



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

***– 35<sup>th</sup> Meeting –  
– Extra-Ordinary Session –***

**Thursday, 3 May 2018, 13:00 – 19:00**

**Trg Republike 3, Ljubljana - Slovenia**

***MINUTES***

## I. LIST OF ATTENDEES

The following Members and Alternates of the Administrative Board were present at the meeting:

Dr Romana JORDAN,	<i>Chair</i>	Dr Jochen PENKER,	<i>Vice-Chair</i>
Prof Uwe LEPRICH	<i>Alternate</i>	Ms Britta THOMSEN,	<i>Alternate</i>
Ms Edit HERCZOG,	<i>Member</i>	Mr Edmund HOSKER	<i>Member</i>
Mr Michel THIOILLIERE,	<i>Member</i>	Mr Jurijs SPIRIDONOVŠ,	<i>Member</i>
Mr Ľubomír KUČHTA,	<i>Alternate</i>	Mr Pal KOVACS, ( <i>with voting rights</i> )	<i>Alternate</i>
Mr Paweł PIKUS,	<i>Alternate</i>	Ms Agnieszka KAZMIERCZAK,	<i>Member</i>
Mr Georgios SHAMMAS	<i>Alternate</i>	Mr Florian ERMACORA,	<i>Alternate</i>

Mr Garret BLANEY (*Chair of the Board of Regulators*) was also present at the meeting, acting as observer.

The secretariat was provided by the Agency.

## II. SUMMARY OF CONCLUSIONS OF THE 36th MEETING OF THE ADMINISTRATIVE BOARD

At the 35<sup>th</sup> meeting, the Administrative Board:

- (1) established the list of the questions and follow-up questions for the selection procedure for the post of Director of the Agency;
- (2) interviewed the three candidates short-listed by the European Commission;
- (3) Designated a candidate for the post of Director and referred its decision to the Board of Regulators for its favourable opinion.

### III. MINUTES

#### SECTION I – OPENING

The 35<sup>th</sup> meeting of the Administrative Board of the Agency for the Cooperation of Energy Regulators was convened in extraordinary session on 3 May 2018. The meeting started at 13 hours.

The Chair invited the present Members and Alternates of the Administrative Board to declare any actual or potential interest that could be considered prejudicial to their independence with respect to the items on the agenda.

All the Members and Alternates declared that they knew the candidates in their professional capacity. However, no professional, business or personal relation, such as to impair the independence and the impartiality of the decision-making process, was reported.

#### (1) *Approval of the Agenda*

The Agenda of the 35<sup>th</sup> meeting of the Administrative Board was approved as follows:

Agenda Topics		Accompanying Documents		Rapporteur
<b>Welcome Brunch</b>				
<b>Items for Decision</b>				<b>13:00</b>
(1)	Declarations of Interest and approval of the Agenda	-	-	AB Chair
(2)	Practical arrangements for the appointment of the Director of the Agency - Establishment of List of Questions for the interview	Doc. 1 Doc. 2 Doc. 3	<i>for information</i>	AB Chair
<b>Interview of Candidate No. 1</b>				<b>15:00</b>
(3)	Interview of Candidate	Doc. 4 Doc. 5	-	AB Chair – AB Vice-Chair
(4)	Discussion	-	-	AB Chair
<b>Interview of Candidate No. 2</b>				<b>16:00</b>
(5)	Interview of Candidate	Doc. 6 Doc. 7	-	AB Chair – AB Vice-Chair
(6)	Discussion	-	-	AB Chair
<b>Interview of Candidate No. 3</b>				<b>17:00</b>
(7)	Interview of Candidate	Doc. 8 Doc. 9	-	AB Chair – AB Vice-Chair
(8)	Discussion	-	-	AB Chair
<b>Items for Reporting</b>				<b>18:00 to 18:15</b>

(9)	Report on the technical briefings of candidates before the Board of Regulators	-	-	BoR Chair
<b>Items for decision</b>				<b>18:15 to 19:00</b>
(10)	Nomination of the prospective candidate for appointment as Director to be submitted to the Board of Regulators for favourable opinion.	-	-	AB Chair

## **SECTION II – ITEMS FOR DECISION**

### **(2) Practical arrangements for the appointment of the Director of the Agency - Establishment of List of Questions for the interview**

The Chair informed the Administrative Board that on 16 March the European Commission notified to the Agency the short-list of three candidates for the post of Director of the Agency. On the same date, the shortlisted candidate were invited to the interview before the Administrative Board. The shortlisted candidates were also invited to technical briefings before the Board of Regulators.

The Chair further recalled the practical arrangements to be adopted in the selection procedure for the post of Director of the Agency. In particular, the Chair reported that, pursuant to Article 6 of the Rules of Procedure of the Administrative Board, the Board shall agree on the basic questions that will be put to the candidates. To ensure the equal treatment of all candidates, the same set of standard questions shall be put to all candidates. Board members shall have the opportunity to ask additional questions related to the candidate's presentation or to the answers given to the standard questions.

The Chair highlighted that 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 for the future of the Agency as well as on their leadership and communication skills, as defined in the relevant Vacancy Notice.

The Chair recalled that the voting on the candidate, by secret ballot, would have followed the interviews. The Chair therefore recalled the voting procedure to designate the candidate for the post of Director as per Article 6(5) of the Rules of Procedure.

The Chair recalled that, in the course of the 33<sup>rd</sup> meeting, Members and Alternates individually drafted questions relevant to the vacancy notice, the skills and the expertise required by the nature of the post. Members and Alternates were invited to submit to the Secretariat of the Administrative Board their respective questions in separate sealed envelopes. The Secretariat collected the sealed envelopes and enclosed them in a further envelop which was sealed at the presence of the Members and Alternates of the Administrative Board and signed by the Chair. The Secretariat was mandated to store the envelope in a safe until the date of the interviews.

The Secretariat reported that the safe was open at 12.10 hours of the 3<sup>rd</sup> of May at the presence of three statutory staff members of the Agency and remained in possess of the Secretariat until the opening of the meeting of the Administrative Board.

The Administrative Board took note that the envelope was sealed, undamaged, and not showing attempts of tampering. The Chair recognised her signature on the envelope.

The Administrative Board invited the Secretariat to open the envelope which contained six additional sealed envelopes not showing any damage or attempt of tampering. The Administrative Board invited the secretariat to open the envelopes and read aloud the questions contained therein.

The Administrative Board discussed the questions and identified and established a list of a total of nine questions, including follow-up questions that were considered more appropriate to test the skills and expertise relevant to the energy sector of the candidates, including the managerial and personal skills required by the nature of the post.

The Chair further recalled that the interview would have lasted approximately 45 minutes. At the beginning of the interview, candidates would have been invited to present their respective views on the future regulatory challenges for the energy sector and a vision for the Agency. The presentation should have not lasted more than 5 minutes and candidates were allowed to use up to three slides as support.

The Chair further recalled that the Administrative Board asked the Board of Regulators to provide a technical briefing on the candidates which took place in the same morning.

*Conclusion:* The Administrative Board established the list of the questions and follow-up questions on the basis of the questions drafted at its 33<sup>rd</sup> meeting and took note of the practical arrangements for the selection procedure.

### ***SECTION III – INTERVIEW OF THE SHORTLISTED CANDIDATES***

The Administrative Board heard each of the three candidates in alphabetical order. Each candidate had i) 5 minutes to deliver a presentation of their respective views on the future regulatory challenges for the energy sector and a vision for the Agency; and ii) 40 minutes to respond to the nine questions posed by the Administrative Board, including the follow-up questions. The questions were the same for each candidate.

The candidates were heard consecutively one after the other. At the end of each interview, the Administrative Board hold a discussion on the merit of each candidate.

### ***SECTION III – ITEMS FOR REPORTING***

#### ***(9) Report on the technical briefings of candidates before the Board of Regulators***

The Chair of the Board of Regulators recalled that technical briefings had the objective to provide the Administrative Board with technical advice regarding the candidates' respective knowledge of the energy regulatory policy, the supervision of the energy market and the market design.

The Chair of the Board of Regulators briefly reported on the results of the technical briefings hold in the morning before the Board of Regulators, highlighting the views of the Board of Regulators on the merit of each candidate for the consideration and free appreciation of the Administrative Board.

### ***SECTION IV – ITEMS FOR DECISION***

#### ***(10) Nomination of the prospective candidate for appointment as Director to be submitted to the Board of Regulators for favourable opinion.***

The Administrative Board discussed the merit of each candidate and considered the views of the Board of Regulators.

The Chair then put the selection to a vote by secret ballot and the Board resolved in a single round, with a 6:3 majority, to designate one candidate for the post of Director of the Agency.

*Conclusion:* The Administrative Board invited the Chair of the Administrative Board to transmit the decision to the Board of Regulators, for the latter to issue a favourable opinion on the candidate designated for the post of Director of the Agency.

### ***CLOSING***

In the absence of any other business to be treated, the Chair closed the 35<sup>th</sup> meeting at 18:45.