Minutes of the 55th ECRB Meeting

6 September 2023, 10:00-15:30

Premises of the Greek Regulatory Authority for Energy, Waste and Water (132 Pireos Avenue, Athens)

1. Opening

The ECRB President, Mr. Marko Bislimoski, welcomed the ECRB regulatory authorities´ participants as well as the representatives of the European Commission and ACER. He further thanked RAEWW-Greece for hosting the 55th ECRB meeting and confirmed the presence quorum necessary for the ECRB decision making. Mr. Athanasios Dagoumas welcomed the ECRB meeting participants on behalf of RAEWW.

2. Agenda of the 55th ECRB meeting

Mr. Bislimoski introduced the agenda and asked for comments. He also highlighted that the minutes of the several past ECRB meetings were not provided and asked the ECRB Section to check the status of their preparation.

Conclusions / Action Points: the agenda of the 55th ECRB has been agreed without amendments.

3. ACER developments

[Ref. presentation Ms. Geitona]

Ms. Geitona updated the participants on recent ACER developments.

Conclusions / Action Points: no conclusion required, agenda item for information.

4. Regulatory developments in the CPs since the last ECRB Meeting

[Ref. presentations by AERS, ANRE, ERC, ERE, ERO, NEURC, REGAGEN, SERC]

The regulatory authorities of all Contracting Parties provided the updates on energy sector and regulatory developments in their jurisdictions. The presentations are available on the Energy Community web page, restricted meeting folder. The update by GNERC was provided without the slides.

- Georgia: market opening has been postponed once again for one year; power exchange will become the gas exchange as well; energy law amendments under preparation; RED II and the new Electricity Directive to be transposed by end 2023; NECP in the consultation process.

- Kosovo* (in addition to the presentation): auctions for 100MW of PV to be held by end September 2023; subsidies for energy efficiency provided by the Ministry; draft law transposing the new electricity package to be adopted by end 2023.

Ms. Marsenic asked if the law amendments in Kosovo* introduce also the change of accountability of ERO i.e. that the NRA should report to he Ministry instead of the Parliament. Mr. Fejzullahu responded that ERO was not aware of such developments. Mr. Bislimoski highlighted the importance of NRA independence and invited the ECRB to develop a position on financial independence of NRAs. In this respect, he asked the participants to prepare the relevant presentations for the next meeting and the ECRB Section to support the drafting process. The participants agreed with the President's proposal.

Conclusions / Action Points:

- NRAs to prepare presentations covering the issues related to the financial independence for the next meeting;
- ECRB Section to draft the ECRB statement on financial independence for the next meeting, building on the similar support letter provided to REGAGEN in the past.

5. Recent Energy Community developments

[Ref. presentation Ms. Marsenic]

Ms. Marsenic updated the participants on recent Energy Community developments. She also pointed out that the majority of the ECRB related remaining meetings in 2023 had to be organized in an online format only, due to the budget restrictions. Furthermore, the ECRB request of the last meeting, to re-introduce organization of four meetings per year for all groups and the Board, could not be supported with the reimbursement of costs by the Secretariat. Mr. Zametica stated that the number of meetings could still be increased, without the travel cost reimbursement by the Secretariat. Mr. Radheshi stressed that it was of utmost importance to increase the number of meetings, especially on electricity, in order to support the ongoing implementation of the electricity integration package. Ms. Grall proposed that a letter to the Secretariat and the European Commission was drafted to support the ECRB claim for the cost reimbursement.

Conclusions / Action Points: no conclusion required, agenda item for information.

6. Election of a new ECRB EWG Chair

Mr. Bislimoski informed that within the open deadline one application has been received by Ms.Tamara Ninkovic, Electricity Expert in REGAGEN. Ms. Marsenic introduced the procedure for voting and Mr. Bislimoski invited NRAs and the EC to vote by ballots.

ECRB elected Ms. Ninkovic as the Electricity Working Group Chair for the term of 2023 and 2024 with 9 positive out of 10 votes, with one abstention.

Conclusions / Action Points: Ms. Ninkovic elected as the EWG Chair for the period 2023-2024.

7. ECRB Work Program 2023

Mr. Bislimoski reminded participants that the final draft of the ECRB Work Program 2023 was prepared based on already ongoing activities of the ECRB working groups and invited participants to approve it. Ms. Ninkovic requested that several updates on timelines were included in the work program.

ECRB approved the Work Program 2023 with amendments provided by the EWG Chair.

Conclusions / Action Points: ECRB Work Program 2023 approved.

8. Customers & Retail Markets Working Group

[Ref. presentation Mr. Zametica]

Mr. Zametica provided an overview of the ongoing CRM WG activities.

Conclusions / Action Points: for information only

9. Electricity Working Group

[Ref. presentation Ms Ninkovic]

Ms. Ninkovic provided an overview of the ongoing EWG activities as well as of the activities launched by the Joint Expert Team EnC, established to create a platform for discussions related to the Contracting Parties' integration into single day-ahead and intraday market coupling process.

Conclusions / Action Points: for information only

10. Gas Working Group

[Ref. presentation Ms. Stratulat]

Ms. Stratulat informed participants on the current GWG work.

Conclusions / Action Points: for information only

11. REMIT Working Group

Mr. Radheshi updated on the ongoing activities of REMIT working group and pointed out that the REMIT corner on the Energy Community web page was under preparation.

Conclusions / Action Points: for information only.

12. ECRB Internal Rules of Procedure

Ms. Marsenic informed participants about the process on amending the ECRB Internal Rules of Procedure and pointed out that AERS had submitted comments to the draft document uploaded for the meeting preparation. She invited the participants to discuss the proposed amendments based on the commented document submitted by AERS prior to the meeting, but also asked them to provide additional comments, if any. The following comments were discussed:

- The reference to the Energy Community *acquis* in Articles 1.2, 3.1 and from the title of the proposed Article 5 should be deleted as it is already covered by Article 58 of the Energy Community Treaty (agreed);
- In newly added Article 1.6, the question was raised on why the PHLG was excluded. The ECRB Section explained that the MC mandate covered also the PHLG adoptions;
- AERS stated that all tasks were entrusted to ECRB under the Treaty and should have the same voting regime as defined in the Treaty. ECRB Section pointed out that ECRB regularly developed ECRB deliverables that were not entrusted by the Treaty (surveys, analyses etc.) and consequently simpler voting procedure might be applied (voting procedure to be decided in the next iteration);
- In Article 6, AERS proposed that two third presence was required for acting of working groups (agreed);
- In Article 7, a provision stating that the President shall determine whether and, if so, under which conditions, amendments to the proposal may be made by the Parties, is provided. AERS asked what was the reasoning behind limiting the right to propose amendments. ECRB Section responded that the purpose of the provision was not to limit the right, but to steer the process of providing process (the amendment will be rephrased);
- In Article 7, the proposed number of days was 10 calendar days. AERS stated that the rules should mirror the one on regular decision making (agreed to change to 15 calendar days);
- AERS proposed that newly added Article 14 was deleted, because it did not relate to the ECRB, but cooperation of NRAs outside the ECRB. All participants supported this view (deletion agreed).

Ms. Marsenic stressed that there should be a discussion on how the NRAs would cooperate related to the obligations of the electricity integration package. Mr. Stefanovic pointed out that such a discussion could not be held under this agenda item.

Conclusions / Action Points: ECRB shall amend the Draft Procedural Act in line with the discussions and, in cooperation with the President and the Vice-Presidency, prepare a new version for the ECRB adoption before or at the next ECRB meeting.

13. Any other business

Taking into account the Procedural Act on Regional Market Integration, adopted by the MC in December 2022, Ms. Ninkovic said that the ECRB and ACER should agree on future cooperation, eventually by signing the MoU. She also highlighted the need for capacity building within the EnC NRAs for the implementation of the roles and obligations stemming from the electricity integration package.

14. Next meeting

The next meeting will take place on 6 December 2020 in Athens, RAEWW premises.

Annex – List of Participants

Name	Institution
ANICIC, Jelena	REGAGEN
BILEN, Yuriy	RAEWW
BISLIMOSKI, Marko	President, ERC
BUCAJ, Gani	ERO
DUBAJIC, Nikola	SERC
FEJZULLAHU, Ymer	ERO
GEITONA, Fay	ACER
KOVALENKO, Dmytro	NEURC
NINKOVIC, Tamara	EWG chair, REGAGEN
POPOVIC, Dejan	AERS
RADHESHI, Elton	ERE
STEFANOVIC, Nenad	AERS
STRATULAT, Elena	GWG chair, ANRE
SUMBADZE, Nikoloz	GNERC
SYRIOPOULOS, Christos	EC, Vice-Presidency
TARAN, Alexei	ANRE
TARASIUK, Valerii	NEURC
VILIC, Daniela	E-CONTROL
VUKCEVIC, Miroslav	REGAGEN
ZAMETICA, Edin	CRM WG chair, SERC
Online participants	
ANTONOVA, Olena	ECS
DIATLOVSKA, Valentyna	ECS
GRALL-EDLER, Nina	ECS
LANZA, Salvatore	ARERA
PROSMITRELLIS, Konstantinos	RAEWW