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Dear Sir/ Madam,

Re: Response to ACER consultation on Guidelines for the registration of RRM RIS

National Grid through its subsidiaries National Grid Gas (NGG) and National Grid Electricity Transmission (NGET) operate major gas and electricity transmission networks in Great Britain (GB). This response is sent on behalf of the TSO businesses of NGG and NGET. In this covering letter we welcome the opportunity to respond and comment on the registration process and transparency.

National Grid supports the concepts underpinning the REMIT regulation. In addition to the specific questions in the consultation we would appreciate clarification of the scope of RIS and RRM registration. It is not sufficiently clear from the RIS documentation the applicability of the RIS criteria to TSO's or to organisations that perform industry wide functions at a national level on behalf of all industry participants. We feel it is important to have the utmost clarity as to the definitions for RRM and RIS as this should avoid inefficient duplication of reporting obligations. We would also welcome appropriate timescales to ensure that IS changes can be adopted efficiently. The current GB regime and associated energy and capacity clearing processes are supported by complex and integrated IT systems within the TSO and network users' organisations which could require significant development to comply with the proposed REMIT processes.

In summary, the aim for National Grid and its stakeholders is that there is sufficient certainty and clarity as to the REMIT reporting requirements and mechanisms in place to achieve/facilitate these to enable National Grid to fully understand and efficiently discharge its obligations.

We are grateful for the opportunity to comment on this consultation and would be happy to expand on any of the points we have raised.

Yours faithfully

[by email]

Chris Logue
European Policy Manager

RRM RIS General Questions from the Consultation Document

1. The registration process for both Registered Reporting Mechanisms and Regulated Information Services comprises two stages: Firstly, the Agency will review a written application, and if appropriate make a provisional registration (pre-registration of the applicant); secondly, the Agency will make a final registration subject to successful integration with the Agency's technology as described in the Agency's „Technical Specifications for Registered Reporting Mechanisms and Regulated Information Services” document. For reasons of operational reliability, the technical specifications document will be kept confidential and applicants will have to sign a non-disclosure agreement before receiving a copy of the technical specifications document. This is a best practice applied by national financial regulators under EU financial market rules which the Agency also intends to apply for REMIT purposes. Please indicate your views on the proposed approach for the registration process.

National Grid believes the measures outlined are appropriate for the registration and integration of RRM's and RIS platforms. Further information will be necessary to enable market participants to discharge their obligations directly under REMIT for either contingency arrangements or as a business decision of the market participant to provide data directly.

2. According to the REMIT Technical Advice for setting up a data reporting framework from June 2012 from DG ENER's consultants, it is currently considered that only Registered Reporting Mechanisms and Regulated Information Services with legal status in an EU Member State or an EEA country should be eligible to become a Registered Reporting Mechanism or Regulated Information Service. Please indicate your views on this suggestion. National Grid agrees with this approach.

No comment

3. Do you have any general remarks on the draft RRM and or draft RIS Guidelines?

National Grid would appreciate further detail on the data security and governance measures that ACER will be establishing to ensure data remains secure once delivered to the Agency. It is important that neither misuse nor unauthorized disclosure of data is possible. Additional clarity would also be helpful to understand the communication and reporting processes that would be adopted in the event of technical incidents, outages and contingency events.

Questions concerning the draft RRM Guidelines

1. The aim of the Guidelines is to ensure operational reliability of the information received pursuant to Article 4(2) and Articles 8 and 10 of REMIT. Should Registered Reporting Mechanisms be required to have an ISO certification 27001 or similar to become a Registered Reporting Mechanisms as proposed in the REMIT Technical Advice for setting up a data reporting framework from June 2012 from DG ENER's consultants?

A certification process could limit the potential providers of RRM services. What is important for market participants is that the data remains secure and uncorrupted through the transfer process to the Agency's system. This assurance is demonstrated by the applicant being successfully registered as an RRM, having met the Agency's technical requirements and by market participant due diligence.

2. The draft RRM Guidelines currently foresee a simplified registration procedure for trade repositories registered according to EMIR. Do you agree with this approach?

No comment.

3. Please express your views on the RRM criteria proposed.

No comment.

4. Should Registered Reporting Mechanisms, for reasons of operational reliability, be required to support their annual reports, upon request and with at least 12 months' notice, by a recognized external auditor's report which confirms that the Registered Reporting Mechanism met all the criteria in the preceding 12 months?

It is not clear what level of added surety above and beyond compliance with the detailed technical and security requirements detailed by ACER an Audit would achieve. As such the requirement might become an additional barrier for organizations that may want to undertake the role of an RRM or RIS.

Questions concerning the draft RIS Guidelines

1. Do you agree with the three different types of Regulated Information Services proposed and the distinction made concerning their reporting of information?

National Grid supports the position that no market participant is compelled to register as a RIS or RRM. Additionally we offer qualified support of the definitions provided by ACER and would seek greater clarity on the scope of its application. It is not clear from the definitions if all three types of RIS will have to meet the same level of data security and compliance as they will be undertaking different reporting functions. Additional clarity would also be helpful to understand the implications for market participants that are TSO's and service providers who either act on their behalf, or provide industry wide data services.

2. Do you agree that ENTSO-E and –G transparency platforms should play a crucial role in the reporting of transparency information according to Regulations (EC) No 714/2009 and (EC) No 715/2009, including network codes and guidelines, and be treated differently than other information sources?

It might be appropriate that different standards within the RIS framework exist as different reporting obligations apply to each type of RIS. In this context we agree it may be appropriate that European Transparency Platforms should be treated differently than other information services. We would recommend that ACER identifies the different standards that would apply between RIS providers.

3. Do you agree that it should be sufficient that inside information platforms make their information available to the Agency through web-feeds?

Web-feeds could be used for submitting inside information to ACER and Market Participants as long as the mechanism is safe, of low cost and easy to implement.

4. Do you agree that the technical specifications document should be the same for Regulated Information Services reporting individual and non-aggregated information than for Registered Reporting Mechanisms reporting confidential trade data due to the same sensitivity of the information?

It is important that standards are appropriate for the data that is being transferred and that the security and confidentiality of the information is maintained. As noted in question two it may be appropriate for different standards to apply and we would welcome further information from ACER on this point.