Conclusions

Minutes of the 35th ECRB Meeting

6 December 2016, 10:00-17:00

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

1. Opening

The meeting was chaired by Mr Tarantini, representing the ECRB Vice-Presidency. Mr Tarantini welcomed the ECRB members as well as Mr Hesseling, representing ACER. Mr Tarantini passed apologies of ECRB President Prelevic for his absence at the meeting and informed about the agreement for the Vice-Presidency to chair the 35th ECRB meeting.

Mr Tarantini thanked the Greek Regulatory Authority for hosting the meeting and confirmed the presence quorum necessary for ECRB decision making.

Mr Manolkidis, Vice President of RAE, gave an opening address.

2. Agenda of the 35th ECRB meeting (approval)

The Vice-Presidency introduced the draft agenda and asked for comments. Mrs Grall informed that the ECRB Work Program 2017 still requires approval by the Working Groups and, thus, will not be tabled for approval but presentation only. Upon request, ECRB agreed to move the GWG and ACER related agenda items ahead with a view to meet the flight schedules of the presenters.

Conclusions / Action Points: The draft agenda has been approved including adjustments for uploading to the Energy Community website.

3. Minutes of the 34th ECRB meeting (approval)

The Vice-Presidency asked for comments on the draft minutes and asked Mrs Grall to present the remarks submitted by AERS; no other comments have been made during or before the meeting.

Conclusions / Action Points: The draft minutes have been approved. ECRB Section to upload final minutes to the Energy Community website (long version members´ area only; short version for publication).

4. Gas (information)

[Ref. presentation Mr Vistica]

Mr Vistica updated on the recent GWG developments (ref. presentation) and presented two GWG deliverables for ECRB approval, namely: a report on compliance with the requirements of the gas interoperability Network Code; and a report on treatment of distribution losses.

Mr Vistica informed that his GWG chairmanship will cease end of 2016 and thanked ECRB and the GWG members for the fruitful cooperation. ECRB thanked Mr Vistica for his much appreciated contribution to the work of ECRB.

Conclusions / Action Points: ECRB approved the two presented GWG deliverables for publication on the Energy Community website.

5. ACER developments (information)

[Ref. presentation ACER]

Mr Hesseling updated the participants about recent ACER and EU gas and electricity market developments (ref. presentation).

Conclusions / Action Points: no conclusion required.

6. Election of ECRB Working Group Chairman / - women for 2017-2018

Mr Tarantini invited Mrs Grall to introduce the procedural requirements for election of the ECRB Working group Chairman/-women 2017/18. Mrs Grall explained that the term of the current ECRB Working Group (co-) Chairs will, according to the ECRB Internal Rules of Procedure stipulating a two years term and based on their election at the 29th ECRB meeting, expire by end of 2016. In line with the ECRB Internal Rules of Procedure, a call for application for the ECRB Working Group Chairs has been launched by correspondence of the President and Vice-Presidency of 13 October 2016 and an extension of the application deadline communicated on 4 November 2016.

Mrs Grall informed that within open deadline the following applications have been submitted:

- *Customer and Retail Markets Working Group*: Mr Martin Martinovski and Mr Edin Zametica;
- *Electricity Working Group*: Mr Nenad Stefanovic;
- *Gas Working Group*: Mrs Elena Stratulat.

The receipt of candidatures has been brought to the attention of the ECRB members by making applications available in the Energy Community website's members' area as preparatory material for the 35th ECRB meeting.

Mr Tarantini invited the candidates to briefly introduce themselves. ECRB conducted an election process in line with the ECRB Internal Rules of Procedure.

Mr Tarantini confirmed the presence quorum required for WG Chair election according to the ECRB Internal Rules of Procedure and announced the election results:

- *Customer and Retail Markets Working Group*: 5 out of 8 votes for Mr Zametica (one abstention)
- *Electricity Working Group*: 9 out of 9 votes for Mr Nenad Stefanovic
- *Gas Working Group*: 8 out of 8 votes for Mrs Elena Stratulat (one invalid vote)

Election results: ECRB elected the following Chairs in charge of ECRB Working Groups for the years 2017-2018:

- *Customer and Retail Markets Working Group*: Mr Zametica
- *Electricity Working Group*: Mr Nenad Stefanovic
- *Gas Working Group*: Mrs Elena Stratulat

7. Certification of OST: ECRB Opinion (information)

Mr Tarantini invited Mrs Grall to introduce the draft ECRB Opinion on the preliminary ERE decision on certification of the Albanian electricity transmission system operator, OST. Mrs Grall informed that the draft decision has been developed in line with the related procedures defined by ECRB Procedural Act no 01.1/2015/ECRB-EnC and outlined the questions raised during ECRB consultation (cf draft Opinion).

Mr Nashi provided information on the addressed questions, having reference to specific provisions in ERE's draft decision.

Conclusions / Action Points: ECRB agreed on written procedure for approval of the final ECRB Opinion on certification of OST.

8. Latest Energy Community developments (information)

Mrs Grall updated on the latest Energy Community developments (ref. presentation Mrs Grall).

As regards the signature of an Administrative Arrangement between ACER and the Secretariat and, more specifically, the therein referred to participation foreseen participation of Secretariat representatives in dedicated expert function at ACER Working Groups, Mr Maksimovic asked whether the Secretariat would in this role represent ECRB or CP NRA positions. Mrs Grall explained that Secretariat representatives will represent Secretariat's positions unless additionally tasked by ECRB or individual NRAs to represent their views.

Mr Tarantini updated on the results of the October 2016 Energy Community Ministerial Council and, more specifically, the signature of the Energy Community Treaty by Georgia, adoption of new acquis and approval of the PECI list (ref. conclusions Ministerial Council 2016).

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

9. Latest regulatory developments in the CPs (information)

The Vice-Presidency asked ECRB representatives to present a short update on the regulatory developments since the last ECRB meeting. Participants updated on recent regulatory developments as follows:

- *Albania:* 2ndary legislation is under preparation; a draft certification for the electricity transmission system operator OST has been submitted to the Energy Community Secretariat (cf point 7).
- *Bosnia and Herzegovina*: ref. presentation
- *FYR of Macedonia*: ref. presentation
- *Greece*: Mrs Karakatsani updated on the recent regulatory developments in Greece; ref. presentation
- *Kosovo*:* ref. presentation
- *Moldova:* implementation of Regulation 714/2009 and 715/2009 is under preparation
- *Montenegro*: ref. presentation
- *Ukraine*: ref. presentation

Conclusions / Action Points: no conclusion required.

10. Customer & Retail Markets (information)

[Ref. presentation Mr Zametica]

Mr Zametica updated on recent CRM WG developments (ref. presentation) and presented the draft brochure on Alternative Dispute Resolution for ECRB approval. Further to this, he presented two CRM WG deliverables for written ECRB agreement after the meeting, namely: a draft brochure on retail market entry requirements in the Energy Community; and a draft list of retail market monitoring indicators.

Conclusions / Action Points: ECRB approved the brochure on Alternative Dispute Resolution for publication and agreed on written approval of the two other presented draft CRM WG deliverables.

11. Electricity (information)

[ref. EWG co-chairs]

Mr Stefanovic and Mr Lanza updated on the recent EWG developments (ref. presentation) and presented two EWG deliverables for ECRB approval, namely: a report on transparency in electricity and a letter to Lord Mogg related to the possibility of involving the Contracting Parties' regulators in the Energy Regulators' Forum ('ERF') established in context with the CACM Regulation's "all-NRA" decisions.

Conclusions / Action Points: ECRB approved the two presented EWG deliverables for publication (report), respectively circulation (letter) by the Section. ECRB confirmed the coordination role of EWG for common regulatory positions for the WB6 process (where needed).

12. ECRB meetings 2017

ECRB agreed on the following meeting dates in 2017:

- 19 April 2017
- 28 September 2017
- 6 December 2017

Venue for all meetings: premises of the Greek Regulatory Authority (132 Pireus Avenue, Athens)

Annex – List of Participants

Name	Institution
ANICIC, Jelena	REGAGEN
BISLIMOSKI, Marko	ERC
BUJUPI, Krenar	ERO
FRAGOUDAKI, Evi	RAE
GALANTE, Maria Teresa	AEEGSI
GRALL, Nina	ECS
GRAVIER, Amelie	CRE
GUSENBAUER, Vera	E-Control
HESSELING, Dennis	ACER
KARAKATSANI, Nektaria	RAE
JANOVA, Arsim	ERO
LANZA, Salvio	EWG co-Chair; AEEGSI
MAKSIMOVIC, Petar	AERS
MANOLKIDIS, Sotirios	RAE
PANOUSOPOULOS, Vasileios	RAE
SEJFIJAJ, Besim	ERO
STEFANOVIC, Nenad	EWG co-Chair
SZABO, Gergely	MEKH
TARANTINI, Federico	Vice-Presidency
TSAPLIN, Valerii	NEURC
VISTICA, Nikola	HERA
ZAMETICA, Edin	CRM WG Chair
ZELJKOVIC, Suad	SERC