

70th Administrative Board Meeting

Ordinary session (hybrid mode)

Thursday, 11 December 2025, 16:15 - 19:30

Friday, 12 December 2025, 09:00 - 13:45

ACER premises, Trg republike 3, 1000 Ljubljana

MINUTES

Members and Alternates of the Administrative Board, present at the meeting:		Function
Ms Edit HERCZOG		Chair
Mr Bogdan CHIRIȚOIU		Vice-Chair
Dr Jurijs SPIRIDONOVŠ (present online on both days)		Member
Mr Václav BARTUŠKA		Member
Mr Tomasz DĄBROWSKI		Member
Ms Karoline NARODOSLAWSKY		Member
Mr Paul RÜBIG		Member
Mr Atanas GEORGIEV		Alternate
Mr Attila NYIKOS		Alternate
ACER	Volker ZULEGER, Silvia MANESSI, Paul MARTINET, Rodica MANDROC, Valer ILIĆ, Olga BORISSOVA, Julia HENTZ, Savvas SAVVIDES, François BEAUDE, Aleš STANIČ, Tomaž ZAPLOTNIK, Bart VEREECKE, Daniel IHASZ-TOTH, Karina KNAUS, Johan NORDSTROM, Andreas MILTSOS, Tina VONČINA	
European Commission	DG ENER: Frédéric VERSINI – Member with proxy of member Ms JUUL-JØRGENSEN Juan-Ignacio DE DIOS MORALES; Inez BORGOWSKA	
Board of Regulators	Emmanuelle WARGON, Chair	

Board of Appeal	Miro PREK, Chair
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Member Ms Ditte JUUL-JØRGENSEN granted proxy to Mr Frédéric VERSINI.

Mr Volker ZULEGER (ACER Director *ad interim*) and Ms Emmanuelle WARGON (Chair of the Board of Regulators) were present at the meeting, acting as observers. They were not present at the Administrative Board closed session. The Secretariat was provided by the Agency.

SUMMARY OF CONCLUSIONS OF THE 70TH MEETING OF THE ADMINISTRATIVE BOARD

At the 70th meeting, the Administrative Board:

1) elected by consensus Mr Bogdan Chirițoiu as the new Chair and Mr Tomasz Dąbrowski as the Vice-Chair of the Board for the period January 2026 - January 2028;
2) appointed Mr Bogdan Chirițoiu by unanimity as an observer to follow the 2026 selection procedure applied by the Commission for the appointment of the ACER Director via the AB decision 17/2025 of 12 December 2025;
3) appointed by unanimity via AB decision 18/2025 of 12 December 2025 Mr Frédéric Versini as the reporting officer for the annual 2025 appraisal of the Head of department Mr Zuleger, while Bogdan Chirițoiu was nominated as the appeal assessor;
4) appointed in line with the AB Decision No. 16/2022 of 14 December 2022 Mr Frédéric Versini as the member and Ms Karoline Narodoslawsky as the alternate member of the 2026 Review Panel responsible for the implementation of the 2026 conflict of interest policy for the Administrative Board;
5) acknowledged and endorsed the clarifications regarding the role and powers of the Director <i>ad interim</i> under AB Decision No 14/2025. The Board further recommended that the Director <i>ad interim</i> continues to consult the Board on any matter where it is not immediately clear whether a decision falls within the scope of business continuity, in order to ensure compliance with the AB Decision No 14/2025;
6) took note of the recent activities of the Board of Regulators;
7) welcomed activities that the Director <i>ad interim</i> dedicated to the consolidation of the Agency;
8) adopted by unanimity the Code of good administrative behaviour for ACER's staff via the AB decision 19/2025 of 12 December 2025. The Board tasked the Director <i>ad interim</i> to share the Code with the staff and make it visible on intranet and ACER website;
9) welcomed the initial draft of the Code of Conduct for ACER staff and invited the Agency to continue aligning it with the obligations under the Staff Regulations, as well as with the forthcoming results of the ongoing DG IAS internal audit on HR management and ethics;
10) noted the main conclusions of the 2025 market monitoring reports and stressed the strategic importance of an integrated energy market and the need for the sector to embrace and integrate new developments, including AI;

11)	acknowledged the continued professionalisation of the Board of Appeal in 2025 and expressed its appreciation for its work and leadership, while reaffirming its support for further efforts to ensure the Board of Appeal's effective functioning;
12)	commended the Agency on the successful completion of a significant number of recruitments in 2025 and underlined the importance of maintaining focus on recruitment. At the same time, HR should dedicate increased attention to promoting high ethical standards, adherence to codes of conduct, and a safe working environment based on respect and a healthy work culture;
13)	congratulated the Agency on the positive developments in 2025 budget and procurement execution. If needed, the Board expressed readiness to support the Agency's request for carrying over some 2025 appropriations for commitments by March 2026;
14)	acknowledged the need to address the increasing procurement workload and invited the Director <i>ad interim</i> to present concrete proposals in January on how this could be managed, as it forms part of the business continuity plan;
15)	the departing members and alternates of the Administrative Board expressed their readiness to share their knowledge and experience with the new members and alternates during the Board's onboarding meeting, scheduled to take place in Q1 2026;
16)	took note of the "ACER Mission, Vision and Values" Roadmap and supported the continuation of the project as part of business continuity, by submitting it for further engagement with the Board of Regulators. Following the conclusion of those discussions, the final document should be submitted to the Administrative Board for adoption and for the inclusion of the updated Mission, Vision, and Values in the draft Single Programming Document 2027–2029;
17)	endorsed by unanimity the 2026 budget and establishment plan, which will be included in the draft Single Programming Document 2026–2028;
18)	unanimously adopted the draft ACER Single Programming Document for the years 2026-2028, the 2026 budget and Establishment Plan" via the AB Decision No 21/2025 of 12 December 2025;
19)	took note of the ACER's current data sharing approach with National Regulatory Authorities (NRAs) and with other stakeholders;
20)	took note of the progress made on the building project and underlined the importance of continued monitoring and regular reporting;
21)	endorsed the structural overview of the draft Single Programming Document 2027-2029;
22)	the Secretariat was tasked with preparing cost estimates per Administrative Board meeting for consideration at the next meeting, in order to assess the potential financial implications of granting indemnities to alternates.
22)	took note of the ongoing process to adapt the updated IAS Mission charter, which is to be co-signed by the Chair of the Administrative Board and the Director <i>ad interim</i> upon its finalisation.

1. OPENING

Upon the Chair's invitation, the members and alternates of the Administrative Board were asked to declare any actual or potential interests that could be considered prejudicial to their independence in relation to the items on the agenda. No member or alternate declared or reported any such interest.

The Chair informed the Board that she had invited Mr Paul Martinet, Head of the ACER Legal Service, to attend the entire meeting.

1.1 Approval of the agenda and minutes

The Chair of the Administrative Board proposed amending point 5 of the draft agenda for the 70th meeting, changing it from the adoption of the Code of Conduct for ACER's staff to a discussion on the Code. Accordingly, the agenda item was retitled "Adoption of the Code of Good Administrative Behaviour and discussion on the Code of Conduct for ACER's staff." The proposed amendment and the updated draft agenda were approved.

The minutes of the 69th meeting were approved.

2. DISCUSSION AND DECISION-MAKING

CLOSED SESSION FOR POINTS 2.1 – 2.5

2.1 Election of the Chair and Vice-Chair for the period 22 January 2026 – 28 January 2028 (Administrative Board members and alternates only)

The Administrative Board proceeded with the election of its new leadership, as the two-year mandate of the current Chair and Vice-Chair expires on 22 January 2026.

The Secretariat recalled the relevant legal provisions of Regulation (EU) 2019/942 and the Administrative Board Rules of Procedure, which govern the election procedure for the Chair and Vice-Chair of the Administrative Board.

At the closed session of the 69th Administrative Board meeting on 23 October 2023, it was agreed that members interested in standing for either position could submit their candidacies to the Secretariat from that date until 21 November 2025. By the deadline, Mr Bogdan Chirițoiu submitted his candidacy for the position of Chair, and Mr Tomasz Dąbrowski submitted his candidacy for the position of Vice-Chair. Both candidacies were accompanied by personal statements outlining their respective visions for leading the Board over the next two years.

As there was one candidate for each position, the members unanimously agreed not to proceed with a secret ballot, but instead to express their support orally for the proposed candidates. Mr Bogdan Chirițoiu and Mr Tomasz Dąbrowski were elected by consensus of the Board.

Following the election, Mr Chirițoiu and Mr Dąbrowski thanked the members for their support and reaffirmed their commitment to working closely with the Board. They underlined the strategic importance of EU energy policy in the current context—particularly in relation to resilience, competitiveness, and decarbonisation—and emphasised the key role of ACER in advancing these objectives.

Decisions/ Conclusions

The Administrative Board elected by consensus Mr Bogdan Chirițoiu as the new Chair and Mr Tomasz Dąbrowski as the Vice-Chair of the Board for the period January 2026 - January 2028.

2.2 Selection process of the new Director - update by the European Commission and decision on appointment of the AB representative in the preselection process

Upon the proposal of the Chair, the European Commission was invited to keep the Board informed during this initial phase of the pre-selection process, with information shared only with the Chair and Vice-Chair.

During the 69th Administrative Board meeting held on 23–24 October 2025, the European Commission invited the Administrative Board to appoint an observer from among its members to follow the selection procedure applied by the European Commission for the appointment of the ACER Director.

The Administrative Board appointed its member and future Board Chair, Mr Bogdan Chirițoiu, to this observer position.

Decisions/ Conclusions

The Administrative Board appointed Mr Bogdan Chirițoiu by unanimity as the new as the observer to follow the 2026 selection procedure applied by the Commission for the appointment of the ACER Director via the AB decision AB 17/2025.

2.3 Decision on the appointment of one Member of the Administrative Board as reporting officer and one Member as appeal assessor for the assessment of the annual performance of the Head of the Coordination, Operations and Legal Department for the reporting period 1 January 2025 to 31 December 2025

The Chair explained that nomination of the Head of the Coordination, Operations and Legal department (COL), Mr Volker Zuleger, to the post of ACER Director *ad interim* as from 16 October 2025 until the newly appointed Director takes up his/her duties and for maximum one year, concerns only a temporary occupation of a management post. Therefore, the provisions of AB Decision No 23/2015 (which lays down the appraisal procedure for all ACER staff, with the exception of the Director) remain entirely applicable to Mr Zuleger, as his permanent post is Head of COL.

In accordance with AB Decision No 23/2015, article 2 paragraph 2, Mr Zuleger must be evaluated with respect to his efficiency, ability and conduct for all his professional activities during the reporting period concerned (1 January 2025–31 December 2025).

According to article 3 paragraph 1 of AB Decision No 23/2015, the reporting officer is the jobholder's direct superior on 1 December of the reporting period. Therefore, in the absence of a formally appointed Director, the Administrative Board is to be considered Mr Zuleger's direct superior.

The Administrative Board should therefore appoint amongst its members one reporting officer and one appeal assessor to assess the efficiency, ability and conduct of Mr Zuleger during the reporting period (1 January 2025 to 31 December 2025). Mr Frédéric Versini was appointed as the reporting officer and Mr Chirițoiu as the appeal assessor should that be necessary.

For the time during which Christian Zinglensen was Mr Zuleger's direct superior during the reporting period (i.e., 1 January 2025 to 15 October 2025), Mr Zinglensen will be asked, as an essential part of his hand-over duties, to provide by 31 December 2025 to the Administrative Board his written assessment of Mr Zuleger's performance, as well as of the other staff members of whom he was the direct superior during this period.

**Decisions/
Conclusions**

The Administrative Board appointed by unanimity Mr Frédéric Versini as the reporting officer for the annual 2025 appraisal of the Head of department Mr Zuleger. Bogdan Chirîţoiu was nominated as the appeal assessor.

2.4 Conflict of interest policy: Reflection on the 2025 process and appointment of the Members of the Review Panel for Conflict of Interests Management in 2026

The Chair underlined the importance of the management and prevention of conflict of interest policy for ensuring the independence of the Administrative Board as a whole and for maintaining trust of stakeholders and citizens in the Agency's integrity.

The Secretariat informed that the 2026 annual conflict of interest process would be launched in the beginning of January 2026. Members and alternates should submit by 31 January 2026 the following documents:

- a) an annual individual declaration indicating any interest with respect to all activities in which member and alternate or his/her close family members are involved or have been involved during the five years preceding the declaration;
- b) a declaration of commitment; and
- c) an updated Curriculum Vitae.

According to the relevant procedure stipulated by the Administrative Board decision 16/2022, these documents will be reviewed and assessed by an Administrative Board Review Panel. The Chair and Vice-Chair of the Board are automatically the Review Panel members. The Chair explained that to complete the Review Panel for the 2026 yearly assessment, one of the European Commission representatives has to be appointed as the Review Panel member. Moreover, one additional person has to be appointed among the remainder of the members to act as alternate in the assessment of the documents for the Review Panel members.

The Chair informed that Mr Frédéric Versini had expressed availability to be appointed as a representative of the European Commission in the Review Panel. For the alternate member of the Review panel, the Board reappointed Ms Karoline Narodoslowsky. Ms Narodoslowsky accepted the position.

The Secretariat reported that a recent assessment concerning the appointment of new members and alternates, the departure of one Review Panel member, and changes in the situation of another member complements the 2025 Administrative Board Review Panel report, which was shared with the Board.

**Decisions/
Conclusions**

The Administrative Board appointed in line with the AB Decision No. 16/2022 of 14 December 2022 Mr Frédéric Versini as the member and Ms Karoline Narodoslowsky as the alternate member of the 2026 Review Panel responsible for the implementation of the 2026 conflict of interest policy for the Administrative Board.

2.5 Discussion with the Director *ad interim*: Update on consolidation

The Chair recalled that, at its 69th meeting, the Board supported the orientation and priorities presented by the Director *ad interim* and agreed that consolidation should remain the main priority during the interim period. In October 2025, the Board also agreed to discuss the powers of the Director *ad interim* at the next/December meeting, as Administrative Board Decision No 14/2025 appointing Mr Volker Zuleger as Director *ad interim* limits the exercise of the Director's powers to ensuring business continuity and day-to-day management, while refraining from strategic decisions with longer-term impact. As the Administrative Board decision does not further specify the scope of these powers, Mr Zuleger informed the Board of several practical experiences that highlight the need for clarifying their interpretation.

Several Board members emphasised the importance of enabling the Director to take decisions in a rapidly changing geopolitical environment and of clarifying the distinction between short- and long-term impact decisions. This was particularly relevant in light of the authorisation already granted by the Board for the signing of the rental contract for the new premises. The Chair of the Board of Regulators also highlighted the need for clarification, noting that regulatory files with potential long-term implications must be clearly regarded as part of business continuity.

The Commission representative, Mr Frédéric Versini, considered the framework established by the Administrative Board's decision No 14/2025 adequate and stressed that, while no written guidelines exist, the role of the Director *ad interim* is governed by established principles. He explained that the interim role is primarily a caretaker function focused on ensuring business continuity, without engaging in organisational changes or actions with long-term financial implications. The key test should be whether a decision is strictly necessary within the next six months, pending the appointment of a permanent Director.

Mr Paul Martinet, Deputy Head of the Coordination, Operations and Legal department, summarised the subsequent discussion by noting that business continuity covers measures foreseen in the Single Programming Document, as well as all actions necessary to ensure compliance with Regulation (EU) 2019/942 and relevant sector-specific legislation. This may also require actions that could appear to have longer-term implications, such as implementing recommendations from oversight bodies, addressing security incidents, or fulfilling specific staff-related obligations (e.g., harassment cases). At the same time, Mr Martinet clarified that Administrative Board Decision No 14/2025 prevents any changes to the Agency's organisational structure during the interim period, including actions that would affect tasks, posts, grading, financial costs, selection criteria, or the transfer of teams or individual staff between departments, unless required to ensure business continuity in the operation and the day-to-day management of ACER, refraining from taking strategic decisions with a longer-term impact.

Finally, Mr Martinet also emphasised that the Decision only limits the powers of the Director *ad interim*; other bodies of the Agency retain their full powers. Therefore, the Administrative Board can adopt any of its decisions, even those with long-term impact, with the Director preparing such decisions either at the Board's request or on their own initiative (e.g., preparing implementing rules under Article 110(2) of the Staff Regulations).

The Administrative Board considered these clarifications sufficient for implementing its Decision No 14/2025 and stressed that the explanations recorded in the minutes of the meeting complement the wording and intent of Administrative Board Decision No 14/2025.

The Administrative Board considered the measures presented as being covered by the business continuity mandate and commended the professional and transparent approach with which the Director *ad interim* keeps the Board informed. This facilitates effective oversight by the Administrative Board and will ensure a smooth and efficient handover following the appointment of the new Director.

**Decisions/
Conclusions**

The Administrative Board acknowledged and endorsed the clarifications regarding the role and powers of the Director ad interim under AB Decision No 14/2025. The Board further recommended that the Director ad interim continues to consult the Board on any matter where it is not immediately clear whether a decision falls within the scope of business continuity, in order to ensure compliance with the AB decision No 14/2025.

2.6 Board of Regulators progress report

Ms Emmanuelle Wargon, Chair of the Board of Regulators, reported on the main discussions of the 136th meeting held in Ljubljana.

The Board of Regulators, inter alia, gave a favourable opinion on the Rules of Procedure for the REMIT Investigations Department under Article 14(5) of the ACER Regulation. In line with the Regulation, these rules, which set out the administrative procedures for conducting investigations, will be submitted to the Administrative Board for adoption at its January meeting.

The NRAs also held an extensive debate on the ACER Recommendation on reasoned proposals to improve the regulatory framework to ensure robust implementation of the internal electricity market rules. As the paper prepared by ACER could not yet be endorsed, the Chair opened an additional comments period, with the aim of putting the paper to a vote at the January meeting.

Ms Wargon further reported that the Board of Regulators gave a favourable opinion on the ACER Single Programming Document 2026–2028 and agreed to vote on the draft ACER Single Programming Document 2027–2029 via electronic procedure to be concluded by the end of 2025.

Finally, the Chair of the Board of Regulators announced an additional meeting on 8 January 2026 to launch an orientation debate on the TEN-E Regulation, with the aim of providing initial Board of Regulators guidance for drafting key reactions to the European Commission proposal.

**Decisions/
Conclusions**

The Administrative Board took note of the recent activities of the Board of Regulators.

2.7 Update of the Director *ad interim* on the Business continuity plan; Adoption of the Code of Good Administrative Behaviour and discussion on the Code of Conduct for ACER's staff

Upon the Chair's invitation, the Director *ad interim*, Mr Zuleger, reported on activities undertaken since the October Administrative Board meeting in line with the established consolidation priorities. He made progress on most activities planned until the end of 2025, focusing on orientation and stabilization.

Following the request of the Administrative Board to strengthen the ethical code of ACER's staff by carrying out its duties in accordance with the principles of good administrative behaviour and high standards of ethical conduct, the Director proposed a Code of good administrative behaviour for ACER's staff, modelled upon the Ombudsman code.

To complement this, the Director presented to the Board also a draft Code of Conduct for ACER staff, providing guidance on conflicts of interest, confidentiality, discretion, and gifts and hospitality, aimed at supporting the proper functioning of the Agency in fulfilling its responsibilities. As the European

Commission noted the need to cross-check the text with conflict of interest obligations under the Staff Regulations, the Board agreed to submit the draft to the Commission for a legal review. In the meantime, the Board instructed that the code should be consulted also with the Staff Committee. Considering that the Code should also reflect findings from the internal audit on HR management, the Board advised adopting it only after these steps have been completed.

The Administrative Board tasked the Director *ad interim* to share/send the adopted Code of good administrative behaviour for ACER's staff to all staff and put it visibly on the Agency's intranet and website.

**Decisions/
Conclusions**

1. ***The Administrative Board welcomed activities that the Director ad interim dedicated to the consolidation of the Agency.***
2. ***The Administrative Board adopted by unanimity the Code of good administrative behaviour for ACER's staff via the AB decision 19/2025 of 12 December 2025.***
3. ***The Administrative Board welcomed the initial draft of the Code of Conduct for ACER staff and invited the Agency to continue aligning it with the obligations under the Staff Regulations, as well as with the forthcoming results of the ongoing DG IAS internal audit on HR management and ethics.***

2.8 Energy market and regulatory developments – recent ACER actions, efforts, perspectives and reflections

The ACER Director, Mr Zuleger, and Ms François Beaudé, Team Leader for Strategy Delivery and Communications, informed the Board about the key messages delivered during ACER's annual address to the European Parliament's ITRE Committee on 2 December 2025. Mr Beaudé provided an overview of ACER's recent market monitoring reports, covering developments in integrated electricity markets, gas, the emerging hydrogen market, and REMIT, with a particular focus on cross-border electricity grids.

The Administrative Board emphasized the significance of the current geopolitical context, where energy continues to play a crucial role, and recommended continuing to highlight the importance and benefits of the integrated energy market for Europe, particularly regarding security of supply. The discussion noted the growing relevance of artificial intelligence in the sector, alongside the need to consider the energy consumption of large data centres and to address challenges related to cybersecurity and the protection of critical energy infrastructure.

**Decisions/
Conclusions**

The Administrative Board noted the main conclusions of the 2025 market monitoring reports and stressed the strategic importance of an integrated energy market and the need for the sector to embrace and integrate new developments, including AI.

2.9 Board of Appeal – Progress report

Upon the invitation of the Administrative Board Chair, Mr Miro Prek, Chair of the Board of Appeal (BoA), provided his regular annual update on the functioning and results of this important Agency body.

Mr Prek informed the Administrative Board that in 2025 the BoA composition remained incomplete, with four members and six alternates, due to the passing of one member and the appointment of

another as Advocate General at the Court of Justice of the European Union (CJEU). As the Board's mandate will conclude in October 2026, the BoA Chair urged the European Commission to launch the call for expressions of interest early in 2026, in order to enable the timely completion of the appointment process. He recalled that members of the Board of Appeal are formally appointed by the Administrative Board, on a proposal from the Commission, following a public call for expressions of interest and after consultation of the Board of Regulators. The BoA Chair expressed his readiness to assist the European Commission and the Administrative Board in any way necessary in this process, with a view to preventing excessively tight timelines for decision-making.

The BoA Chair thanked ACER and its Director *ad interim* for their support throughout the year, including the signing of an updated Administrative Arrangement in January 2025, replacing the previous one from 2016. The Administrative Arrangement aims to ensure that the resources and support allocated by ACER to the BoA and its Registry are sufficient to allow the BoA to effectively exercise its duties. Mr Prek also thanked the Administrative Board for the adoption of an increase in the BoA indemnity through Administrative Board Decision No 10/2025, noting that this reflects the significantly increased demands placed on the BoA in recent years. He further highlighted that this decision is relevant in the context of the upcoming call for expressions of interest, as it may help to attract highly qualified candidates.

The Chair emphasised that the ACER BoA has recently also been playing a more active role within the Interagency Association of Appeal Bodies (IAAPN), where it has been contributing to the definition of the roles and responsibilities of the Chair and the Registrar.

With regard to challenges, Mr Prek identified the need for adequate IT tools and a document management system to support the Board's work, as well as the need for a more professionalised Registry with additional human resources. As regards IT tools, he welcomed the current testing phase of certain temporary solutions, while stressing the need for a sustainable long-term solution. He also indicated that the revision of procedural documents - most notably the Rules of Procedure and the BoA Code of Conduct - should be addressed in the near term.

The Director *ad interim* also thanked the Board for their cooperation and acknowledged the challenges raised. With regard to IT tools, Mr Zuleger confirmed that the Agency is exploring new long-term solutions to support the Boards. Concerning requests for additional resources to support the BoA, he emphasised that, given the size of ACER's legal team, no such option is currently available.

The Administrative Board members acknowledged the continued professionalisation of the BoA and expressed their appreciation for its work and leadership. The Administrative Board Chair noted that, in the context of the ongoing discussions on the next Multiannual Financial Framework, the Administrative Board and the Agency may wish to draw attention to the importance of further strengthening resources for cybersecurity and legal support. The Administrative Board invited the BoA to keep it informed of any needs that may arise during the year.

**Decisions/
Conclusions**

The Administrative Board acknowledged the continued professionalisation of the Board of Appeal in 2025 and expressed its appreciation for its work and leadership, while reaffirming its support for further efforts to ensure the Board of Appeal's effective functioning.

2.10 Organisational developments (Human resources management, budget & procurement implementation, recent legal developments, audits, 2026 IT Action plan)

Upon the Chair's invitation, Ms Silvia Manessi, Team Leader of Human Resources Management, provided an update on the 2025 Agency recruitment plan, which resulted in the completion of the 2025

establishment plan. She highlighted that recruitment remains a top priority and will continue to be so in 2026–2027.

To support these highly intensive recruitment efforts, the HR team developed a new IT tool for online application and selection, which has been operational since autumn 2025. Ms Manessi also shared the outcome of another innovation introduced in 2025: the engagement of external consultancy to attract specific profiles for the newly established REMIT Investigations departments. While the overall results were satisfactory—with top candidates accepting positions and a reserve list established—the evaluation showed that external consultancy did not significantly increase outreach. The Agency already possesses internal expertise, an in-house strategy and social media presence to enhance the visibility of vacancies.

The increasing recruitment workload also requires extensive onboarding and, in cooperation with the Staff Committee, an increasing number of staff initiatives. Ms Manessi reported on the ongoing follow-up to the 2024 Staff Engagement Survey. In this context, an additional shorter staff survey on cross-departmental cooperation and workload was conducted in June. Following a discussion of the survey's results by the senior management team, it was decided the management will focus on the prioritization process, while HR will take the lead in improving well-being and alleviating stress for some colleagues. These elements will also be integrated into the next HR strategy. In addition, the HR team is actively involved in managing current facilities and premises and, as key members of the New Building Task Force, plays a central role in the intensive planning for the Agency's new premises.

The Board was presented with the current implementation of the 2025 budget and procurement. The budgetary figures are on track, and the Agency expects to achieve the end year budgetary targets. It should be noted, however, that this requires substantial effort from colleagues due to the late collection of a significant additional €7.6 million in fees, which could only be collected following the September 2025 revision of the Commission Decision on REMIT Fees. While the aim is to conclude the procurement procedures of the REMIT IT projects that were delayed because of this late approval of funding still in 2025, the option of carrying over potentially non-committed 2025 budget remains open and under evaluation. If needed, it would be tabled for the Administrative Board decision in January 2026 per the Financial Regulation deadlines.

Mr Zuleger noted that, consequently, also procurement activities have been highly intensified in that period as witnessed by the number of planned procedures. The Director *ad interim* repeated his observation that the procurement team is experiencing a growing workload and that despite no increase in posts for horizontal service he considered important to address the bottleneck, which impacts the entire Agency. At the Board's request, Mr. Zuleger provided an overview and a country-wise breakdown of the Agency's consultancy contracts.

Mr Paul Martinet, deputy of the Coordination Operations and Legal department, provided an update on recent legal developments.

Ms Rodica Mandroc, Financial Services Team Leader, reported on financial accounting and the ongoing preparations for closing the 2025 financial year. She noted that, in addition to regular work, the team is also focusing on the challenging transition to the new financial tool, SUMMA, which is scheduled to become operational on 1 January 2026. Ms Mandroc also referred to the ECA report on 2024 accounts of the Agencies, published at the end of October 2025. She reported that ACER received a non-qualified opinion regarding the reliability of the accounts and the legality and regularity of the underlying transactions. The report contained four observations; although these do not affect the overall opinion, they will be taken into account for future improvements.

Mr Valter Ilić, Internal Control Officer, reported that five IAS recommendations from the three ongoing audits covering 2021–2024 remain open, with the deadline for their implementation extended to the second quarter of 2026.

The Director *ad interim* also reported on the conclusion of the 2025 IT Action Plan and outlined the contours of the 2026 plan. He highlighted that in 2025 the Agency established an IT Demand Review Board to systematically collect, assess, and monitor IT needs declared by staff. These declared needs form the basis for defining IT projects and activities, which are captured in the annual IT Action Plan. In 2025, 53 IT projects were identified and addressed. In parallel, the IT Action Plan for 2026 is under preparation and is expected to be endorsed by the management team in January 2026. The 2026 plan is largely expected to continue the work initiated in 2025, with key business-critical priorities including the implementation of REMIT II and the revamping of ACER's IT infrastructure, including preparations for the move to the new building.

In response to the request of the budgetary rapporteur regarding the payment of the employer pension contribution, ACER prepared a slide explaining the difference between staff covered from the subsidy and those covered by fees. In the first case, the pension contribution is paid by the European Commission and has no impact on the ACER budget. In the second case, ACER is obliged to pay the employer pension contribution from the collected fees according to the chosen method. It was noted that given the increasing number of staff under the fee system, the corresponding ACER employer pension contributions are also rising. It was explained that the management of the pension fund is not managed by ACER, but by the European Commission.

The Administrative Board thanked the Agency for information provided on these matters and:

- The Board commended the Agency on the successful completion of a significant number of recruitments in 2025 and underlined the importance of maintaining focus on recruitment. At the same time, HR should secure compliance with regulation and also prioritise staff retention by promoting high ethical standards, adherence to codes of conduct, and a safe working environment founded on respect and a healthy work culture. It was stressed that the ISO 9000 certification for the quality management system should be seen as a tool to help newcomers become familiar with Agency processes and should therefore be integrated into onboarding initiatives. The Director *ad interim* confirmed that the certification is included among business continuity activities and that the Agency aims to achieve certification in 2026.
- The Board congratulated the Agency on the positive developments in the execution of the 2025 budget and procurement, noting that this was not an easy task due to the very late adoption of the revised REMIT fees decision, and expressed hope that the end-of-year budgetary targets would be met. The European Commission confirmed its full support for the possibility of carrying over some 2025 appropriations for commitment by March 2026, if needed. The Board also acknowledged the need to address the increasing procurement workload and invited the Director *ad interim* to present concrete proposals in January on how this could be managed, as it forms part of the business continuity plan. Regarding the usefulness of an overview of consultancy contracts, it was explained that such a breakdown provides greater transparency on how public funds are spent and whether any expenditure is directed outside the EU.
- Given that the mandate of Mr Spiridonovs, who has extensive experience in budgetary and procurement matters, is ending in January, the Chair asked whether he would be willing to attend an onboarding session with the new members and alternates to share his experience and highlight key aspects requiring the Board's attention. Other departing members were also invited to share their experience on their areas of expertise. The Secretariat will coordinate with the newcomers to identify a suitable date and organise the session. The next Chair suggested holding a dedicated onboarding meeting in virtual format in Q1 2026.

- The Chair expressed strong appreciation for the work of the Agency's legal team and the support it provides to the Administrative Board and its Secretariat. The Chair suggested the regular presence of Mr Paul Martinet, Head of the Legal Service, at the Board's meetings.
- On audits, the Chair informed the Board that, as part of efforts to strengthen relations with the European Court of Auditors (ECA), Mr Petri Sarvamaa, the ECA Member responsible for agencies, will attend the January Administrative Board meeting to present the results of the 2024 Annual Report on EU Agencies. The Board Chair also expressed appreciation for the work of ACER's Accounting Officer, Mr Miltos, who assumed this role in 2025.

**Decisions/
Conclusions**

1. The Administrative Board commended the Agency on the successful completion of a significant number of recruitments in 2025 and underlined the importance of maintaining focus on recruitment. At the same time, HR should dedicate increased attention to promoting high ethical standards, adherence to codes of conduct, and a safe working environment based on respect and a healthy work culture.
2. The Administrative Board congratulated the Agency on the positive developments in 2025 budget and procurement execution. If needed, the Board expressed readiness to support the Agency's request for carrying over some 2025 appropriations for commitments by March 2026.
3. The Administrative Board acknowledged the need to address the increasing procurement workload and invited the Director *ad interim* to present concrete proposals in January on how this could be managed, as it forms part of the business continuity plan.
4. The departing members and alternates of the Administrative Board expressed their readiness to share their knowledge and experience with the new members and alternates during the Board's onboarding meeting, scheduled to take place in Q1 2026.

2.11 Amendment to the 2025 ACER budget

At the Chair's invitation, the Director *ad interim* informed the Board that the 2025 budget, adopted in December 2024 through Administrative Board Decision No 08/2024, needed to be aligned with the actual collection of REMIT fees in 2025. Consequently, the Agency's total revenue for the 2025 financial year will be reduced by EUR 149,269.87. This amount will be deducted from Title 3 of the budget, which covers fee-related investments. In order to ensure balance between revenue and expenditure, an amendment to the 2025 budget was therefore prepared.

**Decisions/
Conclusions**

The Administrative Board adopted an amendment to the 2025 budget, through Administrative Board Decision No 20/2025, to align revenue and expenditure with the actual collection of REMIT fees.

2.12 Roadmap on “ACER Mission, Vision, Values” project

At the Chair’s invitation, Mr Volker Zuleger, Director *ad interim*, and Mr Bart Vereecke, Project Sponsor and Deputy Head of the Gas, Hydrogen & Retail Department, presented the follow-up to the October discussion on the project “ACER Mission, Vision and Values”.

Mr Vereecke reported that the inter-departmental working group had prepared a submitted document explaining the origins, evolution, and implementation of the initiative. The project originated during the All-Staff Away Day in November 2023 as an effort to update elements that had become outdated and to reflect the profound changes experienced by the Agency in recent years (energy crisis and the COVID-19 pandemic). Mr Vereecke recalled that the Agency had reported on it to the Board in the context of the follow-up to the Staff Engagement Survey (as the initiative was conceived as a staff-driven, bottom-up initiative) at the January and June 2025 Administrative Board meetings. He further explained that since October meeting, the document had been complemented by so called “purpose statement for ACER”, as suggested by the Chair of the Board of Regulators.

The document also includes a proposed roadmap outlining two possible options: (a) if consensus can be reached, the document would be discussed further with the Board of Regulators at its January meeting and subsequently submitted for adoption as part of the draft Single Programming Document 2027–2029; or (b) the project would be paused at this stage until the arrival of the new Director. Mr Daniel Ihasz-Toth, member of the inter-departmental working group on Mission, vision, values and the Staff Committee complemented the presentation by noting that the Staff Committee considers the project to be staff-driven, inclusive, and engaging, and that it contributes to a sense of togetherness within the Agency.

Ms Emmanuelle Wargon, Chair of the Board of Regulators, thanked ACER for the inclusion of the purpose statement. She considered the exercise important and underlined that National Regulatory Authorities, as key stakeholders, should also be involved and invited to indicate whether they support the current wording or wish to propose any modifications. She therefore expressed support for the continuation of the project.

This view was shared by the Administrative Board. Moreover, the Administrative Board Chair noted that the purpose statement focuses primarily on the internal market and suggested that reference could also be made to solidarity as he relevant legal base and to the cooperation with NRAs. The Vice-Chair added that the statement could further reflect aspects related to competitiveness, consumers, and industry. The European Commission welcomed the initiative and appreciated the additional work undertaken, noting that the purpose statement brings greater clarity to the exercise. While supporting the overall direction of the project, the Commission emphasised the importance of ensuring appropriate engagement of the Boards and supported submitting the document to the Board of Regulators for constructive discussion rather than negotiation.

In concluding the discussion, the Chair stated that the Administrative Board supports the continuation of the project. As a next step, the document should be discussed at the Board of Regulators meeting. Following the conclusion of those discussions, the final document should be submitted to the Administrative Board for adoption and for inclusion of new Mission, Vision, Values in an update of the draft Single Programming Document 2027–2029, as it should have been than initially. Ideally, the corresponding amendment should be tabled for the Administrative Board meeting planned for the end of May. In the meantime, the Board agreed that the current draft Single Programming Document 2027–2029 should reflect the Agency’s existing mission, vision, and values, and remove any reference suggesting that they are under modification.

**Decisions/
Conclusions**

The Administrative Board took note of the “ACER Mission, Vision and Values” Roadmap and supported the continuation of the project as part of business continuity, by submitting it for further engagement with the Board of Regulators. Following the conclusion of those discussions, the final document should be submitted to the Administrative Board for adoption and for the inclusion of the updated Mission, Vision, and Values in the draft Single Programming Document 2027–2029.

2.13 ACER budget and establishment plan for financial year 2026

At the Chair’s invitation, the Director *ad interim* presented to the Board the draft 2026 budget and establishment plan, which are part of the draft Single Programming Document 2026–2028, scheduled for adoption by the Board at this meeting. He recalled that when the draft 2026 budget was prepared in January, it included significant budgetary items, resulting in a request for an additional €2.35 million in subsidy, primarily linked to information security costs arising from the implementation of the Cybersecurity Regulation and potential legal costs.

Mr Zuleger noted that, following the Administrative Board’s endorsement, in the second half of the year, the Agency requested additional funds solely to strengthen its cybersecurity capacity. However, the budgetary authorities did not approve the proposed increase. As a result, the draft Single Programming Document 2026–2028 was adjusted to remain within the initial framework, largely through internal reallocations and reductions in certain activities.

Mr Zuleger briefly outlined the main anticipated challenges of the 2026 budget and presented planned expenditures by budget title. He outlined the envisaged budget lines for the Administrative Board and the other two governing boards.

On the 2026 establishment plan, the Director *ad interim* stated that it foresees an increase of 12 FTEs, exclusively for operational (10 FTEs) and legal staff (2 FTEs), while horizontal services (budget, finance, procurement, HR, IT) will again not grow proportionately.

In response to a question on how the Agency plans to cover potential legal costs exceeding current expectations, Mr Zuleger explained that if these costs cannot be covered by 2026 internal savings, the Agency would consider applying a similar approach to that used by other EU agencies (e.g., ECHA, EMA), following the principle of “negative outturn” under Article 17(3) of the ACER Financial Regulation, whereby unpaid appropriations would be carried over and included in the following financial year.

**Decisions/
Conclusions**

The Administrative Board endorsed the 2026 budget and establishment plan, which will be included in the draft Single Programming Document 2026–2028.

2.14 Draft Single Programming Document for years 2026-2028

Upon the invitation of the Chair, the Director *ad interim* and Mr Valter Ilić, Quality Management Assistant, presented to the Board the draft the Single Programming Document for 2026-2028, which was discussed by the Board throughout the year and had already been endorsed by the Board of Regulators on 10 December 2025. The ACER Director presented the current iteration to the European Parliament ITRE Committee on 3 December 2025.

The current text integrates comments proposed by the European Commission in its Opinion submitted to the Agency on 13 October 2025. Upon the Commission request the Agency complemented the document by listing the tasks being deprioritised alongside a brief summary of new duties and shifts in priorities. It adjusted the resources (budget and HR) in line with the 2026 EU budget adopted on 26 November 2025. The document was complemented by the Indicative Procurement Plan.

The Agency incorporated the suggestion of the Board of Regulators to add the legal base to each activity and explained in greater detail the role of NRAs. The Board also requested a minor linguistic tweak (deletion of one word).

Overall, these amendments were mainly factual and/or represented updates in line with policy facts that have emerged throughout the year.

The Board's rapporteur for the working document Mr Bogdan Chiritoiu explained that he has no further comments to the document. Together with the endorsed 2026 budget and establishment plan it was adopted by unanimity.

**Decisions/
Conclusions**

The Administrative Board unanimously adopted the draft ACER Single Programming Document for the years 2026-2028, including the 2026 budget and Establishment Plan via the AB Decision No 21/2025 of 12 December 2025.

2.15 ACER Data sharing approach

At the Chair's invitation, and further to a request made by the Administrative Board at an earlier stage, Ms Karina Knaus, Head of the Market Information and Transparency department, presented an overview of ACER's current approach to data sharing, both with National Regulatory Authorities (NRAs) and with other stakeholders, including relevant public authorities, academia, and the general public. She outlined the existing legal and technical frameworks governing data access and exchange and analysis cooperation of REMIT data.

The subsequent discussion highlighted the growing challenges related to data interoperability with NRAs, in particular in light of the increasing volume, complexity, and diversity of data collected and processed. The Chair of the Board of Regulators Ms Wargon confirmed that, given the exponential growth in data, she had already proposed initiating structured discussions on data exchange mechanisms and data use. Participants also stressed the increasing relevance of advanced digital solutions, including artificial intelligence tools and high-performance computing capabilities, in order to enable more efficient data processing, analysis, and sharing in the future. It was noted that, alongside the REMIT Regulation, other relevant EU data-related legislation may also be relevant, particularly with regard to open data access.

**Decisions/
Conclusions**

The Administrative Board took note of the ACER's current data sharing approach with National Regulatory Authorities (NRAs) and with other stakeholders.

2.16 The building file

At the Chair's invitation, Ms Olga Borissova, Senior Adviser, updated the Board on the adoption process of the building file following the signature of the contract by the Director *ad interim*, as authorised by the Administrative Board. She explained that the current internal work is focused on finalising the layout, with the aim of striking an appropriate balance between flexibility and stability to meet future needs. This work also includes referring to the Agency's Workspace Strategy, as needed, as the layout of the new premises are expected to entail a change in working culture, defining the related budgetary and procurement requirements, and ensuring regular communication with staff. The communication and staff engagement are considered crucial in this process. The chosen location has been unveiled with staff and positively received.

A dedicated Task Force, composed of representatives from various departments, grades, and areas of expertise, has been established to ensure appropriate governance, compliance, and representation vis-à-vis the contractors. In parallel, preparations for the move from the current premises and the development of business continuity arrangements are ongoing. Ms Borissova also reported that first discussions with the current landlord have been constructive.

The Administrative Board agreed that the finalisation and the signing off of the layout by the Director *ad interim* according to his business continuity mandate represents an important milestone and should be considered an investment in the future. The Director *ad interim* pointed out that his sign-off of the layout will include the need for shared offices instead of open space for horizontal services requiring a higher level of confidentiality for their day-to-day work (e.g. HR, legal, finance, procurement) which will come at additional costs to be covered by the ACER budget. The European Commission underlined the need to closely monitor any potential overlap in costs between the current and new premises and requested that the Board be kept promptly and duly informed. With regard to the price increase for the new premises, it was explained that the increase is minor, amounting to 0.18%.

The Chair further informed the Board that, following the September meeting and the approval of the building file, she had contacted DG IAS to request an evaluation of the ACER case as a potential example for developing guidance for boards on endorsing building files. After initial reservations, DG IAS responded positively, and ACER may be invited to present and discuss its case.

Decisions/ Conclusions

The Administrative Board took note of the progress made on the building project and underlined the importance of continued monitoring and regular reporting.

2.17 Outline of the Draft Single Programming Document for period 2027 – 2029

Upon the Chair's invitation, Mr Valter Ilić, Internal Control Officer, presented the structural overview of the draft Single Programming Document (SPD) 2027–2029, which the Agency has started to prepare for submission in January 2025 for discussion and endorsement by the two governing boards, first the Board of Regulators and subsequently the Administrative Board. Following its adoption, the document will be submitted by 31 January 2025 for further review by the EU institutions, in particular the European Commission, for a formal opinion.

Mr Ilić underlined the strategic importance of the document, as the multiannual programming document for 2027–2029 defines the Agency's strategic goals, actions, objectives and tasks for the delivery of its mandate. The Director *ad interim* indicated that, in the context of the draft 2027 budget, the Agency intends to request an additional EUR 0.9 million in subsidy to cover information security costs related

to the implementation of the cybersecurity regulation. The Chair recalled that the new mission, vision and values should be integrated into the document during the year, once adopted.

The Administrative Board endorsed the proposed structure and outline, and reinforced its will to amend it once the new Vision, mission, values and purpose will be agreed.

**Decisions/
Conclusions**

The Administrative Board endorsed the structural overview of the draft Single Programming Document 2027-2029.

3. CLOSING SESSION

The alternate member, Ms Britta Thomsen, raised the issue of indemnities, noting the unequal treatment between members and alternates, and requested that the possibility of granting indemnities to alternates be reconsidered, as initially foreseen. The Board's Secretariat was tasked with preparing cost estimates per Administrative Board meeting for consideration at the next meeting, in order to assess the potential financial implications within the already tight budget.

DG IAS has not yet provided feedback on the updated IAS Mission Charter, which will be co-signed by the Chair of the Administrative Board and the Director *ad interim* once it is finalised.

2.1 Next meetings

The next/71st Administrative Board meetings is scheduled for 19–20 January 2026 in Ljubljana.

In view of the start of the mandates of the new members and alternates, the incoming Chair, Mr Chirițoiu, suggested organising a dedicated online onboarding session. The date of this session will be determined in Q1 2026.

Dates of 2026 ordinary meetings are: 19–20 January; 27–28 May; 22–23 October and 10–11 December 2026.