Courtesy translation – NOT LEGALLY BINDING

Grand Ruling Chamber for Energy

Reference: GBK-24-02-2#3

Decision

In the administrative proceedings pursuant to section 29 in conjunction with sections 21 and 21a of the Energy Industry Act (EnWG)

relating to the **Determination on a methodology for calculating the base level for gas distribution and transmission system operators (GasNEF)**

the Grand Ruling Chamber for Energy of the Bundesnetzagentur für Elektrizität, Gas, Telekommunikation, Post und Eisenbahnen, Tulpenfeld 4, 53113 Bonn,

represented by

its Chair	Klaus Müller,
its Vice Chair	Barbie Kornelia Haller,
its Vice Chair	Dr Daniela Brönstrup,
its Vice Chair	Dr Christian Schütte,
its Vice Chair	Achim Zerres,
and its Vice Chair	Anne Zeidler

in summoning

Lichtblick SE, Klostertor 1, 20097 Hamburg, legally represented by its management board,

- party summoned –

decided on 8 December 2025:

1. Addressees

[1]This determination is addressed to all operators of gas distribution systems as defined in section 3 para 8 EnWG[1] and operators of gas transmission systems as defined in section 3 para 5 EnWG[2] (network operators within the meaning of this determination).

2. Scope

[1]The determination regulates

a) the method for setting the base level for setting revenue caps in incentive regulation in accordance with the RAMEN determination[3] as from the fifth regulatory period (which begins on 1 January 2028) by means of a cost examination using 2025 as the base year and

b) the method for determining the network costs as the basis for approving the network access tariffs (tariff approval) in accordance with section 23a (EnWG) as from 2028.

[2]If tariffs are examined as set out in section 110(4) EnWG, the rules of operative part 3.3 sentence 2 and operative parts 4 to 13 apply accordingly.

[1] Section 3 para 14 EnWG in the draft Act amending energy industry law to strengthen consumer protection in the energy sector and amending other provisions of energy law, Bundesrat printed paper 383/25.

[2] Section 3 para 11 EnWG in the draft Act amending energy industry law to strengthen consumer protection in the energy sector and amending other provisions of energy law, Bundesrat printed paper 383/25.

[3] References to RAMEN in this determination are to the RAMEN Gas determination as last amended.

3. Calculating network costs by means of cost examination

3.1

For setting the base level and approving the network access tariffs in accordance with section 23a EnWG, the network costs must be calculated using a cost examination as set out in operative parts 4 to 13 of this determination.

3.2.

[1]The cost examination for calculating the base level is conducted using the base year of the RAMEN determination (GBK-24-01-3#3). [2]Predicted costs cannot be taken into account.

3.3.

[1]For a network operator for which a revenue cap for the calendar year cannot yet be determined in accordance with the RAMEN determination (GBK-24-01-3#3), the cost examination for the tariff approval under section 23a EnWG is conducted on the basis of the data from the last full financial year. [2]Reliable findings regarding the budget year may be taken into account.

4. Principles of calculating network costs

4.1.

[1]Costs of network operation must be recognised in line with the basic principles set out in operative part 5.1 of the RAMEN determination. [2]On the basis of the income statements for gas distribution or transmission for the last full financial year pursuant to section 6b(3) EnWG under operative part 3, an imputed cost statement is to be prepared to calculate the network costs. [3]Up until the first-time preparation of the relevant income statement in accordance with section 6b(3) EnWG, the determination of network costs must be based, in derogation from sentence 2, on income statements for the last full financial year that are limited to the activity areas of gas distribution and transmission respectively and have been prepared according to the principles of German commercial law.

4.2.

[1]Having regard to operative part 4.1 sentences 1 and 2, the network costs are composed of the sum of the capital costs (CAPEX) and the operating costs (OPEX). [2]Capital costs are the imputed depreciation set out in operative part 9, the imputed return on total capital described in operative part 10 and the imputed trade tax under operative part 12 minus cost-reducing

income on the basis of the construction cost and investment grants and network connection cost contributions calculated pursuant to operative part 13. [3]Operating costs are the network operator's remaining costs and revenue or earnings. [4]Capital costs of the lessor pursuant to operative part 5 are considered capital costs within the meaning of sentence 2. [5]Capital costs of a service provider under operative part 6 are considered operating costs within the meaning of sentence 3.

4.3.

[1]Direct costs of the network are to be allocated directly to the network. [2]Costs of the network that cannot or only with an unreasonable amount of effort can be allocated directly as direct costs are to be allocated to the gas distribution or transmission network as indirect costs using a cost-reflective classification. [3]The underlying allocation must be appropriate and in compliance with the principle of consistency. [4]The allocation must be fully documented in a manner comprehensible for any competent third party. [5]An allocation may be changed only to the extent this is objectively required. [6]The main reasons for this must be fully documented in a comprehensible manner.

5. Transfer of operationally necessary fixed assets

[1]Costs or cost components that arise on the basis of a transfer of operationally necessary fixed assets must be taken into account in the calculation of network costs as set out in the following sentences. [2]The costs may be recognised as costs only in the amount in which they would arise if the operator were the owner of the assets. [3]The network operator must provide evidence of these individual costs and replace the costs attributable to this in the network operator's income statement. [4]The starting point for the calculation of the costs is the lessor's income statement for gas distribution or transmission pursuant to section 6b(3) EnWG; the cost examination is also conducted in line with operative parts 3 to 13. [5]The lessor's current outlay costs can only be recognised as distinct from services in accordance with operative part 6 to the extent that they are related to the transfer of the fixed assets.

6. Services

[1]Costs or cost components for services provided by companies to a network operator must be taken into account in calculating network costs in accordance with the following sentences. [2]Costs can be recognised at most in the amount actually incurred when applying the principles of calculating network costs within the meaning of this determination and they are in line with

market conditions. [3]The costs attributed to service in the network operator's income statement form the upper limit. [4]Profit markups by service providers from a vertically integrated undertaking cannot be recognised.

7. Current expenses

[1]Current expenses are to be taken from the income statements for gas distribution or transmission prepared in accordance with section 6b(3) EnWG and considered in the calculation of network costs in line with operative parts 4 to 6.

[2]Cost items that are regularly and completely offset by other mechanisms or over time cannot be recognised under network costs, neither under costs nor under revenue or income.

[3]Interest paid and interest income must not be included in the current expenses and income. [4]This is without prejudice to the determination and adjustment of cost components not subject to efficiency benchmarking under operative part 7 as well as volatile costs under operative part 8 of the RAMEN determination. [5]Disposals of fixed assets can be recognised in the network costs for determining the base level with their imputed residual values of the base year; revenue and income associated with the disposal of assets are to be deducted from the network costs.

8. Converting the assessment of tangible fixed assets to general price level accounting

[1]At the start of the fifth regulatory period there will be a change to the capital maintenance model for existing tangible fixed assets (capitalised before 1 January 2006) based on the following guidelines. [2]In the base year of the fifth regulatory period (2025), the equity-financed portion of the existing tangible fixed assets will be assessed for the last time for the cost of replacement in accordance with section 6(2) and (3) and (6a) of the Gas Network Tariffs Ordinance (GasNEV). [3]The equity-financed portion is 40%. [4]From this time on the imputed residual values calculated on this basis will be used for the imputed assessment of fixed assets in accordance with operative parts 9 and 10. [5]New plants and the debt-financed portion of existing assets are assessed on the basis of the acquisition and production costs in accordance with operative part 9. [6]The debt-financed portion is 60%.

9. Imputed depreciation

9.1.

[1]To ensure an efficient and reliable network operation, the decrease in value of the operationally necessary fixed assets, including the operationally necessary intangible assets, is to be considered as a cost item in the calculation of the network costs (imputed depreciation) based on the following rules. [2]The imputed depreciation must replace the corresponding balance-sheet depreciation of the income statement in the imputed cost accounting. [3]The imputed depreciation must be calculated in accordance with the straight-line depreciation method, starting from the respective initial historical acquisition and production costs; this is without prejudice to the rules of operative part 8. [4]Investment grants may be deducted from the asset side of acquisition and production costs determined in accordance with sentence 3.

[5]As an alternative to the straight-line method of depreciation under sentence 3 the imputed depreciation can be determined using the declining balance method of depreciation and a depreciation rate ranging from 8% to 12%. [6]In order to determine when to switch from the declining balance method of depreciation to the straight-line method of depreciation towards the end of the depreciation period the end of the useful life must be determined as set out in operative part 9.2 sentences 2 and 3 once the declining balance method of depreciation is used. [7]The switch from the declining balance method of depreciation to the straight-line method of depreciation is made as soon as the straight-line depreciation calculated in accordance with the sixth sentence using the residual value of the previous year is larger than the declining balance depreciation determined in accordance with the fifth sentence. [8]The rate of depreciation for declining balance depreciation must be reasonably proportionate to the remaining useful life although a combination of a declining balance depreciation and a useful life end date of, for example, 2045 is generally possible. [9]Key to the justification of the rate of depreciation for declining balance depreciation are in particular the exogenous framework conditions, for example in the form of a volume forecast. [10]The imputed depreciation must be calculated for a year. [11]This must be based on receipt of the asset on 1 January of the year of acquisition.

9.2.

[1]The imputed depreciation must be calculated for each asset annually on the basis of the respective average useful life as set out in Annex 1. [2]In derogation of Annex 1 the shortest average useful life of fixed assets in gas supply that can be chosen for any asset group is 2035

minus t years where t is the year of initial capitalisation. [3]Sentence 2 does not apply where the shortest average useful life for an asset group as listed in Annex 1 is shorter than the useful life in accordance with sentence 2. [4]A useful life end date before 2045 can generally only be applied where and as far as federal state requirements exist for a network operator's network area to reduce greenhouse gas emissions with the aim of net greenhouse gas neutrality as in section 3(2) of the Federal Climate Change Act (KSG), but for a date earlier than 2045, or corresponding requirements exist for a network operator as a result of a municipal decision or comparable external framework conditions. [5]Operative part 9.1 sentences 5 to 9 and operative part 9.2 sentences 2 to4 do not apply to I.4 (administrative buildings), I.6 (fixtures and fittings (without IT, tools/devices) and telecommunications switching equipment), I.9 (IT equipment) or VII (LNG connection assets) in Annex 1.

9.3.

[1]The imputed residual value of any asset at the end of the original depreciation period is zero. [2]Any revival of imputed residual values is not permitted. [3]If the original depreciation arrangement (depreciation methods or useful lives) changes during the utilisation, it must be ensured that the calculation basis does not increase. [4]Any change to the depreciation arrangements still requires justification.

[5]In such a case, the respective residual value of the economic asset at the time of conversion of the depreciation arrangements forms the basis of the further depreciation. [6]There is no depreciation to a value below zero. [7]The prohibition of depreciation to values below zero applies irrespective of any changes in ownership or creation of any obligations. [8]When calculating the depreciation of fixed assets, network operators are bound to the residual values used by the regulatory authority in a final decision on the approval of network tariffs or setting revenue caps for an earlier regulatory period.

9.4.

[1]To make it possible to identify the depreciation arrangements, network operators must create tangible fixed asset identification numbers for all fixed assets. [2]An asset group of an acquisition year allocated a specific depreciation arrangement is initially assigned a unique identification number. [3]Once an identification number has been assigned, it is retained and is not reassigned. [4]A new identification number is therefore assigned if a different depreciation arrangement is used for part of an asset group already assigned an identification number. [5]Network operators are free to create network identification numbers to identify groups of different depreciation

arrangements and/or different assets, for example for specific municipalities or network sections.

10. Imputed return on total capital

[1]The network operator's imputed return on total capital is derived from the interest basis multiplied by a weighted average cost of capital (WACC). [2]Detailed rules on the methodology and calculation of the WACC to be used for the base level will be set out in a methodology determination under section 21(3) sentence 4 para 1a) EnWG.

[3]The interest basis is the network operator's necessary assets from which the remainder of construction cost contributions, investment grants and network connection cost contributions are deducted; for investment grants this applies only to the extent that there is no offsetting on the asset side in accordance with operative part 9.1 sentence 4. [4]The operationally necessary assets result from the sum of the

a) imputed residual value of the tangible fixed assets, assessed in accordance with operative parts 8 and 9, including advance payments and construction in progress

b) operationally necessary land at acquisition cost

c) residual values of the operationally necessary intangible assets, assessed in accordance with operative part 9 including payments on account

d) balance-sheet values of the operationally necessary inventories, materials and supplies

e) imputed values of the current operationally necessary assets in accordance with sentence 7.

[5]In each case, the average of the amount at the beginning and at the end of the year must be recognised. [6]When calculating the opening stock of the fixed assets under construction and advance payments made, any reclassifications made to completed tangible fixed assets must be taken into account and deducted accordingly from the opening stock.

[7]The operationally necessary current assets are one twenty fourth (1/24) of the audited network costs of the respective base year.

11. no content

12. Imputed trade tax

[1]Within the context of calculating network costs, any trade tax appropriately allocable to the network area is recognised as an imputed cost item. [2]For this purpose the equity return in the imputed return on total capital as referred to in operative part 10 is multiplied by the trade tax rate. [3]The rate of trade tax is the product of the index rate and the rate of assessment for trade tax in the base year.

13. Cost-reducing revenue and income

[1]Other revenue and income must be deducted from network costs to the extent they are objectively allocable to network operation and are derived in particular from the items

a. own work capitalised;

b. network connection cost contributions;

c. contributions to construction costs;

d. investment grants or

e. other income and revenue

of the network-related income statement. [2]Income under section 140 of the Telecommunications Act (TKG) is objectively not allocable to network operation. [3]The construction cost contributions, network connection cost contributions and investment grants paid by connection owners must be amortised on a straight-line basis over a period of 20 years and recognised annually with cost-reducing effect. [4]Sentence 3 does not apply to investment grants that have been deducted on the asset side in accordance with operative part 9.1 sentence 4. [5]By way of derogation from sentence 3, the amortisation of construction cost contributions, network connection cost contributions and investment grants can be applied in line with the depreciation arrangements in operative part 9.1 sentences 5 to 9 and operative part 9.2 sentences 2 to 4.

14. Inter-period offsetting

[1]Where network tariffs are not determined using incentive regulation in accordance with section 21a EnWG, network operators are obliged, after the end of a calculation period, to determine the difference between

1. the revenue generated from network tariffs in this calculation period and

2. the network costs upon which the calculation period is based in accordance with operative parts 3 et seq.

[2]If the revenue pursuant to sentence 1 para 1 exceeds the costs pursuant to sentence 1 para 2, the difference plus any interest at the rate set out in operative part 14.4 of the RAMEN determination on the average amount committed is to be recognised with cost-reducing effect. [3]If the revenue pursuant to sentence 1 para 1 is less than the costs pursuant to sentence 1 para 2, the difference plus any interest at the rate set out in operative part 14.4 of the RAMEN determination on the average difference amount is to be recognised with cost-increasing effect. [4]Any offsetting must occur over each of the following three calculation periods. [5]The average amount committed pursuant to sentence 2 is half of the difference from the revenue realised pursuant to sentence 1 para 1 and the costs to be covered pursuant to sentence 1 para 2. [6]The average difference amount pursuant to sentence 3 is to be half of the difference from the costs to be covered pursuant to sentence 1 para 2 and the revenue generated pursuant to sentence 1 para 1.

15. Applicability of procedural requirements

The procedural requirements in operative part 9.4 do not affect the administrative proceedings of the federal state regulatory authorities and apply solely to network operators within the meaning of operative part 1 that fall under the responsibility of the Bundesnetzagentur in accordance with section 54(1) and (2) EnWG.

16. Payment of costs

No fees are payable for the decision.

Annex 1 GasNEF: asset groups and useful lives

Asset groups		**Useful lives (years)**
I	**General assets**	
I.1	Land	None
I.2	Property facilities, building and structures for transport, other buildings	20-35
I.3	Industrial buildings	50-60
I.4	Administrative buildings	60-70
I.5	Railway tracks, railway wagons	23-27
I.6	Fixtures and fittings (without IT, tools/devices); telecommunications switching equipment	8-10
I.7	Tools/devices	10-18
I.8	Storage facilities	14-25
I.9	**IT equipment**	
I.9.1	Hardware	4-8
I.9.2	Software	3-5
I.10	**Vehicles**	
I.10.1	Light vehicles	5
I.10.2	Heavy vehicles	8
II	**Gas containers**	**45-55**
III	**Natural gas compressor units**	
III.1	Natural gas compression	25
III.2	Gas purification systems	25
III.3	Piping and valves	25
III.4	Gas metering systems	25
III.5	Safety equipment	25
III.6	Control and energy technology	20

III.7	Auxiliary plants	25
III.8	Buildings, transport infrastructure	25-60
IV	**Pipelines/house connections**	
IV.1	**Steel pipelines**	
IV.1.1	Polyethylene-coated	45-55
IV.1.2	With cathodic protection	55-65
IV.1.3	Bituminous	45-55
IV.2	Grey iron (> DN 150)	45-55
IV.3	Ductile iron	45-55
IV.4	High-density polyethylene	45-55
IV.5	Vinyl resin (PVC)	30-40
IV.6	Valves/valve stations	45
IV.7	Pig traps	45
IV.8	Safety equipment	45
V	**Measuring, regulating and metering equipment**	
V.1	Gas meters, distribution	8-16
V.2	In-house pressure regulators/meter regulators	15-25
V.3	Metering equipment	45
V.4	Control equipment	45
V.5	Safety equipment	20-30
V.6	Control and energy technology	10-30
V.7	Compressors in gas blending stations depending on duration of use	15-30
V.8	Auxiliary plants	15-30
V.9	Buildings	60
VI	**Telecontrol systems**	**15-20**
VII	**LNG connection assets**	**5-65**

VIII	**Intangible assets**	
VIII.1	Self-created industrial property rights and similar rights and assets	Under commercial law
VIII.2	Purchased concessions, industrial and similar rights and assets, and licences in such rights and assets	Under commercial law
VIII.3	Paid construction cost contributions , network connection cost contributions and investment grants	20