

Legal Notice for ENTSGO Project Data Collection

TYNDP 2017

The Project Promoter, hereby acknowledges, confirms or undertakes as relevant¹:

- 1) that the Project is submitted in the name and on behalf of the Project Promoter as identified in this form;
- 2) that the only mission of ENTSGO, in the framework of the Projects data collection, is to provide the Data Portal for the data collection procedure, this mission including the issuance by ENTSGO of understandable explanation in the form of the Documentation Kit;
- 3) that ENTSGO has provided all necessary means within the Data Portal to enable the Project Promoter to monitor the integration of the Project submissions;
- 4) that it has read and understood the ENTSGO Documentation Kit on Project Submission and is aware of the consequences resulting from it;
- 5) that the related data hereby submitted is exhaustive, accurate and up-to-date at the moment of the data submission and that ENTSGO cannot be held liable for the failure of the accuracy, the correctness and/or the completeness of the data submitted via the Data Portal which is not attributable to ENTSGO. The Promoter consequently undertakes to indemnify, hold harmless and defend ENTSGO from and against any claim, demand, cause of action, expense or liability arising out of any not exhaustive, not accurate and not up-to-date data submission which was directly and solely attributable to the Promoter;
- 6) to submit and/or modify data during the scheduled data collection timeframe;
- 7) to actively monitor its data submissions and takes corrective actions in line with the automatic messages received within the Portal, resulting from the predefined Validation Rules (part of the Documentation Kit);

¹ This Legal Notice will have to be explicitly agreed upon by the Project Promoter by ticking a check box at the end of every Project Submission in the Project Data Portal.

- 8) to take corrective actions when ENTSOG contacts by e-mail the Promoter with explanation by ENTSOG of the observed inconsistency or error based on the part of the Monitoring Activities (part of the Documentation Kit) ENTSOG undertakes to check;
- 9) to be aware (i) how ENTSOG models the Promoter's topology in the network model, by checking the Report on Operator Topology and (ii) of the possibility to contact ENTSOG as defined in the Documentation Kit, should the topology deemed to be inappropriate;
- 10) to be aware of the result of its capacity submission before and after the application of the lesser-of-rule (LoR) by checking the Reports Capacities Before/After LoR. It will in particular actively monitor the projected capacities resulting from the Project Promoter's data submission within the Data Portal for the duration of ENTSOG data collection exercises and to take action in the form of coordinating with the adjacent operator(s) and/or adjusting the submitted data when deemed necessary by the Project Promoter and adjacent operator(s), in order to reduce as far as possible any mismatch in projected capacity between the Project Promoter and adjacent operator(s) if applicable;
- 11) that ENTSOG cannot be held responsible in any way whatsoever for any impacts which may derive from the decisions of any bodies/authorities taken on the basis of the analysis prepared by ENTSOG and realized with data submitted through the Data Portal;
- 12) that the registered User will be required to provide personal data for administrative purposes only and for the purposes of infrastructure project data submission related issues. Any personal data will be used by ENTSOG to the extent legally authorised and complying with the law. ENTSOG will not use any personal data supplied for the above purpose for any marketing or sales activities or release the data to a third party;
- 13) that the information related to CAPEX and OPEX of a project submitted by the Promoter will be treated as confidential by ENTSOG. These data will be used to calculate and publish in TYNDP aggregated cost information. The aggregation ensures that no individual project data can be identified in the publication. However, ENTSOG shall disclose such data if required by Court. In this case ENTSOG will inform as soon as possible the Promoter of that request and of the concerned data;

- 14) that any other information and data submitted through this Data Portal in the framework of Regulations 715/2009 and 347/2013 will be treated as non-confidential by nature, will be published in the TYNDP, as it has been the case during previous TYNDPs as well and could be transmitted to ACER, EC and NRAs as the case may be.