## Summary for the response

The European Network of Transmission System Operators for Gas (ENTSOG), founded in line with the Regulation (EC) 715/2009, has played a key role in facilitating the integration of European gas markets, ensuring technical interoperability, and supporting the security of supply through coordinated infrastructure planning.

ENTSOG acts as a Registered Reporting Mechanism (RRM), reporting fundamental data to ACER on behalf of European gas TSOs. ENTSOG and the gas TSOs support the approach as set out by the European Commission, which ensures that REMIT Implementing Regulation reflects proportionality, technical feasibility, and consistency with existing reporting obligations. ENTSOG welcomes the use of a practical reporting framework that maintains the availability of meaningful market data while avoiding duplication and requirements that could place strain on market participants.

In response to the European Commission's feedback collection on the REMIT Implementing Regulation, ENTSOG and the gas TSOs highlight the following key points:

- **Designation of organised marketplaces (Articles 8(9)–(12)):** Inclusion on the OMP list should be carefully assessed on a case-by-case basis to ensure that only relevant entities are considered. Each case should be evaluated individually, allowing entities to provide justification if they do not meet the definition of an OMP. This ensures reporting obligations are appropriately targeted and avoids unnecessary administrative burdens on entities not active in organised marketplaces.

- **Proportionality in reporting primary capacity allocations where no capacity has been allocated (Articles 8 and 12):** A distinction between scenarios where bids were submitted but no capacity was allocated, which can offer useful insights for surveillance activities, and scenarios where no bids were placed is needed. For the latter, ENTSOG proposes that reporting should follow an ad-hoc approach as fundamental data, since this scenario has limited value for market monitoring and is already publicly available via Booking Platforms. This approach would reduce unnecessary reporting burdens, also recognising potential incoming additional auctions as proposed by ACER in the ongoing EU CAM NWC revision.

- **Scope and exemptions for exposure reporting (Article 6):** Exposure reporting should be clear and proportional. Market participants purchasing energy solely for internal or operational use—including TSOs, SSOs, and LSOs—should be exempt from the reporting obligation, since system operators do not engage in speculative, strategic, or hedging activities, and their positions are already captured under other reporting obligations (Article 3).

- **Flexibility of reporting channels (Article 8 (4)):** Lifecycle events outside organised marketplaces should be reportable either directly through RRMs or via third-party mechanisms, including OMPs when acting as intermediaries, giving participants the flexibility needed for timely and accurate reporting while accommodating operational and technical complexities. Reporting of such events should occur no later than ten working days after the event.

- **Avoiding redundant reporting:** Reporting frameworks should be designed to prevent duplication and redundant data submissions, including newly added data elements, under both EU and national frameworks.

- **Sufficient implementation time:** A transitional period is necessary to allow all participants to adapt to the revised reporting obligations, ensuring compliance without compromising the quality of reported data.

By addressing these points, the revised REMIT Implementing Regulation can maintain reporting obligations that are targeted, proportionate, and effective. At the same time, it will reduce unnecessary burdens, avoid duplicate reporting, safeguard the integrity of wholesale energy market monitoring, and support the Commission's objectives of simplifying reporting while ensuring meaningful market oversight.

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# Proposed amendments to the regulation amending the REMIT Implementing Regulation

## Whereas

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **(18)**<br>**It is important that reporting parties have a clear understanding about the details of the information that they are required to report. To this end, the Agency should explain the content of the reportable information in a user manual. The Agency should also make sure that information is reported in electronic formats, which are easily accessible to reporting parties.** | (18)<br>It is important that reporting parties have a clear understanding about the details of the information that they are required to report. To this end, the Agency should explain the content of the reportable information in a user manual. The Agency should also make sure that information is reported in electronic formats based on established industry standards, which are easily accessible to reporting parties. | Electronic formats shall be based on established industry standards, as referred to in Article 13(4). |

# Article 5 Transactions to be reported at the request of the Agency

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**The following transactions relating to wholesale energy products in relation to electricity or natural gas shall be reportable only upon reasoned request of the Agency, and on an ad-hoc basis:**<br>**[…]** | Proposal for new letter in Paragraph (1):<br><br>(h) details of the procedures for primary gas capacity allocations where no capacity has been allocated as a result of the allocation process, more specifically, details of auction with no bids and where no capacity was allocated. | ENTSOG and the gas TSOs support the Commission's suggestion that ad hoc reporting should apply to wholesale energy product transactions "*less likely to impact wholesale energy prices or, per se, lead to market abuses in wholesale energy markets.*"<br><br>It should be emphasised that the data proposed for reporting in Article 8(1) — *"primary gas capacity allocations where no capacity has been allocated as a result of the allocation process"* does not influence wholesale energy prices and does not create a risk of market abuse. This is particularly relevant for auctions in which no bids were submitted, and no capacity was allocated, as such events do not contribute to price formation or affect market positions.<br><br>TSO tariffs under the CAM NC and TAR NC are regulated, determined, and published prior to the start of the gas year, before capacity allocation procedures commence. Consequently, auctions with no bids or no allocated capacity have no impact on wholesale prices and pose no risk of market abuse.<br><br>Accordingly, *"primary gas capacity allocations where no capacity has been allocated as a result of the allocation process,"* specifically auctions without bids and without allocated capacity, |

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| | | should be reported only upon a justified request from ACER, consistent with Recital 10 and Article 5 of the draft revised REMIT IR. This should also be considered with recognition of the number of potential new additional auctions currently proposed by ACER as part of the EU CAM Network Code revision. |

## Article 6 Exposure reporting

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (2)**<br>**The report referred to in paragraph 1 shall contain the following information, aggregated by month, for each of the 24 months following the last day of the reference quarter, as calculated on the last day of the reference quarter:**<br>**(a) their positions in wholesale energy products with physical delivery or cash settlement within the 24 months following the last day of the reference quarter, irrespective of where and how such activity is conducted;**<br>**(b) the forecasted volume of electricity or natural gas production;** | Paragraph (2)<br>The report referred to in paragraph 1 shall contain the following information, aggregated by month, for each of the 24 months following the last day of the reference quarter, as calculated on the last day of the reference quarter:<br>(a) their positions in wholesale energy products with physical delivery or cash settlement within the 24 months following the last day of the reference quarter, irrespective of where and how such activity is conducted;<br>(b) the forecasted volume of electricity or natural gas production;<br>(c) the forecasted volume of electricity or natural gas consumption, based on the market | From the TSOs' point of view, providing such information will not be meaningful as such events are completely consumer-driven. At the same time, putting such obligations for the TSO would put significant administrative burden with no added value for the market. |

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| **(c) the forecasted volume of electricity or natural gas consumption, based on the market participant's contracts concluded with its customers.**<br>**The report shall include intra-group transactions.** | participant's contracts concluded with its customers.<br>The report shall include intra-group transactions. | |
| **Paragraph (4)**<br>**Market participants with relevant energy volumes below 600 GWh on a yearly basis for all three criteria set out in paragraph 2, assessed separately for electricity and natural gas, shall not be required to submit the report referred to in paragraph 1. Market participants shall assess whether that threshold for energy volumes applies to them on an annual basis at the end of each calendar year.**<br>**The threshold of 600 GWh shall be assessed:**<br>**(a) as a sum of absolute monthly values resulting from paragraph (2), point (a);**<br>**(b) as a sum of absolute monthly values resulting from paragraph (2), point (b);**<br>**(c) as a sum of absolute monthly values resulting from paragraph (2), point (c).** | Paragraph (4)<br>(i) Market participants with relevant energy volumes below 600 GWh on a yearly basis for all three criteria set out in paragraph 2, assessed separately for electricity and natural gas, shall not be required to submit the report referred to in paragraph 1. Market participants shall assess whether that threshold for energy volumes applies to them on an annual basis at the end of each calendar year.<br><br>The threshold of 600 GWh shall be assessed:<br><br>(a) as a sum of absolute monthly values resulting from paragraph (2), point (a);<br>(b) as a sum of absolute monthly values resulting from paragraph (2), point (b);<br>(c) as a sum of absolute monthly values resulting from paragraph (2), point (c).<br><br>(ii) The obligation to provide the report referred to in paragraph 1 shall not apply to:<br>a) Market participants that purchase natural gas or | In light of Article 6 and the reasoning outlined in the Explanatory Memorandum, the objective of exposure reporting is understood to be the facilitation of ACER and NRAs oversight of trading and hedging activities.<br><br>The Explanatory Memorandum highlights that trading data alone provides limited additional value for surveillance, as ACER already has access to trading records. *"However, what is missing from that 'trading' picture is the underlying physical reality, which allows the Agency to interpret the trading and hedging strategies of market participants and assess potential exposure resulting from those strategies."*<br><br>Nevertheless, entities that procure electricity or gas solely for internal operational purposes—without engaging in generation, trading, or resale—do not undertake speculative, strategic, or hedging activities. Their consumption is operationally driven and not influenced by market behavior.<br><br>Therefore, requiring exposure reporting from such entities would not meaningfully improve the information available to ACER or |

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| | electricity exclusively for their own consumption and do not engage in production, supply, or trading activities;<br>b) TSOs, SSOs and LSOs that purchase or sell natural gas or electricity solely in connection to their own technological or operational needs. | NRAs, given that trading positions in wholesale energy products are already reported. Including these entities in the exposure reporting framework would introduce unnecessary complexity and administrative burden, without contributing significantly to market oversight or transparency.<br><br>**Example: Exposure reporting for infrastructure operators**<br>Infrastructure operators, including gas TSOs, SSOs, and LSOs, are subject to unbundling requirements that ensure their neutrality and independence from energy production and supply activities. Their procurement of electricity or gas is strictly limited to internal operational needs (e.g., cushion gas, fuel gas), and they do not engage in resale, trading, or hedging activities. As a result, these entities consistently maintain a structurally long position and act solely as end-consumers.<br>As they are not involved in generation or supply, infrastructure operators cannot provide forecasts of generation or consumption based on contracts with customers. Moreover, their wholesale energy positions are already captured under Article 3 reporting obligations. Introducing exposure reporting requirements under Article 6 for infrastructure operators would neither enhance market transparency nor improve regulatory surveillance.<br><br>In light of the abovementioned considerations, and in support of the Commission's simplification objectives to streamline regulatory obligations, market participants that procure natural gas or electricity solely for their own consumption, as well as |

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| | | TSOs, SSOs, and LSOs acquiring natural gas or electricity exclusively for technological or operational needs, shall not be required to provide the information referred to in Article 6, irrespective of the 600 GWh per year threshold. |

## Article 7 Details of reportable transactions

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| Paragraph (3)<br>The details of the transactions referred to in Article 4(8) shall include the following:<br>(a) the Agency's registration code of the market participants entering into the transaction,<br>(b) the timestamp of the transaction,<br>(c) information on the delivery profile,<br>(d) the type of hydrogen, such as renewable hydrogen or low-carbon hydrogen,<br>(e) price and quantity,<br>(f) the delivery point or zone, where applicable,<br>(g) information on the traded contract. | Paragraph (3)<br>The details of the transactions referred to in Article 4(8) shall ~~include~~ be limited to the following, where applicable:<br>(a) the Agency's registration code of the market participants entering into the transaction,<br>(b) the timestamp of the transaction,<br>(c) information on the delivery profile,<br>(d) the type of hydrogen, such as renewable hydrogen or low-carbon hydrogen,<br>(e) price and quantity,<br>(f) the delivery point or zone, ~~where applicable,~~<br>(g) information on the traded contract. | The legal text should clarify the scope of reporting for hydrogen transportation. It is currently unclear where entry-exit systems would be applicable for the hydrogen transport. By analogy with electricity and natural gas, it is recommended to limit reporting to cross-border/cross-zonal contracts.<br><br>Furthermore, certain points in the paragraph, such as delivery profile (iii) and type of hydrogen (iv), are not applicable to transportation contracts. Therefore, *"where applicable"* should be applied to the entire paragraph, not only to point (vi), to ensure clarity of reporting obligations. As stated in the Explanatory Memorandum, the details of the transactions referred to in Article 4(8) shall be limited to the following listed elements. |

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| **Paragraph (4)**<br>**The Agency shall set out the technical details of the reportable information referred to in paragraphs 1, 2 and 3 of this Article and in Articles 4, 5 and 6 in a user manual and, after consulting relevant stakeholders and the Commission, make it available to the public upon entry into force of this Regulation. The Agency shall consult relevant parties and the Commission on material updates of the user manual. Market participants shall submit reportable information to the Agency in accordance with the user manual.** | Paragraph (4)<br>The Agency shall set out the technical details of the reportable information referred to in paragraphs 1, 2 and 3 of this Article and in Articles 4, 5 and 6 in a user manual and, after consulting relevant stakeholders and the Commission, allowing for a minimum period of one month for public consultation, make it available to the public upon entry into force of this Regulation. The Agency shall consult relevant parties and the Commission on material updates of the user manual. Market participants shall submit reportable information to the Agency in accordance with the user manual. | The user manual sets out technical and practical details that directly affect compliance, systems, and costs of stakeholders. A mandatory minimum consultation period of one month would provide stakeholders with sufficient time to identify practical issues, ensure the guidance reflects actual market practices, and promote consistent interpretation. |

## Article 8 Reporting channels for transactions

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**OMPs shall report to the Agency data related to the orderbooks, including matched and unmatched orders and trades, in relation to transactions referred to in Articles 3 and 4.**<br><br>**With reference to Article 3, point (b)(i), the details of primary capacity allocations where** | Paragraph (1)<br>OMPs shall report to the Agency data related to the orderbooks, including matched and unmatched orders and trades, in relation to transactions referred to in Articles 3 and 4.<br><br>With reference to Article 3, point (b)(i), the details of primary capacity allocations where bids were placed but no | The term *"primary capacity allocations where no capacity has been allocated as a result of the allocation process"* may refer to two distinct scenarios:<br>- **Scenario 1**: Bids were submitted, but no capacity was allocated (e.g. under Article 17(22) of CAM NC). |

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| **no capacity has been allocated as a result of the allocation process shall also be reported to the Agency by the respective OMP.**<br><br>**With reference to Article 3, point (b)(ii), OMPs shall report to the Agency transactions registered on their platform as a result of the secondary allocation, irrespective of where the allocation takes place.**<br><br>**OMPs shall report to the Agency the data referred to in this paragraph on behalf of all market participants active on their platform. Market participants shall not report that data to the Agency.** | capacity has been allocated as a result of the allocation process shall also be reported to the Agency by the respective OMP.<br><br>With reference to Article 3, point (b)(ii), OMPs shall report to the Agency transactions registered on their platform as a result of the secondary allocation, irrespective of where the allocation takes place.<br><br>OMPs shall report to the Agency the data referred to in this paragraph on behalf of all market participants active on their platform. Market participants shall not report that data to the Agency. | - **Scenario 2**: No bids were submitted during the allocation window, and the procedure closed without any allocation.<br><br>ENTSOG and the gas TSOs support reporting procedures under **Scenario 1**, as they may offer analytical value for market surveillance.<br>However, we oppose the continuous reporting of transactions under **Scenario 2**, due to the following concerns:<br>- These procedures are unrelated to price formation or market abuse risk.<br>- Their volume is already extremely high and is expected to increase further with the large number of new auctions to be conducted under the latest CAM revision proposals, exceeding the levels relevant for monitoring by over 10,000%, and providing minimal surveillance value.<br>- Reporting them would introduce excessive noise, complicating the analysis of meaningful transaction data.<br>- Relevant information is already publicly available via Booking Platform portals per auction. Additionally, the Booking Platform publishes monthly reports with details about all performed auctions and this information is reported monthly to ACER's Gas, Hydrogen and Retail Department. |

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| | | **Recommendation**:<br>- Include **Scenario 1** procedures in continuous transaction reporting.<br>- Treat **Scenario 2** procedures as part of ad-hoc reporting of fundamental data, reflecting their limited relevance to surveillance and avoiding unnecessary reporting burdens. |
| **Paragraph (4)**<br>**Market participants shall provide the following information to the OMP where the trading occurs:**<br>**(a) information regarding the identity of the intermediate or final beneficiaries of the transaction, if different from the market participant trading on the OMP;**<br>**(b) any information relating to lifecycle events of a transaction that was concluded on the OMP but where the lifecycle event occurred outside the OMP.**<br>**The information referred to in this paragraph shall be made available to the OMP no later than at the time of reporting as set out in Article 10 and shall be reported to the Agency by the OMP, as part of the OMP's reporting obligation set out in paragraph 1 of this Article.** | Paragraph (4)<br>Market participants shall provide the following information to the OMP where the trading occurs:<br>(a) information regarding the identity of the intermediate or final beneficiaries of the transaction, if different from the market participant trading on the OMP;<br>~~(b) any information relating to lifecycle events of a transaction that was concluded on the OMP but where the lifecycle event occurred outside the OMP.~~<br>The information referred to in this paragraph shall be made available to the OMP no later than at the time of reporting as set out in Article 10 and shall be reported to the Agency by the OMP, as part of the OMP's reporting obligation set out in paragraph 1 of this Article. | ENTSOG and the gas TSOs note the current text regarding primary contracts for the transportation of natural gas concluded on organised marketplaces may create uncertainty regarding the reporting of subsequent modifications to these contracts. These lifecycle events are not recorded on OMPs, and involving the platforms in reporting would require processes and arrangements outside their regular activities, which are unrelated to their core responsibilities and could risk data integrity, delays, or disputes over accountability.<br>ENTSOG and the gas TSOs recommend that market participants retain the flexibility to select the reporting channel for lifecycle events occurring outside of OMPs, either:<br>- directly via registered reporting mechanisms (RRMs), or<br>- via a third-party RRM, including, the booking platform (i.e. the OMP). |

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| | | Additionally, in the proposed text of the REMIT Implementing Regulation, the deletion of Recital (4) and the reference in Article 8(3), introduce uncertainty regarding which market participant—TSO or network user—should provide the data on contract modifications to the OMP. Clarification is necessary to ensure that reporting obligations are clear, proportional, technically feasible, and that the data reported is accurate, complete, and timely. |
| **Paragraph (8)**<br>**The Agency may request additional information and clarifications from market participants, including LNG market participants, and reporting parties in relation to the data that are to be reported pursuant to this Regulation. Such requests may also include access to the original bilateral contract concluded by the market participants.** | Paragraph (8)<br>The Agency may request additional information and clarifications from market participants, including LNG market participants, and reporting parties in relation to the data that are to be reported pursuant to this Regulation. Such requests may also include access to the original bilateral contract concluded by the market participants. Such requests should be justified and exercised in accordance with the principle of proportionality, with the Agency ensuring the confidentiality, integrity, and protection of the information provided. For instance, the Agency could request access to the original bilateral contract in case of reasonable suspicions that certain conduct could amount to a breach of Regulation (EU) No 1227/2011. | ENTSOG and the gas TSOs suggest that ACER's proposed access to the systems of market participants and RRMs should be carefully targeted. Such requests for additional information, clarification, or system access could be aligned with the approach applied to organised marketplaces under Article 8(1a)(b) of Regulation (EU) No 1227/2011. |

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| **Paragraph (11)**<br>**If an OMP has failed to notify the Agency pursuant to paragraph 10, the Agency may request the necessary information from that OMP and shall include the OMP in the list.** | Paragraph (11)<br>If an entity potentially falling within the definition of an OMP ~~has failed to~~ does not notify the Agency pursuant to paragraph 10, the Agency may request the necessary information from that ~~OMP~~ entity ~~shall include the OMP in the list~~ to assess on a case-by-case basis whether it should be included in the list or determine the reasons why the it shall not be considered as OMP.<br><br>The proceeding before the Agency shall be concluded with the decision as understood under Article 2(d) of the Regulation (EU) No 2019/942. Article 28 and 29 of the Regulation (EU) No 2019/942 shall be applicable accordingly, but the application of the contested decision shall be suspended until the final Board of Appeal Decision. | ENTSOG and the gas TSOs recommend revising Article 8(11) to ensure that the designation of an OMP role is based on a careful, case-by-case assessment of each entity's actual market functions. This assessment should include clear procedural safeguards and allow entities to present their position.<br><br>Designation as an OMP entails significant obligations, including transaction reporting, PPAT responsibilities, market surveillance duties, and internal governance requirements, which are appropriate only for entities that actively facilitate transactions. Assigning infrastructure operators to this role would create a direct conflict of interest, as they participate in the very transactions they would be required to monitor, thereby compromising the neutrality essential for effective market oversight.<br><br>Furthermore, assigning OMP status to infrastructure operators could lead to regulatory misalignment. These entities are not structured to operate as marketplaces and are already subject to sector-specific regulations tailored to their technical and operational roles. Imposing OMP-related compliance obligations would place a disproportional administrative burden on them, divert resources from their core responsibilities, and risk affecting the efficiency and reliability of critical infrastructure operations. |

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| | | In view of these concerns, ENTSOG and the gas TSOs stress the need for a well-defined and proportionate approach to OMP designation. emphasize that Article 8(11) must ensure OMP designation is founded on thorough assessments and procedural safeguards reflecting each entity's actual role in the market. |

## Article 10 Timing for reporting of transactions

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**Details of transactions referred to in Article 3, point (a), relating to standard contracts shall be reported as soon as possible but no later than two working days following the conclusion of the trade or the placement of the order.** | Paragraph (1)<br>Details of transactions referred to in Article 3, point (a) concluded on OMPs relating to standard contracts shall be reported as soon as possible but no later than two working days following the conclusion of the trade or the placement of the order.<br>Details of transactions referred to in Article 3, point (a), concluded outside an OMPs, relating to standard contracts shall be reported as soon as possible but no later than ten days following the conclusion of the trade or the placement of the order. | Lifecycle events, such as modification or cancellation, can be disputed. Their admissibility must be confirmed before reporting to ensure accuracy and compliance. |

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| | All lifecycle events related to transactions referred to in Article 3, point (a) shall be reported no later than ten working days following their acceptance. | |
| **Paragraph (4)**<br>**Details of transactions referred to in Article 3, point (b), relating to standard contracts shall be reported as soon as possible but no later than two working days after the allocation results have become available.** | Paragraph (4)<br>Details of transactions referred to in Article 3, point (b)concluded on OMPs, relating to standard contracts shall be reported as soon as possible but no later than two working days after the allocation results have become available.<br>Details of transactions referred to in Article 3, point (b), concluded outside an OMPs, relating to standard contracts shall be reported as soon as possible but no later than ten days following the conclusion of the trade or the placement of the order.<br>All lifecycle events related to transactions referred to in Article 3, point (b) shall be reported no later than ten working days following their acceptance. | The revised definition of *"standard contract"* under REMIT requires admission to trading on an OMP, though such contracts may still be executed outside an OMP. This distinction has direct implications for reporting obligations.<br><br>We recommend that reporting deadlines be determined by the execution venue (OMP or OTC), rather than by contract type. The Commission's rationale, outlined in the Explanatory Memorandum to Article 10, underscores the significance of the place of execution in determining reporting timeframes.<br><br>ENTSOG and the gas TSOs consider that the two-day reporting timeline should apply only to transactions occurring on organised marketplaces (OMPs).<br>Applying a uniform ten-working-day reporting deadline for all lifecycle events would ensure clarity and consistent implementation, while accommodating the practical challenges of collecting, preparing, and transferring lifecycle event data across multiple systems and platforms.<br><br>Article 10(5) of the proposed text does not address the conclusion of contracts under Article 3(b) outside an OMP. Accordingly, the |

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| | | reporting timeline for such contracts and their associated lifecycle events is not defined. |
| **Paragraph (5)**<br>**Details of transactions referred to in Article 3, point (b), relating to non-standard contracts shall be reported as soon as possible but no later than ten working days following the conclusion of the trade, or the occurrence of the lifecycle event.** | Paragraph (5)<br>Details of transactions referred to in Article 3, point (b), relating to non-standard contracts shall be reported as soon as possible but no later than ten working days following the conclusion of the trade, or the ~~occurrence~~ acceptance of the lifecycle event. | Lifecycle events, such as modification or cancellation, can be disputed. Their admissibility must be confirmed before reporting to ensure accuracy and compliance. |

## Article 12 Rules for the reporting of fundamental data on natural gas

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (2)**<br>**Gas Transmission System Operators shall report to the Agency and, at their request, to national regulatory authorities in accordance with Article 8(5) of Regulation (EU) No 1227/2011 day-ahead nominations and final re-nominations of booked capacities specifying the identity of the market participants involved and the allocated quantities. The information shall be made** | Paragraph (2)<br>Gas Transmission System Operators shall report to the Agency and, at their request, to national regulatory authorities in accordance with Article 8(5) of Regulation (EU) No 1227/2011 day-ahead nominations and final re-nominations of booked capacities specifying the identity of the market participants involved and the allocated quantities. The information shall be made available no later than the two following working days. | Fundamental data is intended to complement the reporting and analysis of information related to transportation contracts. To ensure consistent alignment between the scope of reportable transactional data under Article 3(b)(i) and the scope of fundamental data, ENTSOG and the gas TSOs recommend that exit points connected to a single customer be excluded from the scope of Article 12(2). |

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| **available no later than the two following working days.**<br>**That information shall be provided for the following points of the transmission system:**<br>**(a) all interconnection points;**<br>**(b) entry points of production facilities including of upstream pipelines;**<br>**(c) for exit points connected to a single customer;**<br>**(d) entry and exit points to and from storage;**<br>**(e) for LNG facilities;**<br>**(f) for physical and virtual hubs.** | That information shall be provided for the following points of the transmission system:<br>(a) all interconnection points;<br>(b) entry points of production facilities including of upstream pipelines;<br>~~(c) for exit points connected to a single customer;~~<br>(d) entry and exit points to and from storage;<br>(e) for LNG facilities;<br>(f) for physical and virtual hubs. | |
| **Paragraph (10)**<br>**The Agency may request additional information and clarifications from Transmission System Operators, LNG System Operators, Storage System Operators, Distribution System Operators or from RRMs reporting on their behalf in relation to the data that are to be reported pursuant to this Regulation.** | Paragraph (10)<br>The Agency may request ~~additional information and~~ clarifications from Transmission System Operators, LNG System Operators, Storage System Operators, Distribution System Operators or from RRMs reporting on their behalf in relation to the data that are to be reported pursuant to this Regulation. | The scope of reportable data is defined by the REMIT Regulation and the REMIT Implementing Regulation. Any requests for additional information should remain limited to clarifications within the defined scope and should not lead to newly imposed reporting obligations not prescribed by the legislation. |

# Article 17 Entry into force and application

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (6)**<br>**Article 6 shall apply from *[OP: please insert the date = 6 months from the date of entry into force of this Regulation].***<br><br>**Article 7(2) and Article 10(6) shall apply from [OP: please insert the date = 12 months from the date of entry into force of this Regulation].**<br><br>**Article 3 and Article 4(2) shall apply from [OP: please insert the date = 12 months from the date of entry into force of this Regulation].**<br><br>**Article 4(1), 4(3), 4(4), 4(5), 4(6) and 4(7), Article 9, and Article 11(4) shall apply from [OP: please insert the date = 18 months from the date of entry into force of this Regulation].**<br><br>**Article 4(8) shall apply from 1 July 2028.** | Paragraph (6)<br>Article 6 shall apply from *[OP: please insert the date = ~~6 months~~ 12 months from the date of entry into force of this Regulation].*<br><br>Article 3, ~~and~~ Article 4(2), Article 12(5), Article 12(9) and Article 8(4) shall apply from [OP: please insert the date = ~~12~~ 18 months from the date of entry into force of this Regulation].<br><br>Article 8(1) second sentence shall apply from [OP: please insert the date = 18 months from the date of entry into force of this Regulation]. | The period of six months is not sufficient for implementation of the exposure reporting, as the reporting schema needs to be consulted, implemented, and tested. A period of 12 months should ensure accurate, complete, and reliable reporting by market participants.<br><br>Paragraph 4 of Article 7 of the proposed REMIT IR states that the Agency will define the technical details of reportable information —including exposure reporting under Article 6 —through a user manual, following consultation with stakeholders and the Commission.<br><br>To support effective implementation, we suggest a more practical timeline for the application of Article 6. This timeline should reflect:<br>- The time required to develop and publish the ACER user manual;<br>- A through and inclusive stakeholder consultation process;<br>- Sufficient time for market participants and RRMs to implement the necessary technical and organisational solutions. |

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| | | ENTSOG and the gas TSOs therefore recommend that the application of Article 6 to begin no earlier than 12 months after the Regulation enters into force.<br><br>As per Article 7(4) and 13(4), the Agency is tasked to develop the technical guidance and reporting schemas for the purpose of implementation of the provisions under this Regulation. To allow sufficient time for the Agency to fulfil the tasks, including conducting consultations with the relevant stakeholder, and the entities (i.e., MP, OMPs) to implement the following changes for the purpose of reporting, ENTSOG and the gas TSOs recommend that that the application of Article 3, Article 4(2), Article 12(5), Article 12(9), and Article 8(4) no earlier than 18 months after the Regulation enters into force.<br><br>If the European Commission does not consider our proposals for amendment of Article 5(1) and Article 8(1) to proceed as ad-hoc reporting of the details of primary capacity allocations where no capacity has been allocated, ENSTOG and the gas TSOs recommend that that the application of Article 8(1) second sentence no earlier than 18 months after the Regulation enters into force. |

# ANNEX

## Table 4 - Reportable details of wholesale energy products in relation to the transportation of natural gas

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Data Field 9 – Product type**<br><br>***Description:***<br>**The field indicates the type of the product such as daily, weekly, or other.** | ~~Data Field 9 – Product type~~<br><br>~~*Description:*~~<br>~~The field indicates the type of the product such as daily, weekly, or other.~~ | The product type, defined by its duration, can already be identified from the existing data fields in Table 4, making the addition of a separate dedicated field unnecessary.<br><br>Specifically, product duration can be derived from the following elements:<br>- **Data Fields 13 and 14** (revised Table 4 of the REMIT IR): *Start and End Date of the Transportation Transaction Runtime*,<br>- **Data Field 7**: Auction Open Date and Time,<br>- **Validity Period**: an additional element included in the electronic reporting format for Table 4 as defined by ACER.<br><br>Under the CAM NC framework, gas transportation capacity is allocated exclusively through standardized products (yearly, quarterly, monthly, daily, within-day), following the ENTSOG auction calendar. This structure allows the product type to be determined by cross-referencing the start and end dates of the transportation period with the relevant auction schedule. |

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| **Data Field 12 – Offer of additional capacity**<br><br>***Description:***<br>**The field indicates open season, incremental auctions or other processes to determine the demand for an increase in capacity availability.** | ~~Data Field 12 – Offer of additional capacity~~<br><br>~~*Description:*~~<br>~~The field indicates open season, incremental auctions or other processes to determine the demand for an increase in capacity availability.~~ | ENTSOG and the gas TSOs propose not introducing a separate new data element for incremental capacity procedures (*Offer of additional capacity*), but rather integrating suitable values for identifying such transactions within **Data Fields 10** and **11**.<br><br>If the "*offer of additional capacity*" is treated as a general transaction category—comparable to primary and secondary market transactions—then:<br><br>Through **Data Field 10**, the reporting party could indicate the type of reported transaction:<br>- Primary market transaction;<br>- Secondary market transaction;<br>- Offer of additional capacity.<br><br>Through **Data Field 11**, the reporting party could indicate the specific allocation mechanism applied to the transaction type identified in **Data Field 10**:<br>- FCFS;<br>- Ascending clock auction;<br>- Uniform price auction;<br>- Pro-rata;<br>- Open season;<br>- Etc.<br>- |
| **Data Field 22 – Total price**<br><br>***Description:*** | ~~Data Field 22 – Total price~~<br><br>~~*Description:*~~ | The revised description of **Data Field 22** effectively introduces a new data element, composed of two components: |

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| **The field indicates the reserve price at time of the auction plus auction premium or regulated tariff in case of other allocation mechanism than auction. The price shall be specified as the total price per unit and the total contract value.** | ~~The field indicates the reserve price at time of the auction plus auction premium or regulated tariff in case of other allocation mechanism than auction. The price shall be specified as the total price per unit and the total contract value.~~ | - **Total Unit Price** – **an existing data field**, and<br>- **Total Contract Value – a newly introduced component.**<br><br>However, the "*Total Contract Value*" is already derivable from the information reported in Table 4.<br><br>It can be calculated directly from:<br>- **Data Field 19: Quantity**, and<br>- **Data Field 22: Total Price (per capacity unit)**.<br><br>Formula: **Total Contract Value = Total Unit Price × Quantity.** |

## Summary for the response

The European Network of Transmission System Operators for Gas (ENTSOG), founded under Regulation (EC) 715/2009, has played a key role in integrating European gas markets by supporting technical interoperability and security of supply through coordinated infrastructure planning.

ENTSOG acts both as a Registered Reporting Mechanism (RRM), reporting fundamental data to ACER on behalf of European gas TSOs, and as an Inside Information Platform (IIP), facilitating the disclosure and publication of inside information under Regulation (EU) No 1227/2011. ENTSOG supports the European Commission's proposal for the REMIT Delegated Regulation on RRMs and IIPs, recognising their role in ensuring proportionality, technical feasibility, and alignment with existing reporting obligations, while enhancing legal certainty, data quality, and monitoring continuity.

ENTSOG and the gas TSOs provide the following feedback on the proposed REMIT Delegated Regulation:

- **Fast-track procedure for already registered RRMs and IIPs (Article 8):** Already registered RRMs and IIPs should be treated such that that documentation submitted at registration, in line with the RRM and IIP requirements at that time, is deemed sufficient. Only entirely new obligations require additional evidence. A final list should indicate which further documents are needed – e.g., annual reports – to preserve the fast-track character, avoid ambiguity, and provide a transparent basis.
- **Distinction between self-reporting and third-party RRMs:** Certain obligations designed for third-party RRMs are not appropriate for self-reporting entities. Clearer and more consistent provisions in the legal text are needed to ensure that this distinction is properly reflected and applied.
- **Proportionality of authorisation requirements:** Organisational and governance requirements should be limited to activities falling under REMIT, as certain elements may place an unnecessary burden on entities that are subject to reporting obligations.
- **Validation rules – feasibility and scope:** The technical provisions on data validation for RRMs and IIPs, flagging of inside information, and automatic redirection of data impose operational and technical obligations that are burdensome and likely to require significant investment. These obligations go beyond established practices and raise questions about the proportionality and feasibility of implementation under Article 290 TFEU.

  - **Avoid flagging inside information:** Requiring IIPs to publish incomplete or inaccurate flagged data contradicts Article 4a of REMIT and risks undermining market transparency.
  - **Avoid establishing a register of invalid data:** This obligation would impose a disproportionate burden by forcing RRMs and IIPs to retain and track invalid data, duplicating existing validation processes that already ensure timely error correction.

- **Client-centred approach for procedures for orderly substitution:** Data transfers should minimise operational strain and protect commercially sensitive information while ensuring reporting continuity.
- **Clear guidance for RRMs established outside of the European Union:** A clear process is needed for RRMs outside the EU, where ACER may withdraw registration, requiring the designation of an EU-based RRM representative.
- **Curve type** for urgent market messages (UMMs) on unavailability of the gas capacities would increase the technical complexity of the reporting without delivering clear benefits, given the generally stable and predictable nature of the gas capacities.
- **Sufficient implementation time of 18 months** is needed to ensure a consistent, smooth, and effective implementation of the Regulation across all reporting entities, given that ACER's guidance is expected no earlier than 7 months after the publication, subject to Article 9.

# Proposed amendments to the Commission Delegated Regulation on RRMs and IIPs

## Whereas

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| (6)<br>**To ensure legal certainty and reduce the administrative burden on IIPs and RRMs that were already established in the Union at the time of registration by the Agency, those IIPs and RRMs should not be required to resubmit documents that are already available to the Agency. Therefore, the authorisation process should contain specific provisions for them. Those IIPs and RRMs should be eligible for a simplified authorisation process, insofar as the Agency confirms to the relevant IIPs and RRMs that it has already received, during the registration process, all the information required for authorisation. However, the Agency should maintain the right to request the resubmission of documentation already provided during the registration process, if it is necessary to ensure compatibility with its** | (6)<br>To ensure legal certainty and reduce the administrative burden on IIPs and RRMs that were already established in the Union at the time of registration by the Agency, those IIPs and RRMs should not be required to resubmit documents that are already available to the Agency. Therefore, the authorisation process should contain specific provisions for them. Those IIPs and RRMs should be eligible for a simplified authorisation process, insofar as the Agency confirms to the relevant IIPs and RRMs that it has already received, during the registration process, all the information required for authorisation. ~~However, the Agency should maintain the right to request the resubmission of documentation already provided during the registration process, if it is necessary to ensure compatibility with its IT systems, particularly in cases where technical updates are required.~~ | ENTSOG and the gas TSOs raise concerns about the proposed the Agency's right to request the resubmission of documentation already provided during the registration process. In line with the proposal to enable the RRMs and IIPs, already established in the European Union, no additional requirements for resubmitting already provided documentation should be imposed, since this would hinder an implementation of the fast-track authorisation. |

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| **IT systems, particularly in cases where technical updates are required.** | | |

## Article 3 Identification and legal status of the applicant

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (2)**<br>**The application shall contain the following documentation and information:**<br>**[…]**<br>**(f) the identification of any subsidiaries of the applicant and the group structure** | Paragraph (2)<br>The application shall contain the following documentation and information:<br>[…]<br>~~(f) the identification of any subsidiaries of the applicant and the group structure~~ | Requesting detailed information on a company's group structure for RRM/IIP authorisation is not directly relevant to its core technical and compliance responsibilities. It creates additional administrative work without significantly aiding the assessment of operational capability. |

## Article 4 Supporting documents

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**The application shall include supporting documents describing compliance with the general organisational requirements for IIPs and RRMs set out in Articles 11 to 18 and the** | Paragraph (1)<br>The application shall include supporting documents describing compliance with the general organisational requirements for IIPs and RRMs set out in Articles 11 to 18 and the policies and | It is unclear what is meant by *"all necessary information to the Agency to demonstrate that they belong to the same legal entity."* Articles 3(2)(a), 3(2)(c), and 3(5) already require the submission of documentation that sufficiently demonstrate the relationship between the RRM client and the RRM as part of the same legal entity. |

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| **policies and procedures that the applicant has in place to ensure orderly substitution pursuant to Article 38.**<br>**In addition to the documents referred to in the first subparagraph, IIP applicants shall include supporting documents describing compliance with the IIP requirements set out in Articles 19 to 25 and RRM applicants shall include supporting documents describing compliance with the RRM requirements set out in Articles 26 to 29.**<br>**Where a RRM applicant and its RRM clients belong to the same legal entity, the RRM applicant shall submit all necessary information to the Agency to demonstrate that they belong to the same legal entity.** | procedures that the applicant has in place to ensure orderly substitution pursuant to Article 38.<br>In addition to the documents referred to in the first subparagraph, IIP applicants shall include supporting documents describing compliance with the IIP requirements set out in Articles 19 to 25 and RRM applicants shall include supporting documents describing compliance with the RRM requirements set out in Articles 26 to 29.<br>~~Where a RRM applicant and its RRM clients belong to the same legal entity, the RRM applicant shall submit all necessary information to the Agency to demonstrate that they belong to the same legal entity.~~ | |
| **Paragraph (2)**<br>**The application shall include the following:**<br>**[…]**<br>**(d) the organisational chart of the IIP or the RRM;**<br>**(e) the programme of operations of the IIP or the RRM;**<br>**[…]**<br>**(h) information on the procedures to ensure the orderly substitution of the IIP or the RRM** | Paragraph (2)<br>The application shall include the following:<br>[…]<br>(d) the organisational chart of the IIP or the RRM, limited to the functions and structures relevant to activities under Regulation (EU) No 1227/2011;<br>(e) the programme of operations of the IIP or the RRM, limited to the activities carried out under Regulation (EU) No 1227/2011;<br>[…] | The requirement to provide a complete organisational chart and programme of operations for the IIP or the RRM is disproportionate and does not correspond to the function of the reporting entity. For the sake of proportionality and relevance, it would be more appropriate to limit this information to structures and activities within the scope of REMIT activities. The proposed provisions in Article 4 would require significant effort to describe of measures for compliance with regulations not directly related to REMIT and the performance of the RRMs and IIPs. |

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| **in case such substitution is the result of a withdrawal of the authorisation, including the procedures for the transfer of data and the redirection of the services provided to another IIP or RRM, as set out in Articles 38 and 39, including the related supporting documents;** | (h) information on the procedures to ensure the orderly substitution of the IIP or the RRM in case such substitution is the result of a withdrawal of the authorisation, including the procedures for the transfer of data and the redirection of the services ~~provided to another IIP or RRM~~, as set out in Articles 38 and 39, including the related supporting documents; | |
| **Paragraph (3)**<br>**The organisational chart of the IIP or RRM referred to in paragraph 2, point (d), shall:**<br>**(a) display the group structure and ownership links between the parent undertaking and its subsidiaries or any other associated entities or branches, and indicate their respective activities;**<br>**(b) indicate the legal name and address of the undertakings shown in the organisational chart;**<br>**(c) identify the persons responsible for reporting of data records or operating the platform for the disclosure of information and submission of inside information reports to the Agency and provide descriptions of their tasks and business contact details.** | Paragraph (3)<br>The organisational chart of the IIP or RRM referred to in paragraph 2, point (d), shall:<br>~~(a) display the group structure and ownership links between the parent undertaking and its subsidiaries or any other associated entities or branches, and indicate their respective activities;~~<br>~~(b) indicate the legal name and address of the undertakings shown in the organisational chart;~~<br>(c) identify the persons responsible for reporting of data records or operating the platform for the disclosure of information and submission of inside information reports to the Agency and provide descriptions of their tasks and business contact details. | Explanation can be found in the rationale for Article 4(2). |

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| **Paragraph (4)**<br>**The programme of operations referred to in paragraph 2, point (e), shall describe in detail the operational framework, internal control mechanisms and the way in which regulatory compliance with this Regulation and Regulation (EU) No 1227/2011 is ensured.**<br>**The description of the operational framework shall illustrate the business model of the applicant, including the services and products offered, and indicate any relevant outsourcing arrangements, in which case it shall specify how such outsourcing arrangements ensure compliance with the requirements laid down in this Regulation and with Regulation (EU) No 1227/2011.**<br>**The description of the internal control mechanisms shall illustrate the mechanisms to ensure effective governance and risk management, procedures and systems for monitoring and managing risks, including the identification of potential risks and corresponding mitigation strategies.**<br>**The description of regulatory compliance shall specify in detail how compliance with the requirements laid down in this** | Paragraph (4)<br>The programme of operations referred to in paragraph 2, point (e), shall describe in detail the operational framework, internal control mechanisms and the way in which regulatory compliance with this Regulation and Regulation (EU) No 1227/2011 is ensured.<br>The description of the operational framework shall illustrate the business model of the applicant, including the services and products offered related to the current regulation and Regulation (EU) No 1227/2011, and indicate any relevant outsourcing arrangements, in which case it shall specify how such outsourcing arrangements ensure compliance with the requirements laid down in this Regulation and with Regulation (EU) No 1227/2011.<br>The description of the internal control mechanisms shall illustrate the mechanisms to ensure effective governance and risk management, procedures and systems for monitoring and managing risks, related to the activities carried out under Regulation (EU) No 1227/2011 including the identification of potential risks and corresponding mitigation strategies.<br>The description of regulatory compliance shall specify in detail how compliance with the requirements laid down in this Regulation, ~~and~~ in | It is not clear how the description of the *"internal control mechanism"* required by the third sub-paragraph of Article 4(4) is different from the information already provided under Article 4(2)(c, f, g, i) and with respect to Articles 13, 16, and 17.<br><br>Similarly, the requirement to describe measures for *"regulatory compliance"* is overly broad and does not clearly specify how it supplements the information already required under Article 4.<br><br>To avoid unnecessary repetition and reduce the administrative burden on applicants, it is recommended that any requirements which duplicate or overlap with existing provisions be removed or clarified<br><br>For reasons of proportionality and relevance, it would be more appropriate to limit this information to structures and activities within the scope of REMIT activities, as outlined in the rationale for Article 4(2). |

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| **Regulation and in Regulation (EU) No 1227/2011 is ensured.** | Regulation (EU) No 1227/2011, and in ACER REMIT documentation is ensured. | |
| **Paragraph (5)**<br>**IIP applicants shall provide to the Agency information about the time needed by the IIPs to disclose on their platform the information received from their IIP clients. IIP applicants shall provide to the Agency information about the manner in which they set the fees to be paid by their IIP clients in accordance with Article 25.** | Paragraph (5)<br>IIP applicants shall provide to the Agency information about the time needed by the IIPs to disclose on their platform the information received from their IIP clients that has been successfully validated through their data validation system. IIP applicants shall provide to the Agency information about the manner in which they set the fees to be paid by their IIP clients in accordance with Article 25. | IIPs should provide information on the time required for internal processing and publication of data that has been successfully validated and accepted by their systems.<br>This applies only to disclosure after successful validation and does not cover rejected or corrected data, which are beyond an IIP's control.<br>Clarifying this distinction ensures IIPs are assessed solely on validated data, in line with Article 20 which references information *"successfully validated through their data validation system".* |
| **Paragraph (6)**<br>**RRM applicants shall provide supporting documents regarding the systems they have in place to ensure data transfers from other systems or platforms in accordance with Article 15. RRM applicants shall indicate the name of such systems or platform, and of any user facilities generating reportable data to the technical solution implemented by the applicant, including any data transformation.** | | The terms *"other systems or platforms"* and *"any user facilities generating reportable data to the technical solution"* are unclear. It should be specified whether this refers to systems used by RRM/IIP clients (e.g., MPs, OMPs, trade-matching systems) or to solutions implemented by the RRM/IIP or their service providers. To avoid differing interpretations and to clearly define the scope of the requirement, clarification is needed |

## Article 7 Request for additional information during the authorisation process

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Upon request by the Agency, applicants shall provide additional information during the examination of their application, where such information is necessary for the Agency to assess the completeness of their application and the applicants' compliance with the requirements set out in this Regulation and in Regulation (EU) No 1227/2011.** | Upon request by the Agency, applicants shall provide additional information during the examination of their application, where such information is necessary for the Agency to assess the completeness of their application and the applicants' compliance with the requirements set out in this Regulation and in Regulation (EU) No 1227/2011. The Agency shall notify the applicant within *[a predefined period]* if the application is incomplete. | Providing a predefined notification period would help ensure transparency and legal certainty for the applicant. This would allow the applicant to understand in a timely manner whether additional information is needed, thereby avoiding unnecessary delays in the assessment process and supporting a more efficient and predictable assessment procedure. |

## Article 8 Application process for IIPs and RRMs already registered and established in the Union

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Article 8 - General** | Inclusion of additional paragraph(s) or sub-paragraph(s) within already proposed Articles, to explicitly clarify the process for the nomination of RRMs established in the Union, by existing RRM entities that are not established in the Union in the case that its registration is withdrawn by ACER. | This is a requirement as provided in Article 9a of the Revised REMIT Regulation. Whereby, as per REMIT II Article 9a (5), ACER may withdraw the registration of existing RRMs if that entity is established outside of the EU, meaning that such RRM entities would need to designate an RRM representative based within the |

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| | | EU. In the current draft Delegated Regulation file, this compliance requirement is not explicitly referred to.<br><br>ENTSOG and the gas TSOs request a clear process for the designation of EU based entities nominated to act as an RRM on behalf of existing registered RRMs that are established outside of the EU.<br><br>In existing RRM cases where this compliance action is required, the non-EU based entity will already be registered as an RRM today under the existing REMIT Regulation. Therefore, we recommend a streamlined authorisation process where this compliance action applies to RRMs already registered as RRM under existing REMIT rules, and where in some cases the nominated entity itself may also be an existing registered RRM. |
| **Paragraph (3)**<br>**The Agency shall inform the IIPs and RRMs referred to in paragraph 1 if additional information is necessary to assess the completeness of the application and the applicants' compliance with the requirements set out in this Regulation and in Regulation (EU) No 1227/2011.** | Paragraph (3)<br>The Agency shall inform the IIPs and RRMs referred to in paragraph 1 if additional information is necessary to assess the completeness of the application and the applicants' compliance with the requirements set out in this Regulation and in Regulation (EU) No 1227/2011. The Agency shall confirm, without undue delay after submission of the application referred in par. 1, whether the applicant complies with some or all requirements for authorisation detailed in this Regulation. To | Clear guidance from the Agency is needed for consistency in the application process for an authorisation for RRMs and IIPs that are already established in the Union. Providing explicit guidance would reduce administrative burden and support a proportionate authorisation process. |

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| | that extent, applicants shall be discharged from proving compliance with those requirements for the purpose of their authorisation.<br>The Agency shall provide specific guidelines regarding the requirements for which RRMs/IIPs already established in the Union, will be excluded from providing compliance. | |

## Article 9 Guidance by the Agency

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **No later than *[OP: please insert the date = 7 months after the date of entry into force of this Regulation]*, the Agency shall provide guidance on the following:**<br>**(a) the technical process for the testing phase as referred to in Article 5(1);**<br>**(b) the application process for IIPs and RRMs already registered and established in the Union as referred to in Article 8(1);**<br>**(c) the data validation principles and processes as referred to in Article 12(1) and (2) by providing technical standards for the verification of data;** | No later than *[OP: please insert the date = 7 months after the date of entry into force of this Regulation]*, the Agency shall provide guidance on the following:<br>(a) the technical process for the testing phase as referred to in Article 5(1);<br>(b) the application process for IIPs and RRMs already registered and established in the Union as referred to in Article 8(1);<br>(c) the data validation principles and processes as referred to in Article 12(1) and (2) by providing technical ~~standards~~ specifications for the verification of data; | To ensure that the guidance is proportionate and technically feasible to implement, thorough consultation with relevant parties is needed.<br>To avoid ambiguity, it should be clarified that Recital (10) and Article 9(c) refer to ACER's technical specifications for the verification of data, not technical standards, in accordance with Article 4(2)(i) and Article 13(1). |

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| **(d) the security measures referred to in Article 13(1), point (d);**<br>**(e) the format of the report on unplanned downtime or disruption as referred to in Article 18(3);**<br>**(f) the flagging process set out in Article 24(4), if applicable;**<br>**(g) the mechanisms to identify completeness, omissions and obvious errors in inside information reports and data records as referred to in Article 23(1) for IIPs and Article 27(1) for RRMs;**<br>**(h) the format of the annual report as referred to in Article 33(1).** | (d) the security measures referred to in Article 13(1), point (d);<br>(e) the format of the report on unplanned downtime or disruption as referred to in Article 18(3);<br>~~(f) the flagging process set out in Article 24(4), if applicable;~~<br>(g) the mechanisms to identify completeness, omissions and obvious errors in inside information reports and data records as referred to in Article 23(1) for IIPs and Article 27(1) for RRMs;<br>(h) the format of the annual report as referred to in Article 33(1). The Agency shall explain the technical aspects of the information to be provided as set out in this Regulation in guidelines, after consulting relevant parties. | |

## Article 10 Decision on the authorisation and related safeguards

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (2)**<br>**When the Agency deems the application complete, it shall without undue delay notify the applicant.** | Paragraph (2)<br>When the Agency deems the application complete, it shall without undue delay notify the applicant. | Explanation can be found in the rationale for Article 7. |

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| | The Agency shall notify the applicant within *[a predefined period]* if the application is incomplete. | |

## Article 14 Security incidents

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**IIPs and RRMs shall take the actions listed in paragraph 2 in case of an occurrence of any of the following incidents:**<br>**(a) misuse or unauthorised access of the IIP's or RRM's IT systems;**<br>**(b) incidents against information systems, as defined in Article 6(6) of Directive (EU) 2022/2555;**<br>**(c) unauthorised disclosure of confidential information flowing from IIP clients and RRM clients to the IIP or RRM and from the IIP or RRM to the Agency;**<br>**(d) breach of the confidentiality, integrity, availability, authenticity, accountability and reliability of the information processed within the IIPs and RRMs systems and, for IIPs, leakages of the processed information before its publication;** | Paragraph (1)<br>IIPs and RRMs shall take the actions listed in paragraph 2 in case of an occurrence of any of the following incidents if the confidential information falling within the scope of Regulation (EU) No 1227/2011 is affected:<br>[…] | Apart from the systems containing confidential information within the scope of REMIT, RRMs may operate additional systems. It is understood that actions under paragraph 1, points (a), (b), and (c), should be required only if the confidential information that falls within the scope of Regulation (EU) No 1227/2011 is affected. |

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| **(e) any event that would impede or impact the non-repudiation of the data.** | | |

## Article 16 Conflicts of interest

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**IIPs and RRMs shall maintain effective administrative arrangements, designed to prevent conflicts of interest with their IIP clients and RRM clients. Such arrangements shall include policies and procedures for identifying, managing and disclosing existing and potential conflicts of interest and shall:**<br>**(a) ensure that the relevant IIP clients and RRM clients are aware of those policies and procedures;**<br>**(b) ensure the separation of duties and business functions within the IIP or RRM, including through:**<br>**(i) measures to prevent or control the exchange of information where a risk of conflicts of interest may arise;**<br>**(ii) the separate supervision of relevant persons whose main functions involve** | Paragraph (1)<br>IIPs and RRMs shall maintain effective administrative arrangements, designed to prevent conflicts of interest with their IIP clients and RRM clients. Such arrangements shall include policies and procedures for identifying, managing and disclosing existing and potential conflicts of interest and shall:<br>(a) ensure that the relevant IIP clients and RRM clients are aware of those policies and procedures;<br>(b) ensure the separation of duties and business functions within the IIP or RRM, including through:<br>(i) measures to prevent or control the exchange of information where a risk of conflicts of interest may arise;<br>(ii) the separate supervision of relevant persons whose main functions involve interests that are potentially in conflict with those of IIP clients or RRM clients; | The requirement may appear disproportionate. It is understood that when an RRM and its clients belong to the same legal entity, the conflict of interest rules for independent clients do not apply. Since the RRM reports only its own data, the risk of external conflicts is not present. This interpretation supports a proportionate approach by reducing unnecessary obligations while maintaining fair and transparent data handling. |

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| **interests that are potentially in conflict with those of IIP clients or RRM clients;**<br>**(iii) measures to remedy potential or existing conflicts of interest;**<br>**(c) map any existing and potential conflicts of interest and list them in an inventory, which shall contain their description, identification, prevention, management and disclosure.** | (iii) measures to remedy potential or existing conflicts of interest;<br>(c) map any existing and potential conflicts of interest and list them in an inventory, which shall contain their description, identification, prevention, management and disclosure.<br>Where an RRM and its clients belong to the same legal entity, the RRM shall not be required to comply with the requirements set out in this paragraph. | |

## Article 17 Business continuity and back-up facilities

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (3)**<br>**IIPs and RRMs shall have in place robust operational risk controls and procedures to secure the availability of adequate resources and back-up facilities. Such controls and procedures shall be documented within an operational risk policy or an operational risk framework which ensures that disruptions to the provided services are minimised. Such** | Paragraph (3)<br>IIPs and RRMs shall have in place robust operational risk controls and procedures to secure the availability of adequate resources and back-up facilities. Such controls and procedures shall be documented within an operational risk policy or an operational risk framework which ensures that disruptions to the provided services are minimised. Such policy or framework shall include the following: […] | As it is unclear which annual checks are specifically referred to within the scope of *"evaluating the IIPs' and RRMs' technical infrastructures,"* clarification is necessary regarding the exact meaning of this requirement.<br><br>The scenario where an IIP's backup solution, referred to under (i), relies on a contractual arrangement with another IIP authorised by the Agency is already implemented in practice by GIE and ENTSOG. This setup reflects the significant overlap in the membership of both associations and was initiated and driven by |

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| **policy or framework shall include the following: […]**<br>**(c) automated monitoring and alert systems to track the availability of all system components and services, providing immediate notifications to the IIP clients and RRM clients regarding any service disruptions;**<br>**(d) redundancy of hardware components and network infrastructure, allowing failover to backup systems, including:**<br>**[…]**<br>**(e) the conduct of periodic reviews, at least annually, evaluating the IIPs' and RRMs' technical infrastructures and associated policies and procedures, including business continuity arrangements and, for IIPs, information security arrangements;**<br>**(f) comprehensive data back-up measures ensuring no data losses, including retention of data reported to the Agency in the last five years after the termination of the corresponding event for IIPs and five years for RRMs;**<br>**(g) effective business continuity arrangements addressing unplanned events, including the following:** | (c) automated monitoring and alert systems to track the availability of all system components and services, providing immediate notifications to the IIP clients and RRM clients regarding any service disruptions, where an RRM and its clients belong to the same legal entity, the RRM shall not be required to comply with the requirement;<br>(d) redundancy of hardware or virtual components and network infrastructure, allowing failover to backup systems, including:<br>[…]<br>(e) the conduct of periodic reviews, ~~at least annually~~ on triennial basis, evaluating the IIPs' and RRMs' technical infrastructures and associated policies and procedures, including business continuity arrangements and, for IIPs, information security arrangements;<br>(f) comprehensive data back-up measures ensuring no data losses, including retention of data reported to the Agency in the last ~~five~~ two years after the termination of the corresponding event for IIPs and five years for RRMs;<br>(g) effective business continuity arrangements addressing unplanned events, including the following:<br>(i) arrangements for the continuity of the processes which are critical to ensuring the | their members with the aim of improving cost-efficiency and centralizing the publication of UMMs from infrastructure operators (TSOs, SSOs, LSOs). This enhances not only efficiency but also transparency, by making inside information issued by the infrastructure operators easily accessible to the market. The conditions for using the mutual backup between the GIE IIP and the ENTSOG TP IIP were developed, coordinated, and approved by their respective members.<br><br>In light of this experience, we wish to highlight that for the scenario when the backup solution of an IIP is based on contractual arrangement with another IIP authorised by the Agency, the proposed requirement for "*automated redirection*" of data submissions to another IIP as a backup solution oversimplifies the diverse and complex technical arrangements used by IIPs for data exchange with their clients.<br>IIPs typically support multiple submission channels, including both manual interfaces (e.g., web forms) and various automated systems (such as SFTP, AS4, web services, APIs, RSS, etc.), which cannot be seamlessly redirected without prior technical configuration.<br><br>ENTSOG and the gas TSOs understand that the aim of the provision is to ensure timely and efficient continuity of data disclosure in the event of an incident. However, the requirement for "*automated redirection*" appears only technically feasible for manual UMM publication and does not account for the technical |

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| **(i) arrangements for the continuity of the processes which are critical to ensuring the effectiveness of data reporting services, including escalation procedures, relevant outsourced activities or dependencies on external providers, which as regards an IIPs back-up infrastructure, may include contractual arrangement with another IIP authorised by the Agency where IIP clients will be automatically redirected for the disclosure of their information in case of an incident, at no additional cost for the IIP client;** | effectiveness of data reporting services, including escalation procedures, relevant outsourced activities or dependencies on external providers, which as regards an IIPs back-up infrastructure, may include contractual arrangement with another IIP authorised by the Agency where IIP clients ~~will be automatically redirected~~ have access to both IIPS for the disclosure of their information in case of an incident, at no additional cost for the IIP client; | limitations and integration challenges associated with automated data flows. Therefore, we recommend that the provision be rewarded more generally, avoiding a strict focus on the manual data submission and automated redirection.<br><br>Alternative solutions, already implemented by the GIE, ENTSOG and their members - such as:<br>- pre-configured dual connections for automated data exchange with both platforms; and<br>- pre-defined user accounts at both IIPs,<br>should be allowed.<br><br>These setups ensure cost efficiency, continuity and reliability, provided that the affected IIP informs its clients of the disruption and guides them to the backup IIP during the incident. |
| **Paragraph (4)**<br>**IIPs and RRMs shall ensure that any deficiencies identified during the review referred to in paragraph 3, point (e), are remedied.** | Paragraph (**4**)<br>IIPs and RRMs shall ensure that any deficiencies identified during the review referred to in paragraph 3, point (e), are mitigated and remedied, to the extent possible. | While the requirement for RRM/IIP periodic reviews and remediation of deficiencies is important for maintaining robust infrastructure and security, it should be noted that international technical standards (such as ISO/IEC 27001) acknowledge that not all identified risks or deficiencies must be fully resolved. In cases where remediation is not technically feasible or would require disproportionate costs, it should be acceptable to implement appropriate risk mitigation measures.<br><br>This approach ensures that resources are used efficiently while still maintaining an acceptable level of risk and system integrity. |

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| **Paragraph (6)**<br>**IIP services related to the disclosure and publication of information and submission of inside information reports shall be available at least 99,5 % of the time. The same applies where IIP services or parts thereof are outsourced to external providers.** | Paragraph (6)<br>IIP services related to the disclosure and publication of information and submission of inside information reports shall be available at least ~~99,5 %~~ 99% of the time, excluding planned maintenance periods scheduled within a reasonable timeframe. The same applies where IIP services or parts thereof are outsourced to external providers. | A 99% availability threshold, excluding planned maintenance scheduled within a reasonable timeframe, is sufficient to ensure reliable and timely access to IIP services. This level aligns with standard industry expectations and supports uninterrupted market transparency without introducing unnecessary rigidity. |

## Article 18 Planned maintenance or unplanned downtime or other disruption

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**IIPs shall establish processes to notify, on their website, their IIP clients of any planned maintenance activities impacting the availability of IIP services related to the disclosure of information and submission of inside information reports. The notification shall be made at least five working days prior to the start of the maintenance window. It shall indicate the scheduled service interruption period and shall include instructions on how to use the alternative** | Paragraph (1)<br>IIPs shall establish processes to notify, on their website, their IIP clients of any planned maintenance activities impacting the availability of IIP services related to the disclosure of information and submission of inside information reports. The notification shall be made at least five working days prior to the start of the maintenance window. It shall indicate the scheduled service interruption period and shall include instructions on how to use the alternative means for the disclosure of inside | In the event of unplanned unavailability, the requirement for IIPs to notify their clients via the IIP website might not be feasible if the IIP website itself is unavailable. In addition, the term 'publication' does not appear in the definition of IIP in Article 2(17) of Regulation (EU) No 1227/2011. Furthermore, while IIPs facilitate the disclosure of inside information, providing instructions to IIP clients does not fall within the scope of responsibilities of an IIP. |

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| **means for the disclosure of inside information or submission of inside information reports.**<br>**IIPs shall also establish processes to notify, on their website, their IIP clients of any unplanned downtime or other disruption impacting the availability of IIP services related to the disclosure of information and submission of inside information reports. Each IIP client shall be notified individually, as soon as possible after the disruption happens, and shall be given instructions on how to use the alternative means for the disclosure of information.** | information or submission of inside information reports.<br>IIPs shall also establish processes to notify, if technically feasible, on their website, their IIP clients of any unplanned downtime or other disruption impacting the availability of IIP services related to the disclosure of information and submission of inside information reports. Each IIP client shall be notified individually, as soon as possible after the disruption happens~~, and shall be given instructions on how to use the alternative means for the disclosure of information~~. | |
| **Paragraph (3)**<br>**IIPs and RRMs shall notify the Agency of any unplanned downtime or other disruption affecting their ability to comply with the requirements laid down in Articles 11 to 29 within 24 hours of becoming aware of the disruption. No later than one month after becoming aware of the disruption, IIPs and RRMs shall submit a report to the Agency detailing the causes of the disruption and the actions taken to prevent any reoccurrence.** | Paragraph (3)<br>IIPs and RRMs shall notify the Agency of any unplanned downtime or other disruption affecting their ability to comply with the requirements laid down in Articles 11 to 29 within ~~24 hours~~ one working day of becoming aware of the disruption. No later than one month after becoming aware of the disruption, IIPs and RRMs shall submit a report to the Agency detailing the causes of the disruption and the actions taken to prevent any reoccurrence. | A timeline of one working day aligns with standard business practices and ensures that the requirement remains feasible for RRMs and IIPs to comply with. |

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| **Paragraph (6)**<br>**IIPs and RRMs shall notify the Agency of any unplanned downtime or other disruption affecting their ability to comply with the requirements laid down in Articles 11 to 29 within 24 hours of becoming aware of the disruption. No later than one month after becoming aware of the disruption, IIPs and RRMs shall submit a report to the Agency detailing the causes of the disruption and the actions taken to prevent any reoccurrence.** | Paragraph (6)<br>IIPs and RRMs shall notify the Agency of any unplanned downtime or other disruption affecting their ability to comply with the requirements laid down in Articles 11 to 29 within ~~24 hours~~ one working day of becoming aware of the disruption. No later than one month after becoming aware of the disruption, IIPs and RRMs shall submit a report to the Agency detailing the causes of the disruption and the actions taken to prevent any reoccurrence. Where an RRM and its clients belong to the same legal entity, the RRM shall be exempt from the obligations set out in this paragraph, provided that the RRM submits a contingency report in the event of any service disruption. | The requirement appears disproportionate for the self-reporting RRMs. A timeline of one working day aligns with standard business practices and ensures that the requirement remains feasible for RRMs and IIPs to comply with. |

## Article 19 Operation of the platform

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (4)**<br>**The IIP platform shall allow for:**<br>**[…]**<br>**(b) the downloading of filtered information in a format that conforms to a standard** | Paragraph (4)<br>The IIP platform shall allow for:<br>[…]<br>(b) the downloading of filtered information in a manner that preserves the secure operation and | The download functionality of the IIPs must be designed to prevent excessive system load, abuse, or denial-of-service risks, particularly under high-demand conditions to support this, appropriate safeguards—such as rate limiting and session management—could be enabled where necessary. |

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| **structure and naming convention, in line with Annex II;**<br>**[…]** | availability of the IIP, in a format that conforms to a standard structure and naming convention, in line with Annex II;<br>[…] | Ensuring the availability and performance of the IIP in fulfilling its primary role—namely, the timely and reliable disclosure of inside information—should remain the main priority. Any additional functionalities, such as filtering and downloading selected information, should be introduced in a way that preserves the platform's core resilience and security. |

## Article 20 Submission of inside information reports

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **IIPs shall have in place a procedure and the technical means to report to the Agency, in a standard electronic format established by the Agency in line with Annex II, all information disclosed on their platform that has been successfully validated through their data validation system, including any subsequent modifications, no later than one day following the disclosure or modification.** | IIPs shall have in place a procedure and the technical means to report to the Agency, in a standard electronic format established by the Agency in line with Annex II, all information disclosed on their platform that has been successfully validated through their data validation system, including any subsequent modifications, no later than one working day following the disclosure or modification. | A timeline of one working day aligns with standard business practices and ensures that the requirement remains feasible for compliance. |

## Article 22 Assessment of inside information reports before submission to the Agency

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **The IIP data validation systems referred to in Article 12 shall:**<br>**[…]**<br>**(d) enable the authentication of the source of information and verify the following:**<br>**(i) the identity of the IIP client;**<br>**(ii) the identity of any other person submitting information on behalf of the IIP client;**<br>**(iii) that persons submitting information on behalf of an IIP client are properly authorised to do so.** | The IIP data validation systems referred to in Article 12 shall:<br>[…]<br>(d) enable the authentication of the source of information and verify the following:<br>(i) the identity of the IIP client;<br>(ii) the identity of any other person submitting information on behalf of the IIP client;<br>~~(iii) that persons submitting information on behalf of an IIP client are properly authorised to do so.~~ | Clarification is needed for point (iii) on the procedure by which the authentication of the source can be verified.<br><br>In case of M2M/automated provision of the data from the client's system to the IIP, the authorisation is not relevant. |

## Article 23 Detection and correction of invalid inside information reports before submission to the Agency

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (2)**<br>**IIPs shall maintain a register of invalid data submitted by their IIP clients. That register shall include information on whether the IIP** | ~~Paragraph (2)~~<br>~~IIPs shall maintain a register of invalid data submitted by their IIP clients. That register shall include information on whether the IIP client has~~ | The requirement for IIPs to maintain a register of invalid submissions cannot be applied effectively to clients submitting data manually, as they receive immediate feedback and can correct errors before finalizing. |

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| **client has successfully submitted the correct data. The Agency may access the register and may notify the relevant national regulatory authorities of instances in which IIP clients submitted invalid data as well as the identity of such clients.** | ~~successfully submitted the correct data. The Agency may access the register and may notify the relevant national regulatory authorities of instances in which IIP clients submitted invalid data as well as the identity of such clients.~~ | Such a register would only record automated submissions, creating unequal treatment between manual and automated reporting and undermining fairness. It would also impose significant administrative burden without improving data quality or market transparency. |

## Article 24 Receipt of inside information reports submitted by IIPs

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**When receiving inside information reports, the Agency shall issue receipts to the IIPs. Those receipts shall include at least the following information:**<br><br>**(a) the identification of the submitted inside information report;**<br>**(b) an indication of whether the inside information report has been successfully collected by the Agency.**<br><br>**In case the information has not been successfully collected by the Agency due to** | Paragraph (1)<br>When receiving inside information reports, the Agency shall issue receipts to the IIPs, immediately and without delay. Those receipts shall include at least the following information:<br><br>(a) the identification of the submitted inside information report;<br>(b) an indication of whether the inside information report has been successfully collected by the Agency.<br>(c) compliance of the reported data with the validation rules of the Agency. | The provision of a receipt by ACER is essential for IIP operations, including the sequencing of follow-up reports and the correction of any erroneous data. Immediate issuance of the receipt is crucial to avoid cascading validation issues, such as rejections due to disrupted sequencing or file naming inconsistencies.<br><br>The proposed paragraph (c) of Article 24(1) clarifies that receipts must include a validity check, rather than acknowledging delivery. This would ensure that IIPs receive prompt feedback, allowing them to address any errors within the reporting deadlines. |

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| **an error, the receipt shall also indicate the information affected by the error and, if possible, the cause of the error.** | In case the information has not been successfully collected by the Agency due to an error, the receipt shall also indicate the information affected by the error and, if possible, the cause of the error. | |
| **Paragraph (2)**<br>**In case the error referred to in paragraph 1, second subparagraph, is attributable to the IIP, the IIP shall resubmit the corrected inside information report within two working days. If the error is attributable to the IIP clients, the IIP shall provide those clients with guidance on how to correct the inside information report and shall subsequently submit the corrected inside information report to the Agency within five working days.** | Paragraph (2)<br>In case the error referred to in paragraph 1, second subparagraph, is attributable to the IIP, the IIP shall resubmit the corrected inside information report within two working days.<br>If the error is attributable to the IIP clients, the IIP shall provide those clients ~~with guidance on how to correct the~~ ACER's receipt for the erroneous inside information report or information about the error indicated by the Agency and shall subsequently submit the corrected inside information report to the Agency within five working days~~.~~, following its successful acceptance and validation in the IIP's system. | IIPs are required to implement automated alert systems (Article 24(3)) for automation of the process. It is possible for the IIP to inform the client about the rejection, the reason for rejection specified in ARIS receipt, and eventually - about the problematic data fields.<br><br>The IIP can provide validation feedback (e.g., error messages or rejection receipts), but responsibility for correcting client-caused errors lies with the client.<br><br>The five-working day resubmission period should start only after a corrected report is successfully validated in the IIP system, as the IIP cannot control client responsiveness. Timely submission to ACER can only be ensured once the corrected report is accepted by the IIP. |
| **Paragraph (4)**<br>**By way of derogation from Article 12(3), for the purposes of ensuring timely and efficient disclosure of information, the IIP may publish and submit inaccurate or incomplete inside information reports to the Agency, provided** | ~~Paragraph (4)~~<br>~~By way of derogation from Article 12(3), for the purposes of ensuring timely and efficient disclosure of information, the IIP may publish and submit inaccurate or incomplete inside information reports to the Agency, provided that the content in~~ | The proposed mechanism that allows IIPs to publish and report inside information that is inaccurate or incomplete, provided the content is deemed relevant for market participants' trading choices, raises significant concerns. |

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| **that the content in the reports is relevant for market participants' trading choices. In such cases, the inaccurate or incomplete information in the report shall be flagged by the IIP upon the publication and submission of the report to the Agency. In case the information needs to be corrected, IIPs shall collaborate with their IIP clients to correct it. Once the information is corrected, IIPs shall publish it and resubmit it to the Agency as soon as it is technically possible.** | ~~the reports is relevant for market participants' trading choices. In such cases, the inaccurate or incomplete information in the report shall be flagged by the IIP upon the publication and submission of the report to the Agency. In case the information needs to be corrected, IIPs shall collaborate with their IIP clients to correct it. Once the information is corrected, IIPs shall publish it and resubmit it to the Agency as soon as it is technically possible.~~ | IIPs are technical service providers and neither equipped nor mandated to assess the market relevance of the content submitted by their clients. Such evaluations involve legal and contextual judgments, which depend on various factors such as specific market dynamics, the nature of the asset, timing, and the expectations of market participants. Imposing this conditionality may lead to risks such as inconsistent treatment, legal liability, and delays in reporting.<br><br>Moreover, this approach contradicts Article 4a of REMIT, which requires that IIPs publish inside information as close to real time as technically possible, implement mechanisms to check reports for completeness and obvious errors, request corrections, and treat all inside information in a non-discriminatory manner:<br><br>- "Make public the inside information as required under Article 4(1) as close to real time as is technically possible;<br>- The IIP shall have mechanisms in place allowing inside information reports to be quickly and effectively checked with regard to their completeness, to identify omissions and obvious errors, and to request receipt of a corrected version of such reports;<br>- To treat all inside information collected in a non-discriminatory manner."<br><br>The introduction of a relevance-based judging and flagging system violates these requirements by introducing risks of delays, |

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| | | subjectivity, and unequal treatment of data. It could result in inconsistent disclosure practices within individual IIPs and across different platforms.<br><br>This approach might also challenge the efforts of ACER and IIPs to establish robust, harmonized validation systems, and seems to run counter to the goal of consistent, rule-based data processing. The requirement for conditionality in invalidation appears to contradict the primary role of the IIP as a technical disclosure platform.<br><br>Allowing flagged publication of incomplete or inaccurate data would compromise data quality, lead to the dissemination of unreliable information, and cause confusion - ultimately impacting market confidence and transparency. Expecting IIPs to make evaluations for *"trading relevance"* of the posted information introduces significant legal uncertainty and liability risks.<br><br>For these reasons, ENTSOG and the gas TSOs strongly recommend removing the requirement for IIPs to assess the relevance of incomplete or inaccurate information, and to avoid publishing such content. The processing of inside information should remain straightforward, objective and rule-based, with IIPs handling only reports that meet established validation criteria. |

# Article 26 Assessment of data records before submission

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **The RRMs' data validation systems referred to in Article 12 shall:**<br>**(a) detect whether the data record contains all the required information as set out in [Commission Implementing Regulation (EU) No 1348/2014] and in the related manuals adopted by the Agency;**<br>**[…]**<br>**(c) enable the authentication of the source of information and verify the following:**<br>**(i) the identity of the RRM client;**<br>**(ii) the identity of any other person submitting information on behalf of the RRM client;**<br>**(iii) that persons submitting information on behalf of a RRM client are properly authorised to do so.** | The RRMs' data validation systems referred to in Article 12 shall:<br>(a) detect whether the data record is submitted in accordance with the validation rules established by the Agency;<br>[…]<br>(c) enable the authentication of the source of information and verify the following:<br>(i) the identity of the RRM client;<br>(ii) the identity of any other person submitting information on behalf of the RRM client;<br>~~(iii) that persons submitting information on behalf of a RRM client are properly authorised to do so.~~ | For the sake of cost-effectiveness, it is proposed that RRMs implement only the validation rules established by the Agency. This approach avoids unnecessary duplication and reduces operational and financial burdens on RRMs.<br><br>RRMs should retain the flexibility to implement additional validation rules at their discretion, if they deem them necessary for internal quality assurance or operational purposes.<br>To ensure sufficient time for technical adjustments and system updates, it is recommended that any new or updated validation rules established by the Agency be applied no later than nine to twelve months following their publication. This timeframe balances regulatory objectives with the practical realities of system implementation and testing.<br><br>The scenario involving *"other person submitting information on behalf of the RRM client"* is not clear.<br><br>In case of M2M/automated data provision from the client's system to the RRM, the authorisation is not relevant. |

# Article 27 Detection and correction of invalid data records before submission to the Agency

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (2)**<br>**RRMs shall maintain a register of data records containing invalid data submitted by their RRM clients. That register shall include information on whether the RRM clients have successfully submitted the corrected data records. The Agency may access the register and may notify the relevant national regulatory authorities of instances in which RRM clients submitted invalid data as well as the identity of such clients.**<br>**Where an RRM and its clients belong to the same legal entity, the RRM shall maintain a register of data records containing invalid data. That register shall include information on whether the RRM has successfully submitted the corrected data records to the Agency. The Agency may access the register and may notify the relevant national regulatory authorities of instances in which RRM clients submitted invalid data as well as the identity of such clients.** | ~~Paragraph (2)~~<br>~~RRMs shall maintain a register of data records containing invalid data submitted by their RRM clients. That register shall include information on whether the RRM clients have successfully submitted the corrected data records. The Agency may access the register and may notify the relevant national regulatory authorities of instances in which RRM clients submitted invalid data as well as the identity of such clients.~~ | ENTSOG and the gas TSOs suggest deleting the proposal for RRMs to maintain a register of invalid data. This obligation would impose a disproportionate operational burden, requiring RRMs to retain invalid data and track its correction across all future submissions—an effort that is both resource-intensive and duplicative of existing internal validation processes. These processes already ensure timely error detection and correction without the need for additional tracking mechanisms.<br>For the self-reporting RRMs, the provisions on maintaining such a register are not relevant, as generations and validations are occurring within one process and there are no submissions to the RRM function that could be rejected internally and populated in the register. |

## Article 28 Data reconciliation

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (3)**<br>**RRMs shall request that the organised market place provide the missing corresponding data records from the other party to the transaction.** | Paragraph (3)<br>RRMs shall request that the organised market place provide the missing corresponding data records from the other party to the transaction. Where an RRM and its clients belong to the same legal entity, the RRM shall not be required to comply with the requirements set out in this paragraph. | The provision is not applicable to the self-reporting RRMs. |

## Article 29 Receipt of data records submitted by RRMs

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**The Agency shall issue receipts of reported data records to RRMs. Those receipts shall include at least the following information:**<br>**(a) the identification of the reported data record;** | Paragraph (1)<br>The Agency shall issue receipts of reported data records to RRMs, immediately and without delay. Those receipts shall include at least the following information:<br>(a) the identification of the reported data record;<br>(b) an indication of whether the data record has been successfully collected by the Agency. | The provision of a receipt by ACER to the RRMs is a critical for RRMs operations in general (e.g., sequencing of next reports) and for the rectification of the affected erroneous data. It is essential that the receipt is issued immediately upon submission to ensure smooth and timely processing of the subsequent submissions. Delays in ARIS receipts, particularly in the case of a rejection, can lead to cascading validation issues, including the rejection of |

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| **(b) an indication of whether the data record has been successfully collected by the Agency.**<br><br>**In case the data record has not successfully been collected by the Agency due to an error, the receipt shall also indicate the data affected by the error and, if possible, the cause of the error.** | (c) compliance of the reported data with the validation rules of the Agency.<br>In case the data record has not successfully been collected by the Agency due to an error, the receipt shall also indicate the data affected by the error and, if possible, the cause of the error. | subsequent reports, for instance - due to disrupted sequencing and inconsistencies in file naming.<br><br>The newly proposed paragraph (c) of Article 29(1) aims to clarify that these receipts must include a validity check and should not be limited to mere acknowledgments of delivery. To allow RRMs to correct any errors within the applicable reporting deadlines, immediate and meaningful feedback from ACER is essential. |
| **Paragraph (2)**<br>**In case the error referred to in paragraph 1, second subparagraph, is attributable to the RRM, the RRM shall resubmit the corrected data record to the Agency within two working days.**<br>**If the error is attributable to the RRM clients, the RRMs shall provide them with guidance on how to correct the data record, and subsequently submit the corrected data record to the Agency within five working days.** | Paragraph (**2**)<br>In case the error referred to in paragraph 1, second subparagraph, is attributable to the RRM, the RRM shall resubmit the corrected data record to the Agency within two working days.<br><br>If the error is attributable to the RRM clients, the RRMs shall provide them with ~~guidance on how to correct the~~ ACER's receipt for the erroneous data record or information about the error indicated by the Agency, and subsequently submit the corrected data record to the Agency within five working days~~,~~ following its successful acceptance and validation in the RRM's system. | The requirement that the RRM must provide guidance to clients on how to correct each erroneous report is operationally impractical. While the RRM can and provide feedback on validation outcomes (e.g. error messages or rejection receipts, similar to ACER's practice), when the error is attributable to the RRM clients, the responsibility for correcting the report lies with the client. The RRMs cannot provide tailored guidance for each individual error scenario, especially considering the volume and complexity of data handled.<br><br>Furthermore, the five-working day submission period should not begin from the moment of initial rejection but only after a corrected report has been successfully validated within the RRM's system. The RRM cannot control the timeliness or responsiveness of its clients in correcting errors and therefore cannot be held |

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| | | accountable for delays outside of its control. The RRM can only guarantee timely submission to ACER once the corrected report is validated and accepted by its system. |

## Article 30 Compliance monitoring and assessment

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Upon request by the Agency, IIPs and RRMs shall provide, within the timeframe indicated by the Agency, information necessary for the assessment of their continued compliance with this Regulation and with Regulation (EU) No 1227/2011. The Agency may also request information regarding the IIP client or RRM client on whose behalf the IIP or the RRM is reporting. In such case, the IIP or RRM shall liaise with the relevant IIP client or RRM client to the extent necessary to obtain the requested information.** | Upon request by the Agency, IIPs and RRMs shall provide, within a reasonable and proportional to the request timeframe indicated by the Agency, information necessary for the assessment of their continued compliance with this Regulation and with Regulation (EU) No 1227/2011. The Agency may also request information regarding the IIP client or RRM client on whose behalf the IIP or the RRM is reporting. In such case, the IIP or RRM shall liaise with the relevant IIP client or RRM client to the extent necessary to obtain the requested information. | The timeframe set by the Agency should be reasonable and proportionate, allowing IIPs and RRMs sufficient time to collect and provide accurate information. This ensures fairness, avoids unnecessary administrative burden, and supports efficient use of resources. |

# Article 31 Material changes after authorisation

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**When IIPs or RRMs or their IIP clients or RRM clients initiate any material changes as referred to in Article 6(3), the IIPs or RRMs shall notify the Agency of such changes no later than five working days after the change has taken place. The notification shall describe the change in detail and be accompanied by the relevant supporting documents as referred to in Article 4.** | Paragraph (1)<br>When IIPs or RRMs or their IIP clients or RRM clients initiate any material changes as referred to in Article 6(3), the IIPs or RRMs shall notify the Agency of such changes no later than five working days after the change has taken place. The notification shall describe the change in detail and be accompanied by the relevant supporting documents as referred to in Article 4~~.~~, if applicable. | If the change is related only to Article 6(3)(a) *"the manner in which the submission of inside information reports and the reporting of data records is carried out"*, the update or resubmission of the documents under Article 4 is not needed. |
| **Paragraph (2)**<br>**RRMs shall also notify the Agency of any changes to the reported volumes, prior to their implementation.** | Paragraph (2)<br>RRMs shall also notify the Agency of any changes to the reported volumes, prior to their implementation~~.~~, where such changes are known to the RRM and fall within its operational control. | It is understood that the Agency seeks to be informed of process changes in a timely manner. However, providing all the information set out in Article 4 would require a substantial effort from both TSOs and the Agency. Therefore, it is preferable to provide only information on changes that are relevant to the communication and reporting of data to the Agency under REMIT. This primarily includes changes to contact persons, the data format, or the interface with ACER. |
| **Paragraph (3)**<br>**The Agency shall respond to the IIP or RRM within 15 working days, informing them** | | The reference to non-compliance with *"any"* of the requirements set out in this Regulation and in Regulation (EU) No 1227/2011 is too broad and overreaching, particularly when it implies that even |

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| **whether the change is in compliance with the requirements set out in this Regulation and in Regulation (EU) No 1227/2011, or whether any additional information or action is required.**<br>**Where the IIP or RRM is no longer compliant with any of the requirements set out in this Regulation and in Regulation (EU) No 1227/2011 as a result of a material change, the Agency may adopt a decision pursuant to Article 34.** | | minor or technical non-compliances might lead to a decision under Article 34.<br><br>A roll-back could be requested, or a reversion to the previous state, etc. before the strongest measure. |

## Article 33 Annual reporting by RRMs

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (2)**<br>**The annual report shall provide the following information for the reference year:**<br>**(a) the number of invalid data records that were not submitted to the Agency, including the identity of the relevant market participants;**<br>**(b) the number of instances of invalid data records for which the RRM followed up with** | Paragraph (2)<br>The annual report shall provide the following information for the reference year:<br>~~(a) the number of invalid data records that were not submitted to the Agency, including the identity of the relevant market participants;~~<br>~~(b) the number of instances of invalid data records for which the RRM followed up with their~~ | Regarding Article 33 (2)(a), for the self-reporting RRMs, the number of such report will be "0", as the RRM is responsible for internally validating its own input content and the generated files, resolving any issues during the reporting process. For the third-party RRMs, in the event of rejected input content, the RRM shall request rectification and resubmission of the report by the client. Consequently, all transactions should be reported. The purpose and benefit of this information remain unclear. Based on this data, ACER could, if necessary, assess potential discrepancies between |

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| **their respective RRM clients in order to correct the data record in accordance with Article 27;**<br>**(c) in case of bilateral trades, the list of market participants who are not RRM clients, but who are the counterparties of RRM clients in the respective bilateral trades.** | ~~respective RRM clients in order to correct the data record in accordance with Article 27;~~<br>(a) information on registered contingency reports submitted by RRMs;<br>(b~~c~~) in case of bilateral trades, the list of market participants who are not RRM clients, but who are the counterparties of RRM clients in the respective bilateral trades. | reportable and reported data for third-party RRMs only. The catalogue of information required in the annual report should remain fixed and closed.<br>Considering the proposal to delete the requirement for maintaining a register of invalid data in Article 27(2), ENTSOG and the gas TSOs have reservations about including information referenced in (a) and (b) in the annual report. Such tracking would entail a burdensome and ongoing comparison of invalid and corrected submissions, which is not justified by the limited operational or compliance value it provides. |

## Article 38 Procedure for the orderly substitution

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Paragraph (1)**<br>**No later than two working days following the notification of a withdrawal decision, the IIP or RRM whose authorisation has been withdrawn (the 'withdrawing IIP or RRM') shall inform its IIP clients or RRM clients, in writing, of the arrangements and procedures to be followed for the transfer of relevant data and the redirection of reporting flows to an alternative IIP or RRM chosen by the IIP client or the RRM client. In the same** | Paragraph (1)<br>No later than two working days following the notification of a withdrawal decision, the IIP or RRM whose authorisation has been withdrawn (the 'withdrawing IIP or RRM') shall inform its IIP clients or RRM clients, in writing, of the arrangements and procedures to be followed for the transfer of relevant data ~~and the redirection of reporting flows to an alternative IIP or RRM chosen by the IIP client or the RRM client.~~ In the same communication, the withdrawing IIP or RRM shall | |

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| **communication, the withdrawing IIP or RRM shall request the relevant IIP clients or RRM clients to indicate their selected IIP or RRM for the purpose of ensuring orderly substitution (the 'selected IIP or RRM').** | request the relevant IIP clients or RRM clients to indicate their selected IIP or RRM for the purpose of ensuring orderly substitution (the 'selected IIP or RRM'). | |
| **Paragraph (4)**<br>**The withdrawing IIP or RRM shall obtain from the relevant IIP client or RRM client the information of the selected IIP or RRM in written form within one month from the notification mentioned in paragraph 1. If the relevant IIP client or RRM client fails to do so, the Agency shall notify the national regulatory authority of the Member State where the IIP client or RRM client is registered. The notified national regulatory authority shall assess the need for possible enforcement action.** | Paragraph (4)<br>The withdrawing IIP or RRM shall obtain from the relevant IIP client or RRM client the information of the selected IIP or RRM in written form within ~~one~~ three months from the notification mentioned in paragraph 1. If the relevant IIP client or RRM client fails to do so, the Agency shall notify the national regulatory authority of the Member State where the IIP client or RRM client is registered. The notified national regulatory authority shall assess the need for possible enforcement action. | |
| **Paragraph (6)**<br>**During the period for the orderly substitution established by the Agency, the withdrawing IIP or RRM shall transfer to the selected IIP or RRM the following:** | Paragraph (6)<br>During the period for the orderly substitution established by the Agency, the withdrawing IIP or RRM shall transfer to ~~the selected IIP or RRM~~ respective clients the following: | ENTSOG and the gas TSOs propose an alternative approach and do not support the current proposal for orderly substitution of RRM → RRM and IIP → IIP, for the following reasons:<br><br>- Historically reported data would not be resubmitted by the new RRM to ACER. |

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| **(a) the details of data records or inside information reports, as applicable, that have been reported or submitted to the Agency after the date of the adoption of the withdrawal decision;**<br>**(b) for the withdrawing IIP, the details of inside information reports submitted to the Agency five years prior to such date, and for the withdrawing RRM, the details of data records reported to the Agency five years prior to the date of adoption of the withdrawal decision;**<br>**(c) any other information relevant to the transfer of the withdrawing IIP's or RRM's services to the selected IIP or RRM.** | (a) the details of data records or inside information reports, as applicable, that have been reported or submitted to the Agency after the date of the adoption of the withdrawal decision;<br>(b) for the withdrawing IIP, the details of inside information reports submitted to the Agency ~~five~~ two years prior to such date, and for the withdrawing RRM, the details of data records reported to the Agency five years prior to the date of adoption of the withdrawal decision;<br>(c) any other information relevant to the transfer of the withdrawing IIP's or RRM's services to the selected IIP or RRM. | - Reporting of lifecycle events (LCEs) can only be triggered by the original data owners, i.e., the MPs or OMPs.<br>- Market participants' (MPs/OMPs) who are clients of the "withdrawn" RRM already have established channels for data exchange with that RRM.<br>- The ad-hoc creation of "one-to-many" RRM-to-RRM channels would be costly and time-consuming, without providing tangible benefits for the continuity of reporting.<br>- Several MPs (including TSOs) act as self-reporting RRMs to maintain data confidentiality and operational security. In the event of a "withdrawn" self-reporting RRM, requiring the MP to transfer historical trade data to a third-party RRM would impose unnecessary administrative and operational burdens without practical justification.<br><br>This alternative approach ensures continuity and integrity of reporting while avoiding disproportionate operational and technical burdens on market participants and RRMs. Instead of requiring a direct RRM-to-RRM or IIP-to-IIP transfer of historical data when an entity withdraws, the data remains with the original data owner — the MP or OMP — who already maintains those records. |
| **Paragraph (8)**<br>**A withdrawing RRM which is reporting data records on its own behalf shall inform the Agency, in writing and within one month from the receipt of the withdrawal decision,** | Paragraph (8)<br>A withdrawing RRM which is reporting data records on its own behalf shall inform the Agency, in writing and within one month from the receipt of the withdrawal decision, about its selected RRM | There is no substantial benefit in transferring historical data to a third-party RRM, as the MP/OMP will continue market operations and is capable of retaining the historical data for the full duration of the statutory retention period. |

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| **about its selected RRM for the purpose of ensuring orderly substitution. The notification shall include the information referred to in paragraph 2. Paragraphs 3, 5 and 6 of this Article shall apply mutatis mutandis.** | for the purpose of ensuring orderly substitution. The notification shall include the information referred to in paragraph 2. Paragraphs 3~~,~~ and ~~5 and 6~~ of this Article shall apply mutatis mutandis. The market participant, withdrawn from the RRM role, should store the data, subject to paragraph 6, for a period of 5 years. | A transfer of historical data for the self-reporting RRMs, in case of a withdrawal of their authorisation, to the third-party reporting RRMs will cause unnecessary dissemination of the internal information to the external parties. This will not bring any added value the purpose of reporting under the revised REMIT Regulation but might impose risks related to confidentiality. |

## Article 40 Entry into force and application

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| […]<br>**Articles 3 to 8 and 10 to 39 shall apply from [OP: please insert the date = 12 months after the date of entry into force of this Regulation].** | […]<br>Articles 3 to 8 and 10 to 39 shall apply from [OP: please insert the date = ~~12 months~~ 18 months after the date of entry into force of this Regulation]. | The current proposal sets the entry into force of Articles 3 to 8 and 10 to 39 at 12 months following publication, while implementation can only begin once ACER's guidance is available—expected no earlier than 7 months after publication. To support a feasible, high-quality implementation and ensure alignment with the principles of proportionality and regulatory simplification, we recommend extending the entry into force of these Articles to 18 months after publication. |

# ANNEX II
# Reportable details of inside information

| Reference to Legal Text | ENTSOG suggestion | Rational/Argumentation |
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| **Data field (24) Curve type**<br>**Data field (27) Resolution**<br>**Data field (28) Position** | ~~Data filed (24) Curve type~~<br>~~Data filed (27) Resolution~~<br>~~Data filed (28) Position~~ | The concept of "curve time," originally developed for electricity markets to reflect power fluctuations via predefined profiles, has been proposed for integration into gas UMM reporting. ENTSOG and the gas TSOs do not support the introduction of curve time in the gas market for the following reasons:<br><br>- Irrelevance to gas operations: Gas transmission systems typically operate with stable and predictable capacities, unlike electricity networks. Incorporating curve time would not reflect any meaningful operational reality for gas infrastructure.<br>- Limited transparency benefit: Curve time would not enhance market transparency. The static nature of gas capacity means that such granularity does not provide additional insight into market conditions.<br>- Operational and IT burden: Implementing curve time would require significant modifications to IT systems and reporting frameworks, creating disproportionate administrative and cost burdens for TSOs without delivering tangible benefits. |

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| | | For these reasons, ENTSOG and the gas TSOs consider that the introduction of curve time into gas UMMs is neither operationally justified nor beneficial for market surveillance and strongly recommend retaining the current UMM format and avoiding any further complexity by additional UMM elements such as *Curve type*, *Resolution* and *Position*. |