**Questionnaire**

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| **Tasks** | | |
| 1 | Under which circumstances have you been working with NEURC? | As a business association which unites companies operating in energy & utilities sphere – an activity licensed by NEURC |
| 2 | Can you please describe your work with NEURC? | There is a constructive dialogue between Regulator and licensees |
| 3 | Were you satisfied with the work of NEURC? If no, please explain why. | Yes, satisfied |
| 4 | Can you state that the officials in NEURC are cooperative? | Yes, they are cooperative |
| 5 | Would you have any suggestions for improvement of NEURC’s work? | It is necessary that Regulator establish a practice of experts’ engagement (representatives of associations, relevant energy market stakeholders) into draft legal acts development on the stage of their working out by Regulator and before they are published as official drafts on Regulators website for discussion.  Thus, market players who have activities in electricity production, transmission, distribution and supply are not involved into working on the preparation of the legal acts related to the new model of electricity market implementation. |
| 6 | Do you have any complains on the work performance of the Regulator? | No |
| **Governance** | | |
|  | Can you say that in expressing the statements of the NEURC in official letters, answers, reports, the management and officials follow exclusively the interest of NEURC? | Yes |
|  | Does NEURC make available information on the web-site on the work results of the (week/month/year)? | The report on the results of NEURC activity is annually published on Regulator’s official website. |
|  | Are the rules of procedure, organizational structure (decision-making procedures) of NEURC published on its website? | Yes |
|  | Does NEURC disclose requested information unless it is confidential? | Yes |
| **Organisation** | | |
|  | Do you consider that NEURC has sufficient human and financial resources to exercise its power in an effective and efficient manner? | Yes |
|  | How would you rate the efficiency of the institution? | Satisfactory |
|  | Would you propose any changes / amendments / improvements to increase the rate of the efficiency of the Regulator? | No |
| **Independence** | | |
|  | Is NEURC seen as an independent institution? |  |
|  | Do you know any instances when NEURC’s independence has been threatened? Please describe them. |  |
|  | Are you aware of instances when NEURC’s decisions have been overruled by political fora? Please describe them. |  |
|  | Are you aware of any situations in which politicians openly criticize NEURC’s activity and threaten them? Can you please describe such situations? |  |
|  | Are you aware with the situations where NEURC’s actions were inconsistent with the current laws of Ukraine? | No |
|  | Are you aware with the situations when AMCU has conducted investigations against NEURC? | No |
|  | Are you aware with the situations when employees or top management were accused of corruption? | No |
|  | Do you have any suggestions on how NEURC’s independence can be better safeguarded? | No |
|  | Do you think that overall NEURC is spending well its budget? | NEURC Resolution dd. 2017 April 06 No491 “On Approval of Procedure of Calculation and Establishment of the Regulation Fee Rate” was prepared with participation of the companies who’s activity is regulated by NEURC. A procedure of regulation fee definition and the mechanisms of its payment was established by this Resolution. Also the draft cost estimation for 2018 year was placed on 2017 April 28 on the NEURC’ official website for a public discussion. Its open discussion was arranged on 2017 April 18. |
| **Decision making process: approval, overruling, rejection, modification** | | |
|  | Do you consider the decision making of NEURC as independent? Please explain. | - |
|  | Are all the relevant stakeholders consulted in the decision-making process? | There was a discussion arranged by NEURC in June on transparency and control in Regulator’s activity. During this discussion, there was sharing of the best practices and expertize in upgrading of the Regulator‘s professional communication.  The NEURC has adopted a Resolution dd. 2017 June 30 No866 “On Approval of Procedure of Open Discussion of the Draft NEURC Resolutions”. This Resolution establishes a procedure of the open discussion arrangement of the draft resolutions on the matters of setting prices (tariffs), approval of investment programs /development plans, considering remarks and proposals to the drafts of NEURC’ regulatory acts, NEURC’ cost sheet for the relevant year and other matters regulated by NEURC. |
|  | Are all the relevant authorities consulted in the decision-making process? | According to the Law of Ukraine “About NEURC” Regulator’s resolutions do not require any approval of the state authorities apart from the matters defined by legislation about economic competition. |
|  | 1. Are you aware of any situations when relevant stakeholders or competent authorities have not been consulted? Please describe in detail. | No |
|  | 1. How often does NEURC launch public consultations? |  |
|  | Does NEURC frequently invite stakeholders for cooperation / coordination meetings? | NEURC invites to the meetings the stakeholders, who provided comments to the drafts of legal acts, which are discussed at this meeting. |
|  | Do officials of NEURC attend the meetings upon your invitation? | In most cases yes on the level of the head of the department. The head of the NERC has not showed up at a meeting, arranged by our organization. |
|  | Do you have any suggestions for the improvement of the public consultations system in NEURC? | 1. When taking decisions of certain issue (e.g. in Oil and gas industry), it is important to invite all the sectors (upstream, midstream) to relevant working groups, so that the position is balanced. 2. It is suggested that the NERC gives reasoning when the institution declined certain proposals, made by the stakeholders. |
|  | Are the interests of customers taken into account when making decisions within NEURC? |  |
|  | Do you think the decision-making process of NEURC is efficient? |  |
|  | What about the voting process? Is it efficient? |  |
|  | If any, please list your suggestions for improving the decision-making and the voting process within NEURC. |  |
|  | Please describe the situation (if any) in which you think the decision-making and the voting process within NEURC in which you think fundamental principles such as transparency were threatened. | Currently there is a threat that the decision making process will be paralyzed.  According to the Law, the Bidding commission had to be elected for the purpose of election of the new Commissioners. So far it hasn’t been done.  **NERC will stop being legitimate and will not be able to take any decisions after 26 November 2017 as far as NERC will have no quorum of acting members after this date.**  *It is necessary that* the members of the Bidding commission shall be appointed and furtherly the Bidding commission shall appoint the members of NERC. |
| **Public information** | | |
|  | Does NEURC publish press releases/reports regularly? | Yes |
|  | Does NEURC have a speaker, which is available for press inquiries? | - |
|  | How fast does NEURC respond to press inquiries? | - |
|  | Are the decisions of NEURC made available to the public? | Yes. For instance, 3 round tables were arranged by NEURC in June-July 2017 with involvement of expert community and representatives of international institutions in respect of natural gas market reforming concerning natural gas distribution. |