

European Commission Developments relating to Transparency Guideline & Other Provisions



JESG – October 2011

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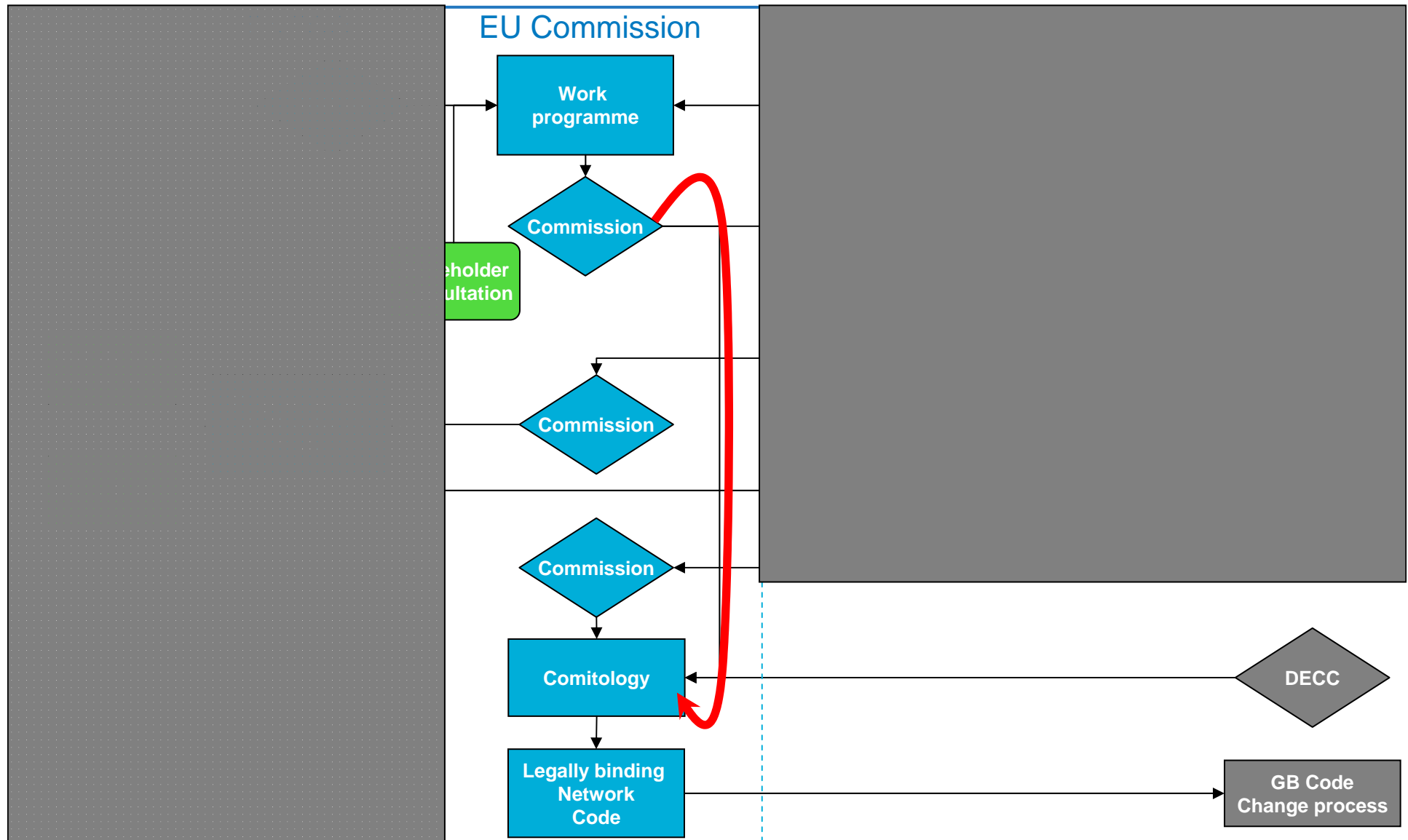
- REMIT



What are EC Guidelines?

- As part of the European Third Energy package, a series of new European network codes are required to be developed
- These codes will be mandatory and form part of European Community law
- Typically, codes would be developed by both ACER and the respective ENTSO with direct oversight from the Commission itself
- However, in the case of *Guidelines*, the European Commission will typically lead and develop a set of rules that places obligations on various stakeholders.

European Network Code Development Process



Commission Guidelines Process

- Guidelines offer the European Commission the opportunity to create legally binding legislation without going through the whole European Network Code process
- There are already a few examples where this approach has already been used:
 - **Congestion Management Guidelines (Electricity)**
 - **Congestion Management Principals (Gas)**
- It is also expected to be used for the Governance section of the CACM code, as well as some others in future

FEDT Legislation & Other

- The EC is creating several new pieces of legislation
- We encourage all stakeholders to review these developments

- Energy
 - Fundamental Electricity Data Transparency Guideline (FEDT)
 - REMIT

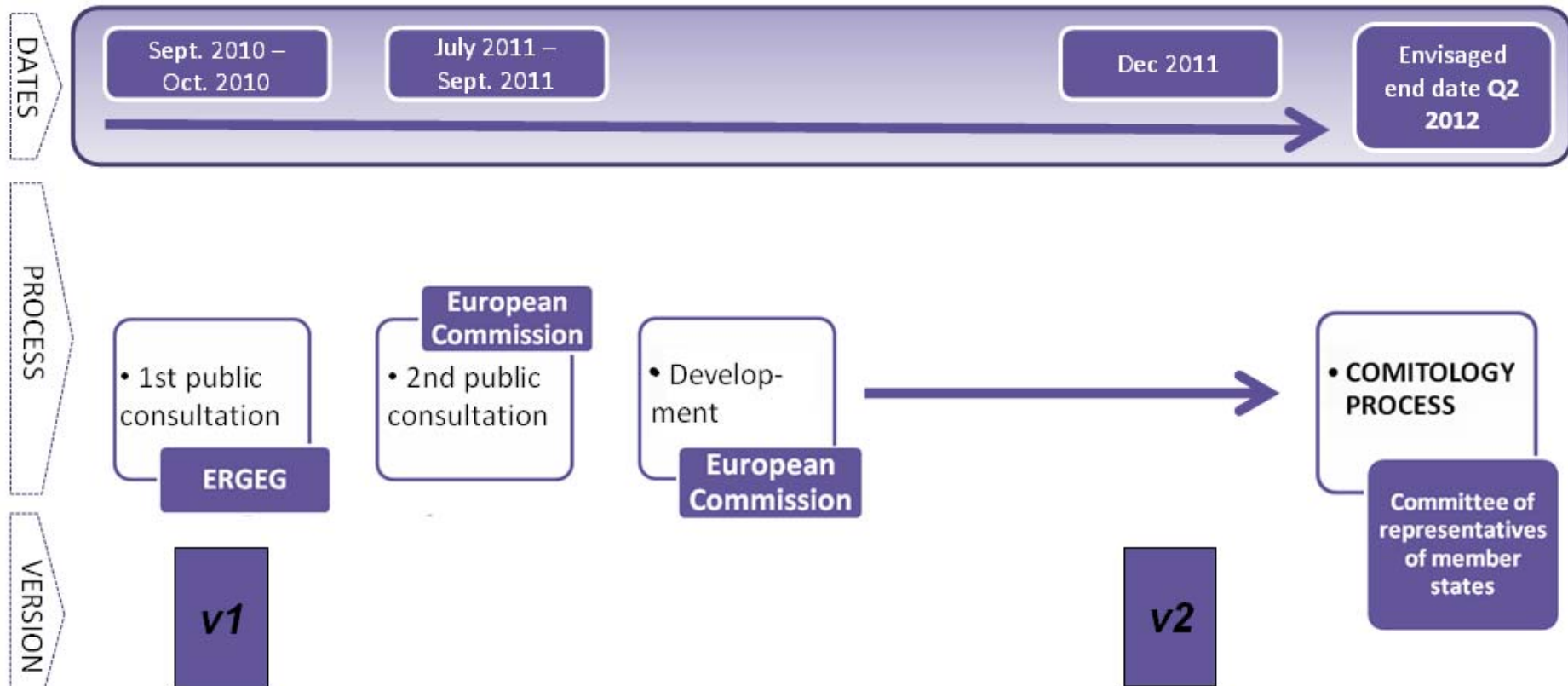
- Financial / General
 - MIFID 2 (*Markets in Financial Instruments Directive*)
 - OTC Directive (*Over-the-Counter & Derivatives Directive*)
 - Market Abuse Directive

Transparency Guideline (FEDT)

- The Transparency Guideline at present is split into four distinct sections – *Load, Transmission & Interconnectors, Generation and Balancing*

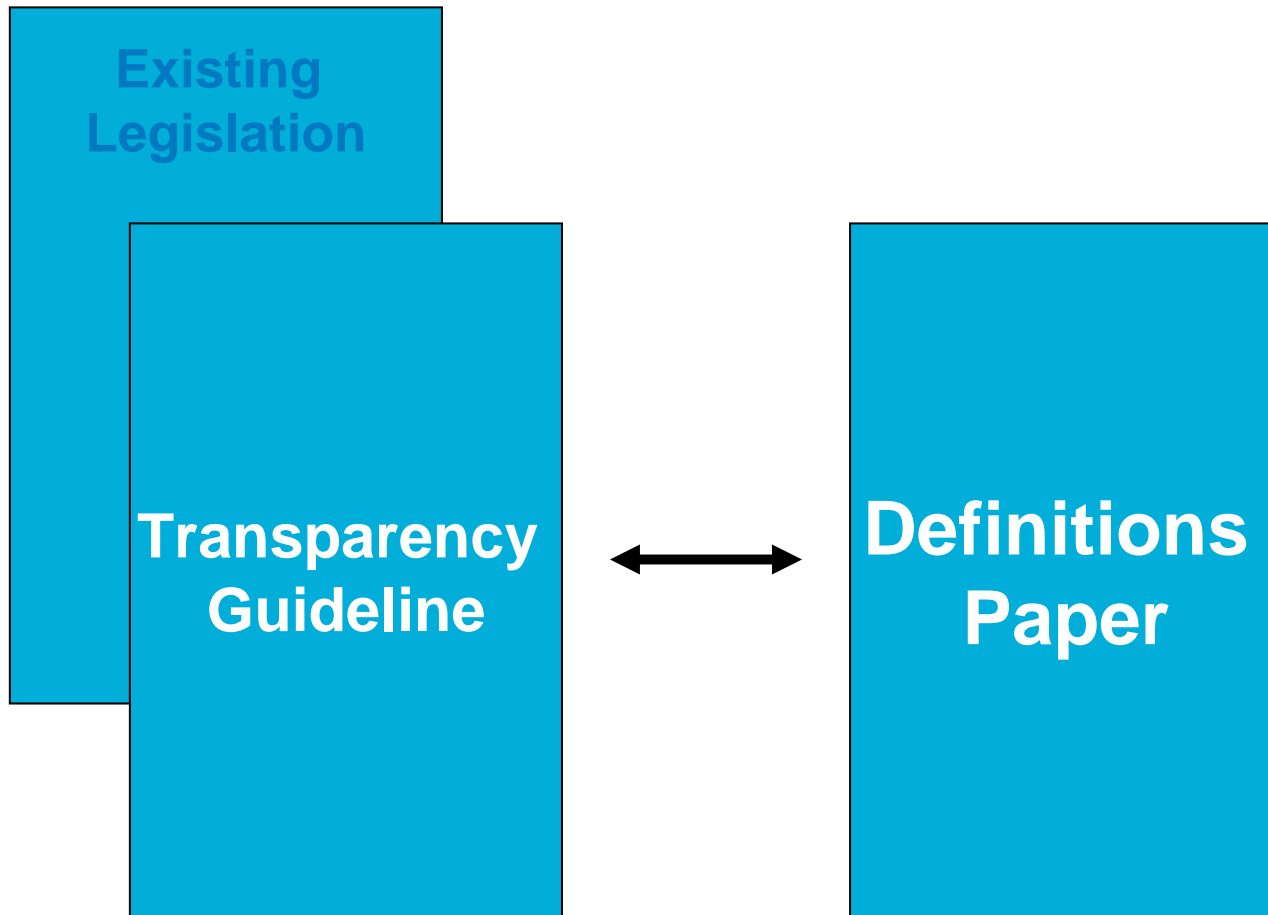
- It is expected in final form, the publication will place particular obligations on the following parties to publish specific data items:
 - Generators
 - Transmission System Operators
 - Distribution Network Operators
 - High volume consumers

EC Guideline on Electricity Data Transparency



33 Responses **c.35 Responses**

How the Legislation will be Transposed

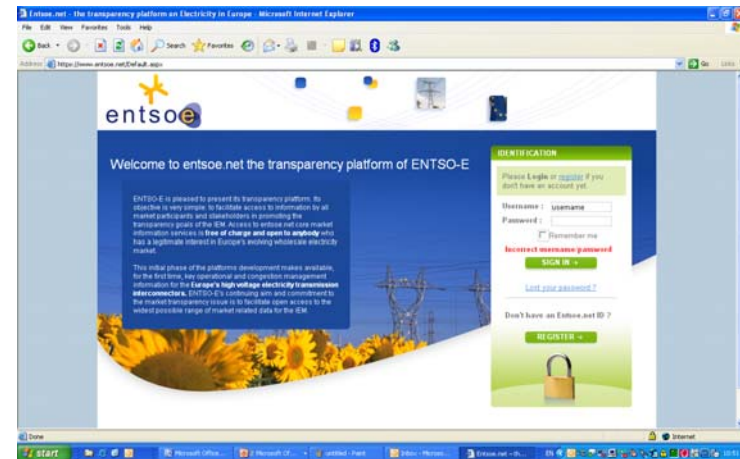


Development of Definitions Paper

- ENTSO-E is expected to create a stakeholder group to review the definitions paper linked to the Transparency Guideline
- Initiation around Nov / Dec 2011
- To be attended by the six main European stakeholder associations
- All stakeholders encouraged to feed in any views of comments
- Paper will be made available to download from the ENTSO-E website shortly

How will the data collation process work?

- ENTSO-E platform
- Project team being initiated
- Currently undertaking a procurement exercise to create the new platform
- All parties from member states to feed into the platform
- Ownership, security and usage to be discussed
- New platform to be easily accessible to all



Close & Questions

- **EREGG Transparency Paper (To be developed by the EC):** http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_CONSULT/CLOSED%20PUBLIC%20CONSULTATIONS/ELECTRICITY/Comitology%20Guideline%20Electricity%20Transparency/CD/E10-ENM-27-03_FEDT_7-Dec-2010.pdf
- **EREGG Consultation Responses (Q3 2010):** http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_CONSULT/CLOSED%20PUBLIC%20CONSULTATIONS/ELECTRICITY/Comitology%20Guideline%20Electricity%20Transparency/RR
- **EC Consultation (Summer 2011):** http://ec.europa.eu/energy/gas_electricity/consultations/20110916_electricity_en.htm

