


ACER

 Agency for the Cooperation
of Energy Regulators

Requirements and Technical Specifications for the submission of data under REMIT

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- Background
- Registration of reporting entities
- Criteria for the submission of data
- The way forward

“ACER shall ensure the confidentiality of the information received pursuant to Article 4(2) and Articles 8 and 10 of REMIT. ACER shall take all necessary measures to prevent any misuse of, and unauthorised access to, the information maintained in its systems and shall identify sources of operational risk and minimise them through the development of appropriate systems, controls and procedures.”

[Article 12 of REMIT]

- Already in its recommendations to the Commission in October 2012, ACER highlighted the need to set requirements for the registration of reporting entities for ensuring operational reliability according to Article 12 of REMIT
- On 22 March 2013, ACER launched a public consultation on the registration of reporting entities
- The public consultation document consisted of 11 questions, and the consultation lasted until 13 May 2013
- A public workshop was held on 25 April 2013 to discuss with stakeholders about the public consultation document

Feedback received

- In general, the respondents were positive to the proposed requirements but many called for more detailed information regarding technical specifications
- Mixed feedback as to the whether RRM and RISs must have a legal status in a EU Member State or an EEA country
- No reason for confidentiality of the technical specifications documents
- ISO 27001 certification should not be mandatory – mixed comments as to whether audits should be required
- Lighter set of requirements for self-reporting entities
- Unify requirements for RRM and RISs
- Request for delivery and process receipts from third party reporting entities

An evaluation of the responses received will be published on the Agency's website

Requirements for the submission of data

“In order to ensure efficient, effective and safe exchange and handling of information the Agency shall after consulting market participants develop technical and organisational requirements for the submission of data as referred to in Articles 6 and 7 [trade and fundamental data].

The requirements shall foresee mechanisms:

- (a) to ensure the security and confidentiality of information,*
- (b) to identify and correct errors in data reports,*
- (c) to authenticate the source of information,*
- (d) to ensure business continuity.*

The Agency shall assess whether market participants and third parties reporting on their behalf comply with the requirements. Market participants and third parties reporting on their behalf who comply with the requirements shall be registered by the Agency. Entities listed under the first subparagraph of Article 5(4) [Trade repositories, ESMA, etc] shall not be subject to requirements under this Article.”

[Draft Implementing Acts, December 2013]

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Basic principles

- Reporting entity is a legal or natural person that submits data to ARIS
- Reporting entity can act on its own behalf or on behalf of another legal or natural person
- Every reporting entity has to be registered with ACER
- Every reporting entity has to fulfill certain requirements to ensure efficient, effective and safe exchange and handling of information
- Requirements may differ between self reporting entities and third parties reporting on behalf of market participants
- Reporting entity will receive electronic receipt signed by ACER for any data submitted

Registration process: Two-stage procedure

- As described in the public consultation document, the registration process for reporting entities comprises two stages:
 - » Firstly, ACER will review an application, and if appropriate make a provisional registration
 - » Secondly, ACER will make a final registration subject to successful integration with ACERs technology as described in the “Technical Specifications for reporting entities” document
- Persons considering to submit data to ACER under REMIT are encouraged to review the technical specifications before submitting the application

- Information on fulfilment of the technical requirements to report information according to REMIT, in particular
 - » Reporting entities shall have sound security mechanisms in place designed to guarantee the security of the means of transfer of information including non-repudiation, minimise the risk of data corruption and unauthorised access and to prevent information leakage before reporting;
 - » Reporting entities shall maintain adequate resources and have back-up facilities in place in order to offer and maintain its services;
 - » Reporting entities shall have systems in place that can effectively check transaction reports for completeness, identify omissions and obvious errors and request and/or initiate re-transmission of any such erroneous or missing reports. Reporting entities shall be committed to improve quality and reliability of data in accordance with REMIT so that a high level of operational reliability of the Agency's tasks are ensured;
 - » Reporting entities shall have adequate contingency plan to assure availability of service during the operating time of its all associated MPs.

Registration information – to be addressed

- Details and evidence of the fees or other schemes for cost recovery and fee application rules it proposes to charge for the service provided to any person submitting record of transactions, including orders to trade, for reporting to the Agency;
- Any evidence to demonstrate that the person is established in any of the EU Member State or an EEA country, and that it operates, with the inclusion of the infrastructure designated, in one of the Member States under the jurisdiction of the EU law;
- All additional documents, explanations and information the Agency may require.

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List of criteria for submission of data – to be addressed

- Reporting of information

Reporting entity should be able to report according to the Implementing Acts.

- Validation of input

Reporting entity should ensure that the data to be reported comes from a trusted source and is consistent and complete.

- Output format

Reporting entity should ensure that the reported data is properly formatted.

- Output content

Reporting entity should ensure that the reported data is consistent and complete.

List of criteria for submission of data – to be addressed

- Validation of output

Reporting entity should ensure that the feedback received in response to reported data is collected, stored and made available to market participants.

- Processing

Reporting entity should process the data that is being reported and should keep proper logs of what was reported and when.

- Recovery provisions

Reporting entity should be able to handle potential disruption in the reporting process.

- Service support

Reporting entity should be actively involved in reporting process and should be able to support it. The complexity of this requirement is related to the number of market participants.











- Requirement to meet the criteria for submission of data
- Annual audit confirming that the criteria for submission of data are met (upon request)
- Notifications to ACER if operations have been disrupted or if security measures have been breached
- Record keeping
- Renewal of an existing registration on a bi-annual basis

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The way forward

- For the purpose of transparency, ACER intend to publish a Preliminary version of the Requirements for reporting entities before the adoption of the IAs
- Technical Specifications will be developed during the ongoing ACER Pilot Project
- ACER will continue to involve relevant stakeholders in the preparation of the Requirements
 - » Roundtable meetings are organised for the following stakeholder groups (Energy exchanges, Third party reporting entities, Associations of market participants), which were established following an open letter and invitation published on the ACER website
 - » Additional public workshop in June 2014
- Final Requirements for the submission of data will be published in parallel to the adoption of the IAs

Roundtable meetings

	April 2014				May 2014				June 2014			
	Week 1	Week 2	Week 3	Week 4	Week 1	Week 2	Week 3	Week 4	Week 1	Week 2	Week 3	Week 4
Energy Exchanges Roundtable												
Third party reporting entities Roundtable							 			 		
Associations of market participants Roundtable							  					

 Input to the data fields (orders to trade) ===== >> then 

 Trade Reporting User Manual (standard form)

 Requirements for becoming third party RRM's

 Trade Reporting User Manual (non-standard form)

- Do you have any comments on the proposed registration criteria
- How should the requirements for self-reporting entities and third-party reporting entities differ?
- Should the same requirements apply for the submission of trade data and fundamental data?
- Should reporting entities without a legal status in the EU be eligible to register with ACER as a reporting entity?

If you have any additional questions or comments related to the requirements for the submission of data, please email us at

remit@acer.europa.eu

Thank you!

Thank you for your attention!



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