

DECISION AB n° 22/2017
OF THE ADMINISTRATIVE BOARD
OF THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS
of 14 December 2017

granting permission to the Director of the Agency for the Cooperation of Energy Regulators to engage in outside activities for the year 2018

THE ADMINISTRATIVE BOARD OF THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS,

Having regard to Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators, and, in particular Article 28 thereof,

Having regard to the Staff Regulations of Officials of the European Union, and in particular Article 12b and 55 thereof, and to the Conditions of Employment of Other Servants of the European Union, and in particular Article 11 thereof,

Having regard to Commission Decision C(2013) 9037 final of 16 December 2013 on outside activities and assignments, and in particular Articles 6 and 9 thereof;

Whereas:

- (1) Mr Alberto Pototschnig, Director of the Agency for the Cooperation of Energy Regulators (hereinafter referred to as 'the Agency'), has been cooperating with the Florence School of Regulation (hereinafter referred to as the 'School') since its foundation in 2004.
- (2) The School of Regulation is a partnership between the European University Institute – Robert Schuman Centre for Advanced Studies, the Council of the European Energy Regulators and the Independent Regulators Group, and it works closely with the European Commission. It is a European forum dedicated to economic regulation.
- (3) The objectives of the School are of non-commercial nature, being focused on the i) the organisation of policy events on key regulatory issues, ii) the provision of state-of-the-art training for practitioners, iii) the production of analytical and empirical research in the field of regulation, and iv) the promotion of networking, through documents and ideas exchanges.
- (4) Through its activities, the School contributes to enhancing and spreading best practices in regulated markets, including the energy sector.

- (5) The Administrative Board of the Agency, with its Decisions AB n° 34/2011 of 2 December 2011, AB n° 24/2012 of 5 December 2012, AB n° 23/2013 of 12 December 2013, AB n° 18/2014 of 18 December 2014, AB n° 24/2015 of 17 December 2015 and AB n° 19/2016 of 15 December 2016, granted permission to Mr Alberto Pototschnig to engage in outside activities with the School for the years 2012, 2013, 2014, 2015, 2016 and 2017, respectively. The permission granted covered the same kind of outside activities for which is sought permission for the year 2018.
- (6) At the School, Mr Alberto Pototschnig will be acting as Adviser to the Director of the School with regard to the activities in the energy policy area. Mr Alberto Pototschnig will also participate in teaching and other educational, academic and research activities organised by the School.
- (7) The role of adviser to the Director of the School ensures that the School focuses on the most relevant issues in the regulation of the European energy sector, thus ensuring that the activities of the School also benefit the Agency. Similarly, the involvement in educational, academic and research activities at the School ensures that the Agency can gather experience from the academic fora.
- (8) It is therefore clearly in the utmost interest of the Agency that Mr Pototschnig maintains its role as Adviser to the Director of the School and is involved in other related educational, academic and research activities, including lecturing in training courses organised by the School.
- (9) Given the governance and the non-commercial mission of the School, the activities for which permission is granted do not raise any conflict of interest.
- (10) It is necessary to encourage external mobility to enable staff to acquire new skills and knowledge which are of benefit to the staff itself and to the Agency.
- (11) Mr Pototschnig will end its term of office as Director and his employment at the Agency on 15 September 2018.
- (12) Given the importance for the Agency of Mr Pototschnig's activities as Adviser to the Director of the School, exceptional circumstances are deemed to exist for permission to be extended to include academic and research activities as well, up to a total of 140 hours for the period 1 January – 15 September 2018,

HAS DECIDED AS FOLLOWS:

Article 1

1. Mr Alberto Pototschnig is granted permission to engage in outside activities during the period 1 January – 15 September 2018, to act as adviser to the Director and lecturer at the Florence School of Regulation.
2. The activities for which permission is granted shall be carried out for a maximum of one hundred and forty (140) hours during the period 1 January – 15 September 2018.

3. The activities for which permission is granted, to the extent that they are carried out during working hours with a limit of 70 hours, are considered to be carried out in the interest of the Agency.

Article 2

1. The permission is granted subject to the condition that no costs shall be incurred by the Agency.
2. Mr Alberto Pototschnig shall not receive remuneration in connection with the activities for which permission is granted to the extent that they are carried out during working hours. To the extent that these activities are carried out outside working hours, Mr Pototschnig shall hand over any remuneration received in excess of EUR four thousand five hundred (4,500). Such limit shall apply to net remuneration and shall exclude any royalties or similar utilities received for publications, as well as any reimbursement of expenses.

Article 3

The Chairman is mandated to implement this Decision and for any procedural step related to the permission granted with this Decision.

Article 4

This Decision shall take effect on 1 January 2018.

Done at Ljubljana, on 14 December 2017

For the Administrative Board:


Dr Romana Jordan
Chair