

22. April 2016

Agency for the Cooperation of
Energy Regulators

Trg Republike 3
1000 Ljubljana, Slovenia

Seite 1 von 4

Non-confidential

Answer from a market participant (large consumer of electricity and/or natural gas) on the ACER Public Consultation PC_2016_R_01.

REMIT

Functioning and Usefulness of the European Register of Market Participants

Reply on the questions on improvements on the Registration Format of the European Register:

3.1.1 Regarding fields 112 and 316 (VAT number of the MP and the ultimate controller).

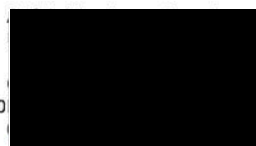
We have no objection in introducing an additional checkbox "I do not have a VAT number" neither in the introduction of a more flexible Format.

3.1.2 Regarding reformulation of field 113 (EIC code)

We are the opinion that for the registration of a market participant, sufficient information for the unambiguously identification of this market participant should be provided.

From our point of view, only one EIC code (preferably the Type X that is used to identify a Party) is sufficient to achieve this. Additional EIC codes will lead to data overflow. Why is it necessary that all EIC codes are public available in the register for market participants? We see no reason for this. This information also has to be updated and gives additional administrative burden for the MP what we want to avoid.

The correct EIC code has to be introduced by the MP during the reporting process and this covers the monitoring purpose.



3.1.3 Field 116 (GS1 code)

We agree that this field will be removed.

3.1.4 Field 118 (Trade Register)

No objection to allow special characters.

3.1.5 Trader ID's

We see no reason to include this in the register of the Market Participant.

Why is it necessary to put this Traders ID in the register for market participants? We see no reason for this. This also has to be updated and gives additional administrative burden what we want to avoid.

The Traders ID has to be introduced in the technical system and this covers the monitoring purpose

3.1.6 Publication Inside Information

The main webpage of the company should be sufficient. The structure of companies webpages (including the URL's) is frequently updated and revised. The person responsible for updating the Register for Market Participants is not always aware of this. This gives the need for company internal processes and workflows that gives additional administrative burden what we want to avoid.

3.1.7 Field 121 (ACER code)

In order to improve the traceability of the relevant changes in the registration records, we can agree with the proposed additional fields.

3.1.8 Section 4 (Corporate structure)

Introducing the corporate relationship in section 4, already gives the ACER code of the related company. This gives ACER the necessary information on VAT number, name and "major shareholder". We see no reason for additional information in the register; the info is already available.

The exact percentage of ownership can change. The person responsible for updating the Register for Market Participants is not always aware of this. This gives the need for company internal processes and workflows that gives additional administrative burden what we want to avoid.

3.1.9 Section 3 to 5 (self-explanatory fields)

We see no objection in introducing free text fields for additional information. This should not become mandatory in the future.

3.1.10 Additional comments

No additional comments.

Reply on the questions on the functioning and usefulness of the European Register:

3.1.11 As a large consumer (e.g. consuming more than 600 GWh/year of natural gas and or electricity), our core business is producing goods such as chemicals. This is how we make our added value. For this we need natural gas and electrical power (for energy use as well as a raw materials). This natural gas and electrical power, we buy on the Energy market and we are interested in a fair price.

In this sense we are no real traders, brokers, financial institutions, who make money by trading natural gas and electrical power by means of different financial products, derivatives, options, futures, calls,.....

Be believe that a large administrative burden on, for us non-core activities, could lead to an additional barrier for us as a company to enter the energy market ourselves. We could alternatively use a broker or trader to do our trading activities, leading to less "real" market participants and leaving the energy market to the "happy few". Leave the administrative burdens for the financial sector @ the financial sector. We already have plenty of regulation to handle (e.g. environmental, climate, energy efficiency, Seveso,).

3.1.12 Regarding the requirement of OMP's to register as a MP

As elaborated above, we see this requirement (even though it is still voluntary for the moment) as an additional barrier from some brokers, traders, financial institutions,... to prevent smaller players from entering the energy market. It makes no sense for smaller consumers (e.g. < 600 GWh/year consumption) to register as a MP. Those volumes could not threaten the integrity of the energy market.

3.1.13 On usefulness of the extract of the European Register

This is useful for us. No additional information is needed for us.

3.1.14 Other comments

No other comments

Reply on the questions on the implementation of changes in the European Register:

3.1.15 Timeline

We can agree with the timeline.

SIGNED

SIGNED