



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 November 2013

14923/13

ENER 467

“I/A” ITEM NOTE

from : General Secretariat of the Council
to : Coreper / Council

Subject: Agency for the Cooperation of Energy Regulators (ACER)
- Decision regarding the members of the Administrative Board to be appointed
by the Council
= Adoption

- 1 The establishment of an Agency for the Cooperation of Energy Regulators was decided by Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators ¹.
2. Article 12 of the Regulation provides for the establishment of an Administrative Board which will consist of nine members and nine alternates. Five members and five alternates are to be appointed by the Council.

¹ OJ L 211, 14.08.2009, p. 1.

3. According to Council Decision of 22 December 2009¹, the four years mandates of two members (Mr Detlef Dauke, Germany, and Mr Phillip Guillard, France) and their alternates (Mr Peter Gordos, Hungary and Ms Maya Hristova, Bulgaria) will end on 27 January 2014. Furthermore, the Presidency has been informed by the Chairman of the Administrative Board of ACER that Mr William Rickett, United Kingdom, has resigned from his six years mandate as alternate on 3 April 2013. Accordingly, the Council will have to appoint two new members and three alternates to replace them.
4. According to Article 12(1) of the above Regulation, except for the first mandate, the term of office for the members of the Administrative Board and their alternates shall be four years, renewable once. Considering this provision together with the Rules of Procedures of ACER, the replacement of the Council's alternate who resigned before the end of his six years mandate may be done for a new period of four years.
5. The above provisions as well as the outcome of Coreper's consultation on 16 October 2013 on the appointment of the two new members and three alternates are reflected in the draft Decision set out in doc.15466/13.
6. Coreper is invited to suggest to the Council to adopt, under part A of its agenda, the Decision set out in doc.15466/13.

¹ OJ C 21, 28.1.2010, p. 1.