Corrections, supplements, or changes to the conditions of tender

Q&A

Question 1:
Under the Norwegian Emissions Trading Regulations, public service obligation (PSO) routes with an offered capacity of fewer than 50,000 seats per year are exempt from emissions trading obligations. The CO_2 tax on aviation covered by the emissions trading scheme has been abolished. However, routes outside the scheme are instead subject to a Norwegian CO_2 tax, currently NOK 4.18 per litre.

- Can the Ministry of Transport clarify whether the threshold of 50,000 seats applies to each direction separately or to both directions combined?
- Should tenderers use the current CO_2 tax rate when calculating their bids, and, if so, would future changes to the rate constitute grounds for renegotiation?

Answer:
The Ministry of Transport has discussed the matter with the Norwegian Environment Agency, which is the competent authority in Norway for the EU Emissions Trading System (EU ETS). The aviation activities in Norway that are covered by the EU ETS, as well as the applicable exemptions, are set out in Section 1-4 of the Regulations relating to emissions trading and the trading of allowances for greenhouse gas emissions (the Norwegian Emissions Trading Regulations).

The Norwegian Environment Agency has stated that, in its application of Section 1-4, second paragraph, point (i), of the Norwegian Emissions Trading Regulations, a “route” from A to B is regarded as separate from a route from B to A. Consequently, PSO routes on which the offered capacity in one direction does not exceed 50,000 seats per year are exempt from emissions trading obligations.

Based on the Norwegian Environment Agency’s application of the emissions trading rules, tenderers are therefore requested to include the CO_2 tax on domestic aviation in their bids for routes on which the number of seats offered per year is estimated to be below 50,000 in one direction. The tax rate is currently NOK 4.18 per litre in 2026, and the current rate may be used as the basis for the bids. The Ministry considers that changes to the CO_2 tax during the contract period may constitute grounds for renegotiation by both the contracting authority and the operators, pursuant to Section 9.2 of Annex 2 (the contract) to the tender documents.

Question 2:
Section 6.5.2 of the tender documents (page 19) states that the settlement for the first fuel adjustment shall be made against the “compensation payable in December 2027”. Given the Ministry’s previous clarification that compensation will be paid in advance on the 15th day of the relevant operating month (meaning 15 November 2027 for operations in November), please confirm whether the fuel adjustment in question is to be settled against this first actual compensation payment in November 2027.

Answer:
Statistics Norway has indicated that the data needed to calculate the fuel sub-index may be available in November 2027. The Ministry therefore aims to include the adjustment described in section 6.5.2 in the payment for the first month of operations under the next contract period. Under section 7.7 of the contract, that payment is due on 15 November 2027. If this is not possible, any outstanding amount will be included in the payment in December 2027.

Question 3:
Section 6.5.2 of the tender documents states that "fuel costs shall be adjusted in accordance with the sub-index for aviation fuel for the period from 1 October 2026 up to and including September 2027." The text does not specify how the change over this period is to be calculated. To avoid any doubt, we kindly ask the Ministry to confirm which of the following two methods is correct:

- Option A (date-to-date): Is the adjustment based on the percentage change between the index on the start date (1 October 2026) and the index on the end date (30 September 2027)?
- Option B (average): Is the adjustment based on the percentage change between the index on the start date (1 October 2026) and the average index for the entire period (1 October 2026–30 September 2027)?
- Any other calculation method

We also kindly ask the Ministry to clarify the method for the subsequent annual adjustments in the same manner.

Answer:
The Ministry has discussed the question with Statistics Norway (SSB), which has stated that the fuel sub-index is calculated using a method that broadly corresponds to Option A, namely the change between two periods. SSB clarifies that it does not calculate the index on the basis of prices on specific dates, such as 1 October and 30 September.

SSB collects monthly prices for JET A-1 and jet kerosene. For each fuel type, it obtains one price from one company, meaning that prices are collected from two different companies in total. The companies generally report their prices to SSB in the middle of the month, with a final reporting deadline around the 25th. The reported prices therefore reflect the price level around the middle of the month in question.

The monthly prices are used to calculate a quarterly average for each fuel type. The change between the first and last relevant periods is then calculated.

SSB has provided the following example to illustrate the method:
In the first period, the monthly prices for **JET A-1** are 98, 100 and 102. The quarterly average is:
(98 + 100 + 102) / 3 = 100
In the last period, the monthly prices for **JET A-1** are 108, 110 and 112. The quarterly average is:
(108 + 110 + 112) / 3 = 110

The change between the two periods for **JET A-1** is therefore 10 per cent:
(110 / 100 − 1) × 100 = 10 per cent

Final fuel sub-index
The final percentage change for fuel is calculated as the average of the percentage changes for JET A-1 and jet kerosene.
If **jet kerosene** increases by only 5 per cent, the percentage change for fuel is 7.5 (107.5):
(10% + 5%) / 2 = 7.5%

Question 4:
Observation of the aviation fuel sub-index. The mechanism is based on a non-public "special extract for first-hand domestic sales of aviation fuel" provided by Statistics Norway (SSB). Since tenderers do not have access to this specific sub-index, we are unable to make an informed assessment of the price risk in our calculations.

To enable prudent pricing of the tender, we kindly ask the Ministry to:

a) Identify a publicly available reference index (e.g. a specific Platts quotation) that may be considered a valid proxy for the sub-index in question.
b) Clarify the frequency on which the index is based (monthly, weekly or specific dates).

Answer:
Neither the Ministry of Transport nor Statistics Norway (SSB) has access to historical Platts price quotations. The Ministry is therefore unable to identify a specific publicly available quotation as a representative reference for the sub-index. See also the response to Question 3.