

17th ACER Board of Regulators meeting
Tuesday, 24 April 2012, from 13.30 to 17.30
ACER office, TR3 -Trg republike 3, 1000 Ljubljana

Minutes (Version 2)

Participants

Member States	Name ¹	Member States	Name
Austria (E-Control)	M: Walter Boltz A: Dietmar Preinstorfer	Latvia (PUC)	O: Lija Makare excused
Belgium (CREG)	A: Koen Locquet	Lithuania (NCC)	A: Vyngantas Vaitkus excused
Bulgaria (SEWRC)	A: Angel Semerdjiev Excused	Luxemburg (ILR)	M: Camille Hierzig
Cyprus (CERA)	M: Georgios Shammas Excused	Malta (MRA)	A: Anthony Rizzo
Czech Republic (ERO)	O: Miroslav Belica Excused	Netherlands (NMa)	M: Peter Plug O: Robert Jan Maaskant
Denmark (DERA)	M: Finn Dehlbæk	Poland (URE)	M: Marek Woszczyk O: Danuta Sierocińska
Estonia (ECA)	A: Külli Haab	Portugal (ERSE)	A: José Braz
Finland (EMV)	M: Riku Huttunen	Romania (ANRE)	A: Lusine Caracasian
France (CRE)	A: Philippe Raillon O: Michel Thiollière	Slovakia (RONI)	A: N. Hudcovicova excused
Germany (BNetzA)	A: Annegret Groebel O: Daniel Müther	Slovenia (AGEN-RS)	A: Jasna Blejc
Greece (RAE)	M: Michael Thomadakis	Spain (CNE)	A: Tomás Gómez excused O: Rodrigo Escobar
Hungary (HEO)	A: Gábor Szörényi excused	Sweden (EI)	M: Y. Fredriksson
Ireland (CER)	A: Garrett Blaney	United Kingdom (Ofgem)	M: John Mogg (BoR Chair) O: Pamela Taylor O: Clémence Marcelis
Italy (AEEG)	M: Valeria Termini A: Clara Poletti O: Miranda Diana		

Observers	Name
ACER	Alberto Pototschnig, Fay Geitona
European Commission	Inge Bernaerts, Aurora Rossodivita
CEER	Natalie McCoy

¹ M: Member – A: Alternate – O: Observer

Main conclusions from the meeting:
1. <i>With regard to the scoping paper on tariffs and the options presented following the public consultation, the members were invited to submit their views to the AGWG chair within one week.</i>
2. <i>The BoR discussed the CAM NC. The concerns expressed in the meeting will be brought to the attention of ENTSOG. Following this the work launched with the AGWG can be concluded and forwarded to the Director for a formal proposal to the BoR for a reasoned opinion at the May meeting.</i>
3. <i>The BoR agreed to provide a reasoned opinion on the draft ACER opinion regarding the ENTSOG outlook by written procedure.</i>
4. <i>The BoR welcomed the launch of the public consultation on the ACER Framework Guidelines for Electricity Balancing.</i>
5. <i>The BoR discussed the ACER preliminary opinion on the NC on grid connection. The relevant concerns will be discussed with ENTSO-E.</i>
6. <i>The BoR took note of this proposal for the collection of data for the ACER/CEER joint monitoring report.</i>
7. <i>The BoR agreed to address in the RoP modification the issues proposed by the AIMP WG. The AIMP WG will start preparing the relevant provisions for consideration at the June BoR meeting.</i>

1. Opening

1.1. Approval of the agenda

BoR Decision agreed: (D 1)

The agenda was approved.

1.2. Approval of the minutes of the 16th BoR meeting

BoR Decision agreed: (D 2)

The minutes were approved.

Lord Mogg reported that the BoR reasoned opinion on the Agency's 2013 draft Budget has been approved (through online approval). The comments by members related to stressing that NRAs are constrained and need to have resources for REMIT, that NRAs also contribute to ACER studies (e.g. IA) and lastly that the EC's commitment for 1% reduction of posts in 2013 and the following years should not be applied to the Agency. All comments have been taken into account and the opinion has been adopted on 26 March and sent to the Director and the Administrative Board. The BoR opinion was attached to the AB Decision on the estimate of revenue and expenditure for 2013. It will be published on the ACER website.

2. Market Integrity and Transparency

2.1. General Introduction

Lord Mogg introduced the debate on REMIT on the basis of the final report by the Ad-hoc Group, the update by the AMIT WG and the ACER consultations on the record of transactions and the registration format.

2.2. Report on resources for the monitoring of wholesale energy markets under REMIT - State of play: Preparation on REMIT in some NRAs

Mr Zuleger presented the main findings of the survey undertaken by the REMIT Ad-hoc Group concerning the REMIT implementation between autumn 2011 and spring 2012.

Lord Mogg thanked the chairs and the group for undertaking this excellent work.

2.3. ACER report on REMIT preparation

The Director gave a presentation. The immediate implementation priorities include the following issues: (a) Notifications and transparency. The Director informed the Board that he wrote to ENTSOs to see whether they have a plan to create a European platform. (b) Registration Format. (c) Recommendations on the Record of Transactions and Implementing Acts (d) ACER Guidance update. (e) Stakeholder engagement (e.g. workshops). (f) ACER IT-system procurement.

Registration format paper

The Director then presented the time schedule for the registration format consultation paper: The consultation was launched on 18 April and runs until 20 May. A public workshop in Ljubljana will be held on 3 May and the final consultation of the BoR will be held at its meeting on 19 June.

On the substantive issues addressed in the paper, the Director explained that NRAs are the only interface with market participants for the whole registration process. The Regulation provides that NRAs shall establish national registers of market participants which they shall keep up-to-date. The Regulation also provides a single-sign for registration (a market participant shall register only with one national regulatory authority). Lastly, the Agency may decide to make the European register, or extracts thereof, publicly available provided that commercially sensitive information on individual market participants is not disclosed.

He then illustrated the issue of the unique identifier for each market participant. The legislation provides that the register shall give each market participant a unique identifier and shall contain sufficient information to identify the market participant. The Director noted that this aspect is mainly related to transaction reporting and to the implementing acts which the Commission will adopt. A key issue is whether the use of multiple codes for trade reporting can be allowed or, alternatively, the use of one code imposed. The Director indicated that the purpose of including this aspect in the document, albeit not directly linked to registration, is to get an early indication of what market participants like, which can be taken into account in preparing the draft Recommendations to the Commission on the record of transactions which will be published for a public consultation later this year.

Mr Boltz noted that with regard to the registration, we have 3 months' time which is very ambitious. We should thus consider having the technical availability pushed forward so that the regulators have more time to prepare for the registration. He underlined that the issues related to the corporate structure are very complex; an agreement of 27 regulators on how we take into account issues like traders' ownership structure would be required. He noted the importance of resolving these issues before the actual – formal registration happens. This is not so much an ACER issue, but an issue for the NRAs to consider.

The Director in response noted that with regard to the obligation to register, this starts 3 months following the adoption of the implementing acts, so we have a year to sort out some of these issues.

Record of transactions (item 2.5).

The Director explained that the document is submitted to the BoR for a first discussion; the draft has been sent to the AMIT WG in March. The public consultation is envisaged for early June to mid-July.

A workshop in Ljubljana will be held in June and the final consultation of the BoR is envisaged on 4 September.

The document contains the draft recommendations to the Commission as regards the records of wholesale energy market transactions, including orders to trade, and as regards the implementing acts according to Article 8 of REMIT.

It concentrates on the three issues which the ACER considers to be priorities for consideration: i) the content of the registration format ii) the registration process and its update and iii) the publication of the European Register. This paper also contains some initial considerations on possible options about the unique identifier needed to identify market participants in the transactions that have to be reported to the ACER in accordance with Article 8 of REMIT. The Director explained that the paper includes proposals for records of wholesale energy market transactions which take into account experiences and developments in EU financial market legislation (MiFID, EMIR, MiFID review); a proposal for a list of contracts and derivatives to be reported; a possibility for ACER to establish a database for a list of reportable wholesale energy products admitted to trading at organised markets; and a proposal for reporting channels mainly through intermediaries. The Director noted the benefits of having intermediaries for the reporting of both transactions and fundamental data (reduction of the risk of double reporting).

Mr Boltz supported having as many transactions as possible reported through intermediaries. In his view, we can easily eliminate any double transactions reported. On intermediaries, he thought we have to be careful in distinguishing who is legally responsible for reporting and who has the obligation for communicating the information. He lastly advised that the Agency has more contacts with stakeholders.

The Director in response remarked that ACER widely consults and organises workshops. It also tries to participate at the workshops organised by NRAs.

Ms Bernaerts congratulated ACER for all the work despite the limited resources. The Agency IT team maintains a good collaboration with the Commission's team. With regard to the reporting through intermediaries, she remarked that the legal rationale was to keep the legal responsibility with the market participants and simply have Communication channels (this was also the idea during the negotiations of the Regulation). The Commission stressed the importance to cooperate with ESMA and Financial Authorities on this issue to avoid double reporting. In her view the EC fundamental data transparency guidelines will also reassure market participants.

The Director remarked that there are 2 expert groups on REMIT (ACER is in the process of selecting the members). With regard to the cooperation with ESMA, a meeting already took place and the next one at Directors' level is planned for 7 May.

Lord Mogg concluded the discussion and noted that with regard to the reporting channels there is a usefulness to explore the option of intermediaries. He also noted the importance of the stakeholders' involvement.

2.4. Update by the AMIT WG chair on work and structure

A note from the AMIT WG chair was circulated. Mr Braz reported that an internal regulators' surveillance forum to be hosted under ACER has been decided by the WG. The forum is seen as a valuable tool for regulators to exchange and discuss internally all questions received by market participants and to harmonise views on REMIT among NRAs and ACER.

3. GAS

3.1. Update on technical workshop on Gas SoS Regulation, 19 April

Mr Boltz reported briefly on this technical workshop organised by the Commission to discuss the risk assessments in the context of the SoS Regulation (under the SoS Regulation the NRAs are to be consulted on the risk assessments). The workshop discussed the risk assessments and the steps in the preparation of preventive action plans and emergency plans as well as the reverse flows and bi-directional capacity.

3.2. Update on the consultation on the tariffs Framework Guidelines

A discussion paper was circulated and Mr Boltz gave a presentation including on the timeline and the procedural steps (expert group established). The purpose of the paper is to outline the strategic options and to ask the Board of Regulators for its view regarding the Framework Guidelines on tariffs in this respect. Depending on the outcome of the initial discussion in the BoR, the Task Force will develop concrete proposals for the May BoR meeting for discussion.

Stakeholders would like ACER to cover additional issues within the Framework Guidelines for tariffs which have a significant strategic impact: Incremental capacities which is not covered in the Framework Guidelines CAM. Inter-TSO compensation mechanism. LNG and storage issues.

An orientation discussion will be held at the May BoR.

BoR Decision agreed: (D 3)

The members were invited to submit their views to the AGWG chair on the options presented in the discussion paper within one week and to update their country analysis.

3.3. Report on Madrid Forum & next steps on GRI

The Madrid Forum took place on 22-23 March. The conclusions were circulated. The Forum welcomed ACER's proposals on pilot projects and early implementation of the CAM and gas balancing Network Codes in the Regional Initiatives context. The Director has since written to ENTSOG to reiterate this commitment (his letter was circulated). He suggests that the first step in this process could be the identification of the TSOs which are available and able to launch this work in the three gas regions, and of the specific projects/platforms which could be planned as part of the roadmap. He asked for these proposals to be submitted by ENTSOG by the end of June 2012, in order to allow sufficient time for discussions with NRAs, lead regulators and stakeholders in anticipation of the next Madrid Forum in October.

3.4. Update on CAM network code and on the ACER auction design study

Mr Boltz reported that ENTSOG submitted its network code to ACER on 6 March (ACER opinion is due by 6 June). It was agreed to produce a paper for BoR discussion on 24 April asking for guidance on GWG response ahead of the formulation of the formal opinion which will be submitted to the BoR for its opinion in May.

Mr Boltz remarked that the AGWG assessment is that the network code is generally compliant with the Framework Guidelines. However, there are four issues of concern which may have a negative impact on the development of competitive markets and are thus related to ACER's opinion on the network code. These relate to long-term versus short term capacity, tariffs, capacity mismatches, and definition of short-term products.

The BoR feedback was sought on the policy options to guide the preparation of the formal opinion of ACER which is being prepared by the AGWG.

BoR Decision agreed: (D 4)

The concerns expressed in the meeting will be brought to the attention of ENTSOG. Following this the work launched with the AGWG can be concluded and forwarded to the Director for a formal proposal on the ACER's opinion to the BoR for its reasoned opinion at the May meeting.

3.5. Update on Balancing network code

Mr Boltz reported that ENTSOG have published the draft Network Code on 13 April for public consultation. There will be an orientation discussion at the May or June BoR. The idea of this is to follow the same approach as for the electricity grid connection. On 9 May there will be a general workshop on NC Gas Balancing for all stakeholders in Brussels.

3.6. ACER opinion on ENTSOG winter outlook

Pursuant to Article 8 of the Gas Regulation, ENTSOG should adopt "annual summer and winter supply outlooks". ENTSOG has published the most recent Winter Supply Outlook 2011 / 2012 on 14 December 2011. A proposal by the Director on the draft "ACER reasoned opinion" has been circulated.

BoR Decision agreed: (D 5)

The BoR agreed to provide a reasoned opinion on the draft ACER's opinion by electronic procedure.

3.7. ACER decision on the request for extension of the 6 months deadline for the TAP exemption

Lord Mogg and the Director presented briefly the legal background regarding also the role of the BoR.

In accordance with Article 9(1) of the Agency Regulation, the Agency may decide on exemptions as provided for in Article 36(4) of Directive 2009/73/EC where the infrastructure concerned is located in the territory of more than one Member State under the conditions included therein. In accordance with Article 36(7), ACER may decide on the exemption unless the Member State has provided that its regulatory authority shall only submit its opinion, leaving the decision power to another relevant body. If this is the case ACER may be requested to give an opinion to the mentioned relevant body, for the purposes of the formal decision. Article 15(1) of the same Regulation envisages that the Board of Regulators shall provide opinions to the Director on the opinions, recommendations and decisions referred to (inter alia) in Article 9 that are considered for adoption. The specific request by the Director is relative to a procedural decision on timing and not the substantive exemption. The Director considered appropriate to submit this for a BoR reasoned opinion (Article 9).

Lord Mogg noted that this item has been requested for inclusion in the BoR agenda because of the urgency considerations. The issues are complex. There are also process difficulties (notably the very late distribution of the draft decision). Thus the members with very little background had little chance to familiarise themselves with this issue. The chair therefore suggested that the BoR hold an (informative) orientation debate. This would help to identify those elements which would need further consideration and possibly a firm opinion from the Commission to assist ACER to any further consideration of this case.

The Director outlined the background to the case. He reported that over the last few weeks the collaboration between the Italian, Greek and Albanian authorities has progressed well and thus he recommended allowing the two NRAs to continue their efforts to reach an agreement, as he has seen genuine constructive efforts to do so. This is the reason behind his initial - preliminary proposal to

grant the three-month extension, but he reiterated the need for a clarification on whether the decision of the Italian Ministry to suspend the exemption procedure also means a suspension of the six-month period referred to in Article 36(4), third subparagraph, point (a), of Directive 2009/73/EC.

The Director underlined the importance of maintaining a transparent and proper process given that this case could create precedents for the handling of future exemption requests. He noted that this case would be the first individual decision handled by the ACER (under article 9) since the establishment of ACER and could be considered a test of the process. There is a keen interest that the Agency runs a proper and legally correct process.

The Board held an orientation debate.

Lord Mogg drew the following conclusions:

The constructive collaboration between the three regulators was to be welcomed and should continue to finalise the appropriate market analysis given that it is vital for the assessment of the substantive exemption request.

If agreement between the 2 regulators was not reached, a decision on TAP would be the first of its kind that would be requested of the Agency. Thus we must ensure that the Agency manages a proper, legally sound, objective and non - discriminatory process with the necessary quality of the analysis. Our overriding consideration should be to safeguard the integrity of the process and minimise the risks of any potential challenge. The Agency in this case (and any future decisions) must make sure that it does not expose the projects and the parties concerned to any risk or regulatory instability. It should preserve the integrity of the process by handling these requests in an impartial, well justified and legally sound way.

There are uncertainties in the process which need resolution. The BoR orientation debate identified the need for clarity over the interpretation of a new piece of legislation, the Gas Directive and its Article 36 – providing for the 6 month period - which would require a resolution ideally with a firm Commission's opinion. There are other potential areas that need clarity for future procedures, including identifying the competent decision taker on the extension requests.

Following the informal consultation with the EC's services, the sounding out of the BoR members and the two NRAs' views, the Agency had, he believed, sufficient new elements to continue its examination and consideration of the issues raised particularly given that the arguments raised by the Italian Ministry that the 6 month period had not yet begun were not unreasonable and a formal request for an extension has not been formally submitted to the Agency (requiring the formal Agency's response).

In any future decision on exemptions, it would clearly be helpful to have formal advice from the Commission on the interpretation of the Article 36 formal period together with the identification of the competent authorities for granting the extension.

4. Electricity

4.1. Electricity Balancing Framework Guidelines

The Director reported that ACER has now received an invitation from the Commission to start the procedure on the Framework Guidelines on electricity balancing rules on 18 January 2012 and the Agency has to submit the Framework Guidelines accompanied by an IIA by 18 July 2012, although at the planning group we indicated the possibility for some delays. The Electricity Balancing Framework Guidelines (EBFG) is being submitted to the BoR for an orientation discussion before the public consultation opens.

Mr Plug stated that one innovative aspect is that provisions are included on demand side and RES participation in balancing. ENTSO-E have had some concerns on the fact that the target model to create an integrated EU wide balancing market specified in the EBFM is extremely ambitious and that its consequences in terms of operational procedures and security were not yet fully predictable. The EBFM aims at establishing competitive, harmonised and effective EU-wide balancing arrangements. The EBFM were approved by AEWG members on 26 March with minor amendments.

Mr Woszczyk remarked that there is a lack of explicit cost analyses in the IIA so it is very difficult at this stage to opt for any of the options identified (with no evidence). We shall need to look into the options after the end of the public consultation.

BoR Decision agreed: (D 6)

The BoR welcomed the launch of the public consultation on the ACER FGs for Electricity Balancing.

EWG Infrastructure TF

Mr Plug reported on the AEWG Infrastructure TF. A note was circulated on the establishment of a new Infrastructure Task Force which co-ordinates the work on Tariffs and TYNDP. The TF would also oversee work on ITC and contributing electricity aspects on the Energy Infrastructure Package. Ms Materazzi-Wagner from E-Control and Mr Moelker from NMA have been elected co-chairs of the Infrastructure TF.

4.2. Florence Forum preparation

The next Florence Forum is being held on 22-23 May. It will have 6 sections: Renewable energy sources, cross Border Trade; loop flows, security of Electricity Supply; Energy Infrastructure Package and infrastructure financing; Internal market including the single market by 2014 and Regional Initiatives.

Following the comments by ACER and CEER, Mr Bernaerts clarified the following: P. Lowe will be chairing the Forum. The Commission wanted a more holistic, high level discussion including on RES, cross border trade, loop flows (which follows the High Level conference with Commissioner Oettinger), and SoS considerations. The Commission wanted to discuss SoS issues and to draw conclusions from the cold spell, following the Directors General Meeting (e.g. a lack of transparency). This item could also cover the transparency guidelines. She agreed in including REMIT in the agenda perhaps on the second day. Session 6 will be prolonged and under this session the CACM NC and the NC on grid connection will be discussed.

Any further comments should be communicated to the Commission.

4.3. ERI progress

The Director reported that ACER has submitted a very initial draft of the 1st ERI quarterly report to the BoR for information. The quarterly report is intended to provide stakeholders with an update on progress with the implementation of the European Energy Work plan 2011-2014. The European Energy Work plan consists of the four cross-regional roadmaps to implement:

- Pan European market coupling by the end of 2014
- EU-wide implementation of the intraday target model by 2014
- EU-wide harmonisation of long-term transmission rights
- A common approach to cross-border capacity calculation

The cross-regional roadmaps set out the milestones to achieve these objectives and were approved by the BoR and endorsed by the Florence Forum. Therefore the quarterly report represents an important tool for ACER and NRAs to bring transparency to the implementation process and exert

pressure on the TSOs and PXs responsible for implementation particularly in advance of the next Florence Forum.

Overall, the cross-regional roadmaps for day-ahead, long-term transmission rights and capacity calculation are broadly on track. On the delays in market coupling ACER has written to the regulators concerned. The relevant correspondence has been circulated. The Director clarified that henceforth ACER would expect the regulators to report on such delays.

4.4. Grid connection update (preliminary opinion)

The ENTSO-E consultation on the Draft Requirements for Generators Network Code closed on 20th March. Mr Plug reported on the ACER comments. This preliminary opinion gives a clear signal that the NC has to be improved and has been circulated to the April BoR for an orientation discussion on the main topics still of concern to ACER and stakeholders. The formal BoR approval of the ACER opinion will be prepared and finalised once the final code is submitted on 30 June 2012. ACER will then have until September for submitting its formal opinion. The AEWG members agreed that the draft opinion should be informally shared with ENTSO-E to encourage ENTSO-E to address issues before the NC is finalised.

A trilateral meeting (ACER, ENTSO-E EC) to tackle some sensitive issues will be held in May.

The overarching concern remains that the code does not provide sufficient cost-benefit justification for the detailed requirements it contains.

Lord Mogg underlined the importance to ensure a consistent approach by ACER on the network codes' evaluation.

Ms Bernaerts reiterated the issue of proportionality. The IA needs to accompany the network code. ENTSO-E has to develop the IA to make sure that the network codes options are proportionate which has not yet been developed.

BoR Decision agreed: (D 7)

The BoR discussed the ACER preliminary opinion on the NC on grid connection. The main findings and concerns will be discussed with ENTSO-E.

4.5. TYNDP – coordination on the preparation of ACER opinion

ENTSO-E released their draft TYNDP package on 1st March and launched a 2 month public consultation on the package (which comprises of: the pan EU TYNDP report, 6 Regional Investment Plans, and the scenario outlook and adequacy forecast for 2012 - 2030). Mr Plug reported that it will be submitted to ACER by the end of July for a formal opinion. The final opinion expected to go to the September BoR meeting for consideration.

4.6. ENTSO-E consultation on CACM NC and CER's proposal to amend NC

The Irish regulator has requested an extension in the time period provided to implement the day-ahead and intraday aspects of the target model from 2014 to 2016. The reason is that implementation of the target model will require significant changes to the Irish electricity market design. ACER has formally responded requiring additional information.

5. Implementation, Monitoring and Procedures

5.1. 5.1. Update from the AIMP WG

Mr Woszczyk reported on the AIMP meeting held 2 weeks ago. The WG approved the note on AIMP deliverables, targets and timeline and WG structure and the ACER-CEER joint note to the GA and the BoR on National Reports 2012. The WG discussed a proposal from the Director on how it could cooperate with ACER regarding the opinions on the decisions of NRAs on TSO certification. Given the time constraints, the draft opinion could not start from the WG, but the WG discussed the practical arrangements to have the WG's input in the opinion to be submitted for a BoR opinion on the basis of a less formalised approach.

They also discussed the ACER's consultation policy. The WG thought that the time available for consultations should be 8 weeks.

The WG discussed the procedure for monitoring the implementation of NC. They started looking on the procedure of guidance of NC modification and try to deliver the document by the end of May. The Group discussed the note on possible modifications on the BoR Rules of Procedures.

Mrs Maria Isabelle Detand (CREG) was elected as chair of the Procedures Work stream.

The Director thanked the Chair for kicking off this work.

5.2. ACER/CEER Joint monitoring report

Mr Woszczyk presented a joint note to the BoR and GA on ACER/CEER Joint monitoring report.

In order to guarantee the on time development of the ACER/CEER Market Monitoring 2012 Report, the UR TF proposed that:

- Partial CEER/URB data for 2011 to be made available to drafting team by end-June 2012;
- NRA national reports on time by 31 July 2012, and executive summary in English to be made available;
- 31 Aug 2012 must be considered as the deadline for final CEER/URB 2011 data submission.
- The TF will contact the monitoring people in each NRA to have the data as soon as they are available.

BoR Decision agreed: (D 8)

The BoR took note of this proposal for the collection of data for the ACER/CEER joint monitoring report.

5.3. Revision of the BoR RoP – issues to be addressed

Mr Woszczyk presented a note identifying the issues to be addressed by the future revision of the RoP as discussed by the AIMP WG. These include:

- Treatment of dissenting opinions.
- Confidentiality arrangements for the BoR. Some members of the AIMP WG thought that the AB provision is simpler and will put the two Boards on the same level. However, the specific provisions still need to be further discussed.
- Possible simplification of the electronic approval of the BoR.

Most of the IMP WG participants thought that the electronic procedure should be simplified, however, the specific provisions should be further considered.

The BoR members were invited to provide their views on whether the issues included in the note or any additional issues needs to be addressed in the revision of the BoR RoP.

BoR Decision agreed: (D9)

The BoR agreed to address in the RoP modifications the issues proposed by the AIMP WG. The AIMP WG will start preparing the relevant provisions for consideration at the June BoR meeting.

6. Cross-Sectoral

6.1. Energy Infrastructure Package

Update on the negotiations

The report by the EP Rapporteur (de Campos) for the EIP draft regulation was circulated. The deadline for amendments in the ITRE Committee is 26 April. This means that amendments were prepared and cleared by the EIP Steering Committee and sent to the MEPs on 23 April. They have been circulated to the BoR only for info.

Regional Groups Kick off meetings

A presentation was circulated on the state of play of the regional WGs meetings which aims to identify PCI candidates.

Fay Geitona reported that further to the presentation circulated with regard to the Regional groups, the EC has now informed us that with regard to third party projects and stakeholders, they will follow a common approach for all the regional working groups. In order to ensure transparency and a common approach across the EU, the Commission will publish a "call for expression of interest" for third party stakeholders in May to submit, in a two-step approach, the name and data of their projects they wish to have included in the project evaluation for PCIs. TSO-led projects will not need to take part in this call; their projects will be submitted through the working groups.

The Commission will also organize also an 'Info Day' on June 13th on the PCI evaluation process and will also serve as the launch of a public consultation on the list of infrastructure projects submitted for evaluation both from third parties and TSOs. With the public consultation the EC is keen on spreading the information widely. The public consultation will run until mid-September.

RI

The paper was not available at the meeting it will be circulated for the next BoR meeting.

7. Others

7.1. Next Meetings

The next BoR meeting will be held in Florence on 22 May. ACER will offer a lunch to the BoR members on that day.

7.2. AOB

The Director reported that he will appear at the ITRE committee on 31st May. The invitation was also addressed to Lord Mogg who is unavailable.

The Director reported that Mr Koutzoukos, who was the ACER representative at the ECRB, has been appointed as the President of ADMIE (Greek ITO). The Director invited the BoR members to prepare their recommendation to the Director on the ACER representative on the ECRB for the May BoR meeting.