



Shell Energy Europe

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ERGEG
European Regulators' Group for Electricity and Gas
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Dear Sir or Madam,

ERGEG Public Consultation Draft Comitology Guideline on Fundamental Electricity Data Transparency

The following comments are offered on behalf of Shell Energy Europe Limited, London, and affiliated companies in the Royal Dutch/Shell Group ('Shell'), who collectively trade as 'Shell Energy Europe' (SEEL) and who comprise the European gas, power and CO2 marketing and trading businesses of Shell.

We appreciate the opportunity to provide comments on the ERGEG Consultation Paper on the Draft Comitology Guideline on Fundamental Electricity Data Transparency.

In addition, we intend to contribute to the ERGEG consultation on 'existing transparency requirements for natural gas' and we support the recognition that a distinction has to be made between gas production and electricity generation markets and that requirements for transparency are assessed separately.

Shell Energy Europe is responsible for the power supply of several Shell sites in Germany and has established a successful trading business. We are a registered participant at the EPEX Spot exchange (and predecessors) for all markets (Germany/ Austria, France and Switzerland) since 2003. In addition, SEEL has trading activities at exchanges in The Netherlands, Austria, Spain, Belgium and Scandinavia (Nordpool).

We would like to comment on the opaqueness surrounding the sale of renewable sources (so called 'EEG Strom') in the German EPEX Spot and Intraday market. We previously raised these issues in our response to a consultation with the German Regulator (the so called AusglMechAV regulation).

Generation data from renewable energy plants

We believe that transparency requirements for electricity generation plants should be applied consistently across renewable generation plants and conventional generation plants. Whilst renewable plants are generally smaller the information could be aggregated at a TSO level. At the spot market, there is no difference between electricity from conventional and renewable sources.

Consequent implementation of unbundling requirements

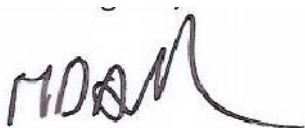
TSOs and other grid operators should generally not be engaged in commodity trading and should only have a residual role in balancing. The role the German TSOs have in marketing EEG-power is not compatible with the unbundling requirements.

TSOs should – in contrary to the current situation in Germany – not significantly engage in trading activities at the EPEX day ahead market (or at any other power exchange).

The sale of power from EEG production in the German market should therefore be transferred to other, ideally ownership unbundled market participants.

Again, Shell appreciates the opportunity to provide these comments. We would be pleased to provide additional information regarding our views and would welcome the opportunity to work further with ERGEG.

Yours faithfully,



Matthew Allan
Head of Regulatory & External Affairs
Shell Energy Europe Limited, acting through its agent
Shell International Trading and Shipping Company Limited