

**DECISION AB n° xx/2016**

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

**of xx December 2016**

**on the replacement of members 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 an Agency for the Cooperation of Energy Regulators<sup>1</sup>  
and, in particular, Article 18 thereof,

Whereas:

- (1) Pursuant to Article 18(1) of Regulation (EC) No 713/2009, 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.
- (2) Pursuant to Article 18(2) of Regulation (EC) No 713/2009, the members of the Board of Appeal shall be 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.

<sup>1</sup> OJ L211, 14.8.2009, p.1

- (3) Article 18(6) of Regulation (EC) No 713/2009 stipulates the events of replacement of members of the Board of Appeal by their alternates. The Rules of Procedure of the Board of Appeal provides further details on replacement.
- (4) The Administrative Board appointed the members and alternates of the Board of Appeal by its Decision AB n° 18/2016 on 18 October 2016.
- (5) The new Board of Appeal met on 17 November 2016 (7<sup>th</sup> Board of Appeal meeting) and gave a mandate to its Chairman to invite the Administrative Board to clarify the question of replacement of the Board of Appeal members.
- (6) The Chairman of the Board of Appeal addressed a correspondence dated 23 November 2016 to the Chairman of the Administrative Board requesting clarification concerning the replacement of the Board of Appeal members by alternates,

**HAS ADOPTED THIS DECISION:**

**Article 1**

The members of the Board of Appeal shall be replaced, in the events stipulated by Regulation (EC) No 713/2009 and the Rules of Procedure of the Board of Appeal, by their alternates listed in the following order:

- a) Mr Walter Boltz shall be replaced by [...]
- b) Mrs Yvonne Fredriksson shall be replaced by [...]
- c) Mr Jean-Yves Ollier shall be replaced by [...]

- d) Mr Andris Piebalgs shall be replaced by [...]
- e) Mr Mariusz Swora shall be replaced by [...]
- f) Mr Michael Thomadakis shall be replaced by [...].

## **Article 2**

This decision shall enter into force on the day of its adoption.

Done at Ljubljana on **xx** December 2016.

For the Administrative Board:

Dr. Romana Jordan  
Chairman of the Administrative Board