# 2nd Joint Meeting of ECRB and Energy Community Competition Network

18 September 2014, 9:00 – 15:30  
Hotel Divani Caravel, Vas. Alexandrou Avenue 2, Athens, Greece

Co-chairing  
*Dirk Buschle*, Deputy Director / Legal Counsel, ECS & *Branislav Prelevic*, ECRB President

## Introduction

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>09:00</td>
<td>Welcome and introduction</td>
</tr>
</tbody>
</table>
|       | *Dirk Buschle*, ECS  
|       | *Branislav Prelevic*, ECRB President  
|       | *Mirta Kapural*, EnC Competition Network Chairwoman |

## Session 1 – Training & experience sharing: key elements of a sector inquiry and how to organise

**Moderator: Rozeta Karova, ECS**

<table>
<thead>
<tr>
<th>Time</th>
<th>Case study European Commission’s sector inquiry</th>
</tr>
</thead>
</table>
| 09:15 | - Identifying the scope – problem definition, legal classification of the assumed anti-competitive behavior  
|       | - Identifying the target group – assumed parties involved  
|       | - Defining the analytical approach – indicators for problem analysis, parties to be addressed, result deduction  
|       | - Procedures – cooperation of energy and completion experts, process transparency and accountability |
|       | *Annette Kliemann*, DG COMP, European Commission |

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|       | - Analytical approach – indicators used for problem analysis, parties addressed, result deduction  
<p>|       | - Procedures – cooperation of energy and completion experts, process transparency and accountability |
|       | <em>Dr. Theodor Thanner</em>, Austrian Competition Authority |</p>
<table>
<thead>
<tr>
<th>Time</th>
<th>Session/Activity</th>
<th>Details</th>
</tr>
</thead>
</table>
| 10:15 | **Energy companies in a sector inquiry – lawyer’s perspective** | How do companies prepare for sector inquiries  
- What the competition authorities have to know when approaching companies  
- How to phrase the questions in order to get the right answer  
- Procedural aspects – legal privilege, documents collection  
Mario Siragusa / Francesco Maria Salerno, Cleary Gottlieb |
| 11:00 | **Coffee Break**                                      |         |
| 11:30 | **Session 2 – Experiences from the Contracting Parties – investigations in the energy sectors** | Moderator: Nina Grall, ECS |
| 11:30 | **Case study 1 – Ukraine**                            | Planning and structuring the sector inquiry  
- Cooperation between NRA and NCA  
- Investigations and competition relevant problems identified  
- Results, lessons learnt & way forward  
Mr. Sergii Shershun, Antimonopoly Committee of Ukraine  
Representative Regulatory Authority |
| 12:00 | **Case study 2 - Albania**                            | Planning and structuring the sector inquiry  
- Cooperation between NRA and NCA  
- Investigations and competition relevant problems identified  
- Results, lessons learnt & way forward  
Mr. Pajtim Melani, Competition Authority of Albania  
Mr. Agim Nashi, Energy Regulatory Authority |
| 12:30 | **Interactive discussion - comments from speakers from Session 1 on** | Key national barriers to competition – as presented by Contracting Parties’ NRAs and NCAs  
Existing investigation activities – as presented by Contracting Parties’ NRAs and NCAs  
How to improve and what is missing for a real sector inquiry  
Round table discussion  
Speakers from Session 1  
Contracting Parties NRAs and NCAs |
| 13:00 | **Lunch Break**                                       |         |
Session 3 – How to get real  
Moderator: Andrej Špik, Senior Research Fellow, ECS

14:00  
**Timeline and planning activities for pilot sector inquires in 2015 – Bosnia and Herzegovina**
- How to establish common NRA – NCA investigations on the identified problems – practical and procedural aspects
- Making use of existing experiences: what is missing for transforming NRAs market monitoring into a joint sector inquiry with the NCA?
- How to shape a sector inquiry and support needed?

Speakers from Session 1 and BiH representatives:
- Mrs. Arijana Regoda-Dražić, Competition Council of BiH
- Mr. Mirsad Salkić, State Electricity Regulatory Commission

Session 4 – Conclusions & way forward

15:00  
**Concluding remarks**
Dirk Buschle, ECS