

**Application for the Approval
of an Incremental Capacity Project according
to Article 28 (1) NC CAM for IPs Located at the Border
between Ukraine and Republic of Moldova Gas
Transmission Systems**

2024-03-28



The application for an incremental capacity project for the market border between Ukraine and Republic of Moldova has to be approved by the respective national regulatory authorities (NRAs). This document presents a common project proposal for the interconnection points between Ukraine and Republic of Moldova - IP Kaushany (in the direction from Ukraine to Republic of Moldova) and IP Grebenyky (in the direction from Republic of Moldova to Ukraine) and as agreed by:



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According to Article 28 (1) NC CAM, LLC “Gas Transmission System Operator of Ukraine” (hereinafter, GTSOU) submits this proposal for approval through the National Energy and Utilities Regulatory Commission (hereinafter, the NEURC) and LLC “Vestmoldtransgaz” (hereinafter, VMTG) submits this proposal for approval to National Agency for Energy Regulation (hereinafter, ANRE) for an incremental capacity project for the market border between Ukraine and Republic of Moldova.

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1. Introduction to the application of the project proposal for incremental capacity

The following abbreviations are used in this document:

NC CAM = Commission Regulation (EU) 2017/459 of 16 March 2017 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 984/2013;

NC TAR = Commission Regulation (EU) 2017/460 of 16 March 2017 establishing a network code on harmonised transmission tariff structures for gas.

Following the structure of Article 28 (1) NC CAM, this application is structured as follows:

- Offer Level of the incremental capacity (Art. 28 (1) (a) NC CAM);
- general rules and conditions that a network users must accept to participate and access capacity in the binding capacity allocation phase of the incremental capacity process for the acquisition of incremental capacity (Art. 28 (1) (b) NC CAM);
- Timetable for the project of incremental capacity (Art. 28 (1) (c) NC CAM);
- Parameters of the economic test (Art. 28 (1) (d) NC CAM);
- Information on a possible extended time horizon for contracting incremental capacity (Art. 28 (1) (e) NC CAM);
- Information on an alternative allocation mechanism (Art. 28 (1) (f) NC CAM);
- Information on a possible fixed price approach (Art. 28 (1) (g) NC CAM).

GTSOU has received non-binding demand indications for the firm capacity for IPs Kaushany in the direction from Ukraine to Republic of Moldova and Grebenyky in the direction from Republic of Moldova to Ukraine. Currently, there is no existing firm capacity between the entry-exit system of Ukraine and Republic of Moldova in the requested directions.

The Market Demand Assessment Report (MDAR) assessed the non-binding demand indication received from 3 July 2023 to 28 August 2023. Based on the outcome of the MDAR for the incremental capacity process starting in 2023 between Ukraine gas transmission system and Republic of Moldova gas transmission system, published on both TSOs' websites on 23 October 2023, the TSOs concerned have begun the design phase based on Article 27 of NC CAM.

As a result of the technical studies, GTSOU and VMTG suggest implementing an incremental capacity project at the current IPs Kaushany (direction UA-MD) and Grebenyky (direction MD-UA) located at the border between Ukraine and Republic of Moldova gas transmission systems.

GTSOU and VMTG decided to offer for the incremental capacity process the maximum firm capacity in the amount of:

- **IP Kaushany (direction UA-MD) - 192 020 746 kWh/d/y¹.**
- **IP Grebenyky (direction MD-UA) - 176 465 000 kWh/d/y².**

¹ Which corresponds approx. 18.0 mcm/d (20°C).

² Which corresponds approx. 15.5 mcm/d (20°C).

Considering maturity of the technical solution, both Transmission System Operators propose the readiness to conduct the auction in July 2024.

The public consultation of the Draft Project Proposal were held from 1 February to 29 February 2024. Neither GTSOU nor VMTG received comments to the Project Proposal as well as the General Terms and Conditions of participation in and access to capacity in the binding phase of allocation of incremental capacity on the border between Ukraine and Republic of Moldova (GTSOU and VMTG documents).

2. Offer level for incremental capacity (Art. 28 (1) (a) NC CAM)

According to Article 28 (1) (a) NC CAM, GTSOU and VMTG apply to the relevant NRAs to approve the common offer level for unbundled capacity products to be marketed at IP Kaushany and IP Grebenyky at the **yearly capacity auction in 2024** as presented below.

Currently there is no existing firm capacity between the entry-exit system of Ukraine and Republic of Moldova at these IPs in the requested direction. Both GTSOU and VMTG are currently offering capacity of IPs Kaushany (direction UA-MD) and Grebenyky (direction MD-UA) on the interruptible basis. One of the conditions for offering firm capacities by TSOs is the firm capacities established upstream, via IP Isaccea1/Orlovka1 between GTSOU and SNTGN TRANSGAZ S.A. (gas transmission system operator of Romania).³

The table below shows the common offer-level for the capacity marketing in the yearly capacity auction on 1 July 2024 of GTSOU and VMTG taking into account the obligations of the set aside capacity for short-term products of NC CAM.

Based on the above-mentioned description of the incremental capacity project and considering the capacity for short-term products required to be set-aside, i.e. 10% of the technical incremental capacity according to Article 8 (6) of NC CAM, the offer levels for unbundled capacity products at **IP Kaushany (flow direction from Ukraine to Republic of Moldova)** and **IP Grebenyky (flow direction from Republic of Moldova to Ukraine)** are as follows:

No. of years	Gas year	Level of the harmonized offer for IP Kaushany in the direction UA→MD, (kWh/d/year)
1	2027/2028	172 818 671
2	2028/2029	172 818 671
3	2029/2030	172 818 671
4	2030/2031	172 818 671
5	2031/2032	172 818 671
6	2032/2033	172 818 671

³ GTSOU and SNTGN TRANSGAZ S.A. are conducting separate incremental process on respective interconnection points, for details please see their websites.

7	2033/2034	172 818 671
8	2034/2035	172 818 671
9	2035/2036	172 818 671
10	2036/2037	172 818 671
11	2037/2038	172 818 671
12	2038/2039	172 818 671
13	2039/2040	172 818 671
14	2040/2041	172 818 671
15	2041/2042	172 818 671

No. of years	Gas year	Level of the harmonized offer for IP Grebenyky in the direction MD→UA, (kWh/d/year) ⁴
1	2027/2028	158 818 500
2	2028/2029	158 818 500
3	2029/2030	158 818 500
4	2030/2031	158 818 500
5	2031/2032	158 818 500
6	2032/2033	158 818 500
7	2033/2034	158 818 500
8	2034/2035	158 818 500
9	2035/2036	158 818 500
10	2036/2037	158 818 500
11	2037/2038	158 818 500
12	2038/2039	158 818 500
13	2039/2040	158 818 500
14	2040/2041	158 818 500
15	2041/2042	158 818 500

GTSOU and VMTG will market the offer level at an annual yearly auction on 1 July 2024 on the RBP Platform.

3. General rules and conditions that a network users must accept to participate and access capacity in the binding capacity allocation phase of the incremental capacity process (Art. 28 (1) (b) NC CAM)

For the marketing of incremental capacity (i.e. the offer level) in the yearly capacity auction 2024, GTSOU and VMTG have developed individual general rules and conditions that a network users must accept to participate and access capacity in the binding capacity allocation phase of the incremental capacity process at the interconnection points between Ukraine and the Republic of Moldova. These are attached to this Application for the Approval.

According to Article 28 (1) (b) NC CAM:

- GTSOU submits to the NEURC its “General Terms and Conditions to Which Network Users Shall Agree in Order to Obtain Access to Capacity in the Binding Phase of Capacity Allocation of the Incremental Capacity Procedure for IPs Located at the Border between Ukraine and Republic of Moldova Gas Transmission Systems” (hereinafter: INC GT&C) which have been provided along with this application (Annex 1 of this Application for the Approval). To be eligible to participate in the auction, network users will have to accept the INC GT&C as well as other GTSOU rules that are required to participate in the auction on a regular basis, such as the [Gas Transportation Agreement of GTSOU](#), the [Transmission Network Code](#);
- VMTG requests the ANRE to approve general rules and conditions that a network users must accept to participate and access capacity in the binding capacity allocation phase of the incremental capacity process at the interconnection points between Ukraine and the Republic of Moldova, which have been sent along with this application. For VMTG, the general rules and conditions that a network user must accept to participate and to access capacity in the binding capacity allocation phase of the incremental capacity process at the interconnection points between Ukraine and the Republic of Moldova are set out in Annex 2 of this document and in the Network Code.

Regardless of the fact that both GTSOU and VMTG publish terms and conditions for the incremental capacity auction in English and in their respective national languages, only Ukrainian and Moldovan versions respectively, shall be considered as binding.

4. Timetable for the incremental capacity project (Art. 28 (1) (c) NC CAM)

According to Article 28 (1) (c) NC CAM, GTSOU and VMTG request to approve the following timetable for its incremental capacity project.

The timetable for the implementation of project by VMTG:

TIME PERIOD	MILESTONE
01/07/2024	Yearly capacity auction in July 2024 and followed by an economic test
2Q/2025	Initiation (elaboration of design specifications, procurement, obtaining building authorization and other authorizations necessary)
1Q/2026	Execution
2Q/2026	Testing and validation execution
2Q/2026	Reception
2Q/2026	Commissioning
3Q/2026	Expected start of commercial operation of the new infrastructure

The timetable for the implementation of project by GTSOU:

Option 1.

TIME PERIOD	MILESTONE
01/07/2024	Yearly capacity auction in July 2024 and followed by an economic test
2Q/2025	Building permits obtained

4Q/2025	Construction contracts signed
3Q/2026	Permit to use obtained
4Q/2026	Commissioning of the project
1/10/2027	Expected start of commercial operation of the new infrastructure

Option 2.

TIME PERIOD	MILESTONE
01/07/2024	Yearly capacity auction in July 2024 and followed by an economic test
3Q/2025	Building permits obtained
1Q/2026	Construction contracts signed
3Q/2028	Permit to use obtained
4Q/2028	Commissioning of the project
1/10/2028	Expected start of commercial operation of the new infrastructure

Time periods for signing contracts and obtaining building permits are indicated as the latest finished milestones.

The timeframes of work completion may be updated due to existing uncertainty related russia's full-scale war with Ukraine.

The construction phase will only start if there is a commitment by network users to acquire the respective incremental capacities in the yearly auction 2024 and if the results of the following economic tests are also positive for GTSOU and VMTG. Besides, the amount of total booked capacity must be in the range specified in option 1 or option 2 respectively, to comply with technical requirements. If the amount of total booked capacity amount is within the scope of both ranges, GTSOU will apply option 1 for 2027/2028 gas year and option 2 from 2028/2029 gas year and subsequent gas years.

GTSOU proposes to consider two options depending on the stability of the physical flow via IP Grebenyky:

- **Option 1**, short-term solution. Stable physical flow via CS Pivdennobuzka (UA) in the range (113 848 000 – 176 465 000 kWh/day/year⁴);
- **Option 2**, long-term solution. Stable physical flow via CS Pivdennobuzka (UA) in the range (22 770 000 – 176 465 000 kWh/day/year⁵).

Option 1. Summary of project proposal technical parameters (the border pressure at IP Negru Voda1/Kardam 48.5 bar⁶):

PARAMETER	VMTG SECTION	GTSOU SECTION
Technical capacity (IP Kaushany, UA-MD)	192 020 746 kWh/d/year	192 020 746 kWh/d/year

⁴ which corresponds approx. 10.0-15.5 mcm/d (20°C)

⁵ which corresponds approx. 2.0-15.5 mcm/d (20°C)

⁶ which corresponds 49,6 kgf/cm²

Technical capacity (IP Grebenyky, MD-UA)	176 465 000 kWh/d/year	176 465 000 kWh/d/year
Capacity type (quality)	firm	firm
Interconnection Points	Kaushany (Entry) Grebenyky (Exit)	Kaushany (Exit) Grebenyky (Entry)
Flow direction	UA→MD→UA	UA→MD→UA
CS Pivdennobuzka inlet pressure	-	38.2 bar (39 kgf/cm ²)
New pipeline length	-	-
Required technical equipment	*Reverse piping system of GMS Kaushany, ATI pipeline; * Construction of the main pipeline connection between RI-SDKRI (CS Vulcanesti); * Construction of the main pipeline connection between RI-SDKRI (GMS Kaushany).	Reverse piping system of the unit Orlivka-2 of CS Orlivka and CS Pivdennobuzka (use of existing gas pumping units).

Option 2. Summary of project proposal technical parameters (the border pressure at IP Negru Voda1/Kardam 48,5 bar):

PARAMETER	VMTG SECTION	UA SECTION
Technical capacity (IP Kaushany, UA-MD)	192 020 746 kWh/d/year	192 020 746 kWh/d/year
Technical capacity (IP Grebenyky, MD-UA)	176 465 000 kWh/d/year	176 465 000 kWh/d/year
Capacity type (quality)	firm	firm
Interconnection Points	Kaushany (Entry) Grebenyky (Exit)	Kaushany (Exit) Grebenyky (Entry)
Flow direction	UA→MD→UA	UA→MD→UA
CS Pivdennobuzka inlet pressure	-	38.2 bar (39 kgf/cm ²)
New pipeline length	-	-
Required technical equipment	*Reverse piping system of GMS Kaushany, ATI pipeline; * Construction of the main pipeline connection between RI-SDKRI (CS Vulcanesti); * Construction of the main pipeline connection between RI-SDKRI (GMS Kaushany).	Reverse piping system of the unit Orlivka-2 of CS Orlivka. Reconstruction of CS Pivdennobuzka: - 2 gas pumping units (3 MW installed capacity); - 2 gas pumping units (6 MW installed capacity).

Description of the project on the Ukrainian side (GTSOU)

Expansion required within the GTSOU grid:

In order to ensure the possibility of gas transmission through the route from IP Isaccea1/Orlovka1 to CS Pivdenobuzka in the above-mentioned amount of capacities, the following investments are required on the Ukrainian side:

1. Option 1. Reverse piping system of the unit Orlivka-2 of CS Orlivka and CS Pivdenobuzka.

Expected commissioning: Quarter 4/2026.

Cost estimation: 2 600 000 EUR⁷.

Cost estimate accuracy: ± 10%.

2. Option 2. Reverse piping system of the unit Orlivka-2 of CS Orlivka. Reconstruction of CS Pivdenobuzka:

- 2 gas pumping units (3 MW installed capacity);
- 2 gas pumping units (6 MW installed capacity).

Expected commissioning: Quarter 4/2028.

Cost estimation: 68 444 000 EUR⁷.

Cost estimate accuracy: ± 10%.

The firm capacities must be established upstream, via IP Isaccea1/Orlovka1 between GTSOU and SNTGN TRANSGAZ S.A.

Description of the project on the Republic of Moldova side (VMTG)

In order to ensure to gas transmission through the territory of Republic Moldova, the following objectives are necessary to be achieved:

- Reverse piping system of GMS Kaushany, ATI pipeline;
- Construction of the main pipeline connection between RI-SDKRI (CS Vulcanesti);
- Construction of the main pipeline connection between RI-SDKRI (GMS Kaushany).

Expected commissioning: Quarter 3/2026.

Cost estimation: 2 377 240 EUR⁸.

Cost estimate accuracy: ± 20%.

5. Parameters of the economic test (Art. 28 (1) (d) in conjunction with Art. 22 (1) NC CAM)

According to Article 28 (1) (d) NC CAM, GTSOU and VMTG send requests to approve the parameters of the economic test.

The economic test is based on the following parameters according to Article 22 (1) NC CAM:

⁷ the average monthly exchange rate of the NBU for November 2023 was used to calculate the cost in euros (1 EUR = UAH 39.01)

⁸ the average monthly exchange rate of the NBM for November 2023 was used to calculate the cost in euros (1 EUR = MDL 19.3425)

- a) The present value of the binding commitments of the network users for contracting capacity;
- b) The present value of the estimated increase in the allowed or target revenue of the TSO associated with the incremental capacity included in the respective offer level;
- c) The f-factor.

– **Tariff for determining the present value of binding commitments of network users - GTSOU**

The economic test will use the current tariff for IPs Kaushany (exit) and Grebenyky (entry), which are determined for the period from 1 January 2020 to 31 December 2024, and approved by the NEURC resolution No. 3013 of 24 December 2019. The specified tariff for a yearly product for IP Kaushany (exit) is USD 1.13 for 1000 cm/day without VAT (USD $0.127/(MWh/h)/h^9$ with VAT; EUR $0.118/(MWh/h)/h^{10}$ with VAT¹¹) and for IP Grebenyky (entry) is USD 0 for 1000 cm/day without VAT.

– **The present value of the estimated increase in the allowed revenue of the transmission system operator associated with the incremental capacity - GTSOU**

The value of the expected increase in the allowed revenues corresponds to the value of investment costs for the project and is calculated for the period covering the contractual incremental capacity that is offered during the auction allocation of capacity for IPs Kaushany and Grebenyky.

GTSOU accepted the discount rate of 6.50% to calculate the discounted value of the allowed revenues related to the implementation of the project and supply on the capacity market on the border between Ukraine and Republic of Moldova in 2027-2042.

The discount rate (6.50%) is determined as of December 2023 based on the interest rate on new loans in US dollars to non-financial corporations for a period of more than 5 years (Financial markets statistics “Interest rates on loans and deposits. Securities issued by residents. PFTS index” <https://bank.gov.ua/ua/statistic/sector-financial#2fs>).

– **F-factor for GTSOU**

The f-factor must take the following into account:

- a) The amount of technical capacity set aside according to Articles 8 (8) and (9) NC CAM;
- b) The positive externalities of the incremental capacity project on the market, the transmission network, or both;
- c) The duration of the binding commitments of the network users for contracting capacity compared to the economic life of the asset;
- d) The extent to which the demand for the capacity established in the incremental capacity project can be expected to continue after the end of the time horizon used in the economic test.

⁹ assumed gross calorific value 10,64 kWh/m³ (25/20)

¹⁰ the average monthly exchange rate of the NBU for November 2023 was used to calculate the tariff (1 USD = UAH 36.16).

¹¹ the standard VAT rate in Ukraine in 2023 is 20%

The project assumptions are based on the non-binding demand indication received in the demand assessment phase. This f-factor was estimated based on the assumption that the given incremental capacity project is purely a market driven project and that the full cost of the project shall be covered by the capacity bookings in the relevant binding capacity auctions at IPs Kaushany (direction UA-MD) and Grebenyky (direction MD-UA), conducting of which is determined by this incremental capacity project, and also on the binding incremental capacity auction at IP Isaccea1/Orlovka1 (direction RO-UA) between GTSOU and SNTGN TRANSGAZ S.A. Based on it, on the GTSOU side, there are no conditions allowing GTSOU to request an approval involving an f-factor which is less than 1.

In addition, considering the level of incremental capacity to be offered and the required level of revenues from the binding commitments of the network users to pass the economic test with an f-factor equalling 1, **it is not necessary to apply a mandatory minimum premium.**

GTSOU requests approval of an f-factor which amounts to 1 for the application of the economic test.

Based on the above considerations a single economic test is planned with the relevant results of binding incremental capacity auctions for IPs Kaushany (direction UA-MD) and Grebenyky (direction MD-UA). The economic test calculation tool provided by GTSOU has been filled in accordingly and is attached along with this application.

– **Reference price for determining the present value of the binding commitments of network users – VMTG**

VMTG do not choose to apply a fixed price approach for the procurement of incremental capacity in 2024 (Article 28(1)(g) CAM NC).

The economic test will use as reference price, the current tariff for IPs Kaushany (entry) and Grebenyky (exit).

The reference price for IPs for exit is 22.3 MDL/MWh/h (1.1554 EUR/MWh/h).

The reference price for IPs for entry is 20.9 MDL/MWh/h (1.0829 EUR/MWh/h).

– **Present value of the estimated increase in the allowed revenues due to capacity increase – VMTG**

Following conditions have been taken into consideration related to the developments in order to establish the target value of the estimated increase in allowed revenues:

- Expected capital costs of the developments presented at point 4;
- Regulated rate of return on invested capital: 9.53%;
- Estimated operating costs;
- Factor f: 1.

– **F-factor for VMTG**

According to Section 2 of the ANRE Decision No 420/2019, when applying the economic test, the Agency sets the level of the f-factor for a given supply level, taking into account the following aspects:

- a) The amount of technical capacity set aside according to Articles 8 (8) and (9) NC CAM;
- b) The positive externalities of the incremental capacity project on the market, the transmission network, or both;
- c) The duration of the binding commitments of the network users for contracting capacity compared to the economic life of the asset;
- d) The extent to which the demand for the capacity established in the incremental capacity project can be expected to continue after the end of the time horizon used in the economic test.

According to point 253, Section 2 of the ANRE Decision No 420/2019, if the economic test gives a positive result, the investment costs associated with the incremental capacity are reflected in an increase in the regulated income or the target income.

VMTG views this incremental project as purely a market-driven one and therefore believes that the project's full cost must be covered by the capacity bookings made in the relevant binding capacity auction. VMTG thus requests to approve an f-factor which amounts to 1 for the application of the economic test summary.

Following conditions have been taken into consideration related to the developments in order to establish the required capacity level at IP Kaushany in the direction UA→MD, and IP Grebenyky in the direction MD→UA:

- Expected capital costs of the developments presented at point 4;
- Regulated rate of return on invested capital: 9.53%;
- Estimated operating costs;
- Factor f: 1.0;
- Conversion rate: 1 EUR = 19.3425 MDL.

	IP Kaushany	IP Grebenyky
Direction	UA-MD	MD-UA
Incremental capacity	192 020 746 MWh/d/year	176 465 000 MWh/d/year
Reserved capacity rate	10%	10%
Announced capacity	172 818.671 MWh/d/year (7 201 MWh/h/y)	158 818.500 MWh/d/year (6 617 MWh/h/y)
Present value of the Network users Binding Commitments	569 956 435 MDL	4 683 935 846 MDL
"f"-factor	1	1
CAPEX	2 377 240 EUR	
Commercial operation	2027/2028	2027/2028
Economic lifetime	15 yrs	15 yrs
Current tariff	20.9 MDL/MWh/h	22.3 MDL/MWh/h
Current tariff (specific)	1.0829 EUR/MWh	1.1554 EUR/MWh

6. Possible extended time horizon for contracting incremental capacity (Art. 28 (1) (e) NC CAM)

Based on a common decision, GTSOU and VMTG. agree that, for this incremental capacity project, no extended time horizon for contracting incremental capacity is needed according to Art. 30 NC CAM.

7. Alternative allocation mechanism (Art. 28 (1) (f) NC CAM)

GTSOU and VMTG abstain from an application of an alternative allocation mechanism for the acquisition of incremental capacity according to Article 28 (1) (f) NC CAM. Based on a common decision, both TSOs will apply the standard auction procedure for incremental capacity in 2024.

Both transmission system operators will offer incremental capacity together with the corresponding available capacity in the annual yearly capacity auction as standard products in ascending clock price auctions.

8. Information on the fixed price approach for the allocation of incremental capacity (Art. 28 (1) (g) NC CAM)

GTSOU and VMTG do not choose the application of a fixed price approach for the acquisition of incremental capacity in 2024 (Article 28 (1) lit. g) NC CAM).

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