



## International Confederation of Energy Regulators (ICER) Practical Arrangements/Rules of Procedure

24 November 2010

### Overview of ICER

#### Core Principles

ICER is based on the voluntary cooperation of its member associations. As such, the Confederation will not have legal personality or a formal status or articles of association. This paper serves as the ICER statutes/Rules of Procedure and sets out the practical arrangements and structure for future work which have been agreed by the ICER Steering Committee.

ICER provides a voluntary framework for cooperation between energy regulators from around the globe. Its aim is to improve public, and policy-maker, awareness and understanding of energy regulation and its role in addressing a wide spectrum of socio-economic, environmental and market issues (see *Annex 1 Confederation announcement*). By establishing this voluntary confederation, with regular and structured contacts and cooperation between regulators, we hope to exchange information and best practices in the regulation field and to make a significant contribution to the evolution towards a sustainable planet.

ICER members commit to continue their pledge for common goals, including:

- Promoting the exchange of information on “best practices” to augment regulatory capabilities, including new partnerships between regulators from developed, transitioning, and developing countries;
- Strengthening efforts at regional coordination through associations of energy regulators and other key sector stakeholders;
- Increasing professional training programs to enhance institutional regulatory frameworks;
- Exploring opportunities for cooperation between international development agencies and associations of energy regulators.

ICER is supported by a web platform, provided by IERN (International Energy Regulation Network) and managed by the FSR (Florence School of Regulation). This platform, hosted by [www.iern.net](http://www.iern.net), facilitates both the exchange of information and the practical cooperation and activities of ICER's members. A redirect link allows users to directly access the ICER webpages: [www.icer-regulators.net](http://www.icer-regulators.net).

#### ICER Steering Committee

The ICER Steering Committee is composed of the chairs of the regional regulatory associations representing energy regulatory bodies, i.e. the members of the existing WFER Steering Committee (see *Annex 2* for the full list of members). Indications of interest by a regional association to join ICER will be reviewed by the ICER Steering Committee. By way of exception and in order to maximise the international representativeness of ICER, national regulatory authorities that are not represented through a regional association may be admitted to ICER, following a decision of the Steering Committee. In addition, national regulatory authorities that are members of a regional association (ICER member) which is not active in ICER's day to day work may participate in Steering Committee meetings as observers for an initial 1-year period; they may subsequently apply for member status, subject to the approval of the Steering Committee.



In order to ensure coordination and monitoring of the ICER virtual working groups and activities supported by IERN, the Chair of the IERN Steering Committee and the FSR participate in the meetings as observers.

The ICER Steering Committee shall serve as the executive board and decision-making body for ICER, including setting strategic priorities for ICER and reviewing proposals for output by the virtual working groups (VWGs).

In its deliberations, the Steering Committee will seek to work by consensus and to encourage participation and comments from all Members. Proposals will be circulated (electronically) with enough notice to allow review at national and regional level.

#### Chairmanship of ICER

The ICER Chair is chosen from among the Steering Committee members for a three year period. CEER will serve as the first Chair.

In order to ensure effective coordination, the ICER Chair will closely collaborate with the WFER host.

The ICER Chair will convene meetings of the Steering Committee for ICER activity purposes. When the issue concerns WFER preparations, the WFER host convenes meetings and communications as appropriate.

The ICER Chair, in cooperation with the Steering Committee, will oversee the overall functioning and progress of the virtual working groups. The Chair and the Steering Committee will receive regular reports from the ICER Secretariat (see below) and promote ICER's efforts and activities. In addition, the Chair will serve as the spokesperson of ICER.

All working group outputs and activities will first be approved by the Steering Committee before being implemented/announced by the Chair.

The ICER Chair should also propose, for Steering Committee review and approval, any external or policy activities.

#### ICER Working Groups

The virtual working groups operate under the umbrella of the Confederation and will undertake joint analysis of a variety of regulatory topics and promote exchanges on training and education practices. We will focus our work around 4 key areas, drawn from the 4 themes of the WFER IV:

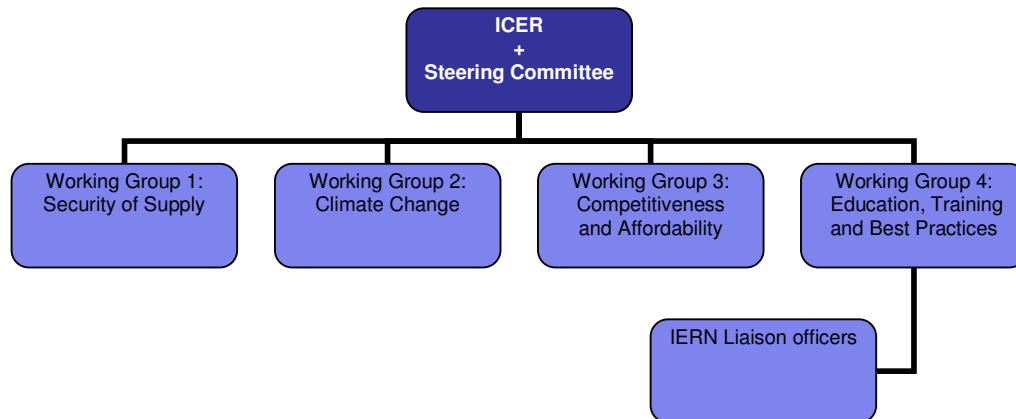
- Theme 1: Reliability and security of supply
- Theme 2: The role of regulators in responding to climate change
- Theme 3: Competitiveness and affordability
- Theme 4: The independence, powers, responsibilities, best practices and training of regulators

The virtual working groups will mainly work through electronic communication and through a dedicated area of the IERN website.



## Working Arrangements

### Organisational structure



The virtual working groups will run autonomously, with a dedicated members' area on the IERN website (see communication and working methods, below). This dedicated section of the IERN website offers members the opportunity to update their contact details and mailing lists and to upload related materials and working documents.

### Membership of the Virtual Working Groups

Each member of the Steering Committee may nominate representatives to the 4 virtual working groups. The members of the 4 virtual working groups will undertake their joint work based on the proposals of each chair on:

- a proposal of priority topics;
- the type of output for these topics; and
- an indication of the timing for its development.

Their work plan and deliverables will be formally agreed by the Steering Committee.

### Chairmanship of the Virtual Working Groups

The chairmanship of the virtual working groups is agreed by the Steering Committee members, based on the membership profile of each group and with a view to ensuring an adequate balance between the associations. Chairs shall be appointed for the 3-year period between WFERs. The particular experience or expertise of an association or its interest in a given area should also be considered when agreeing the chairmanships. Equally, given the important role of the chairs of the Groups in pursuing the deliverables from their groups, their commitment in taking on this level of responsibility should also be taken into consideration.

### Types of output

ICER's possible output may take multiple forms, such as benchmarking or surveys, position



papers and studies, exchange programmes and professional training courses. Within the context of Working Group 4 on education, training and best practices, ICER could also decide to offer scholarships or prizes for research papers on specific regulatory issues. ICER may also consider contracting external consultants or academics to undertake research in a specific area, possibly through ad hoc specialised institutions such as PURC, IPU (US) or FSR (EU). ICER may also collaborate with relevant international organisations, such as the International Energy Agency or the European Investment Bank, to support ICER's work in their areas of expertise. The outputs themselves will be developed during the 3-year interim period and presented at the following WFER (or earlier, as appropriate).

#### Communication and working methods

The main vehicle for communication and cooperation will be electronic. Both the Steering Committee and the virtual working group members will maintain contact and share documents and information by email. "Reply all" emails should be used to exchange views and to prepare specific outputs.

In addition, the existing IERN website will be reinforced and a new members-only area will be created where the Steering Committee and virtual working group members can access contact details, mailing lists, related materials and ICER documents.

The expert members of the virtual working groups will jointly prepare and review output on specific topics, as appropriate. A document template will be made available on the website in order to facilitate drafting and comments should always be made in track changes to ensure all participants can follow the evolution of a given activity.

Final draft outputs should be submitted to the Steering Committee for review and approval, either as an internal or public document.

The working language will be English.

#### Meetings

As much as possible, ICER and the working groups will use electronic means (telephone or video) for their meetings.

The Steering Committee may periodically agree to meet face-to-face, in particular for WFER preparatory meetings and also for annual roundtables to ensure a strong dialogue between the ICER members (as well as any G8+ meetings which may take place).

The location and timing of the meetings should be set well in advance in order to ensure maximum participation.

#### Secretarial Support

ICER will be supported by the existing IERN web platform. The ICER Secretariat will be provided by a dedicated IERN Team (including an ICER Coordinator) and shall work under the responsibility of the Chair. IERN is managed by the Florence School of Regulation (FSR) in close cooperation with Council of European Energy Regulators (CEER). An email address has been set up for queries/contact: [office@icer-regulators.net](mailto:office@icer-regulators.net).

The ICER Secretariat will provide the Internet support for the ICER dedicated area within the existing IERN website, in coordination with the ICER Chair. It will update the mailing lists and contact details as appropriate and provide IT support with regard to the use of the dedicated



area and the various sections which could exist in order to meet the needs of the members (e.g. contacts, virtual working groups, general information and archive section, etc.). The ICER Secretariat shall update and maintain the ICER public web page/s on the IERN web site. The ICER Secretariat shall assist the Chairpersons of VWGs and draft minutes.

The ICER coordinator will provide the necessary coordination between the members of the working groups and may at times help to spur discussions or the follow-up of specific work – in particular if and when deadlines for comments or approval are in place. The coordinator will report to the ICER Chair where appropriate.

### **Financial Considerations**

ICER is based on the voluntary cooperation of its Member associations and therefore its budget is financed through annual voluntary contributions by Members. ICER can benefit from contributions by NRAs or sponsors for activities related to the Annual ICER Work Plan.

IERN shall present its budget needs to the WFER Steering Committee on a yearly basis, based on contributions from ICER members, national regulatory authorities and other sponsors in accordance with the IERN statutes. The budget and accounts will clearly distinguish between general IERN finances and ICER finances.

### ***ANNEX 1 Inaugural Announcement***

## ***International Confederation of Energy Regulators (ICER) Inaugural Announcement***

19 October 2009

At the time of its establishment, ICER brings together 11 regional energy regulatory associations, representing over 200 regulatory authorities and spanning 6 continents.

### **Our Vision**

A voluntary framework for the cooperation of the world's energy regulators on issues of a global nature which affect energy markets

### **Our Mission**

- To raise the profile and public awareness of the work of national energy regulators in monitoring electricity and gas markets and safeguarding consumer interests
- To provide an open platform for energy regulators to pursue joint values and goals
  - To reconcile market mechanisms with public service objectives
  - To provide a significant contribution towards a sustainable planet

### **Our Values**

- Open communication and information sharing
- Professional excellence through training and education
- Collaboration, information exchange and cooperation through continuous dialogue

### **Our Goals**

- Increased understanding and awareness of energy regulation



Ever-improving effectiveness of energy regulation

### **Our Strategies**

- To lead by advancing knowledge, research, debate and the exchange of ideas
- To share and learn from each other's experience and practices
- To promote open communication and cooperation on issues of mutual interest
- To inform customers, world leaders and policy-makers of the important role of energy regulation

[www.iern.net](http://www.iern.net)



## ***ANNEX 2 Members of the ICER Steering Committee***

1. The following regional regulatory associations are ICER Founding Members:

- AFUR: African Forum for Utility Regulators
- ARIAE: Asociación Iberoamericana de Entidades Reguladoras de la Energía
- CAMPUT: Canadian Association of Members of Public Utility Tribunals
- CEER: Council of European Energy Regulators
- EAPIRF: East Asia and Pacific Infrastructure Regulatory Forum
- ERRA: Energy Regulators Regional Association
- MEDREG: Mediterranean Gas and Energy Regulators Assembly
- NARUC: National Association of Regulatory Utility Commissioners
- OOCUR: Organization of Caribbean Utility Regulators
- RERA: Regional Electricity Regulators Association
- SAFIR: South Asian Forum for Infrastructure Regulation

2. The following National Regulatory Authorities are Members:

- AEMC: Australian Energy Market Commission