

## **Composite Assessment report on potential conflicts of interest**

**2023**

This report provides an assessment on the Declarations of Interests (“DoI”) and curricula vitae (“CVs”) submitted by the members and alternates of the Board of Appeal (“BoA”) of the Agency in order to comply with their obligation to act independently when carrying out their duties. The report confirms also that the Declaration of Commitments (“DoC”) were duly submitted by all members and alternates of the BoA. The purpose of the assessment is to raise awareness and help identify possible situations of conflict of interest so that these can be avoided and addressed at an early stage.

The assessment has been carried out taking into account the criteria set out in Decision AB N<sup>o</sup>. 02/2015 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 31 January 2015 laying down a policy for the prevention and management of conflicts of interest, namely: family ties, financial investments in any relevant commercial entity (including any investment in the energy sector) and other potential interests including, among others, professional relationships such as employment and consultancy, membership of a managing body or advisory body, other memberships or affiliations.

The assessment has been carried out taking into account also Decision No 16/2022 of the Administrative Board of the European Union Agency for the Cooperation of Energy Regulators of 14 December 2022 laying down the Guidelines on the prevention and management of conflicts of interest for the Administrative Board and the Board of Appeal of the European Union Agency for the Cooperation of Energy Regulators.

Further to the assessment and according to the above decisions, one of the following risk levels have been assigned to each member and alternate of the BoA:

- **Level 1:** No relevant interests declared.
- **Level 2:** Relevant interests declared (e.g., in the energy sector) but which do not have any (and are not expected to have any for the year following the declaration) direct

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influence on the general decision-making process of the BoA or which are not directly impacted by the BoA’s general decision-making process. As regards case proceedings, potential situations of conflict of interest will be reviewed on a case by case basis.

- **Level 3:** Interests declared pertaining directly to the field of competence of the BoA and leading to a systemic conflict of interest.

This report has been established, as regards the members other than Chairman and Vice Chairman, by the Chairman and the Vice Chairmen, as regards the Chairman by the Vice Chairmen and the Member designated for that purpose by the Board, and as regards the Vice Chairmen by the Chairman, the Vice Chairman and the designated Member (“Panel”).

The Panel applied “Level 1” risk level where the member or alternate member had declared no relevant interest. The panel identified different types of involvement in Category I of the DoI form (employment, consultancy, legal representation or advice): members/alternates who are involved in the work of an NRA and others who have activities as private providers (for example as consultants and private legal practitioners). The categories of interest declared can be found in the table below:

Name	I. Employment	II. Body membership	III. Other membership	IV. Research	V. Investment	VI. Other
Prek						
Eckhout						
Biondi						
Sardi						
Supponen						
Widegren						
Marien						
O’Brien						
Partanen						
Petruzzo						
Stritof						
Szörenyi						

While these interests are relevant, however, none of them has a direct influence on the general decision-making process of the BoA. Therefore, the Panel assessed all members and alternate members who declared a relevant interest and assigned a “Level 2” risk. No “Level 3” risk was

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found, based on the declarations submitted or/and subsequent verifications and discussion with the members and alternate members concerned.

In accordance with the above-mentioned approach, the risk levels concerning the members and alternate members of the Board of Appeal are the following:

<p><b>Miro PREK</b> Chair</p>	<p><b>Level 1:</b> no relevant interest declared.</p>
<p><b>Piet EECKHOUT</b> Vice Chair</p>	<p><b>Level 2:</b> relevant interest declared in cat. I. (employment) in relation to the work as Expert in various international proceedings between Spain and various investors under the Energy Charter Treaty, but it has no direct influence on the general decision-making process of the BoA.</p>
<p><b>Andrea BIONDI</b> Vice Chair</p>	<p><b>Level 1:</b> no relevant interest declared.</p>
<p><b>Katerina SARDI</b> Member</p>	<p><b>Level 2:</b> relevant interest declared in cat. I. (consultancy) for various consultancy work in the field of energy and energy regulation. In relation to the relevant interest declared in cat II. (Membership of Managing Body) for the position as Managing Director and Country Manager (Greece) of Energean Oil and Gas S.A. (EOGSA), the Greek subsidiary of Energean PLC, the Panel received clarifications as to whether Ms Sardi is a member of the Board of Energean PLC and whether her responsibilities have an executive or non-executive nature. Ms Sardi explained that her employment situation has not changed since last year: she is Managing Director of Energean Oil and Gas S.A., the Greek Subsidiary of Energean Plc, and she is not a member of the Board of Energean Plc. She clarified also that she is still a Member of the Executive Committee of Energean Plc and her tasks relate to operations and business development in Greece in the upstream sector (exploration and production of hydrocarbons) and also in the development of a CO2 storage facility. The relevant interest declared has no direct influence on the general decision-making process of the BoA.</p>
<p><b>Matti SUPPONEN</b> Member</p>	<p><b>Level 2:</b> relevant interest declared in cat. I. (consultancy) for his consultancy work in the energy sector, and cat. II. (Membership of Managing Body) as Member of the Board of ELFi (the Finnish Electricity Users Association), a job that includes membership in the Electricity Market Committee of Fingrid (the Finnish TSO); the purpose of the Committee is to consult stakeholders on various electricity market issues. A relevant interest was also declared in cat III (other membership or affiliation) for the position as Private Member of CIGRE, an international organization on electricity transmission systems which promotes cooperation and research in the area. Other relevant interests were declared</p>

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	<p>in cat. V (investments) for shares currently held by himself and his close family members. The relevant interests declared have no direct influence on the general decision-making process of the BoA.</p>
<p><b>Karin WIDEGREN</b> Member</p>	<p><b>Level 2:</b> relevant interest declared in cat. I. (consultancy) for her current work as independent consultant, giving advice primarily to Swedish authorities, including Ei (the Swedish regulatory authority) on energy policy strategies and market design. Relevant interest declared in cat II. (Membership of Advisory Body) as Member of Advisory Body (Steering Group) of the Swedish Smart Grid Forum, an organization funded by the Swedish Government which promotes smart grid development and deployment. Relevant interest declared in cat III. (Other membership or affiliation) for the activity as Independent observer at the Board of the nuclear company Ringhals AB, a daughter company of Vattenfall AB; in more details, the Independent observer is nominated by Ei (the Swedish regulatory authority) and her role is to monitor the compliance by the Board of the Code of Conduct, primarily related to competition rules and information exchange between the co-owners. Another relevant interest declared in cat. IV. (research funding) for the activity of partner in research project financed by Energiforsk, a Swedish research institute coordinating energy research. The relevant interests declared have no direct influence on the general decision-making process of the BoA.</p>
<p><b>Alain MARIEN</b> Alternate</p>	<p><b>Level 2:</b> relevant interest declared in cat I (employment) as Scientific Advisor of CREG (the Belgian regulatory authority) on general principles of electricity market design, scarcity pricing and on the national development plan, which will be terminated in August 2023. The relevant interest has no direct influence on the general decision-making process of the BoA.</p>
<p><b>Keelin O'BRIEN</b> Alternate</p>	<p><b>Level 2:</b> the Panel noted a relevant interest in cat I (consultancy) for consultancy activities for various energy consultancy firms, and in a private capacity, for clients in Ireland. In more details, Ms O' Brien advises Irish market participants on connection policies, market entry strategies and other issues. The relevant interest has no direct influence on the general decision-making process of the BoA.</p>
<p><b>Timo PARTANEN</b> Alternate</p>	<p><b>Level 1:</b> no relevant interest declared.</p>
<p><b>Chiara PETRUZZO</b> Alternate</p>	<p><b>Level 2:</b> relevant interests declared in cat. I. (employment) for her position at ARERA as Data Protection Officer. The Panel agrees that the declared interest has no direct influence on the general decision-making process of the BoA.</p>

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<p><b>Ivona STRITOF</b> Alternate</p>	<p><b>Level 2:</b> relevant interest declared in cat. I. (employment) for the position as Director of EU and Regulatory Affairs Department at Hrvatska elektroprivreda jsc, as well as cat. II (Membership of Managing Body) for the position as Member of the Supervisory Board at HEP Telecommunications ltd, HEP-Distribution System Operator ltd, HEP-District Heating ltd (daughter companies founded by HEP jsc). The Panel also noted a relevant interest for the ongoing position as Energy, Regulatory and EU Affairs Consultant, and asked Ms Stritof to provide explanations. Ms Stritof confirmed that she did not include this position due to the fact that she did not engage in any project that would put her in any kind of conflict of interests with respect to her duties for the BoA, and she only engaged in projects for the government institutions and stakeholders which are not energy undertakings under the supervision of ACER or any national regulatory authority. The Panel agrees that the relevant interests have no direct influence on the general decision-making process of the BoA.</p>
<p><b>Gabor SZÖRENYI</b> Alternate</p>	<p><b>Level 2:</b> relevant interest declared in cat. I. (employment) for advising MEKH (the Hungarian regulatory authority) on the implementation of the CEP. With respect to this relevant interest, the Panel received clarifications that Mr Szörényi had a contract as external advisor for MEKH from 1 June 2021 to 31 December 2022. Since 1 February 2023, he resumed the advisory activity for MEKH, and therefore, he provided an updated Declaration of Interests and CV. Relevant interest declared in cat. III (other membership or affiliations) for being an Advisory Member (with no voting rights) of the German Innogy ‘International Business Council - Grid &amp; Infrastructure’. The Panel agrees that the declared interests have no direct influence on the general decision-making process of the BoA.</p>

The Panel underlines that further to this general assessment, the potential situations of conflict of interest will be reviewed on a case-by-case basis.

The members and the alternate members of the BoA were informed that the Composite Assessment Report on potential conflicts of interest will be published on the website of the Agency in accordance with the decision of the Administrative Board.

Ljubljana, 27 March 2023

Miro Prek,  
BoA, Chairman (acting as Review Panel Member)

Piet Eeckhout,  
BoA, Vice Chairman (acting as Review Panel Member)

Andrea Biondi,  
BoA, Vice Chairman (acting as Review Panel Member)

Matti Supponen  
BoA, Member (acting as Review Panel Alternate)