

energy – draft laws published in February 2018

The Draft Order on the approval of the validity framework conditions associated with the license for the LPG supply activity was published on the website of the National Regulatory Authority for Energy on 1 February 2018.

The conditions under which the license for the LPG supply activity is valid and which must be observed by the licensee are set out in the Annex to the Draft Order. Among these, we mention the most important aspects:

- Pursuant to Article 6 of the Annex, Licensee may not simultaneously hold more than one license for the LPG supply activity;
- Article 8 of the Annex states that the Licensee is entitled, under the terms of the specific regulations, to carry out the LPG supply activity through transactions of:
 - (a) sale of LPG to end customers, including through export operations;
 - (b) purchase of LPG, including through import operations.
- Article 9 of the Annex stipulates the right of the Licensee to collect the price of the sold GPL;
- the Licensee's obligations are set out in Articles 11-20 of the Annex;
- a specific obligation of the Licensee is provided in Article 21 of the Annex, according to which the financial resources to ensure continuity in the performance of the LPG supply activity, established in accordance with the legal provisions in force, must be maintained by the Licensee. Regardless of the form in which these financial resources were established, their value may at no time be less than the amount of funds required to perform for 60 calendar days the obligations under the ongoing LPG sales contracts.

The draft can be viewed at:

<http://www.anre.ro/download.php?f=fq%2BCgw%3D%3D&t=wOutwdHbn8%2BcmLPfvrrV5ps%3D>

Draft Order on amending and supplementing the Network Code for the National Gas Transmission System, approved by the Order of the President of the National Regulatory Authority for Energy no. 16/2013, published in the Official Gazette of Romania, Part I, no. 171 and 171 bis of 29 March 2013, as subsequently amended and supplemented, was published on the website of the National Regulatory Authority for Energy on February 6, 2018

The draft amends articles 17⁴, 52-54, 86 and the title of Annex 13 of the din Network Code for the National Gas Transmission System.

The draft can be viewed at:

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

The Draft Order for the approval of the General Rules for the Centralized Gas Market was published on the website of the National Regulatory Authority for Energy on 13 February 2018.

- Article 1 of the draft Order establishes that the Annex approves the General Rules on the centralized natural gas market;
- within 30 working days from the date of entry into force of the Order, the holders of centralized market management licenses have the obligation to submit to the National Regulatory Authority for Energy, for approval, a common list of standardized marketable products on the short term, medium and long term standardized product market, defined in the Annex;
- within 60 days from the date of approval of the common list of standardized marketable products on the short term, medium and long term standardized product market, the holders of centralized market management licenses have the obligation to submit to the National Regulatory Authority for Energy, for approval, their own regulations regarding the organized trading framework on the centralized natural gas market reviewed in accordance with the provisions of the Order;
- the Order of the President of the National Regulatory Authority for Energy no. 51/2013 for the approval of the Regulation on the organized framework for trading on the centralized natural gas markets administered by the Romanian Commodities Exchange - S.A. and the Order of the President of the National Regulatory Authority for Energy no. 54/2017 for the approval of the Regulation on the organized framework for trading on the centralized natural gas market administered by OPCOM - S.A. Market Operator of Electricity and Natural Gas Market. shall remain in force until the approval of the revised regulations on the organized trading framework on the centralized natural gas market referred to in paragraph (1) of the Order

The draft can be viewed at:

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

The Draft Order on repealing par. (3) of art. 2 of the NRAE President Order no. 97/2013 on the approval of the rules for the purchase of electricity to cover its own power consumption was published on the website of the National Regulatory Authority for Energy on 14 February 2018.

Through this Draft, the obligation for PRE whereby network operators lessees delegated their responsibility for balancing to transmit to NRAE, for approval, procedures for internal allocation of imbalances between members of PREs, their obligations and the calculation algorithm are specified in the NRAE Order no. 76/2017.

The draft can be viewed at:

<http://www.anre.ro/download.php?f=fq%2BEhQ%3D%3D&t=wOutwdHbn8%2BcmLPfvrrV5ps%3D>

The Draft Order on approving the Validity Framework Conditions associated with the third stage GNC/GNCV supply License was published on the website of the National Regulatory Authority for Energy on 21 February 2018.

The licensing framework conditions for the supply of compressed natural gas for vehicles to be observed by licensees are set out in the Annex to the Order.

- Pursuant to Article 6 of the Annex, the Licensee may not simultaneously hold more than one license for the GNC/GNCV supply activity;
- under Article 8 of the Annex, the Licensee is entitled, under the terms of the specific regulations, to carry out the GNC/GNCV supply activity, through
 - (a) sale of GNC/GNCV to end users, including through export operations;
 - (b) purchase of GNC/GNCV, including through import operations.
- Article 9 of the Annex establishes that the Licensee has the right to collect the price of the GNC/GNCV sold;
- Articles 11-20 of the Annex aim to establish the obligations of the Licensee;
- a specific obligation of the Licensee is provided in Article 21 of the Annex, according to which the financial resources to ensure continuity in the business of selling GNC/GNCV, established in accordance with the legal provisions in force, must be maintained by the Licensee. Regardless of the form in which these financial resources were established, their value may not at any time be less than the amount of funds required to perform for 60 calendar days the obligations under the GNC/GNCV ongoing sales contracts.

The draft can be viewed at:

<http://www.anre.ro/download.php?f=f6Z7hA%3D%3D&t=wOutwdHbn8%2BcmLPfvrrV5ps%3D>