

# ACER

AGENCY FOR THE COOPERATION OF ENERGY REGULATORS

## DECISION AB n° 02/2010

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 (hereafter 'Agency Regulation'), and in particular Article 16(2) thereof,

HAS ADOPTED THESE PROCEDURES AND PRACTICAL ARRANGEMENTS FOR THE APPOINTMENT OF THE DIRECTOR



# PROCEDURE AND PRACTICAL ARRANGEMENTS FOR THE APPOINTMENT OF THE DIRECTOR

## 1. BACKGROUND

The 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 (hereafter 'Agency Regulation' and 'the Agency') provides in Article 16(2):

*The Director shall be appointed by the Administrative Board following a favourable opinion of the Board of Regulators, on the basis of merit as well as skills and experience relevant to the energy sector, from a list of at least three candidates proposed by the Commission, following a public call for expression of interest...*

## 2. THE SELECTION PROCEDURE

### 2.1. Before the Administrative Board meeting

- 2.1.1. Immediately after the submission of the Commission's shortlist, the Chairman of the Administrative Board will write to the candidates inviting them for the interview with the Board. The candidates should in due time before the interview send an updated *curriculum vitae* and motivation letter.
- 2.1.2. In the invitation, candidates will be given information about the length of the interview. They will be told that they will be asked at the start of the interview to make a presentation of up to ten minutes to present themselves, their vision for the Agency and their assessment of the main challenges in establishing it.
- 2.1.3. Ahead of the interviews the Administrative Board agrees on an evaluation grid and questions which will be put to the candidates. To ensure the equal treatment of all candidates the same set of questions will be put to all candidates. The evaluation grid and the questions should enable the Board to select the best candidate on the basis of merit as well as skills and experience relevant to the energy sector. They should also focus on the vision related to the future of the Agency as well as on their leadership and communication skills<sup>1</sup>.

### 2.2. Conduct of the interviews

- 2.2.1. Each interview should not exceed 40 minutes.
- 2.2.2. At the start of each interview, each candidate will be given up to ten minutes to make their opening presentation.
- 2.2.3. The standard questions will then be asked after which Board members will have the opportunity to ask additional questions related to the candidate's presentation or to the answers given to the standard questions.

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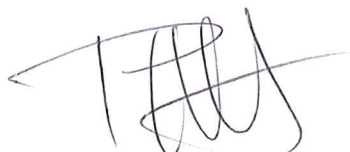
<sup>1</sup> The relevant document for the selection of the Director is the Vacancy Note (COM/2009/10199)

### 2.3. Voting

- 2.3.1. The voting should take place at the same day as the interviews, giving, however, members some time for reflection between the interviews and the voting.
- 2.3.2. A majority of two-thirds of the Board's members is needed to take a decision on the successful candidate. The following procedure shall be followed:
- 2.3.3. Voting by secret ballot.
- 2.3.4. A teller, acting under the authority of the Chairman will be designated among the members to assist in the counting of the vote. (It is recommended that the teller should not be of the same nationality as any of the shortlisted candidates.)
- 2.3.5. In the first ballot, the candidate who receives at least a two-thirds majority of all members is selected.
- 2.3.6. If none of the candidates receive this majority in the first ballot, further rounds will be held. At each round, the candidate with the lowest number of votes will withdraw. When it is not possible to determine the candidate with the lowest number of votes due to equality, there will be a special ballot to determine the remaining candidate. This process will continue until the last two candidates have been determined.
- 2.3.7. Rounds will run until one candidate receives two-thirds of favourable votes.

These Rules shall be published on the Agency's website.

Done at Brussels, 22 March 2010

A handwritten signature in black ink, appearing to be 'Piotr Wozniak', with a long horizontal line extending to the left.

Piotr WOZNIAK

*Chairman of the Administrative Board*