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DECISION

no. 460/09.06.2005

regarding the change of the General Conditions of contracting the natural gas distribution services

Taking into consideration the provisions of the National Regulatory Authority in Natural Gas Sector president's Decision no. 1078/18.12.2003 regarding the authorization of the Criteria and methods for the prices' approach and the establishment of the tariffs within the natural gas sector, with its further changes,

Based on the provisions of art. 10 paragraph. (4) and (5) from Gas Law no. 351/2004,
The president of the National Regulatory Authority in Natural Gas Sector issues the present decision.

Art. I - Annex - „ GENERAL CONDITIONS OF CONTRACTING the natural gas distribution services,, to the National Regulatory Authority in Natural Gas Sector president's Decision no. 309/30.03.2005, published in Monitorul Oficial of Romania, Part I, no. 295 from April, the 8th 2005, is being changed as follows:

1. Letter b) of Letter C from point 1 in Chapter II - „Supplier's rights and obligations" is being changed and shall have the following content:
„b) the breach of the natural gas distribution program, annex no. 1 to the agreement of distribution for natural gas - specific contracting clauses; in such case, the limitation shall apply for the place of consumption where the exceeding was registered;"
2. Letter c) within point 1 in Chapter III - „ Beneficiary's rights and obligations" is being changed and shall have the following content:
„c) to request from the supplier, in exchange for a charge, the interruption of distribution of natural gas, in case the interruption concerns its installations' operation in safe conditions, by a prior notification sent to the supplier at least 15 calendar days before the interruption's date, stipulating, as well, the date of the distribution service's restart
".
3. Points 4 and 5 within Chapter IV - „Natural gas distribution service's performance conditions,,is being repealed.
4. Point 6 within Chapter IV - „ Natural gas distribution service's performance conditions" becomes point 4.
5. Chapter V - „Contractual liability" is being changed and shall have the following content:
„1. In case of unauthorized consumption of natural gas, observed by the competent bodies, the beneficiary shall owe interest-damages to the supplier, according to the caused prejudice, under the legal conditions in force.

6. The level of the interest-damages provided in point 1 may not be lower than a value equal to the equivalent of natural gas quantity's equivalent, calculated to the maximum utilizable discharge, for 24 hours, for a period of 3 months".

Art. II - The National Regulatory Authority in Natural Gas Sector' divisions, as well as the parties in the natural gas distribution agreements shall fulfill the present decision's provisions.

Art. III - The present decision is published in Monitorul Oficial of Romania, Part I and comes into force on the date of June, the 11th 2005.

**PRESIDENT,
NATIONAL REGULATORY AUTHORITY
IN NATURAL GAS SECTOR
STEFAN COSMEANU**