Minutes of the 37th ECRB Meeting

4 October 2017, 10:00-17:00

Premises of the Greek Regulatory Authority (132 Pireus Avenue, Athens)

1. Opening

The President welcomed the ECRB members as well as Mr Hesseling, representing ACER. The President thanked the Greek Regulatory Authority for hosting the meeting and the invitation for the ECRB dinner held on 3 October 2017. Mr Prelevic confirmed the presence quorum necessary for ECRB decision making.

Mr Manolkidis, Vice President of RAE, welcomed the participants on behalf of the host.

2. Agenda of the 37th ECRB meeting (approval)

The draft agenda was approved for upload to the Energy Community website including the changes requested at the meeting.

3. Minutes of the 36th ECRB meeting (approval)

The draft minutes were approved for upload to the Energy Community website (long version members´ area only; short version for publication).

4. Regulatory duties under Regulation 347/2013 (discussion)

The President reminded the Contracting Parties' (CP) regulators of their information obligations towards ECRB as stipulated by Article 13 paragraphs (4) and (6) of Regulation 347/2013, as also earlier outlined by letter of the President. Participants updated on related developments. Mr Hesseling informed that on EU level most regulators do not have a specific methodology to assess (potential) higher risks but use their generally applicable rules for assessment of infrastructure investments.No conclusion required; agenda item for update and discussion only.

5. Enforcement powers of regulators (discussion)

Mrs Anicic presented the interim results of the survey on enforcement powers of regulators (ref. presentation). Draft report to be presented to the next ECRB.

6. ACER developments (information)

Mr Hesseling updated the participants about recent ACER and EU gas and electricity market developments (ref. presentation). No conclusion required.

7. New acquis – declaration on gas network codes (discussion)

Mrs Grall updated on the state of discussions on implementation of Third Package related gas network codes in the Contracting Parties: an adapted version of the network code on interoperability and data exchange as well as the guideline on congestion management has been agreed by a dedicated working group of Contracting Parties' regulators and gas TSOs and was presented to the Permanent High Level Group (PHLG). The PHLG confirmed readiness to adopt these acts upon proposal of the Commission under Title II of the Energy Community Treaty. Mrs Grall re-called that the working group, PHLG and the Secretariat stressed the need to ensure applicability of the codes and guidelines not only between Contracting Parties but also on the interconnection points to neighboring Member States (MS). She explained that related reciprocity is part of ongoing discussions for a reform of the Energy Community Treaty, as proposed by the Secretariat. Until such legally binding solution can be achieved, the Secretariat in cooperation with the Commission, negotiated with EU regulators the signature of a declaration according to which the relevant EU regulator confirms readiness to apply network codes and guidelines to its interconnection point(s) to a Contracting Party, provided that this Contracting Party has transposed and implemented the codes and guidelines in question. The regulators of Bulgaria, Greece, Hungary, Poland and Romania signed this declaration.

Mr Liegmann re-called the intention of the Commission to also promote the signatures of Contracting Parties' regulators on this declaration and presented a declaration template. The Commission will circulate the declaration template for signature to the regulators of the Contracting Parties where a gas market is in place including Albania for its future interconnection point to Greece (Trans Adriatic Pipeline).

8. Latest regulatory developments in the CPs (information)

Participants updated on recent regulatory developments. No conclusion required.

9. Latest Energy Community developments (information)

Mrs Grall updated the participants about recent Energy Community developments (ref. presentation). No conclusion required, information item.

10. Customer & Retail Markets Working Group (information)

Mr Zametica updated on recent CRM WG developments (ref. presentation). No conclusion required.

11. Electricity Working Group (information)

Mr Stefanovic updated on recent EWG developments (ref. presentation). No conclusion required.

12. Gas Working Group (information)

[Mrs Stratulat updated on recent GWG developments (ref. presentation). No conclusion required.

13. ECRB Annual Report 2016 (information)

The Annual Report will be approved by written procedure. ECRB Section to circulate the draft for a 15 days review period.

14. Next meeting

The next meeting will take place on 21 December 2017 in Athens. The ECRB Christmas Dinner will take place on 20 December 2017 in Athens.

Annex – List of Participants

Name	Institution
ANICIC, Jelena	REGAGEN
BISLIMOSKI, Marko	ERC
CIOBANUI, Sergiu	ANRE
FEYZULATAHU, Ymer	ERO
FRAGOUDAKI, Evi	RAE
GALANTE, Maria Teresa	AEGSSI
GRALL, Nina	ECS
GUSENBAUER, Vera	E-Control
HESSELING, Dennis	ACER
KARAKATSANI, Nektaria	RAE
LANZA, Salvatore	AEEGSI
LIEGMANN, Jacek	DG ENER - *dial in for agenda item on gas network codes*
LUKIC, Sasa	SERC
MAKSIMOVIC, Petar	AERS
MANOLKIDIS, Sotirios	RAE
NASHI, Agim	ERE
PRELEVIC, Branislav	President
STEFANOVIC, Nenad	EWG chair
STRATULAT, Elena	GWG chair
SZABO, Gergely	MEKH
TSAPLIN, Valerii	NEURC
ZAMETICA, Edin	CRM WG chair