Contribution ID: 97b0566e-ddc7-46bb-a3a7-5d2601447416
Date: 12/06/2026 13:50:55

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)

ORLEN S.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?

The Guideline on REMIT Transaction Reporting is a welcome step towards consolidating the policy oriented aspects of transaction reporting under REMIT, separated from the technical guidance contained in TRUM. Our following comments aim to improve legal certainty, data quality and auditability of reporting processes.
We recommend explicitly clarifying the interpretative hierarchy between:
- REMIT Regulation
- REMIT Implementing Regulation
- The Guideline and
- TRUM.

In particular, it should be stated that TRUM provides technical implementation guidance only and cannot extend or modify reporting obligations derived from REMIT or the Guideline.
Rationale:
Clear hierarchy reduces the risk of divergent interpretations and facilitates consistent application during supervisory and audit activities nsuring proportional implementation for market participants.

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.
Comment:
We suggest including a high level reference to minimum data quality expectations prior to reporting, such as:
- completeness of required data fields,
- basic logical consistency (e.g. price–volume–delivery profile),
- alignment with internal source data.

Rationale:

This would support consistent application of Article 14(2) of Commission Implementing Regulation (EU) 2026 /256 and help reduce the volume of post reporting corrections.
3.
Comment – Transactions with energy-intensive final consumers (Article 4(2)) periodic reporting:
We recommend that the Guideline explicitly clarifies the reporting obligations of suppliers in relation to transactions with energy-intensive final consumers.
In particular, it should be clearly stated that:
a) Suppliers are subject to periodic reporting under Article 4(2) for transactions concluded with energy-intensive final consumers. Reporting will be required on a "periodic" basis for both parties (not only the final consumer).
b) Where a supplier reports a transaction on behalf of the final consumer, this reporting should be considered as fulfilling the obligation for both counterparties, provided that the full set of counterparty data is included.
c) A precise guideline on how to prepare periodic reports and how to aggregate the data (reports) in such cases (i.e. reporting on behalf of the final consumer while also fulfilling the supplier's own reporting obligations) would be very helpful.
Rationale:
Under REMIT, both counterparties to OTC transactions are in principle responsible for reporting, with the possibility for one party to report on behalf of the other. In practice, suppliers frequently perform reporting on behalf of final consumers. However, the Guideline does not clearly explain how this delegation interacts with periodic reporting obligations under Article 4(2), which creates a risk of duplicate or inconsistent reporting.
Additionally, we understand that the policy intention behind introducing periodic reporting for transactions with energy-intensive final consumers was to reduce the reporting burden on final consumers. However, in practice, the proposed framework is likely to shift and increase the operational burden on suppliers.
Suppliers typically already report transactions both for themselves and on behalf of their counterparties under well-established processes and control frameworks. The introduction of periodic reporting will require suppliers to:
- implement new reporting processes in parallel to existing ones,
- develop additional data aggregation and reconciliation mechanisms,
- introduce new controls and validation procedures specific to periodic reporting.

As a result, the changes are perceived not as a simplification, but rather as an additional layer of complexity and operational burden for suppliers.

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?

4.
Comment:
The Guideline explains reporting responsibilities for market participants, OMPs and RRMs. However, responsibility for data quality is not fully delineated, therefore impact of the new Delegated Regulation on RRMs and IIPs could be more explicitly acknowledged, in particular from a governance and reporting chain perspective.
It would be helpful to clarify in the Guideline that:
- market participants remain responsible for the material accuracy and completeness of data,
- OMPs and RRMs are responsible for technical transmission and validation processes.

Rationale:
Explicit allocation of responsibilities improves accountability and auditability of reporting chains.

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.)

Additional comments
Need for a consolidated obligations table in the Guideline
Comment:
While the Guideline provides substantive guidance on transaction reporting under REMIT, it currently lacks a consolidated overview of obligations applicable to different categories of market participants over time.
We strongly recommend that the Guideline includes a consolidated summary table clearly specifying, for each major reporting obligation:
- from when the obligation applies (application date / start of reporting),
- what the obligation entails (high level description),
- to whom it applies (market participants, OMPs, RRMs, TSOs, etc.),
- legal basis (REMIT article and/or REMIT Implementing Regulation provision).

Rationale:
Such a table would:
- significantly improve legal certainty and uniform interpretation across market participants,
- support consistent implementation timelines, in particular during transition phases,
- reduce the risk of divergent interpretations between market participants, RRMs and NRAs,
- facilitate supervisory dialogue, internal compliance checks and audit trails.

Importantly, this approach would not introduce new obligations, but would serve as a navigation and alignment

tool, fully consistent with the objective of the Guideline to enhance understanding of reporting requirements without duplicating technical TRUM content.
A consolidated obligations table would materially enhance clarity, consistency and proportional implementation of REMIT reporting obligations by providing a single, authoritative overview of who must do what, and from when.
System-generated orders
System-generated orders at ACER's request should be narrowed down or clarified: (it is worth creating a closed catalogue of such orders; conditions when they are subject to the obligation).
Technical comments and/or questions:
• When is a storage facility treated as a production unit?
• (37 – 40) How do we calculate 10MW attempts for storage facilities? After all, we have several discharge and charge transactions per day – it's worth distinguishing between consumption and production units.
• Does the threshold refer to installed capacity, capacity fed into the grid, or technical capacity?
• (32)(64)(69) What criteria are used to aggregate units into "combined capacity"?
• (43-53) How do I obtain confirmation from the customer – in what form? How often should it be refreshed? What if the customer doesn't respond?
• (56-59) Quote: "If a contract for balancing purposes cannot be separated from a contract for the supply..." or how to distinguish between balancing service and supply, how to treat activation?
• (66-68) In companies like ours, reorganization is a constant, and these points completely ignore the fact that groups are living organisms, constantly undergoing mergers, reorganizations, or deconsolidations. How should the effects of such processes be treated, when should reporting be different, etc.?
• (83-92) What about transactions with a non-standard profile, delayed registration of transactions on the OMP, concluded via telephone/bilateral?
• (112) Broad definition of a lifecycle event // vs. typical operational events: curtailment, redispatch, partial nomination changes, profile changes, force majeure, default, volume adjustments.

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

Thank you for your contribution.

Contact

Contact Form