

Electricity Market Insider Trading Detailed Rules

(As of January 1, 2023)

Tokyo Commodity Exchange, Inc.

Rule 1 (Purpose)

1. These Detailed Rules shall, based on the provisions of Rule 3, Paragraph 13 of the Market Rules, prescribe matters required in regard to insider regulations for electricity market.

Rule 2 (Material Facts)

1. The material facts provided for in Rule 92 of the Market Rules shall be prescribed in items below, and the key facts prior to publication shall be defined as an insider information.
 - (1) The facts (outage date and time, unit name, area in which said generator unit is located, and generator capacity) pertaining to unplanned shutoff of generator units with certified outputs of 100,000 kilowatts or more (the parallel-off of a generator unit from the electric grid unplanned by the power generation company) .
 - (2) The cause of the shutoff (the parallel-off of a generator unit from the electric grid) and the recovery forecast of the generator unit prescribed in the previous paragraph, reasonably estimated by the power generation company who is the owner of said generator unit.
 - (3) The fact that a planned shutoff of generator units with certified outputs of 100,000 kilowatts or more (the parallel-off of a generator unit from the electric grid planned by a power generation company. This exclude the shutoff in daily routine such as shutoff in night-time when the power demand is low and re-start it in the morning, or shutoff for unit replacement, etc.) has been determined.
 - (4) The fact of changes to determinations made per the previous Paragraph, when said changes are determined (including further changes to changes that have been determined).
 - (5) The fact of determination of the scheduled recovery date for generator units noted in Paragraph (1) or (3).
 - (6) The facts (date and time of decline outputs, unit name, area in which said generator unit is located, and the amount of decline) pertaining to 100,000 kilowatts or more decline of output (meaning a generator unit remains parallel-on but cannot meet certified outputs; provided, however, if the estimated output reduction of variable renewable energy is due to the weather condition and has no relationship with any problem in the generation facility or capacity, the case shall be excluded) of the generator units with certified outputs of 100,000 kilowatts or more is reasonably estimated to continue for 24 hours or more (or such decline has been decided).
 - (7) In case the forecast prescribed in preceding paragraph (include the determined policy of the decline of outputs; the same shall apply hereinafter) has changed, the contents of the estimated change (include the changes to such estimated change).
 - (8) Facts concerning the operational capacity and usage conditions of electrical transmission equipment which shall be published on the public grid information sites affiliated with large regional electric power management promotion agencies.

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Rule 3 (Insider Trading)

1. The insider trading provided for in Rule 92 of the Market Rules shall be prescribed in items below.
 - (1) An act by which a person who has learned insider information or a person who has received insider information from such a person engages in transactions related to such insider information prior to the publication of material facts.
 - (2) An act by which a person who has learned insider information or a person who has received insider information from such a person discloses insider information or recommends transactions related to the insider information to a third party, with the intent of causing the third party to gain a profit or avoid incurring a loss, prior to the publication of material facts.
2. Notwithstanding the provisions of the preceding Paragraph, transactions set forth in each of the following items shall not qualify as insider trading.
 - (1) Orders placed before the insider information was known.
 - (2) Transactions conducted based on contracts that had been concluded or plans that had been determined before the insider information was known.
 - (3) Transactions conducted by a person without any knowledge of insider information, in an entity where appropriate information segregation measures (installation of firewalls) are taken between a person who knew insider information and a person who conducted transactions if such entity is in a position that could know insider information.

Rule 4 (Information Publication)

1. In the event that a Trading Participant or a customer who is an electricity utility company recognizes any of the facts stipulated in Rule 2, Paragraph 1, Item (1) through (7), such a Trading Participant or a customer shall make an announcement via the information publication site established by the Japan Electric Power Exchange, in accordance with the tables provided in Schedule 1.

Rule 5 (Revision or Abolition)

1. Revision or abolition to these Detailed Rules shall be approved by the Representative Director, President.

Supplementary Provisions

These detailed rules shall be in effect as of September 17, 2019.

Supplementary Provisions

The revision shall be in effect as of December 1, 2019.

Supplementary Provisions

The revision shall be in effect as of July 27, 2020.

Supplementary Provisions

The revision shall be in effect as of March 23, 2021.

Supplementary Provisions

The revision shall be in effect as of January 1, 2023.

<Schedule 1>

Type of information and the timing of the publication

1. Unplanned outages

Information to be published	Timing of the publication
Urgent report on unplanned outage <ul style="list-style-type: none"> ● Company name ● Name and capacity of outage generator unit(s), and the area where said generator units are located ● Date and time of outage 	Within 1 hour after occurrence of unplanned outage (*)
Detailed report on unplanned outage <ul style="list-style-type: none"> ● Cause of outage (if it is still under investigation, such situation) ● Recovery forecast (if no forecast can be made yet, such situation) 	Within 48 hours after occurrence of unplanned outage (Promptly after determination of changes or updates to information published, if any)
The planned recovery date	Promptly after determination of recovery date*

*Note that this shall not apply to the case where there is a legitimate reason for inability to publish that deemed appropriate by the Exchange at the timing set forth in this table, such as large-scale disasters.

2. Planned outages

Information to be published	Timing of the publication
Urgent report on planned outage <ul style="list-style-type: none"> ● Company name ● Name and capacity of outage generator unit(s), and the area where said generator units are located ● Date and time of outage 	Promptly after determination of planned outage
Change in schedule of planned outage	Promptly after determination of the change
The planned recovery date (not required for planned outages published in advance with recovery as planned)	By 48 hours prior to recovery

* Recovery refers to the resumption of so-called sales operations (operations capable of wholesale electricity supply), and does not include test operations.

3. Planned output declines

Information to be published	Timing of the publication
Estimated output declines <ul style="list-style-type: none"> ● Company name ● Name and capacity of generator unit(s) which output decline is estimated, and the area where said generator units are located ● Date and time of output decline (in case the amount of output decline will be unstable, minimum, maximum and average of the amount of output decline) 	Promptly after the output decline for more than 24 hours has been estimated
Change in estimate of output decline	Promptly after the estimate has changed
The planned recovery date (not required if the output decline will be recovered at estimated time)	Promptly after the recovery date has been determined