

## energy - draft laws published in August 2017

**Draft Order for the approval of the Procedure on the composition and pressures of gaseous fuels used in Romania** was published on the website of the National Regulatory Authority for Energy on 1 August 2017.

The draft order is addressed to natural gas producers, to the transmission system operator, to natural gas distribution system operators and biogas / biomethane, LNG, GNC and LPG license holders. It aims at centralizing the information on the composition and specifications of the types of gaseous fuels as well as their pressures used within Romania.

The draft was based on the provisions of art. 4 par. (1) of Regulation (EU) 2016/426 of the European Parliament and Council of 9 March 2016 on appliances burning gaseous fuels and repealing Directive 2009/142 / EC according to which by 21 October 2017 Member States communicate to the Commission and other Member States, the types of gas and the corresponding supply pressures of the gaseous fuels used in their territories.

The draft can be viewed at:

<http://www.anre.ro/download.php?f=fq1%2FhA%3D%3D&t=wOutwdHbn8%2BcmLPfvrV5ps%3D>

**Draft Order for amending and supplementing the Regulation for the authorization of economic operators carrying out activities in the field of natural gas and the framework conditions for validity of the permits, approved by the Order of the President of the National Regulatory Authority for Energy no. 98/2015** was published on the website of the National Regulatory Authority for Energy on 22 August 2017.

The draft is aimed at economic operators requesting granting, extending, equating, modifying, suspending or withdrawing permits for the design, execution and operation of the natural gas systems facilities, systems or installations.

The draft proposes:

- its correlation to the provisions of applicable laws;
- removing the barriers on necessary documents for authorization, and the lists of technical equipment, personnel structure, the permit from the country of origin if the authorization system is missing, etc;
- clarifying the types of permits for the afferent biogas/biomethane production/storage installations.
- clarifying requirements on welders and welding coordinator;
- establishing criteria on suspension/withdrawal of permits.

The draft can be viewed at:

<http://www.anre.ro/download.php?f=fq2ChA%3D%3D&t=wOutwdHbn8%2BcmLPfvrV5ps%3D>

**Draft Order for the approval of the Regulation on the monitoring by the National Regulatory Authority for Energy of the compliance programs established by the natural gas distribution operator and the storage operator** was published on the website of the National Regulatory Authority for Energy on 24 August 2017.

The draft order is addressed to the economic operators holding permits for operation of the natural gas distribution system, the operation of the natural gas storage system, as well as the compliance agents designated by them.

The draft mainly proposes:

- establishing the rules on drafting the compliance programs containing the measures ordered by the natural gas distribution operators and the storage operators to guarantee the exclusion of discriminatory practices and the establishment of the specific obligations imposed on the employees in order to achieve the objective of independence;
- designating the compliance agents, ensuring the adequate monitoring of the compliance program;

The draft can be viewed at:

<http://www.anre.ro/download.php?f=fq2Chg%3D%3D&t=wOutwdHbn8%2BcmLPfvrV5ps%3D>

**Draft Order amending the Annex to the Order of the President of the National Regulatory Authority for Energy no. 37/2013 approving the Methodology regarding the drafting of feasibility studies and requesting the opinion of NRAE in order to initiate the process of awarding the concession for the public service of gas distribution** was published on the website of the National Regulatory Authority for Energy on 24 August 2017.

The draft proposes amendment of the annex with regard to:

- introducing the possibility to perform the feasibility study for the extension of the concession area for the provision of the natural gas public distribution service, according to the provisions of art. 104 par. (2) - (6) of the Law on Electricity and Natural Gas no. 123/2012;
- the necessity of presenting the expert opinion report for situations in which facilities / pipelines related to natural gas distribution systems have been built but have not been technically accepted and / or commissioned as of the time of filing the documentation for approval;
- the cost-benefit analysis method;

- removing the obligation to draft layout plans and zonal situation plans at certain scales, etc.

The draft can be viewed at:

<http://www.anre.ro/download.php?f=fq2CiA%3D%3D&t=wOutwdHbn8%2BcmLPfvrV5ps%3D>

**The Draft Order approving the Methodology regarding the allocation to network users of the difference between the expenses and the revenues registered by the National Transmission System Operator as a result of the activity carried out in order to fulfill the obligations regarding the balancing of the natural gas transmission network** was published on the website of the National Regulatory Authority for Energy on August 4, 2017.

The Draft Order is aimed at fulfilment of the obligations incumbent on the Authority regarding the balancing of the natural gas transmission network, stipulated in the EU Regulation no. 312/2014 of the European Commission and the Order of NRAE President no. 16/2013 on the approval of the Network Code for the Natural Gas National Transmission System.

The draft mainly includes these principles:

- the transmission system operator must not register income or loss after actions taken in order to balance the transmission system;
- the transmission operator shall transfer to users the difference between the income and costs linked directly to the balancing actions;
- costs directly related to the transmission system balancing actions will be included in the neutrality fee and will not be taken into account when determining the costs that will be used for the calculation of the fees related to natural gas transportation services except those stipulated in the Methodology approved by Order of NRAE President no. 32/2014.
- the neutrality fees paid by or to the UR will be proportional to the amount of gas transmitted by the UR during the settlement period;

The draft can be viewed at:

<http://www.anre.ro/download.php?f=fq2AiA%3D%3D&t=wOutwdHbn8%2BcmLPfvrV5ps%3D>

**Draft Order for amending and supplementing the Procedure for calculation of electricity use in case of erroneous registration and in a lump-sum system, approved by the Order of the President of the National Regulatory Authority for Energy no. 121/2015** was published on the website of the National Regulatory Authority for Energy on 8 August 2017.

The main amendments and additions are aimed at:

- extending the scope with the possibility of using the Procedure in determining the damage, in the amicable settlement of disputes in cases of suspicion of electricity theft through the mediation procedure or by reconciliation of the parties;
- introducing certain clarification no the duration for which the erroneously recorded electricity use is recalculated, in case of a faulty meter;
- Introducing some clarifications on the way of settling the corrected / settled electricity use within the lump sum payment system, and for settling the payments between the end user, the network operator, the electricity supplier and the other parties depending on the intervals for which, according to of the wholesale electricity market rules, the approved measured values were/were not transmitted to the wholesale market operator.

The draft can be viewed at:

<http://www.anre.ro/download.php?f=fq2AiQ%3D%3D&t=wOutwdHbn8%2BcmLPfrrrV5ps%3D>

**Draft Order for repealing the Order of the President of the National Regulatory Authority for Energy no. 19/2007 regarding the approval of the Methodology of Establishing, Implementation and Use of the Technological Capacity Reserve System Service, with the subsequent modifications** was published on the website of the National Regulatory Authority for Energy on 3 August 2017.

The draft was issued because the Methodology for Establishing, Implementing and Using the system technology service of reserve capacity became unnecessary for the following reasons:

- the legal provisions underlying NRAE Order no. 19/2007, and the Electricity Law no. 13/2007, as amended and supplemented, have been repealed;
- the methodology approved by the NRAE Order no. 19/2007 has not been applied since 1 April 2011, when the support scheme for the promotion of high efficiency cogeneration based on the useful heat demand was implemented;
- In a relatively short time the operation rules of the electricity transmission system and the functioning of the balancing market will be harmonized with European regulations, based on the provisions of the System Operation Guideline and the Network Code on electricity balancing, developed by ENTSO-E according to EC Regulation no. 714/2009, close to completing the approval process.

The draft can be viewed at:

<http://www.anre.ro/download.php?f=fq2Agw%3D%3D&t=wOutwdHbn8%2BcmLPfrrrV5ps%3D>

**Draft Order on approving the Procedure for invoicing green certificates** was published on the website of the National Regulatory Authority for Energy on 18 August 2017.

The project concerns electricity suppliers in the invoicing/ regularization of green certificates to end clients, energy producers who supply electricity to consumers connected by direct power lines to their power plant, and end clients.

The procedure mainly provides:

- the invoicing method of green certificates for end clients;
- the regularization methodology of green certificates for end clients;
- reporting templates on the invoicing/regularization of green certificates afferent to electricity invoiced/provided to end clients by suppliers and producers to users connected by direct lines to the power plant they own.

The draft can be viewed at:

<http://www.anre.ro/download.php?f=fq2BiQ%3D%3D&t=wOutwdHbn8%2BcmLPfvrV5ps%3D>