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ACER – Agency for the Cooperation of Energy Regulators

Public Consultation Paper (PC_2013_R_06): Publication of extracts of the European register of market participants

OPINION RELATED TO THE PUBLICATION OF OF EXTRACTS OF THE EUROPEAN REGISTER OF MARKET PARTICIPANTS

First of all, a lot of thanks to ACER (Agency for the Cooperation of Energy Regulators) organising this very interesting public consultation.

Energy market integrity and transparency is very important issue and it has straight consequences to private citizens.

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Annex 1 holds information about previous opinions in the EU level.

Annex 2 holds information about disclaimers and copyright.

With Kind Regards,

Jukka S. Rannila
citizen of Finland

signed electronically

42

43 1. General: Previous consultation of the REMIT registration format

44

45 I gave earlier an opinion (7 May 2012) related to the REMIT registration format, and this opinion is
46 on the following web page address:

47

48 EN: Opinion 34: REMIT Registration Format

49

http://www.jukkarannila.fi/lausunnot.html#nro_34

50

51 (REMIT: Pursuant to Article 9(3) of Regulation (EU) No 1227/2011 of the European Parliament
52 and of the Council of 25 October 2011 on wholesale energy market integrity and transparency)

53

54 SO, in this Opinion there should be some new insights related the publication of extracts of the
55 European Register of market participants.

56

57 2. A quick analysis of the ACER decision n° 01/2012

58

59 In section (5) there is mentioning about unique identifier (the “ACER code”), and I advocated this
60 approach in my Opinion (7 May 2012).

61

62 I also advocated use of unique identifiers from other (external) registers, and there is mentioning
63 about the some identifiers mentioned: .e.g. VAT number, EIC, LEI, GS1, Trade register number.

64

65 Generally speaking, using information from different registers / databases and combining the
66 gathered information will result some added value. In practical reality, the ACER code can be used
67 in several systems outside of the European Register.

68

69 It must be mentioned, that the European Commission (DG CONNECT, Unit G3) has organised a
70 consultation about guidelines on recommended standard licences, datasets and charging for the re-
71 use of public sector information.

72

73 The web page for this consultation is following:

74

<https://ec.europa.eu/digital-agenda/en/news/consultation-guidelines-recommended-standard-licences-datasets-and-charging-re-use-public>

75

76 In practical terms, providing publication of extracts of the European Register of market participants
77 is one form distributing public sector information.

78

79 It is good to notice that in section (8) there is mentioning, that possibly the REMIT registration
80 format can be reviewed based on the experience of using the ACER databases / system(s).

81

82 3. General notes of the European Register

83

84 There is several mentions about the European Register, but the implementation of this European
85 Register is somewhat unclear in this phase.

86

87

88 I have to reiterate again (cf. Opinion dated 7 May 2012) the maximum solution for the European

89 Register:

90 * ACER owns the machinery and processor of the information system

91 * the machinery and processor are based on relevant open standards

92 * the operating system is based on an open-source solution

93 * ACER owns the source code of the information system

94 * ACER owns the database of the information system

95 * the database is based on open-source solution and on relevant open standards.

96

97 Naturally ACER can use technologies, which are developed in an open environment, but these open
98 technologies can be the base for actual solutions with direct ownership.

99

ACER will most probably face a fierce resistance from several stakeholder groups when/if ACER is demanding total ownership of the whole information system.

102

It can be said, that customer's total ownership of the information system is somehow non-understandable for some ICT persons.

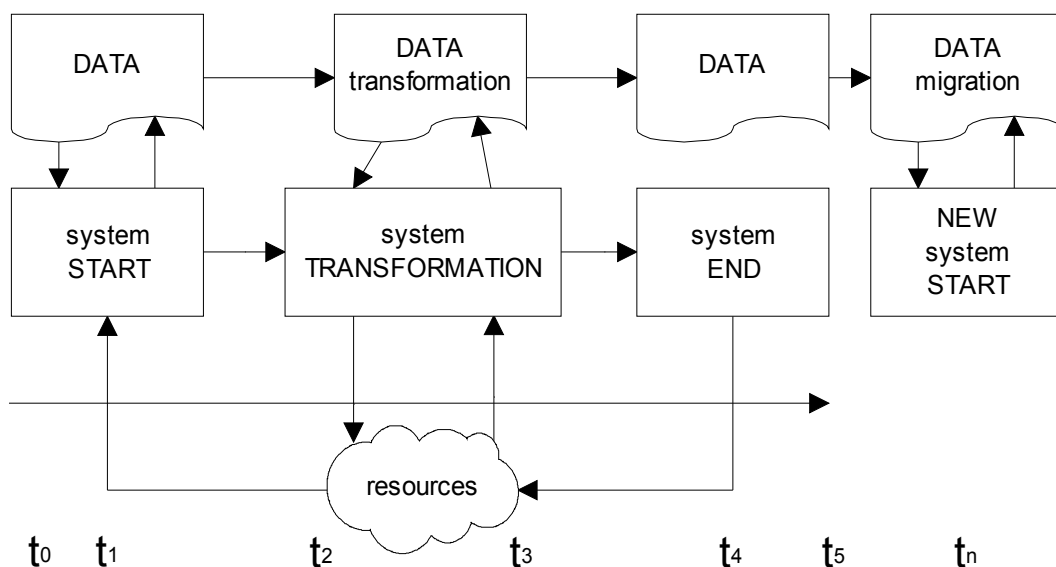
106

107 Therefore the technological implementation of a (new) European Register should be totally
108 controlled by ACER, and the providers of different technologies should not create any technological
109 lock-ins for ACER.

110

111 The data in European Register should be totally controlled by ACER in all phases of the life cycle
112 of the European Register.

113



114

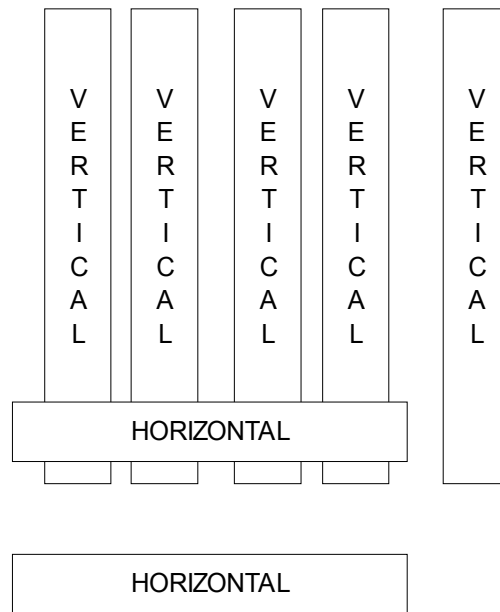
115

116 Like the figure above indicates, there is a life cycle for different information systems, when the data

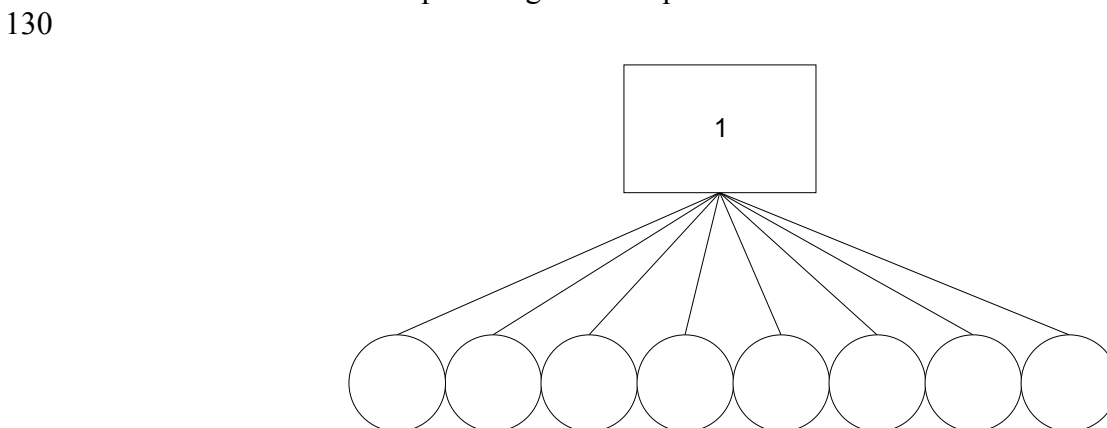
117 in the system changes and the systems is technologically changed during the life cycle of the
118 European Register.

119
120 Generally speaking, usage of open standards and open technologies can result longer life cycle for
121 the European Register.

122
123 **4. The European Register needs to be a horizontal information system**
124



125
126
127 The issue of horizontal information system was not fully elaborated in the previous opinion (7 May
128 2012). According to my understanding, the European Register will collect information from several
129 stakeholders and the European Register will provide information to several stakeholders.



131
132
133 Therefore, there is a need for several interfaces to serve external systems / stakeholders. In the
134 decision n° 01/2012, there are CSV and XML mentioned as a way to transfer information from the

135 national registers. I would differentiate following interface need:

136

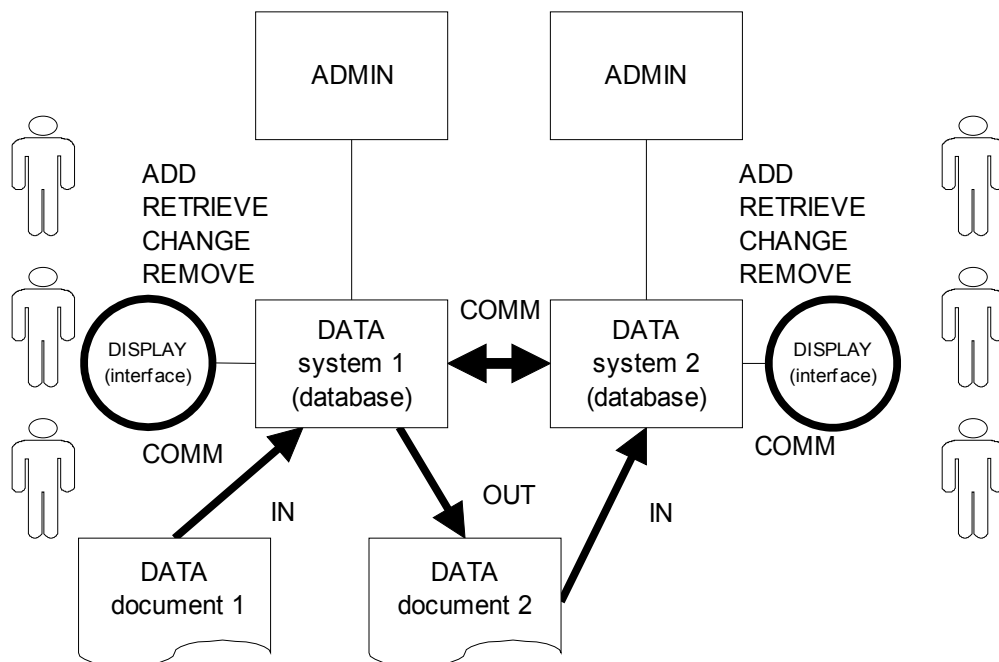
137 * direct system-to-system connection

138 * interfaces based on transmitting documents between different systems.

139

140 CSV and XML are for transmitting documents between the different systems. We can present once
141 more the following figure.

142



143

144

145 What all this means in practice?

146

147 1) ACER could consult different stakeholders, and their need for direct system-to-system
148 connections

149 2) ACER could consult different stakeholders, and their need for transmitting different
150 documents between different systems.

151

152 The mentioned CSV and XML can be one solution, but there are also other options. In practice,
153 different stakeholders have their own systems, which may be very cumbersome, and the usage CSV
154 or XML are not implemented in some systems. In reality, the proposed European Register should
155 work several years / decades. The technological reality is, that there will be need for new interfaces
156 during the life cycle.

157

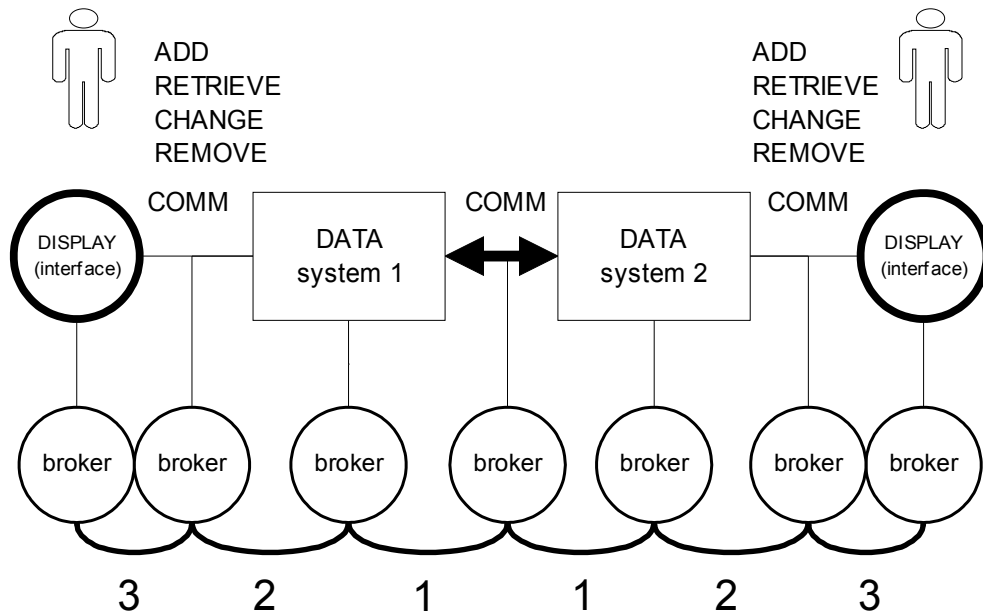
158 5. Layered systems / different brokers

159

160 Like mentioned in the previous opinion (7 May 2012), there is an actual need for several
161 identifiers, and the ACER code is another needed identifier. And the usage of the ACER code can be

162 used by several stakeholders / systems. One interesting phenomenon is, that there can be different
 163 brokers or trusted third parties.

164



165
 166

167 In reality, the extracts of the European register are just one part of creating added value for different
 168 stakeholders. When the data from several systems are combined, there can be very sophisticated
 169 information services.

170

171 **6. Analysis of the Annex 1 of the ACER decision n° 01/2012**

172

173 I advocated in the in the previous opinion (7 May 2012), that ACER could present a proposed
 174 database structure, and there could be a consultation about the database structure.

175

176 Annex 1 of the ACER decision n° 01/2012 is very good starting point for further analysis.

177

178 **Section 1: Data related to market participant**

179

180 **Analysis of field 101:**

- 181 * companies constantly buy and sell parts of different operations
- 182 * the name of a company (Market Participant) can change
- 183 * the history of name changes may be relevant in the long run
- 184 * should the name changes be recorded?
- 185 * the system must work when there are name changes for market participants

186

187 **Analysis of fields 112, 113, 114, 115, 116, 117 and 118**

188

189 It seems, that these field are based on actual reality, since there is a need for communication

190 between different systems.

191

192 **However**, there must be always a possibility to add new external identifiers. I suppose, that the
193 European Register should work several years / decades. My analysis is, that there can be developed
194 new systems outside of the European Register, and in some cases those new systems may mean new
195 external identifiers.

196

197 **New Proposal – Field 126: Historical data**

198 * I propose a new field 126

199 * Free text, alphanumerical

200

201 In reality, the real data to be added is always somewhat murky. This means, that there is a need for a
202 field for free-form text data field, which can contain all kinds of free-form historical data.

203

204 Eg. in **Finland** in the electronic medical prescription (e-Resepti ¹) one important field is only 50
205 characters. In reality, it could have been eg. free text (alphanumerical). Therefore, the proposed
206 European Register could contain free-form **historical data** field (free text, alphanumerical). My
207 initial analysis is, that there will be need for different historical data related to market participants.

208

209 **Field 103: Legal form**

210

211 **Proposal:** This could be a selection from pre-determined values.

212

213 The following Wikipedia article is very revealing

214 http://en.wikipedia.org/wiki/Types_of_business_entity

215 There are several types of legal forms in the European Union member states.

216

217 Eg. in the Finnish context the pre-determined values could be following:

218 FI-1: general partnership

219 FI-2: limited partnership

220 FI-3: minimum share capital

221 FI-4: public limited company

222 etc.

223

224 **Section 2: Data related to natural persons**

225

226 **New Proposal – Field 215: Historical data**

227 * I propose a new field 215

228 * Free text, alphanumerical

229

230 Here is the same need for historical data, since there can be several changes during the usage of the
231 European register.

232

233 **Section 3: Data related to ultimate controller**

1 <http://www.kanta.fi/en/eresepti-esittely>, electronic prescription

234

235 New Proposal – Field 321: Historical data

236 * I propose a new field 321

237 * Free text, alphanumerical

238

239 Here is the same need for historical data, since there can be several changes during the usage of the
240 European register.

241

242 Section 4: Data related to corporate structure

243

244 New Proposal – Field 321: Historical data

245 * I propose a new field 321

246 * Free text, alphanumerical

247

248 Here is the same need for historical data, since there can be several changes during the usage of the
249 European register.

250

251 Section 5: Data related to delegated parties

252

253 New Proposal – Field 506: Historical data

254 * I propose a new field 506

255 * Free text, alphanumerical

256

257 Here is the same need for historical data, since there can be several changes during the usage of the
258 European register.

259

260 Issues raised in the consultation document (PC_2013_R_06)

261

262 In the consultation paper (PC_2013_R_06) is a list of consultation issues. Here are some
263 observations based on the questions.

264

265 **1.a)** Most likely there will be new usage ideas for the European Register, since the life of the
266 European Register will be year/decades. My analysis, that there can be need for some new fields in
267 the European Register

268

269 **1.b)** The fields 108-111 are necessary, and there can be several changes, which are relevant to
270 different stakeholders.

271

272 **1.c.)** The field 113-116 are necessary, and there can be several changes, which are relevant to
273 different stakeholders.

274

275 **1.d)** At the moment, we can not foresee all possible (new) usage ideas for the information in
276 European Register. The added value for different stakeholder can be using identifiers from several
277 system, and ACER code is one important identifier.

278

279 **2.a)** Like said before, we can not foresee all possible (new) usage ideas for the information in
 280 European Register. Therefore ACER can consult different stakeholders and gather new usage ideas
 281 for the European Register.

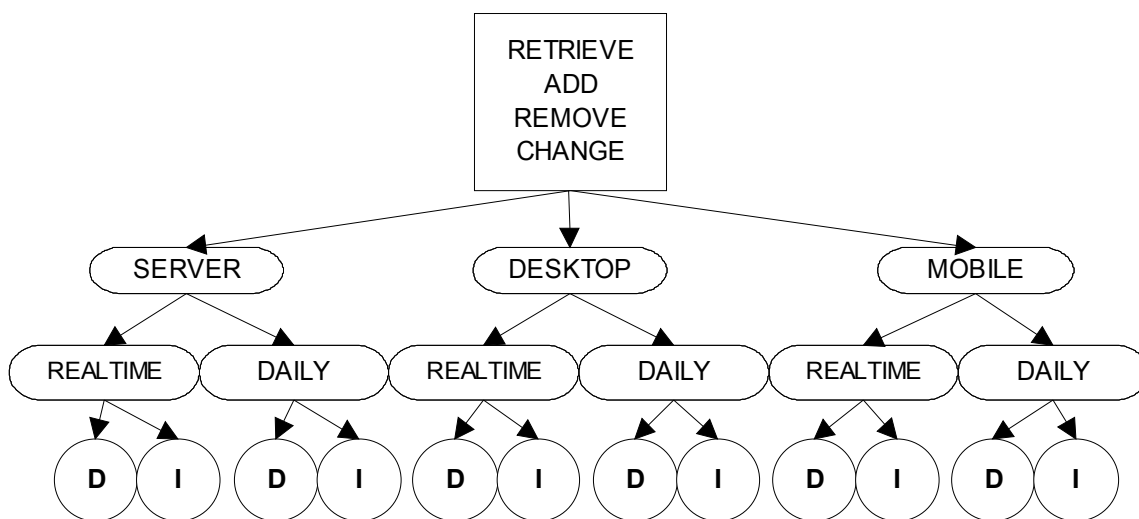
282
 283 **2.b.)** As a general note we can assume, that the information in the European Register could be
 284 transparent, and extracts from the European Register should be easy to use outside the European
 285 Register. Naturally, the level of publicity must be carefully assessed.

286
 287 **Generally: there is need for different feeds from the European Register**

288
 289 Here I have reiterate again (cf. Opinion dated 7 May 2012) different information feeds from the
 290 systems. One on of the most used information feed is naturally RSS, and especially the ² version
 291 2.0. ACER could provide different RSS feeds based on the current information needs after
 292 consulting different stakeholders.



293
 294
 295
 296 Like said before, different stakeholders have their own information systems, which can be very
 297 cumbersome and/or antiquated. Here is yet another way for describing information (feed) needs.
 298 Four basic functions: Retrieve, Add, Remove, Change. In the current information technology
 299 environment there are .e.g following information system: server, desktop and mobile systems.
 300



(D = Display, I = Interface)

301
 302
 303
 304 Each of these functions can mean real-time system or e.g. systems updated daily. Like said earlier,

² <http://www.rssboard.org/rss-specification>, RSS 2.0 Specification

305 there can be very cumbersome and/or antiquated (customer) systems. This means, that ACER could
306 gather information needs from different stakeholders, which could be using the European Register.

307

308 Generally speaking, users can be divided e.g. into different classes:

309

310 * heavy users – e.g. using the system daily or several times in a day

311 * casual user – not using daily but monthly

312 * other users – e.g. using system sometime not daily/monthly

313

314 So, there can be different user interfaces for different user classes.

315

316 **Need for new consultations?**

317

318 This consultation was very important and interesting.

319

320 The next phase can be implementing the European Register. Therefore, I propose a consultation
321 based on the actual implementation of the European Register. There could be two versions of the
322 implementation: the test system(s) and the actually implemented system. The test system could be
323 tested by interested stakeholders, and there can be several testing possibilities.

324

325 Generally speaking, there are two schools for implementation procedures:

326

327 1) Explicating the concepts (fields) first.

328 2) Creating the interfaces first.

329

330 In this case, ACER has selected parts of the first option, and there is nothing wrong with that option.

331 When the concepts are finally explicated, e.g. based on this consultation, there can be several
332 options for interfaces.

333

334 I would advocate, that different stakeholders could propose different interface proposals based on
335 the finally selected concepts (fields). Then those interface proposals could be critically assessed,
336 and there can be different interfaces based on the user classes. Naturally, user interface experts can
337 be consulted, and that is one option.

338

339 **Good luck!!!!**

340

341 Information technology is never easy, and this consultation is just part of the complexity, which will
342 be there, when actually implementing the European Register. The journey will be most probably
343 somewhat unexpected, but consulting seasoned experts in right points of the decision chain might
344 be a feasible option.

345

346

ANNEX 1

347

348 My opinions to the previous and relevant consultations – there consultations were mostly organised
349 by the Commission of the European Union.

350

351 General page to all consultations – both in English and in Finnish:

352 <http://www.jukkarannila.fi/lausunnot.html>

353

354 EN: Opinion 1: Review of the rules on access to documents

355 http://www.jukkarannila.fi/lausunnot.html#nro_1

356

357 EN: Opinion 2: Schools for the 21st Century

358 http://www.jukkarannila.fi/lausunnot.html#nro_2

359

360 EN: Opinion 3: The future of pharmaceuticals for Human use in Europe- making Europe a Hub for
361 Safe and Innovative medicines

362 http://www.jukkarannila.fi/lausunnot.html#nro_3

363

364 EN: Opinion 5: Consumer Scoreboard, Questionnaire for stakeholders

365 http://www.jukkarannila.fi/lausunnot.html#nro_5

366

367 EN: Opinion 6: Consultation on a Code of Conduct for Interest Representatives

368 http://www.jukkarannila.fi/lausunnot.html#nro_6

369

370 EN: Opinion 8: European Interoperability Framework, version 2, draft

371 http://www.jukkarannila.fi/lausunnot.html#nro_8

372

373 EN: Opinion 9: CAMSS: Common Assessment Method for Standards and Specifications, CAMSS
374 proposal for comments

375 http://www.jukkarannila.fi/lausunnot.html#nro_9

376

377 EN: Opinion 15: Collective Redress

378 http://www.jukkarannila.fi/lausunnot.html#nro_15

379

380 EN: Opinion 17: Opinion to Antitrust Case No. COMP/C-3/39.530

381 http://www.jukkarannila.fi/lausunnot.html#nro_17

382

383 EN: Opinion 18: Opinion Related to the Public Undertaking by Microsoft

384 http://www.jukkarannila.fi/lausunnot.html#nro_18

385

386 EN: Opinion 19: Official Acknowledgement by the Commission

387 http://www.jukkarannila.fi/lausunnot.html#nro_19

388

389 EN: Opinion 20: SECOND Opinion Related to the Public Undertaking by Microsoft

390 http://www.jukkarannila.fi/lausunnot.html#nro_20

- 391
392 EN: Opinion 21: Opinion about the European Interoperability Strategy proposal
393 http://www.jukkarannila.fi/lausunnot.html#nro_21
394
395 EN: Opinion 23: Public consultation on the review of the European Standardisation System
396 http://www.jukkarannila.fi/lausunnot.html#nro_23
397
398 EN: Opinion 27: Public Consultation on the Modernisation of EU Public Procurement Policy
399 http://www.jukkarannila.fi/lausunnot.html#nro_27
400
401 EN: Opinion 28: Consultation on the Europe 2020 Project Bond Initiative
402 http://www.jukkarannila.fi/lausunnot.html#nro_28
403
404 EN: Opinion 30: Internet Filtering
405 http://www.jukkarannila.fi/lausunnot.html#nro_30
406 NOTE: Organised by the European Committee for Standardization (CEN) ³
407
408 EN: Opinion 32: COMP/C-3/39.692/IBM – Maintenance services
409 http://www.jukkarannila.fi/lausunnot.html#nro_32
410
411 EN: Opinion 34: REMIT Registration Format
412 http://www.jukkarannila.fi/lausunnot.html#nro_34
413 NOTE: Organised by The Agency for the Cooperation of Energy Regulators (ACER) ⁴
414
415 EN: Opinion 35: Exploiting the employment potential of the personal and household services
416 http://www.jukkarannila.fi/lausunnot.html#nro_35
417
418 EN: Opinion 37: CASE COMP/39.654 - Reuters instrument codes
419 http://www.jukkarannila.fi/lausunnot.html#nro_37
420
421 EN: Opinion 39: Registry options to facilitate linking of emissions trading systems
422 http://www.jukkarannila.fi/lausunnot.html#nro_39
423
424 EN: Opinion 40: Media Freedom and Pluralism / audiovisual regulatory bodies
425 http://www.jukkarannila.fi/lausunnot.html#nro_40
426
427 EN: Opinion 41: AT.39398: observations on the proposed commitments
428 http://www.jukkarannila.fi/lausunnot.html#nro_41
429
430 EN: Opinion 42: Opening up Education
431 http://www.jukkarannila.fi/lausunnot.html#nro_42

3 <http://www.cen.eu/> (Accessed 2 July 2012)

4 <http://www.acer.europa.eu/> (Accessed 2 July 2012)

432

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474

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475



5 Based on the Finnish three-party system there is a phenomenon called extreme-centre in Finland. The 2011 parliamentary elections in Finland challenge the three-party system, since three "old" parties were not traditionally as the three largest parties. The is now a "new" party as the third largest party. We all must remain being interested about this new development in Finland.