

ORDER no. 32 of 19 July 2016 regarding the approval of the Methodology for the preparation of the Annual Report by the license holder from the energy and thermal power sector, and regarding the amendment of orders of the President of the Romanian Energy Regulatory Authority

(on 23 May 2017, the Document amended by Article I, point 1 of Order no. 34/2017)

Considering the provisions of Article 13, paragraph (2), letters a), b) and d) of Law no. 123/2012 on energy and natural gas, as subsequently amended and supplemented, Under the provisions of Article 5, paragraph (1), letter c) and Article 9, paragraph (4), letter f) of Government Emergency Ordinance no. 33/2007 regarding the organisation and operation of the Romanian Energy Regulatory Authority, approved with amendments and supplementations under Law no. 160/2012,

the President of the Romanian Energy Regulatory Authority issues the following order:

Article I

The Methodology for the preparation of the Annual Report by the license holders from the energy and thermal power sector, provided in the annex which is integral part of this Order, is approved.

(on 23 May 2017, Article I amended by Article 1, point 2 of Order 34/2017)

Article II

The general conditions associated to the license for commercial exploitation of the capacities to generate energy and, as the case may be, thermal power in co-generation, approved under Order no. 80/2013 of the President of the Romanian Energy Regulatory Authority, published in the Official Gazette of Romania, Part I, no. 702 of 15 November 2013, is amended as follows:

1. At Article 5, point 7 is abrogated.
2. Article 33 shall have the following content:

“Article 33

(1) The license holder prepares and submits to the competent authority an annual report regarding the activities which are the subject of the license, having the format and content provided in the methodology issued by the competent authority.

(2) The license holder submits on regular basis to the competent authority data which are necessary to assess and monitor the energy market; the data shall be submitted in accordance with regulations issued by the competent authority, which establish the periodicity of submitting the data and the formats (forms/templates) for their registration.”

Article III

The general conditions associated to the license for the energy supply activity, approved under Order no. 8/2014 of the president of the Romanian Energy Regulatory Authority, published in the Official Gazette of Romania, Part I, no. 119 of 18 February 2014, is amended as follows:

1. At Article 5, point 7 is abrogated.
2. Article 43 shall have the following content:

“Article 43

(1) The license holder prepares and submits to the competent authority an annual report regarding the activities which are the subject of the license, having the format and content provided in the methodology issued by the competent authority.

(2) The license holder submits on regular basis to the competent authority data necessary to assess the way in which the Romanian energy market operates, the level of efficiency, competition and transparency; the data shall be submitted in the format and at intervals established under the regulations issued by the competent authority.”

Article IV

Order no. 73/2014 of the President of the Romanian Energy Regulatory Authority regarding the approval of the general conditions associated to the licenses for the supply of the energy distribution service, published in the Official Gazette of Romania, Part I, no. 599 of 12 August 2014, is amended as follows:

1. At Annex no. 1, Article 46 shall have the following content:

“Article 46

The license holder prepares and submits to the competent authority an annual report regarding the activities which are the subject of the license, having the format and content provided in the methodology issued by the competent authority.”

2. At Annex no. 2, Article 42 shall have the following content:

“Article 42

The license holder prepares and submits to the competent authority an annual report regarding the activities which are the subject of the license, having the format and content provided in the methodology issued by the competent authority.”

Article V

- Article 56 of the General Conditions associated to the license for the supply of the energy transmission service, for the supply of the system service and for the administration of the balancing market, approved under Order no. 104/2014 of the President of the Romanian Energy Regulatory Authority, published in the Official Gazette of Romania, Part I, no. 783 of 28 October 2014, is amended and it shall have the following content:

“Article 56

The license holder prepares and submits to the competent authority an annual report regarding the activities which are the subject of the license, having the format and content provided in the methodology issued by the competent authority.”

Article VI

The general conditions associated to the license for the activity of the energy trader, approved under Order no. 13/2015 of the President of the Romanian Energy Regulatory Authority, published in the Official Gazette of Romania, Part I, no. 169 of 11 March 2015, is amended as follows:

1. At Article 5, point 5 is abrogated.

2. Article 25 shall have the following content:

“Article 25

(1) The license holder shall prepare and submit to the Romanian Energy Regulatory Authority an annual report regarding the activities which are the subject of the license, having the format and content provided in the methodology issued by the competent authority.

(2) The license holder submits on regular basis to the Romanian Energy Regulatory Authority data necessary to assess the way in which the Romanian energy market operates, the level of efficiency, competition and transparency; the data shall be submitted in the format and at intervals established under the regulations issued by the Romanian Energy Regulatory Authority.”

Article VII

Article 43 of the General Conditions associated to the license for the supply of the energy transmission service, for the supply of the system service and for the administration of the balancing market, approved under Order no. 163/2015 of the President of the Romanian Energy Regulatory Authority, published in the Official Gazette of Romania, Part I, no. 918 of 11 December 2015, is amended and it shall have the following content:

“Article 43

The license holder prepares and submits to the competent authority an annual report regarding the activities which are the subject of the license, having the format and content provided in the methodology issued by the competent authority.”

Article VIII

The reported obligations provided in other specific regulations issued by the Romanian Energy Regulatory Authority in the field of energy shall remain valid.

Article IX

Order no. 59/2008 of the President of the Romanian Energy Regulatory Authority regarding the Methodology for the preparation of the Financial Report by the license holders, published in the Official Gazette of Romania, Part I, no. 579 and 579 bis of 31 July 2008, and also Order no. 51/2005 of the President of the Romanian Energy Regulatory Authority regarding the approval of the Procedure for the preparation of the annual activity report by the license holders, published in the Official Gazette of Romania, Part I, no. 1 of 3 January 2006, are abrogated.

Article X

The organisational entities within the Romanian Energy Regulatory Authority, and also the natural and legal persons who have the capacity of license holders shall comply with the provisions of this order.

Article XI

The first year of reporting according to the methodology provided at Article I is 2016.

Article XII

This order is published in the Official Gazette of Romania, Part I.

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President of the Romanian Energy Regulatory Authority
Niculae Havrilet

ANNEX:

METHODOLOGY for the preparation of the Annual Report by the license holders in the energy and thermal power sector

(on 23 May 2017, Annex 1 amended by Article I, point 3, letter A of Order no. 34/2017)

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