

ACER regulation

Commission's legislative proposal on ACER Regulation



ACER tasks and role: towards more regional cooperation

- **Strengthening of ACER's role**

EURELECTRIC supports that ACER's tasks have been updated in the field of wholesale market supervision and cross-border infrastructure. Indeed the coordination of national regulatory actions will increase in the coming years. **Coordinated regional decisions would mean faster and more effective decision-making on cross-border issues.** ACER should be granted the appropriate resources and powers to carry out its tasks effectively. ACER should continue to focus on the preparation for monitoring the national implementation of the Network Codes/Guidelines and facilitate stakeholder involvement.

- **A more regional and clear role**

EURELECTRIC fully supports the new provisions for more regional and European cooperation as well as for a stronger role of ACER. This is since the **role of ACER should be to realise seamless cooperation of NRAs regarding cross-border issues.** EURELECTRIC supports, for example, that ACER is given more responsibility in **elaborating and submitting the final proposal for Network Codes to the Commission** and that ACER is given the competence to **revise and approve methodologies and algorithms for the implementation of the Network Codes** (Art 5.1.(c), Art 5.3 and Art 55 of the Electricity Regulation). However, for a balanced representation of interests, **stakeholders should be involved in the process.**

Independence of ACER is key

To accelerate the progress towards a single market, the **independence of the Internal Electricity Market's governance framework needs to be strengthened with a view to promoting a more integrated and European approach.** Therefore, the move to open **ACER's membership to third countries** which have concluded agreements with the European Union in the area of energy, environment and competition is welcome.

ACER should be made sufficiently independent from the European Commission, so not to reduce the level of independence of regulators (ACER and NRAs together) in relation to both national governments and European institutions.

However, ACER should also be **subject to sufficient checks and balances** and EURELECTRIC does not believe it is necessary to change the voting rule of the Board of Regulators (Article 23) and the Administrative Board (Article 19.55) from two-thirds majority to simple majority.