

Obrazac za dostavu primjedbi na dokument
Savjetovanje o prijedlogu metodologije za utvrđivanje
referentne cijene transportnih usluga sukladno članku 26. Uredbe Komisije
(EU) 2017/460 o uspostavljanju mrežnih pravila o usklađenim strukturama
transportnih tarifa za plin

OBRAZAC SUDJELOVANJA U SAVJETOVANJU SA ZAINTERESIRANOM JAVNOŠĆU	
Naziv dokumenta	<i>Savjetovanje o prijedlogu metodologije za utvrđivanje referentne cijene transportnih usluga sukladno članku 26. Uredbe Komisije (EU) 2017/460 o uspostavljanju mrežnih pravila o usklađenim strukturama transportnih tarifa za plin</i>
Naziv tijela nadležnog za izradu dokumenta	<i>Hrvatska energetska regulatorna agencija</i>
Naziv, odnosno ime i prezime predstavnika zainteresirane javnosti	
Adresa predstavnika zainteresirane javnosti	
Ime i prezime osobe (ili osoba) koja je sastavljala primjedbe ili osobe ovlaštene za predstavljanje predstavnika zainteresirane javnosti	
Interes, odnosno kategorija i brojnost korisnika koje predstavljate	
Suglasnost za objavljivanje ovih primjedbi i prijedloga s nazivom predstavnika zainteresirane javnosti ili anonimno (upisati + ispred izabrane opcije)	<i>Objava s nazivom predstavnika zainteresirane javnosti</i>
	<input checked="" type="checkbox"/> <i>Anonimna objava</i>
Datum izrade:	10.6.2025

(potpis ovlaštene osobe)

Napomene:

1. U nastavku ovog obrasca upisuju se načelne primjedbe na dokument te primjedbe i prijedlozi za pojedina poglavlja/potpoglavlja. Tablice se mogu slobodno proširivati.
2. Ukoliko se obrazac primjedbi šalje poštom, obrazac je potrebno potpisati.
 Obrasci se šalju na adresu
 Hrvatska energetska regulatorna agencija
 „za savjetovanje“
 Ulica grada Vukovara 14
 10000 Zagreb

Načelne primjedbe na dokument Savjetovanje o prijedlogu metodologije za utvrđivanje referentne cijene transportnih usluga sukladno članku 26. Uredbe Komisije (EU) 2017/460 o uspostavljanju mrežnih pravila o usklađenim strukturama transportnih tarifa za plin

As a user who has long-term bookings of capacities at the Krk LNG terminal and within the gas transmission system of the Republic of Croatia, we would like to express serious concerns and herewith submit a formal objection to the proposed methodology in determining the reference price of gas transmission services pursuant to Article 26 of Regulation (EU) 2017/460 establishing a network code on harmonized transmission tariff structures for gas. This methodology abolishes the existing 15% discount on the tariff item for entry from the LNG terminal which was fundamental aspect taken into account by all users for the determination of the reference price of gas transmission services. We also object to the consultation on discounts, multipliers, and seasonal factors pursuant to Article 28 of the same Regulation.

Key arguments of the objection:

Capacity booking based on existing tariffs

Users have booked long-term capacities at the LNG terminal and in the gas transmission system based on the applicable regulations and tariffs, which included a discount for entry from the LNG terminal. The proposal of a new methodology for determining the reference price of gas transmission services, as well as proposed discounts, multipliers, and seasonal factors, are perceived by users as a retroactive change of conditions; whereas than initially an incentivized framework for capacity booking was created, now after booking in full of the initial capacity has been completed, the conditions are being fundamentally altered which is creating serious issue as matter of transparency and predictability of the regulatory environment surrounding LNG terminal KRK. The adoption of the proposed methodology and the associated discounts, multipliers, and seasonal factors would also seriously affect users' financial plans, which were developed based and upon terms of the subscription to such capacity and so with the given 15% discount for entry from the LNG terminal KRK. The removal of the previously established discount is inconsistent with and contrary to the Regulation 2017/460, which allows such discounts to promote supply security – a goal that should also be a priority for the Republic of Croatia. Adopting the proposed methodology would negatively impact security of supply and be an unpredictable change in law having material impact on the user f the LNG Terminal.

Inability to terminate the contract

We note that pursuant to Article 47 of the Rules on the Use of the LNG Terminal, in the case of significant changes or amendments to legal and other regulations that were in force at the time the terminal usage agreement entered into force – changes which would make the fulfilment of user obligations excessively difficult or would cause disproportionate loss – the contracting parties are to engage in negotiations to potentially amend the agreement in order to restore the balance of interests. If negotiations fail within 30 days of the entry into force of such amendments, either party may terminate the contract creating severe difficulty to apprehend such change in law. Under the new Rules on the Use of the LNG Terminal (Official Gazette 64/2025), users face increased difficulty in terminating contracts despite the fact that their operations are now hindered by increased transportation costs. This results in users being placed in an unequal position, bearing a significantly higher financial burden without a realistic option to terminate the contract or to restore the financial terms that were in effect when the contract was signed. This puts users at a significant disadvantage.

Impact on competitiveness of LNG route and exports

The increase in tariffs for entry from the LNG terminal and for interconnection exits directly reduces the competitiveness of gas supply through the LNG terminal, as well as exports to neighboring countries. This contradicts the policy of positioning Croatia as a regional energy hub. The increase in tariffs has a deterrent effect, the consequences of which could threaten Croatia's energy position.

Unfair cost shifting onto LNG terminal users

Instead of distributing the cost of supply security among all market participants, mainly end users, the burden is now being shifted primarily onto companies using the LNG route, even though the LNG terminal should serve as a key tool for diversification and resilience of the Croatian and regional gas system which has some supply competition implications which are to be considered.

Our request:

- Retain or further reduce the tariff for entry from the LNG terminal in order to preserve the competitiveness of this supply route and encourage further infrastructure investments.
- Retain or further reduce the existing tariff for exit at interconnection points to enable stable and predictable exports to neighboring countries.
- If revenue increases are required, they should be achieved through the exit tariff within Croatia, where end users – who ultimately benefit the most from supply security – would bear the appropriate cost.

Other decision would risk undermining investor and market participant trust in the Croatian regulatory framework and may result in decreased activity and investment in the Croatian gas sector which shall not be the aim.

Primjedbe i prijedlozi za pojedina poglavlja/potpoglavlja dokumenta Savjetovanje o prijedlogu metodologije za utvrđivanje referentne cijene transportnih usluga sukladno članku 26. Uredbe Komisije (EU) 2017/460 o uspostavljanju mrežnih pravila o usklađenim strukturama transportnih tarifa za plin

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