

Consultation on EU DSO Entity's draft updated statutory documents to include gas and hydrogen networks

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Introduction

This consultation aims to collect the views of stakeholder organisations on the draft updated statutory documents of the Union's entity of distribution system operators (EU DSO entity) reflecting the forthcoming integration of gas and hydrogen DSOs into the entity.

This consultation is exclusively open to **organisations representing all stakeholders, particularly distribution system users and customers**. Responses from individuals or non-organisational entities will not be considered.

Input from the organisations will inform ACER's evaluation of the draft updated statutory documents and support the preparation of its opinion under Article 40(4) of [Regulation \(EU\) 2024/1789](#) (Gas Regulation).

Please respond to this survey by **19 December 2025**.

Data protection

ACER will process personal data of the respondents in accordance with [Regulation \(EU\) 2018/1725](#), taking into account that this processing is necessary for performing ACER's consultation tasks. More information on data protection is available on [ACER's website](#) and in [ACER's data protection notice](#).

ACER will not publish personal data.

Confidentiality

If your response includes confidential information, you must state it explicitly and make a confidentiality claim according to Article 27 of [ACER's Rules of Procedure](#).

You will be asked this question at the end of the survey.

I have read the information provided in this section.

Respondent's data

* Name and surname

Peter Claes

* Email

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* Organisation

IFIEC Europe

* Type of organisation

- Organisation representing network operators
- Organisation representing system users and customers
- Other organisation (please specify)

* Type of organisation - energy vector(s) covered (select all that fit your organisation)

- Electricity
- Gas
- Hydrogen

* Country

- EU-27
- Other (please specify)

EU member states

- AT - Austria
- BE - Belgium
- BG - Bulgaria
- HR - Croatia
- CY - Cyprus
- CZ - Czechia
- DK - Denmark
- EE - Estonia
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EU - European Union, for associations covering all EU

- FI - Finland
- FR - France
- DE - Germany
- EL - Greece
- HU - Hungary
- IE - Ireland
- IT - Italy
- LV - Latvia
- LT - Lithuania
- LU - Luxembourg
- MT - Malta
- NL - Netherlands
- PL - Poland
- PT - Portugal
- RO - Romania
- SK - Slovak Republic
- SI - Slovenia
- ES - Spain
- SE - Sweden

Background information

The EU DSO entity was established in 2019 under the Clean Energy Package ([Electricity Regulation](#)) as an EU-wide association of distribution system operators (DSOs), under the Belgian law. The primary objective was to increase efficiencies within the EU electricity distribution networks and to ensure close cooperation between DSOs and transmission system operators at the EU level. In 2021, the EU DSO entity adopted its statutory documents, which received the European Commission's favourable opinion, taking into account the prior [Opinion from ACER](#).

The 2024 [Gas Regulation](#) expands the scope of the entity to include natural gas and hydrogen DSOs. This expansion aims to support the completion and proper functioning of the internal natural gas market, facilitate the development of the hydrogen market, and promote the coordinated operation and optimal management of both distribution and transmission systems.

To accommodate the inclusion of gas and hydrogen DSOs, the entity's statutory documents require updating to ensure fair and balanced representation of all participating DSOs, including those owning or operating natural gas systems, and of hydrogen DSOs.

In accordance with Article 40(3) of the [Gas Regulation](#), on 4 November 2025, the EU DSO entity submitted its draft updated statutory documents to the European Commission and ACER. These documents include a code of conduct, a list of registered members, draft updated rules of procedure (including consultation procedures

with ENTSO-E, ENTSOG, and other stakeholders), and draft updated financing rules.

The key amendments proposed by the EU DSO entity include:

1. Composition of the Board of Directors: Increase in the number of seats from 27 to 33; introduction of a mechanism allocating seats between electricity and gas/hydrogen DSOs according to their respective membership shares;
2. Governance structure: establishment of two Councils (one for electricity and one for gas/hydrogen) tasked with providing sector-specific input to the Board;
3. Decision-making: amendments to the consensus approach; introduction of a double-vector majority for joint decisions;
4. Financial provisions: introduction of separate electricity, gas/hydrogen and joint budget lines;
5. Amendments to the rules on Expert Groups, membership definitions, voting rights, and reporting obligations;

ACER has four months to provide its Opinion to the European Commission. Before issuing its Opinion, ACER must consult stakeholder organisations to ensure their views are duly considered, as specified in Article 40(4) of the Gas Regulation.

The consulted documents are available under Background Documents in the upper right corner of the screen, and include:

- Draft amendments to the EU DSO entity's Statutes
- Draft amendments to the EU DSO entity's Rules of Procedure
- Draft amendments to the EU DSO entity's Code of Conduct
- Draft amendments to the EU DSO entity's Rules of procedure on consultations
- Draft amendments to the EU DSO entity's List of registered members
- Draft amendments to the EU DSO entity's Financing rules

For information, we also provide:

- A joint support letter by 4 Gas DSO associations

Regulatory framework

The regulatory framework governing the EU DSO entity and its member DSOs is established in the Union law through the [Electricity Regulation](#), the [Electricity Directive](#) as well as the [Gas Regulation](#) and the [Gas Directive](#). The statutory documents of the EU DSO entity and their amendments must comply with this framework.

Specifically, Recital (44) of the Gas Regulation emphasises that the tasks of the EU DSO entity should be well defined and its working methods should ensure efficiency, transparency and representativeness among Union

distribution system and hydrogen distribution network operators. The statutory documents should consider the differences between the natural gas, hydrogen and electricity sectors.

The establishment, mission, tasks, cost structure, and cooperation duties of the EU DSO entity are governed by Chapter VI of the Electricity Regulation and Chapter II, Section 4, of the Gas Regulation. These provisions also outline the processes for consulting stakeholders and for cooperation between DSOs and TSOs. Additionally, Chapter VII of the Electricity Regulation and Chapter IV of the Gas Regulation specify the procedures for adopting and amending network codes and guidelines, with the EU DSO entity playing an important role in this processes.

At the national level, rules regarding the designation of DSOs, their tasks, and unbundling provisions are set out in Chapter IV of the Electricity Directive and Chapter VI of the Gas Directive.

Consultation questions

We encourage specific and concise answers.

1. What are your views on the proposed amendments to the election and the composition of the Board of the EU DSO entity? Do you have any suggestions for improvement?

2. What are your views on the proposed electricity and gas/hydrogen councils of the EU DSO entity and their election, composition, and operation? Do you have any suggestions for improvement?

3. What are your views on the proposed amendments to the decision making procedures of the EU DSO entity? Do you have any suggestions for improvement?

4. What are your views on the proposed amendments to the budgetary rules of the EU DSO entity? Do you have any suggestions for improvement?

5. Do you have any other comments on the draft updated statutory documents of the EU DSO entity?

IFIEC Europe would like to draw your attention to the position of closed distribution systems (CDSOs). As for electricity and natural gas, hydrogen (or other molecules) is often distributed on industrial sites by the site owner or another (private) system operator. IFIEC Europe would like to discuss with ACER and the EU DSO entity the role we can play to represent closed distribution system operators in discussions impacting them (e.g. grid codes developments), as legislation/regulation impacting DSOs might also impact CDSOs.

Question on confidentiality

* Does your response contain confidential information?

Yes

No

Background Documents

[2025-10-14 Support Letter from Gas-H2 DSO Associations Redacted.pdf](#)

[Annex 1 251003- Statutes v0.98 - COMPARE with 2021.pdf](#)

[Annex 2 251003 - Rules of Procedure v0.98 - COMPARE.pdf](#)

[Annex 3 251003 - Code of Conduct - COMPARE 2021 to 2025.pdf](#)

[Annex 4 251003 - Rules of procedure on consultations - COMPARE 2021 to 2025.pdf](#)

[Annex 5 Revised list of registered members.pdf](#)

[Annex 6 - Financing rules.pdf](#)

Contact

[Contact Form](#)