

REMIT Data Quality Issues and CEREMP Registration and Obligations.

Information Paper
17th December 2018



About the Utility Regulator

The Utility Regulator is the independent non-ministerial government department responsible for regulating Northern Ireland's electricity, gas, water and sewerage industries, to promote the short and long-term interests of consumers.

We are not a policy-making department of government, but we make sure that the energy and water utility industries in Northern Ireland are regulated and developed within ministerial policy as set out in our statutory duties.

We are governed by a Board of Directors and are accountable to the Northern Ireland Assembly through financial and annual reporting obligations.

We are based at Queens House in the centre of Belfast. The Chief Executive leads a management team of directors representing each of the key functional areas in the organisation: Corporate Affairs; Electricity; Gas; Retail and Social; and Water. The staff team includes economists, engineers, accountants, utility specialists, legal advisors and administration professionals.



Our mission

To protect the short- and long-term interests of consumers of electricity, gas and water.



Our vision

To ensure value and sustainability in energy and water.



Our values

- Be a best practice regulator: transparent, consistent, proportionate, accountable and targeted.
- Be professional – listening, explaining and acting with integrity.
- Be a collaborative, co-operative and learning team.
- Be motivated and empowered to make a difference.

Introduction

ACER published an Open Letter¹ entitled “*Second Open Letter on REMIT data quality*” in July 2018 in relation to the wholesale electricity and gas markets.

In May 2018, ACER published a separate Open Letter² entitled “*Open Letter on inside information disclosure and the use of inside information platforms (IIPs)*”.

The objective of the Open Letters is to help to ensure that the legal obligations stipulated in REMIT are fulfilled.

The UR is publishing this Information Note in order to draw attention to ACER’s Open Letter publications and to remind stakeholders of their obligations under REMIT.

Stakeholders

ACER have identified the following stakeholders who should take note of their Open Letters:

“Market Participants (MPs), Organised Market Places (OMPs), and Registered Reporting Mechanisms (RRMs) which assist their clients with the transaction reporting obligation under REMIT; Transmission System Operators (TSOs), System Storage Operators (SSOs), LNG System Operators (LSOs), other MPs, and RRM’s which assist their clients with the fundamental data reporting obligation under REMIT”.

Second Open Letter on REMIT data quality

The purpose of the Agency’s review of the submitted data is to help reporting parties to ensure that the data reported to the Agency is consistent with the REMIT requirements.

The Agency will inform NRAs, OMPs and RRM’s of any detected data quality issues.

¹ https://documents.acer-remit.eu/wp-content/uploads/20180719_Second-Open-Letter-on-REMIT-data-quality.pdf

The first Open Letter was published in February 2017 – https://documents.acer-remit.eu/wp-content/uploads/20170216-Open_Letter_on_data_quality.pdf

² https://documents.acer-remit.eu/wp-content/uploads/20180531_Open-Letter_Inside-Information-disclosure-and-the-use-of-IIPs.pdf

RRMs will receive generic and/or specific reports on detected issues by the Agency and the action required from OMPs, MPs or RRM.

The Agency will continue to conduct periodic data quality assessments in order to monitor data quality, and will update stakeholders regularly on this matter.

Whilst the entirety of the Open Letter should be taken into account, the UR wishes to draw attention to the sections entitled “*Transaction reporting*” detailing misreporting, missing or inaccurate data including timestamps and in particular the non-reporting of registered market participants and the section entitled “*Fundamental data and transportation contracts reporting*” detailing the report of inactive, wrong, non-existent and not registered EIC X codes (and/or EIC W codes, as may apply).

Obligation to keep registration information up to date

The obligation to register as a market participant – in both the Electricity and Gas sectors – is a prerequisite for compliance with REMIT³.

According to Article 9(5) of REMIT,

Market participants [...] shall communicate promptly to the national regulatory authority any change which has taken place as regards to the information provided in the registration form.

According to Section 4.8 of ACER’s Guidance (4th Ed)⁴ on the application of REMIT:

It is important to recognise that registration is not a one-off event, but rather an ongoing requirement. REMIT not only requires market participants to register with an NRA prior to entering into a transaction, but also to update their registration form with any change which has taken place as regards to the information provided in the registration form in accordance with Article 9(5) of REMIT. If a change of the mandatory registration information is not communicated promptly, the registration is to be considered incomplete. Market participants whose registration form is outdated may be in breach of Article 9 of REMIT.

Market participants are reminded;

- of their obligation to register;

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011R1227&from=EN>

⁴ https://acer.europa.eu/en/remit/Pages/ACER_guidance.aspx

- to provide the requested information in its entirety; and
- to keep their registration information up to date.

REMIT Registration via UR and CEREMP

Under REMIT, market participants that report to ACER as set out in the Implementing Acts⁵ are required to register with the relevant National Regulatory Authority (NRA). For Northern Ireland, this is the Utility Regulator (UR).

The registration requirements and the information needed to access ACER's registration platform 'CEREMP' (Centralised European Register of Energy Market Participants⁶) are published on the UR's website under an Information Note published in September 2015 entitled "*Information note on REMIT registration for electricity and gas market participants*".⁷

Inside Information Platforms

The UR also draws attention to the separate Open Letter entitled "*Open Letter on inside information disclosure and the use of inside information Platforms (IIPs)*"⁸ which was published by ACER in May 2018.

The letter cites the following extract from Article 10(1):

"Article 10(1) of the Implementing Regulation specifies that market participants disclosing inside information on their website, or service providers disclosing such information on market participants' behalf, shall provide web feeds to enable the Agency to collect this data efficiently".

Within the letter, ACER emphasis that their "*stated objective is to make sure that the legal obligations stipulated in REMIT, including those concerning inside information disclosure, are fulfilled*". Given its importance, we draw your attention to the following extract:

"All market participants are obliged to provide a web feed when disclosing inside information. The Agency believes that the use of IIPs represents a

⁵ https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:JOL_2014_363_R_0009&from=EN

⁶ <https://www.acer-remit.eu/portal/ceremp>

⁷ <https://www.uregni.gov.uk/news-centre/information-note-remit-registration-electricity-and-gas-market-participants>

⁸ https://documents.acer-remit.eu/wp-content/uploads/20180531_Open-Letter_Inside-Information-disclosure-and-the-use-of-IIPs.pdf

more convenient alternative to setting up web feeds on individual company websites.”

Whilst the entirety of the Open Letter should be taken into account, market participants – as part of their registration information – are obliged to provide a link to the medium (e.g. a platform or website) where their inside information, as required by REMIT, is published. This must also be kept up to date via CEREMP.

Contact

Any market participant or third party, who has submitted a report via the ACER platform or updated their details should also send a copy of any notification to the following email address: REMIT@uregni.gov.uk.

For further information, any related queries or to report suspicious trading behaviour, please contact us at REMIT@uregni.gov.uk or marketqueries@uregni.gov.uk.

Any communications received will be treated in the strictest of confidence and in accordance with GDPR.