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ACER public consultation: Guideline on REMIT transaction reporting

Fields marked with * are mandatory.

Introduction

Background

Regulation (EU) No 1227/2011 on wholesale energy market integrity and transparency (“REMIT”) establishes a framework to ensure the integrity and transparency of wholesale energy markets across the Union.

In 2024, REMIT was revised, introducing new and updated data reporting requirements. These changes were further specified in Regulation (EU) No 2026/256 on data reporting (recast REMIT Implementing Regulation), which sets out detailed rules on data reporting obligations, market participant registration, inside information disclosure, and monitoring procedures to ensure consistent enforcement of REMIT across EU wholesale energy markets.

Scope of the Guideline on transaction reporting

The revised REMIT introduced a new possibility for ACER to develop guidelines and recommendations to national regulatory authorities or market participants (Article 16b REMIT).

ACER has developed the Guideline on REMIT Transaction Reporting to facilitate the understanding of the data reporting rules and requirements under REMIT and the REMIT Implementing Regulation. The purpose of the Guideline on REMIT Transaction Reporting is to separate the technical guidance on how to report data to ACER, addressed in ACER's Transaction Reporting User Manual (TRUM), from the more policy-oriented aspects of data reporting, now consolidated into the Guideline on REMIT Transaction Reporting.

You can download the draft Guideline on REMIT transaction reporting here:

DRAFT_Guideline_on_REMIT_Transaction_Reporting.docx

Objective of the consultation

According to the revised REMIT, ACER shall conduct public consultations regarding the guidelines which it issues.

The objective of this consultation is to gather valuable feedback, needs and views from the public to refine the structure and content of the proposed guideline.

The survey is structured in dedicated sections following the chapters of the proposed guideline. Respondents are invited to submit their feedback on each section via the open questions below and/or by uploading documents with revision proposals in the dedicated section at the end of the survey.

Contact and deadline

The contact point for this consultation is: REMIT.Consultations@acer.europa.eu

All respondents are invited to submit their comments by 12 June 2026, 17:00 (CET)

Related documents

- Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency, https://eur-lex.europa.eu/eli/reg/2011/1227/oj
- Regulation (EU) No 2024/1106 of the European Parliament and of the Council of 11 April 2024 amending Regulations (EU) No 1227/2011 and (EU) 2019/942 as regards improving the Union's protection against market manipulation on the wholesale energy market, https://eur-lex.europa.eu/eli/reg/2024/1106/oj
- Commission Implementing Regulation EU 2026/256 of 30 January 2026 on data reporting implementing Article 7c(2), Article 8(1a), Article 8(2) and Article 8(6) of Regulation (EU) No 1227/2011 of the European Parliament and of the Council on wholesale energy market integrity and transparency and repealing Commission Implementing Regulation (EU) No 1348/2014 http://data.europa.eu/eli/reg_impl/2026/256/oj
- ACER REMIT Transaction Reporting User Manual (TRUM) Version 7.0 (published: 17 December 2024), https://www.acer.europa.eu/remit-documents/remit-reporting-guidance
- FAQs on REMIT Transaction Reporting (published: 30 September 2024), https://www.acer.europa.eu/remit-documents/remit-reporting-guidance
- 6.1 edition of ACER Guidance on the application of REMIT (published: 18 December 2024), https://www.acer.europa.eu/remit-documents/guidance-remit-application
- Questions & Answers on REMIT policy matters (published: 12 March 2025), https://www.acer.europa.eu/remit-documents/guidance-remit-application
- ACER's Manual of Procedures on transaction and fundamental data reporting (published: 17 April 2023), https://www.acer.europa.eu/remit-documents/remit-reporting-guidance
- ACER's Requirements for Registration of RRMs (published: 15 January 2021), https://www.acer.europa.eu/remit-documents/remit-reporting-guidance
- FAQs on REMIT Fundamental Data and Inside Information (published: 30 April 2021), https://www.acer.europa.eu/remit-documents/remit-reporting-guidance
- Open Letters on Data Quality, https://www.acer.europa.eu/remit-documents/remit-reporting-guidance

- Open Letters on REMIT Policy, https://www.acer.europa.eu/remit-documents/guidance-remit-application

Respondent's data

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This information will not be published

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Name of organisation (if applicable)

IOGP Europe

Type of organisation (if applicable)

Multiple values are accepted

- [x] Market participant (including association)
- [ ] Organised marketplace (including association)
- [ ] Inside information platform (including association)
- [ ] Transmission system operator (including association)
- [ ] National regulatory authority
- [ ] Academia/research institution
- [ ] Other (please specify)

*** Country**

- (●) EU-27
- ( ) Other

Data protection, confidentiality and publication of results

Data protection

ACER will process personal data of the respondents in accordance with Regulation (EU) 2018/1725, taking into account that this processing is necessary for performing ACER’s consultation tasks.

More information on data protection is available in ACER's data protection notice and on ACER's website.

ACER will not publish personal data.

* I have read and understood the Data Protection Notice on External Webinars / Online Events and Data Protection Notice on Interactions with Stakeholders.

I confirm

Confidentiality and publication

Following this consultation, ACER will make public:

- the number of responses received
- company names, unless they should be considered as confidential
- all non-confidential responses
- ACER's evaluation of responses. In the evaluation, ACER may link responses to specific respondents or group of respondents.

You may request that the name of your company or any information provided in your response is treated as confidential. To this aim, you need to explicitly indicate below whether your response contains confidential information.

* Do you consent to the publication of the name of the organisation?

- (●) Yes
- ( ) No

* Do you consent to the publication of the provided answers?

Please, note that your answer, without your name and organization, may be shared with the EU institutions and national authorities.

- (●) Yes
- ( ) No

* Does your submission contain confidential information?

Please note that submissions containing confidential information will not be published.

- (●) Yes
- ( ) No

Section I: Introduction and scope

This section covers the following topics:

- Legal framework
- Scope and purpose of the Guideline on REMIT transaction reporting
- Target audience
- Transaction reporting and market monitoring
- ACER contacts

Do you have any comments on the guidance provided in this chapter?

The Guideline on REMIT Transaction Reporting is a welcome step towards consolidating the policy oriented aspects of transaction reporting under REMIT, separated from the technical guidance contained in TRUM. Our following comments aim to improve legal certainty, data quality and auditability of reporting processes. We recommend explicitly clarifying the interpretative hierarchy between: REMIT Regulation, REMIT Implementing Regulation, The Guideline and TRUM.
In particular, it should be stated that TRUM provides technical implementation guidance only and cannot extend or modify reporting obligations derived from REMIT or the Guideline. The reason is that clear hierarchy reduces the risk of divergent interpretations and facilitates consistent application during supervisory and audit activities ensuring proportional implementation for market participants.
We appreciate the chance to contribute to the consultation on the proposed amendments and clarifications to the REMIT reporting framework. We share the goal of strengthening transparency and consistency in transaction reporting. Nevertheless, we believe it is crucial that the framework continues to reflect the fundamental REMIT principles of proportionality, legal certainty, and role-based reporting obligations. In a number of areas, the current wording risks giving rise to ambiguity, divergent interpretation, or an unintended broadening of reporting obligations. We therefore urge that clarity and consistency be improved, that alignment with established REMIT principles be maintained, and that disproportionate administrative burdens be avoided where no corresponding benefit to market integrity can be identified.

Section II: Reporting obligations

II.1 What to report?

This section covers the following topics:

- Transactions to be reported on a continuous basis
- Transactions to be reported on a periodic basis
- Transactions to be reported at the request of ACER
- Reporting requirements regarding transactions executed via a trade-matching system
- Definition of standard and non-standard contracts
- Distinction between product, contract and transaction for standard contracts
- Lifecycle events
- Back-loading requirement

Do you have any comments on the guidance provided in this chapter?

Given the high number of data fields introduced, it would be helpful—especially for less experienced users—to include a high level reference to minimum data quality expectations prior to reporting. This guidance could cover completeness of required fields, basic logical consistency (e.g., alignment between price, volume, and delivery profile), and consistency with internal source data. Such a framework would support a more consistent application of Article 14(2) of Commission Implementing Regulation (EU) 2026/256 and reduce post reporting corrections.

2.1.1.1: The wording may be unclear regarding contracts with final consumers above 600 GWh/year, which should be reported periodically.

2.1.2: It would be useful to recall that “transaction” includes executions and orders.

The draft Guidance does not fully achieve the intended simplification of periodic reporting for contracts above 600 GWh/year. While contract-level reporting becomes periodic, execution reporting remains unchanged, limiting the reduction in reporting burden. Given that these contracts are typically bilateral, flexible, and low-risk, we suggest introducing a single aggregated execution report over a rolling six month period, with lifecycle events reflected in subsequent reports.

2.1.2.1:

- On point (43), ACER should provide a standard declaration template confirming consumption capability ≥600 GWh/year, with a defined submission deadline. Final consumers should also promptly notify changes in capability. In the absence of a declaration, the unit should be presumed below threshold and outside REMIT reporting.
- On point (49), clarification is needed for contracts covering multiple units. Each unit should provide a separate declaration, and the threshold should apply per unit, not in aggregate.
- On point (53), resale activity by sub threshold consumers should remain subject to continuous reporting. However, where such consumers access transport or storage capacity under national rules, these transactions should remain outside REMIT, consistent with the exemption principle.
- Further clarity is needed to confirm that supply contracts above 600 GWh/year fall exclusively under periodic reporting, avoiding overlap with continuous obligations and preventing duplicate reporting.
- Suppliers’ obligations should also be clarified: transactions with energy intensive final consumers should be reported periodically by both counterparties. If a supplier reports on behalf of the consumer with full counterparty data, this should fulfill obligations for both.

2.1.2.2: Clarify who reports auction transactions on OMPs (OMP or TSO) and whether periodic or continuous reporting applies. Footnote 5 (p.11) appears inconsistent, as such contracts are already reported continuously. For reliability services, periodic reporting should apply only to long term products, while short term products should be treated as balancing.

2.1.2.3: Confirm that reporting responsibility lies with the OMP or TSO. Where balancing contracts cannot be distinguished from supply contracts, responsibility should clearly rest with the TSO to avoid ambiguity.

2.1.2.4: Clarify that reporting for primary storage auctions is the responsibility of the SSO (if acting as OMP) or the OMP hosting the auction. No other participants should report primary allocations.

2.1.3.7: Reporting should be limited to TSO or OMP.

2.1.5: There is currently no reliable way for participants to determine whether a broker qualifies as PPAT, OMP, or neither, impacting reporting obligations and system configuration. ACER should update and expand the OMP list with clear classifications for brokers, TSOs, SSOs, and platforms. Where OMPs operate across multiple platform types, classification should be provided per activity (storage, transport, balancing).

For voice brokered non standard trades, reporting responsibility should rest with the broker/OMP, not market participants, to avoid disproportionate complexity.

2.1.6: Clarify how the distinction in point (94) aligns with the definition of “transaction,” which includes orders and executions. In section 2.1.6.4 (Order report), consider alignment with this definition (e.g. renumbering).

II.2 Who shall report?

This section covers the following topics:

- Reporting parties
- Who shall report transactions concluded on an organised marketplace
- Who shall report transactions concluded outside an organised marketplace
- Who shall report transportation transactions
- Who shall report storage transactions
- Who shall report lifecycle events
- Wholesale energy products already reported in accordance with MiFIR or EMIR

Do you have any comments on the guidance provided in this chapter?

We would like to emphasize the importance of clearly allocating responsibilities, as this is essential to improving the accountability and auditability of reporting chains.

Reporting Parties (2.2.1): Since the entry into force of REMIT II order book reporting, market participants have encountered growing difficulties in accessing the data they need from OMPs, as the rules governing data sharing by OMPs with market participants and their RRMs remain inadequately defined. While we do not share ACER's view that MPs retain liability for checking data submitted by OMPs to ACER, the absence of a clear data sharing framework is particularly problematic given that market participants continue to bear additional obligations in relation to OMP-reported data, including Exposure reporting and STOR obligations, which are becoming increasingly difficult to fulfil without adequate access to the underlying data. We therefore call on ACER to establish explicitly that OMPs are obliged to share relevant data with market participants and, where requested, with their RRMs, without placing any further administrative burden on market participants in this regard.

Organised Market Places (2.2.1.2):

o The broadened definition of OMP under REMIT II, combined with persisting uncertainties around primary capacity allocations and balancing energy reporting, makes it progressively harder for market participants to assess whether a given platform, TSO or SSO qualifies as an OMP, creating a tangible risk of inconsistent reporting practices across the market. We call on ACER to confirm unambiguously that primary capacity allocations and balancing energy transactions are to be reported by TSOs, SSOs or OMPs acting on their behalf, and that no corresponding obligations fall on MPs in this respect.

o On point 162, we welcome the clarification set out in this paragraph and consider that the principle it articulates should be carried through consistently across the entire text. We reiterate our request for ACER to enshrine a clear rule to the effect that auction and transaction data relating to primary capacity mechanisms — whether involving TSOs or SSOs — as well as balancing energy transactions concluded with TSOs, are to be reported directly to ACER by the relevant OMP, TSO or SSO.

Who shall report transportation transactions (2.2.4.):

o On point 186, we are supportive of the wording put forward by the Agency, though the lack of clarity on the definition of OMP remains an outstanding concern.

o On point 191, we welcome the recognition of single-sided reporting for secondary capacity allocations and note that this principle could, in our view, be extended more broadly across the REMIT reporting framework. At the same time, further practical guidance would be needed on how single-sided reporting should operate in the context of OTC transactions — in particular, which counterparty, whether buyer or seller, bears the reporting obligation where the transaction has not been submitted through a capacity platform

Section III: Start of reporting and reporting frequency

This section covers the following topics:

- Start of reporting
- Frequency of reporting

Do you have any comments on the guidance provided in this chapter?

We wish to flag a concern of a more structural nature, namely the way in which the OMP definition bears on the allocation of reporting responsibilities, particularly with respect to balancing data and periodic reporting. Given that TSOs act as central counterparties in transactions relating to balancing services and analogous centrally organised mechanisms, and given that they hold the most complete and authoritative dataset, it follows naturally that they should be the ones to bear the corresponding reporting obligations. Distributing that responsibility among a multitude of individual market participants would not only generate redundancy and increase the likelihood of inconsistent data, but would also burden entities that are not in a position to report with the same degree of accuracy as the TSO.
On this basis, we consider that the assignment of reporting obligations for balancing-related transactions to TSOs or to the relevant central platforms should be recognised as a general principle, operating independently of whether those entities fall within the OMP definition. This would not go against the REMIT framework, on the contrary it would reflect a trend that is already emerging within it, as evidenced by the growing role of system operators such as SSOs and LSOs as primary reporting entities for centrally administered processes.

Moreover, in order to improve readability, we recommend that the guidance include a consolidated summary table clearly specifying, for each major reporting obligation:
- when the obligation applies (application date / start of reporting),
- what the obligation entails (high level description),
- to whom it applies (market participants, OMPs, RRMs, TSOs, etc.),
- the legal basis (REMIT article and/or REMIT Implementing Regulation provision).

Other comments and file upload

Are there any other proposals you would like to share with ACER? (e.g. topics that should be covered, amendments etc.)

You can upload your proposals in Word or PDF here.

Please ensure that all your proposed amendments are in one document, clearly identifying each section affected. Track changed versions of the document are also welcome.

Maximum file size is 1 MB. If your file is larger, please use the functional mailbox: REMIT.Consultations@acer.europa.eu

5bd02697-0da7-43bc-8d8b-2f82375bb483/IOGP_Europe_annex_DRAFT_Guideline_on_REMIT_Transaction_Reporting_IOGP_comments.docx

Thank you for your contribution.

Contact

[Contact Form]