

Note from the Director to the Administrative Board and the Board of Regulators on the Agency's Work Programme for 2013

On 30 June 2012 I submitted the draft 2013 Work Programme (2013WP) for the Agency, *inter alios*, to the BoR, as required by article 17(6) of Regulation (EC) No 713/2009. The draft 2013WP was illustrated in the European Parliament, ITRE Committee, and presented to the public in two events on 11 July 2012. Stakeholders were invited to provide comments to the 2013WP by 31 July. Comments were received from 10 stakeholders:

- AFG - association Française du gaz
- EDP Gás and Naturgas Energia Comercializadora
- EFET
- ENTSOG
- Eurogas
- Gas Infrastructure Europe (GIE)
- GDF Suez
- GEODE
- NationalGrid
- Svensk Energi - Swedenergy – AB

A revised version of the draft 2013WP was circulated to BoR members on 14 August. The revised draft 2013WP took into account the feedback from stakeholders – mostly on the Regulatory Activities section. No feedback has been received from BoR members on the partially revised draft 2013WP.

The 2013WP now needs to be approved by the BoR and adopted by the AB, after consultation with the Commission. The Commission is preparing an opinion on the draft 2013WP.

I expect the European Commission, in its opinion, to encourage the Agency:

- to undertake preparatory work (i.e. scoping) for future framework guidelines/network codes, such as on rules for trading and rules on incremental capacity.
- to get involved in the standardisation process related to smart grids under Commission Mandate M/490 issued to European Standardisation Organisations (CEN, CENELEC and ETSO) in February 2011
- to extend the scope of the Guidelines on Exemptions for Major New Gas Infrastructure to cover also exemptions of cross border electricity interconnectors (on the basis of Article 17 Regulation (EC) No 714/2009).

Given the current uncertainty over the human and financial resources available to the Agency next year and the need to guarantee some activities which are crucial for the completion of the internal energy market by 2014 and the proper implementation of REMIT, I am reluctant, at this stage, to commit the Agency to these additional tasks. Therefore, they have not been included in the draft 2013WP submitted for approval/adoption.

Moreover, the Commission will highlight the fact that the draft 2013 Budget which is presented in the draft 2013WP, is the one approved by the AB on 31 March 2012, at the same time when an estimate of the revenue and expenditure of the Agency for next year was made, with a supporting opinion by the BoR, and does not take into account the fact that the Draft 2013 Budget (DB2013) adopted by the Commission on 25 April envisages a significant reduction in the financial resources available to the Agency next year. I would like to emphasise that if the DB2013 were to become the reference in the 2013WP, a number of activities currently planned for next year – primarily, but not exclusively, in the area of REMIT implementation – would need to be postponed to subsequent years, and therefore removed from the 2013WP. It may well be that we will eventually be forced to do it anyway, but I would prefer to take this step once the 2013 European Union Budget is finally approved. Therefore, I have opted for maintaining, in the draft 2013WP, the draft 2013 Budget approved by the AB on 31 March 2012. In any case, article 13(5) of Regulation (EC) No 713/2009 clarifies that “the work programme shall be adopted without prejudice to the annual budgetary procedure”

As in previous years, the Director’s Foreword, which is not formally part of the 2013WP, will be added after the AB adoption.