

ORDER no. 34 of 17 May 2017 for the amendment and supplementation of the Order no. 32/2016 of the President of the Romanian Energy Regulatory Authority regarding the approval of the Methodology for the preparation of the Annual Report by the license holders from the energy sector, and regarding the amendment of orders of the President of the Romanian Energy Regulatory Authority

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

Order no. 32/2016 of the President of the Romanian Energy Regulatory Authority regarding the approval of the Methodology for the preparation of the Annual Report by the license holders from the energy sector, and regarding the amendment of orders of the President of the Romanian Energy Regulatory Authority, published in the Official Gazette of Romania, Part I, no. 594 of 4 August 2016, is amended and supplemented as follows:

1. The title of the order is amended and it shall have the following content:

“ORDER regarding the approval of the Methodology for the preparation of the Annual Report by the license holders from the energy and thermal power sector, and regarding the amendment of orders of the President of the Romanian Energy Regulatory Authority.”

2. Article I is amended and it shall have the following content:

“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.”

3. The Methodology for the preparation of the Annual Report by the license holders from the energy sector, provided in the annex to the order, is amended and supplemented as follows:

a) the title is amended and it shall have the following content:

“METHODOLOGY for the preparation of the Annual Report by the license holders from the energy and thermal power sector”

b) at Article 5, points 1 and 5 are amended and they shall have the following content:

“1. licensed activities – the activities which form the subject of the licenses issued by the Romanian Energy Regulatory Authority in the energy and thermal power sector, as they are defined by the legislation and detailed in the regulations approved by the Romanian Energy Regulatory Authority, and also the activities which are the subject of the licenses for the provision of public utility services regarding the supply of thermal power in centralized system, contained within the regulation area of the Romanian Energy Regulatory Authority, according to the provisions of Law no. 51/2006 on public utility community services, republished, as subsequently amended and supplemented;

.....

5. license holder – natural or legal person holder of one or more licenses issued by the Romanian Energy Regulatory Authority in the energy and thermal power sector, and also the license holders for the provision of public utility services regarding the supply of thermal power in centralized system, which are within the regulation area of the Romanian Energy

Regulatory Authority, according to the provisions of Law no. 225/2016, as subsequently amended;”

c) at Annex no. 2, after point 3, a new point is inserted, i.e. point 4, with the following content:

“4. By derogation from the provisions of point 1, the holders of the licenses based on which they are allowed to carry out activities specific to the public thermal power supply service describe the administrative and organisational framework by filling-in table no. 3.”

d) at Annex no. 3, after point 7, a new point is inserted, i.e. point 8, with the following content:

“8. The holders of the licenses based on which they are allowed to carry out activities specific to the public thermal power supply service, describe the technical framework by filling-in tables no. 9, 10 and 11.”

f) at Annex no. 3, after table no. 8, three new tables are inserted, i.e. tables no. 9-11, having the content provided at Annex no. 2 to this Order;

g) at Annex no. 4, tables no. 1-3 are amended and replaced by tables no. 1-3 provided at Annex no. 3 to this Order;

h) at Annex no. 5, table no. 1 is amended and replaced by table no. 1 provided at Annex no. 4 to this Order;

i) in the content of the methodology, the collocation “energy sector” is replaced by “energy and thermal power sector”.

Article II

The Romanian Energy Regulatory Authority and the license holders from the energy and thermal power sector shall comply with the provisions of this Order.

Article III

This Order shall be published in the Official Gazette of Romania, Part I.

Article IV

Annexes no. 1-4 are integral part of this Order.

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President of the Romanian Energy Regulatory Authority
Niculae Havrilet

ANNEX no. 1: Supplementations to Annex no. 2 to Methodology

Table no. 3 – Administrative and organisational framework (thermal power)

Activity licensed by the Romanian Energy Regulatory Authority					Administrative and territorial areas in which the license holder supplies the service
Type of activity	License no.	License issuing date	Date of the latest license modification	License expiry / withdrawal date	
Provision of public thermal power supply service ¹					
Generation of					

thermal energy ²					
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¹ In case a single license is issued for the performance of all activities included in the public thermal power supply service within a SACET with a single thermal power producer.

² In case distinct licenses are issued within a SACET with several thermal power producers.

ANNEX no. 2: Supplementations to Annex no. 3 to Methodology

1. Table no. 9 – Thermal power generation

Thermal power plant [name]	Features		Total per year	
	Rated power [MWt]	Basic fuel	Generated thermal power [GJ]	Delivered thermal power [GJ]
Hot water boiler 1-n				
Steam boiler 1-n				

2. Table no. 10 – Thermal power transmission and distribution

SACET [name, A.T.U]	Features		
		Unit	Values
Transmission network	Route length	km	
Distribution network	Route length	km	
Thermal power stations / points	Thermal power/number	No./MWt	

3. Table no. 11 – Thermal power supply

Indicators	Unit	Achievements on 31 Dec. [n]
Thermal power sold to final consumers/users	GWh	
Number of thermal power supply contracts		
Number of final users/clients to whom thermal power is supplied at the end of the period		

ANNEX no. 3: Amendments to Annex no. 4 to Methodology

1. Table no. 1 – Turnover generated in year [n] by carrying out the activities licensed by the Romanian Energy Regulatory Authority in total and detailed by types of licenses issued by the Romanian Energy Regulatory Authority

Type of license/activity	Row no.	Generated turnover [Lei]
Energy generation	Total of which:	1
	green certificates	2
Thermal power generation	3	
Supply of energy transmission service, supply of system service, management of centralized market	4	
Management of centralized energy markets	5	
Supply of energy distribution service	6	
Energy supply activity / Energy trader activity	7	
Activities specific to the public thermal power supply service (exclusively thermal power generation)	8	
TOTAL (row 1+3+4+5+6+7+8)	9	
Other activities whose turnover is not considered when establishing the contribution of the Romanian Energy Regulatory Authority, according to the regulations regarding the calculation of this contribution (for example: energy transactions of energy suppliers and traders which are intermediaries on the market with double continuous negotiation)	10	

2. Table no. 2 – Difference between the amount reported in the beginning of the year [n+1] for the turnover generated in year [n] by carrying out the activities licensed by the Romanian Energy Regulatory Authority and the one contained in the Annual Report

Type of license/activity	Row no.	Difference [Lei]
Energy generation	Total of which:	1
	green certificates	2

Thermal power generation	3	
Supply of energy transmission service, supply of system service, management of centralized market	4	
Management of centralized energy markets	5	
Supply of energy distribution service	6	
Energy supply activity / Energy trader activity	7	
Activities specific to the public thermal power supply service (exclusively thermal power generation)	8	
TOTAL (row 1+3+4+5+6+7+8)	9	
Other activities whose turnover is not considered when establishing the contribution of the Romanian Energy Regulatory Authority, according to the regulations regarding the calculation of this contribution (for example: energy transactions of energy suppliers and traders which are intermediaries on the market with double continuous negotiation)	10	

3. Table no. 3 – Turnover generated by carrying out the activities licensed by the Romanian Energy Regulatory Authority in year [n] until the transfer of responsibilities by the license holder called, which transferred the respective responsibilities to the license holder which prepares this Annual Report

Type of license/activity	Row no.	Turnover generated by in year [n] until the transfer of responsibilities, from activities licensed by the Romanian Energy Regulatory Authority, which are the subject of this transfer [Lei]
Energy generation	Total of which:	1
	green certificates	2
Thermal power generation		3
Supply of energy transmission service, supply of system service, management of centralized market		4
Management of centralized energy markets		5
Supply of energy distribution service		6
Energy supply activity / Energy trader activity		7
Activities specific to the public thermal power supply service (exclusively thermal power generation)		8
TOTAL (row 1+3+4+5+6+7+8)		9
Other activities whose turnover is not considered when establishing the contribution of the Romanian Energy Regulatory Authority, according to the regulations regarding the calculation of this contribution (for example: energy transactions of energy suppliers and traders which are intermediaries on the market with double continuous negotiation)		10

ANNEX no. 4: Amendments to Annex no. 5 to Methodology

1. Table no. 1 – Table regarding the income and expenses

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Indicator	Row no.	TOTAL (amounts from annual financial statements)	Activities licensed by the Romanian Energy Regulatory Authority									Other activities carried out by license holders
			TOTAL	Energy (E)						TP generation	Public thermal power supply service (exclusively TP generation)	
				TOTAL E	E generation	OTS	OPE	E distrib.	E supply/trader			
A	B	1=2+11	2=3+9+10	3=4+5+6+7+8	4	5	6	7	8	9	10	11

Net turnover (row 2+3-4+5+6)		1											
a) sold production		2											
b) revenue from commodity sale		3											
c) provided commercial discounts		4											
d) revenue from interests recorded by entities deregistered from the General Register which have leasing contracts in progress		5											
e) revenue from operating subsidies afferent to the net turnover, of which:		6											
Revenue afferent to the cost of production in progress	Balance C	7											
	Balance D	8											
Revenue from tangible and intangible asset generation		9											
Revenue from revaluation of tangible assets		10											
Revenue from real estate investments		11											
Revenue from operating subsidies		12											
Other operating revenue		13											
OPERATING REVENUE – TOTAL (row 1+7-8+9+10+11+12 + 13)		14											
Cost of raw materials and consumables		15											
Other material costs		16											
Other external (energy and water) costs		17											
Commodity costs		18											
Commercial discounts		19											
Personnel costs – total (row 21+22), of which:		20											
a) salaries and indemnities		21											
b) insurance and social security costs		22											
Value adjustments regarding tangible and intangible assets (row 24-25)		23											
a) costs		24											
b) revenue		25											
Value adjustments regarding current assets (row 27-28)		26											
a) costs		27											
b) revenue		28											
Other operating costs (row 30+31+32-33+34+35)		29											
a) external supply costs		30											
b) cost of other taxes, duties and assimilated payments; costs representing transfers and contributions owed based on special regulatory acts		31											
c) environment protection costs		32											
d) tangible asset		33											

revaluation costs												
e) costs of calamities and other similar events	34											
f) other operating costs	35											
Adjustments regarding provisions (row 37-38)	36											
a) costs	37											
b) revenues	38											
OPERATING COSTS – TOTAL (row 15+16+17+18+19+20+23+26+29+36)	39											
OPERATING PROFIT OR LOSS (row 14-39)	40											
Revenue from exchange rate differences	41											
Interest revenue	42											
Other financial revenue	43											
FINANCIAL REVENUE – TOTAL (row 41+42+43)	44											
Interest costs	45											
Exchange rate difference costs	46											
Value adjustments regarding financial assets and financial investments held as current assets (row 48-49)	47											
a) costs	48											
b) revenues	49											
Other financial costs	50											
FINANCIAL COSTS – TOTAL (row 45+46+47+50)	51											
FINANCIAL PROFIT OR LOSS (row 44-51)	52											
Other revenue elements – regulation	53											
TOTAL REVENUE (row 14+44+53)	54											
Other cost elements – regulation	55											
TOTAL COSTS (row 39+51+55)	56											
GROSS PROFIT OR LOSS (row 54-56)	57											
Corporate tax	58											
Other taxes	59											
NET PROFIT OR LOSS OF REPORTING PERIOD (row 57-58-59)	60											

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