

2021 Joint roundtable meeting with AEMPs, OMPs and RRM

16 November 2021 from 10:00 to 16:00

Microsoft Teams session

MINUTES

(Chatham House Rule, no names in quotes during the meeting)

| Represented institutions | Remarks |
|--|---------|
| ACER, MIT department | |
| ACER, MSC department | |
| ACER, IGR department | |
| 42 Financial Services a.s. | |
| Amber Grid | |
| Austrian Power Grid AG | |
| BORZEN, operater trga z elektriko, d. o. o. | |
| BSP d.o.o. | |
| BULGARTRANGAZ EAD | |
| COMMERG B.V. | |
| Corretaje e Información Monetaria y de Divisas Sociedad de Valores SOCIEDAD ANONIMA, CIMD SV (OTF) | |
| Croatian Power Exchange Ltd. | |
| Deutsche Börse AG | |
| European Federation of Energy Traders (EFET) | |
| EirGrid plc | |
| ELIA TRANSMISSION BELGIUM NV | |
| Enagás GTS, S.A.U. | |
| EnBW | |
| ENI S.P.A. | |
| ENTSO-E | |
| ENTSOG | |
| Equias B.V. | |

| Represented institutions | Remarks |
|---|---------|
| EPEX SPOT SE | |
| Europex | |
| EXAA Energy Exchange Austria | |
| FGSZ Földgázaszállító Zártkörűen Működő Részvénytársaság | |
| Fluxys Belgium | |
| Gas Infrastructure Europe (GIE) | |
| GAZ-SYSTEM S.A. | |
| Gestore dei mercati energetici spa (GME) | |
| GFI EU | |
| HENEX SA | |
| HUPX Ltd. | |
| ICE Trade Vault Europe Limited | |
| Independent Bulgarian Energy Exchange | |
| Keler Ltd. | |
| LEBA | |
| MIBGAS | |
| National Grid Interconnectors Limited | |
| Nord Pool Spot AS | |
| OMI-Polo Español S.A. (OMIE) | |
| OMV | |
| ONTRAS Gastransport GmbH | |
| OTE, a.s. | |
| PLINOVODI, Družba za upravljanje s prenosnim sistemom, d.o.o. | |
| PGNIG SA | |
| Polskie Sieci Elektroenergetyczne Spółka Akcyjna | |
| PUBLIC GAS CORPORATION OF GREECE (DEPA) S.A. | |
| Romanian gas and electricity market operator, OPCOM S.A. | |
| RWE AG | |
| SEEBURGER AG | |
| Solien, s.r.o. | |
| Statkraft Energi A.S. | |

| Represented institutions | Remarks |
|---|---------|
| Terna - Rete Elettrica Nazionale Società per azioni | |
| TotalEnergies Gas & Power Limited, London, Meyrin - Geneva Branch | |
| Towarowa Gielda Energii S.A. | |
| Trayport | |
| Uniper SE | |
| Vaikoon AG | |
| Webware Internet Solutions GmbH | |

1. OPENING

1.1 Introduction and approval of the agenda

After the welcome address, ACER highlighted its latest main activities that are partially related to REMIT, particularly the publications of ACER's Preliminary Assessment of Europe's high energy prices and the current wholesale electricity market design and of the Public Notice on the procedure's initiation for requesting further information to Nominated Electricity Market Operators (NEMOs) operating in the Single Intraday Coupling (SIDC) market. Afterwards, the presenters were introduced and the agenda of the meeting was approved.

2. UPDATE ON DATA REPORTING

2.1 Latest updates on ARIS

ACER started the session by presenting the current status of ACER REMIT Information System (ARIS) and explaining that the main focus of ARIS innovation during the last few months had been the stabilisation of the services. ACER gave an overview of the incidents with a major impact that had occurred since the beginning of 2021, and presented the statistics on the tickets opened with ARIS Central Service Desk (CSD) as well as on the incidents that had occurred in 2021, highlighting that their decreasing numbers point to an improvement of ARIS performance. ACER then outlined the main activities related to ARIS development and maintenance and presented the upcoming software features and maintenance upgrades. The timeline of these deployments was presented.

Regarding the next steps to be considered, ACER explained that the aim was to improve the resiliency of the daily data collection service and ARIS availability, as well as address the necessary technological advancements considering the cybersecurity concerns. In terms of CSD activities, ACER monitors various CSD KPIs to draw useful conclusions, such as the resolution of requests at the first level of CSD support and the resolution on the first iteration (no need to re-open the ticket). ACER reminded the attendees that new ARIS documents had been published and were currently available on the REMIT Portal. Lastly, ACER presented the goals for the future and upcoming challenges.

A participant asked when ARIS 6.5 would be released, and ACER indicated that, barring any issues during the ongoing testing and validation activities, the date of the release would be 11 December 2021. It was also asked when the Knowledge Base functionality would be restored on the REMIT Portal. ACER commented that the related activities were in progress and that a timeline for the implementation would be communicated to stakeholders in due time.

2.2 Status of data collection

ACER presented the figures relating to the Registered Reporting Mechanism (RRM) registration activity from 2015 up to the present day. Compared to the previous year, the number of RRM had slightly decreased in 2021, mainly due to the introduction of REMIT fees that caused the deregistration of inactive RRM. As a result of Brexit, the number of registered market participants (MPs) had also been reduced, while the number of active MPs had increased. The projection for the overall reported transaction in 2021 was higher compared to the previous year, thus showing an increase of the data collection activity. On the other hand, the number of “E” records for Table 1 lifecycle event had dropped, compared to 2020.

ACER then gave an overview on the contingencies opened by RRM in 2021, divided in the different scenarios in which the RRM framed the reporting issues. It was highlighted that there was a discrepancy between the number of RRM that opened contingencies for late reporting for Table 1 and Table 2 and the number of RRM that reported with a delay. ACER asked the attendees for their opinion on why some contingencies were missing.

The large majority of the attendees agreed that a possible reason for the missing contingencies could be that the MPs do not communicate delays in the reporting to the RRM. It was asked if all delays should be reported to ACER, since the occurrence of an MP reporting with delays is frequent and, as a consequence, ACER would receive a high number of related notifications. It was also asked if an RRM is required to open a contingency report when the issue is on the MP side. A participant also proposed to highlight in a Q&A that the MP should flag the issue to the RRM and should approach the RRM on that.

ACER took note of the feedback and commented that the deadlines which define late reporting are established in the REMIT Implementing Regulation. ACER would consider opening up contingency reporting for issues related to data quality also to MPs. ACER also explained that late reporting is not rejected by ACER, but the notification is useful to help ACER and National Regulatory Authorities (NRAs) understand the issue. ACER also explained that the RRM requirements do not distinguish between contingencies based on which side the issue happened and that delays should be flagged via a contingency report that includes a description of the issue. Some participants suggested creating an interface for an easier management of contingency reports. ACER explained that for the time being there was no plan to create an interface for managing contingencies accessible to RRM, as the interface (from Word to web form) had been updated in April 2020.

ACER asked participants how a data sample to improve data quality according to Article 11(2) of the REMIT Implementing Regulation should hypothetically be distributed to MPs (if this would be feasible for ACER to do) and what the frequency of the sample provision should be. Some attendees expressed their concerns about the confidentiality of the information shared with MPs. In regards to the communication of the information, it was suggested to provide MPs with access to their own data in ARIS via the CEREMP profile of the relevant MP, while others agreed to send the sample via email.

In ACER’s view, there is no confidentiality issue, since the information about reporting is provided only in an aggregated form. ACER then explained that it is not possible to allow MPs

access to ARIS, as it would be impossible for ACER to validate requests from more than 14000 MPs.

A participant commented that, in order to avoid confusion, the data sample provided to MPs should refer to a timestamp that is the same for ACER and RRM, pointing out that ACER uses the timestamp of when data are processed in ARIS, which may differ from the date when an RRM sends the data to ARIS by several hours or even one day.

Another point from the audience was related to the communication with the ARIS CSD. It was suggested that when an issue requires longer resolution time, the CSD team should inform the originator of the ticket periodically about the ongoing/pending work for resolution of the case. ACER reported that it would take all the input into consideration.

3. UPDATE ON TRANSACTION REPORTING

3.1 TRUM 5.0 and Annex II 4.1 revision

ACER introduced the revision of the Transaction Reporting User Manual (v5.0) and of its Annex II (v4.1) under consultation. ACER presented a brief guide on how to consult the documents under review and how to provide feedback via the two dedicated EU Surveys. The deadline for the stakeholders to provide their feedback is 31 December 2021, while the publication of the two documents is expected for the end of March 2022. In order to improve the transparency of the process, the outcome of the consultation would be published together with TRUM v5.0 and Annex II v4.1.

The review of TRUM v5.0 and its Annex II was focused on clarifying the guidance for the reporting of contracts referred to the transportation of natural gas, reportable via the electronic format corresponding to Table 4 of REMIT Implementing Regulation. Such clarifications had been triggered by the outcome of ACER's data quality analysis on Table 4 data. ACER presented some specific amendments to the main text of TRUM, in particular those in the introductory Section 3.2.1 on supply contracts and Section 3.2.1 on transportation contracts, as well as some amendments of Section 7, dedicated to the guidance on Table 4 data fields. Regarding Annex II v4.1, ACER presented two new examples on non-standard contracts for the supply of natural gas via LNG cargo (29.01 and 30.01) and three new examples on how to report lifecycle events of contracts referring to the transportation of natural gas. The stakeholders provided some preliminary feedback to some specific questions raised by ACER on the field descriptions in Table 4. Regarding Data Field (2) Organized market place identification, an attendee commented that a booking platform itself might not be an entity but a system. If ACER needs the EIC of the booking platforms for the population of Data Field (2) in Table 4, then the EIC should be "V" type (for IT-systems). If an "X" type code is expected, it should be specified that the EIC of the operator of the booking platform is required. ACER welcomed this comment and took note of it.

As for the future projects, ACER indicated the intention to consult in 2022 on the XML version of the Annex II of TRUM, as well as on a revised version of the transaction reporting guidance focused on trading activity on brokers' platforms, triggered by the outcome of ongoing data quality analysis.

Lastly, ACER gave an overview of its interaction with stakeholders, showing the figures on queries received in 2021, the main areas covered, and ACER's average response time. ACER explained it was aiming at both optimising the response time and ensuring complete and comprehensive answers. ACER also communicated that following the conclusion of the

Roundtable meetings, a survey would be shared with the attendees in order to collect feedback on the Roundtable organisation, as well as on the overall satisfaction with ACER data collection under REMIT.

Some participants asked about the timeline for the publication of the XML file of the new examples in Annex II v4.1 and if all the changes on Table 4 on gas capacity schema would be integrated in the existing schema or if there would be a new version of it. ACER commented that the XMLs must be first consulted, and that a consultation was planned to take place by summer 2022. About the integration of the changes in the existing version of the schema, ACER was not able to give a definitive answer yet.

A stakeholder proposed to ACER to carry out future consultations of TRUM by sharing a MS Word file rather than a PDF with the related survey. ACER indicated that the collection of feedback via dedicated surveys minimises the risk of missing some feedback and optimises the time for analysing the comments collected within a consultation. There was another suggestion to provide some sort of a "mind map" or overview of all the relevant documents (RRM requirements, TRUM, System data validation, Communication channels, etc.) and indicate any possible links between them. ACER indicated that there was already an ongoing exercise aimed at improving the accessibility of documents on the REMIT Portal, which may possibly also include a change in the structure of the REMIT Reporting User Package section.

3.2 NEW FAQs on REMIT transaction reporting

ACER explained the content of the draft version of the updated Frequently Asked Questions (FAQs) on REMIT Transaction Reporting document. ACER presented the new questions on standard contracts and gas transportation contracts (Q 2.1.53, Q 2.1.54, Q 2.2.13, Q 2.4.12, Q 4.2.24) and the updated (Q 2.3.9, Q 2.4.9, Q 4.2.1), and also explained the reason for specific new insertions and changes. ACER invited the meeting participants to provide their feedback on the drafts via the dedicated online form, especially on the questions related to the flagging of cleared OTC trades on exchanges and also trades resulting from SIDC mini-auctions. The timeline of the consultation process and the publication of the new version of the FAQ document were also presented and shown to be consistent with the one already presented for TRUM.

A meeting participant proposed to link FAQ 2.1.53 to Example 4.04 "Cleared gas monthly forward" provided in the Annex II to the TRUM, which could also be connected with Example 2.16.

Regarding the new FAQ on cleared OTC trades on exchange (FAQ 2.1.53), meeting participants asked about how to populate the Extra field available in the electronic format and what the expectations were on order reporting. ACER indicated that there were other FAQs available in the document where the process had been explained. ACER might consider amending FAQ 2.1.53 in order to provide more instructions on how to populate the Extra field. Regarding the second request, ACER explained that orders were expected to be reported even if they were reportable under EMIR; this can be clarified in the FAQs. Finally, in a response to a participant's question, ACER indicated that there were no plans to amend the list of OMPs with the inclusion of booking platforms, but that the respective guidance might be improved if deemed necessary.

UPDATE ON DATA QUALITY

- **Status of ongoing analysis**

ACER started the afternoon session by giving an overview on REMIT data quality. The collection of data was presented as well structured and supported by extensive guidance. Since there had been reports that data quality is not perfect in its different dimensions (i.e. validity, completeness, timeliness, accuracy, and consistency), the five dimensions and related examples were presented.

After a brief section dedicated to how ACER guidance addresses the reporting of market coupling, ACER showed the findings of the ACER-NRAs joint analysis results related to data reported by broker Organised Market Places (OMPs). In relation to these findings, ACER presented some key areas for improvement, such as the completeness of order books, the accuracy for reporting of some individual fields, and the timeliness with which the data are reported. While the reasons behind the findings vary, ACER believes that several things might be resolved by applying changes to broker (and trading platform) data creation systems. Nevertheless, ACER expects the brokers and respective RRM to familiarise themselves with the guidance and its updates. In response to a question from the participants, ACER reported that brokers had been informed about these findings via a letter. ACER may contact individual brokers in order to clarify the findings and to facilitate improvements.

In relation to the data quality of gas transportation contracts, ACER reported that the currently proposed version of TRUM was mostly dedicated to the incorporation of the outcome of the joint ACER-NRA analysis that had been carried out throughout 2021.

Regarding the quality of fundamental data related to gas storage, the findings demonstrated that it was quite difficult to reconcile the data with what was expected to be in ARIS, but also that the data available seemed to be useful.

In conclusion, ACER reported that data quality assurance is a resource-consuming exercise for both ACER and the stakeholders. However, such collaboration between ACER and stakeholders, if undertaken, can lead to having less issues in the future, and hence less work to be done.

The participants provided comments on the possibility to have more and better validation rules to reduce data quality issues. The participants highlighted that good validation rules are only useful if there are better receipts with more informative and instantly interpretable content available to monitor and fix invalid data.

SCHEMA UPDATE

Under this discussion item, ACER laid out its plan for a first-hand consultation on the proposed REMIT Table 1 schema changes to be implemented in 2022. The aim would be to align the reporting defined in TRUM with the definitions of its electronic format, to insert missing values into existing fields, and to address an error in the regular expression pattern. These changes affect Data Fields (36) Index value, (25) Index name, (37) Price currency, (23) Contract type, (22) Contract name, and the Extra field. Moreover, ACER clarified that the need for additional changes had been identified after the activation of the two Validation Rules modified in June 2021: 2BCDPR2 and 2BCDPTR2.

After requesting some clarifications on the correlation between the Fixing Index and Price elements in Table 2, no further questions were asked by the participants, who specified they would comment on the ACER consultation survey.

The second group of changes ACER presented had been those already consulted in the 2017 Public Consultation on the revision of electronic formats for transaction data, fundamental data and inside information reporting. The proposed changes affect Data Field (36) Index value, (41) Total notional contract quantity, (23) Contract type, (44) Option style, (45) Option type, (42) Quantity unit, (54) Load delivery intervals, as well as other fields.

Participants were informed that ACER's plan was to begin the development of REMIT Table 1 Schema Version 3 in Q1 2022, and that subsequent steps – including the go-live – would follow accordingly.

In response to a question posed by participants about the possibility of REMIT Table 1 Version 3 to be backward compatible, ACER suggested that given the changes in the structure, this would not be possible; as in the past, it would instead be possible to use Version 2 and 3 in parallel until every user has implemented the latest version.

UPCOMING ACTIVITIES

- **Call for inputs on potential recommendations for the revision of REMIT reporting regime**

After more than six years since the data reporting set out in Article 8 of REMIT came into force, ACER stressed the importance of having a data collection process that is able to tackle the progressive evolution of market design and of the trading activity in order to allow ACER to effectively monitor the wholesale energy market and improve its integrity and transparency. Based on the lessons learnt from the six years of data collection, ACER is considering to propose a revision of the REMIT data reporting regime, in particular by collecting input for a potential update of the REMIT Implementing Regulation.

Stakeholders who would like to express their preliminary views or share some input were invited to contact ACER directly via the REMIT mailbox by the end of December 2021. ACER clarified that based on the outcome of the internal discussion at ACER and the input collected, it would be decided whether to continue the REMIT reporting regime revision exercise. If it is decided to continue, stakeholders would likely be consulted in 2022.

The update was welcomed and received positive comments from the attendees, who responded with some ideas on ACER's request for suggestions for optimisation and simplification of the REMIT Implementing Regulation. A stakeholder asked whether such potential revision might include REMIT as such, but ACER clarified that the exercise was only aimed at updating the REMIT Implementing Regulation. ACER reminded that the European Commission would take the final decision on whether to pursue such a process.

DISCUSSION ON ISSUES OF MUTUAL INTEREST TO STAKEHOLDERS (PROVIDED BY MEETING PARTICIPANTS), INCLUDING MARKET SURVEILLANCE AND CONDUCT TOPICS

In this coordinated session, the stakeholders presented topics of mutual interest. Meeting participants were invited to present their views and reflect on the presented topics.

The first discussion focused on the state of play of the REMIT fees since their implementation: the experience, and the observations of RRM and MPs. In order to better clarify the impact of the REMIT fees and how ACER sees the market participants in different clusters, ACER presented an explanatory slide for internal use only. Subsequently, the discussion moved to the relation between MPs and RRM. More specifically, it was brought to ACER's attention that the MPs need to have more transparency on the invoices they pay to the RRM and on whether these invoices mirror the ones that ACER issues to RRM. The participants agreed that comparing the invoices would allow to better understand in which cluster the final customer will end up and how many expenses should be borne by them. As a possible solution, the participants suggested a disclosure of such invoices on ACER's side. ACER highlighted that both ACER and RRM had invested significant effort into implementing the fee structure, and that in 2022 the RRM's focus could move upon providing the needed transparency. An RRM participant stressed that some RRM already provide full transparency to their clients. Taking into account that the obligation for such control lies ultimately with the MPs, ACER confirmed its expectations of improving and exploiting channels for full transparency. In addition, ACER highlighted that, as stated in Article 2 of REMIT, ACER should promote transparency, but at the same time it should not create distortions in competition issues. Considering that this provision predates REMIT fees, ACER commented it would verify what could be possibly shared.

The second discussion focused on ARIS maintenance. RRM reported that they have experienced some issues related to the quality and the timeliness of the communications on ARIS downtimes. It has been proposed to ACER to implement immediate communication channels, such as publications of the planned downtimes and warning emails for the unplanned ones (outside DCI). ACER commented that it would consider all the input in order to provide an improved service next year.

The fourth discussion followed a stakeholder request for mutual interest topics. In this sense, ACER updated the participants on its role in the high energy prices situation that the markets were currently facing. ACER stated it was thoroughly assessing the exceptional status through a variety of activities, such as the publications of the ACER's Note on High Energy Prices of October 2021, the ACER's Preliminary Assessment of Europe's high energy prices and the current wholesale electricity market design of November 2021, and the ACER's upcoming assessment that would be publicly available in April 2022. In addition, ACER reported on the main tasks of the Market Surveillance and Conduct Department, specifically those related to the detection of possible manipulative behaviours under REMIT and their support regarding emission allowances and anti-competitive behaviour on energy markets. ACER noted the participants' comments and suggestions, such as the need to look into the changes in the market design in view of their potential negative impacts on past investments, and would take them into account for the drafting of the future April release.

Regarding the discussion on topics related to the potential revision of REMIT reporting regime, a participant expressed the view that it would be useful to amend the REMIT Implementing Regulation in direction requiring from the SSOs and LSOs to report fundamental data related to the MPs' usage of the storage/LNG facilities without any direct responsibility of market participants. In addition, similar approach with regards to the reporting of the transactions executed on OMPs was suggested, namely the OMPs to get the obligation to report to ACER directly or via RRM the details about all deals performed on the OMP.

Moreover, it was highlighted that a simplification of reporting, the reporting completeness, and an improvement of ACER's service for more transparency on post-trade prices and liquidity of markets of some geographical areas, would be much appreciated. ACER reported that in the past there had been a proposal from ESMA on the matter, but that it had unfortunately never

been fully implemented. On the subject of transaction reporting simplification and completeness, ACER confirmed that would be an added value also on its side.

Subsequently, the discussion moved onto the topic of thresholds for the publication of inside information. Participants reported that, on the one hand, it is understandable that there are no mandatory legal thresholds or a list of published criteria. However, all the criteria then fall under the MPs' responsibility and evaluation. On the other hand, it is possible to understand when information is considered to have significant price effects via a qualitative and quantitative econometrical analysis. In the current framework, companies are applying different thresholds for the same markets, incorporating these criteria on a case-by-case analysis. Therefore, it would be simpler if there were a properly tested industry threshold to ease the obligations on MPs or power production, storage, consumption and transmission entities. A participant reported that the proposal – and the intention – of its company was to develop an indicative standard threshold for significant price effects. It would be industry-wide, appropriately tested, and related to a specific national power market. The methodology would follow after an analysis of market fundamentals, historical weather data, availabilities of previous years, and expected capacity in the future years is performed. Comments from the participants highlighted that energy associations in other countries are also studying a similar solution. ACER showed its interest in this initiative and stressed that the actual reference to the ACER Guidance on REMIT is also due to the lack of a legal basis to stabilise a threshold to the market. If needed, ACER offered its availability to report it to the European Commission.

The last intervention raised awareness on the lack of clear guidance on how REMIT reporting works for power charge stations. Moreover, some inconsistencies in the ACER guidance were brought to ACER's attention. ACER confirmed that it would carry out an assessment with the NRAs in order to update the guidance inconsistencies and clarify the application of the data reporting obligation.