

SEGUNDA PARTE DE LA FASE DE OPOSICIÓN DEL PROCESO SELECTIVO DE PERSONAL LABORAL DE LA CNMC

Ejercicio escrito de la referencia DE-5

Duración del ejercicio: 2 horas y media.

Al terminar el ejercicio debe entregar el enunciado y el documento de consulta.

Se valorará la capacidad de interpretación de datos, de análisis de temas complejos y de expresión escrita.

PREGUNTAS

- I. En relación con las capacidades reservadas para la carga de cisternas que suministran a redes de distribución, y de acuerdo con la normativa aplicable a la gestión de congestiones y antia-acaparamiento de capacidad en el sistema de gas natural;
 - a. ¿La capacidad destinada a las plantas satélite de distribución debería tenerse en cuenta en los mecanismos de uso o pérdida de capacidad a nivel diario y de uso o pérdida de capacidad para productos de plazo superior? (10 PUNTOS)
 - b. ¿Por qué? (10 PUNTOS)
- II. Lea la siguiente consulta emitida por un regulador europeo sobre la aplicación de exenciones a una planta de gas natural licuado (GNL). **Con arreglo a la legislación europea, y suponiendo que la planta estuviese situada en un territorio de la UE**, responda las tres preguntas que se formulan más adelante. (Responda en español)

Glosario

- South Hook LNG Terminal Company Ltd (“SHT”)
- regulated Third Party Access (“rTPA”)
- Golden Pass LNG Project: Project for an Export LNG terminal (“Golden Pass”) in the United States of America (US)
- South Hook Gas (SHG): company that holds long-term contract primary rights of capacity in SHT.
- Owners of SHT of the Golden Pass LNG Project are Qatar Petroleum and ExxonMobil Corporation (“Sponsors”)

Datos sobre la consulta

- *SHT LNG facility commenced operations in 2009, and currently has an annual exempt send out capacity of 21bcm/yr for the base capacity. The exemption is equivalent to 650 GWh/d (~59 million cubic meters per day (mcm/d)), which amounts to 80% of its technical peak send-out capacity, 812.5 GWh/d (~74 mcm/d). South Hook estimates that this capacity has an availability of over 99%. The remaining 20% of technical send-out capacity is reported to have a lower availability and is currently used only for within-day operations. This capacity is not available for sale under long-term contracts as per the terms of SHT's current exemption. SHT plans to invest in its facility, with the aim of increasing the availability of the remaining 20% of its physical send-out capacity equating to 162.5 GWh/d (~15 mcm/d). Therefore, the Incremental Capacity under consideration is already available to SHT, however, they have advised that it needs to be reinforced to ensure availability is sufficient to form part of an integrated supply chain with Golden Pass.*
- *We understand that primary rights to this Incremental Capacity will be sold, under a new long-term contract, to South Hook Gas (SHG). This capacity is expected to be sold under similar terms as the existing capacity contract between SHT and SHG, which applies to the base capacity. SHT wishes to obtain an exemption for a period of 25 years from operating under an rTPA regime for the Incremental Capacity, which is currently estimated to be 3.9 MTPA of LNG (~162.5 GWh/d, or ~5.3 bcm/yr of natural gas).*
- *Whilst the aim of the investment is to improve the availability of this capacity, it is our understanding that the Incremental Capacity will have a lower availability than the current exempt capacity. Further, we understand that the terminal facilities associated with the Incremental Capacity will provide back up to the base capacity, should it be required. In other words, the base capacity will take precedence over the Incremental Capacity, and preference will be given to original primary capacity holders. This risk of operational disruption to the Incremental Capacity is acknowledged by the Sponsors.*
- *The Sponsors are two of the three owners of SHT, are also the owners of the Golden Pass terminal. This export terminal is due to be built in the US, and FID was taken in January 2019. The investment at SHT is considered necessary to provide the Sponsors with a guaranteed outlet for export volumes from the planned Golden Pass terminal.*
- *SHT has stated that without an exemption from rTPA, the investment to create the Incremental Capacity would not take place. In the absence of an exemption, they would have to offer the Incremental Capacity to the wider market, which would mean the*

Sponsors would not be able to guarantee an outlet for volumes from Golden Pass.

- *SHT has confirmed that unused capacity of the plant which is not sold on the secondary market will be offered to the market under Use it or Lose it arrangements.*
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1. ¿Cuáles son los criterios para solicitar una exención del Acceso de Terceros regulado? (10 PUNTOS)
 2. ¿Cree que se cumplen las condiciones para conceder una exención de la regulación de acceso de terceros en la ampliación de la planta de regasificación de SHT? (5 PUNTOS)
 3. ¿Cuál sería el impacto en la seguridad del suministro de energía y el impacto potencial de la exención para los intereses de la UE u otros Estados miembros? (5 PUNTOS)