

Statoil Reply to ACER Consultation on fundamental data reporting

Statoil ASA (Statoil) welcomes the opportunity to comment on ACER's draft manual of procedures on fundamental data reporting foreseen by Regulation (EU) No 1227/2011 (REMIT).

We believe that the current public consultation process leading to the formal publication of the Procedures on Fundamental Data Reporting and the Implementing Acts (IA's) will be of utmost importance in separating "reporting obligation" from "suggested practice" for entities involved in the operation of the infrastructure assets essential to the effective flow and modulation of energy within the Union. We note that Regulation (EU) No 1227/2011 Art. 8 (5) indicates that Market Participants have the default reporting obligation with the possibility for other channels to fulfill that obligation, if such sources already exist.

Although upstream LNG trains are not specified within the REMIT level 1 text, we have included responses to the LSO sections as we believe that additional transparency would benefit the market but we also recognize the need to improve the general level of understanding about the role of such facilities. In addition, we have included responses to the SSO section as we are one of several entities involved in the operation of a storage facility.

Statoil's input has been structured to follow the questions set out in the Public Consultation Paper (PC_2014_R_04) by ACER.

In the following sections we address your specific questions:

CONSULTATION QUESTIONS

General comments:

- We question the approach of releasing draft fundamental data reporting requirements for consultation when there are still uncertainties in the final text of the IA and particularly when those uncertainties include identifying "who" is responsible for fundamental data reporting. It would be more efficient to clarify who the relevant stakeholders should be before asking for feedback from stakeholders. We would recommend a further consultation period after the relevant stakeholders have been identified within the final version of the IA.
- As a general comment we find the supporting information in Annexes I and II are a useful indication of what might be required of reporting systems but we note that information in both Annexes are still subject to further IA drafting.
- To reduce duplication and unnecessary costs or administrative burdens, the manual should identify which fundamental data must be published, which must be reported to the Agency and which fundamental data must be both published and reported to the Agency.

View on data fields (Annex I):

We have focused our reply on Annex I.5, Remit LNG Reporting schema and Annex I.6, Remit Storage reporting schema. Subject to clarification of responsibilities in the final IA, these are the only two areas that could potentially impact Statoil legal entities.

Annex I.5, Remit LNG Reporting schema

Statoil operates the only upstream LNG train in the European region. We note that REMIT level 1 text, IA version 42 and Fundamental data reporting Manual Annex I.5 all refer to LNG facilities where LNG is received, off-loaded, stored for reloading or regasified and stored for send out into the local transmission network. An LNG upstream train has no facility to receive or offload LNG cargoes, has no facility to store regasified gas and has no link to transmission networks to facilitate “send out”. Based upon our belief in greater transparency in energy markets but within the constraints of existing information channels, we provide the following feedback for our upstream LNG train, on your suggested fields:

3.2.2 Populating Facility Details

1. LNG Facility Identifier – Our upstream LNG train is not registered with ENTSO-G as it does not have a connection to any transmission system
2. LNG Facility Operator – There is no reloading or unloading in an Upstream LNG train process.
3. LNG Storage Capacity - It is possible to populate this field but unclear if this is the boilerplate maximum (then it will not change) or if this is the current maximum or if this is the injection or withdrawal (loading) capacity
4. Available LNG Storage Capacity - It is possible to populate this field but unclear if this is the boilerplate maximum (then it will not change) or if this is the current maximum or if this is the injection or withdrawal (loading) capacity
5. Reloading Capacity - There is no reloading or unloading possible in an Upstream LNG train process.
6. Regasification Capacity - There is no regasification in an Upstream LNG train process.

3.2.3 Populating Participant Activity Report

1. Usage time - There is no reloading or unloading in an Upstream LNG train process.
2. Transport participant - There is no reloading or unloading in an Upstream LNG train process. It is possible to identify the Market Participant berthing an LNG tanker for loading at the facility
3. Transport size - It is possible to identify the size of the tanker berthed for LNG loading
4. Owning Participant - There is no reloading or unloading in an Upstream LNG train process.
5. Reloading capacity - There is no reloading or unloading in an Upstream LNG train process.
6. Unloading capacity - There is no reloading or unloading in an Upstream LNG train process.
7. Regasification Quantity - There is no regasification in an Upstream LNG train process.

4.1.1 LNG Facility Identifier

Our upstream LNG train is not registered with ENTSO-G as it does not have a connection to any transmission system

4.1.2 Populating Market participant usage

Until responsibilities are clarified in regard to IA Art. 9 (5), our assumption is that each market participant will report this information.

1. Delivery Date: There is no reloading or unloading in an Upstream LNG train process.
2. Delivery capacity: There is no reloading or unloading in an Upstream LNG train process.

5.1.1 Populating unavailability Report

Is unavailability based on any significance measure or is any change in unavailability reportable? We would recommend reports above a de minimis level, affecting supply to the Union. Asset operators do not have exposure to market pricing and so cannot make assessments based upon the anticipated effect on price.

Annex I.6, Remit Storage reporting schema

3.2.1 Creating a Facility Report

No specific comments

3.2.2 Populating storage facility details

The fields listed in this section are published by Gas Infrastructure Europe (GIE) on their AGSI+ webpage. With multiple operators in the same storage facility, each operator only has access to data relating to their part of the facility. Our assumption is that we will have fulfilled any reporting obligation, as an SSO, if GIE registers as a fundamental data provider and transmits to the Agency the information that we have about our segment of the facility. Our further assumption is that the Agency will aggregate the data from each operator to obtain an overall picture of the facility.

3.2.3 Populating participant activity report

1. Participant: With multiple operators in the same storage facility, each operator only has access to those Market Participants using their part of the facility. Our assumption is that the Agency will aggregate the data from each operator to obtain an overall picture of the facility.

Electronic formats for reporting electricity nominations (including data field 14)

Adding, removing or amending data fields that are part of existing industry formats will have a consequence on all Market Participants and should therefore be subject to a consultation with, and feedback from, all Market Participants. We would expect such a consultation to also include an assessment of the cost/benefits.

Data formats for Fundamental Reporting (Annex ii)

Statoil supports the use of XML for the purposes of fundamental reporting.

Electronic formats for reporting gas nominations (including data fields 13 and 14)

Adding, removing or amending data fields that are part of existing industry formats will have a consequence on all Market Participants and should therefore be subject to a consultation with all Market Participants. We would expect such a consultation to also include an assessment of the cost/benefits.

Future changes to industry standards and formats

Statoil supports the use of existing standards to deliver simplified reporting. Going forward we believe it is essential to engage with all stakeholders (including the Agency) before changes are

made in existing standards and formats and that all stakeholders are given adequate time to implement any changes.

Insider Trading and Time stamps

Our assumption is that this question relates solely to adding time stamp fields to the fundamental data reported to the Agency. It is unclear if all fundamental data transmitted to the Agency must also be published. We suggest that the Agency makes clear in the manual if there is information that need only be published or need only be transmitted to the Agency.

Time of event: the level of granularity (hours, minutes, seconds) should reflect the degree to which the timestamp sources have been synchronized with each other. It will only be reasonable to analyze the sequence of events if all of the timestamp sources are highly synchronized. Without highly synchronized sources, timestamps should be to the nearest “hour” rather than the nearest “second”.

Time of reporting to the Public: This seems to be the time when information was provided to a publication service – it will not be reported to the public until that publication service has published. Based on this interpretation, this time should not be relevant for insider trading assessment as the “insider period” continues until publication has been completed.

Time of publication: Seems to be similar to “Time of reporting to the Public”. A reportable timestamp will only be possible if the market is informed of all events before the Agency.

We fully support the principle of avoiding unnecessary costs or administrative burdens. We propose that additional timestamps are not added in this initial phase but that this could be considered within a post implementation review, 12 months after fundamental data reporting begins.