



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

***– 42<sup>nd</sup> Meeting –  
– Ordinary Session –***

**Wednesday, 25 September 2019, 07:30 — 15:00**

**Trg Republike 3, Ljubljana - Slovenia**

***MINUTES***

## I. LIST OF ATTENDEES

The following Members and Alternates of the Administrative Board were present at the meeting:

Dr Romana JORDAN	<i>Chair</i>	Dr Jochen PENKER,	<i>Vice-Chair</i>
Ms Britta THOMSEN,	<i>Alternate</i>	Mr Martin HANSEN,	<i>Member</i>
Prof Uwe LEPRICH,	<i>Alternate</i>	Mr Michel THIOLLIERE,	<i>Member</i>
Mr Jurijs SPIRIDONOVs,	<i>Member</i>	Mr Florian ERMACORA,	<i>Alternate</i>
Ing Ľubomír KUČHTA,	<i>Alternate</i>	Mr Diego VAZQUEZ,	<i>Alternate</i>

Ms Clara POLETTI (*Chair of the Board of Regulators*) was also present at the meeting, acting as observer for points 1, 2 and 7 of the Agenda.

Mr Rolands IRKLIS (*Vice-Chair of the Board of Regulators*) was also present at the meeting, acting as observer for points 1 and 2 of the Agenda.

All Members of the Board of Regulators were present at the meeting for points 3 to 5 of the agenda, acting as observers.

Ms Britta THOMSEN and Ing Ľubomír KUČHTA were granted voting rights pursuant to Decision No 10/2018 of the Administrative Board of 6 September 2018 on the participation of Alternate Members.

Mr Florian ERMACORA submitted proxies of Ms Anne MONTAGNON and Ms Ditte JUUL JØRGENSEN.

The secretariat was provided by the Agency.

## II. SUMMARY OF CONCLUSIONS OF THE 36th MEETING OF THE ADMINISTRATIVE BOARD

At the first session of the 42<sup>nd</sup> meeting, the Administrative Board:

- (1) established the list of the questions and follow-up questions for the selection procedure for the post of Director of the Agency;
- (2) interviewed the three candidates short-listed by the European Commission;
- (3) designated Mr Christian Pilgaard ZINGLERSEN for the post of Director and referred its decision to the Board of Regulators for its opinion.

### III. MINUTES

#### SECTION I – OPENING

The first session of the 42<sup>nd</sup> meeting of the Administrative Board of the Agency for the Cooperation of Energy Regulators was convened in ordinary session on 25 September 2019. The meeting started at 7 hours and 30 minutes.

The Chair invited the present Members and Alternates of the Administrative Board to declare any actual or potential interest that could be considered prejudicial to their independence with respect to the items on the agenda.

All the Members and Alternates declared that they knew the candidates in their professional capacity. However, no professional, business or personal relation, such as to impair the independence and the impartiality of the decision-making process, was reported.

#### (1) *Approval of the Agenda*

The Agenda of the first session of the 42<sup>nd</sup> meeting of the Administrative Board was approved as follows:

Agenda Topics	Accompanying Documents	Rapporteur
<b>Start</b>		<b>07:30</b>
(1) Declarations of Interest and approval of the Agenda	- -	AB Chair
<b>Items for Decision</b>		<b>07:40</b>
(2) Practical arrangements for the appointment of the Director of the Agency - Establishment of List of Questions for the interview	Doc. A Doc. B Doc. C <i>for information</i>	AB Chair
<b>Invitation to BoR Members to participate to the interviews</b>		<b>08:30</b>
<b>Interview of Candidate No. 1</b>		<b>08:40</b>
(3) Interview of Candidate No. 1	Doc. A Doc. B -	AB Chair – AB Vice-Chair
<b>Interview of Candidate No. 2</b>		<b>09:40</b>
(4) Interview of Candidate No. 2	Doc. A Doc. B -	AB Chair – AB Vice-Chair
<b>Interview of Candidate No. 3</b>		<b>10:40</b>
(5) Interview of Candidate No. 3	Doc. A Doc. B -	AB Chair – AB Vice-Chair
<b>Items for discussion – Administrative Board Members and Alternates only</b>		<b>12:10</b>

(6)	Discussion on the candidates for appointment as Director to be submitted to the Board of Regulators for favourable opinion	-	-	AB Chair
<b>Items for reporting – Administrative Board Members and Alternates and BoR Chair</b>				<b>14:10</b>
(7)	Report on the observations of the Board of Regulators on the candidates for the post of Director	-	-	BoR Chair
<b>Vote</b>				<b>14.40</b>
(8)	Selection of the candidate for the post of Director to be submitted to the Board of Regulators for favourable opinion	-	-	AB Chair
<b>Closing</b>				<b>15:00</b>

## **SECTION II – ITEMS FOR DECISION**

### **(2) Practical arrangements for the appointment of the Director of the Agency - Establishment of List of Questions for the interview**

The Chair informed the Administrative Board that, on 27 June 2019, the European Commission notified to the Agency the short-list of three candidates for the post of Director of the Agency. The shortlisted candidate were, therefore, invited to the interview before the Administrative Board at the presence of the Board of Regulators, acting as observer.

The Chair further recalled the practical arrangements to be adopted in the selection procedure for the post of Director of the Agency. In particular, the Chair reported that, pursuant to Article 6 of the Rules of Procedure of the Administrative Board, the Board shall agree on the basic questions that will be put to the candidates. To ensure equal treatment, the same set of standard questions shall be put to all candidates. Board members shall have the opportunity to ask additional questions related to the candidate's presentation or to the answers given to the standard questions.

The Chair highlighted that the questions should enable the Administrative Board to select the best candidate on the basis of merit as well as skills and experience relevant to the energy sector. In particular, questions should focus on the vision for the future of the Agency as well as on leadership and communication skills, as defined in the relevant Vacancy Notice.

The Chair recalled that the voting on the candidate should be by secret ballot and would follow the interviews. The Chair therefore recalled the voting procedure to designate the candidate for the post of Director as per Article 6(5) of the Rules of Procedure.

In particular, the Chair recalled that, in the course of the 40<sup>th</sup> meeting, Members and Alternates individually drafted questions relevant to the vacancy notice, the skills and the expertise required by the nature of the post. Members and Alternates were invited to submit to the Secretariat of the Administrative Board their respective questions in separate sealed envelopes. The Secretariat collected the sealed envelopes and enclosed them in a further envelop which was sealed at the presence of the Members and Alternates of the Administrative Board and signed by the Chair. The Secretariat was mandated to store the envelope in a safe until the date of the interviews together with a list of questions prepared by the Board of Regulators.

The Secretariat reported that the safe was opened at 7 hours and 15 minutes of the 25<sup>th</sup> of September at the presence of three statutory staff members of the Agency and the envelope remained in he possession of the Secretariat until the opening of the meeting of the Administrative Board.

The Administrative Board took note that the envelope was sealed, undamaged, and not showing attempts of tampering. The Chair recognised her signature on the envelope.

The Administrative Board invited the Secretariat to open the envelope. The envelope contained ten additional sealed envelopes not showing any damage or attempt of tampering. The Administrative Board invited the Secretariat to open the envelopes and read aloud the questions contained therein.

The Administrative Board discussed the questions and identified and established a list of a total of six questions, that were considered more appropriate to test the skills and expertise relevant to the energy sector of the candidates, including the managerial and personal skills required by the nature of the post.

The Chair further recalled that each interview should have lasted approximately 45 minutes. At the beginning of the interview, candidates should have been invited to present their respective views on the future regulatory challenges for the energy sector and a vision for the Agency. The presentation should have not lasted more than 5 minutes and candidates were allowed to use up to three slides as support.

The Chair further recalled that the Administrative Board asked the Board of Regulators to attend the interviews acting as observer.

*Conclusion:*

- (1) The Administrative Board established the list of questions to be put to candidates on the basis of the questions drafted at its 40<sup>th</sup> meeting and those produced by the Board of Regulators;
- (2) the Administrative Board took note of the practical arrangements for the selection procedure.

### **SECTION III – INTERVIEW OF THE SHORTLISTED CANDIDATES**

The Administrative Board interviewed each of the three candidates. Each candidate had i) 5 minutes to deliver a presentation of their respective views on the future challenges for the energy sector, the Clean Energy Package for all Europeans and a vision for the future of the Agency beyond; and ii) 40 minutes to respond to the six questions posed by the Administrative Board, including any follow-up questions. The questions were the same for each candidate.

The candidates were heard consecutively one after the other.

### **SECTION IV – ITEMS FOR DISCUSSION**

**(3) *Discussion on the candidates for appointment as Director to be submitted to the Board of Regulators for favourable opinion***

The Members of the Administrative Board evaluated each candidate on the basis of merit as well as skills and experience relevant to the energy sector as set in the vacancy notice, avoiding any ranking.

**SECTION V – ITEMS FOR REPORTING**

**(4) *Report on the observations of the Board of Regulators on the candidates for the post of Director***

The Chair of the Board of Regulators recalled that the participation of the Board of Regulators as observer in the course of the interview of the short-listed candidates had the purpose of evaluating each candidate on the basis of merit as well as skills and experience relevant to the energy sector as set in the vacancy notice.

The Chair of the Board of Regulators briefly reported on the results of the views expressed by the Board of Regulators on the merits of each candidate, avoiding any ranking, for the consideration and free appreciation of the Administrative Board.

**SECTION VI – VOTE**

**(5) *Nomination of the prospective candidate for appointment as Director to be submitted to the Board of Regulators for favourable opinion.***

The Administrative Board discussed the merit of each candidate and considered the views of the Board of Regulators.

The Chair then put the selection to a vote by secret ballot and the Administrative Board resolved in a single round, with a 7:2 majority, to designate Mr Christian Pilgaard ZINGLERSEN for the post of Director of the Agency.

**Conclusion:** The Administrative Board invited the Chair of the Administrative Board to transmit the decision to the Board of Regulators for the latter to issue its opinion on the candidate designated for the post of Director of the Agency.

**CLOSING**

In the absence of any other business to be treated, the Chair closed the first session of the 42<sup>nd</sup> meeting at 15 hours.