REMIT provisions & Russian Concerns

Work Stream on Internal Market Issues (WS2)
Vienna, 14 February 2017
Regulations in question


Implementing Regulation No. 1348/2014 of 17 December 2014, “On data reporting implementing Article 8(2) and Article 8(6) of the REMIT” (IR) – contains specific guidelines on application of REMIT provisions by participants of EU wholesale energy market
EU determines amount of data to be disclosed and reported to ACER *unilaterally*. Russian Ministry of Energy wants to know what other information may the EU suddenly require?
Gazprom & Ministry affairs

Despite of all concerns Russian companies – Gazprom and Gazprom export – were registered as participants of EU wholesale energy market. Now they fulfill all obligations arising from REMIT requirements.

Russian Ministry of Energy supports their decision but cannot exclude that some problems related to REMIT will face Russian companies later.
GAC should be involved

Gas Advisory Council (GAC) has to provide Coordinators of EU-Russia EU Energy Dialogue with the recommendations on the prevention of possible conflicts or on solving such problems.

GAC and its Work Streams collected certain experience in successful joint investigation. It gives hope that our discussion on substance of new EU documents will also be useful.
Our concerns (1)

1. To what extent are the REMIT & IR requirements: substantiated (whereby?), needed (wherefore?), conforming to practice of advanced world energy markets?

2. Is it justified to apply these requirements to companies from non-EU countries?

3. May we expect that further steps of European Union affecting our companies, aimed at development of transparency in the energy market will be taken with due consideration of Russia’s interests and ideas?
4. In accordance with Article 19 of the REMIT, ACER is vested with authority to develop contacts with administrations of third countries in order to promote harmonization of regulatory framework, but shall not create legal obligations in respect of EU and its Member States. May this Article be used as an adequate tool for balancing interests of both sides?

5. To what extent are the REMIT requirements adopted and implemented by non-Russian market participants, primarily by the non-Russian gas exporters in the EU?
Our concerns (3)

6. What measures may be applied to market participants for the violation of REMIT requirements, for instance, for a refusal to provide some part of the requested data?

7. A question for ENTSOG: is the data set required by REMIT sufficient to participate in the European Early Warning System? If not, what additional information is needed?
The WS’s role

GAC Work Streams: the Second (internal markets) and/or the Third (infrastructure) -- seem to be a proper place for discussions of this issue

List of questions will be supplemented by my Russian colleagues with new considerations and more sophisticated questions
On benefit from our discussion

The answers presented to these and more specific questions, as well as results of related discussions, may be extremely useful for substantiation of any option of Russian side’s final decision on disclosure of information and data reporting.
Thank you for your kind attention!

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