

**139<sup>th</sup> ACER Board of Regulators meeting**

**22 April 2026 | 9.00 – 14.00**

Online

**MINUTES**

Represented institutions	Names <sup>1</sup>
E-CONTROL (Austria)	M: Michael Strebl; A: Dietmar Preinstorfer
CREG (Belgium)	M: Koen Locquet; A: Geert Van Hauwermeiren; O: Bart De Waele
EWRC (Bulgaria)	A: Tasko Ermenkov; O: Borislava Petrakieva
HERA (Croatia)	A: Sonja Tomašić Škevin
CERA (Cyprus)	A: Alkis Philippou; O: Marilena Delenta
ERU (Czech Republic)	A: Vladimír Vajnar
DUR (Denmark)	M: Carsten Smidt; A: Birgitta Bundgaard
ECA (Estonia)	A: Marilyn Tilkson
EV (Finland)	M: Simo Nurmi
CRE (France)	M: Emmanuelle Wargon; A: Nadia Faure; O: Claire Hellich-Praquin; O: Anne-Lise Teani; O: Helena Lonnberg
BNetzA (Germany)	M: Annegret Groebel; O: Alexander Linov; O: Nadia Horstmann
RAAEY (Greece)	O: Yuriy Bilen
MEKH (Hungary)	M: Pal Sagvari; A: Gergely Szabó
CRU (Ireland)	M: Jim Gannon; O: Clodagh Hunt-Sheridan; O: Barry Hussey; O: Eilis McDonnell
ARERA (Italy)	M: Lorena De Marco; A: Francesco Cariello; O: Lanfranconi Cristian; O: Carraro Fiorenza; O: Cioffo Vincenzo; O: Rossi Stefano
PUC (Latvia)	M: Rota Snuka; A: Dace Bite; O: Lija Makare

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

NERC (Lithuania)	O: Benas Skublickas
ILR (Luxembourg)	A: Claude Hornick
REWS (Malta)	O: Manuel Manuzzi
ACM (Netherlands)	A: Michiel Denkers; 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
ANRE (Romania)	M: George Niculescu; A: Tatiana Iosiper; O: Patricia Adegbuyi
URSO (Slovakia)	A: Ivan Rodina
AGEN-RS (Slovenia)	A: Bojan Kuzmic
CNMC (Spain)	M: Josep Maria Salas; A: Esther Espeja Bragulat; O: Gema Rico; O: Rocío Prieto González; O: Ana María Varo Lara
EI (Sweden)	M: Ulrika Hesslow; A: Caroline Tornqvist; O: Johan Roupe
RME (Norway)	A: Inger Cathrine Bugge
EEA-EFTA State - Iceland	M: Hanna Björg Konráðsdóttir
EFTA Surveillance Authority	O: Ada Gimnes Jaroy
ACER	Volker Zuleger, Christophe Gence-Creux, Rafael Muruais Garcia, Csilla Bartok, Martin Godfried, Antonio Santos, Savvas Savvides, Steven Schauvaerts, Domen Kodric, Martin Povh, Daniel Ihasz-Toth, Mathieu Fransen, Christos Kolokathis, Paul Martinet, Francois Beaude, Mitsuko Akiyama, Tina Voncina, Argyro Lykaki
European Commission	Lukasz Kolinski, Christof Lessenich, Inez Brogowska, Joachim Balke, Tadhg O'Briain, Christine Banken, Noud Bart, Elaine Oconnell, Mathilde Lallemand, Anne Radermecker, Marta Poncela Blanco, Noemi Mauro

## 1. OPENING

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

The agenda of the 139<sup>th</sup> BoR meeting was approved.

The draft agenda was sent to the European Parliament.

After welcoming Mr Strebl, the newly appointed BoR member from E-Control, the BoR Chair asked for declarations of conflict of interest. None was declared.

### 1.1. Minutes of the 138<sup>th</sup> BoR meeting

The minutes of the 138<sup>th</sup> BoR meeting were approved and sent to the European Parliament on 24 March 2026.

#### Decisions/Conclusions

1.1	The BoR approved the agenda.
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## 2. UPDATES FROM ACER AND THE BOR CHAIR

### 2.1 Update from ACER

ACER provided an update on the state of play of the revamp of ACER IT tools and regarding ACER IT security.

The ACER Director *ad interim* also informed members about the 22 April ACER Contact Group meeting to discuss inter alia recent developments in electricity and gas markets and lessons learned from the Iberian blackout.

### 2.2 Update from the BoR Chair

The BoR Chair informed members of the proposed composition of the Review Panel tasked with reviewing the annual conflict of interest submissions, and members agreed to their appointment: in addition to the BoR Chair and Vice-Chair, Ms Esther Espeja (CNMC) is appointed as member of the Review Panel, succeeding Mr Wolfgang Urbantschitsch, and Mr Gergely Szabó (MEKH) as alternate to the Review Panel.

The BoR Chair also reported back on her participation in the 2026 European Grids Summit organised by ENTSO-E, bringing together industry stakeholders and policymakers. Discussions highlighted the strategic role of electricity grids in the energy transition and economic security and competitiveness, and the need for long-term planning, investment certainty and coordination.

## Decisions/Conclusions

**2.2**

The BoR appointed the Conflict of Interest Review Panel by consensus of the members present and represented.

### 3. DELIVERING ON THE WIDER ENERGY UNION

#### 3.1 Updates from the European Commission

Mr Lukasz Kolinski presented the AccelerateEU Communication prepared by the Commission in response to a request from the 19 March European Council for a “toolbox of targeted temporary measures to address the recent spikes in the prices of imported fossil fuels arising from the crisis in the Middle East,” as well as ongoing discussions on energy affordability. Taking a comprehensive approach to all components of the energy bill, the Communication sets out a mix of short-term actions and structural measures with longer-term impact. These include easing State aid rules, strengthening coordination of oil reserves and gas storage, and accelerating cross-border grid connections (alongside the goal of reaching agreement on the European Grids Package by the summer) and advancing an electrification action plan. It also aims to boost investment by leveraging private capital and proposes reforms to electricity taxes and network fees. The Communication will be followed by a series of legislative and non-legislative initiatives. Mr Kolinski also announced that the Citizens’ Package, presented by the Commission in March to address affordability and energy poverty, will shortly be followed by legislative proposals. The Commission also explained the ongoing evaluation of ACER’s performance under Article 45(1) of the ACER Regulation, for which a call for evidence among interested parties has been launched and NRAs are invited to contribute their views by 8 May.

#### 3.2 Procedural arrangements for BoR deliberations regarding the ACER Director selection

Article 19(1)(a) of the ACER Regulation provides that the Administrative Board shall, after consulting the BoR and obtaining its favourable opinion in accordance with point (c) of Article 22(5), appoint the Director in accordance with Article 23(2). The BoR Chair presented the circulated note setting out the procedural arrangements, to be complemented with practical information once the date of the interviews of the candidates shortlisted by the European Commission is known.

#### 3.3 Grid Incident in Spain and Portugal on 28 April 2025 - Final Report

ACER and CNMC presented the key findings and takeaways from the above report issued on 20 March, which concluded after a complex investigation that the incident had been triggered by an uncontrolled rise in system voltage and a loss of voltage control in Spain. The report contains a series of recommendations and points to additional areas for improvement with potential implications for the EU system operation & grid connection codes, which the BoR was invited to discuss.

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

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#### 4.1 Cost-benefit sharing paper

Among the commitments from the 2024 ACER-CEER paper on Challenges of the Future Electricity System was to consolidate and improve the current regulatory approaches to better share the cost and benefits of electricity network infrastructure arising from cross-border trade. The 2025 Copenhagen Energy Infrastructure Forum further invited ACER to present the results of the present policy paper at the next Forum (21-22 May 2026).

The BoR Chair asked members whether they agree to endorse the Cost-benefit sharing paper. The BoR endorsed the paper by consensus of the members present and represented.

#### 4.2 ACER Annual Activity Report 2025: independent section on regulatory activities

The Consolidated Annual Activity Report (CAAR) comprises an independent section on the regulatory activities of the Agency, which the BoR approves pursuant to Article 22(5)(e) of ACER Regulation. The Administrative Board subsequently adopts the CAAR and transmits it to the EU institutions by 1 July.

The main achievements in 2025 (with respect to the internal electricity market, the internal gas market and decarbonised gases and hydrogen, infrastructure and security of supply, and in the field of REMIT) were highlighted in the circulated presentation.

The BoR approved the independent section on the regulatory activities by consensus of members present and represented.

#### 4.3 ACER Decision on the European Resource Adequacy Assessment (ERAA)

The Decision concerns the 2025 ERAA received on 17 December 2025. ACER is competent to decide on ERAA 2025 based on Article 9(1)(a) of the ACER Regulation and Articles 23(7) and 27 of the Electricity Regulation. The draft ACER Decision has been shared along with the AEWG advice and the accompanying letter to ENTSO-E.

By the deadline of 4 March, 1 amendment proposal was received.

The BoR Chair invited members to vote on the amendment, which did not meet the threshold for adoption. The BoR Chair asked members whether there was consensus to grant the BoR favourable opinion on the (initial) proposal and the BoR granted its favourable opinion thereon by the requisite majority of members present and represented.

#### 4.4 LNG Monitoring Report and Wholesale Gas quarterly (Q1/2026)

ACER is preparing Monitoring Reports on developments in European gas markets (quarterly updates) and an analysis of European LNG market developments.

The BoR Chair asked members whether they agree to the endorsement of the Reports. The BoR endorsed them by the requisite majority of members present and represented.

#### 4.5 Energy Union TF report: Mitigating high electricity prices in Southeast Europe

On the invitation of the European Commission, on 9 March, ACER attended the regional Energy Union Task Force meeting (to which NRAs from the region participated) to present its reflection on the feasibility of measures seeking to increase cross-zonal capacities and flexibility in Southeast Europe, on which it had also organised dedicated workshops with NRAs. ACER presented the draft Report, which contains proposals for targeted measures to increase cross-zonal capacity, activating demand response and system flexibility and wider market configuration and system planning improvements.

BNetzA questioned whether the draft Report contains recommendations in substance. Following discussion, the BoR Chair agreed that the current draft Report could not be voted on at this stage and proposed that the new version be submitted for electronic procedure taking due consideration of the comments provided by the AEWG.

#### **4.6 ACER Decision on amending the ENTSO-E’s proposal to the Methodology for Regional Coordination Centres’ (RCCs) task of facilitating the regional sizing of reserve capacity**

On 25 March 2026, ACER received a proposal from ENTSO-E to amend the methodology for the regional sizing of reserve capacity, which allows RCCs to assess reserve needs across countries, taking into account volumes shared between TSOs through bilateral agreements. Given the short timeline, upon ACER’s request, the BoR Chair asked members whether they agree to issue the BoR favourable opinion by electronic procedure, and members unanimously agreed.

Decisions/Conclusions	
4.1	The Cost-benefit sharing paper was endorsed by consensus of members present and represented.
4.2	The BoR unanimously approved the ACER Annual Activity Report 2025: independent section on regulatory activities.
4.3	The proposal for amendment did not meet the requisite threshold for adoption. The BoR issued its favourable opinion on the ACER Decision on the European Resource Adequacy Assessment for 2025 by the requisite majority of members present and represented.
4.4	The LNG Monitoring Report and Wholesale Gas quarterly (Q1/2026) was endorsed by the requisite majority of members present and represented.
4.5	The BoR unanimously agreed to the use of the electronic procedure for the endorsement of the Energy Union TF report: Mitigating high electricity prices in Southeast Europe.
4.6	The BoR unanimously agreed to the use of the electronic procedure to grant the favourable opinion on the ACER Decision on amending the ENTSO-E’s proposal to the Methodology for Regional Coordination Centres’ task of facilitating the regional sizing of reserve capacity.

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## 5. AWG/ARC KEY ISSUES

### 5.1 AWG/ARC key issues

The AWG Chairs and ACER provided updates on: the call for NRA co-convenor for the AGWG INF TF; preparations for the Madrid, Copenhagen and Florence Fora; the welfare gains analysis project; announcement of new co-chairs of the Compliance & Enforcement TF, Mr Guillaume Van Doorslaer (CREG) and Mr Filipe Matias Santos (ERSE) as well as the CACM TF co-chair, Mr Petr Spodniak (EV); ACER's EU-wide flexibility needs assessment; the TEN-E revision; and ongoing work on Public Engagement Plans.

### 5.2 ACER Decision on Capacity Calculation Region Core Redispatching Countertrading Cost Sharing

ACER recalled that this Decision follows the General Court judgment of September 2024 and the Board of Appeal's remittal of the decision to ACER. The methodology establishes the rules TSOs need to follow to determine the different categories of flows (loop, internal, phase shifting transformers, allocated flows) which created network congestions for each capacity calculation region and how the respective costs are shared among TSOs. The timeline of the process was extended inter alia to accommodate additional discussions on the loop flow threshold and flow decomposition, which members were invited to discuss, and the preliminary position is expected by the end of April and adoption of the ACER Decision at the July BoR meeting.

### 5.3 ACER Decision on the Long-term Capacity Calculation Methodology of the Core Capacity Calculation Region

Core TSOs developed the long-term capacity calculation methodology of the Core capacity calculation region (Core LT CCM) in accordance with Article 10 of Commission Regulation (EU) 2016/1719 of 26 September 2016 establishing a guideline on forward capacity allocation. On 4 February 2026, Core NRAs referred Core TSOs' proposal for the amendment to the Core LT CCM to ACER and proposed certain amendments including the introduction of historical Available Transfer Capacity (ATC) benchmark to the Core LT CCM and the integration of the SEM - France bidding zone border into the Core CCR once Celtic interconnector commissioning is finalised. The BoR Chair expressed her satisfaction with the organisation of the orientation discussion, which enables the BoR to be involved early in the process. ACER presented the state of play of this work and members discussed the key expected adjustments. AGEN-RS reiterated that half of the Krško Nuclear Power Plant's capacity (currently around 350 MW) should always be available for allocation at the Slovenian-Croatian border within the methodology, or alternatively, that this capacity be exempted from the proposed flow-based methodology, as it was proposed and clarified already at technical level.

### 5.4 Article 70 of Regulation (EU) 2024/1789 on derogations with third countries

From 5 August 2026, Article 70 of Regulation (EU) 2024/1789 extends the scope of application of all network codes and guidelines to include entry points from and exit points to third

countries. While the application of network codes and guidelines at points with third countries is the default rule, as an exception, only in duly justified cases, the Regulation makes it possible for NRAs to request time-limited derogations from specific provisions of network codes and guidelines. The NRAs had to submit the derogation requests simultaneously to both the Commission and ACER by 5 February 2026. Within three months of receiving the request, ACER must provide a reasoned opinion on the derogation request to the Commission, which will adopt the final decision by 5 August. ACER presented its approach to the assessment of the 7 derogation requests from the Slovakian, Bulgarian, Hungarian, Lithuanian, Estonian, Italian, and Spanish regulators. The final opinions will be shared with the BoR for information ahead of publication.

## 5.5 ECRB update

The ACER representative to the Energy Community Regulatory Board, Mr Martinet, updated members on developments in connection with the Energy Community, including as regards the transposition and implementation of the energy acquis in the Energy Community Contracting Parties – paving the way for their participation in ACER - and discussions on the Terms and Conditions or Methodologies relating to the regional allocation platform.

## 5.6 REMIT reports on compliance with Article 15 obligations

Ms Espeja as ARC co-Chair presented two reports (endorsed by ARC) planned for publication on 8 May 2026: the report under Article 15(5)(a) of the REMIT Regulation 1227/2011 assesses PPAT (persons professionally arranging transactions) market surveillance arrangements, systems and procedures, as well as their effectiveness. The report under Article 15(5)(b) fulfils the new legal obligation on the Agency to issue an annual report on the implementation of Article 15 of REMIT, providing information on the NRAs' analysis of suspicious transactions, their response to poor quality reporting and non-reporting of suspicious behaviours, and the NRAs' related activities with regard to enforcement and penalties.