

To:

Commissioner Oleksandr Formagei

CC:

Nataliya Zherebets, NEURC

Yaroslav Ihnatenko, Energy Community Secretariat

Arben Klllokoqi, Energy Community Secretariat

Andrej Juris, Energy Community Secretariat

Request for updates on implementation of REMIT in Ukraine.

With this short communication **Energy Traders Europe would like to request an update from NEURC on the ongoing work regarding the amendments to the Procedure for Registration of Wholesale Energy Market Participants.**

As per our previous communication¹ on the matter we appreciate the ongoing effort of NEURC to align with the EU acquis and amendment proposals that have been tabled to address some of our concerns. Nonetheless, we note that **the proposed approach still deviates from the practice established in the EU and that our Members still lack clarity on the requirements that are set to apply**, particularly in view of the upcoming deadline.

In particular we would still appreciate clarity in terms of:

- Intended exemption scope under art. 1.4 i.e. whether companies acquiring capacities during primary auctions and/or nominating gas flows are still expected to register. In particular, we would appreciate if NEURC could clarify the intended approach to companies trading gas at the border in order to store it under the customs warehouse regime.
- Whether trading gas at the border (e.g. with the delivery point at the exit from the EU) is subject to reporting by non-resident companies.
- Whether export transactions from Ukraine should be reported given that no such obligations exist under EU acquis.
- Whether intragroup transactions are still expected to be reported
- Whether the backloading scope is still expected to cover a period before 2nd July 2024 even though no official rules on reporting scope were known at the time

In addition, we noted that recently NEURC adopted further amendments to the aforementioned procedure, which, in our understanding, would translate into an obligation to report on all individual hours of fulfilled deliveries under a concluded agreement. If this is correct, we note that particularly for non-residents, such new

¹ Our consultation response dated 22.11.2024 may be found here: <https://www.energytraderseurope.org/documents/comments-on-the-procedure-to-register-ation-wholesale-energy-market-participants/>

requirement would become unbearable and have an extremely negative impact on the attractiveness of the Ukrainian energy market.

Given the urgency of our request, **we would appreciate if we could organize an online meeting with NEURC to clarify the outstanding issues** and ensure trading entities are compliant with the rules in force. We would be happy to facilitate such meeting at your earliest convenience.

Contact

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