





### Guideline: European ownership transfer of biomethane certificates via ERGaR CoO Scheme V1.0

(Guideline-ERGaR)

Gender-specific formulations are not used in order to ensure the readability of the document. Personal terms that are only used in the masculine form refer to men and women in the same way.

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### **Document management**

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# 1 European cross-border ownership transfers of biomethane

### 1.1 Background

European legislation calls on Member States to facilitate Europe-wide cross-border ownership transfers of renewable gases (biomethane). With the new edition of the European Renewable Energy Directive (EU) 2018/2001 (Renewable Energy Directive recast), more attention is being paid to the application of biomethane as a sustainable biofuel. The EU Directive also extends the origin of energy for end-customer disclosure to all energy sources.

In addition, with the entry into force of the Implementation Regulation (EU) 2020/2085, biomethane was recognised in the EU Emissions Trading Scheme for monitoring and reporting greenhouse gas emissions under the Monitoring and Reporting Regulation (EU) 2003/87 (MRR).

As a member of ERGaR aisbl, the European Renewable Gas Registry, AGCS is actively involved in the establishment of a pan-European cooperation exchange system (European Scheme) for the purpose of cross-border ownership transfer of biomethane certificates. ERGaR operates such an exchange system, the ERGaR Certificate of Origin (CoO) Scheme, which provides standardised settlement processes for transfers of ownership of harmonised information and details of certificates (attributes). AGCS has successfully completed the application process of the ERGaR CoO Scheme and is therefore a system participant of this exchange system. This provides the market participants of the Biomethane Registry Austria access to those national markets where national registries joined the same exchange system.

### 1.2 Guidelines on business and settlement processes

By connecting the Biomethane Registry Austria to the European cooperation exchange system (European Scheme) "ERGaR Certificate of Origin Scheme", AGCS enables Austrian market participants to carry out Europe-wide ownership transfers of biomethane certificates. The ERGaR CoO Scheme provides the set of rules for the design of the harmonised biomethane certificates and standardised business and settlement processes and provides an IT platform for the transfer of the corresponding biomethane certificates.

Neither the participating registry operators nor the European Exchange System operator shall own or influence the pricing of the relevant certificates of biomethane at any point during business and settlement processes for title transfers (ownership transfers) of biomethane certificates.

The respective registry operators point out that their function primarily serves to create a secure system for ownership transfer of biomethane certificates between two registry users which prevents double-counting of respective energy amounts. This enables trustworthy and transparent documentation of ownership of the green (and sustainable, if applicable) value(s) of renewable gases. By confirming acceptance by the buyer and booking the certificate to the buyer's account in the target registry, as well as cancellation from the database and the corresponding seller account of the source registry, the ownership transfer has taken place.

Thus, national energy suppliers, fuel suppliers and other end-users can meet their needs with foreign quantities of biomethane. It will also enable Austrian biomethane producers to market their biomethane products throughout Europe (to those markets participating in the exchange scheme). AGCS provides market participants with secure and standardised business processes with a transparent and efficient service.

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### 1.3 Mode of operation

The issuance of biomethane certificates remains a national process, which is carried out by the national biomethane registry of the respective country of production. In order to avoid any double counting of biomethane certificates, only such certificates may be marketed through an export process, which are not intended for national utilisation. In the case of an import process, it is the responsibility of the respective market participant and registry administrator to provide only those certificates that are not intended for national allocation/application.

Any transfer with another national registry is processed via a corresponding import account (in the case of import to Austria) or via an export account (in the case of export from Austria) in the Biomethane Registry Austria.

When importing a certificate into the Biomethane Registry Austria, the certificate undergoes a qualified verification by the registry operator before it is actively offered to the recipient by means of the transfer function. Only upon active acceptance of the offered certificate, the final ownership transfer from the import account to the participant account takes place to complete the ownership transfer. The same functions (transfer, splitting, cancellation) are available for Austrian biomethane certificates as well as for imported biomethane certificates. In case of final use of the imported biomethane, the biomethane certificate has to be cancelled by the end user. After the cancellation process, the certificate owner can request the registry operator to provide a printed and signed cancellation statement. Such a cancellation statement can be used by the owner for further documentation requirements for the annual report, auditing, biomethane fueling, application for statutory refunds and compensation, etc. - as well as for other purposes.

To perform an export of an Austrian biomethane certificate from the database of the Biomethane Registry Austria, the certificate owner initiates the ownership transfer by means of the "transfer function" to the dedicated export account labelled "ERGaR\_CoO". The certificate undergoes a qualified verification by the registry operator before the cross-border transfer via the ERGaR CoO scheme is initiated. The source registry is informed by AGCS and will actively offer the certificate to the target trader (the potential buyer/recipient of the certificate). The ownership transfer is performed only upon acceptance by the target trader in the target registry. AGCS is informed. The blocked biomethane certificate is finally cancelled from the database of the Biomethane Registry Austria by the registry operator via the cancellation function. The certificate is thus withdrawn from the Austrian market.

### 1.4 AGCS Gas Clearing and Settlement AG

AGCS Gas Clearing and Settlement AG is the balancing group coordinator (clearing agency) for the Austrian gas market (market area east) and is in operation since the liberalisation of the Austrian gas market in 2002. As such, AGCS is responsible for the procurement of imbalance energy and the financial and technical clearing of the imbalance energy market with the utility balance groups.

Since the Renewable Electricity Act 2012 (Ökostromgesetz, ÖSG) came into force, the balance group coordinator has been responsible to issue unique identification for renewable energy amounts from biomethane which is injected into the Austrian gas grid. To fulfil this obligation, AGCS has been operating the Biomethane Registry Austria.

Biomethane certificates are issued based on feed-in measurement data (from metering values) from distribution system operators which deliver these data to the balancing group system. In the month following the production period, the injection values for each plant are accessible to the Biomethane Registry and the biomethane certificates are being issued. Functions and market rules can be found in the General Terms and Conditions of the Biomethane Registry Austria (GTC-Biomethane).

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The IT-supported system of the registry is designed to meet the diverse requirements of the market participants. For example, individual biomethane certificates can be provided incorporating auditing reports. Irrespective of the specific utilisation, the respective biomethane certificates must be cancelled (decommissioned) after their utilisation, thus making them inaccessible for another utilisation.

The biomethane certificate system provides the Austrian energy market a system of traceable, secure documentation of the ownership transfer of biomethane certificates (energy quantities from biomethane).

### 1.5 Association ERGaR aisbl - European Renewable Gas Registry

ERGaR aisbl, the European Renewable Gas Registry (<a href="www.ergar.org">www.ergar.org</a>), is a non-profit, non-governmental association based in Brussels, founded in September 2016 by registry operators of established national biomethane registries.

ERGaR's mission is to enable the cross-border ownership transfer of biomethane certificates between established registries within Europe. For this purpose, a future-oriented, centralised pan-European cooperation exchange system (European Scheme) for the standardised exchange of biomethane certificates was established, which is based on the harmonisation of internal, organisational, and technical settlement processes of all participating national registries.

## 1.6 European Cooperation Exchange System - ERGaR Certificate of Origin Scheme

The association ERGaR acts as operator of the "ERGaR Certificate of Origin Scheme", a harmonised, European cooperation exchange system (European Scheme), which offers on the one hand the set of rules (ERGaR Scheme Rules, ERGaR Participation Agreement) for standardised settlement processes and on the other hand the IT-technical solution (ExtraVert platform) for the transfer of certification of origin and thus the ownership transfer. This exchange system provides the prerequisite for secure and reliable transfer processes, which are handled across national borders. The ERGaR Certificate of Origin Scheme provides a transparent documentation system for the movement of renewable gases along the European interconnected gas network based on established national biomethane registry systems. Participation by registry operators and use by market participants is voluntary.

More detailed information on the ERGaR Certificate of Origin Scheme, including the Scheme Rules and a list of participating national biomethane registries (System Participants) can be found on the ERGaR website (www.ergar.org).

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# 2 Business processes for European cross-border ownership transfers of biomethane certificates via

### 2.1 Organisational prerequisites

The following settlement processes for ownership transfers (imports and exports) and the respective requirements are defined in the rules of the ERGaR Certificate of Origin and the General Terms and Conditions for Business of the AGCS Biomethane Registry Austria.

- Business partners/market participants (seller and buyer) shall conclude contractual, legal, and financial agreements outside the registry without the involvement of the registry operators. It is recommended that the relevant quality criteria of the biomethane product are already agreed upon when concluding the contract.
- Business processes
  - Only such biomethane certificates which meet the provisions of the European ownership transfer will be transferred.
  - ◆ The corresponding attributes are described in the criteria catalogue, which can be viewed on the website of the Biomethane Registry Austria (www.biomethanregister.at).
  - ◆ Certificate transfers are executed during office hours of AGCS and the respective partner registry (excluding public holidays in the respective country) within ten working days
  - For the completion of the European ownership transfer of biomethane certificates, an active involvement of the market participants (seller and buyer) is necessary, which requires a coordination between the seller and the buyer for the timely settlement. Otherwise, the transfer may be automatically reversed in accordance with the ERGaR Certificate of Origin Scheme Rules and the applicable Biomethane T&C. The deadlines in such cases can be found in the respective rules and regulations of the corresponding registries.
  - Requirements for exports from the Biomethane Registry Austria:
    - \* Specific master data of the biomethane plant (generation unit) must be provided as part of the registration with the Biomethane Registry Austria to enable a European ownership transfer (export). This includes e.g.: Technology, investment and production subsidies, commissioning date, production capacity.
    - \* Specific master data of the seller must be provided as part of the registration in the Biomethane Registry Austria to enable a European ownership transfer. This includes e.g.: Name and company name of the owner, address including street, number, postal code, city, and country.
    - \* Specific certificate attributes have been harmonised for European ownership transfers, such as: Biomass and Substrate Information or Sustainability Criteria. This information has to be entered by an authorised auditor into the certificate details of the registry system.
    - \* Specific information about the (potential) buyer, such as contact details, address, and ID number in the target register, is a prerequisite for carrying out a European ownership transfer. This information is to be entered by the seller into the transfer mask in the registry system.

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- \* The corresponding biomethane certificates to be transferred shall be notified by the certificate owner (seller) with the note "European ownership transfer + country code" into the data field "purpose" of the certificate details before the transfer. Likewise, information on the buyer/recipient of the certificate can be entered into the data field "consumer".
- \* Registry account holders/owners and auditors of biomethane certificates are responsible for ensuring the accuracy of the information on the respective biomethane certificate.
- General requirements for exports via the ERGaR CoO Scheme:
  - The Seller shall have biomethane certificates available on their which comply with the quality criteria of the relevant requirements of a European ownership transfer and those of the recipient (potential buyer).
  - ◆ The seller is informed about the account details of the (potential) buyer in the target registry.
  - ◆ The European transfer of ownership can be initiated by the AGCS registry user at any time in the registry system by transfer to ERGaR export accounts (ERGaR\_CoO).
- Requirements for imports via the ERGaR CoO Scheme to the Biomethane Registry Austria:
  - ◆ The buyer in Austria is registered in the AGCS Biomethane Registry Austria with an account and has submitted his account details to the seller in the source registry.

## 2.2 Audit reports and annotations, biomass and sustainability information

The results of audits (audit reports, audit annotations, Proof of Sustainability) may be added to a biomethane certificate in the registry by the authorised auditor to compliance with the respective quality criteria. Audited data remains available in the biomethane certificate during cross-border title transfers. For the entry of audited data, three attribute blocks are available (see Figure 1):

- Generic information: e.g., country of origin, production plant type, injection into the gas grid
- Information to biomass and substrates (via the European exchange system ERGaR CoO scheme)
- Information on sustainability criteria (via the European exchange system ERGaR CoO scheme AND for the national biofuel quota tracked via elNa biofuel registry)

Details on audited data are provided in the "Guideline-criteria catalogue" which is available on the website <a href="www.biomethanregister.at">www.biomethanregister.at</a>.

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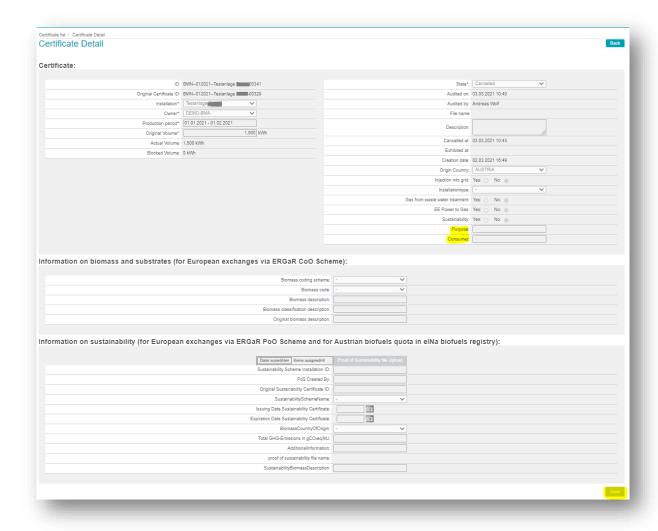


Figure 1: View of "certificate details" with information on certificate attributes

#### 2.3 Description of settlement processes

The corresponding respective business and settlement processes to perform cross-border ownership transfers of biomethane certificates between market participants of the Biomethane Registry Austria (beyond the system boundaries) are described in detail in the "Guideline-Business Processes" which is available on the website www.biomethanregister.at.

The present Guideline on business and settlement processes offers the market participants of the Biomethane Registry Austria a comprehensible presentation of all necessary steps for the process settlement for ownership transfers of biomethane certificates between European market participants.

# 2.4 Exports: European cross-border ownership transfers from the Biomethane Registry Austria to a connected partner registry

 To initiate the European ownership transfer of a biomethane certificate, the seller (Austrian market participant) uses the transfer function and enters the necessary transfer data in the transfer mask.

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- The seller transfers the respective biomethane certificate to the export account labelled "ERGaR\_CoO" and chooses the "target registry" from the drop-down lists. The current list of connected partner registries which may be chosen as "target registry" are available via a dropb-down menu in the registry system and is also made publicly available on the website <a href="https://www.biomethanregister.at">www.biomethanregister.at</a>.
- Specific information about the (potential) buyer, such as contact details, address, and ID number in the target register, is a prerequisite for carrying out a European ownership transfer and has to be entered by the seller into the transfer mask in the registry system.
  - ◆ ID of the registered account of the target trader (= potential buyer) in the target registry
  - Contact data of the target trader: name and address, including street and number, postal code, city and country;
- European cross-border ownership transfers are processed in the unit MWh, for which
  the registry system performs an automatic validation. Therefore, only those energy
  amounts ("Transfer Volume") are accepted for a European transfer which represent an
  integer in the unit MWh. The specified "Transfer Volume" in kWh must have the digit
  zero as the last three digits.
- The biomethane certificate is now checked by the registry operator for criteria for European ownership transfer. The target registry will too perform a plausibility check.
  - In the meantime, the corresponding energy amount remains blocked in the system and indicated in the field "Blocked Volume". This prevents any potential double counting or use of the respective energy amounts from biomethane (biomethane certificates).
  - If the validation result is negative, the transfer will be rejected, and the certificate is released again to the seller's account.
  - If the validation result is positive, the transfer will be accepted in the registry system, after which the seller does no longer have access to the concerned certificates. They remain "blocked" until the transfer process is completed.
- After a positive result, the registry operator prepares the biomethane certificate for export and contacts the target registry. The target registry will offer the certificate to the target trader (potential buyer) who has the chance to review the certificate and its attributes.
  - If the biomethane certificate is rejected by the potential buyer, the settlement process will be reversed and the biomethane certificate will be released by the Biomethane Registry Austria to the seller's account.
  - If the biomethane certificate is accepted by the buyer, it will be available on the buyer's account.
- Following the acceptance of the buyer, the ownership transfer takes place.
  - There are no further actions to be taken by the seller.
  - From this point on, the target trader in the target registry can make use of the certificate completely and without restrictions.
  - The original certificate is cancelled from the database of the Biomethane Registry Austria. The cancellation statement is provided to the target registry as proof for the withdraw of the energy amount from the database of the source registry.

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## 2.5 Imports: European cross-border ownership transfers from a connected partner registry to the Biomethane Registry Austria

The market participant (seller) of a source registry initiates a cross-border ownership transfers. Please refer to the rules and regulations of the respective source registry for the description of the business and settlement processes of European cross-border ownership transfers on before importing into the Biomethane Registry Austria. A list of the national biomethane registries (system participants) participating in the ERGaR Certificate of Origin Scheme is available on the ERGaR website (<a href="https://www.ergar.org">www.ergar.org</a>).

On the part of AGCS Biomethane Registry Austria, the ownership transfer to the target trader (potential buyer) is carried out as follows.

- AGCS receives the data package (transfer data, properties, and attributes of the certificate, if applicable, audit reports) for the European ownership transfer and performs a verification for completeness, plausibility, correctness.
- At certificate generation, all information on audited data (up to 10 documents such as audit reports and Proof of Sustainability) are added to the respective biomethane certificate. AGCS accepts audit reports submitted by partner registries, adds them on their behalf to the generated certificate.
- The registry operator generates such certificates on a dedicated import account ("Import\_country code") and consequently offers the data package to the buyer's account.
- Whether the imported certificate is to be subjected to an inspection by an auditor before
  acceptance by the potential buyer, or whether the buyer considers the existing audit
  report to be sufficient, is a matter of decision of the potential buyer or the contractual
  relationship between seller and buyer.
- The entire data package (certificate including audit reports and Proof of Sustainability)
  may be inspected prior to acceptance by the potential buyer, or an auditor appointed by
  the potential buyer. The inspection by an auditor requires prior notification to AGCS so
  that the registry operator can assign the respective auditor to the respective certificate.
- Following, the offered biomethane certificate is either accepted or rejected by the buyer.
   In both cases, the partner registry is informed. Accordingly, the partner registry will cancel the certificates or, in the event of the transfer being repelled or in case of non-acceptance on the part of the buyer, the blocking of the certificates will be lifted.
- Upon acceptance of the certificate by the buyer (target trader), the ownership transfer takes place and the target trader may make use of the proof completely and without restrictions.
- The Biomethane Registry Austria will receive the cancellation statement issued by the source registry as proof of the final withdraw of the respective energy amount from the database of the source registry.

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### 3 Glossary

The terms below are defined as follows:

- "Additive" is a substance, such as propane, that may be added to upgrade biogas to natural gas standards for injection into the natural gas grid to adjust the calorific value to that of natural gas;
- "AF-AZ" is the application form for the assignment of auditors to specific biomethane production plants;
- "AF-BMA" is the contract application form for biomethane plant operators;
- "AF-FS" is the application form for granting access rights to users;
- "AF-GA" is the contract application form for auditors;
- "AF-RN" is the contract application form for registry users;
- "AF-VA" is the contract application form for biomethane electrification plant operators;
- "AGCS" is AGCS Gas Clearing and Settlement AG, 1090 Wien, Alserbachstraße 14-16, FN 217593s;
- "Biomethane" is a biogas upgraded to natural gas standards within the meaning of the applicable statutory provisions and of the standards issued by Österreichische Vereinigung für das Gas- und Wasserfach (Austrian Association for Gas and Water);
- "Biomethane plant operator" is an operator of a biogas [biomethane] injection plant within the meaning of § 21 (1) ÖSG 2012;
- "Biomethane electrification plant operator" (Verstromungsanlagenbetreiber) is an operator of a biogas electrification plant within the meaning of § 7 (1) (1 to 3) ÖSG 2012;
- "Injection month" is the period that commences with the start of the first gas day of a calendar month and ends with the start of the first gas day of the subsequent calendar month;
- "elNa" is the web application operated by Umweltbundesamt GmbH (Austrian Environmental Agency) for monitoring the pre-tax transactions in sustainable biofuels of Austrian companies. elNa serves to meet the statutory requirements for the collection of data of all sustainable biofuel flows in Austria;
- "User with access rights" is an authorised person within the meaning of clause Fehler!
   Verweisquelle konnte nicht gefunden werden. who, after having duly submitted the AF-FS, is granted electronic access to the registry account of the respective account holder by the registry operator;
- "FQD 2009" is the Fuel Quality Directive (EU) 2009/30; amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC
- "Gas day" is the period that commences at 6.00 a.m. of a calendar day and ends at 6.00 a.m. of the subsequent calendar day within the meaning of § 2 (7) Gas Market Model Regulation (Austria) 2012;
- "Auditor" is a natural person or legal entity or a partnership within the meaning of § 8 (3), third sentence, ÖSG 2012, who is a certified public accountant, civil engineer, court-certified expert, or an engineering firm specialised in electrical engineering, mechanical engineering, combustion engineering, plant engineering or chemistry, and is eligible as a technical expert within the meaning of § 21 (1) ÖSG 2012;
- "GMMO-VO 2012": Regulation issued by the management of E-Control for the regulation of the Gas Market Model 2012 (GMM-VO 2012), Federal Law Gazette II No. 171/2012 as amended;

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- "G-KenV": Regulation issued by E-Control for the regulation of gas consumer disclosure and for the guarantee of origin by the primary energy carrier (Gaskennzeichnungsverordnung 2019 G-KenV 2019), E-Control ordinance on gas labelling and disclosure), Federal Law Gazette II No 275/2019, as amended;
- "GWG 2011": Federal Act introducing new regulations for the natural gas market (Gaswirtschaftsgesetz 2011 – GWG 2011), Federal Law Gazette I No 107/2011 as amended;
- "KVO 2012": Fuel Regulation 2012 (Austria), Regulation issued by the Federal Minister for Agriculture and Forestry, Environment and Water Management on the quality of fuels and the sustainable use of biofuels (Kraftstoffverordnung 2012 – KVO 2012), Federal Law Gazette II No 398/2012 as amended;
- "Sustainability criteria" within the meaning of Article 25 to 31 of Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources OJ L 328 of 21 December 2018, p. 82-209, as amended;
- "Ökostromabwicklungsstelle" (Green Power Settlement Agent (OeMAG)) is the
  organisation commissioned by the Federal Minister for the Economy and Labour to act
  as clearing and settlement agent for green electricity;
- "ÖSG 2012": Federal Act on subsidies for electricity generation from renewable energy carriers (Green Electricity Act 2012 – ÖSG 2012), Federal Law Gazette I No 75/2011 as amended;
- "RED I": Directive (EU) 2009/28/EU of the European Parliament and of the Council of 23
  April 2009 to promote the use of energy from renewable sources and amending and
  subsequent repeal of Directive (EU) 2001/77 and (EU) 2003/30, OJ L 315 of 14
  November 2012, page 1 to 56 (Renewable Energy Directive), as amended;
- "RED II" Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources OJ L 328 of 21 December 2018, p. 82-209, (Renewable Energies Directive recast), as amended;
- "Registry operator" is AGCS Gas Clearing and Settlement AG in its function as the operator of Biomethane Registry Austria.
- "Registry account holder/account holder" is a contractual partner of the registry operator that may be a biomethane plant operator, biomethane electrification plant operator, registry user or an auditor;
- "Registry users" are all contractual partners of the registry operator who are not biomethane plant operators, biomethane electrification plant operators, auditors or the Green Power Settlement Agent;
- "Tax Reform Act": Federal Act amending the Income Tax Act 1988, the Corporation Tax Act 1988, the Reorganisation Tax Act 1994, Austrian Fees and Duties Act 1957, Land Transfer Tax Act 1987, Insurance Tax Act 1953, Motor Vehicle Tax Act 1992, Electricity Tax Act, Natural Gas Tax Act, Energy Tax Refund Act, Standard Fuel Consumption Tax Act, Federal Tax Code, Federal Financial Court Act, Mutual Administrative Assistance Implementation Act, Alcohol Excise Tax Act, das Tobacco Tax Act 1995, Mineral Oil Tax Act 1995, Tobacco Monopoly Act 1996, Hallmarking and Inspection of Precious Metal Objects 2000, Residential Construction Subsidies Act 2018, Social Insurance (Small-Scale Industry) Act, Farmers' Social Insurance Act and Financial Equalisation Act 2017 (Tax Reform Act 2020 2020), Federal Law Gazette I No 103/2019, as amended;
- "Participants" are all contractual partners of the registry operator that are biomethane plant operators, biomethane electrification plant operators, registry users, auditors, or the Green Power Settlement Agent (OeMAG).

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