

Brussels, 19 February, 2014

ACER Board of Regulators follows up on the European Commission's evaluation of the Agency

The Agency's Board of Regulators (BoR) supported today the general thrust of the European Commission's (EC) Evaluation Report¹ on the activities of ACER, published on 22 January 2014 and presented its recommendations. "Since its establishment, ACER has become a credible and respected institution playing a prominent role", the EC's report says. In that context, the ACER BoR highlighted how during its first three years of operation, ACER tasks have been carried out efficiently, effectively and in a timely manner. It also underlined that the Agency has been essential for further strengthening cooperation and coordination across national borders, including through its working arrangements, for introducing effective regulatory oversight at EU level and for supporting the emergence of a pan-EU perspective and the continuation of a cooperative European culture between NRAs themselves in order to develop the internal energy market.

Lord Mogg, Chair of the BoR said: "Those achievements deserve a huge vote of thanks to ACER Director Alberto Pototschnig and his staff as well as to NRAs, which are making a most valuable contribution. However, the significant support of NRAs must not distract attention from the imperative of ensuring ACER is appropriately resourced to allow it to meet its increasing legal obligations and political responsibilities".

Following the Commission's report, the ACER BoR has issued its Recommendations² with regard to the main points in the Commission's evaluation - which shows an overall positive feedback from ACER's stakeholders.

You can find a summary below and the whole document [here](#).

Engaging all

The BoR acknowledges the stakeholders' call for more NRAs to be more engaged in the work of the Agency. The BoR also recognises that independence is a key pillar for future regulatory cooperation arrangements within ACER and for building trust in its future work. The BoR will explore ways of achieving a more active participation of NRAs in order to enrich ACER's work and to reflect a broader European perspective.

Cooperating with transparency

The greater integration of the internal energy market, the need for consistency in implementation and enforcement of network codes and the need for reinforcing market integrity and transparency will require continued complementary efforts by ACER and NRAs. Any further development of regulatory cooperation arrangements should take account of this in order to ensure that regulatory action at both European and national levels delivers a well-functioning IEM to the ultimate benefit of all European citizens,

In parallel, action is already being taken and will be vigorously pursued in a number of areas to ensure improvements in the ACER's efficient operation, transparency and accountability and the BoR is committed to continue to foster close links with the Institutions and Stakeholders in the ACER's work.

ENDS (See Notes for Editors on next page)

Notes for Editors

- (1) Article 34(1), Regulation 713/2009/EC establishing an Agency for the Cooperation of Energy Regulators provides that the Commission shall carry out an evaluation of the activities of the Agency. The evaluation shall cover the results achieved by the Agency and its working methods, in relation with its objective, mandate and tasks defined in this Regulation and in its annual work programmes. The evaluation shall be based on extensive consultation. The Commission shall submit the evaluation referred to in paragraph 1 to the Agency's Board of Regulators (BoR). The Board of Regulators shall issue recommendations regarding changes to this Regulation, the Agency and its working methods to the Commission, which may forward those recommendations, together with its own opinion as well as any appropriate proposal, to the European Parliament and the Council.

[The European Commission issued its first evaluation of ACER's activities](#) (since ACER's establishment) on 22 January 2014. Given ACER formally assumed its role and responsibilities on 3 March 2011, the Commission's assessment is mainly focused on the period from March 2011 to November 2013. The evaluation is based on the Commission's own assessment of the Agency's activities and the results of the public consultation launched by the Commission.

- (2) [The Recommendations of the ACER BoR](#) are addressed to the European Commission following its evaluation of the activities of the Agency (22.1.2014 C (2014) 242 final) under Article 34 of Regulation 713/2009/EC. They include the ACER BoR's assessment of the Commission's evaluation, of the Agency's performance and its working methods and take duly into consideration the responses of stakeholders to the Commission's public consultation.

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