

137th ACER Board of Regulators meeting

28 January 2026 | 09:00 - 14:00

Virtual

MINUTES

Represented institutions	Names ¹
E-CONTROL (Austria)	A: Dietmar Preinstorfer; O: Katharina Ledermann-Tappeiner
CREG (Belgium)	M: Koen Locquet; A: Geert Van Hauwermeiren
EWRC (Bulgaria)	A: Tasko Ermenkov; O: Iva Georgieva
HERA (Croatia)	A: Sonja Tomašić Škevin
CERA (Cyprus)	O: Christina Zouvani
ERU (Czech Republic)	A: Vladimír Vajnar; O: Adam Chromčák
DUR (Denmark)	M: Carsten Smidt; A: Birgitta Bundgaard
ECA (Estonia)	A: Marilyn Tilkson
EV (Finland)	A: Antti Paananen
CRE (France)	M: Emmanuelle Wargon; A: Ivan Faucheux; O: Anne-Lise Teani; O: Léa Metke
BNetzA (Germany)	M: Annegret Groebel; O: Alexander Linov; O: Nadia Horstmann
RAAEY (Greece)	O: Yuriy Bilen; O: Komninos Komninos
MEKH (Hungary)	M: Pal Sagvari; A: Gergely Szabó; O: Tamás Gyarmati
CRU (Ireland)	M: Jim Gannon; O: Eilis McDonnell; O: Clodagh Hunt-Sheridan
ARERA (Italy)	A: Francesco Cariello; O: Ilaria Galimberti
PUC (Latvia)	M: Rota Šņuka; A: Dace Bite; O: Lija Makare
NERC (Lithuania)	A: Irma Zdanienė; O: Benas Skubickas

¹ M: Member; A: Alternate; O: Observer.

ILR (Luxembourg)	M: Claude Rischette
REWS (Malta)	O: Manuel Manuzzi
ACM (Netherlands)	O: Nora Meray
URE (Poland)	A: Malgorzata Kozak; O: Danuta Sierocinska
ERSE (Portugal)	M: Pedro Verdelho; A: Natalie McCoy; O: Joao Diogo; O: Rita Laranjeira; O: Pedro Roldao
ANRE (Romania)	M: George Niculescu; A: Tatiana Iosiper
URSO (Slovakia)	A: Ivan Rodina
AGEN-RS (Slovenia)	A: Bojan Kuzmic
CNMC (Spain)	M: Josep Maria Salas; A: Esther Espeja Bragulat; O: Gema Rico
EI (Sweden)	M: Ulrika Hesslow; A: Caroline Tornqvist; O: Johan Roupe
RME (Norway)	A: Anne Dønnem
Orkustofnun (Iceland)	-
EFTA Surveillance Authority	O: Anne De Geeter
ACER	Volker Zuleger, Christophe Gence-Creux, Rafael Muruais Garcia, Csilla Bartok, Martin Godfried, Karina Knaus, Maria Barroso Gomes, Daniel Ihasz-Toth, Francois Beaude, Tina Voncina, Mitsuko Akiyama, Argyro Lykaki
European Commission	Christof Lessenich, Joachim Balke, Inez Brogowska, Bastian Voell, Mathilde Lallemand, Ignacio Asenjo

1. Exchange with ENTSO-E on their Annual Work Programme and the Grids Package

As agreed at the 136th BoR meeting, Mrs Sonya Twohig, Secretary-General of ENTSO-E, and Mr Damian Cortinas, Chairman of the ENTSO-E Board, were invited to join for the first agenda item to exchange on ENTSO-E's Annual Work Programme and the Grids Package.

Recalling that ACER, NRAs and ENTSO-E are all part of the same system and are facing the same challenges, the BoR Chair stressed the importance of strong cooperation between ENTSO-E and ACER. The ACER Director ad interim confirmed readiness to continue the dialogue.

2. OPENING

2.1. Approval of the agenda & declaration of conflicts of interest

The agenda of the 137th 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.

2.2. Minutes of the 136th BoR meeting

The minutes of the 136th BoR meeting were approved and sent to the European Parliament on 19 December 2025.

Members took note of the outcome of the BoR electronic procedure for the approval of the Single Programming Document 2027-2029, which was conducted in two rounds ending 19 December 2025. 1 comment was submitted in the first round and in the second round, 24 members participated and the requisite majority voted in favour of approving the Single Programming Document 2027-2029, with one abstention.

Decisions/Conclusions

2.1	The BoR approved the agenda.
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3. UPDATES FROM ACER AND THE BOR CHAIR

3.1 Update from ACER

Mr Zuleger, ACER Director ad interim, proposed to postpone ACER's presentation of the bottom-up revision of the Agency's Mission, Vision, and Values to the next BoR meeting, due to time constraints.

He also informed the BoR that, together with the BoR Chair, ACER will present and discuss the European Commission's proposal on the Grids package at the European Parliament ACER Contact Group meeting of 29 January 2026.

3.2 Update from the BoR Chair

The BoR Chair recalled the obligation for Board members and alternates to submit by 31 January 2026 their duly signed annual Declarations of Interests (Dols) and CVs for review by the Review Panel and publication on the ACER website. AWG Chairs and Vice-Chairs and TF Convenors must also submit their Dols and CVs. The BoR Chair thanked members for their cooperation so far and urged members to submit outstanding documents on time.

4. DELIVERING ON THE WIDER ENERGY UNION

4.1 Updates from the European Commission

Mr Asenjo from the European Commission informed the Board about the preparatory work on the Electrification Action Plan, which aims to achieve 30% electrification by 2030 in the transport sector, industry and buildings. The initiative is driven by three key policy objectives: energy decarbonisation, competitiveness and affordability. The Action Plan will be based on extensive public consultation and a series of stakeholder events, including targeted engagement with specific sectors and industries.

The Commission indicated that the Action Plan is planned for adoption in Q2 2026, in parallel with the Heating and Cooling Strategy, given the strong complementarities between the two initiatives.

Furthermore, Mr Lessenich from the European Commission provided an update on the upcoming White Paper on deeper electricity market integration. It will focus primarily on affordability and enhancing the overall efficiency of the electricity system. The White Paper is not a legislative initiative but a starting point to reflect on the evolution of the energy system, flag challenges, and outline the range of possible improvements.

Replying to requests from the previous BoR meeting, Mr Balke from the European Commission also provided clarifications on the grid planning provisions set out in the European Grids Package, published on 10 December 2025, in particular on the proposed central scenario. Mr Balke explained that this element of the revised TEN-E Regulation aims to address several challenges in the current planning process. The package introduces central EU scenario development under the leadership of the Commission - instead of the ETNSOs and ENNOH (European Network of Network Operators for Hydrogen) -, with input from Member States during data collection and verification. This approach is designed to ensure cross-sectoral synergies and sensitivity to national circumstances. The frequency of the main scenario updates is proposed to decrease from every 2 years to 4 years, to provide more stable outputs for the needs assessment, though scenarios may be updated if there are significant policy changes. The proposal also reinforces the role of regulators and ACER in the needs assessment. While the assessment will continue to be carried out by ENTSO-E/ENNOH, it will follow the binding ACER methodology, and the outcome will be formally

endorsed by Member States, ensuring that the assessment reflects a common vision agreed by all actors. Finally, to address potential mismatches between identified infrastructure needs and projects, a new “gap-filling mechanism” has been introduced.

The BoR discussed this element as part of item 5.2 below.

5. ITEMS FOR OPINION/APPROVAL/AGREEMENT

5.1 ACER Recommendation on reasoned proposals for the improvement of the regulatory framework to ensure robust implementation of the internal electricity market rules

In response to the European Commission’s request, ACER and NRAs have been working on this Recommendation (pursuant to Article 3(1) of Regulation (EU) 2019/942) on strengthening the regulatory framework to reduce implementation delays, looking into enforcement, incentives and governance. The shared aim, identified in collaboration with NRAs, is to create a credible framework to ensure a timely, effective and robust implementation of the internal energy market rules, which would reduce costly delays that undermine trust in the system and slow down the energy transition.

Following the December BoR discussion and taking into account the comments received, the draft Recommendation in its final, simplified version was circulated on 9 January. The AEWG advice was also circulated previously. By the deadline of 21 January, 7 proposals for amendments and 1 proposal for comment were received, two of which the BoR unanimously agreed to group and put to a single vote. The BoR Chair invited members to vote on each proposal. All amendment proposals were adopted by the requisite two-thirds majority of members present and represented.

Following the votes, ACER confirmed to incorporate all amendments adopted by the BoR except for the combined third and fourth amendment. The BoR Chair explained that according to the BoR Rules of Procedure, an objection by ACER after a positive vote to not include an amendment must be duly justified citing the relevant legal provisions.

ACER Director ad interim and Mr Gence-Creux explained ACER’s revised proposal and the BoR Chair suggested clarifying the procedure related to the voted amendment and the next steps at the March BoR meeting if applicable.

5.2 ACER reaction to the EC proposal for TEN-E revision

ACER presented its reaction to the Grids package and the BoR discussed.

The BoR Chair asked the members to agree to the use of the electronic procedure for endorsing the ACER reaction to the EC proposal. Members unanimously agreed.

5.2bis ACER Decision on amending the European resource adequacy assessment methodology to streamline approval of capacity

mechanisms and on the annual ERAA report Programming Document 2026-2028

As part of the Electricity Market Design reform, the European Commission was tasked with assessing ways to streamline and simplify the approval process for capacity mechanisms (CMs). The Commission's streamlining report, published in March 2025, included a request for ACER to amend the ERAA methodology. In August 2025, the Commission also adopted the Clean Industrial State Aid Framework (CISAF), which introduces a fast-track process for approving capacity mechanisms. ACER thus requested that ENTSO-E develop the necessary amendments with a view to simplifying the ERAA process to improve the representation of the adequacy risk at the same time as providing the inputs needed for Member States wishing to use the CISAF fast-track approval process. The (complete) ENTSO-E proposal was received with delay on 17 November, and ACER has 3 months to issue its Decision. ACER presented the state of play of this work and members held an orientation discussion.

ERAA 2025 was submitted to ACER on 17 December and ACER has 3 months to provide its decision. ACER aims to issue its Decision in April after seeking clarifications and sought the BoR steer on the way forward.

5.3 ACER Decisions on the amendment of the maximum and minimum clearing prices for (i) single day-ahead and (ii) intraday coupling

The guideline on capacity allocation and congestion management (the CACM Regulation) laid down a range of requirements for cross-zonal capacity allocation and congestion management in the day-ahead and intraday markets in electricity. These requirements also include specific provisions for setting the harmonised maximum and minimum clearing price (HMMCP) methodologies for single day-ahead (SDAC) and intraday (SIDC) coupling in accordance with Articles 41(1) and 54(1) of the CACM Regulation respectively.

According to the CACM Regulation, the NEMOs responsible for developing a proposal for terms and conditions or methodologies may propose amendments to the HMMCP methodologies for SDAC and SIDC. On 4 August 2025, all NEMOs submitted two proposals to amend the HMMCP methodology for SDAC and SIDC as previously approved by ACER Decisions No 01/2023 and No 02/2023. ACER is competent to decide on these proposals pursuant to Article 5(2)(b) of Regulation (EU) 2019/942 as well as Articles 9(5), 9(6)(i) and 9(13), 41(1) AND 54(1) of the CACM Regulation by 4 February 2026. The AEWG advice was circulated to the members.

In the absence of proposals for amendments/comments, the BoR Chair invited members to vote on whether they agree to grant the BoR favourable opinion. There was consensus to grant the BoR favourable opinion in respect of the ACER Decision on the amendment of the maximum and minimum clearing prices for single day-ahead coupling. In respect of the ACER Decision on the harmonised maximum and minimum clearing prices for intraday coupling, the BoR favourable opinion was granted by the requisite two-thirds of the members present and represented, with 1 objection.

5.4 ACER Decision on the request of the regulatory authorities of the Continental Europe Synchronous Area to extend the period for reaching

an agreement on the proposal for the minimum activation period to be ensured by frequency containment reserves providers

Pursuant to Article 6(3)(d)(v) and Article 156(10) of Commission Regulation (EU) 2017/1485 of 2 August 2017 establishing a guideline on electricity transmission system operation (SO GL), TSOs of the Continental Europe synchronous area (CE SA) and the Nordic synchronous area shall develop a proposal concerning the minimum activation period to be ensured by frequency containment reserves (FCR) providers, and the regulatory authorities should reach an agreement and take a decision on the proposal (under Article 6(7) SO GL) within 6 months of the last regulatory authority receiving the proposal. The regulatory authorities of the CE SA jointly requested ACER a six-month extension of this period pursuant to the third subparagraph of Article 6(10) of Regulation (EU) 2019/942.

In the absence of proposals for amendments and comments, the BoR Chair invited members to vote on whether they agree to grant the BoR favourable opinion. The BoR favourable opinion was granted by consensus of the members present and represented.

5.5 ACER Opinion on ENTSO-E and ENTSG's consistent and progressively integrated model

Article 11 of the TEN-E Regulation (EU) 2022/869 mandates ENTSO-E, ENTSG and ENNOH to develop a consistent and progressively integrated model (Integrated Model) to achieve consistency between single sector methodologies based on common assumptions and covering at least the relevant sectors' interlinkages at all stages of infrastructure planning. ENTSO-E and ENTSG submitted the Integrated Model to ACER and the European Commission on 31 October 2025, and ACER has three months to review and provide its opinion, which must be taken into account when revising the Integrated Model. The Integrated Model will ultimately be approved by the Commission and integrated into the single-sector cost-benefit analysis (CBA) methodologies used for preparing the Union-wide ten-year network development plans (TYNDPs).

ACER's assessment reflects the requirements set out in Regulation (EU) 2022/869, its earlier recommendations on TYNDP deliverables, and the progress achieved to date on cross-sectoral integration. The AEWG advice was also circulated to the members.

In the absence of proposals for amendments/comments, the BoR Chair invited members to vote on whether they agree to grant the BoR favourable opinion. The BoR favourable opinion was granted by the requisite two-thirds of the members present and represented with one abstention.

5.6 ACER Opinion on the ENTSG Winter Outlook

On 9 October 2025, ENTSG published its Winter Supply Outlook 2025/26 with the Summer 2026 Overview pursuant to Article 26(3)(g) of Regulation 2024/1789. Under Article 4(3)(b) of Regulation 2019/942, ACER may issue an Opinion thereon.

ENTSG's Winter Supply Outlook 2025/26 provides an updated view of Europe's infrastructure readiness to manage gas flows for the coming seasons. The Outlook assesses the ability of European gas infrastructure to cope with the upcoming winter and summer seasons under different scenarios. The current Outlook does not introduce major methodological changes or modelling assumptions to the reference scenario compared with

the previous edition, on which ACER issued an opinion with methodological recommendations. The AGWG advice was also circulated.

In the absence of proposals for amendments/comments, the BoR Chair invited members to vote on whether they agree to grant the BoR favourable opinion. The BoR favourable opinion was granted by the requisite two-thirds of the members present and represented, with one abstention.

5.7 Joint Director & BoR Decision on the appointment of the AEWG Chair

The term of the Chair of the Agency's Electricity Working Group (AEWG), Ms Christine Materazzi-Wagner, ended on 19 December. According to the AEWG Rules of Procedure, Article 2.2, the Director and the BoR jointly appoint one or more Chairpersons for each AEWG. The appointment is typically for a period of two years.

The BoR Secretariat opened the call for nominations for this position on 15 December until 16 January. The current AEWG Vice-Chair, Mr Johan Roupe, expressed his interest and the BoR and the Director ad interim jointly agreed to appoint him on the terms of the draft Decision circulated to the BoR. The BoR Chair and ACER Director ad interim thanked Ms Materazzi-Wagner for her work and congratulated Mr Roupe on his appointment.

Decisions/Conclusions	
5.1	The BoR adopted all proposed amendments to the ACER Recommendation on reasoned proposals for the improvement of the regulatory framework to ensure robust implementation of the internal electricity market rules by the requisite majority of members present and represented.
5.2	The BoR unanimously agreed to the use of the electronic procedure to endorse the ACER reaction to the EC proposal for TEN-E revision.
5.3	The BoR issued its favourable opinion on the ACER Decisions on the amendment of the maximum and minimum clearing prices for (i) single day-ahead by consensus and (ii) intraday coupling by the requisite majority of members present and represented.
5.4	The BoR issued its favourable opinion on the ACER Decision on the request of the regulatory authorities of the Continental Europe Synchronous Area to extend the period for reaching agreement on the proposal for the minimum activation period to be ensured by frequency containment reserves providers by consensus of the members present and represented.
5.5	The BoR issued its favourable opinion on the ACER Opinion on ENTSO-E and ENTSG's consistent and progressively integrated model by the requisite majority of members present and represented.
5.6	The BoR issued its favourable opinion on the ACER Opinion on the ENTSG Winter Outlook by the requisite majority of members present and represented.
5.7	The BoR and the ACER Director ad interim jointly appointed Mr Johan Roupe as the AEWG Chair.

6. AWG/ARC KEY ISSUES

6.1 AWG/ARC key issues

Ms Bartok informed the BoR of the outcome of the ARWG away day that took place in Vienna on 14 January. As next steps, it was agreed to promote more expertise-based discussions, prioritise policy-relevant monitoring with high future value and proceed with ACER-led scoping of reports, with early ARWG input and subsequent presentation to the BoR.

The ARWG Chair, Ms McCoy, concurred with the presentation and noted that the away day provided a valuable opportunity to discuss regulatory issues and exchange on national experiences.

The ACER Director *ad interim* thanked the participants and host of the ARWG away day and underlined the value of developing a common understanding as a basis for future reports.