



Energy Newsflash 86th issue | December 2024

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Editor's note

Dear Readers,

Welcome to the December issue of *Energy Newsflash*, where we bring you the latest developments in the energy sector from across the region. This quarter has been marked by significant regulatory and project-based advancements that reinforce the regional commitment to sustainable and diversified energy systems.

In **Albania**, the establishment of the Renewable Energy Operator (OER) represents a bold step toward diversifying the nation's renewable energy mix. Meanwhile, the GreNNat Solar Park Ballsh project is set to bolster Albania's solar capacity as it progresses with its phased rollout.

In **Bulgaria**, the conclusion of the application phase for a 3000 MWh battery energy storage system tender highlights the country's alignment with EU decarbonization goals and its focus on enhancing grid stability and integrating renewable energy sources.

Romania has proposed comprehensive legislative updates, including mandatory cybersecurity audits for PV parks, underscoring the increasing emphasis on safeguarding critical energy infrastructure. Provisions addressing storage technologies and public interest classifications for key projects reflect Romania's proactive approach to energy resilience.

Lastly, **Serbia** continues to align its energy regulations with EU standards through key amendments to its Energy Law. These include expanded licensing opportunities for foreign entities, the introduction of new energy activities, and measures to streamline the permitting process for energy facilities. Enhanced responsibilities for the Transmission System Operator aim to address operational efficiencies and market transparency.

Rokas remains dedicated to supporting our clients in navigating these dynamic developments. For tailored advice, please reach out to our offices.

Mira Todorovic Symeonides
Partner / Head of Energy Team
Rokas Law Firm



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Albania establishes state-owned Renewable Energy Operator

On 13 November 2024, the Albanian Government approved the establishment and regulated the authorities of the Renewable Energy Operator (OER), a state-owned company tasked with purchasing electricity from renewable (RES) producers through Contracts for Difference (CfDs) and managing a green energy support fund. The initiative is in line with the country's Law on the Promotion of Renewable Energy and aims to diversify Albania's dependence on hydropower, which currently accounts for almost 100% of domestic electricity.

The OER will replace the Free Market Operator, previously under OSHEE, in handling RES energy purchases, particularly from solar and wind power auctions. The OER will be responsible for purchasing RES energy from priority producers and selling it on the market. It will also manage the RES energy support fund, covering various costs, including premiums and operating expenses.

While no wind turbines are yet operational in Albania, OER should propose models for wind, solar, and hydropower based on EU best practices. The company's initial capital is €510,000, sourced from the state budget.

Regarding the development of RES in Albania, it is worth mentioning that on 22 November 2024, GreNNat Solar Park Ballsh, an Albanian PV plant project, received permission from the Energy Regulatory Authority (ERA) to start generating electricity from the first 25 MW of its planned 100 MW PV plant.



This important step in Albania's RES transition is expected to help reduce the country's dependence on fossil fuels and increase its renewable energy capacity. Project phases: a) 25 MW is about to start operations upon receiving final approvals for its grid connection, and b) 75 MW is scheduled to be completed by January 2028. This project is part of Albania's broader efforts to diversify its energy sources and increase the use of renewable energy, in line with the country's sustainability objectives.

by **Blerta Topore**
Associate | ROKAS (Tirana)



Bulgaria: Tender for EU-funded 3000 MWh Stand-Alone Battery Energy Storage Systems

The Bulgarian Ministry of Energy has successfully concluded the application phase for its battery energy storage system (BESS) tender, a significant initiative aimed at enhancing the country's energy independence and sustainability. The tender, launched on 25 July 2024, and supported by grants from the European Union's Recovery and Resilience Facility, offered funding for projects exceeding 3000 MWh in total capacity.

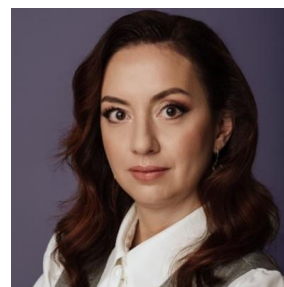
The application window, which opened on 21 August 2024, closed on 21 November 2024, at 17:00. This initiative represents a pivotal step in Bulgaria's transition to green energy, addressing critical needs for flexibility and stability in the national grid. By supporting large-scale stand-alone battery storage facilities, the program aims to bolster the integration of renewable energy sources, align with the European Green Deal objectives, and ensure compliance with EU decarbonization goals.

The Ministry of Energy is currently reviewing the submitted applications and is expected to announce the successful bidders in the coming months. This tender underscores Bulgaria's commitment to sustainable growth and regional energy security, and it has attracted considerable interest from both domestic and international investors.



Rokas Law Firm continues to monitor developments in the energy sector and remains available to provide legal and strategic support to stakeholders involved in the BESS tender. For more information or tailored advice, please, contact our Sofia office.

by Gabriela Ivanova
Senior Associate | ROKAS (Sofia)



Romania: New regulations on renewable energy production

On 5 November 2024, the Ministry of Energy announces the launch of public consultation of the draft Emergency Ordinance for amending and supplementing the existing legislative framework, regarding both the Electricity and Natural Gas Law no. 123/2012 and Law no. 220/2008 on the promotion of renewable energy production.

The project brings several new regulations to the current legislation, one of which aims at regulating storage technologies and clarifying the operation of pumped storage hydropower plants by specifying that short-term and seasonal storage, including battery storage, is vital for the stability of the national system by providing increased flexibility and preventing imbalances between energy supply and demand, which can affect the security of supply and price stability.

Another regulation aims at declaring energy projects to produce electricity as works of national public interest, which would allow the classification of some energy infrastructure works as being of national importance, granting, thus, certain tax incentives, including their removal from the agricultural circuit, under the conditions of the law.

The latest and potentially controversial amendment concerns the introduction of mandatory cyber auditing for grid operators of newly built PV parks, which proposes regular cyber auditing of inverters and all IT components associated with PV parks. The measure intends to protect the national infrastructure against digital vulnerabilities, given the risks related to imported equipment and their potential to transmit data to state and non-state actors hostile to Romania without the consent of the operators. While the Association of Consumers and Energy Communities (APCE) points out that through this provision, the National Energy Regulatory Authority (ANRE) wants, in fact, the total control of inverters in Romania, the representatives of the Ministry of Energy state that the only intention is to protect, through preventive measures, the cybersecurity of large electricity producers, to ensure the security of the national energy system.

Since the draft of the said ordinance had been placed under public consultation until 5 December 2024, there may be certain amendments, additions, or even elimination of some of the above provisions.

by Alina Negrila
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Serbia: Amendments to the Energy Law in the Republic of Serbia - Key Changes and Updates

On 28 November 2024, the Assembly of the Republic of Serbia adopted amendments to the Energy Law (Official Gazette of the RS, no. 145/2014, 95/2018 - consolidated text, 40/2021, 35/2023 - consolidated text, and 62/2023). As a candidate country for EU membership and a signatory of the Energy Community Treaty, the Republic of Serbia has undertaken the obligation to align its energy regulations with the relevant EU legislation. Although significant progress in this alignment process was made with the adoption of the Law in 2014, and subsequent amendments in 2018, 2021, and 2023, the process is not yet fully completed.

Below we highlight some of the key amendments regarding renewable energy sources (RES), as well as to the broader energy sector:

Licenses and new energy activities

- Starting from 31 December 2028, foreign legal entities that are registered and perform energy activity in a country that is a contracting party to the Energy Community, may obtain a license for electricity supply;
- The Law introduces a license for the storage of electricity and the following new energy activities: aggregation, conducted as a

market activity, and production and trade of unconventional fuels;

- The following types of facilities will not need to obtain the energy permits anymore: those built in accordance with the law governing public-private partnerships and concessions; those constructed in accordance with the law on the use of RES (provisions which regulate strategic partnerships); those generating electricity for their own use, regardless of whether surplus electricity is transferred to the grid; those which do not need to obtain a construction permit, including those for which approval for execution is issued in accordance with the law on planning and construction and the facilities for the storage of electricity;
- The energy permits will, from now on, remain valid until the expiration of the issued construction permits.



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Significant amendments have been also made regarding the application process and conditions for issuing energy permits, aimed at aligning with the objectives of the Strategy for the Development of the Energy Sector of the Republic of Serbia until 2025, with Projections until 2030 ("Official Gazette of RS," No. 101, December 8, 2015), as well as the Integrated National Energy and Climate Plan.

Transmission System Operator

Considering the numerous pending requests for the preparation of connection studies, these regulatory amendments have introduced a clear solution for addressing these issues. It has been stipulated that the Transmission System Operator (TSO) will be the one who processes requests for the preparation of connection studies within a specific timeframe.

The exact timeline will be further detailed in the Regulation on the Conditions for Electricity Supply and Delivery. However, this does not apply to strategic partners' requests.

Significant amendments relate to the increase of the TSO responsibilities regarding establishing rules for the operation of the balancing capacity market, publishing relevant data on total forecasted and actual consumption, balancing energy, balancing capacity, and available flexibility.

Other

The Law further defines energy poverty, addresses issues such as the expansion of competencies of the Energy Agency of the Republic of Serbia, the extrajudicial resolution of disputes between the end-consumers and energy entities, and the certification of installers for facilities using RES, and sets out provisions on nuclear energy.

by Suzana Pavlovic
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