal requirement to ensure that the technical parameters of the mandatory stocks of natural gas maintained in storage facilities allow for the delivery of their total volume to the gas system within 50 days; this requirement expires on 30 September 2025 in accordance with Article 70d of the Stockpiling Act, and*
 - 9.4.2. *the expected continuation, as of 1 October 2025, of the requirement to hold a certain volume of natural gas in storage facilities whose technical parameters ensure that this volume of natural gas can be delivered to the gas transmission system within 50 days,*

the principles set out in detail in section 9.5 shall apply.
 - 9.5. *The Application Procedure for the Allocation of Storage Capacity at the UGS Wierzchowice Storage Facility, at the Kawerna GSF and at the Sanok GSF, in respect of Firm Long-Term Storage Services for the Storage Year 2025/2026 will be carried out taking into account the following principles:*
 - 9.5.1. *under the procedure, the SSO shall offer Storage Capacity in respect of Firm Long-Term Storage Services for the Storage Year 2025/2026 conforming to parameters which allow for the withdrawal of the entire volume of Gaseous Fuel*

stored in respect of this Storage Capacity into the transmission system within 50 days,

- 9.5.2. considering that maximum period for the delivery of the total quantity of mandatory stocks of natural gas to the gas system within 50 days provided for in Article 70d of the Stockpiling Act expires 6:00 a.m. on 1 October 2025, in the Application Procedure for the Storage Year 2025/2026 a portion (pool) of the Storage Capacity in respect of Firm Long-Term Storage Services in the form of Bundled Units shall be set apart and, in the absence of the legal requirement for the withdrawal period as of 6:00 a.m. on 1 October 2025, such pool shall be offered, as of that date and time, as Interruptible Long-Term Storage Services in the form of Bundled Units ; the above dedicated pool of Storage Capacity will be subject to a separate Storage Capacity allocation procedure.*
- 9.6. In the event that the legal requirement to ensure that the technical parameters of the mandatory stocks of natural gas maintained in storage facilities allow for the delivery of their total volume to the gas system within 50 days is no longer in effect as of 6:00 a.m. on 1 October 2025, it is envisaged that the parameters of the Storage Capacity to be made available under the Application Procedure for the Storage Year 2025/2026 will be changed as of 6:00 a.m. on 1 October 2025.*
- 9.7. The expected parameters of the Storage Services and the technical characteristics for injection and withdrawal, including their modifications in the case referred to in sections 9.5.2 and 9.6 shall be published in the announcement of the Application Procedure for the Storage Year 2025/2026.*
- 9.8. The terms and conditions applicable to the Storage Capacity made available, as referred to above in sections 9.5.2 and 9.6, shall be reflected accordingly in the contents of SSAs executed following the allocation of such Storage Capacity.*
- 9.9. In case of the conversion of Firm Bundled Units into Interruptible Bundled Units under the procedure described above in section 9.5.2, section 2.3.3.2 or other provisions of the Storage Code that would be in conflict with such conversion shall not apply.*

- 9.10. *In the event when the parameters of Long-Term Storage Services change in accordance with the procedure set out above in sections 9.5.2 and 9.6, after such change the services shall continue to be considered as Long-Term Storage Services.*
- 9.11. *The restrictions provided for in the Storage Code on sharing or disposal by the Storage Customer on the secondary market of rights to Storage Capacity offered for the purpose of creating and holding mandatory stocks shall not apply to cases of sharing or disposal of such Storage Capacity on the secondary market under transactions between the Storage Customer and RARS.*