

RRM USER GROUP – INFOSHEET #20 (UPDATED)

Follow-up on the Open letter on the withdrawal of the United Kingdom from the European Union



Update 1.

Due to ongoing debates and uncertainty about the Brexit date, the instructions herein included should be followed only after the prior confirmation by the Agency.

On 9 January 2019 the Agency published an Open letter on the withdrawal of the United Kingdom (UK) from the European Union and its implications for the registration of market participants and data collection under Regulation (EU) No 1227/2011 on wholesale energy market integrity and transparency (REMIT). It describes the impact that the withdrawal of the UK from the European Union on 29 March 2019 would have on market participants (MPs), registered reporting mechanisms (RRMs), organised market places (OMPs), and the wider market, in case the withdrawal were to happen without a ratified Withdrawal Agreement (a 'hard Brexit' scenario).

As stated in the letter, the Agency engages with RRM's routinely in order to ensure the regularity of REMIT reporting and will address any REMIT reporting issues related to the UK withdrawal from the European Union through the existing communication channels. **As per the letter, the Agency prepared this RRM Infosheet.**

The Infosheet is relevant to RRM's whose clients (market participants) are currently registered with Ofgem or NIAUR National Regulatory Authority. It should be noted that instructions described in this Infosheet will apply and should be used only in case of a hard Brexit and thus after 29 March 2019.

For the sake of completeness, the Infosheet also summarises the impact of the UK withdrawal on the re-registration of MPs, which has already been described in the aforementioned Open letter.

The Agency encourages RRM's to share this Infosheet with their MPs.

Ways forward with data reporting

Scenario A1:

A currently UK registered MP will no longer be an MP under REMIT and will not re-register with another EU-27 NRA.

Actions

Re-registration: None

Data reporting: No action. No 'N' (Action type 'New') data should be reported after 29 March 2019 as well as no reporting of lifecycle events (i.e. Action type 'Cancel', 'Modify', 'Error') for the already reported data. There is no requirement for an early termination of the already reported contracts indicating a UK delivery point or zone – these will remain outstanding after Brexit.

Scenario A2:

A UK registered MP will no longer be an MP under REMIT and will not re-register with one of the EU-27 NRAs but wants to transfer its outstanding reportable contracts to a different legal entity (MP) registered with an EU-27 NRA.

Actions

Re-registration: None

Data reporting: The reporting should follow **the novation instructions**. Any contract with a UK MP shall be cancelled by using Action type 'C' and a new contract with the new counterparty should be reported (Action type 'N'), as per the aforementioned instructions (see relevant FAQs).

Scenario B:

A UK registered MP will remain an MP under REMIT and will therefore re-register with one of the EU-27 NRAs and obtain a new ACER code.

Actions

Re-registration:

a. If re-registering with an EU-27 member state (excluding AT, RO, SI, IT), the MP should use the '**Change Member State**' functionality (to terminate the existing and initiate a new MP registration) available in the current UK CEREMP registration.

Please note that, once approved by the relevant NRA (Ofgem or NIAUR), the '**Change Member State**' functionality will terminate the MP's registration with the NRA, as well as the Axxxxxxx.UK ACER code (i.e. the MP will not be able to report data with that particular ACER code anymore), but it will allow the MP to re-register with an EU-27 member state (excluding AT, RO, SI, IT) without the need to re-insert the information all over again.

b. If re-registering with EU-27 member states AT, RO, SI or IT, the MP should terminate its existing MP registration and initiate a new registration with that particular NRA. The '**Change Member State**' functionality is not available for re-registration with the aforementioned member state NRAs (AT, RO, SI, IT).

Data reporting:

a. For the lifecycle event reporting of the already reported records of transactions (indicating delivery point or zone in the EU-27 and with the Axxxxxxx.UK ACER code of an MP), a parallel reporting channel should be used. The RRM Infosheet #16 and the ACER REMIT Information System Data Validation Document available on the REMIT Portal provide more information on how to use the parallel reporting channel. Extra caution related to data quality should be exercised when using the parallel reporting channel.

b. New records of transactions (Action type 'N') should be reported as usual. The MP should be identified with the new EU ACER MP code. The terminated Axxxxxxx.UK ACER code will be rejected if used in the regular reporting channel.

MPs and reporting parties should bear in mind that, as per Article 11(2) of Commission Implementing Regulation (EU) No 1348/2014 ('Implementing Regulation'), persons required to report data referred to in Articles 6, 8 and 9 of the Implementing Regulation should have the responsibility for the completeness, accuracy and timely submission of the data to the Agency.

Update 2.

Further information:

If an MP that is still re-registering (i.e. MP's Axxxxxxx.UK code was terminated and a new ACER code is not yet available) needs to report new data, the parallel reporting channel should **NOT** be used. ~~In this case, the terminated Axxxxxxx.UK code should be used for the market participant identification.~~ An RRM should open a Contingency Report (Scenario 6, indicate Brexit) for the period during which an MP does not have an EU ACER code. Once the MP receives an EU ACER code the RRM should report the backlog of data as usual.

Please note the limits for daily submissions:

When re-submitting make sure the number of total submissions (regular + backlog) **does not exceed twice the number of normal (average) submission for your RRM.** This applies to both files and records.

Note: The Agency has strived to implement a technical solution to allow the reporting of new transactions with the old (UK) ACER code post-Brexit through the parallel channel in time however due to technical and contractual issues it was not able to implement such a solution.

UK MPs that are also RRMs: RRM re-registration in ARIS DCI

If an MP is also registered as an RRM and will re-register with one of the EU-27 NRAs, the system will automatically terminate its RRM registration and disable its reporting ability as an RRM.

RRMs that are also UK MPs (i.e. the ACER code of an RRM starts with the letter A) should be aware that if they re-register as MPs with one of the EU-27 NRAs, they will need to re-register as RRMs in case they wish to continue offering reporting services (by selecting 'I intend to become a reporting entity' in Section 5 of the new MP registration process, which will trigger a new RRM registration using the new ACER code). The Agency should be contacted via the [RRM bilateral discussion form](#) for further instructions.