



## **GEODE POSITION PAPER ON THE PROPOSAL FOR A REGULATION ESTABLISHING AN AGENCY FOR THE COOPERATION OF ENERGY REGULATORS**

The Council has reached a common position on the third energy package. **GEODE**, European association representing the interest of electricity and gas distribution companies, would like to take the opportunity of commenting on some of the fundamental issues in relation with the EC Proposal for a Regulation establishing an Agency for the Cooperation of Energy Regulators.

**GEODE** welcomes the proposal of establishing an Agency for the Cooperation of national energy regulators. Still there is a need for a clearer definition on the role, mandate and tasks for the Agency as well as strengthening of the regulator's powers. This is of utmost importance for the development of a well functioning common EU energy market. **GEODE** concerns in relation with mandates, tasks and independency of the Agency are as follows:

**I.- To assure that the Agency is provided with the necessary binding tools to achieve its aims and tasks.**

**GEODE** stands for an Agency with clear and concrete mandates in terms of the Meroni jurisdiction. Particularly the role and tasks of ENTSO and ACER should be clearly defined. At the same time the involvement of all market stakeholders in the process should be guaranteed.

**GEODE** supports Agency powers to draft and adopt guidelines establishing basic, clear and objective principles for the harmonisation of network rules. The Agency should be granted with the task of developing network codes and should participate in the process of its adoption and monitor its implementation by TSOs.

**GEODE** stands for an Agency with strong powers regarding cross-border transmission and therefore no limitation of Agency powers on cross-border issues should be envisaged. The Agency should monitor authorisation process for the construction of new cross-border infrastructure.

**GEODE** stands for an Agency empowered to approve TSO's 10 year investment-plan and supervise its implementation.



**II.- To assure the Agency's independence. To this end, the rules of members nomination must ensure the balance between the Council and the Commission**

GEODE stands for the principle of Agency's independence. To this end equal representation in the rules of members nomination is crucial as they should ensure the balance between representatives from the Council and the Commission and, if it is the case, from the European Parliament.

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