

CHAPTER 20

UPDATING THE STORAGE CODE

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20.1 INTRODUCTION

This chapter describes the procedure for updating the Storage Code, the timing and procedures for submitting change requests, and for approving the suggested modifications.

The Storage Company uses its web portal to publish the proposals for updates, as well as to manage the related consultation phases, keeping the relevant parties constantly informed.

In the chapter the following terminology will be adopted:

Change request: an amendment to the Code, drafted by one of the entitled parties pursuant to Article 4, paragraph 4.1 of Resolution 55/09, as reported in paragraph 20.3, and submitted to the Storage Company with request for adoption.

Update proposal: the proposal for updating the Code drafted and submitted for consultation to the Storage Company, including as a result of the positive assessment of the change request.

20.2 CONSULTATION COMMITTEE

The Consultation Committee is a technical consultation body, the sole body for all storage codes, representing the interests of shippers and system operators.

The Committee's establishment, composition, organisation, as well as the minutes of Committee meetings are published on the website of the Major Storage Company, to which the Storage Company provides a link on its own web page.

20.3 PARTIES ENTITLED TO SUBMIT CHANGE REQUESTS

The parties entitled to make changes requests to the Storage Company are:

- a) Shippers of the service, individually or in association;
- b) other companies (as defined in Resolution 55/09 in Article 1, point 1.1 a); and trade unions of distribution companies, limited to the matters in which they are directly involved.

20.4 ADMISSIBILITY REQUIREMENTS FOR CHANGE REQUESTS

Only proposals submitted in accordance with the provisions of this paragraph will be taken into consideration.

Each proposal for updating the Storage Code must comply with the following requirements to be deemed admissible:

- a) it must be submitted in written form and by means of a specific format available on the Storage Company's website;
- b) it must be sent in advance by e-mail to the address indicated on the website;
- c) it must thoroughly describe the nature of the change;
- d) it must be designed to improve the achievement of the Storage Code's objectives;
- e) it must be consistent with governing regulations and legislation;
- f) it must clearly indicate which portions (chapter, paragraphs and sub-paragraphs) will be amended/abolished/affected.

Furthermore, it is possible to attach any documentation supporting the change request submitted.

The proposal is considered admissible if the Storage Company does not comment on it within 10 working days from its receipt.

20.5 PROCEDURE FOR MANAGING CHANGE REQUESTS

Change requests may be submitted by the entitled parties referred to in point 20.3 at any time during the thermal year.

Within 20 days of receiving a change request, the Storage Company shall:

- a) publish it on the web portal for the relative consultation process;
or
- b) make it available to the Regulatory Authority, together with a report describing the reasons for which the Storage Company has decided not to submit it to consultation.

Moreover, if the Regulatory Authority determines that is advisable to submit for consultation a change request made available pursuant to point b) above, the Storage Company must start the relative process within 15 days from the date of receipt of the appropriate communication from the Regulatory Authority.

20.6 PROCEDURE FOR UPDATING THE STORAGE CODE

The proposal for updating the Code, after it has been drafted by the company, including following the positive assessment of a change request received from one or more entitled parties, must be published by the company and submitted for consultation, at any time during the thermal year.

The duration of the consultation phase is 45 days from the date the proposal is published on the Storage Company's website.

The Consultation Committee makes its opinion available to the Storage Company as part of the consultation process.

The Storage Company also allows parties who are not part of the Consultation Committee to submit their own comments on the published update proposals.

Within 20 days from the end of the consultation, the Storage Company makes the proposal for updating the Storage Code available to the Regulatory Authority, together with:

- a) a report describing the justifications for the proposal;
- b) the opinion of the Consultation Committee;
- c) the comments received from non-members of the Consultation Committee;
- d) the changes made to the proposal as a result of the consultation process, as well as the related justifications;
- e) additional remarks that emerged during the consultation phase that the Storage Company decided not to adopt, with the related justifications.

If the proposals for updating the Code must be drafted by the Storage Company in compliance with decrees, resolutions or other provisions issued by competent authorities that identify the general criteria, delegating to the relevant parties the definition of the specific procedures without indicating a deadline, these shall be understood to be set at:

- 15 days from the publication of the provision to publish the update proposal on the web portal;
- 30 days for the conclusion of the consultation phase.

Moreover, in this case, the time available to the Storage Company to make the proposal for updating the network code available to the Regulatory Authority, together with that which is described in points a), b), c), d), and e), is reduced to 10 days from the end of the consultation phase.

The Storage Company will assess the update proposals for the Storage Code based on the following criteria:

- a) Consistency with the amendments to the reference regulatory content and the principles of the Storage Code;
- b) Degree of improvement in functionality of the Storage Code;
- c) Extent of the implications on operational management of the Storage System;
- d) Impact on the Storage Company of the changes requested and the related timing for implementing changes with regard to processes, organisation and IT systems;
- e) Economic impact in terms of benefits, costs and possible investments.

In the event that a change request requires significant investments or increases in operating costs for its implementation, the Storage Company will note these economic aspects and the implementation timing in the document that it will submit to the Regulatory Authority for approval.

The updated Storage Code is published on the Regulatory Authority's website and becomes effective on the publication date.

The Storage Company updates and publishes the Storage Code on its website within 10 days of its publication by Regulatory Authority and, within the same deadline, sends the related communication to Shippers of the service.