

PRESS RELEASE No 1/17

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**The Board of Appeal dismissed four appeals seeking the annulment of
ACER Decision No 06/2016**

On 17 January 2017 the Board of Appeal received four appeals brought by E-Control (Austrian regulatory authority), VERBUND AG, Austrian Power Grid AG and Vorarlberger Übertragungsnetz GmbH seeking full or partial annulment of ACER Decision No 06/2016 of 17 November 2016 on the Electricity Transmission System Operators' Proposal for the Determination of Capacity Calculation Regions.

The appeals have been registered under the case numbers A-001-2017, A-002-2017, A-003-2017 and A-004-2017. For procedural economy, the Chairman, after having consulted the Board of Appeal, decided to consolidate the appeals in to one case, A-001-2017 (consolidated).

The Board of Appeal received 19 applications for leave to intervene on behalf of one or more appellants or the Agency, of which six were granted.

The Board of Appeal found the appeal of VERBUND AG inadmissible on the account of lack of direct and individual interest in the result of the case. After careful consideration of the merits, the Board of Appeal found the other three appeals (E-control, APG and VUEN) unfounded. Therefore, the Board of Appeal dismissed the four appeals.

The non-confidential version of the final decision of the Board of Appeal will be published under the case number A-001-2017 (consolidated) on the public website of the Agency on 21 March 2017, once any confidentiality issues have been resolved.

Questions should be directed to BoA@acer.europa.eu