

## Public Participation Procedures

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## Legal base for transparency and openness of process I

- ❑ According to the **Law on Energy Regulator**, sessions of the Board are **open to the public**. Board can decide that a session or a debate on a particular item on the agenda can be closed.
- ❑ **Law on Energy Regulator**, Art.2 the purpose, transparent functioning of an energy market, transparent and open criteria for issuing licenses and permits, interests between customers and enterprises are adequately balanced.
- ❑ Article 26, Acts and decisions shall be made in an open manner, independent of outside political, industrial or other influence.
- ❑ **Rule on Pricing**, Protection of customers through promoting transparent and open access to the information regarding pricing and tariffs

## Legal base for transparency and openness of process II

- ❑ In the **Statute of ERO**, in Article 29.11 it is specified that the Board ensures the publication of work through open sessions of the Board, cooperation with public media, publishing the annual reports and organizing press conferences.
- ❑ ERO has assured the confidentiality of information with the Rule on Confidentiality of Information.
- ❑ Public Participation procedures will be put into another subsequent rule **“Rule on Public Participation”**.

## Values and Benefits of Public Participation

- ❖ The regulator is supposed to balance interests. To do so, all interests must have the opportunity to present their views
- ❑ **Improves** decision-making by broadening the availability of information which the regulator can use to make decisions
- ❑ **Increases** the understanding of the regulatory process and the issues in the energy sector by the general public. This is particularly important when major changes are being made, especially where the population is used to not paying and to poor service quality
- ❑ **Increases** the credibility of the regulator

# Consultation Process

## □ Law on the Energy Regulator, Article 27

- ERO may carry out consultation on issues with “significant impact on the energy market”
- Requirements
  - ✓ Announced in newspaper and posted on web-site
  - ✓ Identify issues
  - ✓ Allow interested parties to respond within 14 days
  - ✓ Protect confidential information
- May publish a draft act (document)
- May specify that a public hearing be part of the consultation process

# Types of Public meetings

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- ☐ **Public Hearings**
  - ☐ **Public Sessions**
  - ☐ **Workshops**

# Typical Notification Methods

- ☐ **Paid advertisements in daily newspapers**
- ☐ **Press releases to media**
- ☐ **Distribution to community agencies and organizations**
- ☐ **Posting on ERO website**
- ☐ **Notification by e-mail, phone, fax or mail to identified lists**
- ☐ **When it is a discussion on a draft rule, the draft is sent by email to stakeholders usually 2 weeks in advance.**

# Participants' Registry

- ❑ Registry of **individuals** and **organizations** who take positive action to request notifications
- ❑ Method, content and extent of notification varies according to situation and expressed desires of those on the registry



# Conducting a Public Meeting

## ❑ Overall Goals of ERO on Public Meetings

- Transparency/Openness
- Credibility
- Awareness of the Sector
- Efficiency
- Progress toward decision

## ❑ For Public

- Access to information and opportunity to question and comment

# Public Hearings

- ☐ **For information only, no decision is being made**
- ☐ **Topics**
  - Discussion on draft rules
  - Tariff review or other topic determined by Board
- ☐ **Objectives**
  - Gather information
  - Inform the public
- ☐ **Audience differs depending on nature and content of meeting**
- ☐ **Follow-up**
  - Any materials to those who have requested it
  - Incorporation of the received comments
  - Publicity or comment regarding hearing
  - Record of proceedings, including circulation to those in consultation process

# Decision-Making Process

- ☐ **Establish Agenda and circulate to Board members 5 days in advance**
- ☐ **Notification Published on the web page 4 days in advance**
- ☐ **E-mailed to all interested parties**
  - Professional staff presentation of issue and recommendation if appropriate
  - Questions and comments from Board
  - Comments from public on the agenda item
  - Board debate
  - Board decision
  - Period for public comment on any issue at end of agenda
- ☐ **Record of Meeting**
  - Minutes
  - Publicity and publication
  - Written decision published on the web page
- ☐ **The Board shall meet at least ten (10) times per year.**

# Roles of Staff and Board



## ☐ Administrative and Public Relations

- Notification
- Response to Questions
- Printing and circulation of documents
- Maintain archives

## ☐ Professional Staff

- Prepare presentation as assigned for Board, including recommendations
- Compile summary and background documents, including alternatives considered
- Submit to Board prior to meeting if possible

## ☐ Board

- Provide instructions on staff responsibilities related to meetings
- Review documents and materials before meeting
- Participate fully in discussions and deliberations
- Make decision

# Open to questions

**Thank you for your attention**