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ACER - Agency for the Cooperation of the Energy Regulators
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Reference	Contact Person	Direct Tel. Nr.	E-mail	
BR-15-143				The Hague, 25 June 2015

Subject: Public Consultation on the Common Schema for the disclosure of Inside Information

Dear Agency,

NOGEP stands for the Netherlands Oil and Gas Exploration and Production Association. NOGEP represents the interests of companies possessing permits to drill for and produce oil and gas both onshore and offshore on the Dutch continental shelf.

Please find below the NOGEP answers on the questions asked by ACER.

- 1. Would you add any other field not included in the current proposal? If so, please explain your reasoning.**

NOGEP does not see a need to add other fields. However, we would like to use this opportunity to request ACER to ensure that any suggestions for additional fields by other respondents are carefully checked to be within the scope of regulation (EU) No 1227/2011 ("REMIT").

- 2. Would you remove any field represented in the current proposal? If so, please explain your reasoning**

Field 14 "Decision time": in the interpretation of NOGEP the concept of "decision time" falls outside the definition of 'inside information' as meant in article 2 of REMIT. Planned unavailability is subject to change, and until published it can be considered as "market participant's own plans and strategies" as stated in consideration 12 of the regulation. De

facto “decision time” will be the same as field 13 “Published”. Therefore NOGEPa recommends to remove the field “decision time” from the common schema.

- 3. Would you change any of the descriptions, accepted values or applicability? If so, please explain your reasoning. Are the schemas or values that you are suggesting based on any industry standard? Which one(s)?**

The consultation document (page 7) does not provide a justification why inside information should be kept available for the public for at least 2 years. With reference to art. 2 of REMIT:

‘inside information’ means information of a precise nature which has not been made public, which relates, directly or indirectly, to one or more wholesale energy products and which, if it were made public, would be likely to significantly affect the prices of those wholesale energy products.

For NOGEPa this means that once information will no longer significantly affect prices, it can no longer be considered to be inside information. Why would it then be necessary to keep it for at least 2 years.

Field 9/b: Balancing zone (gas capacity): NOGEPa proposes that this field will be optional. Gas Producers and pipeline system operators are unable to determine which balancing zone is affected.

Field 11/b: Available capacity (gas capacity): NOGEPa proposes that this field will be optional. The reason for this is that a precise value cannot always be given at the time of an un-planned event.

Field 12/b: Nominal capacity (gas capacity): NOGEPa proposes that this field will be optional. The reason for this is that the nominal production capacity cannot always be given accurately at the time of an un-planned event. For production pipelines the nominal transportation capacity is irrelevant to determine the impact on markets. Field 10/b and Field 11/b however can be used instead.

- 4. Do you agree with the use of RSS or ATOM feeds to fulfil the requirement under Article 10(1) of the REMIT Implementing Regulation?**

NOGEPa agrees with the use of these commonly used web feeds.

In case any further information is needed, please don't hesitate to contact NOGEPA.

Yours sincerely,

