

In 2019 in Ukraine, a new electricity market model was launched in line with EU rules. At the same time, Ukrainian energy market models have their specifics, which have been caused, among other things, by a desire to mitigate the impact of dramatic changes in energy market rules on the least protected participants and consumers. Legislation governing energy markets is constantly evolving. To meet international obligations under the Association Agreement with the EU, Ukraine strives to bring it closer to European legislation.

In addition, Ukraine is a Contracting Party of the Energy Community, within the framework of which a number of obligations to implement European rules into national legislation should also be fulfilled. One such obligation within the Energy Community is the implementation of the adopted Regulation (EU) No. 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency. The EU Regulation is also known as “REMIT” or “REMIT full” and it establishes rules for preventing and combating abuses (manipulation, improper use of insider information) in the wholesale energy (electricity and gas) market. REMIT was adapted by the Decision of the Ministerial Council of the Energy Community D/2018/10/MC-EnC of 29 November 2018. The adopted by the Energy Community version of REMIT is also known as “REMIT light”.

The REMIT version adopted by the Energy Community for Contracting Parties (the so-called REMIT light version) provides for exclusion of some rules of REMIT full (e.g. requirements for the collection and exchange of data, reporting on wholesale energy markets, interaction with the Agency for the Cooperation of Energy Regulators (ACER)).

Considering the above, National Energy and Utilities Regulatory Commission (the “NEURC”) — Ukrainian Regulator in the energy sector approved Procedure for registration of wholesale energy market participants by resolution No. 1812 dated 04.10.2023.

In accordance with the specified Procedure, all registered participants intending to participate in the auctions for the allocation of cross-border capacity on the borders of UA-PL, UA-SK and UA-HU, conducted by JAO, must register with the NEURC as a participant of the wholesale energy market with the receipt of ECRB code until 01.04.2024.

We ask registered participants to register as a participant of the wholesale market by submitting the relevant documents to NEURC in order to fulfill the requirements of the energy legislation of Ukraine.

The Procedure for registering participants of the wholesale energy market can be found at the link – <https://zakon.rada.gov.ua/rada/show/en/v1812874-23?lang=en#Text>.

The detailed information regarding registration can also be found at NEURC website: <https://www.nerc.gov.ua/dobrochesnist-ta-prozorist-remit/rejestraciya-uchasnikiv-optovogo-energetichnogo-rinku>.