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Unser Zeichen

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Ihr Zeichen

Datum

22.07.2014

**Public Consultation on REMIT Manual of Procedures  
on Fundamental Data Reporting  
Comments by Oesterreichs Energie (Register ID number: 80966174852-38)**

Dear Madam,  
Dear Sir,

Oesterreichs Energie, the Association of Austrian Electricity Companies, welcomes the opportunity to comment on the consultation document: REMIT Manual of Procedures on Fundamental Data Reporting, 24 June 2014. Oesterreichs Energie represents more than 140 energy companies active in generation, trading, transmission, distribution and sales which in total cover more than 90 per cent of the Austrian electricity generation and the entire distribution.

### **General remarks**

#### **Regarding the manual:**

##### Chapter 4: HOW TO SEND FUNDAMENTAL DATA TO THE AGENCY

Oesterreichs Energie would like to suggest that the technical and organisational requirements for the submission of fundamental data which are currently developed by ACER should be made public.

##### Chapter 5: FUNDAMENTAL DATA FIELD REPORT GUIDELINES, PER DATA TYPE

From Oesterreichs Energie's perspective there are no other reporting obligations at a national or european level which might be conducted in the context of fundamental data reporting. Thus all reporting obligations under Article 8 (5) of REMIT are met. Even if in the future a change in the reporting requirements, which are described in Section 5.1 a) to e), may occur.

**Regarding the consultation paper:**

Oesterreichs Energie agrees with ACER's proposal to rely as much as possible on existing industry standards and data formats for the collection of fundamental data under REMIT. It is positive that the Agency is planning an evaluation of future changes of standards and data formats introduced by the industry between the Agency and relevant industry organisations, before applying for the purpose of REMIT reporting.

The successful implementation of the described approach should result in a status of no additional data reporting obligations for market participants towards ACER under REMIT.

**Consultation questions**

- **Please provide us with your general comments on the purpose and structure of the draft Manual, annexed to the consultation paper**

The manual is very brief and is still a good insight of the intended reporting channels and operations under REMIT. However, it is noticeable that some data fields are unclear, or have the same content (eg: Fields 5 and 14 in "gas nominations reporting scheme").

- **Please provide us with your views on the attached data fields (see Annex I of the draft Manual) for the reporting of fundamental data.**

We welcome the very compact form of the schemes. As previously mentioned, some data fields are unclear, or have the same content (eg: Fields 5 and 14 in "gas nominations reporting scheme").

- **As regards the data fields for electricity and gas nominations (see Annex I of the draft Manual), please notice that a data field for Status is included for gas (data field No 14), but not for electricity. Please provide us with your views whether this data field is relevant also for electricity nominations, and if so, whether existing Industry format could be updated accordingly.**

Not necessary for the electricity sector.

- **Please provide us with your views on the attached electronic formats (see Annex II of the draft Manual) for the reporting of fundamental data.**

The electronic formats seem to be practicable for reporting.

- **The attached electronic formats for the reporting of gas nominations do currently not reflect the data fields for Contract Reference/Type (data field No 13) and Status Code (data field No 14). Please provide us with your views as whether these data fields should be required and thus if the XML schemas should be aligned accordingly.**

The fields 13 and 14 are already listed as part of the draft. Why these fields are therefore not listed in the electronic formats raises questions. Furthermore from our point of view the natural gas - specification is not important as actually everywhere in Europe the same gas standards are in force. We do not understand how this information could be necessary to prevent Insider Trading?

- **In order to avoid unnecessary costs or administrative burdens on reporting entities, the Agency intends to rely as much as possible on existing industry standards and data formats for the collection of fundamental data under REMIT. For the purpose of ensuring operational reliability, the Agency however reserves the right not to take over all future changes of such standards and data formats introduced by the industry. Any future changes of existing standards and data formats shall therefore be agreed between the Agency and relevant industry organisation, before applying for the purpose of REMIT reporting. Please provide us with your views on the above approach.**

We welcome this approach.

- **In order to assess insider trading, the Agency would consider necessary to have the following timestamps reported in sufficient level of detail:**
  - **Time of the event (the time of occurrence of e.g. an outage of a power plant);**
  - **Time of reporting to the public (the time when e.g. a market participant reported the outage to a platform for publication, or ,in case of a nomination, the time when market participant nominated to a TSO);**
  - **Time of publication (in the case of inside information, the time when the inside information was first disclosed to the market;**
  - **Time of reporting to the Agency**

**The Agency considers that some formats as now specified, may not currently support the above requirements clearly enough. The Agency is considering to add such timestamps as data fields where not yet present. Please provide us with your views on the impact of adding such data fields to the present formats.**

It is not clear what the difference is between “Time of reporting to the public“ and “Time of publication“. For us these timestamps are quite the same and should be merged to one timestamp. This would reduce the needed operating time and complexity of the schemes.

Thank you for taking our comments into consideration. If you have any further questions, please do not hesitate to contact us.

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