



**Amendment of the Section 5 of the Load
Balancing for the Year 2013**

December 2012

Introduction

This amendment of the section 5 of the Load Balancing for the Year 2013 is drawn up under the provisions of paragraph 2.c. of the article 68 of the Law 4001/2011, under which the Hellenic Gas Transmission System Operator (DESFA) S.A. is responsible for the Load Balancing of the National Natural Gas System (NNGS) as defined in the Network Code, and submitted in the Regulating Authority for Energy (RAE), under the terms of the sub-paragraph A of paragraph 1 of Article 46 of the NNGS Network Code, under which the Yearly Load Balancing and every amendment of it is approved by RAE and it is published under the responsibility of the Operator.

The amendment of section 5 of the Load Balancing for Year 2013, deemed necessary, because under the predicted deadlines, under the Rules of Procurement of the Operator and the relevant legislation, it is estimated that it will be not possible to complete the bidding procedure of the no. 330/2012 bid of the Operator for Balancing Gas supply for the Year 2013, under the RAE no. 842/17.10.2012 decision, for the Load Balancing for the Year 2013. Specifically, at the request of prospective bidder, DESFA decided to extend the deadline for the bids during fifteen days, estimating that the increase of the number of bidders will lead to a reduction in the supply of Balancing Gas supply in the year 2013, for the benefit of the Greek Natural Gas market.

Based on the above, the section 5 of the Load Balancing for 2013, is amended as follows:

Section 5: Balancing Gas Contract

Aiming at the orderly, economical and efficient operation of the NNGS, during the Year 2013, the Operator:

A) will be supplied with Balancing Gas during the period 01.01.2013 08:00 – 01.04.2013 08:00, from the company DEPA S.A., under the provisions of paragraph 4 of the Balancing Gas supply contract during the period 01.05.2012 08:00 – 01.01.2013 08:00 (491/2012) between the companies DEPA S.A. and DESFA S.A. and the article 91, paragraph 1 of the Law N.4001/2011.

B) will sign a contract-framework with Natural Gas suppliers, who will be chosen after an international bid as it is defined in article 68 of the Law 4001/2011 and in paragraph 2 in the article 47 of the Natural Code, for the supply of Balancing Gas during the time period 01.04.2013 08:00 – 01.01.2014 08:00.

The supply of Balancing Gas will take place in the context of a request fulfillment of the Operator to supply Balancing Gas issued by the relative Operator to the prequalified Shippers. The choice of

Shipper will be based on criteria that will be specified in the contract-framework and relate, among others, with the lower supply price offered and the fulfillment of the Operator's request in terms of the LNG quantity and the delivery date.

Furthermore, taking into consideration:

- the restricted Storage Area of LNG Facility,
- the ever increasing demand (from Users' sides) for access to the LNG Facility,
- the requirements in the Network Code of NNGS and particularly in Chapter 11 for the terms of access to the LNG Facility (Temporary LNG Storage Period. Minimum Regasification Capacity),
- the size of LNG vessels that are available in the LNG Market,

in the LNG supply Contract-Framework for Balancing Gas, the authority of the Operator to specify the LNG quantity and the time delivery for balancing purposes will be established, so that the smooth operation of the Greek Natural Gas market is not upset, in accordance with the requirement of the Network Code of NNGS. Given the lack of confirmation of the Operator's estimations relating to the Natural Gas Quantities demanded for the period 01.04.2013 08:00 – 01.01.2014 08:00, for Balancing and the procedure of choosing the final Shipper, the abovementioned contract will not contain imposing restrictions such as minimum supply quantity or payment clauses irrespective of LNG off-takes.