

# Gazprom Mulls Appeal on 'Take-or-Pay' Ruling

By [The Moscow Times](#)

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Gazprom Export said Thursday that it plans to appeal a decision handed down by the Supreme Court of Austria.

Gazprom is looking into appealing a ruling by the court regarding the recovery of advance payments for gas in the framework of a "take-or-pay" contract with Czech company RWE Transgas.

The firm, which is the Czech unit of Germany's RWE, won a landmark dispute with Gazprom over gas contracts Wednesday, when a court ruled for the first time that a company did not have to pay fines under the clause, which compels gas customers to pay for gas volumes they have committed to even if they don't take delivery.

A spokesman for RWE Transgas, the republic's dominant gas importer, said the company had successfully fought off a claim from Gazprom in a court in Vienna, Reuters reported.

"I can only confirm that RWE Transgas is the winner against Gazprom in the take-or-pay dispute over long-term contracts," RWE Transgas spokesman Martin Chalupsky said. "We are pleased with the court's decision. It will reduce our financial burden resulting from the contract by triple-digit-million euros per year."

Citing industry sources, Interfax reported that Gazprom tried to wrestle \$500 million from RWE Transgas for failing to stick to the take-or-pay commitments from 2008 to 2011.

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