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Your letter reference	Our reference	Contact person/e-mail	Date
	CPER/16016	[REDACTED]	21 April 2016

Re: Response to the public consultation on the Functioning and Usefulness of the European Register of Market Participants

Dear Madam / Dear Sir,

Slovenský plynárenský priemysel, a.s. ("SPP") is a major gas supplier in Slovakia, building directly on 160 years of tradition in the Slovak gas industry. Since 2012, the company has been operating successfully on the electricity market as well. The Agency for the Cooperation of Energy Regulators ("ACER") published on 18 March 2016 for public consultation the document Functioning and Usefulness of the European Register of Market Participants ("EREMP") with possibility for all interested parties to provide comments on the consultation paper. SPP welcomes the possibility to take part in this public consultation and would like to present the responses thereafter to the public consultation paper.

Question 1

We agree with the improvement proposed by ACER to add an additional checkbox in case a market participant does not have a VAT number and to adopt more flexible format for respective fields.

Question 2

At first registration to EREMP market participant can be sufficiently identified on the basis of other identifiers than EIC code. Once registered in EREMP, market participant is identifiable by ACER code assigned by ACER. Therefore the expansion of the registration format for all EIC codes related to the same market participant, including additional information on these codes, does not appear as necessary. Even ACER does not specify why it considers necessary for monitoring or registration

purposes to have the specific information to which market participant each individual EIC code belongs and information on additional details related to the assigned EIC codes.

In case all assigned EIC codes are mandatory fields in EREMP, it will be useful to create and to publish a centralised list of EIC codes, in particular of EIC codes type Y and type Z, in order to facilitate reporting for market participants, as these types of codes are required in the data field 48 of the standard reporting form and the data field 41 in the non-standard reporting form.

Question 3

ACER code seems to be the sufficient identifier for registration purposes as well as for reporting and monitoring purposes. If GS1 is removed from EREMP, we suggest reconsidering whether this type of code should remain to be used as one of the types of identifiers in the reporting forms.

Question 4

We consider the registration number in the national trade register as appropriate to be indicated, if it is available, because at the national level it may be sufficient on this ground for NRA to identify the market participant. Since the formats of registration numbers may be different in the EU member states, to allow specific characters in this field is well founded.

Question 5

We do not see any benefit of adding Trader IDs to the EREMP compared to administrative burdens that such a change would bring. In case it is necessary for the specific purpose of market monitoring or, as the case may be, investigation, a particular trader who carried out a specific transaction can be traced in system records of either organised market place or market participant.

Market participants can conduct transactions at several organised market places through a number of their employees (traders), while there is constant change in persons authorised to trade on behalf of market participant and/or organised market places at which market participant carries out transactions. This would imply frequent changes in registration. Trader ID data field in reporting forms has to be filed also for bilateral transactions traded off-organised market places with the Trader ID assigned by market participant. It is not clear whether ACER is also considering adding to EREMP Trader IDs for bilateral transactions traded off-organised market places.

Question 6

REMIT lays down an obligation for market participants to publicly disclose in an effective and timely manner inside information which they possess, not to report inside information or its disclosure to

ACER. We therefore agree, in order to meet the requirements for effective public disclosure of inside information and to facilitate public access to disclosed inside information, only to fill in the registration form a specific URL indicating where the market participant discloses inside information. Pursuant to the ACER Guidance on the application of Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency (3rd edition), market participant should ensure, among others, that inside information should be available via an RSS feed for the specific disclosure of inside information allowing easy and fast access by the public. Hence we do not understand the proposal to create a new field in registration form indicating the location of the web-feed used for reporting the publications of inside information to ACER; without prior detailed substantiation and defined competences of ACER, such change appears to be unjustified and unclear.

Question 7

We agree with the proposed change to add two fields with the view to ensure the traceability of relevant changes in registration records.

Question 8

In general, the required information should be proportional to the purpose of REMIT. From our perspective, the current scope of the required data for the registration and monitoring in accordance with REMIT is sufficient. Currently, it is possible to specify the corporate relationship in the optional data field 406 (Notes). The proposed change to add in EREMP more information on corporate structure, such as VAT or percentage of ownership, even with companies that are not wholesale energy market participant under REMIT, seems to be excessive, going beyond REMIT framework.

Question 9

If some fields in Sections 3 to 5 are not self-explanatory, ACER could issue a more detailed guidance of those fields which ACER or market participants consider unclear. Adding to EREMP other information, such as main activity of the market participant (which is usually already recorded in the national trade register), how the ultimate controller performs control on the market participant or information about data reporting agreements between market participants and RRM (they may contain confidential clauses), would consider unnecessary administrative burden with no apparent added value in terms of transparency and market monitoring.

Question 10

We do not have any other comments to existing fields in EREMP.

Question 11

The Department for International Relations and Monitoring of the Slovak NRA (Regulation Office for Network Industries) issued a clear Guidance for registration in CEREMP in the Slovak Republic. For registration purposes, the market participant needs to grant a power of attorney to authorised person carrying out the registration on its behalf, whereby the template of the power of attorney is a part of Guidance. Market participants established in the Slovak Republic have to submit a scanned copy of the excerpt from trade register not older than three months. Data submitted in the registration form and all subsequent changes are subject to approval by the NRA, however, the NRA responds very quickly, normally not later than the next business day, even without time limit officially laid down for such approval. The Department for International Relations and Monitoring of the Slovak NRA has created a section dedicated to REMIT on its website and has set up a separate e-mail address for questions relating to registration to CEREMP and other REMIT issues. Consultations and communication with NRA in REMIT matters are quick and professional. We also appreciate that the separate security code is generated and sent via e-mail to authorised person for each login to EREMP and the history of all actions made in the registration form of EREMP is recorded. We have observed no negative experience with the national registry which could constitute an administrative or functional obstacle to registration.

Question 12

Legal obligation to register could facilitate reporting in a way that the registered market participant would have been assigned with the ACER code, known to his counterparty, if no other code needed for reporting is available. Also, once the market participants are registered, monitoring by ACER may be easier.

Question 13

The current extent of published information from EREMP is adequate. We are using information from it regularly, e.g. ACER codes of other market participants. We suggest creating a centralised list of EIC codes of delivery points or zones (EIC codes type Y and type Z) used in reporting forms.

Question 14

In the publicly available part of EREMP only 10 market participants are displayed on one page, which makes difficult to carry out quick searches. Further, it is only possible to download the entire EREMP without the possibility to download only the part of register based on specific criteria, for example to download only participants from one country. In the registration form, after log in to EREMP in section 4 and 5 related undertakings and RRM are identifiable and displayed by ACER code which is not user friendly, we prefer to add the business name.

Question 15

If the intended period between the adoption of changes by 30 June 2016, as the case may be, and their effectiveness should be six months, we would appreciate to postpone the intended effective date from 1 January 2017 to 1 March 2017, taking into consideration that such a period overlaps the summer holiday 2016 and the end of the calendar year is typically a busy season for all market participants.

Yours faithfully,

SIGNED

A solid black rectangular box used to redact the signature of the representative of Slovenský plynárenský priemysel, a.s.

Slovenský plynárenský priemysel, a.s.