

## 132<sup>nd</sup> ACER Board of Regulators meeting

14 May 2025 | 10:00 – 14:00

Virtual

### MINUTES

Represented institutions	Names <sup>1</sup>
E-CONTROL (Austria)	M: Wolfgang Urbantschitsch; A: Dietmar Preinstorfer; O: Christine Materazzi-Wagner; O: Katharina Ledermann-Tappeiner
CREG (Belgium)	M: Koen Locquet; A: Geert Van Hauwermeiren; O: Bart De Waele
EWRC (Bulgaria)	A: Tasko Ermenkov; O: Borislava Petrakieva
HERA (Croatia)	M: Nikola Vištica; A: Sonja Tomašić Škevin
CERA (Cyprus)	O: Chrstina Zouvani
ERU (Czech Republic)	A: Vladimír Vajnar; O: Adam Chromčák
DUR (Denmark)	M: Carsten Smidt; A: Brigitta Bundgaard
ECA (Estonia)	A: Marilyn Tilkson
EV (Finland)	M: Simo Nurmi; A: Antti Paananen
CRE (France)	A: Ivan Fauchoux; O: Claire Hellich-Praquin; O: Kseniya Khromova; O: Lorain Mathieu; O: Cynthia Di Leonforte
BNetzA (Germany)	M: Annegret Groebel; O: Alexander Linov; O: Nadia Horstmann
RAAEY (Greece)	M: Athanasios Dagoumas; O: Yuriy Bilen
MEKH (Hungary)	M: Pal Sagvari; A: Gergely Szabó; O: Tamas Gyarmati
CRU (Ireland)	M: Jim Gannon; O: Eilis McDonnell; O: Barry Hussey; O: Clodagh Hunt-Sheridan
ARERA (Italy)	M: Clara Poletti; A: Francesco Cariello; O: Ilaria Galimberti
PUC (Latvia)	M: Rota Šņuka; O: Alda Ozola; O: Lija Makare
NERC (Lithuania)	A: Irma Zdanienė; O: Benas Skublickas

<sup>1</sup> M: Member; A: Alternate; O: Observer.

ILR (Luxembourg)	A: Claude Hornick
REWS (Malta)	O: Manuel Mannuzi
ACM (Netherlands)	A: Michiel Denkers; O: Maarten Klijn
URE (Poland)	M: Rafał Gawin; A: Malgorzata Kozak
ERSE (Portugal)	M: Pedro Verdelho; O: Rita Laranjeira; O: Joao Diogo
ANRE (Romania)	A: Tatiana Iosiper; O: Patricia Adegbuyi
URSO (Slovakia)	-
AGEN-RS (Slovenia)	A: Bojan Kuzmic
CNMC (Spain)	M: Josep Maria Salas; A: Esther Espeja; O: Gema Rico; O: Jose Maria Samaniego Guerra
EI (Sweden)	M: Ulrika Hesslow; A: Caroline Tornqvist; O: Johan Roupe
RME (Norway)	A: Anne Dønnem
EEA-EFTA State - Iceland	M: Hanna Björg Konráðsdóttir
EFTA Surveillance Authority	O: Anne De Geeter
ACER	Christian Zinglensen, Christophe Gence-Creux, Rafael Muruais Garcia, Francois Beaude, Bart Vereecke, Tina Voncina, Mitsuko Akiyama, Argyro Lykaki, Volker Zuleger, Gilles Bertrand, Daniel Ihasz-Toth, Jaka Zvab, Marco Pavesi
European Commission	Christof Lessenich, Lukasz Kolinski, Sinobas Beatriz, Francisco Fournier, Katalin Dietrich, Michael Schuetz, Melpomeni Skriapa, Miriam Stallone

## **1. OPENING**

### **1.1. Approval of the agenda & declaration of conflicts of interest**

The agenda of the 132<sup>nd</sup> BoR meeting was approved.

The draft agenda was sent to the European Parliament.

The BoR Chair asked for declarations of conflict of interest. None was declared.

### **1.2. Minutes of the 131<sup>st</sup> BoR meeting**

The minutes of the 131<sup>st</sup> BoR meeting were approved and sent to the European Parliament on 14 April 2025.

Decisions/Conclusions	
1.1	The BoR approved the agenda.

## **2. UPDATES FROM THE ACER DIRECTOR AND THE BOR CHAIR**

### **2.1 Updates from ACER**

The ACER Director reported on his recent missions to the US, Ukraine, and the informal meeting of energy ministers (11-12 May) in Warsaw under the Polish Presidency.

### **2.2 Updates from the BoR Chair**

The BoR Chair informed the BoR of the conclusion of the 2025 conflict of interest process (as summarised in Document 2.2a). The annual Declarations of Interest and CVs of BoR members and alternates, AWG Chairs and Vice-Chairs, as well as Task Force Convenors, have been published on the Agency's website. The BoR Chair will also inform the Chair of the Administrative Board of the outcome of this annual exercise.

The BoR Chair also proposed holding a BoR Away Day in the morning of 26 June, to be followed by the regular BoR meeting in the afternoon. The BoR members welcomed the initiative and agreed the agenda with a suggestion to streamline it and focus on the changing role of the energy regulatory community.

Decisions/Conclusions	
2.2	The BoR agreed the agenda of the BoR Away Day to take place in Brussels in the morning of 26 June.

### **3. WIDER ENERGY UNION**

#### **3.1. Updates from the European Commission**

DG ENER Director Kolinski outlined the key topics to be addressed at the 39<sup>th</sup> European Gas and Regulatory Forum (22-23 May), 40<sup>th</sup> European Electricity Regulatory Forum (12-13 June) and the 11<sup>th</sup> Energy Infrastructure Forum (2-3 June).

The first will address, among other topics, the implementation of the Hydrogen and Decarbonised Gas Markets Package, as well as gas-related measures under the Affordable Energy Action Plan.

The second will focus on the implementation of the 2024 Electricity Market Design legislation, covering issues such as flexibility, Contracts for Difference (CfDs), Power Purchase Agreements (PPAs), and the CACM 2.0 framework, and discuss current and future developments and challenges.

The last will centre on the delivery of the Grid Action Plan and the future of energy infrastructure as a foundation of EU competitiveness. Discussions will include coordinated planning for electricity and hydrogen infrastructure, financing and cost sharing mechanisms, among others.

#### **3.2 Overview of the synchronisation of the electricity systems of the Baltic States with the electricity system of Continental Europe**

Ms Tilkson presented on behalf of the Baltic NRAs an overview the synchronisation of the electricity systems of the Baltic States with the electricity system of Continental Europe, which started over 20 years ago and presented a historic milestone. As widely reported, on 8 February 2025, the Baltic States de-synchronised from the Russian and Belarusian frequency area and started the successful synchronisation process with the European frequency area, marking their full integration into the EU internal energy market. Estonia, Latvia and Lithuania are now fully independent from Russia's and Belarus's electricity systems and successfully integrated into the EU internal energy market by joining the European continental network via Poland. This allows the Baltic States to operate their own energy systems under common and transparent European rules. The funding came mainly from the Connecting Europe Facility and the Baltic and Polish regulators approved the investments. The synchronisation of the Baltics not only contributes to the security of supply of the entire Union; it will also support the sustainability and integration of renewable energy in the system, ultimately allowing consumers to benefit from lower energy costs. Looking ahead, the focus would be on improving the resilience of the energy system against physical, hybrid and natural threats and cyber-attacks, and implementing the Harmony Link project.

#### **3.3 Follow-up discussion on the Clean Industrial Deal and the Action Plan for Affordable Energy**

In the previous BoR meeting, members held a follow-up discussion on the Clean Industrial Deal and the Action Plan for Affordable Energy and it was agreed that ACER will map ongoing activities ahead of the next meeting to identify those priority areas where the regulatory community can further input. ACER presented the overview in question.

Mr Kolinski also updated members on EC actions in pursuance of the Action Plan, such as the guidance on anticipatory investments for electricity grids expected in Q2/25 and subsequent deliverables expected in autumn, including the European Grid Package and the new rules on demand response, and the work of the Gas Market Task Force (scrutinising the EU natural gas markets) to be concluded by Q4/25. In parallel, the Commission plans to present a proposal for the next Multiannual Financial Framework, the EU's long-term budget, by the summer, which will notably cover energy projects.

In conclusion, the BoR Chair noted members' agreement with the priority topics identified in the overview.

## **4. ITEMS FOR BOR OPINION/APPROVAL/AGREEMENT**

### **4.1 ACER Annual Activity Report 2024: independent section on regulatory activities**

The independent section on regulatory activities contained in its Annual Activity Report 2024 was submitted for approval. Mr Zuleger presented the performance overview in 2024, highlighting key achievements in connection with the internal electricity and gas markets, infrastructure and gas security of supply and the regulation on wholesale market monitoring and integrity.

The BoR unanimously approved the regulatory section of the 2024 consolidated Annual Activity Report (subject to a minor adjustment), which will be presented for adoption by the Administrative Board in June before being sent to the EU institutions by 1 July.

### **4.2 ACER Opinion on ENTSO-E TYNDP 2024 (infrastructure gaps, methodological aspects and projects)**

On 9 April 2025, ENTSO-E submitted the draft ten-year network development plan (TYNDP) 2024 to ACER for its opinion. The draft TYNDP 2024 includes the infrastructure gaps identification report, on which ACER must opine within 3 months of receipt pursuant to Article 13(3) of Regulation (EU) 2022/869 and submit it to ENTSO-E, the Commission and Member States and publish it. Mr Muruais Garcia presented the Opinion.

The BoR Chair invited members to vote on the ACER Opinion and the BoR granted its favourable opinion by the requisite majority of the members present and represented.

### **4.3 ACER Opinion on ENTSG H2 Infrastructure Gaps Report**

According to Article 13 of Regulation (EU) 2022/869, every two years, the European associations of transmission system operators for electricity, gas and hydrogen (ENTSO-E, ENTSG and ENNOH, the European Network of Network Operators for Hydrogen) assess and report on infrastructure gaps within their respective sectors. These infrastructure gaps identification (IGI) reports must be developed following extensive consultation and ACER has 3 months to issue its opinion thereon. ENTSG (pending the formal establishment of ENNOH) developed and submitted the draft IGI report for hydrogen to ACER on 10 March 2025.

Mr Muruais Garcia presented the ACER Opinion on the IGI Report, which aims to provide a trustworthy and robust assessment of future EU hydrogen infrastructure gaps based on demand and supply estimations, thereby supporting more efficient investment decisions and contributing to the development of an efficient and cost-effective hydrogen market. The Opinion sets out proposals for further improvements to strengthen the gap identification methodology as outlined in the IGI report as well as to the process to foster transparency.

The BoR Chair invited members to vote on the ACER Opinion and the BoR granted its favourable opinion by consensus of the members present and represented.

#### **4.4 ACER Market Monitoring Report: Analysis of the European LNG market developments**

Mr Vereecke presented the second LNG edition to be issued on 22 May as part of the 2025 Market Monitoring Report. It offers a comprehensive overview of the growing role of LNG in the European natural gas market with chapters on the global LNG market dynamics, LNG trade and the role of LNG import terminals and their use.

The BoR discussed the report and unanimously endorsed it.

Decisions/Conclusions	
<b>4.1</b>	The BoR approved the ACER Annual Activity Report 2024: independent section on regulatory activities by consensus of the members present and represented.
<b>4.2</b>	The BoR issued its favourable opinion on the ACER Opinion ENTSO-E TYNDP 2024 (infrastructure gaps, methodological aspects and projects) by the requisite majority of the members present and represented.
<b>4.3</b>	The BoR issued its favourable opinion on ACER Opinion on ENTSG H2 Infrastructure Gaps Report by consensus of the members present and represented.
<b>4.4</b>	The BoR unanimously endorsed the ACER Market Monitoring Report: analysis of the European LNG market developments.

## **4. AWG KEY ISSUES**

### **4.1. AWG/ARC key updates**

The AEWG Chair updated members on the proposed scope and key dilemmas of the forthcoming policy paper on the sharing of costs and benefits of electricity network infrastructure arising from cross-border trade.

BoR members were invited to share their views. In conclusion, the BoR Chair underlined the need for further analysis. The AEWG Chair encouraged members to share their written inputs on the two dilemmas by 23 May.

ACER subsequently updated BoR members on the following topics.

- ACER Decision on the Market Coupling Operation integration plan for the Energy Community

Mr Gence-Creux informed members that given that the proposal was incomplete, the procedure will be stayed.

- ACER Decision on the request to extend the deadline for the approval of the Baltic CCR long-term capacity calculation methodology

On 20 March 2025, the Baltic NRAs sent a letter to ACER requesting a three-month extension of the 23 June deadline for approving the Baltic Capacity Calculation Region's long-term capacity calculation methodology (Baltic LT CCM). As the deadline falls before the next BoR meeting, Mr Gence-Creux asked BoR to agree to issue its favourable opinion by electronic procedure. Members unanimously agreed.

- ACER Opinion on the Bidding Zone Review

ACER presented two planning options in relation to the ACER Opinion on the Bidding Zone Review, which will assess any deviations of the bidding zone review study vis-à-vis the bidding zone review methodology, together with the expected impacts of such deviations on the outcome of the study, but not recommend what Member States should opt for in terms of the final decision to be taken. On receipt of the pending data, ACER plans to issue a public communication to inform the public about the Opinion and its timeline.

Decisions/Conclusions	
5.1	The BoR unanimously agreed to issue its favourable opinion on the ACER Decision on the request to extend the deadline for the approval of the Baltic CCR long-term capacity calculation methodology by electronic procedure.

## 4.2. ACER assessment on Peak-shaving products

Peak-shaving products are instruments that subsidise demand response units to reduce their electricity consumption during peak hours. Following the Electricity Market Design (EMD) reform, the Council may declare a regional or EU-wide electricity price crisis if wholesale prices are excessively high. In such situations, Member States may instruct system operators to use peak-shaving products to reduce power demand, helping lower prices. ACER is mandated to assess the impact of peak-shaving products under normal market conditions by 30 June 2025 (Art. 7a(8), Regulation (EU) 2019/943). Based on this assessment, the Commission may propose regulatory changes to allow use of peak shaving products beyond electricity price crisis situations.

Mr Bertrand presented ACER's assessment. The BoR provided its feedback, which ACER will seek to address in finalising its assessment to be tabled at the June BoR meeting.

## 4.3. ACER Decision on the European Resource Adequacy Assessment 2024

With significant delay, ENTSO-E published the 2024 European Resource Adequacy Assessment (ERAA) analysing the ability of the European electricity system to meet demand



over the next decade. Mr Ihasz-Toth introduced an orientation discussion on the 2024 ERAA Decision and presented its main concerns ahead of its formal submission.

ACER has requested additional information to clarify its concerns, which will delay the finalisation of the ACER Decision. The BoR was consequently asked to agree to the use of the electronic procedure for issuing its favourable opinion. The BoR unanimously agreed.

#### Decisions/Conclusions

**5.3**

The BoR unanimously agreed to issue its favourable opinion on the ACER Decision on the European Resource Adequacy Assessment 2024 by electronic procedure.

#### **4.4. ACER Decision on ENTSO-E and EU-DSO Entity proposal on the flexibility needs assessment methodology**

On 16 April 2025, ENTSO-E and the European Distribution System Operators Entity (EU DSO Entity) submitted to ACER a joint proposal on the national flexibility needs assessment methodology. The proposal defines the methodology for analysing national flexibility needs in electricity systems, and the type of data to be gathered by system operators and in what format. It will consider how to reach the renewable energy sources (RES) target to achieve decarbonisation with more flexibility. ACER has until 16 July to approve or amend the system operators' proposal and once approved, the methodology becomes binding for national assessments. Based on the national assessments (to be delivered by the designated national entities by July 2026), the Member States must set their national non-fossil flexibility targets within 6 months (by January 2027). ACER will then review the national reports (by July 2027) and may provide recommendations on issues of cross-border relevance (including on removing barriers) to ensure sufficient non-fossil based flexible capacity is in place.

ACER presented the key issues for an orientation discussion. ACER also sought BoR agreement to issue the favourable opinion by electronic procedure shortly after the June BoR because of the exceptionally tight timeline for its Decision on the flexibility needs assessment methodology. The BoR unanimously agreed.

#### Decisions/Conclusions

**5.4**

The BoR unanimously agreed to issue its favourable opinion on the ACER Decision on the ENTSO-E and EU-DSO Entity proposal on the flexibility needs assessment methodology by electronic procedure.

#### **5.5 ACER Report on the progress of Projects of Common or Mutual interest**

Article 5 of Regulation (EU) 2022/869 on guidelines for trans-European energy infrastructure provides that by 30 April of each year in which a new Union list should be adopted, the Agency shall submit to the Groups a consolidated report for the projects on the Union list that are subject to the competence of national regulatory authorities, evaluating the progress achieved



and expected changes in project costs, and, where appropriate, make recommendations on how to overcome the delays and difficulties encountered. ACER presented the said report comprising the PowerBI dashboard, which is an online dashboard with interactive statistics and more granular data, and PCI/PMI project fiches. It comprehensively considers all 166 projects comprising 12 infrastructure types.

## **5.6 Update following the electricity system incident in Spain and Portugal**

CNMC and ERSE are investigating the causes of the Iberian electricity system incident of 28 April 2025. Mr Salas and Mr Verdelho shared preliminary information on the sequence of events of 28 April, the restoration process and the most notable issues in their respective countries. The determination of the cause of the incident requires a complex analysis of granular data and conclusions cannot be reached pending the outcome of the investigations. Nevertheless, Mr Verdelho and Mr Salas stressed the importance of transparency. Mr Verdelho also alerted to the need of an active and common communication with the public on this issue and of providing intermediate and final findings and conclusions as fast as possible.

CNMC and ERSE are also participating in an expert panel investigating the incident alongside TSOs, Regional Coordination Centres and ACER.