

DECISION AB n° 20/2011

ON THE APPOINTMENT OF THE MEMBERS AND THE
ALTERNATES OF THE BOARD OF APPEAL OF THE AGENCY FOR
THE COOPERATION OF ENERGY REGULATORS

THE ADMINISTRATIVE BOARD OF THE AGENCY FOR THE COOPERATION
OF ENERGY REGULATORS,

HAVING REGARD to Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing a European Agency for the Cooperation of Energy Regulators (hereafter referred to as the "ACER Regulation" and "Agency") and, in particular, to Article 18 thereof.

Whereas:

Pursuant to Article 18(1) of the ACER Regulation, the Board of Appeal shall comprise six members and six alternates selected from among current or former senior staff of the national regulatory authorities, competition authorities or other national or Community institutions with relevant experience in the energy sector.

Pursuant to Article 18(2) of the ACER Regulation, the members of the Board of Appeal are formally appointed by the Administrative Board, on a proposal from the Commission, following a public call for expression of interest, and after consultation of the Board of Regulators.

Pursuant to Article 18(3) of the ACER Regulation, the term of office of the members of the Board of Appeal is five years.

On 24 May 2011 (ref. MH/ls A(11)566308), the Commission submitted to the Administrative Board for approval and to the Board of Regulators for consultative opinion, its proposal for members of the Board of Appeal.

On 17 June 2011, the Chairman of the Board of Regulators provided the favourable opinion of the Board on the Commission's proposal for the appointment of members and alternates of the Board of Appeal, following the Board's meeting on 7 June 2011.

HAS DECIDED:

- 1) To appoint as Members of the Board of Appeal (in alphabetical order):


- a) Jacques de Jong
 - b) Callum McCarthy
 - c) Ignacio Perez-Arriaga
 - d) Pippo Ranci Ortigosa
 - e) Herbert Ungerer
 - f) Wolfgang Urbantschitsch.
- 2) To appoint as Alternates of the Board of Appeal (in alphabetical order):
- a) Viorel Alicus, as an alternate to Pippo Ranci Ortigosa
 - b) Mariano Bacigalupo Saggese, as an alternate to Ignacio Perez-Arriaga
 - c) Olivier Beatrix, as an alternate to Callum McCarthy
 - d) Nadia Horstmann, as an alternate to Herbert Ungerer
 - e) Peter Kaderjak, as an alternate to Jacques de Jong
 - f) Constantinos Maniatopoulos, as an alternate to Wolfgang Urbantschitsch.
- 3) That the term of office of the Members and Alternates is five years from the entry into force of this Decision.
- 4) That the Members and Alternates of the Board of Appeal are not entitled to any remuneration for the performance of their duties in the Board, as participation in the Board's work as a member is an unpaid honorary function.
- 5) To adopt, with separate decisions:

- a) the rules for the reimbursement of travel and other expenses incurred by Members and Alternates of the Board of Appeal in the performance of their duties.
 - b) the assignment of Alternates to Members.
- 6) To convene the first meeting of the Board of Appeal, to adopt its rules of procedure and designate its Chairman, for 1 December 2011.
 - 7) To give mandate to the Director to inform the appointed Members and Alternates of their appointment and to implement any other aspect of this Decision.

This decision shall take effect on the day following that of its adoption.

Done at Ljubljana, on 22 September 2011

For the Administrative Board:



Piotr Woźniak

Chairman of the ACER Administrative Board