



Nova pravila za priključenje na elektroenergetski sistem

New Rules for Connection to the Electric Energy Grid

JPM

PARTNERS



Nova pravila za priključenje na elektroenergetski sistem/ New Rules for Connection to the Electric Energy Grid

Publisher: JPM | Partners

Delta House, 8a Vladimira Popovića street

www.jpm.law

Authors: Marko Mrdja, Senior Associate

Design and prepress: JPM | Partners

Copyright: © JPM | Partners 2023 All rights reserved.

Disclaimer:

The sole purpose of this publication is to provide information about specific topics.

It makes no claims to completeness and does not constitute legal advice.

The information it contains is no substitute for specific legal advice.

If you have any queries regarding the issues raised or other legal topics, please get in touch with your usual contact at JPM & Partners.

Donošenjem Zakona o korišćenju obnovljivih izvora energije 2021. godine stvoren je veoma povoljan ambijent za investicije u zelenu energiju.

Prepoznavši mogućnosti i podsticaje, investitori su u kraćem vremenskom periodu podneli veliki broj zahteva Elektromreži Srbije kao operatoru prenosnog sistema („OPS“) za priključenje na sistem budućih elektrana na obnovljive izvore energije.

Tačnije, trenutno je podneto zahteva za priključenje 22.000 MW, dok ukupan kapacitet elektrana koje su priključene na sistem iznosi oko 8.500 MW.

The adoption of the Law on the Use of Renewable Energy Sources in 2021 created a very favorable environment for investments in green energy.

Recognizing the opportunities and incentives, investors in a short period of time submitted a large number of requests to Elektromreža Srbije as a transmission system operator (“TSO”) for the connection of future power plants using renewable energy sources.

More precisely, requests for the connection of 22,000 MW have been submitted so far, while the total capacity of the power plants connected to the system is about 8,500 MW.

Pošto, sa jedne strane na energetska sistem može da bude priključeno novih 5.800 MW bez ugrožavanja sigurnosti i stabilnosti sistema, dok sa druge strane postoji velika zainteresovanost za investiranjem u ovom sektoru, Vlada Republike Srbije je na sednici održanoj 28. septembra 2023. godine donela novu Uredbu o uslovima isporuke i snabdevanja električnom energijom (“Službeni glasnik RS”, br. 84/2023) („Uredba“) kojom je na detaljniji način propisala proceduru priključenja na sistem i uvedene su određene novine kako sledi.

Priključenje na prenosni sistem

Postupak priključenja se kao i do sada pokreće na zahtev lica koje zahteva priključenje. Međutim, Uredbom je sada kao obavezan element propisana i izrada studije priključenja. I ranije je studija priključenja bila obavezan element koji je propisan u pravilima o radu OPS-a i proceduri priključenja. Donošenjem Uredbe, ovaj korak je dobio na većem značaju.

Having in mind that on one hand that new 5,800 MW can be connected to the energy system without jeopardizing the security and stability of the system, while on the other hand there is great interest in investing in this sector, the Government of the Republic of Serbia adopted at the session held on 28 September 2023 new Regulation on the conditions of delivery and supply of electricity („Official gazette of the RS“ no. 84/23) (“Regulation”), which prescribes the procedure for connection to the system in more detail, and certain novelties were introduced as follows.

Connection to the transmission system

As before, the connection procedure is initiated by the request for connection. However, the Regulation now prescribes the preparation of a connection study as a mandatory element. Even before, the connection study was a mandatory element prescribed in the TSO network code and connection procedure. With the adoption of the Regulation, this step gained more importance.

Naime, lice zainteresovano za priključenje na prenosni sistem prvo podnosi OPS-u zahtev za zaključenje ugovora o izradi studije priključenja.

Ovaj zahtev se podnosi najkasnije do 01. u mesecu koji prethodi prvom mesecu intervala u kome će biti izrađena studija priključenja. Uredbom je definisano da OPS izrađuje studiju priključenja u dva intervala – od 01. marta do 30. juna i od 01. septembra do 31. decembra, što znači da se zahtevi za zaključenje ugovora podnose do 01. februara odnosno do 01. avgusta.

Međutim, Uredbom je propisano da inicijalni interval za izradu studije priključenja započinje 20. decembra 2023. godine a da se prvi zahtevi za zaključenje ugovora mogu podneti najkasnije do 01. decembra 2023. godine.

Namely, a person interested in connection to the transmission system first submits to the TSO a request for the execution of the agreement on the preparation of a connection study.

This request is submitted no later than the 1st of the month preceding the first month of the interval in which the connection study will be prepared. The Regulation defines that TSO prepares the connection study in two intervals - from 01 March to 30 June and from 01 September to 31 December, which means that requests for the execution of the agreement must be submitted by 01 February, i.e., by 01 August.

However, the Regulation stipulates that the initial interval for preparing the connection study begins on 20 December 2023, and that the first requests for the execution of the agreement can be submitted no later than 01 December 2023.

Uz zahtev za zaključenje ugovora je neophodno dostaviti i dokaz o deponovanju sredstava za troškove izrade studije priključenja. Tako, za priključenje objekta kupca, skladišta ili objekta za proizvodnju električne energije snage do 50 MW, deponuje se iznos od 50.000 EUR. Ukoliko proizvođač električne energije želi priključenje proizvodnog objekta veće snage, onda se deponovana sredstva uvećavaju i to za objekte:

- preko 50 MW a do 100 MW, deponuje se 400 EUR po MW;
- preko 100 MW a do 250 MW, deponuje se 300 EUR po MW; i
- preko 250 MW, deponuje se 200 EUR po MW.

OPS izrađuje studiju priključenja tek nakon zaključenja ugovora, a u gornjim vremenskim intervalima. Studija priključenja se sastoji iz dva dela: sistemskog dela i tehničkih uslova za priključenje.

Po dostavljanju studije priključenja, podnosilac zahteva ima rok od 60 dana da dostavi OPS-u bankarsku garanciju kojom garantuje da će:

Along with the request for the execution of the agreement, it is necessary to submit proof on the deposit of funds for the costs of preparing the connection study. For the connection of the consumer facility, storage or facility for the production of electrical energy with a power of up to 50 MW, an amount of EUR 50,000 must be deposited. If the electricity producer wants to connect a production facility with a higher power, then the deposited funds are increased for the following facilities:

- over 50 MW and up to 100 MW, EUR 400 per MW is deposited;
- over 100 MW and up to 250 MW, EUR 300 per MW is deposited; and
- over 250 MW, 200 EUR per MW is deposited.

TSO prepares the connection study only after the execution of the agreement, and in the above time intervals. The connection study consists of two parts: the system part and the technical conditions for connection.

Upon receipt of the connection study, the applicant has a deadline of 60 days to submit to the TSO a bank guarantee, guaranteeing that it will:

- zaključiti ugovor o priključenju u roku od 60 dana od dostavljanja bankarske garancije OPS-u;
- pribaviti odobrenje za priključenje u roku od 3 godine od dana zaključenja ugovora o priključenju;
- izgraditi objekat u roku važenja odobrenja za priključenje;
- blagovremeno produžiti bankarsku garanciju, ukoliko bude bilo potrebe.
- execute the connection agreement within 60 days from the delivery of the bank guarantee to TSO;
- obtain approval for connection within 3 years from the date of execution of the connection agreement;
- build the facility within the validity period of the connection approval;
- extend the bank guarantee in a timely manner, if applicable.

Bankarska garancija se dostavlja u iznosu od 25.000 EUR po traženom MW.

A bank guarantee must be provided in the amount of EUR 25,000 per requested MW.

Ukoliko je za priključenje neophodno izgraditi nedostajuću infrastrukturu, moguće je da se istovremeno sa zaključenjem ugovora o povezivanju sa OPS-om zaključi i ugovor o izgradnji neodstajuće infrastrukture i da investitor o svom trošku, a u ime OPS-a izgradi potrebnu infrastrukturu.

If it is necessary to build the missing infrastructure for the connection, it is possible to execute the agreement on the construction of the missing infrastructure at the same time as the connection agreement with the TSO, and the investor may build the necessary infrastructure at his own expense and on behalf of the TSO.

Po preuzimanju gornjih koraka i pribavljanju građevinske (i energetske) dozvole, podnosi se zahtev za priključenje na prenosni sistem.

After taking the above steps and obtaining a construction (and energy) permit, a request for connection to the transmission system is submitted.

Priključenje na distributivni sistem

Uredbom je predviđena obaveza izrade studije priključenja za objekte skladišta i proizvodnje električne energije, što znači da su krajnji kupci oslobođeni ove obaveze. Studija priključenja se izrađuje nakon zaključenog ugovora o izradi studije priključenja.

Podnosilac zahteva za zaključenje ugovora je dužan da operaturu distributivnog sistema („ODS“) dostavi dokaz o deponovanju sredstava za troškove izrade studije u visini koju odredi ODS, a koja za objekte proizvođača električne energije ne može biti veća od:

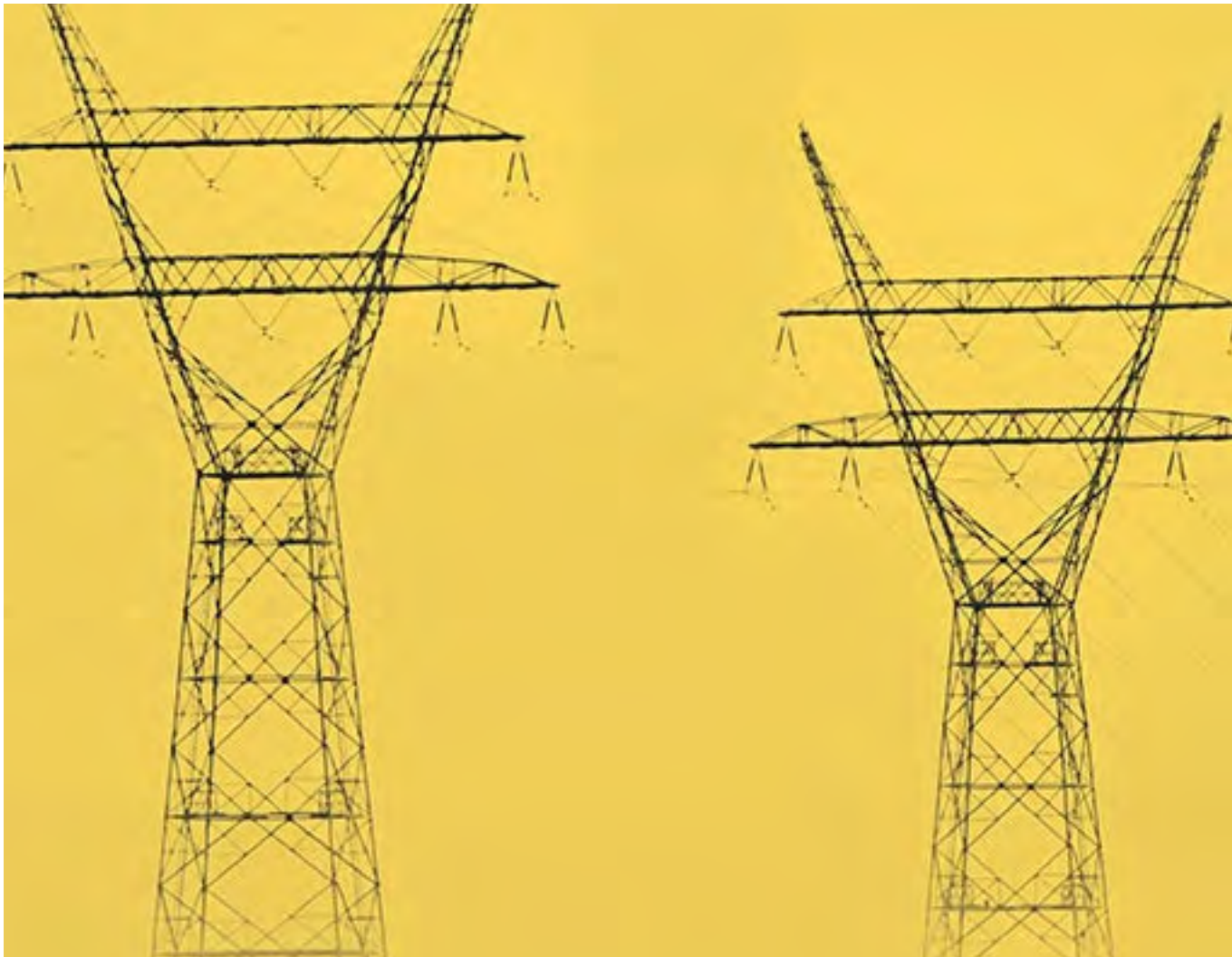
- 2.000 EUR za objekte čija je zahtevana snaga veća od 10,8 kW a manja ili jednaka 160 kW;
- 3.000 EUR za objekte čija je zahtevana snaga veća od 160 kW a manja od 1 MW;
- 5.000 EUR za objekte čija je zahtevana snaga jednaka ili veća od 1 MW.

Connection to the distribution system

The Regulation envisages the obligation to prepare a connection study for storage and facility for production of electric energy, which means that end consumers are exempt from this obligation. The connection study is prepared after the agreement on the preparation of the connection study has been executed.

The applicant for the execution of the agreement is obliged to provide the distribution system operator (“DSO“) with proof of the deposit of funds for the costs of the study in the amount determined by the DSO, which for electricity producer facilities cannot be greater than:

- EUR 2,000 for objects whose required power is greater than 10.8 kW and less than or equal to 160 kW;
- EUR 3,000 for facilities whose required power is greater than 160 kW and less than 1 MW;
- EUR 5,000 for facilities whose required power is equal to or greater than 1 MW.



Studija priključenja prestaje da važi ako podnositelj zahteva ne dobije odobrenje za priključenje u roku od 2 godine od izrade studije ili u slučaju isteka građevinske dozvole na osnovu koje je dobio odobrenje za priključenje.

The connection study ceases to be valid if the applicant does not receive connection approval within 2 years from the preparation of the study or in case of the expiration of the construction permit on the basis of which he received connection

Author



Marko Mrdja

Senior Associate

E: marko.mrdja@jpm.law

JPM | PARTNERS

8a Vladimira Popovića,

DELTA HOUSE, V Floor

11070 Belgrade, Serbia

T: +381/11/207-6850

E: office@jpm.law

www.jpm.law