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Articles for Lexology

Date: January 2025

TOPIC: The Pilot Floating Photovoltaic Stations

Photo

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Introduction

In November 2024, the Greek parliament adopted the bill drafted by the Ministry of Environment and Energy, by enacting the law no. 5151/2024¹ (the “Law”) on the arrangements to modernize waste management, improve the energy-saving framework, develop energy projects and address urban planning issues.

A brief analysis of the established framework

Before proceeding to the changes underwent by the above category, it is deemed crucial to quote the legal framework of such stations in order to shed light on the enacted reforms. Law no. 4951/2022 about the second phase of the electricity licensing procedure, provides for the possibility of licensing, installation and operation of up to 10 pilot marine floating photovoltaic plants, with installed capacity ranging between 0.5 and 1 MW each. The said plants, being relieved from the obligation to hold a producer’s certificate, an environmental terms approval and a construction permit, apply for the granting of the binding offer for connection to the grid, under the prerequisite that they have already been provided with the spatial planning permit. The issuance of the binding connection offer is accompanied by the acceptance thereof by the interested party along with the deposition of the respective letter of guarantee, which, in turn, is followed by the submission of application for the conclusion of the connection agreement. Before the expiration of the binding connection offer, the issuance of the

¹ Official Journal A’173/04.11.2024.

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installation and operation license are required with the further restriction that the installation license should have been granted until 30 June 2024.

One of the reforms enacted by virtue of the Law, concerns the possibility for the licensing and installation of pilot floating photovoltaic stations of up to 8 MW each and of total capacity of 80 MW, to be implemented on lake reservoirs or artificial lakes not falling with the NATURA 2000 network, or artificial bodies of water created in non-active mining operations or part of such operations used for electricity generation. The licensing of such projects is characterized as a fast-track procedure given that the interested parties are entitled, until the end of May of 2025, to express the interest for the said projects by means of an application including both the granted producer's certificate and an application for the granting of the A1 environmental approval, as long as the condition of the 18-month deadline within which the application of the environmental licensing should be submitted after the issuance of the producer's certificate is fulfilled, according to the second amendment brought by the Law. A permit called registered interest certificate is issued, should the requirement of not exceeding the total capacity of 80 MW is met². The holders of the said certificate are imposed to apply for the granting of the binding connection offer within 1 month from the issuance of the environmental licensing, while the 48-month deadline for the application of the said offer is suspended. The projects that did not achieve to abide by the deadlines and had their producer's certificates ceased, are given a second chance and the aforementioned extension deadlines reset upon the 31st of October 2024. The issuance of the binding connection offer, which shall not exceed an 18-month period from the issuance of the registered interest certificate, marks the beginning for the deadline of 4 months for the complete application for the connection agreement conclusion and of 6 months for the complete application for the installation license issuance, the regular deadlines of 14 months for such applications been suspended.

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² There is also the possibility for a plant to apply even if the capacity thereof exceeds the threshold of 8 MW, as long as the application for the registered interest certificate also includes an application for the amendment or the segmentation of the producer's certificate.