

142nd ACER Board of Regulators meeting

16 September 2026 | 9.00 – 13.00

Dublin & hybrid

MINUTES

Represented institutions	Names ¹
E-CONTROL (Austria)	A: Dietmar Preinstorfer; O: Markus Krug; O: Katharina Ledermann-Tappeiner
CREG (Belgium)	M: Koen Locquet; A: Geert Van Hauwermeiren; O: Bart De Waele
EWRC (Bulgaria)	A: Tasko Ermenkov; O: Iva Georgieva; O: Borislava Petrakieva
HERA (Croatia)	M: Nikola Vištica; A: Sonja Tomašić Škevin
CERA (Cyprus)	A: Alkis Philippou
ERU (Czech Republic)	A: Vladimír Vajnar; O: Theodor Sulc; O: Pavla Pohankova
DUR (Denmark)	M: Carsten Smidt; A: Birgitta Bundgaard
ECA (Estonia)	A: Marilyn Tilkson
EV (Finland)	M: Simo Nurmi; O: Veli-Pekka Saajo
CRE (France)	M: Emmanuelle Wargon; A: Nadia Faure; O: Claire Hellich-Praquin; O: Benoît Esnault; O: Lea Metke; O: Romain Yborra
BNetzA (Germany)	M: Annegret Groebel; O: Nadia Horstman; O: Alexander Linov
RAAEY (Greece)	M: Kosntantinos Tsimaras; O: Yuriy Bilen
MEKH (Hungary)	M: Pal Sagvari; O: Szabolcs Miklos Koppányi
CRU (Ireland)	M: Jim Gannon; O: Tanya Harrington; O: Eilis McDonnell; O: John Melvin; O: Clodagh Hunt-Sheridan

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

ARERA (Italy)	M: Lorena De Marco; A: Francesco Cariello; O: Fiorenza Carraro
PUC (Latvia)	A: Dace Bite; O: Alda Ozola; O: Guntars Kaneps; O: Lija Makare
NERC (Lithuania)	M: Renatas Pocius; O: Benas Skublickas
ILR (Luxembourg)	M: Claude Rischette
REWS (Malta)	O: Manuel Manuzzi; O: Christian Fenech
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; O: Eduardo Figueira
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: Rocio Prieto; O: Ana Varo
EI (Sweden)	M: Ulrika Hesslow; A: Caroline Tornqvist; O: Johan Roupe
RME (Norway)	A: Inger Cathrine Bugge
Orkustofnun (Iceland)	M: Hanna Björg Konráðsdóttir
EFTA Surveillance Authority	O: Anne De Geeter
ACER	Volker Zuleger, Christophe Gence-Creux, Rafael Muruais Garcia, Csilla Bartok, Martin Godfried, Antonio Santos, Francois Beaude, Tina Voncina, Mitsuko Akiyama, Argyro Lykaki
European Commission	Lukasz Kolinski, Christof Lessenich, Elissavet Kazili, George Paunescu, Inez Brogowska

1. OPENING

1.1. Opening address by Minister for Climate, Energy and the Environment Darragh O'Brien

Minister O'Brien welcomed the participants to Ireland, which has assumed the Presidency of the Council of the European Union (EU) since 1 July. The Irish Presidency will be guided by the principle "strength in unity" and will work together with the Member States and EU institutions to deliver a sustainable, secure energy system across the EU, taking forward an ambitious agenda that places citizens at the centre of everything, in line with the One Europe, One Market roadmap. With great responsibilities come a clear sense of purpose to bring these about. The three pillars of the Presidency are: competitiveness, values and security. Geopolitical instability is likely to continue shaping the energy landscape facing multiple challenges including increased volatility, competitiveness and affordability. Lasting resilience requires a structural change from the current reliance on imported fossil fuels, which exposes the EU to vulnerabilities. Shifting energy generation to clean energy and accelerated electrification will also strengthen energy security. The Presidency will inter alia aim to reach a general position on the network charges proposal and deliver on the EU Grids Package. In concluding, Minister O'Brien stressed how the regulatory perspective contributed by independent regulators cooperating in this forum is critical in ensuring that the regulatory framework is one that supports investments and that the market arrangements work to ensure a well-functioning internal energy market.

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

The agenda of the 142nd BoR meeting was approved. The draft agenda was sent to the European Parliament.

Members were invited to declare any conflict of interest. None was declared.

1.3. Minutes of the 141st BoR meeting

The minutes of the 141st BoR meeting were approved and sent to the European Parliament on 22 July 2026.

Decisions/Conclusions

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

2.1 Update from ACER

The ACER Director *ad interim* renewed the call to members to consider sending Seconded National Experts to ACER, an initiative which has been shown to foster fruitful collaboration in the past through deepening mutual understanding.

He also informed members that on 10 September, Mr Lessenich appeared before the ITRE Committee of the European Parliament for his statement and exchange of views with the ITRE Members and that the decision appointing him as ACER Director is now in force.

2.2 Update from the BoR Chair

Article 25(2) of Regulation (EU) 2019/942 provides that ACER's Board of Appeal is composed of six members and six alternates selected from among current or former senior staff of regulatory authorities, competition authorities or other Union or national institutions, with relevant experience in the energy sector. It further provides that they are formally appointed by the Administrative Board, on a proposal from the Commission, following a public call for expression of interest and after consultation of the BoR. The BoR Chair informed members of the outcome of the consultation, namely that in the absence of concerns expressed by the BoR members, she had informed the Chair of the Administrative Board (AB) on 10 September that the BoR had reviewed the proposed list of BoA members and alternates and does not object to their formal appointment by the AB.

The BoR Chair also updated members regarding the December meeting arrangements, including a joint session with the AB to discuss priorities for the period ahead following the appointment of the new ACER Director.

3. DELIVERING ON THE WIDER ENERGY UNION

3.1 Updates from the European Commission

Mr. Kolinski updated members on institutional developments concerning the Commission's proposal amending Regulation (EU) 2019/943.

He also presented the Commission's June 2026 flagship initiative, the Strategic Roadmap for Digitalisation and Artificial Intelligence (AI) in the Energy Sector, aimed at accelerating digital solutions for grid optimisation, energy efficiency, demand-side flexibility and the integration of data centres into the energy system.

Mr Kolinski further informed members that DG ENER is working on the revised EU energy security framework and the policy framework beyond 2030, including the pathway towards 2040.

3.2 Next steps on the EC legislative proposal on network charges

The BoR discussed the above legislative proposal issued on 17 July at 2 ad hoc meetings held on 29 June and on 23 July. At those meetings, the Commission presented the proposed changes focusing on the revision of Article 18 of the Electricity Regulation to incentivise grid-

friendly behaviour among system users without altering existing key principles and NRA independence in tariff setting. Members pursued the discussion on key provisions impacting ACER competence and cross-border aspects.

ACER then presented its preliminary evaluation of the legislative proposal with direct implications for the Agency.

3.3 Role of data centres in the energy system

Mr Beaude gave a short presentation providing an overview of this cross-cutting topic. In the absence of precise consumption data, the IEA estimates that the energy use of data centres in Europe in 2024 was 70 TWh, and that consistent with the global trend, a significant increase is expected in the coming years – towards 115 TWh as early as 2030, though consumption levels will vary by Member State and region. The extent of the increase in consumption is very uncertain, with risk of sunk costs from network development if the deployment of data centres doesn't occur as expected. The surge in electricity costs due to rising power demand from data centres is attracting increasing attention in Europe, the US and elsewhere. In this context, the energy system is likely to face numerous challenges in terms of speculative grid connection requests, meeting demand and of the role of data centres as potential providers of flexibility.

Mr Gannon presented the situation in Ireland, which is projected to experience the second-highest growth in electricity demand in the EU between 2020 and 2030, driven mainly by data centres that already account for the EU's highest share of electricity consumption. Stressing the crucial role of national energy regulators in ensuring data centres act as responsible system participants, he noted that while Ireland's network has successfully supported this growth, data centre development has outpaced the expansion of grid infrastructure and new generation capacity.

Mr. Nurmi complemented the discussion by sharing Finland's experience, noting that a surge in data centres and energy-intensive industries, driven by clean energy production, strong grids, and relatively fast permitting, is predicted to increase national energy consumption by 40% by 2030. Concurring with the challenges identified by CRU, he emphasised the critical role of the government and regulators in addressing these pressures, which have sparked extensive public debate over electricity adequacy and rising prices.

The BoR Chair thanked the presenters and opened the floor for discussion.

The BoR Chair thanked participants for raising many relevant aspects and committed to keeping this topic on the BoR agenda.

4. ITEMS FOR OPINION/APPROVAL/AGREEMENT

4.1 ACER Decision on the third amendment to the implementation framework for the European platform for the exchange of balancing energy from frequency restoration reserves with automatic activation (aFRR)

On 18 December 2025, ACER received two proposals from the European electricity TSOs to amend the implementation frameworks (IFs) for two European platforms for exchanging

balancing energy, according to Article 20(3)(f) and 21(3)(f) of the Electricity Balancing Regulation. These frameworks describe the design of the Platform for the International Coordination of Automated Frequency Restoration and Stable System Operation (PICASSO, the subject of the aFRR Decision voted under agenda item 4.1) and Manually Activated Reserves Initiative (MARI, the subject of the mFRR Decision voted under agenda item 4.2 below). These European platforms help integrate European balancing energy markets by using a common merit order list to enable cost-efficient activation of balancing energy bids across Europe. They could facilitate the development of flexibility in Europe by ensuring that the prequalification step enables the participation of small market participants whilst addressing system security and reliability concerns.

The TSOs proposed to amend the IFs by including a common harmonisation proposal (CHP) as an Annex to the IFs. The main focus of this CHP is the harmonisation of the terms and conditions for Balancing Service Providers with regards to prequalification process, which ensures that power generation or demand units meet the technical and operational requirements to provide reliable balancing services.

The draft Decision was circulated along with the AEWG advice. In the absence of proposals for amendment/comment, the BoR Chair invited members to vote on whether to grant the BoR favourable opinion and this was granted by consensus of the members present and represented.

4.2 ACER Decision on the third amendment to the implementation framework for the European platform for the exchange of balancing energy from frequency restoration reserves with manual activation (mFRR)

The draft Decision on the third amendment to the implementation framework for the European platform for the exchange of balancing energy from frequency restoration reserves with manual activation (mFRR) was also circulated along with the AEWG advice. In the absence of proposals for amendment/comment, the BoR Chair invited members to vote on whether to grant the BoR favourable opinion and this was granted by consensus of the members present and represented.

4.3 ACER-CEER Retail Monitoring Report

Ms Bartok presented the draft ACER-CEER Retail Monitoring Report, which assesses retail prices and consumer bill impacts, and other indicators. The second part of the report covers contract monitoring and the flexibility benefits assessment.

Following discussion, the BoR endorsed the report by the requisite majority of the members present and represented.

4.4 ACER Opinion on the 2026 Opinion on Gas and Hydrogen Network Development Plans

Articles 26(9) and 60(2) of the Gas Regulation 2024/1789 provide for ACER's review of national gas and hydrogen Network Development Plans (NDPs) to assess their consistency with the Union-wide NDP for natural gas and hydrogen (i.e. their inclusion of EU TYNDP projects). National network development plans (NDPs) for natural gas and hydrogen are the

primary instruments for identifying infrastructure needs and planning gas and hydrogen network investments in line with evolving supply and demand, national energy policy and EU-level priorities.

Following discussion, the BoR endorsed the report by the requisite majority of the members present and represented.

4.5 Appointment of the Gas Working Group Chair

Mr Verdelho formally announced that he was stepping down from the chairmanship of ACER's Gas Working Group (AGWG). The BoR Chair thanked him for leading this group with dedication.

According to Article 2.2 of the AWG RoP, the Director and the BoR jointly appoint one or more Chairpersons for each WG, typically for a period of two years. The BoR and the Director jointly agreed to appoint Mr Esnault and Mr Krug as AGWG co-chairs.

Decisions/Conclusions	
4.1	The BoR granted its favourable opinion on the ACER Decision on the third amendment to the implementation framework for the European platform for the exchange of balancing energy from frequency restoration reserves with automatic activation (aFRR) by consensus of the members present and represented.
4.2	The BoR granted its favourable opinion on the ACER Decision on the third amendment to the implementation framework for the European platform for the exchange of balancing energy from frequency restoration reserves with manual activation (mFRR) by the consensus of the members present and represented.
4.3	The BoR endorsed the ACER-CEER Retail Monitoring Report by the requisite majority of members present and represented.
4.4	The BoR endorsed the ACER Opinion on the 2026 Opinion on Gas and Hydrogen Network Development Plans by the requisite majority of members present and represented.
4.5	The BoR and the Director jointly agreed to the appointment of Mr Esnault and Mr Krug as AGWG co-Chairs for a term of 2 years.

5. AWG/ARC KEY ISSUES

5.1 AWG/ARC key issues

The AWG Chairs and ACER provided updates.

As part of the usual AEWG update, the AEWG Chair provided an overview of ongoing work, namely on the 2026 ACER Market integration report, the ACER Flexibility Report, and the framework for national flexibility assessments (FNA).

ACER presented its Opinion on the Portuguese National Resource Adequacy Assessment, which was published on 7 September. Under the Electricity Regulation, Member States may perform national resource adequacy assessments (NRAAs) to capture local developments. If an NRAA identifies risks not reflected in the ERAA, it must be submitted for ACER's opinion, along with an explanation of the differences between the national and European assessments, which are assessed. ACER found that the projected adequacy risks are largely driven by assumptions of strong demand growth, while new capacity, including demand-side response, is assumed to lag behind. To strengthen Portugal's assessment, ACER recommended applying the economic viability assessment in line with the ERAA methodology, assessing the potential for new market-based investments.