**Decision No. 1/17 of the Board of the Public Utilities Commission**

Adopted 1 September 2016

**Regulations Regarding the Criteria by which a Natural Gas Storage System Operator and Liquefied Natural Gas System Operator Determines the Access Mode to a Natural Gas Storage Facility**

*Issued pursuant to*

*Section 44, Paragraph four of the Energy Law*

1. These Regulations shall prescribe the criteria by which a natural gas storage system operator and liquefied natural gas system operator (hereinafter both together – the System operator) shall determine which access mode to the natural gas storage facility – either negotiation procedure or regulated procedure – shall be used.

2. The System operator shall determine the access to the natural gas storage facility pursuant to the criteria set herein, if one full calendar year has passed since the operation of the natural gas storage facility was launched. Within the meaning of these Regulations, the moment of launching the operation of the natural gas storage facility is the date when the System operator has started to provide services of natural gas storage or services of liquefied natural gas.

3. The System operator shall determine the access mode to the natural gas storage facility each year by 1 April and:

3.1. if the total volume of the natural gas or liquefied natural gas stored in the natural gas storage facility in normal cubic meters in the previous calendar year exceeded 25 % of the average volume of the natural gas stored in the territory of Latvia in the last three calendar years, starting from 1 October of the relevant year, the regulated procedure shall be applied when determining the access to the natural gas storage facility;

3.2. if the total volume of the natural gas or liquefied natural gas stored in the natural gas storage facility in normal cubic meters in the previous calendar year was less than or equal to 25 % of the average volume of the natural gas stored in the territory of Latvia in the last three calendar years, the negotiation procedure shall be applied when determining the access to the natural gas storage facility.

4. The total volume of the natural gas or liquefied natural gas stored in the natural gas storage facility within the calendar year shall be determined by summing up the volume of the natural gas or liquefied natural gas in the natural gas storage facility at the beginning of the calendar year with the volume of the natural gas or liquefied natural gas filled in the natural gas storage facility during the calendar year.

5. Each year by 20 April, the System operator shall inform the Public Utilities Commission (hereinafter – the Regulator) about the access mode set to the natural gas storage facility.

6. Each year by 1 March, the Regulator shall publish information about the average volume of the natural gas stored in Latvia within the last three calendar years on its website.

7. The Regulator shall publish the first information referred to in Paragraph 6 of these Regulations within two months after these Regulations come into force.

8. These Regulations shall come into force on the day following the publication thereof in the official gazette *Latvijas Vēstnesis*.

Chair of the Board of the Public Utilities Commission R. Irklis