



Brussels, 17 December 2015  
(OR. en)

15132/15

ENER 420

**"I/A" ITEM NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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Subject: Council Decision appointing three members and three alternates of the  
Administrative Board of the Agency for the Cooperation of Energy  
Regulators (ACER)  
- Adoption

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1. The Agency for the Cooperation of Energy Regulators was established pursuant to 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 <sup>1</sup>.
2. Article 12 of the said Regulation provides for the establishment of an Administrative Board which consists of nine members and nine alternates. Five members and five alternates are to be appointed by the Council.

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<sup>1</sup> OJ L 211, 14.08.2009, p. 1.

3. According to Council Decision of 22 December 2009<sup>2</sup>, the six years mandates of three members (Mr Guido Bortoni, Italy, Mr Razvan Eugen Nicolescu, Romania and Mr Piotr Grzegorz Wozniak, Poland) and their alternates (Mr Alfonso Gonzalez Finat, Spain, and Mr Kristian Moeller, Denmark) will end on 27 January 2016. Furthermore, the Presidency has been informed by the Chairman of the Administrative Board of ACER that Mr Detlef Dauke, Germany, has resigned from his four years mandate as alternate member appointed from 28 January 2014 according to Council Decision of 15 November 2013<sup>3</sup>. Accordingly, the Council will have to appoint three new members and three alternates to replace them.
4. According to Article 12(1) of the above Regulation, except for the last alternate mandate, the term of office for the members of the Administrative Board and their alternates shall be four years, renewable once. Given that one of the Council's alternates resigned from his four year mandate as alternate member, valid until 27 January 2018, his replacement will cover the remaining time of this mandate as from 28 January 2016.
5. The above provisions as well as the outcome of Coreper's consultation on 2 December 2015 on the appointment of the three new members and three alternates are reflected in the draft Council Decision set out in doc.15109/15.
6. Coreper is invited to suggest to the Council to adopt, under part A of its agenda, the Council Decision set out in doc.15109/15.

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<sup>2</sup> OJ C 21, 28.1.2010, p. 1.

<sup>3</sup> OJ C 337, 19.11.2013, p. 8.