

Call for Tenders for Positive Load Flow Commitments for the time period 01.01.2020 to 01.01.2021

Preamble:

terraneTS bw GmbH (terraneTS bw) conducts a call for tenders based on § 9 Section 3 Sentence 2 No. 1 of the Gas Network Access Regulation (German: GasNZV) for positive load flow commitments for the time period 01.01.2020 – 01.01.2021, the purpose of which being to ensure or increase the bid resp. the designation of existing freely allocable entry and exit capacity in the market area of NetConnect Germany.

With submission of its bid, the bidder accepts the terms and conditions of this call for tenders.

The call for tenders for positive load flow commitments is available in German and English. **Only the original German version is legally binding.**

1. Description and general requirements

- 1.1 Positive load flow commitments include the reduction of exit and the (part) non-utilisation of exit capacities or the ensuring/increase in entries with respective effect on the grid of terraneTS bw.
- 1.2 The bidder must hold entry and/or exit capacity rights for the positive load flow commitments at the relevant point.
- 1.3 A group of bidders is permitted, providing that one bidder is designated as the responsible contact and contract partner.
- 1.4 Bidders undertake to ensure that they can be reached daily, 24 hours a day.
- 1.5 terraneTS bw alone can decide whether bids correspond to the stipulations set out herein.
- 1.6 In their bid, bidders shall name the balancing group manager including contact details for the balancing group in which the respective capacities at the agreed entry or exit points are included. If there is no balancing group manager available, the bidder undertakes to conclude a balancing group contract with NetConnect Germany GmbH & Co. KG (www.net-connect-germany.de) for the respective points, or in the event that a contract is already in place, said contract shall be extended correspondingly. Evidence that the requirements set out above are met, shall be submitted to terraneTS bw without an explicit request on the part of terraneTS bw prior to the acceptance of the load flow commitments and is a precondition for the conclusion of the contract.

2. Object of call for tenders

- 2.1 The call for tenders is for positive load flow commitments for the grid of terranets bw or in connected grids with effect on said grid of terranets bw. Positive load flow commitments shall be contracted and called up in units (lots) of 10,000 kWh/h respectively. Utilization occurs per month and lot (piece). Utilization of single lots can comprise a minimum of one hour or a maximum of a whole month. terranets bw is not obliged to make use of bids. The utilisation of load flow commitments takes place at the entry or exit points mentioned under 2.2. Bidders shall indicate in their bids to what amount they submit positive load flow commitments (v. "Bidding form for positive load flow commitments for the time period 01.01.2020 to 01.01.2021"), based on a combination of commodity and capacity charges (commodity or capacity charges can thus also amount to 0.0000 €).
- 2.2 Concrete load flow commitments should be offered at the following entry or exit points:
- Wallbach (TENP), Exit and Entry, as well as VIP Germany - CH Exit and Entry
 - Lampertheim IV (LAW), Entry
 - RC Basel, Exit
 - RC Lindau, Exit
 - Bavarian Points (especially Überackern, Überackern 2, USP Haidach, Haiming 2-RAGES, Haiming 2-7F, Inzenham-West USP, Wolfersberg USP) Entry

For each entry or exit point, a respective bidding form should be submitted for positive load flow commitments for the time period 01.01.2019 to 01.01.2020; on acceptance of the bid by terranets bw, this bidding form shall become an integral part of the contract.

- 2.3 The contract term for positive load flow commitments is 12 months, beginning on the 01.01.2020, 06:00 h and ending on the 01.01.2021, 06:00 h.
- 2.4 The call for tenders is solely for monthly products. The bidder can, if he chooses, submit bids for load flow commitments for single months or for all months.
- 2.5 The call of load flow commitments by terranets bw or by a third party instructed by terranets bw shall occur predominantly via EDIGAS, alternatively in another agreed format or by telephone. terranets bw shall define the necessary amount and time period of the load flow commitment. The amount requested can be smaller than that of the bid or equal to the maximum amount. The request means that throughout the whole time period an obligation exists at the entry point indicated in the appendix "bidding form for positive load flow commitments for the time period 01.01.2020 to 01.01.2021" to make use (by nomination) of the affected entry capacity (increase entry) or for exit points indicated in the appendix "bidding form for positive load flow commitments for the time period 01.01.2020 to 01.01.2021" the request means a ban on using (by nomination) the relevant exit capacity (reduction of exit).

The bidder shall send confirmation of the request without undue delay on receipt of said request for the load flow commitment predominantly via EDIGAS or alternatively in another agreed format to the Dispatching Unit of terranets bw or to a third party designated by terranets bw.

- 2.6 In case of accepted offers only based on a capacity charge, a message shall be sent by terranets bw or a third party authorised by terranets bw to the bidder regarding the utilisation of the positive load flow commitment no later than 24:00 h of the previous day

(day ahead process). For Wallbach (TENP) Entry/VIP Germany – CH Entry, in case of accepted offers only based on a capacity charge, a message shall be sent by terranets bw or a third party authorised by terranets bw to the bidder regarding the utilisation of the positive load flow commitment no later than 15:00 h of the previous day (day ahead process)

2.7 In case of an accepted offer contains a commodity charge component, a message shall be sent by terranets bw or of their authorised third parties to the bidder regarding the utilisation of the positive load flow commitment no later than two hours before delivery of the load flow commitments (day ahead process).

2.8 The bidder is bound by his bid/bids until the 15.08.2019 24:00 h.

3. Product price

3.1 The bidder can submit bids for each lot based on a combination of capacity and commodity charges (commodity or capacity charges can therefore also amount to 0.0000 €).

3.2 If bids provide for a capacity charge, said capacity charge will be paid by terranets bw monthly on conclusion of the contract for the offered and accepted respective amounts independent of the actual utilisation of load flow commitments.

3.3 For bids that contain a commodity charge, the obligation for terranets to pay comes into force after call and after the corresponding service has been rendered.

4. Award procedure

4.1 All admissible tenders duly submitted in time for the tender period shall be taken into consideration during the evaluation phase.

4.2 For the contract award all complete bids received in due time shall be listed in the order of ascending prices and according to their weighting in a merit order list. The contract shall be awarded based on the merit order list beginning with the lowest weighted price. The weighting criteria for commodity or capacity charges or a combination takes into consideration an expected probability for the call of load flow commitments of 70 % of the hours in a month.

4.3 Where the same price has been quoted in more than one tender, contracts will be granted in all cases in the order the tenders were received (the contract is awarded to the earlier tender).

4.4 The contract award can be rejected in the case of obviously unrealistic tenders, in the case of the obvious, endangered or unproven capability of the bidder or in the case of uneconomical bids which would lead to an unproportional burden on the grid user or terranets bw or tenders which in the estimation of terranets bw are irrelevant for the capacity situation.

4.5 The awarding of a contract can also comprise parts of the offered quantities. On award of

the contract, the signed contract for positive load flow commitments and its annexes shall be sent back to the respective bidders. The contract shall come into force and be binding for both parties on receipt. In the event that the contract comprises only part of the offered quantities, the annexes to the contract will be amended by terranets bw accordingly. The contract in its amended version is then binding for both parties.

- 4.6 The call of load flow commitments shall then occur according to the order of the merit order list. Deviations from the merit order list are only permissible on technical grounds connected to the physical gas flow or comparable decisions made by terranets bw - Dispatching Unit or by a third party authorised by terranets bw. In the event of deviations, terranets bw undertakes to specify and document the reasons in writing. Otherwise no change in the order shall be made. In the case of a call of positive load flow commitments at concrete entry or exit points or at other agreed points, grid safety, security and integrity issues shall be taken into consideration.

5. Service provision

Calls for load flow commitments oblige the bidder when submitting his nomination not to exceed the maximum exit nomination or fall below the minimum entry nomination throughout the whole time period at the designated point given by terranets as an absolute value.

6. Deadlines

The call for tenders begins on 15.06.2019 with the publication of the call for the tender documents on the terranets bw website and ends on 15.07.2018, 24:00 h. Bidders shall be informed in writing about the acceptance or rejection of their bids by 15.08.2018, 24:00 h at the latest. An email message shall be sufficient.

7. Formalities, AOB

- 7.1 In order to be valid, bids shall be submitted as a pdf copy of the legally-binding signed contract for positive load flow commitments including a signed pdf copy of the bidding form for positive load flow commitments for the time period from 01.01.2020 to 01.01.2021.
- 7.2 On submission of the bid, the bidder declares that consent is given to the documents in accordance with the contract for positive load flow commitments and that said documents are accepted in this form. Only the personal, technical and economic parameters still have to be added at a later time. Sections 4.4 shall remain unaffected.
- 7.3 Incomplete bids according to the previous sections shall be regarded as invalid. The same shall apply for bids that are received by terranets bw after the deadline set out in Section 6 or contradict in any other way with these tender conditions or with the contract for the positive load flow commitments.
- 7.4 Participation in the call for tenders assumes the economic and technical capability of the bidders with regard to actually guaranteeing the load flow commitments. The bidder assures terranets bw that this is the case on submission of his tender.

- 7.5 On request by terranets bw, bidders shall undergo a communication test insofar as this has not already been conducted in the past. An unsuccessful test shall be repeated once and if unsuccessful again, said bid shall be deemed invalid.
- 7.6 The costs for participation in this tendering procedure shall be assumed by the bidder.
- 7.7 terranets bw shall assume no liability for damages resulting from a bidder taking part in the call for tenders procedure, unless mandatory by law or otherwise regulated within the framework of this call for tenders.
- 7.8 Irrespective of whether a contract is concluded, Sections 6 and 12 and 14 of the contract for load flow commitments shall apply accordingly also within the framework of this call for tenders.
- 7.9 Binding bids shall be sent by email to the following address lfz@terranets-bw.de and should be received by terranets **no later than 15.07.2019, 24.00 h.**

Tenders received too late shall not be taken into consideration.

Stuttgart, 15.06.2019
terranets bw GmbH

Integral parts of the call for tenders

Contract for positive load flow commitments
Attachment "bidding form for positive load flow commitments for the time period 01.01.2020 to 01.01.2021 "