

CONCLUSIONS
9th PERMANENT HIGH LEVEL GROUP MEETING
26 JUNE 2008, BRUSSELS

WELCOMING AND INTRODUCTORY REMARKS

1. The meeting was co-chaired by Mr. Daniel Alexander-Schroth, on behalf of UNMIK as Presidency in office, and Mr. Barbaso for the European Commission.

AGENDA ITEM ONE – MINISTERIAL COUNCIL MEETING

2. The PHLG examined outstanding issues in preparation of the Ministerial Council. In particular the PHLG:
 - finalized the draft Decision on the implementation of Commission Decision of 9 November 2006 amending the Annex to Regulation (EC) No 1228/2003 on conditions for access to the network for cross-border exchanges in electricity¹ (**Annex I to these Conclusions**). It was recalled that the provisions of point 3.2 (last sentence) of the Congestion Management Guidelines allow to continue applying at the border between Croatia and Hungary the methods used in the Central Eastern Europe Region ;
 - finalized the draft Procedural Act on the Rules of Procedure for Dispute Settlement with the changes mentioned in **Annex II to these Conclusions**.
3. The PHLG took note of the oral information, presented by the Director of the ECS on the preparation of the Ministerial Council meeting.

AGENDA ITEM TWO – MEASURES UNDER ARTICLE 24 OF THE TREATY

4. The PHLG welcomed the draft presented by the Secretariat on measures adapting the electricity and gas related acquis to the institutional framework of the Treaty under Article 24. The PHLG agreed that an adaptation decision is required for a number of specific points and would welcome a proposal by the European Commission in this regard, with the view to examine it at the next Ministerial Council. In order to best prepare it, Contracting parties are invited to provide written comments to the Secretariat before mid-September.

¹ It is noted that the Serbian delegation expressed dissent with Article 1 and Article 2(1) of the text as finalized by the PHLG.

AGENDA ITEM THREE – IMPLEMENTATION OF THE TREATY: FOCUS ON CROSS-BORDER EXCHANGES OF ELECTRICITY

5. On the basis on an initial Discussion Paper prepared by the Secretariat, the PHLG had an exchange of views on the situation of cross-border exchange in electricity. In order to deepen the analysis with the view to submit a report to the Ministerial Council, the PHLG decided to ask the ECRB for an opinion on the Discussion paper (Mr Ivanovski, President of ECRB, confirmed that ECRB will be able to deliver its opinion at the occasion of its next meeting scheduled for 30 September 2008) and mandated the Secretariat to consult the TSOs on the same document. Based on the PHLG discussions, the Secretariat will circulate an amended version by 15 July 2008.

AGENDA ITEM FOUR – IMPLEMENTATION OF THE WORK PROGRAMME

6. The Secretariat presented summary information on the implementation of the Work Programme so far and on the major coming events related to achieving its objectives.
7. Further, following the PHLG guidance from the 6th PHLG meeting (Conclusion No 7), a detailed plan on the implementation of the Work Programme for the second half of 2008 was also presented for information.

AGENDA ITEM FIVE – MISCELLANEOUS

Event Calendar

8. The Secretariat informed PHLG on the coming major events within the second half of 2008.

KOSTT – EMS Dispute

9. The Commission indicated that after the technical meeting on 16 January 2008 the dispute remains unsolved and that it continues to support a negotiated solution. The Commission indicated that it may – if both parties agree – convene a new technical meeting after the summer break.

FOR THE PRESIDENCY

A handwritten signature in black ink, appearing to be 'J. A. C. ...', written over a dotted line. The signature is cursive and somewhat stylized.

Done in Brussels on 27 June 2008