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ACER public consultation: Guideline on REMIT transaction reporting

Fields marked with * are mandatory.

Introduction

Background

Regulation (EU) No 1227/2011 on wholesale energy market integrity and transparency ("REMIT") establishes a framework to ensure the integrity and transparency of wholesale energy markets across the Union.

In 2024, REMIT was revised, introducing new and updated data reporting requirements. These changes were further specified in Regulation (EU) No 2026/256 on data reporting (recast REMIT Implementing Regulation), which sets out detailed rules on data reporting obligations, market participant registration, inside information disclosure, and monitoring procedures to ensure consistent enforcement of REMIT across EU wholesale energy markets.

Scope of the Guideline on transaction reporting

The revised REMIT introduced a new possibility for ACER to develop guidelines and recommendations to national regulatory authorities or market participants (Article 16b REMIT).

ACER has developed the Guideline on REMIT Transaction Reporting to facilitate the understanding of the data reporting rules and requirements under REMIT and the REMIT Implementing Regulation. The purpose of the Guideline on REMIT Transaction Reporting is to separate the technical guidance on how to report data to ACER, addressed in ACER's Transaction Reporting User Manual (TRUM), from the more policy-oriented aspects of data reporting, now consolidated into the Guideline on REMIT Transaction Reporting.

You can download the draft Guideline on REMIT transaction reporting here:

DRAFT_Guideline_on_REMIT_Transaction_Reporting.docx

Objective of the consultation

According to the revised REMIT, ACER shall conduct public consultations regarding the guidelines which it issues.

The objective of this consultation is to gather valuable feedback, needs and views from the public to refine the structure and content of the proposed guideline.

The survey is structured in dedicated sections following the chapters of the proposed guideline. Respondents are invited to submit their feedback on each section via the open questions below and/or by uploading documents with revision proposals in the dedicated section at the end of the survey.

Contact and deadline

The contact point for this consultation is: REMIT.Consultations@acer.europa.eu

All respondents are invited to submit their comments by 12 June 2026, 17:00 (CET)

Related documents

- Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency, https://eur-lex.europa.eu/eli/reg/2011/1227/oj
- Regulation (EU) No 2024/1106 of the European Parliament and of the Council of 11 April 2024 amending Regulations (EU) No 1227/2011 and (EU) 2019/942 as regards improving the Union's protection against market manipulation on the wholesale energy market, https://eur-lex.europa.eu/eli/reg/2024/1106/oj
- Commission Implementing Regulation EU 2026/256 of 30 January 2026 on data reporting implementing Article 7c(2), Article 8(1a), Article 8(2) and Article 8(6) of Regulation (EU) No 1227/2011 of the European Parliament and of the Council on wholesale energy market integrity and transparency and repealing Commission Implementing Regulation (EU) No 1348/2014 http://data.europa.eu/eli/reg_impl/2026/256/oj
- ACER REMIT Transaction Reporting User Manual (TRUM) Version 7.0 (published: 17 December 2024), https://www.acer.europa.eu/remit-documents/remit-reporting-guidance
- FAQs on REMIT Transaction Reporting (published: 30 September 2024), https://www.acer.europa.eu/remit-documents/remit-reporting-guidance
- 6.1 edition of ACER Guidance on the application of REMIT (published: 18 December 2024), https://www.acer.europa.eu/remit-documents/guidance-remit-application
- Questions & Answers on REMIT policy matters (published: 12 March 2025), https://www.acer.europa.eu/remit-documents/guidance-remit-application
- ACER's Manual of Procedures on transaction and fundamental data reporting (published: 17 April 2023), https://www.acer.europa.eu/remit-documents/remit-reporting-guidance
- ACER's Requirements for Registration of RRMs (published: 15 January 2021), https://www.acer.europa.eu/remit-documents/remit-reporting-guidance
- FAQs on REMIT Fundamental Data and Inside Information (published: 30 April 2021), https://www.acer.europa.eu/remit-documents/remit-reporting-guidance
- Open Letters on Data Quality, https://www.acer.europa.eu/remit-documents/remit-reporting-guidance

- Open Letters on REMIT Policy, https://www.acer.europa.eu/remit-documents/guidance-remit-application

Respondent's data

*** Name and surname**

This information will not be published

[redacted]

*** Email address**

This information will not be published

[redacted]

Name of organisation (if applicable)

Eni S.p.A.

Type of organisation (if applicable)

Multiple values are accepted

- [x] Market participant (including association)
- [ ] Organised marketplace (including association)
- [ ] Inside information platform (including association)
- [ ] Transmission system operator (including association)
- [ ] National regulatory authority
- [ ] Academia/research institution
- [ ] Other (please specify)

*** Country**

- (•) EU-27
- ( ) Other

Data protection, confidentiality and publication of results

Data protection

ACER will process personal data of the respondents in accordance with Regulation (EU) 2018/1725, taking into account that this processing is necessary for performing ACER's consultation tasks.

More information on data protection is available in ACER's data protection notice and on ACER's website.

ACER will not publish personal data.

* I have read and understood the Data Protection Notice on External Webinars / Online Events and Data Protection Notice on Interactions with Stakeholders.

I confirm

Confidentiality and publication

Following this consultation, ACER will make public:

- the number of responses received
- company names, unless they should be considered as confidential
- all non-confidential responses
- ACER's evaluation of responses. In the evaluation, ACER may link responses to specific respondents or group of respondents.

You may request that the name of your company or any information provided in your response is treated as confidential. To this aim, you need to explicitly indicate below whether your response contains confidential information.

* Do you consent to the publication of the name of the organisation?

- (•) Yes
- ( ) No

* Do you consent to the publication of the provided answers?

Please, note that your answer, without your name and organization, may be shared with the EU institutions and national authorities.

- (•) Yes
- ( ) No

* Does your submission contain confidential information?

Please note that submissions containing confidential information will not be published.

- ( ) Yes
- (•) No

Section I: Introduction and scope

This section covers the following topics:

- Legal framework
- Scope and purpose of the Guideline on REMIT transaction reporting
- Target audience
- Transaction reporting and market monitoring
- ACER contacts

Do you have any comments on the guidance provided in this chapter?

We appreciate the chance to contribute to the consultation on the proposed amendments and clarifications to the REMIT reporting framework and we share the goal of strengthening transparency and consistency in transaction reporting. Nevertheless, in several areas the text is ambiguous or risks extending reporting obligations beyond what REMIT principles would actually warrant. Any revision should stay firmly grounded in proportionality, legal certainty, and role-based obligations, and should not generate administrative burdens where no corresponding market integrity benefit arises. Detailed observations on specific areas where clarification is needed are set out below.

Section II: Reporting obligations

II.1 What to report?

This section covers the following topics:

- Transactions to be reported on a continuous basis
- Transactions to be reported on a periodic basis
- Transactions to be reported at the request of ACER
- Reporting requirements regarding transactions executed via a trade-matching system
- Definition of standard and non-standard contracts
- Distinction between product, contract and transaction for standard contracts
- Lifecycle events
- Back-loading requirement

Do you have any comments on the guidance provided in this chapter?

2.1.1.1 Supply transactions
Ambiguity: The wording regarding supply contracts for final consumers with a capacity > 600 GWh/y subject to periodic reporting is confusing.
2.1.2 Transactions to be reported on a periodic basis
Definition Reminder: "Transaction" also includes executions and orders.
Simplification Proposal: The intended simplification for > 600 GWh/y final consumer contracts is marginal if individual executions still require continuous reporting with inconsistent time granularity. Since these contracts are bilateral, flexible, and pose low manipulation risks, we propose replacing individual execution reports with a single aggregated execution report covering a rolling six-month period, capturing lifecycle events in the subsequent report.
2.1.2.1 Transactions with energy intensive final consumers
Point (43) - Standard Declarations & Presumptions:
ACER should provide an EU-wide standard declaration form for customers to confirm the

≥ 600 GWh/y technical capability.
Explicitly mandate that consumers provide this confirmation timely and notify suppliers promptly of any capacity status changes.
Establish a presumption that, without a declaration, the unit falls below the threshold and is not REMIT-relevant.
Point (49) - Multi-unit contracts: Clarify that for contracts covering multiple units, the threshold assessment and the declaration should apply to each individual consumption unit, not the aggregate contract volume.
Point (53) - Resale & Capacity Exemptions:
Confirm that if a sub-threshold consumer resells energy, this activity is REMIT-relevant (continuous reporting). However, if a sub-threshold consumer holds transport or storage capacity (where allowed nationally), these capacity transactions should remain exempt from reporting, aligning with the general exemption for sub-threshold consumers.
2.1.2.2 Transactions relating to capacity mechanisms
Responsibility: Clarify who reports OMP auction transactions: the OMP (platform provider) or the TSO directly?
Periodicity: Clarify whether continuous or periodic reporting applies.
Typo on entry into force: Confirm if the footnote stating "reporting... is not yet in force" is a typo, as capacity mechanism contracts entailing physical DA market sales are already reported continuously.
Reliability Services: Clarify that periodic reporting applies only to long-term products. Short-term products (e.g., daily) should be excluded and treated as balancing products to avoid confusion.
2.1.2.3 Transactions related to balancing services
Responsibility: Confirm that when a TSO supplies balancing services via OMP or TSO platforms, reporting is done directly by the OMP or TSO.
Inseparable Contracts: When balancing cannot be separated from supply (which only the TSO can fully assess), ACER must explicitly assign reporting responsibility to the TSO to prevent ambiguities across reporting parties.
2.1.2.4 Transactions relating to the storage of natural gas
Responsibility: For primary gas storage auctions, reporting must be handled by the SSO (if acting as OMP) or the OMP (if the SSO uses external exchanges). No other market participant should report primary allocations directly.
2.1.3.1 Intragroup transactions & 2.1.5.1 Features of standard vs non-standard contracts
Minor text additions have been made in the uploaded document.
2.1.3.7 Transactions for gas balancing services
Responsibility: Balancing contracts should only be reportable by the TSO or the OMP facilitating the auction.
2.1.5 Definition of standard and non-standard contracts
OMP Classification (Points 86-88): Market participants (MPs) cannot reliably distinguish if a broker is a PPAT and/or OMP, causing confusion on whether to use order book or bilateral reporting. ACER is urged to update the public list of OMPs, TSOs, SSOs, and capacity platforms, clarifying the exact status of each broker /platform categorized by type (storage, transport, balancing).
Voice-brokered trades: Confirm that reporting obligations for shaped/profiled non-standard voice-brokered trades fall entirely on the broker/OMP, not the MP, as MP-side implementation would be excessively complex.
2.1.6 Distinctions between product, contract and transaction definitions
Point (94): Clarify how the proposed distinction aligns with the official definition of "transaction" (which encompasses all of them).
Chapter 2.1.6.4 (Order report): Since "transactions" include orders, suggest renaming this chapter to 2.1.6.3.1.

II.2 Who shall report?

This section covers the following topics:

- Reporting parties

- Who shall report transactions concluded on an organised marketplace
- Who shall report transactions concluded outside an organised marketplace
- Who shall report transportation transactions
- Who shall report storage transactions
- Who shall report lifecycle events
- Wholesale energy products already reported in accordance with MiFIR or EMIR

Do you have any comments on the guidance provided in this chapter?

Reporting Parties (2.2.1): Since the entry into force of REMIT II order book reporting, market participants have faced increasing difficulties in obtaining the necessary data from OMPs, as the framework governing data sharing by OMPs towards market participants and their RRMs remains insufficiently defined. Even if we don't support ACER's understanding that MPs remain liable of checking OMPs data submitted to ACER, the lack of data sharing by OMPs is particularly problematic given that market participants retain further obligations in relation to OMP-reported data, including Exposure reporting and STOR obligations, which are becoming progressively more complex to fulfil in the absence of adequate data access.
We therefore urge ACER to clarify that OMPs are required to share relevant data with market participants and, upon request, with their RRMs, without imposing any additional administrative burden on market participants in this regard.

Organised Market Places (2.2.1.2):
o The expanded OMP definition under REMIT II, combined with outstanding uncertainties on primary capacity allocations and balancing energy reporting, makes it increasingly hard for market participants to determine whether a given platform, TSO or SSO qualifies as an OMP, creating material risks of inconsistent reporting.
We urge ACER to confirm that primary capacity allocations and balancing energy transactions should be reported by TSOs, SSOs or OMPs acting on their behalf, and that there are no obligations on MPs.
o On point 162 we welcome the clarification provided in this paragraph, which we believe it shout be stressed throughout the text. Building on this, we reiterate our call for ACER to establish a clear principle that auction and transaction data related to primary capacity mechanisms — whether from TSOs or SSOs — as well as balancing energy transactions concluded with TSOs, are expected to be reported directly to ACER by the relevant OMP, TSO or SSO.
Who shall report transportation transactions (2.2.4.):
o On point 186, we support the wording proposed by the Agency, however it remains valid the lack of clarity on the definition of OMP.
o Regarding point 191, we welcome the acceptance of single-sided reporting for secondary capacity allocations. We would also note that this principle could be extended more broadly within the REMIT reporting framework.
That said, further guidance would be needed on how this should work in practice also for OTC transactions— in particular, which party (buyer or seller) bears the reporting obligation where the transaction is not submitted through a capacity platform.

Section III: Start of reporting and reporting frequency

This section covers the following topics:

- Start of reporting

- Frequency of reporting

Do you have any comments on the guidance provided in this chapter?

Other comments and file upload

Are there any other proposals you would like to share with ACER? (e.g. topics that should be covered, amendments etc.)

A point of broader concern relates to how the OMP definition interacts with the allocation of reporting responsibilities, especially when it comes to balancing data and periodic reporting. The central argument we wish to make is straightforward: TSOs are the natural reporting entity for transactions relating to balancing services and similar centrally organised mechanisms. They act as central counterparties, they hold the most reliable and comprehensive data, and they are structurally best placed to ensure accuracy and consistency in reporting. Fragmenting this responsibility across a large number of individual market participants would serve no useful purpose — it would multiply the risk of inconsistencies and place an unnecessary burden on entities that are not the primary holders of the relevant data.
We therefore take the view that reporting obligations for balancing-related transactions should be assigned to TSOs or to the relevant central platforms as a matter of principle, regardless of how those entities are classified under the OMP framework. This approach would also be consistent with the evolution observed under REMIT, where system operators (e.g. SSOs and LSOs) increasingly act as primary reporting entities for centrally managed processes.

You can upload your proposals in Word or PDF here.

Please ensure that all your proposed amendments are in one document, clearly identifying each section affected. Track changed versions of the document are also welcome.

Maximum file size is 1 MB. If your file is larger, please use the functional mailbox: REMIT.Consultations@acer.europa.eu

0652b467-9744-4d69-9fac-66fb21719416
/DRAFT_Guideline_on_REMIT_Transaction_Reporting_Eni_Spa_comments.pdf

Thank you for your contribution.

Contact

Contact Form