

Summary of the responses to the final consultation on information referred to in the Article 26(1) of the Commission Regulation (EU) 2017/460 of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas

Introduction

On October 7, 2025, the transmission system operator, company eustream, a.s. (hereinafter referred also to as “Eustream”), based on the decision of the Regulatory Office for Network Industries No. 0001/2017/P-TS, dated on November 20, 2017, launched a final consultation regarding the reference price methodology for access to the transmission network and gas transmission in the Slovak Republic (hereinafter referred also to as the “final consultation”) in accordance with the requirements set in the Article 26 of the Commission Regulation (EU) 2017/460 of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas (hereinafter referred also to as “TAR NC”). The final consultation, published on the website of the company Eustream, was opened to all interested parties. Market participants were invited to join the final consultation and submit their responses until December 7, 2025.

Summary

In response to the final consultation on information referred to in Article 26(1) of the TAR NC, including the proposed reference price methodology, conducted by the company Eustream, pursuant to the Article 26 of the TAR NC, the following entities replied:

- D. TRADING d.o.o.
- Energy Traders Europe
- Klub 500
- ENGIE
- U. S. Steel Košice, s.r.o.
- Naftogaz Trading Europe AG
- NET4GAS, s.r.o.
- LLC Gas TSO of Ukraine
- Slovenský plynárenský priemysel, a.s.
- SLOVNAFT, a.s.
- RWE Supply & Trading GmbH
- MVM ONEnergy Trading Ltd.
- MVM CEEnergy Slovakia s.r.o.
- SLOVENSKÝ ZVÄZ VÝROBCOV TEPLA
- ORLEN S.A.

Meeting the requirements set in the Article 26(3) of the TAR NC, Eustream hereby publishes the consultation responses received and their summary. In order to make the consultation process more transparent and to render it more effective, the summary is published in Slovak as well as in English language. In case of any discrepancy between the original version of the received responses and their interpretation in the summary, the original version of the received responses shall prevail.

The consultation responses received referred to the following aspects of the consulted documents regarding the final consultation:

Proposed level of transmission tariffs during the ongoing regulatory/tariff period

- Comments on the proposed increase of transmission tariffs during the ongoing regulatory period and the reasons that led the transmission system operator to propose such increase. The comments express objections that this constitutes the second significant tariff increase in the current regulatory period 2023–2027 without sufficient justification of the conditions for the existence of exceptional circumstances under the TAR NC. According to the commenting parties, the proposed tariff increase for 2026 is disproportionate, does not reflect actual costs, may create barriers to cross-border trade, and could threaten Slovakia's competitiveness. The submitted comments also express concerns that the proposed increase in transmission tariffs could jeopardize gas flows through Slovak gas transmission system and, consequently, adjacent systems and connected markets, may have a negative impact on the Slovak economy, the liquidity of the Slovak market, competitiveness, influence on prices of goods and services, and is also inconsistent with the principles of EU energy solidarity;
- Suggestions to maintain the current level of transmission tariffs instead of further increases. According to market feedback, keeping transmission tariffs at a competitive level could be beneficial for attracting new flows, optimizing the use of the Slovak transmission system, and ensuring financial stability through higher utilization of the transmission system, for example, by strengthening gas flows in the west–east direction, also due to the potentially increasing use of Ukrainian storage facilities;
- Suggestions to create conditions for reducing transmission tariffs for domestic industrial consumers in order to mitigate impacts on industry (e.g., through the introduction of special rates for high gas-consuming customers or for companies that use natural gas as a technological raw material);
- Comments on the assumptions regarding capacity at the entry/exit point Výrava as well as at other points, capacity reservations made at individual points should be reflected in the capacity reservations forecasts provided by the transmission system operator and reflected in the calculated tariff rates;
- Proposals to reduce the multipliers for short-term products, which would support cross-border trade and increase future utilization of the Slovak gas infrastructure;
- Proposals to consider introducing a discount exclusively for transit without access to the VTP, for example, for the Lanžhot – Budince and Baumgarten – Budince routes;
- Proposals to consider possible incentives that would make the transmission route towards Ukraine more competitive compared to alternative routes, encourage more active use of the interconnection points between Slovakia and Ukraine, and contribute to supporting energy solidarity and Ukraine through predictable and reasonable transmission tariffs, given that in the current geopolitical context, the Slovak transmission system plays a key role in ensuring Ukraine's energy security and, consequently, the stability of the broader European gas market.

Transparency in the determination of target revenue and the regulatory asset base

- Objections to the lack of a methodology for determining the target revenue of the transmission system operator and the regulatory asset base (RAB). Comments regarding the need for greater transparency in the methodology for setting target revenue, including a suggestion to supplement the proposal with transparent and verifiable data on how target revenue are calculated and on the methodology for RAB valuation;

- Comment on the proposed level of target revenue in relation to the proposed tariff levels after applying benchmarking, including a suggestion to clarify how it will be ensured that the transmission system operator obtains all necessary revenue to cover its costs.

Cross-subsidies

- Objections to the transfer of volume risk to end gas consumers. Comments that tariffs should reflect the actual costs associated with providing regulated services and that there should be no cross-subsidies between domestic (transmission) and intersystem (transit) activities. Suggestions to separate the costs of operating infrastructure used for transit from the costs of domestic transmission, and to ensure a clear and transparent separation of regulatory asset bases;
- Suggestions to review the proposal from the perspective of a potential violation of Article 7 of the TAR NC, Section 12(3) of Act No. 250/2012 Coll. on regulation in network industries, as well as Article 102 of the TFEU;
- Objections to the proposed 50/50 entry/exit ratio. The proposal should take into account the difference between import and export volumes by assigning a larger share (more than 50%) of entry costs, rather than using a 50/50 split.

Use of benchmarking

- Comments on the application of benchmarking and the chosen benchmarking method, which, according to the commenting parties, is not fully in line with the provisions of the TAR NC. There is a need for transparent publication of the selection criteria used in the benchmarking process. Comments note that the transmission system operator did not take into account previous remarks from the European Union Agency for the Cooperation of Energy Regulators (ACER) regarding benchmarking of transmission tariffs. It is also noted that benchmarking is not tied to specific competitive routes and is applied broadly;
- Suggestions to review and update the benchmarking methodology in terms of its compliance with the TAR NC, so that it takes into account the actual competitive conditions of the relevant transmission routes (competitive cross-border points).

Time-related aspect

- Comments on the proposed timeline related to the planned application of tariffs from 1 January 2026, which allows only a limited timeframe between the consultation and the proposed date of implementation of the new tariffs. This restricts the market's ability to respond and prepare in advance for the new conditions and also increases legal uncertainty. There is a need for a conceptual change in pricing sufficiently in advance of the annual auctions.

Specific comments

- Suggestion to enhance the transparency of transmission tariff calculations, ensure industry participation in the setting of price decisions, and provide timely information on planned changes;
- Objection to the 'primary retroactivity' affecting already concluded contracts, with a request to remove retroactive effect and to introduce the right to extraordinary termination in the event of an unreasonable increase in transmission tariffs;
- Suggestion to provide information on how uncollectible receivables accumulated in the accounts are incorporated into the calculation of the price.