

Recommendations
to the Commission
as regards the records of wholesale energy market
transactions, including orders to trade, and
as regards the implementing acts
according to
Article 8 of Regulation (EU) No 1227/2011

Invitation to respond to the Public Consultation
Document PC_2012_R_10

21 June 2012

According to Article 7(3) of Regulation (EU) No 1227/2011 on Wholesale Energy Market Integrity and Transparency (“REMIT”), the Agency for the Cooperation of Energy Regulators (the “Agency”) may make recommendations to the Commission as to the records of transactions, including orders to trade, which it considers are necessary to effectively monitor wholesale energy markets. Before making such recommendations, the Agency shall consult with interested parties, in particular with national regulatory authorities, competent financial authorities in the Member States, national competition authorities and the European Securities and Markets Authority (ESMA).

This public consultation document contains the Agency’s draft recommendations on the records of transactions. Since the records of transactions are closely linked with the implementing acts on data collection and both are interdependent, this public consultation document also covers aspects related to the implementing acts on data collection according to Article 8(2) and (5) of REMIT. It is intended to collect views from all parties interested in the implementation of REMIT (market participants, organised markets and other persons professionally arranging transactions, financial regulatory authorities, etc.) on the Agency’s draft recommendations.

The Agency invites all interested parties to provide comments to the public consultation document, and especially answers to the consultation issues listed in Annex I, by 31 July 2012, 12.00 noon, Central European Time, to consultation2012R09@acer.europa.eu. In order to benefit from the public consultation in the best way possible, ACER encourages stakeholders to provide constructive and comprehensive answers to each question.

In order to identify your response, please include the following contact information on the top of your answer sheet:

Name
Company
Address
Contact email
Phone
Country

[The Agency will organise a public workshop on the public consultation document and on the 2nd edition of the ACER non-binding Guidance on the application of the definitions set out in Article 2 of REMIT, on 19 July 2012, 12.00 – 16.00, Central European Time, in Ljubljana.](#)

Following the public consultation period, ACER will publish all answers received from stakeholders. Stakeholders should also consider that confidential answers should be used in a limited way. ACER advises stakeholders to claim confidentiality only on commercially sensitive information and to ensure that a non-confidential version is also submitted.”