

Eidgenössische Elektrizitätskommission ElCom Commission fédérale de l'électricité ElCom Commissione federale dell'energia elettrica ElCom Federal Electricity Commission ElCom

#### **ElCom Workshop Reporting under ESO 26a**





12.30	Coffee
13.00	Address of Welcome
	Renato Tami, Director ElCom
13.15	Reporting under ESO 26a in Switzerland Cornelia Kawann, Chief of the Section Market Surveillance ElCom
13.30	Reporting for REMIT and ElCom – Lessons Learned from the first Reporting Phase Tilo Zimmermann, Managing Director, Ponton GmbH
14.15	Break
14.45	First Experiences with European and National REMIT Implementation  Johannes Mayer, Chief of the Economy Department, E-Control
15.30	Information about the Reporting of Non-Standard Contracts Tzvetelina Tzankova, Alex Bohn, Section Market Surveillance ElCom
16.30	Panel Discussion and Question Round
	Administration: Roger Dubach, Diplomatic Associate, UVEK / EDA
17.00	The End



# StromVV Reporting Obligations to ElCom – Lessons Learned from REMIT Phase 1

January 27, 2016 at the ElCom Workshop in Bern Tilo Zimmermann, Managing Director, Ponton GmbH



# **REMIT Reporting to ElCom in a Nutshell**

Swiss law (StromVV 26a) requires Swiss MP to report any REMIT transactions for Electricity to ElCom, provided they have reported them to ACER as well

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- REMIT Phase 1 reporting started October 07, 2015. Deadline for ElCom reporting was December 02, 2015 (soft launch), but back-loading to ElCom required
- In practical terms, only RRM (or OMP acting as RRM) could deliver data to ElCom
- StromVV obligations presented a challenge to RRM in terms of technical connection, transaction filtering, business requirements and resource availability
- EFETnet launched ElCom reporting in time, storing StromVV-relevant OMP trades & orders collected since October 07, 2015 centrally, and delivering almost a million records centrally and in batch to ElCom by November 30, 2015 (catch-up loading)
- Swiss MP using EFETnet did not have to change their local interfaces this all worked off REMIT reporting to ACER
- ElCom reporting through EFETnet now live for OMP trades, back-loading Phase 1, manual interventions (lifecycle) – majority of Swiss MP use EFETnet
- EFETnet will deliver ElCom reporting for Phase 2 reports (automatic & manual) and for Phase 2 back-loading at the same time as reporting to ACER – no more delays
- Coming challenges: FinfraG, REMIT Phase 2 the latter not specific to Swiss MP



#### Requirements for reporting under StromVV

Implementation and testing with ElCom

- Go-live and experience for REMIT Phase 1
- Next steps for REMIT Phase 2
- FinfraG



### **Reporting Obligations for Swiss MP to ElCom**

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- REMIT applies to all wholesale trades of electricity and gas where delivery is in the EU, regardless of MP domicile
- ElCom as the NRA of Switzerland has no access to data collected by ACER, but non-compliance to REMIT is not an option for Swiss MP
- Hence three articles (26a, 26b, 26c) were added to StromVV, summary of 26a:
  - MP with a domicile in Switzerland, who are
  - trading in wholesale electricity and are
  - obliged to report information on this to ACER, must deliver
  - the <u>same information</u> at the <u>same time</u> and in the <u>same form</u> to ElCom.
- Start of reporting was the same as for REMIT, i.e. October 07, 2015 for OMP electricity trades and April 07, 2016 for bilateral electricity trades
- ElCom required all OMP trades to be reported by December 02, 2015 latest, if RRM take care of uploading OMP trades entered into between October 07, 2015 and their soft launch date
- This soft launch deadline was extended by ElCom to Dec. 15, 2015
- No soft launch for back-loading of REMIT phase 1 electricity trades, nor for phase 2 bilateral electricity trades



# **Challenges of ElCom Reporting for RRM**

- Challenges for RRM:
  - Technical connection: Connection kit via web service
  - Transaction filtering: Only electricity, only Swiss MP with mandate
  - Signing up Swiss MP: Contractual framework, mandate per legal entity

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- Business requirements: reconciliation, proof of reporting, audit
- Resource availability at RRM: parallel to REMIT Phase 1 launch
- In particular, one ACER XML file typically contains records from Swiss and Non-Swiss MP, for electricity and gas, with referenced orders on top





# 975 69 9 56 39 17436V **Challenges of ElCom Reporting for Swiss MP**

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- Challenges for Swiss MP:
  - Identify RRM with capability to connect to ElCom in time
  - Close contract for ElCom reporting on top of REMIT reporting
  - Reconciliation with reportable portfolio, proof of reporting, audit
  - Resource availability at MP: parallel to REMIT Phase 1 launch
- Ideally, the Swiss MP would not be exposed to the ElCom interface at all and would have no additional work and no additional cost





#### Requirements for reporting under StromVV

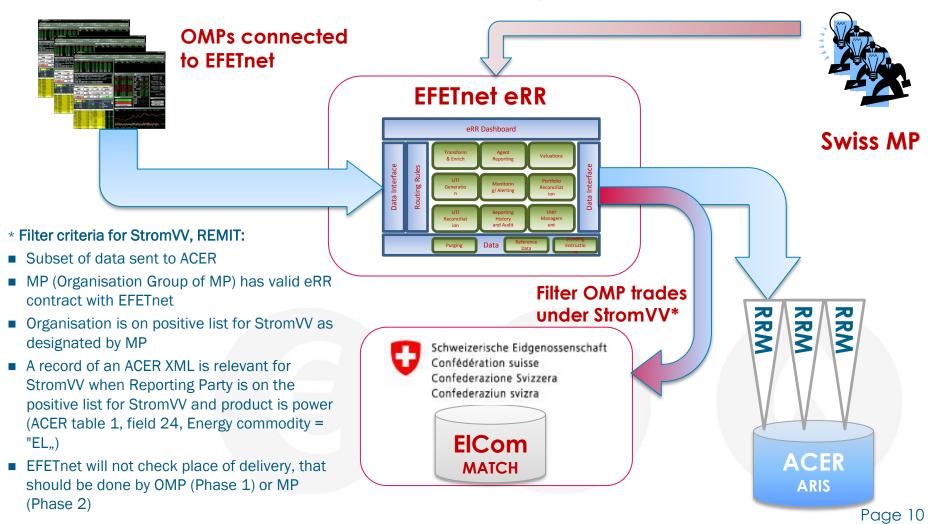
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- Implementation and testing with ElCom
- Go-live and experience for REMIT Phase 1
- Next steps for REMIT Phase 2
- FinfraG



# Data Flow for REMIT Phase 1 / StromVV



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# 975.69 356 39 17436 X **EFETnet Implementation Plan ElCom Reporting**

Sept. 01 2015

Oct. 07 2015

Dec. 02 Nov. 30

After Apr. 2016

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#### Manage

MPs sign eRR contract

MPs designate Swiss reporting entities

**EFETnet starts** testing with ElCom

#### Collect

**EFETnet centrally** collects OMP data for Swiss MP

Finalise outbound connection to **EICom** 

Prepare inbound connection for results

#### Connect

Live OMP data sent to ElCom

OMP data collected between October 07 and soft launch uploaded centrally

**REMIT** back-loading

# **Fully Integrate**

Results from ElCom fully integrated into **CMS** 

Audit, dashboard, reports work

**REMIT Phase 2 data** live, both to ACER and ElCom



# **Testing with ElCom in REMIT Phase 1**

- EFETnet reached out to all Swiss MP registered with ACER
- Contracts with EFETnet and mandate for ElCom reporting collected
- Testing of individual OMP files by pilot testers
- Filtering and forwarding of OMP data built
- Catch-up loading as sub-case of asynchronous reporting
- All CMS functionality was deployed by EFETnet as follows:
  - Deployed final changes into UAT deployment on October 22, 2015
  - Deployed release into PROD CMS environment on November 02, 2015

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- Sign-off on Live-parallel tests by ElCom / BIT on November 16, 2015
- Started live reporting on November 30, 2015 by activating EIC code list
- No outstanding issues with ElCom for Phase 1 reporting

EFETnet was first RRM sending live data to ElCom under StromVV



#### Requirements for reporting under StromVV

Implementation and testing with ElCom

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- Go-live and experience for REMIT Phase 1
- Next steps for REMIT Phase 2
- FinfraG



### **To-dos for Swiss MP prior to launch**

#### To-dos prior to REMIT Phase 1 launch

- MPs needed a valid contract with their RRM ("Accession Agreement" with EFETnet)
- MPs needed to make a binding designation of those legal entities for which StromVVrelevant trade information should be submitted to ElCom – ElCom mandate

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- RRM can only filter and forward OMP data from OMPs which are connected to that third party RRM. Contact unconnected OMPs for alternative methods.
- Upload of ACER XML files by MP works collect these yourself from unconnected OMP

#### To-dos after REMIT Phase 1 launch

- Hold back on REMIT back-loading until soft launch complete even though this has happened, we are still working on the "catch-up loading"
- EFETnet gave update once central "catch-up loading" to ElCOm is complete then follow REMIT back-loading procedure
- Verification of completeness of StromVV reports before March 02, 2016 only basic, more details TBD

No to-dos for the IT teams at Swiss MP



# **Go-live of ElCom reporting**

EFETnet CMS started live-parallel reporting on November 19, 2015 by activating the EIC code list of designated legal entities

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- From Nov. 19 to Nov. 20, 2015, EFETnet successfully transmitted the first 164 ACER XML files to ElCom
  - Some ACER XML files cover all Swiss MP from one OMP, so partly quite large files
  - All of the 164 ACER XML files in that timespan were acknowledged as successfully transmitted – 100% success rate in production so far
  - ElCom only send technical Acknowledgement on whole ACER XML file
  - No business acknowledgement per record, not planned either
  - From Nov. 19 to Nov. 20, 2015, ElCom successfully received 15.591 Records from **EFETnet**
- Catch-Up Loading was started on November 28 and completed on November 30, 2015, thus prior to December 02, 2015
  - There were about a million records (both orders and trades) flagged for review
  - Only the power related records transmitted to ElCom
  - Swiss MP can now do their REMIT back-loading



# **Spot checks of sending to ElCom**



- FHA access to the audit trial and the ACER XML file required for spot checks
- This is done by EFETnet service team / Ponton by now, as it contain records from multiple
   MP
- Check a few CpML lifecycle events in pairing mode, ElCom should get original (from OMP) and amended ACER XML (from MP), with designated testers
- Check upload of ACER XML on records previously sent through another OMP/RRM, e.g. ICE –
   ACER should reject, ElCom should receive, with designated testers



#### **ACER XML** as sent to ElCom

```
PSPad - [C:\Users\jharm\AppData\Local\Temp\eRRAuditTrail_842651526.xml R/O]
                                                                                                                                                                   - - X
Datei Projekt Bearbeiten Suchen Ansicht Format Werkzeuge HTML Einstellungen Fenster Hilfe
 1.. Neu1.xml 2.. Neu2.xml 3.. eRRAuditTrail_842651526.xml 4.. eRRAuditTrail_842635416.xml
       ) 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 (?xml version="1.0" encoding="UTF-8"?>
    2 <REMITTable1 xmlns="http://www.acer.europa.eu/REMIT/REMITTable1 V2.xsd">
         <reportingEntityID>
             <ace>B00001014.NL</ace>
         </reportingEntityID>
         <OrderList>
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   38
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   39
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                        <deliveryProfile>
   42
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                            <loadDeliveryEndTime>01:00:00+01:00</loadDeliveryEndTime>
   44
                                                             UNIX Kodierung: UTF-8
```

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- Spot check: Compare records in ACER XML file sent to ACER with records in file sent to ElCom: gas records and records of Non-Swiss designated entities should be missing
- Access to complete ACER XML file cannot be given to individual MP



# Sign-up of Swiss MP in time for catch-up loading

	ElCom Market Monitoring Swiss Federal Electricity Commission			
	List of (pre) registered Swiss market participants			
	Elect of (pro) regionaled entire market paracipante			
0	Company	ACER Code	ElCom Code	
4	AEW	A00024392.DE	000261CH	
	Alpig AG	A00024392.DE A00015284.DE	000261CH	
	Alpiq AG	A00015264.DE	000141CH	
	Anode International Trading SA	A0002030Q.DE	000142CH	
	Axpo Trading AG	A0001396H.NL A00009170.DE	000221CH	
	Azienda Elettrica Ticinese	A00009170.DE	000161CH	
	BKW Energie AG	A00026760.DE A0001523E.DE	000241CH 000025CH	
	BTG Pactual Commodities (Switzerland), S.A.	A0001523E.DE A00009680.UK	000025CH	
	Cargill International S.A.			
	Cargiii International S.A.  Castleton Commodities Merchant Europe Sarl	A0003367B.UK	000342CH	
	Castleton Commodities Merchant Europe Sari Centralschweizerische Kraftwerke AG	A0001414M.UK	000401CH 000022CH	
		A00012579.DE		
	DufEnergy Trading SA	A00016448.DE	000041CH	
	EBM Energie AG	A0002858U.DE	000262CH	
	Efforte	A0004226B.DE	000461CH	
	EnAlpin AG	A0001402K.DE	000162CH	
	Energie Wasser Bern	A00017933.DE	000061CH	
	Energiedienst Holding AG	A00013957.DE	000161CH	
	Energy Financing Team (Switzerland) AG	A0001209A.DE	000361CH	
	EWZ	A0002671A.DE	000263CH	
	Ezpada	A00044754.IT	000442CH	
	FMV	A0001947W.DE	000081CH	
	Groupe E AG	A0001425C.DE	000021CH	
	Gunvor International B.V.	A0001465K.NL	000321CH	
24	IWB Industrielle Werke Basel	A0001520K.DE	000101CH	
	Koch Supply & Trading Sarl	A00016539.DE	000402CH	
	Mercuria Energy Trading SA	A0000442O.UK	000281CH	
	MET International AG	A0000812K.AT	000303CH	
	NVALUE SA	A0002041X.FR	000201CH	
	Ompex AG	A00013866.DE	000026CH	
30	Repower AG	A00009451.DE	000023CH	
31	Rubykon AG	A00035282.DE	000343CH	
32	SIG	A00037634.DE	000421CH	
33	Stadtwerke Winterthur	A0001902A.DE	000264CH	
34	Swenex	-	000024CH	
35	Swissgrid AG	A0003341I.DE	000381CH	
	Transohm AG	A00012397.DE	000102CH	
37	UBS AG	A0001698V.DE	-	
	Vitol SA	A0001306L.UK	000242CH	
	Wind Energy Trading WET AG	A0003010T.DE	000422CH	
	Windy Bay Power Sarl	A00045379.UK	000441CH	
	YOUTRADE ENERGY COMMODITIES S.A.	A0003314F.IT	000341CH	

41 organisations on ElCom list of Swiss MP (as of Nov. 26, 2015)

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- 25 of these organisations use EFETnet as their ElCom RRM as of Jan. 27, 2016
- Four of the largest Swiss MP form the testing group for ElCom reporting
- More MP can be added per simple request, if data is going to ACER via **EFETnet**



#### Requirements for reporting under StromVV

■ Implementation and testing with ElCom

- Go-live and experience for REMIT Phase 1
- Next steps for REMIT Phase 2
- FinfraG



# **Next steps EFETnet – ElCom reporting**

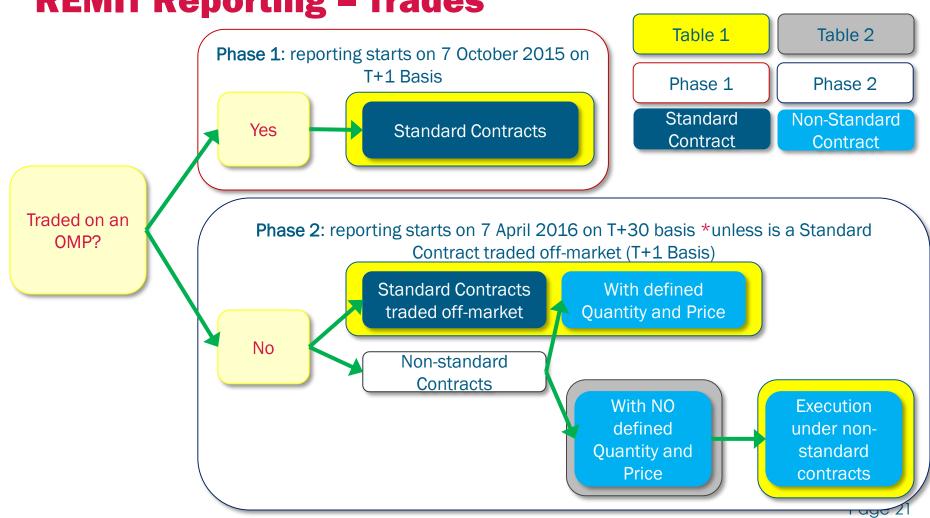
After REMIT Phase 2 launch in April 2016, EFETnet will deliver full integration of ElCom responses into CMS:

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- Dashboard
- Audit Trail
- **Activity Reports**
- Box results
- Some design questions still open e.g. cardinality of feedback, diverging reporting status, design of reports
- Testing group will continue to review specification and support testing, including live-parallel testing.
- Any reporting under REMIT Phase 2 is immediately available for ElCom reporting too, as ElCom filter checks late in the sending process



### **REMIT Reporting – Trades**



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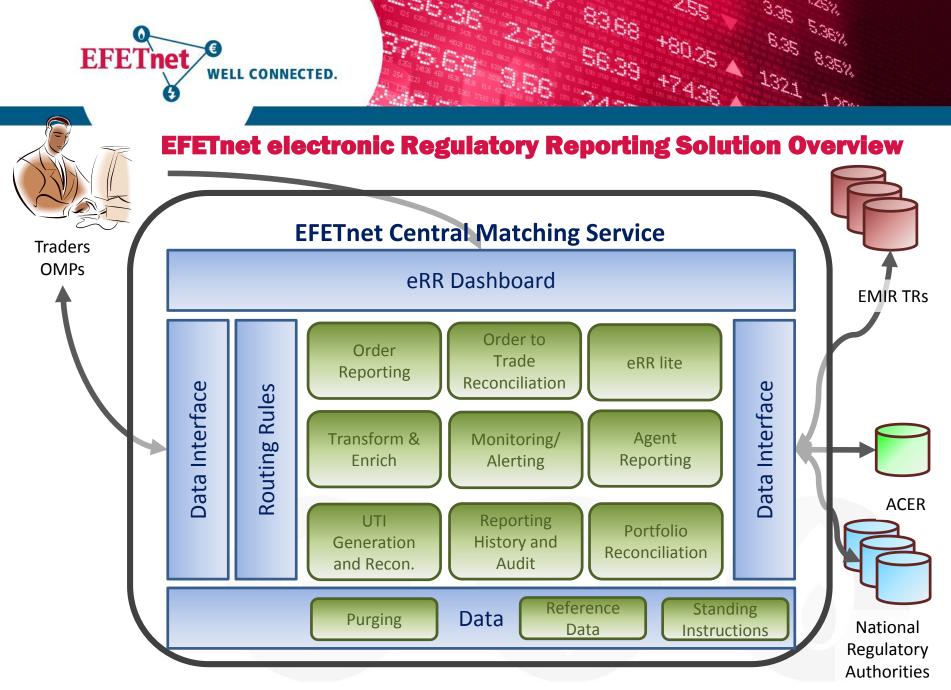
#### **Issues under REMIT Phase 2**

- Modelling of Table 1 vs. Table 2
- UTIs ACER vs. ESMA approach (other regimes?)
- Reporting on behalf of third parties
- Secondary capacity trades
- Dealing with trades not captured in ETRM, other complex contracts on paper
- 80/20 rule for automation
- Back-loading for REMIT Phase 2

Phase 2 issues are independent of ElCom requirements

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#### Requirements for reporting under StromVV

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- Implementation and testing with ElCom
- Go-live and experience for REMIT Phase 1
- Next steps for REMIT Phase 2
- **FinfraG**



#### **Outlook on Swiss EMIR - FinfraG**

- FinfraG is a Swiss federal law roughly equivalent to EMIR and Dodd-Frank
- Includes major obligations from EMIR: trade reporting to TR, clearing obligation, risk mitigation, classification into FC and NFC- and NFC+

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- Less stringent obligations on NFC compared to EMIR and a wait-and-see approach to position limits – maybe eroded to achieve EU-recognition
- FinfraG came into force on January 01, 2016
- Delay for reporting to TR is six months after FinfraG TR have been authorized by FINMA - mid-2016 at the earliest
- NRA responsible for implementing will by FINMA, which may delegate operation to the exchange supervisory authority of SIX
- As with ACER and ElCom, there is no guaranteed access for FINMA/SIX to EMIR-TR
- Worst case: Financial derivatives with underlying electricity may need to be reported to TR under FinfraG, to ACER, and to ElCom



# **Looking forward to your call**

#### **Tilo Zimmermann**

Managing Director of Ponton GmbH

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PONTON is the implementation partner of EFETnet.

Given that German is the native language of many Swiss MP and of key ElCom personnel, Tilo serves as liaison between ElCom, Swiss MP and EFETnet.



# E-CONTROL

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Erste Erfahrungen mit Europäischer und Nationaler REMIT Umsetzung

Johannes Mayer 27. Jänner 2016

#### REMIT – Kein Kavaliersdelikt



In the end of 2015 the Spanish NRA (CNMC) fined the Spanish energy group, Iberdrola, EUR 25m for a breach of Article 5 of RE-MIT. According to the CNMC, Iberdrola had manipulated prices over three weeks starting from 30 November 2013 from its Duero, Sil, and Tajo hydroelectric power plants. Together the three plants account for around half of the country's total hydroelectric capacity.

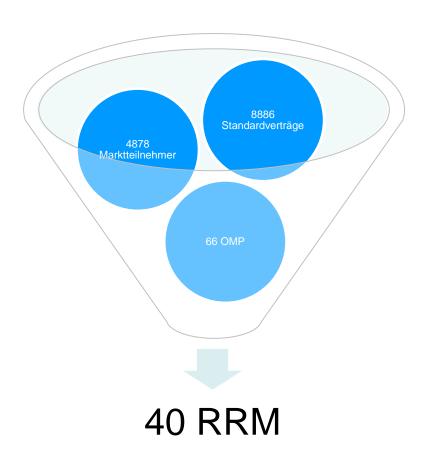
System Operator (TSO), Elering EUR 10 000 for non-compliance with Article 4 obligations. According to the regulator, Elering did not inform the market in "sufficient time" of maintenance work, which would disrupt supply for a longer period than initially expected, on the 650 MW Estlink 2 subsea electricity cable that links Estonia with Finland.

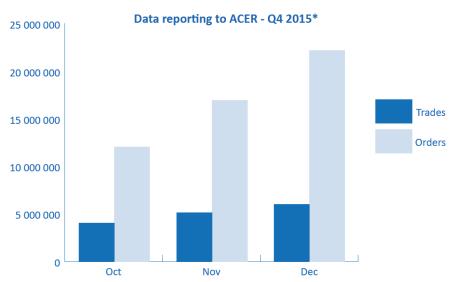


- Datensammlung in der EU
- Überwachung in der EU
- Überwachung und Regionale Kooperation
- Datensammlung in Österreich
- Überwachung in Österreich

# Datensammlung durch ACER







\*The statistics contain only records of transactions, including orders to trade. In addition, the Agency receives additional fundamental data.

Quelle: ACER REMIT Portal



# Überwachung in der EU

Mittlerweile gibt es einen relativ konstanten Bestand von etwa 30 offenen Cases

Großteil der Untersuchungen kommen (noch) durch Hinweise aus dem Markt zustande

Bis vor kurzem war die nationale Umsetzung von REMIT oftmals der Grund, warum Fälle nicht verfolgt werden konnten





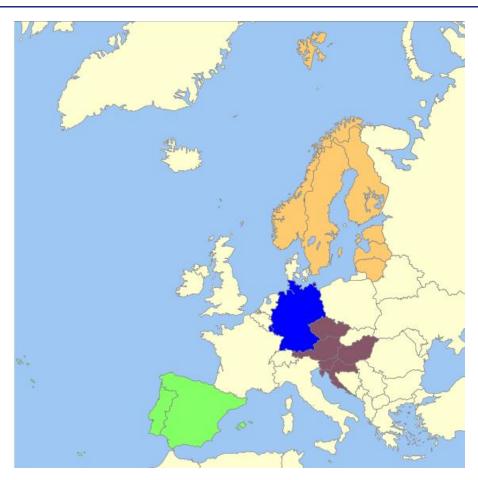
#### **Regionale Kooperation**

Aktuell existieren drei Gruppen von Regulierungsbehörden, die im Monitoring geregelt zusammen arbeiten wollen

ACER ist in die "Gruppenarbeit" eingebunden

ACER organisiert den Informationsaustausch zwischen den Gruppen

Weitere Gruppen sind bereits weit gediehen



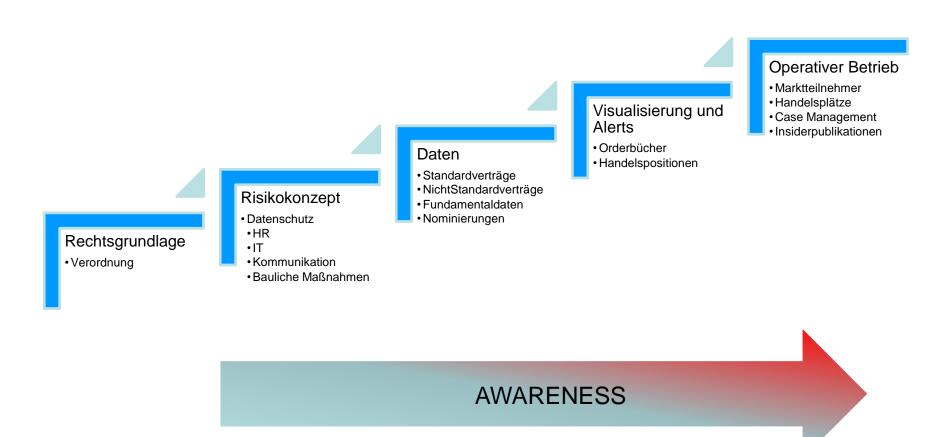
### REMIT in Österreich



- Eigene DatenVerordnung in Österreich
- Auslaufen der Datensammlung, wenn EU operativ
- Datensammlung seit 1.5.2015 für Standardkontrakte und Nominierungen
- Datensammlung seit 1.10. 2015 für NichtstandardKontrakte

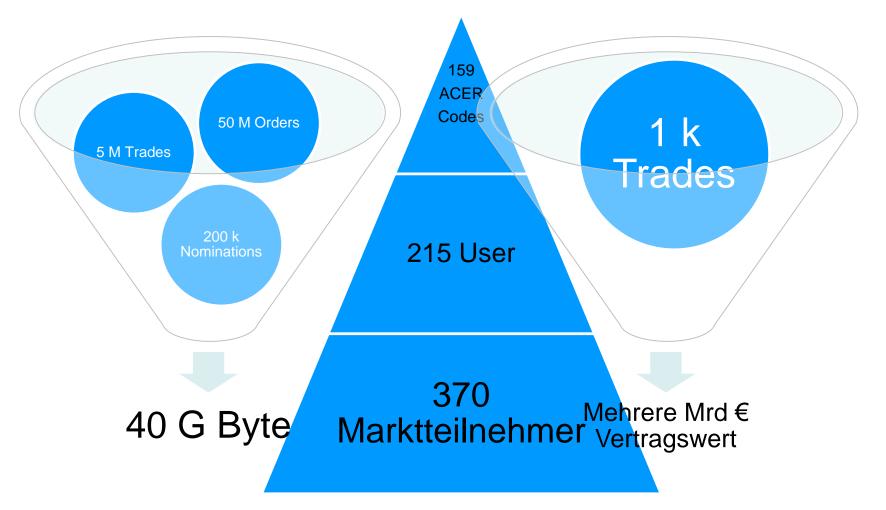
# Projektidee











# E-CONTROL

# Datensammlung in Österreich

#### Erfahrung mit Datensammlung:

"Erstaunlich kooperative Branche": REMIT wird als High-Risk eingestuft→ Ressourcen werden im Unternehmen freigegeben; Bisher etwa 1000 inhaltliche Anfragen abgearbeitet

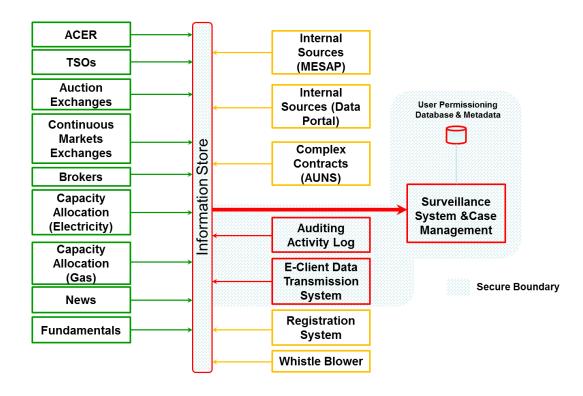
**Standardkontrakte**: Datenqualität im wesentlichen zufriedenstellend; Nachhaken eher im Orderbereich notwendig

**Nicht Standard Kontrakte**: Viele Diskussionen zwischen Marktteilnehmern und Behörde notwendig;

ist das überhaupt ein Vertrag?

- welche Werte sind einzutragen?

- .....



# Überwachung in Österreich



- Factsheets
- "Lästig Sein":
  - Kontakt zu Ansprechpartnern aufbauen
  - Verständnis für interne Abläufe
  - Bei:
    - Marktteilnehmern
    - Handelsplätzen



# Überwachung in Österreich



#### Plan 2016:

- Fine Tuning Standard Alerts
- Entwicklung neuer Alerts
- Integration Fundamentaldaten und Tradingdaten
- Entwicklung von Referenzpreisen für wichtige Orderbücher
- Case Handling standardisieren



#### **Kontakt**

#### **Johannes Mayer**

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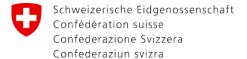


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Eidgenössische Elektrizitätskommission ElCom Commission fédérale de l'électricité ElCom Commissione federale dell'energia elettrica ElCom Federal Electricity Commission ElCom

## **Information on Reporting of Non-Standard Contracts**

Tzvetelina Tzankova, Alex Bohn / ElCom Market Surveillance





## Agenda

- 1. Reporting of Non-Standard Contracts under REMIT
- 2. Reporting of Non-Standard Contracts to ElCom
- 3. Questions





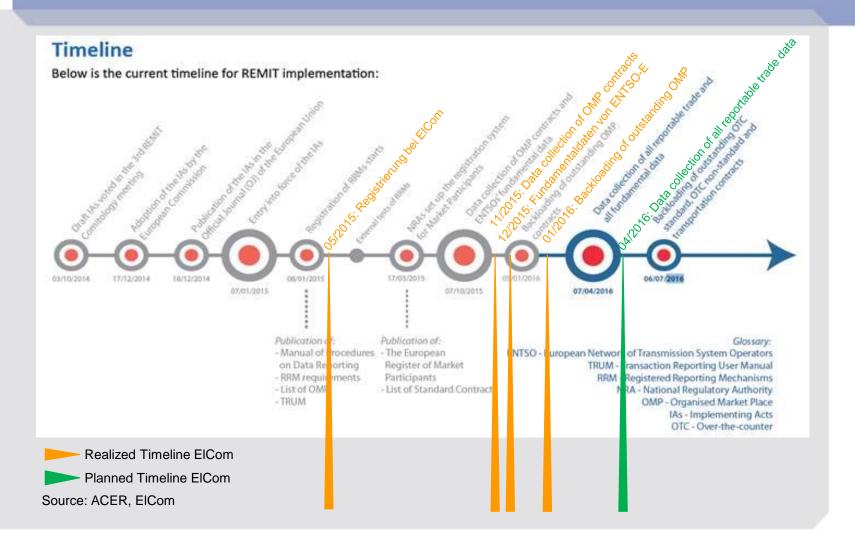
## Agenda

- 1. Reporting of Non-Standard Contracts under REMIT
- 2. Reporting of Non-Standard Contracts to ElCom
- 3. Questions





#### Timeline REMIT Implementation

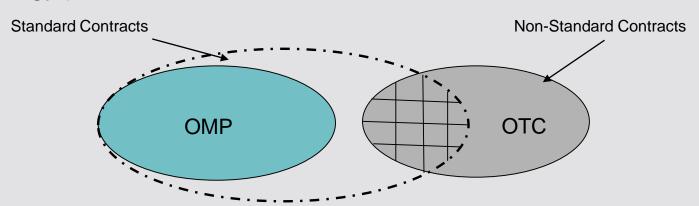




#### Standard vs. Non-Standard Contracts (1)

#### **Distinction** between standard and non-standard contracts:

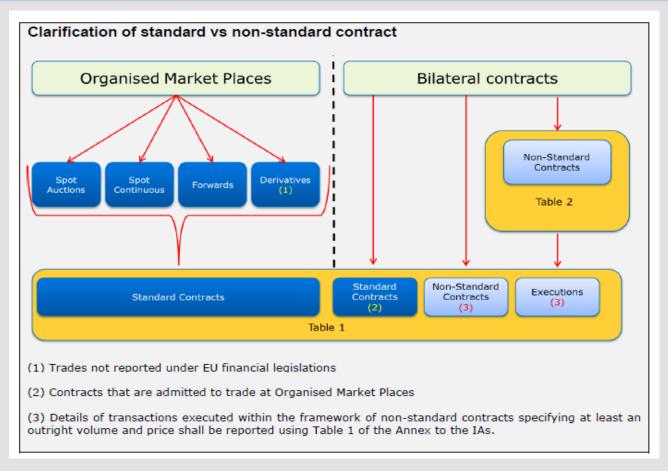
- A standard contract is defined as a contract concerning a wholesale energy product admitted to trading on an organized market place (OMP), irrespective of whether or not the transaction actually takes place at that market place
- A non-standard contract is a contract concerning any wholesale energy product that is not a standard contract



Source: COMMISSION IMPLEMENTING REGULATION (EU) No 1348/2014 of 17 December 2014 on data reporting implementing 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



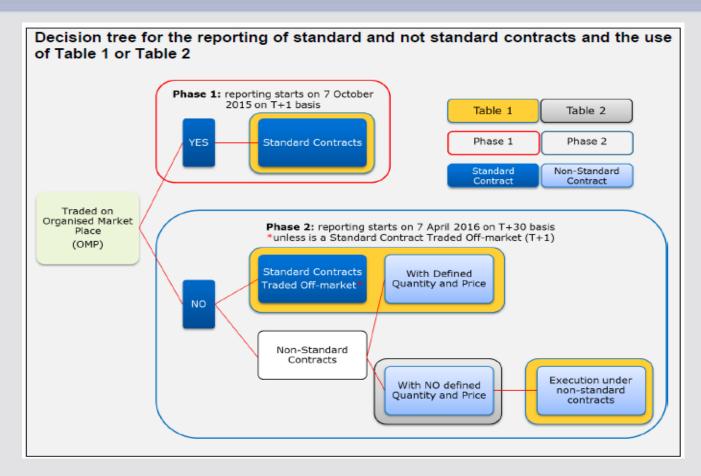
#### Standard vs. Non-Standard Contracts (2)



Source: ACER



#### Transaction Reporting under REMIT



Source: ACER

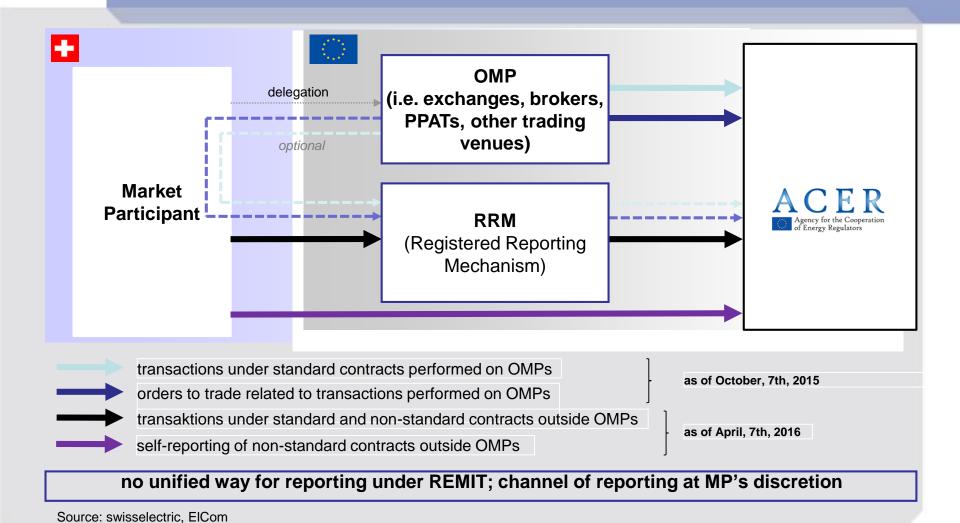


# Transaction Reporting under REMIT (1)

	REMIT Table 1	REMIT Table 2
Deadline begin of SCs reporting: 7th of October 2015	all standard contracts	n/a
Deadline begin of NSCs reporting: 7th of April 2016	<ul> <li>off-venue bilateral contracts admited to trade at an OMP</li> <li>transactions executed within the framework of a non-standard contract specifying at least outright volume and price</li> <li>executions under non-standard contract</li> </ul>	all non-standard contracts and executions under non-standard contracts that do not have defined price and quantity at the time of entering into the contract (volume, price, delivery scenarios or any combination of the three)
When to report?	T+1	T+30
Who is to report?	RRM, OMP	MP and/or RRM



## Transaction Reporting under REMIT (2)





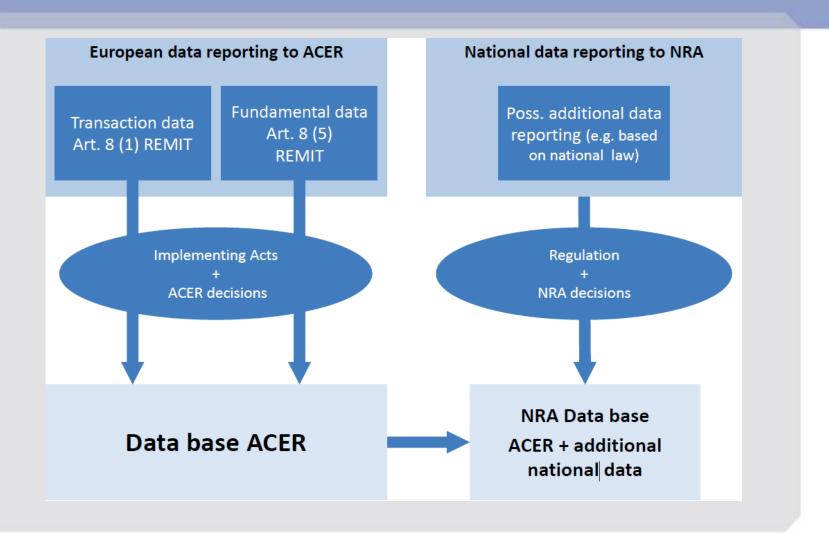
## Agenda

- 1. Reporting of Non-Standard Contracts according to REMIT
- 2. Reporting of Non-Standard Contracts to ElCom
- 3. Questions



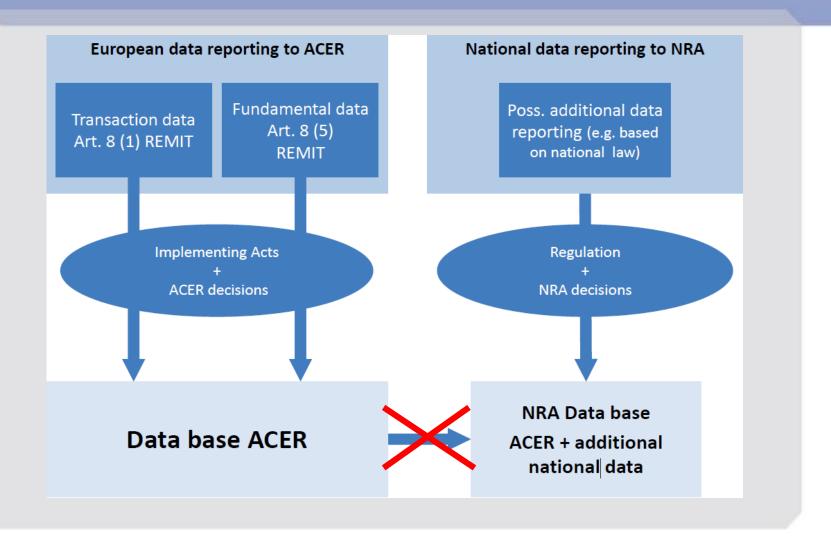


#### Data Exchange ACER - EU NRAs





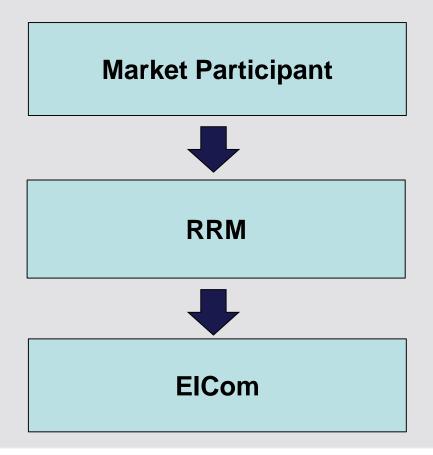
#### Data Exchange ACER - EU NRAs - ElCom





## Transaction Reporting to ElCom (1)

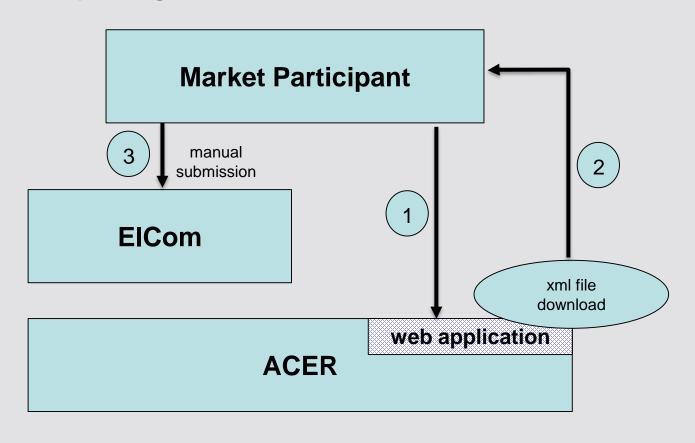
#### 1. Reporting via RRM





## Transaction Reporting to ElCom (2)

#### 2. Self-Reporting





#### Transaction Reporting to ElCom (3)

#### 3. Process of Reporting with EICom

- Registration with ElCom (RegTool)
- Choice of RRM(s)
  - a) RRM already registered with ElCom
  - b) Instruction to RRM to register and connect with ElCom
  - c) Information of the RRM(s) to ElCom within RegTool
- Start data submission of RRM to ElCom



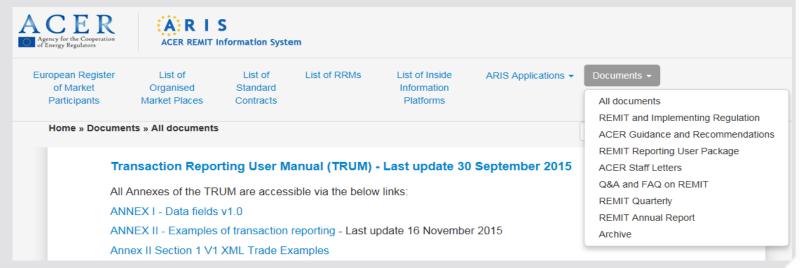
#### Addressees for Questions

• ElCom: <a href="http://www.elcom.admin.ch/themen/00215/index.html?lang=de">http://www.elcom.admin.ch/themen/00215/index.html?lang=de</a>

Email: market.surveillance@elcom.admin.ch

Tel. +41 58 46 18926

- NRA in the country of registration
- ACER: <a href="https://www.acer-remit.eu/portal/document-download?documentId=c274jb186be">https://www.acer-remit.eu/portal/document-download?documentId=c274jb186be</a>
- ACER REMIT Portal:





## Agenda

- 1. Reporting of Non-Standard Contracts according to REMIT
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Thank you for your attention!