



Consultation on ACER's Requirements for the registration of Registered Reporting Mechanisms (RRM)

Enagás comments

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Name and address of the company you represent:

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1. Consultation Questions

1. Do you agree with the Agency's view that post-trade events related to wholesale energy products shall be reported by trade matching or trade reporting systems?

1. Yes. Only in the case that organised market places do not count with this information, should trade matching or trade reporting systems deliver this information to the Agency.
2. It is not clear what the Agency means by post-trade events.

2. Do you agree that the standards and electronic formats to be established by the Agency according to Article 10(3) of the draft Implementing Acts shall apply to trade repositories and ARMs for the reporting of data covered by EMIR and / or other relevant financial market legislation? If not, please justify your position.

3. No comments.

3. Do you agree that the requirements set out above adequately ensure the efficient, effective and safe exchange and handling of information without imposing unnecessary burdens on reporting entities?

4. Yes. Unnecessary burdens on reporting entities shall be prevented. Furthermore TSOs who act as a RRM on behalf of market participants shall be retributed accordingly in order to cover the investments on IT developments.
5. TSOs are regulated companies and the requirements that are being imposed to them are disproportionate. TSOs are already subject to heavy monitoring.

4. Do you agree with the Agency's view that the same requirements shall apply to all RRM's?

6. Basic principles shall be the same for all RRM's. However some requirements may differ from one RRM to the other in line with their own specificities.
7. Regulated companies, such as TSOs, should not be subject to the same requirements as other RRM's as they are already strongly monitored by National Regulatory Authorities

5. If your reply to question 4 above is negative, please explain which requirements should apply differently to different RRM's and why.

8. No comments.

6. Notwithstanding the requirements on the validation of output (see Chapter 5.6), should the Agency offer to entities with reporting responsibilities the possibility to request access to the data submitted on their behalf by third-party RRM's?

9. Yes, it should be offered by the Agency without creating new burden to RRM's.

7. If the reply to question 6 above is positive, please explain how such access should be granted, taking into consideration the need to ensure operational reliability and data integrity.

10. Enagas believes that a specific procedure that considers the confidentiality of the data and the secure access to the data should be applied.

8. Do you agree that the compliance report must be produced by the RRM on a yearly basis or shall such report be compiled only at the request of the Agency?

11. The compliance report shall only be produced on at the request of the Agency in order to avoid additional burdens on RRM's

9. Do you agree that trade repositories and ARMs shall be registered with the Agency, even if they only report data reportable under EMIR and / or other relevant financial market legislation?

12. No comments.

10. Do you agree that the Agency should foresee a simplified registration process for trade repositories and ARMs that only report data reportable under EMIR and / or other relevant financial market legislation?

13. No comments.

11. Do you agree that CEREMP should be used for the identification of market participants that apply to become a RRM?

14. Enagás believes that other identification codes, such as the Energy Identification Code which is used for both electricity and gas, should be used prior to creating an additional identification code for market participants by ACER.

15. ACER should encourage market participants to request an EIC's before registering themselves in CEREMP.

16. An additional EIC field could be created for Registered Reporting Mechanisms.

12. What is your opinion on the timeframe needed to complete the registration process?

17. The timing envisaged to complete the registration process seems suitable. Nevertheless the Agency should handle registrations requests shortly in order to speed up the process.

13. Do you have any comments on the registration process in general?

18. The registration process seems a very tedious process. Furthermore there are some national regulatory authorities who are experiencing difficulties in developing their national registries which does not allow for market participants to anticipate their registration process.

19. Not until all National Regulatory Authorities are capable of opening their National Registries should the Agency open the CEREMP. Otherwise unequal treatment could take place amongst market participants.

14. Would the periodic renewal of registration be a valid alternative to the certified annual report?

20. No. Burdens on RRM should be minimized to the maximum extent possible. Therefore the certified annual report and the periodic renewable of registration should be avoided.

21. RRM should only be requested to deliver a report on the request of the Agency and in the case there is some suspicious behavior.

15. Do you have any other comments on the Chapter concerning the Agency's assessment of compliance with the RRM requirements?