



Notice

Call of Interest for the submission of non-binding requests for future capacity at the National Natural Gas System owned by DESFA

March 2023

1. PREAMBLE

- 1.1. The purpose of this Notice is to provide information to all interested entities about a non-binding process initiated by DESFA.
- 1.2. DESFA is the certified operator of the National Natural Gas System (NNGS) located in the Hellenic Republic. DESFA is responsible, among others, for the development of the NNGS, as well as for the evaluation of connection requests from interested parties.
- 1.3. During the previous years, DESFA has received an increasing number of connection requests for the provision of new firm transmission capacity, or the increase of the already offered firm transmission capacity at Entry and Exit Points of the NNGS. DESFA assesses the requests in accordance with applicable legislation.
- 1.4. However, the assessment of the connection requests on a first-come-first-served (FCFS) basis, in accordance with the provisions of the Network Code, has highlighted the need for a broader process that would enable DESFA to design projects that would cover the connection requirements of more than one interested party, thus reducing the cost covered by each of them.
- 1.5. DESFA initiates a Call of Interest, during which interested parties shall be asked to submit their non-binding requests for the booking of future capacity in the NNGS. The initiation of this process is expected to have multiple benefits.

2. DEFINITIONS

- 2.1. For the purposes of this Notice, the definitions provided for in Law 4001/2011 and the National Natural Gas System Network Code shall apply. In addition, the following capitalized terms and expressions, when used in this Notice, shall have the following meaning:
 - a. **Authority** shall mean the National Regulatory Authority for Energy of Greece (RAE).
 - b. **Call of Interest** shall mean the present non-binding call of interest, initiated by DESFA, during which interested parties may submit non-binding requests for capacity allocation in the NNGS

- c. **Day(s)** shall mean calendar day(s). If the last day of any period set forth herein is a Saturday, Sunday, or public holiday in Greece, the period is extended to include the next day that is not a Saturday, Sunday, or public holiday in Greece.
- d. **Firm capacity** shall have the meaning assigned to it in article 2 of Regulation (EC) No 715/2009.
- e. **Gas Day** shall have the meaning assigned to it in Regulation (EC) No 459/2017 (CAM Network Code).
- f. **Gas Year** shall mean a time period of twelve consecutive months, starting at 7.00 am on October 1st of a year and ending at 7.00 am on October 1st of the subsequent year.
- g. **Privacy Notice** shall mean the statement, on behalf of DESFA, aiming to inform participants in this Call of Interest for the Processing of Personal Data Information Pursuant to Regulation (EU) 2016/679, attached to this Notice (Attachment II: Processing of Personal Data Information (Privacy Notice)).
- h. **Market Test** shall mean a binding process initiated by DESFA for the allocation of capacity in the NNGS. Following the end of this Call of Interest and the subsequent assessment of the non-binding requests, the Market Test will be initiated by DESFA, at its sole discretion and subject to Authority's approval.
- i. **Methodology for Economic Evaluation** the methodology for the economic evaluation of new projects in the frame of the Binding Phase.
- j. **Network Code** shall mean the Network Code of the National Natural Gas System as in force from time to time.
- k. **NNGS** shall mean the National Natural Gas System of DESFA, as defined in Law 4001/2011.
- l. **Non-Binding Request** shall mean the request submitted expressing a non-binding interest for the allocation of future firm capacity at an existing or at a new point of the NNGS, which includes the filled and signed Non-Binding Request Form, attached in this Notice (Attachment I).
- m. **Non-Binding Requests Deadline** shall mean the date and time by which the interested parties may submit a Non-Binding Request.
- n. **Non-Binding Request Form** the form that must be filled out and submitted to DESFA for a duly submission of a Non-Binding Request and which is also attached to this Notice (Attachment I).
- o. **Notice** shall mean this notice, published in DESFA's website to provide necessary information for the Call of Interest and to invite the interested parties to submit Non-Binding Requests.

- p. **Offer Level** means the level of firm capacity offered by DESFA during the Market Test, in case of implementation of an expansion project in the NNGS.
 - q. **System Adequacy Study** a study published by DESFA describing the technical limitations in gas transmission throughout the NNGS.
 - r. **Transmission System Operator (or TSO)**: shall have the meaning given to it in article 2 par. 4 of Directive 2009/73/EC.
- 2.2. The Notice is made up of the notice and its Attachments, that constitute an integral part of this Notice.
- 2.3. References in this Notice to Articles and Attachments are to Articles and Attachments of the Notice.

3. BASIC INFORMATION

- 3.1. DESFA, through this Call of Interest, intends to collect, the interest in capacity booking, from all interested parties, to design the necessary technical upgrade projects of the NNGS, which will be able to cover the needs of more than one interested party, thus reducing the cost per interested party and increasing the chances of implementation of these projects.
- 3.2. This Call of Interest does not affect, replace, or terminate in any way whatsoever any other process foreseen in the National or European regulatory framework.
- 3.3. The Call of Interest starts with the publication of this Notice and should be seen as an expression of interest for the booking of future capacity to the NNGS, non – binding for any of the parties involved, in order for DESFA to assess and design the necessary technical upgrade projects of the NNGS.
- 3.4. Before the Non-Binding Requests Deadline, DESFA will make publicly available a System Adequacy Study which will describe the limitations of the NNGS, as well as the methodology for the calculation of the technical capacities and the need for local or wider upgrades of the NNGS. At a later stage, DESFA will also publish the Methodology for Economic Evaluation of the transmission capacity Offer Levels.
- 3.5. This Call of Interest concerns the entire NNGS, including the LNG Facility, and its interconnections with other systems. There will be no restriction of any kind

regarding the points for which interested parties can submit Non-Binding Requests, as the Non-Binding Requests may concern either existing or new Entry or Exit points of the NNGS in which they intend to book capacity.

- 3.6. Interested parties' requests should include the level of capacity they intend to book, the period of booking and the relevant points for each one of the booking years. No price value will be included in a Non-Binding Request.
- 3.7. After the Non-Binding Requests Deadline, the technical evaluation phase will start. DESFA will assess the Non-Binding Requests and will specify the Offer Levels and the relevant necessary technical projects for the offer of future capacity. During the technical evaluation phase, DESFA may also consider requests that have been submitted in other procedures requesting firm capacity in the NNGS either completed or still in progress. Interested parties that have already participated in other market tests or other processes for allocation of future capacity, are also encouraged to reconfirm their interest for firm capacity and to submit to that end Non-Binding Requests to DESFA.
- 3.8. Interested parties that already have in place contracts with DESFA for conditional or coupled capacity are also encouraged to submit their Non-Binding Requests for firm capacity. Such contracts shall not be affected in any way whatsoever by their participation in this Call of Interest.
- 3.9. The participation in this Call of Interest does not constitute a commitment by the participating interested party to book capacity in the NNGS, and DESFA, by conducting such Call of Interest, does not commit to proceed to any investment or allocate capacity to the interested party in the NNGS. For the avoidance of doubt, Non-Binding Requests in this Call of Interest do not establish any right whatsoever for the interested party due to its participation in this process or otherwise.
- 3.10. Participation in this Call of Interest is not a condition precedent nor entails any kind of obligation to participate in a Market Test. However, please note that the Offer Levels will be designed by DESFA based on the Non-Binding Requests, so all interested parties are encouraged to submit their requests in this Call of Interest. Participation in a Market Test will be possible only in accordance with the terms and conditions (guidelines) approved by the Authority.

- 3.11. Participation in this Call of Interest will be unrestricted for all interested parties. Consequently, Non-Binding Offers can be submitted by any interested entity (i.e. NNGS Users, users in other connected transmission systems, TSOs, DSOs, other entities etc.).
- 3.12. Participation in this Call of Interest will not incur any kind of application fee and does not require the submission of any letter of guarantee. Participants in this Call of Interest will not be invoiced for any costs related to this Call of Interest.
- 3.13. No later than ten (10) Days before the expiration of the Non-binding Requests Deadline, as this may have been postponed, in accordance with Article 4.2 herein, requests for clarifications exclusively regarding the provisions of this Notice, can be addressed to the following mail address: market-test@desfa.gr. The subject of the email shall be: "Call of Interest for the expansion of the NNGS – Clarification Request by (Company Name)".
- 3.14. In case of any written communication, this must be addressed to the following address:

*DESFA S.A.
357-359 Messogion Ave.
GR - 152 31 HALANDRI, GREECE
General Document Centre, Tel: +30 213 088 4278, +30 213 088 4286
"To the attention of Commercial Services Division - Call of
Interest for the expansion of the NNGS"*

4. SUBMISSION OF DOCUMENTS

- 4.1. Participants in this Call of Interest, shall submit their Non-Binding Requests not later than the Non-Binding Requests Deadline, specified in Article 4.2 herein. After the Non-Binding Requests Deadline, no additional document shall be accepted for any reason, unless DESFA has specifically requested that additional submission.
- 4.2. **The Non-Binding Requests Deadline is set at 1st of June 2023**, end of day. DESFA shall be entitled to postpone the Non-Binding Requests Deadline by giving a notice uploaded to DESFA's website.
- 4.3. **Non-Binding Requests shall be submitted only electronically by email** in the following email address: market-test@desfa.gr. The subject of the email shall be:

“Call of Interest for the expansion of the NNGS - Non-Binding Request by (*Company Name*)”. The email must contain as attachment the filled Non-Binding Request Form, duly signed by an authorized person of the interested party.

- 4.4. Interested parties are invited to express their non-binding interest for the booking of future firm capacity in the NNGS and fill-in the Non-binding Request Form as provided in Attachment I. Requests for yearly firm capacity must be expressed in kWh/Gas Day/Gas Year for each Gas Year of non-binding interest. Non-Binding Requests for capacity booking must not exceed the Gas Year 2049-2050.
- 4.5. There will be no restriction on the amount of transmission capacity that each interested party can request, nor a restriction on the change (increase or decrease) of the requested transmission capacity from one Gas Year to the next one.
- 4.6. Interested parties will be able to submit Non-binding Requests for more than one Entry or Exit Point, existing or not, including also the LNG Entry Point (namely Agia Triada), without limitation. Also, interested parties will be given the opportunity to define a combination of points at which they wish to book transmission capacity, (i.e. the allocation of firm transmission capacity at one point is conditional on the allocation of firm transmission capacity at another existing or non-existing point of the NNGS - linked bids).

5. TIME-SCHEDULE

- 5.1. The Call of Interest starts with the publication of this Notice. After the end of the Non-Binding Requests Deadline, DESFA will proceed with the technical evaluation, with an estimated duration of three (3) months. As an outcome of the technical evaluation, DESFA will specify the capacity Offer Levels as well as the technical projects with full cost and implementation schedule estimation.
- 5.2. DESFA will set to public consultation the above results for no less than one (1) month. During the consultation period, the interested parties, regardless of whether they have submitted Non-Binding Requests, will have the opportunity to submit their remarks. After the end of the consultation period, DESFA will finalize and submit its proposal for the initiation of a Market Test to the Authority.

- 5.3. In any case, DESFA will have the possibility to redefine the above time-schedule at its own discretion.

6. ATTACHMENTS

Attachment I: Non-Binding Request Form

Attachment II: Processing of Personal Data Information (Privacy Notice)

Attachment I: Non-Binding Request Form

To: DESFA S.A.
357-359 Messogion ave.
15 231 Halandri
Commercial Services Division

Send by e-mail at market-test@desfa.gr

SUBJECT: Non-Binding Request Form

The undersigned in his/her capacity as
acting in the name and on behalf of (the "Company"),
with registered office in, VAT number,
with business registration no in

PRESENTS

a Non-Binding Request for the allocation of future firm capacity at an existing or at a new point of the NNGS, as per the filled in table of the present Non-Binding Request Form, in accordance with the Notice, dully filled and signed.

In the name and on behalf of this Company,

DECLARES

- to assume full and sole responsibility concerning the correctness and completeness of the information and data provided,
- to undertake to notify promptly any possible changes of information and data provided.

ACCEPTS AND RECOGNIZES

- all the information present in this Non-Binding Request and in its annexes will be used by DESFA for the assessment of the request,
- DESFA may request further information, in case the request is incomplete,
- the submission of this Non-Binding Request neither binds the Company to submit a binding request at a later stage, nor does it bind DESFA to proceed to any investment or allocate any capacity to the NNGS,
- All written communication about this procedure must be sent to the address mentioned here above. Any notice or other communication to the Company shall be made the person(s) designated below:

Name of the authorized contact person:

Email:

Tel. number:

HEREBY SUBMITS

A Non-Binding Request for the allocation of future firm capacity at an existing or at a new point of the NNGS:

ORDER NUMBER	ENTRY / EXIT POINT¹ (Existing or new)	GAS YEAR(S)² [YY₁/YY₂ to YY_n /YY_{n+1}]	FIRM CAPACITY [(kWh/Gas Day)/Gas Year]	CONDITIONS³	NOTES⁴
1 to
2 to
3 to

1: Please indicate the name(s) of the point(s) (existing or new) and the type of firm capacity, entry or exit. In case of a new point please indicate the location and if possible other relevant information.

2: Please indicate the start and end period of booking by inserting the respective Gas Year

3: Elaboration of conditions (if any):

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4: Elaboration of notes (if any), including the upgrade the LNG Terminal (LNG Temporary Storage, Unloading, Truck Loading Capacity, etc.):

.....
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.....
.....

..... (Place)/..... / (Date)

..... (Company name)

..... (Stamp and Signature)

Attachment II: Processing of Personal Data Information (Privacy Notice)

Pursuant to and for the purposes of articles 12-14 of EU Regulation 679/2016 (hereinafter "GDPR"), DESFA (hereinafter the "Company"), as Data Controller, hereby provides you with information on the processing of personal data supplied by you in connection with capacity booking process related to the transportation service, namely identification data of legal representatives and identification data and contact details of authorized contact persons.

1. Purpose and legal grounds of the processing

The personal data will be processed by the Company for the purposes described below:

- a. management of the contractual relationship specified above;
- b. fulfilment of obligations foreseen by the Law and by provisions issued by Authorities legitimated to do so.

For the purposes described in points a) and b) the provision of data is essential; that is, to fulfil legal obligations as well as for a proper and efficient management of the contractual relationship.

2. Methods of processing

According to the aforementioned purposes, the processing of your personal data is carried out using manual or IT tools designed to store, manage and transmit the same data, solely for the purpose of pursuing the purposes for which they were collected and, in any case, in such a way as to guarantee the security and confidentiality of the company functions entrusted with the constitution, administration and management of the relationship, and whose staff has been appropriately instructed in order to guarantee confidentiality and avoid loss, destruction, unauthorized access or unauthorized processing of the same data.

The processing of all data provided will be carried out prudently and through forms of organization of the same strictly related to the obligations, tasks or purposes described in this disclosure.

3. Policy on the retention of personal data

The Company keeps in its systems the data acquired in a form that allows the identification of data subject parties for a period of time not exceeding the achievement of the purposes

for which they are processed or to comply with specific regulatory or contractual obligations, including those imposed by the current provisions on civil and fiscal matters.

Your personal data will be kept for the entire duration of the contractual relationship between you and the Company, as well as for further 5 years following the termination of the relationship. At the end of this period your personal data will be destroyed and / or deleted by the data owner. We may retain your data for a longer period of time, if this is necessary to defend our rights and lawful interests before any competent court and any other public authority, up to the limitation period of the relevant claims.

4. Categories of parties to whom the data may be communicated

The personal data provided will not be disseminated, or will not be disclosed to third parties, in any possible form, including that of their availability or simple consultation. Instead, they may be subject to communication, to well-defined individuals, in full compliance with the provisions of the law, for purposes strictly related to the execution of our contractual or legal obligations.

In addition, your personal data may also be made available to the Judicial Authority and/ or Police, upon their specific request, for the purpose of identifying the perpetrators of any unlawful acts committed to the detriment of the Company or otherwise.

As a rule, we will not process your data outside of the European Economic Area. Should we do so, we will ensure that either derogations or appropriate safeguards of articles 44-50 of the GDPR for the protection of your personal data are in place, especially the standard contractual clauses of the European Commission. We may provide to you a copy of these safeguards upon your request.

5. Data Controller and DPO

The Data Controller is DESFA, based in Halandri/Greece, Messogion ave. 357-359, GR-15231

You may contact the DPO of DESFA by email in the following address: dpo@desfa.gr

6. Rights conferred by the law to data subjects

We inform you that pursuant to art. 15-22 of the GDPR EU 2016/679, the data subject parties may exercise specific rights, by contacting the Data controller, including:

- a. Right of access: the right to obtain from the Data Controller confirmation that personal data is being processed and, in this case, to obtain access to personal data and further information on the origin, purpose, category of data processed, recipients of communication and / or data transfer, etc.
- b. Right of rectification: right to obtain from the Data Controller the correction of inaccurate personal data without unjustified delay, as well as the integration of incomplete personal data, by providing an additional declaration too
- c. Right to cancellation: right to obtain from the Data Controller the deletion of personal data without undue delay in the event that:
 - personal data are no longer necessary with respect to the purposes of the processing;
 - the consent on which the processing is based is revoked and there is no other legal ground for data processing;
 - personal data have been processed unlawfully;
 - personal data must be deleted to fulfil a legal obligation.
- d. Right of refusal to processing: the right to object at any time to the processing of personal data that have as their legal ground a legitimate interest of the Data Controller.
- e. Right to limit processing: the right to obtain from the Controller the limitation of processing, in cases where the accuracy of personal data is questioned (for the period necessary for the data controller to verify the accuracy of such personal data), if the treatment is illegal and / or data subject has refused processing.
- f. Right to data portability: the right to receive personal data in a structured, commonly and automatically readable format, and to transmit such data to another data controller, only for cases where the processing is based on consent and only for data processed by electronic means.
- g. Right to lodge a complaint with a supervisory authority: without prejudice to any other administrative or judicial appeal, the interested party who considers that the processing that concerns him infringe the Privacy legislation has the right to lodge a complaint with the State control authority Member in which he resides or works habitually, or the State in which the alleged infringement has occurred.

If the data subject party wants more information on the processing of his/her personal data, or exercise the rights previously indicated, he/she can contact the Data Protection Officer by writing an email to the following address: dpo@desfa.gr.