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# Amendments to RES regulations

## Rokas Law Firm | Energy & Natural Resources - Greece

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In July 2021, Law 4819/2021 (OJ A' 129/23.7.2021) introduced provisions that established urgent measures in the Greek energy sector, including the obligation for renewable energy source (RES) production certificate holders to provide letters of guarantee.

### **Obligation to provide to letter of guarantee to RAE**

Article 137 of Law 4819/2021 introduced an obligation to provide the Regulatory Authority for Energy (RAE) with a letter of guarantee as a condition of the issuance of a producer certificate or a special projects production certificate. The amount of the guarantee provided in this law depends on the capacity of the future plant for which the production certificate is issued, and it is equal to €35,000 per megawatt. The amount of the guarantee may be amended by a decision of the minister of environment and energy.

This obligation also applies to holders of RES production certificates that were issued before Law 4819/2021 entered into force if such holders did not manage to submit the application for issuing the final connection terms to the grid operator for up until 28 February 2022. If the holders fail to provide the letter of guarantee for up until 28 February 2021, the respective production certificates will automatically be invalidated.

The main exceptions from this obligation are:

- plants with a maximum production capacity below or equal to one megawatt;
- plants that, before Law 4819/2021 entered into force, were approved to be strategic investments in compliance with Law 3894/2010 (A' 204) or Law 4608/2019 (A' 66); and
- certain local government authorities and entities fulfilling publicly beneficial purposes (other than energy communities), such as hospitals, health centres and all schools.

Up until 31 December 2024, the Law suspends submitting applications to the Regulatory Authority for Energy (RAE) and issuing new production certificates for hybrid RES plants on the interconnected islands or islands that are to be connected to the interconnected system in 2019–2028. In addition, up until 31 December 2021, the Law suspends submitting applications and issuing production licences, environmental approvals and binding offers for connection to the grid to RES production plants with a storage system. Plants with pumping storage are excluded. The above suspension does not apply to applications amending already issued production licences, and certificates for projects on Crete and other non-interconnected islands.

### **Amendments regarding priority of applications for connection to grid**

The Law authorises the minister of environment and energy to provide a framework for prioritising applications regarding granting the final terms for connection to the grid to RES and high-efficiency cogeneration of heat and power plants by the distribution network operator or the transmission system operator, as the case may be. This ministerial decision should set out:

- terms, conditions and restrictions for certain categories of producers;
- time margins; and
- any other details regarding the priority of applications.

### **Applications for connection of photovoltaic plants to saturated grids**

By way of derogation, the Law stipulates the circumstances for granting access to saturated grids. Thus, any natural or legal person can submit only one application for a final connection offer for a photovoltaic solar plant of up to 400 kilowatts to each saturated network – specifically, the additional capacities of various regions are limited as follows:

- Peloponnese – 86 megawatts;
- the Cyclades (Paros, Naxos, Mykonos, Syros, Andros and Tinos) – 45 megawatts;
- Evia – 40 megawatts; and
- Crete – 140 megawatts.

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