

Implementation of REMIT in the Energy Community

Energy Community Secretariat, Am Hof 4, Level 6, 1010 Vienna
16 May 2018

Meeting material is available at: <https://www.energy-community.org/> - events (check the relevant event by date)

Meeting Summary

- (1) The Energy Community Secretariat ('Secretariat') welcomed the participants.
- (2) The group approved the agenda of the meeting.
- (3) The group approved the summary of the meeting of 9 April 2018.
- (4) The group agreed on the following text adjustments:
 - Article 9:
 - Reflecting a comment of AERS, a phrase shall be included that registration has to be made not only in the Contracting Party where a trader is established but also in the Contracting Party where the wholesale supply takes place or is planned to take place. Having in mind the lack of a centrally administered register comparable to the one of ACER on EU level¹, national regulators would otherwise miss an overview of traders active in their market.
 - At the same time, it was agreed to include a provision encouraging ECRB to compile and make publically available a common list of all registrations in Contracting Parties. Reference was however made to the limits of such exercise with growing frequency of update of national registrations that might, finally, require communicating IT solutions.
 - Article 16(4) lit c
 - Was re-included following the remark of ERC that otherwise the reference to said provision in paragraph 5 last sentence would lack basis.
 - AERS noted that any decisive role of ECRB would require re-organisation of ECRB into a more permanent and sufficiently staffed body. The Energy Community Secretariat ('Secretariat') in principle agreed but highlighted that the role foreseen for ECRB in Article 16(4) lit c would be a purely coordinating but not a decision making role.
 - Participants agreed to keep the coordination function foreseen for ECRB under Article 16(4) lit c but decided to develop a common proposal of how to best integrate this new activity in the ECRB work (e.g. via a new TF/WG) and discuss a related first proposal at the next meeting.
 - AERS also noted that the role foreseen for ECRB in Article 16(4) lit c would exceed its current competences under the Energy Community *acquis communautaire* ('acquis'). The Secretariat explained that new competences can be attributed to ECRB with the incorporation of relevant legislative acts in the acquis.

¹ Under the „REMIT light“ concept.

- (5) The group agreed on the adapted version of the REMIT Regulation subject to the adjustments listed in paragraph (4).
- (6) As regards transposition of the REMIT Regulation, the group agreed to leave the final decision on the transposition and implementation deadline as well as the transposition modus for decision of the PHLG; namely, transposition may be accomplished by building on existing competences of national regulators without change of primary legislation in some Contracting Parties.

Next steps:

- Secretariat to provide agreed adapted version including a meeting summary
- The group to discuss at the next meeting a proposal for a common proposal of how to best integrate this new activity in the ECRB work (e.g. via a new TF/WG).

List of participants

| SURNAME | NAME | ORGANISATION |
|---------------------|-------------|--|
| Brkic-Vukovjlak | Milica | SERBIA - AERS |
| Gnutovsko | Viktoria | UKRAINE – Ministry of Energy |
| Kalemi | Gledis | ALBANIA - ERE |
| Knezevic | Branka | BOSNIA AND HERZEGOVINA – Ministry of Energy |
| Martinoski | Martin | ERC – fYR of Macedonia |
| Morina | Luan | KOSOVO* - Ministry of Energy |
| Mujcinagic | Alija | BOSNIA AND HERZEGOVINA – SERC |
| Nemyrovskiy | Andrii | UKRAINE – Ukrenergo |
| Nikaj | Ela | ALBANIA - ERE |
| Riger | Jaksa | MONTENEGRO – RAE |
| Fejzullahis | Ymer | KOSOVO* - ERO |
| Baboyan | Yelena | ARMENIA – PSRC |
| Zherebets | Nataliia | UKRAINE – NEURC |
| Grall-Edler | Nina | ECS |
| Marsenic Maksimovic | Branislava | ECS |
| Kllokoqi | Arben | ECS |