

ENTSOG Response to ACER Consultation Paper on “Publication of extracts of the European register of market participants”

Introduction

ACER issued on 7th November 2013 the Public Consultation Paper related to “Publication of extracts of the European register of market participants” (pursuant to Article 9(3) of Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency – REMIT)

ENTSOG participates to the ACER Public Consultation Paper through the following answers.

ENTSOG Response

1) Information necessary for market participants to complete their registration obligations according to Article 9(1) of REMIT

a) Is the scope of data foreseen to be published sufficient for market participants to complete their registration, especially with regard to the information required in Section 4 of the registration format, and thus fulfill their obligation under Article 9(1) of REMIT?

In general ENTSOG considers the data to be published sufficient for Market Participants to complete their registration. ENTSOG doesn't consider the data to be published under Section 4 necessary. As stated in the consultation document “it should be highlighted that in Section 4 (data related to the corporate structure of the market participant) of the registration format, market participants shall provide information related to other market participants already registered under REMIT” which in ENTSOG opinion constitute a double reporting obligation which should be avoided as a key principle of the Regulation.

Unfortunately it is not clear, how the “ultimate controller” should be determined, e.g. with regard to shareholder majority or in a matter of control abilities according to corporate law?

b) In order to identify or verify the identity of a related undertaking, is the publication of information in fields 108 to 110 (address, city, postal code) necessary and appropriate?

ENTSOG considers the publication of information in fields 108 to 110 necessary and appropriate.

c) Is the publication of other company's identifier such as VAT Number in field 112 or the codes in fields 113 to 116 (EIC, BIC, LEI, GS1) or 118 (trade register) necessary and appropriate (please take into consideration that they might not be available for all market participants)?

ENTSOG considers the publication of information as VAT Number in field 112 as necessary and appropriate. On the other hand the codes in fields 113 to 116 (EIC, BIC, LEI, GS1) or 118 (trade register) should be provided on voluntary basis as it might not be available for all market participants.

d) Do you believe that the scope of data to be published from the European Register should be increased or decreased?

ENTSOG considers the scope of data to be published from the European Register appropriate.

2) Information to improve the transparency of wholesale energy markets

a) Is the scope of data foreseen to be published for transparency purpose appropriate?

ENTSOG considers the scope of data foreseen to be published for transparency purpose appropriate.

b) Do you believe that the scope of data to be published from the European Register for transparency purpose should be increased or decreased?

ENTSOG considers the scope of data to be published from the European Register appropriate.