

REMIT Delegated Regulation

A Eurelectric consultation response paper

Eurelectric represents the interests of the electricity industry in Europe. Our work covers all major issues affecting our sector. Our members represent the electricity industry in over 30 European countries.

We cover the entire industry from electricity generation and markets to distribution networks and customer issues. We also have affiliates active on several other continents and business associates from a wide variety of sectors with a direct interest in the electricity industry.

We stand for

The vision of the European power sector is to enable and sustain:

- A vibrant competitive European economy, reliably powered by clean, carbon-neutral energy
- A smart, energy efficient and truly sustainable society for all citizens of Europe

We are committed to lead a cost-effective energy transition by:

investing in clean power generation and transition-enabling solutions, to reduce emissions and actively pursue efforts to become carbon-neutral well before mid-century, taking into account different starting points and commercial availability of key transition technologies;

transforming the energy system to make it more responsive, resilient and efficient. This includes increased use of renewable energy, digitalisation, demand side response and reinforcement of grids so they can function as platforms and enablers for customers, cities and communities;

accelerating the energy transition in other economic sectors by offering competitive electricity as a transformation tool for transport, heating and industry;

embedding sustainability in all parts of our value chain and take measures to support the transformation of existing assets towards a zero carbon society;

innovating to discover the cutting-edge business models and develop the breakthrough technologies that are indispensable to allow our industry to lead this transition.

Dépot legal: D/2025/12.105/46

Overall, we welcome the proposal's globally balanced approach for Inside information platforms (IIPs), which better considers costs, benefits and risks for both IIPs and market participants (MPs) and better addresses market-functioning issues.

A positive aspect is the better approach to market-functioning issues. Indeed, the possibility to disclose inside information in a timely and public manner is essential to balance the portfolios of MPs at any time and to hedge their risks on power markets.

We also appreciate that IIPs backups are not considered the sole alternative channel for the publication of inside information (as the backup may easily suffer from the same root-cause failures).

However, the information under Art.17(5) may not be exhaustive at any time and should therefore not be binding for MPs. Websites are acknowledged for example, although the reference to the "IIPs client website" is too restrictive: other alternatives should be admitted, i.e., parent-company website, another IIPs, etc.

Specifically, we propose to amend Article 17(7) as follows: "In the exceptional circumstance where IIP clients have been notified by the IIP of planned maintenance or unplanned downtime or other disruption in accordance with Article 18, or the IIP clients themselves notice that neither the IIP nor its back-up facilities are in operation, or the IIPs do not provide the relevant functions to disclose information in accordance with article 2(1) of Regulation, or in the cases referred to in Articles 32, 38 and 39, the IIP clients shall exceptionally disclose on other channels, including their website, the information they would have disclosed on the IIP, until the IIP or its back-up facilities are restored or propose adequate functions to disclose."

The testing phase proposed by the EC is incomplete since it focuses only on the ability for IIPs to report data to ACER. This testing phase should also include the capacity of IIPs to publish inside information sent to them by MPs, which is the main goal of those platforms.

About orderly substitution, the definition of "exceptional circumstances" should be improved to cover situations in which: (i) IIPs do not have readily available functions to publish all the information MPs need to publish for transparency purposes; (ii) authorization is withdrawn during the orderly substitution phase; (iii) ACER suspends data collection from IIPs and registered reporting mechanisms (RRMs) on a temporary basis (article 32), and MPs consider that the non-compliance with the authorization's requirement framework detected by ACER also compromises the effective and timely publication of inside information.

We support many aspects of the orderly substitution for IIPs in case of withdrawal of their authorization, but we still have concerns about (i) the operational feasibility and legal compliance about the transfer of information from an IIP to another and (ii) the consideration of both IIPs and MPs effective constraints and practices

On the disclosure of inside information, it should be clarified that IIPs are not in a position to refuse publication. IIPs should not introduce specific validation or publication rules without prior consultation with their MP clients and ACER. Any rule or procedure impacting the publication or correction of inside information reports should be validated by ACER and communicated transparently to all market participants. It is crucial to ensure that IIPs and RRM cannot in any way modify or suspend the disclosure of information submitted by MPs.

On the obligation to provide IIP services on a reasonable commercial basis, the following issues are critical and should be granted: proportionality; no asymmetric measures; effective ACER surveillance of IIPs fees; no barrier to entry on the energy market or to develop IIPs services.

We also ask to remove ACER's possibility to request information from IIPs and RRM's regarding market participants (Art.30).

Eurelectric pursues in all its activities the application of the following sustainable development values:

Economic Development

- Growth, added-value, efficiency

Environmental Leadership

- Commitment, innovation, pro-activeness

Social Responsibility

- Transparency, ethics, accountability



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Supporting comments to the feedback on REMIT Delegated Regulation

Monday, September 15th, 2025

General feedback

Overall, we welcome the proposal's globally balanced approach for Inside information platforms (IIPs), which better considers costs, benefits and risks for both IIPs and market participants (MPs) and better addresses market-functioning issues.

A positive aspect is the better approach to market-functioning issues. Indeed, the possibility to disclose inside information in a timely and public manner is essential to balance the portfolios of MPs at any time and to hedge their risks on power markets.

We also appreciate that IIPs backups are not considered the sole alternative channel for the publication of inside information (as the backup may easily suffer from the same root-cause failures).

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Definition of “IIP Client” (article 2.3)

“IP client’ means market participants and authorities competent for emergency planning referred to in Article 3(4), point (c), of Regulation (EU) No 1227/2011, on whose behalf an IIP publishes information and submits inside information reports to the Agency”

“IIP client” seems to refer only to entities that disclose inside information. This might be too restrictive and overlook other entities (journalists; other authorities, e.g., nuclear safety authorities) that may not have a contract with an IIPs for the disclosure of information, but may still need to timely publish an information.

How to ensure that these entities fall under the definition of “IIP client” and are enabled to publish on IIPs?

Articles 38 and 39 on orderly substitution / case of withdrawal

“As per the revised REMIT, the period for orderly substitution, i.e. the period within which the withdrawing entity redirects the flow of data and information to the newly selected reporting entity (be it an IIP or a RRM), must be at least six months but may be longer or shorter in exceptional circumstances, as explained in the proposed delegated regulation.”

This provision may be a positive compromise for IIP/RMM, but may still put pressure on market participants (ie, clients), for which it might be more time-consuming to transfer all publication processes and systems to another platform. It can in fact be rather difficult and lengthy for market participants to find a IIP in Europe equipped with all adequate services to publish all relevant transparency information. Not to mention the whole IT development on both sides.