FINAL MINUTES OF THE 4th ECRB MEETING

ATHENS, September 27, 2007

Attendees			
Slave Ivanovski	ERC	Former Yugoslav Republic of Macedonia	ECRB President
Heinz Hilbrecht	EC DG TREN		ECRB Vice President
Petrit Ahmeti	ERE	Albania	Member
Entela Shehaj	ERE	Albania	Member
Edin Zametica	SERC	Bosnia and Herzegovina	Member
Tomo Gali	HERA	Croatia	Member
Milan Puharić	HERA	Croatia	Member
Lahorko Wagman	HERA	Croatia	Member
Radomir Cvetkovic	ERC	Former Yugoslav Republic of Macedonia	Member
Branko Kotri	ERA	Montenegro	Member
Milodarka Dautovic	ERA	Montenegro	Member
Ljubo Macic	AERS	Serbia	Member
Nenad Stefanovic	AERS	Serbia	Member
Nikola Radovanovic	AERS	Serbia	Member
Nysret Avdiu	ERO	UNMIK	Member
Olivier Silla	EC/DG TREN		
Chrysoula Argyriou	EC/DG TREN		
Sir John Mogg	ERGEG		
Jacques-André Troesch	ERGEG		
Dietmar Preinstorfer	E-Control	Austria	Participant
Stelios Petrides	CERA	Cyprus	Participant
Michael Thomadakis	RAE	Greece	Participant
George Koutzoukos	RAE	Greece	Participant
Vasilis Panousopoulos	RAE	Greece	Participant
Fabio Tambone	AEEG	Italy	Participant
Dejan Koletnik	AGEN	Slovenia	Participant
Slavtcho Neykov	ECS		
Gabriela Cretu	ECS		
Andrea Brandstätter	ECRB Secretariat		
Claudia Cordié	ECRB Secretariat		

The ECRB met in Athens on September 27, 2007. The following issues were discussed:

1. Approval of the Agenda

Related document: R07-GA-04-01

Discussion: RAE requested the EC to report on the Joint Gas Working Group meeting, under agenda item 5, which took place in Belgrade on 13th September.

Conclusions: The ECRB adopted the agenda subject to the inclusion, under Agenda item 5, of the EC report from the Joint Gas Working Group meeting.

2. Approval of the Minutes

Related document: R07-GA-03-02

Discussion: HERA stressed Croatia's position to be an overlapping country in the 8th region. He also requested to rearrange the order of sentences in item 2c of the 3rd ECRB meeting minutes to have HERA's position clearly stated.

AERS mentioned that Annex 1 as referred to in the Minutes is missing. AERS further stated that during the 3rd ECRB Meeting, the ECRB did not invite National Regulators to set up national action plans and asked this reference to be removed from the final minutes.

The EC reminded AERS that this issue was discussed and concluded at the 3rd ECRB meeting.

Conclusions: The ECRB adopted the minutes of the 3rd ECRB meeting with the following amendments:

HERA's statement to be placed before the Conclusions of item 2c;

Annex 1 to be distributed along with the Final Minutes as adopted at the 4th ECRB meeting;

The reference to the invitation request from ECRB to set up national action plans (item 3b) shall be deleted.

3. Approval of the work programme 2008-2009

Related documents: R07-GA-04-03a

The ECRB Secretariat explained that the document circulated by email (R07-GA-04-03a) had been further developed to include objectives and timelines per heading.

Discussion: ERGEG suggested to include aspects of the EC Energy Third Package in the ECRB WP 2008-2009 and stressed the importance to check potential overlaps between the ECRB and ERGEG WP.

RAE suggested elaborating further the Work Programme.

Conclusions: The ECRB adopted the document R07-GA-04-03a_v2. The ECRB Work programme shall be the part of Energy Community Work Programme. The Energy Community Work programme will be sent to the PHLG.

ERGEG (E-Control) and the ECRB Secretariat to ensure that there is coherence, consistency and no overlaps between ERGEG and ECRB work programmes.

Specifics of the ECRB 2008 work programme will be discussed at the 5th ECRB meeting.

4. Electricity Issues

4.1. Report on Implementation Group (IG) Meeting

Related documents: R07-GA-04-04

CERA reported on the IG meeting held in Zagreb, on 19th September. The IG established a drafting committee to work out the details of the Action Plan.

Discussion:

RAE asked to have the action plan approved by the ECRB before the Athens Forum.

The EC considered that before the Action Plan is adopted by the ECRB, it is appropriate to have the Athens Forum comments included. The EC suggested making use of item 5.1 "Classification of ECRB Working Groups draft documents" of the 3rd ECRB meeting minutes. To ensure transparency of the process, the EC asked the Secretariat to distribute the Action Plan to the ECRB.

The EC put forward a proposal on how to establish a transparent and non-discriminatory position with respect to the selection of the Co-ordinated Auction Office location. To this end, the ECRB President and the EC will distribute a letter asking for applications and indicating the common ground of information that all offers should include. Then, the ECRB in consultation with the IG will develop criteria to assess the applications.

The EWG chair informed the meeting that it is rather the IG than the EWG to define the criteria of the location as this is exactly reflected in the TOR of the CAO IG.

CERA stressed the importance of defining the location. However, this is not an easy task, it may be the decision taken at the end of the process,.

The ECRB EWG chair informed the ECRB that some indicative criteria have been worked out by consultants.

Conclusions: The ECRB took note of the progress achieved and encouraged the IG to continue working on this important issue.

With regard to the CAO location, the ECRB invited offers to the ECRB President and Vice President before December 20th. Offers have to respond to the information that the EC will send out in a letter by October 20.

ERGEG position on the creation of the 8th region

ERGEG chair reported on a meeting held on September 4 between the EC, ERGEG and ETSO. There is an understanding among TSOs that the 8th region would enhance implementation of markets and harmonize the application of Congestion Management Guidelines. ERGEG has not reached a position on whether an 8th REM is needed under the umbrella of the ERGEG Regional Initiative and whether the 8th region should carry on under the Athens Forum. A decision may be reached at ERGEG level in October. Another issue was on how Romania and Bulgaria can be involved in the ERGEG RI Central East Europe and Central South Europe as observers.

4.2. Report on implementation of EC Regulation 1228/03

Related document: R07-GA-04-05

Discussion: The ERGEG chair said that is the report is clear and echoes the report given by ERGEG at the Florence Forum. It might be useful to develop the process of reviewing implementation and applying comparable approaches.

RAE reflected on the necessary prerequisites for effective cross-border trading such as strengthening of infrastructure.

Conclusion: The ECRB thanked the Secretariat for having drafted the report. The ECRB considered the implementation of Regulation 1228/03 of major importance and asked the Secretariat to continue monitoring implementation and to present a progress report at the 5th ECRB meeting. The ECRB approved the report and asked the Secretariat to submit it to the PHLG for consideration. The EC suggested including in the updated version a country by country review emphasizing on requirements per Article that each contracting party has to comply with.

A–070927-02 (Action Point): Further comments on the report shall be sent as soon as possible. The Secretariat will update the report within two weeks time.

4.3. CAO Dry Run

Related document: R07-GA-04-06a,b

Discussion: The current simulation software needs to be further developed with the aim to become commercial and support the functioning of the Office.

Conclusions: The ECRB acknowledged the contribution of Verbund and TERNA in performing simulations for CAO. The ECRB asked the contractor to include in the test daily auctions and consider the traders' interests. The ECRB asks the contractor to work in close cooperation with the Implementation Group.

5. Gas Issues

The EC reported on the Joint Gas Working Group Meeting which prepared the 1st Energy Community Gas Forum. The World Bank/KfW (ECA) Gasification Study will be presented at the Maribor Forum.

Discussion: RAE informed that the Gas Working Group will have an interim gas report ready for presentation at the Maribor Forum; a final version shall be ready by the end of 2007.

AGEN informed that the organization of the Gas Forum is in progress.

6. Customer Issues

Related document: R07-GA-04-07

Discussion: AERS agreed with the necessity of developing National Action Plans, however, the competent authority leading this process is not necessarily the Regulator.

Conclusion: The ECRB approved the document subject to the following changes: "The WG members present in that meeting proposed that the ECRB requests the Ministerial Council to initialise drafting National Action Plans *with the appropriate involvement of Regulators."*

The ECRB asked the EC and the Secretariat to include an item in relation to the action plans needed to implement the ECRB Best Practice Guidelines on the agenda of the December 17th PHLG meeting with the aim to having a decision and mandate in the spring Ministerial Council.

7 Other Issues

7.1. Training opportunities

Related document: R07-Ga-04-08a, b, c

Discussion: With regard to the CEER-ECRB exchange of staff, the ERGEG chairman underlined that the capacity and time constraints of individual EU Regulators to receive SEE Regulators as well as language constraints need to be checked before deciding an exchange

Conclusion: The Regulators should express, by October 5, their interest in participating in the tailored made course and their need of funding. The ECRB Secretariat will organize the training course in co-operation with the Florence School of Regulation only if a minimum number of attendees (20) are guaranteed.

Regulators are invited to provide their comments on the training curriculum. The ECRB Secretariat will update the training programme accordingly.

A–070927-03 (Action Point): Regulators are asked to express their interest in participating in any of the courses; especially feed back is required as regards the scope, programme and time schedule of the tailor-made course.

7.2. ECRB President Mandate

The ECRB Vice-President informed the Board that the President mandate expires in the end of 2008.The ECRB Vice-President proposed to extend the mandate of the current President for a second year and asked whether a member wishes to bring forward a candidature.

No other candidature were put forward The ECRB Vice-President invited a vote.

The ECRB Secretariat distributed the ballots.

Quorum was achieved.

The vote was taken by secret ballot.

Mr Ivanovski was elected unanimously.

7.3. Nomination of new WG Customers chair

Edin Zametica from SERC was proposed by the ECRB President to take over the duties of the current Working Group Customers' chair.

Conclusions: ECRB and Edin Zametica agreed on the proposal.

7.4. Next meeting

The 5th ECRB meeting will take place on 7th February 2008, at 9.00 am.