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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)

RWE Supply & Trading GmbH

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 opportunity to provide comments on the proposed amendments and clarifications to the REMIT reporting framework.

Overall position: We support the objective of improving transparency and consistency in transaction reporting.

Key principle: The framework should remain aligned with the core REMIT principles of proportionality, legal certainty, and role-based reporting obligations.

Main concern: In several areas, the current drafting may create ambiguity, lead to inconsistent interpretation, or unintentionally extend reporting obligations, particularly for final consumers and non-trading activities.

Recommendation: We therefore recommend further clarifying and streamlining the draft, ensuring consistency with established REMIT principles and avoiding disproportionate administrative burdens where there is no corresponding benefit to market integrity.

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?

1. Transactions to be reported on a continuous basis

a. Supply transactions (2.1.1.1):
It is not sufficiently clear that supply contracts with final consumers exceeding 600 GWh/year are exempt from continuous reporting and subject only to periodic reporting. We therefore recommend stating explicitly that such contracts fall exclusively under the periodic reporting regime and are not subject to continuous reporting

obligations. Without this clarification, the current wording may lead to inconsistent interpretation and potential double reporting.

b. Storage transactions (2.1.1.3):
In our understanding, electricity storage transactions are subject to continuous reporting where the withdrawal capacity exceeds 10 MW. Production units with a combined capacity of 10 MW or less are reportable only upon a reasoned request from ACER and on an ad hoc basis, unless the transaction is concluded on an OMP.
The consumption threshold for the supply of electricity, for example in relation to injections, does not apply in this context. Our understanding is that only transactions relating to the supply or production of electricity are subject to continuous reporting. Tolling agreements involving the purchase or sale of rights to storage, withdrawal and injection capacity do not qualify as electricity storage transactions.

2. Transactions to be reported on a periodic basis

We recommend stating explicitly that the definition of “transaction” in the light of periodic reporting does not cover executions and orders. By not doing so the intended simplification of periodic reporting for contracts with final customer above 600 GWh/year will be very limited / almost zero. Given the nature of these contracts, the systems and processes needed for execution reporting would still have to remain in place, despite the shift to periodic reporting.
Such contracts are typically bilateral, flexible, and present a low risk of market manipulation. The approach of regular execution reporting appears disproportionate. We therefore suggest reconsidering the execution reporting requirement, for example by limiting it to cases where ACER specifically requests it. Alternatively, market participants should be allowed to report execution data either monthly on an invoice basis or in a single aggregated report covering a rolling six-month period.

On transactions with energy intensive final consumers (2.1.2.1):
A standardised declaration template to be used by final customers confirming the technical capacity would be highly appreciated. It would provide a clear framework for the industry to identify the reporting classification of the customer.
Additionally it should be clarified that where final customer engages in wholesale energy trading or resale activities, such activities are subject to continuous reporting irrespectively of the 600 GWh/year threshold.

Transactions relating to capacity mechanisms (2.1.2.2):
As with other reporting obligations, reporting responsibility should be stated clearly. In our view, the following principle should apply: where a transaction is concluded on an OMP, the OMP should be responsible for reporting; otherwise, the grid operator should be the reporting party. This would promote consistent reporting and reduce fragmentation.

Transactions related to balancing services (2.1.2.3):
The reporting responsibility should be set analogous to the gas balancing service. The grid operators are the golden source and would result into a less fragmented more consistent reporting landscape.

Transactions relating to the storage of natural gas (2.1.2.4):
For primary and secondary capacity allocations, the SSO should be the reporting party unless the transactions are concluded on an OMP. Secondary storage allocations should be treated in the same way, as the SSO must be informed of any reallocation of usage rights for operational purpose.

3. Transactions to be reported at the request of ACER

Transactions relating to market-based redispatching measures (2.1.3.5):

We understand that ancillary services fall within the scope of primary capacity allocations, and that the same reporting principles should apply. We therefore recommend clarifying this with the Guidance.

Transactions for gas balancing services (2.1.3.7):
The clarification provided for gas balancing services is helpful. Similar clarification should be explicitly extended to electricity balancing services. Consistent with the above, balancing contracts should be reportable only by the TSO or the OMP facilitating the auction.

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)
The wording used in this chapter is not precisely written. On the one hand the Market Participants (MPs) are not allowed to report to ACER but must make the data available to ACER. It should be clarified that this obligation is fulfilled by a timely and correct submission to an RRM. Additionally by writing "…those OMPs,…, thereby fulfilling on behalf of market participants their obligations…", this formulation can be interpreted that the responsibility is with the market participants and not with the OMP. The wording should clearly define the responsibility of the OMP to provide the transaction reporting and the market participant is only to provide the data to the OMP that he cannot know. By providing the missing data all transaction reporting obligations are then with the OMP. MPs should not have the obligation to reconcile the reporting performed by the OMPs.

Organised Market Places (2.2.1.2):
The current OMP criteria create uncertainty for market participants when assessing whether a platform, TSO, SSO, or broker qualifies as an OMP. This is particularly relevant for primary capacity allocations and balancing energy transactions with TSOs. As a result, market participants must assess reporting responsibilities case by case, which is likely to lead to inconsistent reporting and lower data quality. To address this, we recommend that ACER establish a clear general principle: transactions relating to primary capacity allocations and balancing energy should be reported directly by TSOs and SSOs, or by OMPs, including capacity platforms, acting on their behalf. This would remove the need for case-by-case assessments and improve both consistency and data quality. TSOs and SSOs are the primary holders (the "golden source") of the relevant data, so this approach reflects their role appropriately. Any exceptions should be clearly and proactively communicated by TSOs, SSOs, or the relevant platforms to all counterparties.
We welcome the clarification in paragraph (162). Building on this, we reiterate the importance of formalising the above principle, namely that:
• auction and transaction data relating to primary capacity mechanisms (TSOs/SSOs); and
• balancing energy transactions concluded with TSOs should be reported directly by TSOs, SSOs, or the relevant OMPs.

Any deviation from this approach should be explicitly communicated to all affected market participants.

Who shall report transaction concluded on an organised marketplace (2.2.2):
The wording "…thereby fulfilling the market participant reporting obligations" can cause some confusion. The descriptions in the following paragraphs actually indicates that the reporting obligation for transactions concluded on an organised market place lies with the OMP. This confirm our understanding of the amended REMIT regulation. An alternative sentence could be: "For transactions concluded on an organised marketplace the reporting obligations lie solely with the OMP and not with the market participants."

Who shall report transportation transactions (2.2.4):
For secondary capacity allocation we suggest that the TSOs is the party with the reporting obligation. The TSO needs to be informed by the parties anyway to enable the MPs to use those rights. The missing information from the secondary capacity allocation (e.g. price) need to be provided by the market participants.

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?

To support simplification, consistency, and high data quality, execution reporting for contracts with final customers exceeding 600 GWh/year (paragraph 211) should, as a general rule, be required only upon request by ACER. This would better reflect their lower market manipulation risk and keep the periodic reporting framework proportionate and efficient.
If execution reporting remains mandatory, we recommend allowing aggregated reporting aligned with the periodic cycle. For example, executions occurring after the submission of the periodic (Table 2) report could be reported as a single aggregated file covering the relevant six-month period. At the same time, market participants should retain the flexibility to report monthly where this fits their existing systems.
This approach would reduce duplication and operational complexity while ensuring that relevant execution data remains consistently available and of high quality.

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.)

We would like to highlight a broader structural point regarding the interaction between OMP definitions and reporting responsibilities, particularly for balancing and periodic data:
To ensure high data quality, consistency, and simplification, transactions related to balancing services and other centrally managed mechanisms should, in principle, be reported directly by TSOs or by platforms acting on their behalf. As central counterparties, TSOs hold the most complete and reliable "golden source" of data. Requiring multiple market participants to report the same transactions would create duplication, increase the risk of inconsistencies, and weaken overall data quality.

We therefore recommend clearly assigning reporting responsibilities for balancing-related transactions to TSOs (or relevant central platforms), independently of OMP qualification. This would streamline reporting, enhance data integrity, and align with the evolution under REMIT, where system operators 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

Thank you for your contribution.

Contact

Contact Form