



**USAID**  
FROM THE AMERICAN PEOPLE

## Regulatory and Energy Assistance

### MEMORANDUM<sup>1</sup>

**TO:** Reuf Hadzibegic  
Mubera Bicakcic  
MOFTER

**FROM:** Ognjen Markovic

**CC:** Ankica Gavrilovic  
Jane Wilson

**DATE:** April 6, 2011

**RE:** National Implementation Plan to the World Bank Wholesale Market Opening Study

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The Energy Community Regulatory Board and Permanent High Level Group held a joint meeting on March 24, 2011. This meeting addressed the implementation plan for the World Bank Wholesale Market Opening Study (Study) and further actions regarding the Third Liberalization package. Important conclusions have been made on both topics; however, this Memorandum is limited to the consideration of further activities with regard to the implementation plan for the Study.

As you can see from the conclusions from the meeting, which are attached for your convenience, all Contracting Parties to the Energy Community Treaty expressed their principal support to the regional design of the regional wholesale market and confirmed their commitment to overcome the local legal gaps identified in the Study and fully align their legislative framework with the acquis. In addition to this, each Contracting Party is supposed to develop its Local Action Plan (Plan) by the end of 2011. This Plan shall identify steps towards market integration which includes but not limited to: (i) target dates for the establishment of the local market operator, (ii) time schedule to couple with neighboring local markets; (iii) steps to be undertaken to eliminate the identified legal and regulatory gaps. The Conclusions specifically stated that the responsibility for implementation of the Local Action Plans falls on the Ministries and regulators.

It is obvious that little time is available to develop the Implementation Plan for Bosnia and Herzegovina. Therefore, REAP suggests that MOFTER undertakes the appropriate actions to coordinate BiH activities regarding the development of the above-mentioned Plan. REAP thinks the starting point could be for MOFTER to organize a meeting with the Entity Ministries and SERC to discuss the explanatory document on the Study prepared by the three regulatory commissions and take a position on the Study's recommendations and development of the Plan. We think SERC should inform participants in the meeting on the recent discussion that different Energy Community Treaty institutions have had with regard to the Study.

If requested REAP is ready to assist in future activities with regard to this issue.

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