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ACER – Agency for the Cooperation of Energy Regulators
Public Consultation Paper (PC_2013_R_06): Publication of extracts of the European register of market participants

OPINION RELATED TO THE PUBLICATION OF EXTRACTS OF THE EUROPEAN REGISTER OF MARKET PARTICIPANTS

First of all, a lot of thanks to ACER (Agency for the Cooperation of Energy Regulators) organising this very interesting public consultation.

Energy market integrity and transparency is very important issue and it has straight consequences to private citizens.

This opinion represents an opinion of an individual citizen, not any legal entity.

This opinion does not contain:
- any business secrets
- any trade secrets
- any confidential information.

This opinion is public.

ACER can publish this opinion on a relevant web page.

Annex 1 holds information about previous opinions in the EU level.
Annex 2 holds information about disclaimers and copyright.

With Kind Regards,

signed electronically

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1. General: Previous consultation of the REMIT registration format

I gave earlier an opinion (7 May 2012) related to the REMIT registration format, and this opinion is on the following web page address:

EN: Opinion 34: REMIT Registration Format
http://www.jukkarannila.fi/lausunnot.html#nro_34


SO, in this Opinion there should be some new insights related the publication of extracts of the European Register of market participants.

2. A quick analysis of the ACER decision n° 01/2012

In section (5) there is mentioning about unique identifier (the “ACER code”), and I advocated this approach in my Opinion (7 May 2012).

I also advocated use of unique identifiers from other (external) registers, and there is mentioning about the some identifiers mentioned: .e.g. VAT number, EIC, LEI, GS1, Trade register number.

Generally speaking, using information from different registers / databases and combining the gathered information will result some added value. In practical reality, the ACER code can be used in several systems outside of the European Register.

It must be mentioned, that the European Commission (DG CONNECT, Unit G3) has organised a consultation about guidelines on recommended standard licences, datasets and charging for the re-use of public sector information.

The web page for this consultation is following:

In practical terms, providing publication of extracts of the European Register of market participants is one form distributing public sector information.

It is good to notice that in section (8) there is mentioning, that possibly the REMIT registration format can be reviewed based on the experience of using the ACER databases / system(s).

3. General notes of the European Register

There is several mentions about the European Register, but the implementation of this European Register is somewhat unclear in this phase.

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I have to reiterate again (cf. Opinion dated 7 May 2012) the maximum solution for the European Register:

* ACER owns the machinery and processor of the information system
* the machinery and processor are based on relevant open standards
* the operating system is based on an open-source solution
* ACER owns the source code of the information system
* the database is based on open-source solution and on relevant open standards.

Naturally ACER can use technologies, which are developed in an open environment, but these open technologies can be the base for actual solutions with direct ownership.

ACER will most probably face a fierce resistance from several stakeholder groups when/if ACER is demanding total ownership of the whole information system.

It can be said, that customer’s total ownership of the information system is somehow non-understandable for some ICT persons.

Therefore the technological implementation of a (new) European Register should be totally controlled by ACER, and the providers of different technologies should not create any technological lock-ins for ACER.

The data in European Register should be totally controlled by ACER in all phases of the life cycle of the European Register.

Like the figure above indicates, there is a life cycle for different information systems, when the data...
in the system changes and the systems is technologically changed during the life cycle of the European Register.

Generally speaking, usage of open standards and open technologies can result longer life cycle for the European Register.

4. The European Register needs to be a horizontal information system

The issue of horizontal information system was not fully elaborated in the previous opinion (7 May 2012). According to my understanding, the European Register will collect information from several stakeholders and the European Register will provide information to several stakeholders.

Therefore, there is a need for several interfaces to serve external systems / stakeholders. In the decision n° 01/2012, there are CSV and XML mentioned as a way to transfer information from the

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national registers. I would differentiate following interface need:

* direct system-to-system connection
* interfaces based on transmitting documents between different systems.

CSV and XML are for transmitting documents between the different systems. We can present once more the following figure.

What all this means in practice?

1) ACER could consult different stakeholders, and their need for direct system-to-system connections
2) ACER could consult different stakeholders, and their need for transmitting different documents between different systems.

The mentioned CSV and XML can be one solution, but there are also other options. In practice, different stakeholders have their own systems, which may be very cumbersome, and the usage CSV or XML are not implemented in some systems. In reality, the proposed European Register should work several years / decades. The technological reality is, that there will be need for new interfaces during the life cycle.

5. Layered systems / different brokers

Like mentioned in the previous opinion (7 May 2012), there is an actual need for several identifiers, and the ACER code is another needed identifier. And the usage of the ACER code can be
used by several stakeholders/systems. One interesting phenomenon is, that there can be different brokers or trusted third parties.

In reality, the extracts of the European register are just one part of creating added value for different stakeholders. When the data from several systems are combined, there can be very sophisticated information services.

6. Analysis of the Annex 1 of the ACER decision n° 01/2012

I advocated in the previous opinion (7 May 2012), that ACER could present a proposed database structure, and there could be a consultation about the database structure.

Annex 1 of the ACER decision n° 01/2012 is very good starting point for further analysis.

Section 1: Data related to market participant

Analysis of field 101:
* companies constantly buy and sell parts of different operations
* the name of a company (Market Participant) can change
* the history of name changes may be relevant in the long run
* should the name changes be recorded?
* the system must work when there are name changes for market participants

Analysis of fields 112, 113, 114, 115, 116, 117 and 118

It seems, that these field are based on actual reality, since there is a need for communication.

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between different systems.

However, there must be always a possibility to add new external identifiers. I suppose, that the European Register should work several years / decades. My analysis is, that there can be developed new systems outside of the European Register, and in some cases those new systems may mean new external identifiers.

New Proposal – Field 126: Historical data
* I propose a new field 126
* Free text, alphanumerical

In reality, the real data to be added is always somewhat murky. This means, that there is a need for a field for free-form text data field, which can contain all kinds of free-form historical data.

Eg. in Finland in the electronic medical prescription (e-Resepti 1) one important field is only 50 characters. In reality, it could have been eg. free text (alphanumerical). Therefore, the proposed European Register could contain free-form historical data field (free text, alphanumerical). My initial analysis is, that there will be need for different historical data related to market participants.

Field 103: Legal form

Proposal: This could be a selection from pre-determined values.

The following Wikipedia article is very revealing


There are several types of legal forms in the European Union member states.

Eg. in the Finnish context the pre-determined values could be following:

FI-1: general partnership
FI-2: limited partnership
FI-3: minimum share capital
FI-4: public limited company
etc.

Section 2: Data related to natural persons

New Proposal – Field 215: Historical data
* I propose a new field 215
* Free text, alphanumerical

Here is the same need for historical data, since there can be several changes during the usage of the European register.

Section 3: Data related to ultimate controller


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New Proposal – Field 321: Historical data
* I propose a new field 321
* Free text, alphanumerical

Here is the same need for historical data, since there can be several changes during the usage of the European register.

Section 4: Data related to corporate structure

New Proposal – Field 321: Historical data
* I propose a new field 321
* Free text, alphanumerical

Here is the same need for historical data, since there can be several changes during the usage of the European register.

Section 5: Data related to delegated parties

New Proposal – Field 506: Historical data
* I propose a new field 506
* Free text, alphanumerical

Here is the same need for historical data, since there can be several changes during the usage of the European register.

Issues raised in the consultation document (PC_2013_R_06)

In the consultation paper (PC_2013_R_06) is a list of consultation issues. Here are some observations based on the questions.

1.a) Most likely there will be new usage ideas for the European Register, since the life of the European Register will be year/decades. My analysis, that there can be need for some new fields in the European Register

1.b) The fields 108-111 are necessary, and there can be several changes, which are relevant to different stakeholders.

1.c) The field 113-116 are necessary, and there can be several changes, which are relevant to different stakeholders.

1.d) At the moment, we can not foresee all possible (new) usage ideas for the information in European Register. The added value for different stakeholder can be using identifiers from several system, and ACER code is one important identifier.

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2.a) Like said before, we can not foresee all possible (new) usage ideas for the information in European Register. Therefore ACER can consult different stakeholders and gather new usage ideas for the European Register.

2.b) As a general note we can assume, that the information in the European Register could be transparent, and extracts from the European Register should be easy to use outside the European Register. Naturally, the level of publicity must be carefully assessed.

Generally: there is need for different feeds from the European Register

Here I have reiterate again (cf. Opinion dated 7 May 2012) different information feeds from the systems. One on of the most used information feed is naturally RSS, and especially the 2 version. ACER could provide different RSS feeds based on the current information needs after consulting different stakeholders.

Like said before, different stakeholders have their own information systems, which can be very cumbersome and/or antiquated. Here is yet another way for describing information (feed) needs. Four basic functions: Retrieve, Add, Remove, Change. In the current information technology environment there are e.g following information system: server, desktop and mobile systems.

Each of these functions can mean real-time system or e.g. systems updated daily. Like said earlier,

2 http://www.rssboard.org/rss-specification, RSS 2.0 Specification

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there can be very cumbersome and/or antiquated (customer) systems. This means, that ACER could
gather information needs from different stakeholders, which could be using the European Register.

Generally speaking, users can divided e.g. in to different classes:

* heavy users – e.g. using the system daily or several times in a day
* casual user – not using daily but monthly
* other users – e.g. using system sometime not daily/monthly

So, there can be different user interfaces for different user classes.

Need for new consultations?

This consultation was very important and interesting.

The next phase can be implementing the European Register. Therefore, I propose a consultation
based on the actual implementation of the European Register. There could be two versions of the
implementation: the test system(s) and the actually implemented system. The test system could be
tested by interested stakeholders, and there can several testing possibilities.

Generally speaking, there are two schools for implementation procedures:

1) Explicating the concepts (fields) first.
2) Creating the interfaces first.

In this case, ACER has selected parts of the first option, and there is nothing wrong that option.
When the concepts are finally explicated, eg. based on this consultation, there can be several
options for interfaces.

I would advocate, that different stakeholders could propose different interface proposals based on
the finally selected concepts (fields). Then those interface proposals could be critically assessed,
and there can be different interfaces based on the user classes. Naturally, user interface experts can
be consulted, and that is one option.

Good luck!!!!

Information technology is never easy, and this consultation is just part of the complexity, which will
be there, when actually implementing the European Register. The journey will be most probably
somewhat unexpected, but consulting seasoned experts in right points of the decision chain might
be a feasible option.
ANNEX 1

My opinions to the previous and relevant consultations – there consultations were mostly organised by the Commission of the European Union.

General page to all consultations – both in English and in Finnish:

http://www.jukkarannila.fi/lausunnot.html

EN: Opinion 1: Review of the rules on access to documents
http://www.jukkarannila.fi/lausunnot.html#nro_1

EN: Opinion 2: Schools for the 21st Century
http://www.jukkarannila.fi/lausunnot.html#nro_2

EN: Opinion 3: The future of pharmaceuticals for Human use in Europe- making Europe a Hub for Safe and Innovative medicines
http://www.jukkarannila.fi/lausunnot.html#nro_3

EN: Opinion 5: Consumer Scoreboard, Questionnaire for stakeholders
http://www.jukkarannila.fi/lausunnot.html#nro_5

EN: Opinion 6: Consultation on a Code of Conduct for Interest Representatives
http://www.jukkarannila.fi/lausunnot.html#nro_6

EN: Opinion 8: European Interoperability Framework, version 2, draft
http://www.jukkarannila.fi/lausunnot.html#nro_8

http://www.jukkarannila.fi/lausunnot.html#nro_9

EN: Opinion 15: Collective Redress
http://www.jukkarannila.fi/lausunnot.html#nro_15

EN: Opinion 17: Opinion to Antitrust Case No. COMP/C-3/39.530
http://www.jukkarannila.fi/lausunnot.html#nro_17

EN: Opinion 18: Opinion Related to the Public Undertaking by Microsoft
http://www.jukkarannila.fi/lausunnot.html#nro_18

EN: Opinion 19: Official Acknowledgement by the Commission
http://www.jukkarannila.fi/lausunnot.html#nro_19

EN: Opinion 20: SECOND Opinion Related to the Public Undertaking by Microsoft
http://www.jukkarannila.fi/lausunnot.html#nro_20

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EN: Opinion 21: Opinion about the European Interoperability Strategy proposal
http://www.jukkarannila.fi/lausunnot.html#nro_21

EN: Opinion 23: Public consultation on the review of the European Standardisation System
http://www.jukkarannila.fi/lausunnot.html#nro_23

EN: Opinion 27: Public Consultation on the Modernisation of EU Public Procurement Policy
http://www.jukkarannila.fi/lausunnot.html#nro_27

EN: Opinion 28: Consultation on the Europe 2020 Project Bond Initiative
http://www.jukkarannila.fi/lausunnot.html#nro_28

EN: Opinion 30: Internet Filtering
http://www.jukkarannila.fi/lausunnot.html#nro_30
NOTE: Organised by the European Committee for Standardization (CEN) 3

http://www.jukkarannila.fi/lausunnot.html#nro_32

EN: Opinion 34: REMIT Registration Format
http://www.jukkarannila.fi/lausunnot.html#nro_34
NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER) 4

EN: Opinion 35: Exploiting the employment potential of the personal and household services
http://www.jukkarannila.fi/lausunnot.html#nro_35

EN: Opinion 37: CASE COMP/39.654 - Reuters instrument codes
http://www.jukkarannila.fi/lausunnot.html#nro_37

EN: Opinion 39: Registry options to facilitate linking of emissions trading systems
http://www.jukkarannila.fi/lausunnot.html#nro_39

EN: Opinion 40: Media Freedom and Pluralism / audiovisual regulatory bodies
http://www.jukkarannila.fi/lausunnot.html#nro_40

EN: Opinion 41: AT.39398: observations on the proposed commitments
http://www.jukkarannila.fi/lausunnot.html#nro_41

EN: Opinion 42: Opening up Education
http://www.jukkarannila.fi/lausunnot.html#nro_42


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ANNEX 2

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The English explanation is in the following web page:

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5 Based on the Finnish three-party system there is a phenomenon called extreme-centre in Finland. The 2011 parliamentary elections in Finland challenge the three-party system, since three “old” parties were not traditionally as the three largest parties. The is now a “new” party as the third largest party. We all must remain being interested about this new development in Finland.

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