

## energy – legal changes published in November 2017

**Order no. 106/2017 for approving the Methodology for checking / withdrawing the classification of generating units using emerging technology in/from the category of power generating installations benefiting from the status of emerging technology**, was published in the Official Gazette of Romania, Part I, no. 922 of 23 November 2017.

This Order approves the Methodology for checking/withdrawing the classification of generating units using emerging technology in / from the category of power generating installations benefiting from the status of emerging technology as provided in the Annex which is part of this Order.

Thus a power plant benefiting from the status of emerging technology is exempted from the application of the provisions of Regulation 2016/631 establishing a network code for the requirements for the network connection of generating installations according to the provisions of art. 66 par. (1) of the Regulation.

The methodological norms provide that the operators to whom the provisions of the Order are applicable as well as the fact that the organizational entities within the National Energy Regulatory Authority shall observe the provisions of the Order.

The methodological norms also stipulate the procedure of authorization, publicity and withdrawal of the authorization of operators building generating units using emerging technology.

*Date of entry into force: 23 November 2017.*

**Order no. 107/2017 regarding the amendment of the Regulation for granting permits for establishment and operating licenses in the natural gas sector, approved by the Order of the President of the National Regulatory Authority for Energy no. 34/2013**, was published in the Official Gazette of Romania, Part I, no. 931 of 27 November 2017.

The Regulation for the granting of permits for establishment and operating licenses in the natural gas sector, approved by the Order of the President of the National Regulatory Authority for Energy no. 34/2013 is amended and supplemented as follows:

- Upon request for granting the authorization for setting up the distribution system, the closed distribution system or the natural gas direct pipeline, the order specifies the particular documents that must accompany the common documents stipulated by the law;
- The obligation to draw up a report by the specialized directorate of NRAE in case of commissioning of new objectives located in a location for which a specific license is granted is removed.

*Date of entry into force: 27 November 2017.*

**Order 105/2017 on amending and supplementing the procedure for approval of new or retrofit projects for cogeneration plants, approved by the Order of the President of the National Regulatory Authority for Energy no. 115/2013** was published in the Official Gazette of Romania, Part I, no. 933 of 27 November 2017.

The procedure for approving new or retrofit projects for cogeneration plants, approved by the Order of the President of the National Regulatory Authority for Energy no. 115/2013, shall be amended and supplemented as follows:

- The procedure does not apply to cogeneration producers in difficulty as defined in the Communication from the European Commission (2014 / C249 / 2001) on guidelines on State aid for rescuing and restructuring companies in difficulty;
- In order to obtain accreditation for accessing the support scheme, a condition is introduced that the producers of electricity and heat in cogeneration be not in difficulty as defined in the Communication of the European Commission (2014/C249/2001).

*Date of entry into force: 27 November 2017.*