

**Regulation of 10 March 2021 on connection to the natural gas distribution system**( On 17-mar-2021 the act was approved by [Order 18/2021](#) )**CHAPTER 1: General provisions****SECTION 1: Purpose and scope****Article 1**

(1) This Regulation sets out the stages and conditions for connection to the natural gas distribution system.

(2) The application of this Regulation shall contribute to ensuring a uniform, transparent and non-discriminatory framework for the implementation of the process of connection to the natural gas distribution system.

**Article 2**

This Regulation shall apply in relations between natural gas distribution system operators and:

- a) applicants in the category of future household and non-household customers applying for a connection and, where applicable, an SRM/SR/MS/PRM/PR/PM required for the supply of natural gas;
- b) applicants in the category of future non-household final customers referred to in Article 148(3) of Law No 123/2012 on electricity and natural gas, as amended, which require connection to the distribution system;
- c) system users requesting the modification of an existing connection and/or SRM/SR/MS/PRM/PR/PM, determined by the need:
  - (i) the relocation of the connection and/or an SRM/SR/MS/PRM/PR/PM;
  - (ii) resizing the objective/pipeline and/or connection and/or an SRM/SR/MS/PRM/PR/PM relating to their technical capacity, pressure regimes and/or length, or changes in flow rates, as appropriate;
  - (iii) separation from a common connection and/or a common SRM/SR/MS or common PRM/PR/PM;
- d) the concessionaires of the public utility services for the distribution of natural gas, the administrative-territorial units and/or their associations, for the establishment of the natural gas distribution system(s), in accordance with the provisions of Article 104(21) and (6 (!)) and Article 151(2) of the Law;
- e) administrative-territorial units and/or their associations, as well as inter-community development associations that require the connection to the natural gas distribution system of new objectives/systems with non-reimbursable funds;
- f) applicants and system users requesting the updating of a technical advice on the connection to the natural gas distribution system;
- g) economic operators authorised by the National Energy Regulatory Authority and project verifiers certified by the National Energy Regulatory Authority.

**SECTION 2: Abbreviations, terms and expressions****Article 3**

(1) For the purposes of this Regulation, the following terms, expressions and abbreviations are defined as follows:

- a) *ANRE* — National Energy Regulatory Authority;
  - b) *ATR* - technical advice for connection is the opinion issued by the natural gas distribution system operator, at the request of an applicant, which contains the technical conditions for connection to the natural gas distribution system, for the connection, SRM/SR/MS/PRM/PR/PM, and/or, where applicable, to achieve the necessary objective/pipe/required connection;
  - c) *ATP* - technical advice on connection in principle is the opinion issued by the natural gas distribution system operator, at the request of an applicant, which shall contain the technical conditions for the construction of the extension facilities necessary for the connection;
  - d) *Cf* — final customer,
  - e) *EO* — the authorised economic operator ANRE;
  - f) *Pm* - measuring station,
  - g) *PR* - natural gas adjustment item;
  - h) *PRM* - natural gas adjustment-measurement position;
  - i) *SD* — natural gas distribution system;
  - j) *Ms* — measuring station,
  - k) *SR* - natural gas control station;
  - l) *SRM* — natural gas adjustment-measurement station;
  - m) *DSO* — the natural gas distribution system operator;
  - n) *ATU* — administrative-territorial units,
  - o) *developer of the residential ensemble* - the prospective non-household client, who carries out all the real estate operations in order to construct, complete and hand over to the final customers with whom he has concluded a housing agreement/pre-contract, as well as the coordination of the sources of financing necessary to carry out these operations;
  - p) *Law* — Law No 123/2012 on electricity and natural gas, as amended;
  - q) *connection installation* — the assembly consisting of the connection and SRM/SR/SM/PRM/PR/PM;
  - r) *Technical regulations for the design, execution and operation of natural gas supply systems*, approved by Order No 89/2018 of the President of the National Energy Regulatory Authority;
  - s) *connection point* — the physical point at which the connection is made to the SD component lenses/pipes;
  - t) *demarkation point* — the physical point where the connection is delimited by the applicant's installation for use, in accordance with the provisions of Article 134(3) of the Law;
  - u) *connection* — the duct defined in accordance with Article 100(76) of the Law,
  - v) *connection* - all the activities necessary for the realisation/resizing and commissioning of the necessary objective/pipe/required connection, i.e. the connection installation, as appropriate;
  - w) *applicant* - natural or legal person in accordance with the provisions of Article 2(a) to (e), which shall submit a written request to the DSO for connection to the SD;
  - x) *application analysis fee* - payment made by the applicant, where appropriate, for the activities undertaken by the DSO in order to analyse the request for connection to the SD, i.e. for separation from an existing facility for common use of natural gas.
- (2) The terms referred to in paragraph (1) shall be supplemented by the terms defined in the Law and applicable legislation in the field of natural gas.

**SECTION 3: General information****Article 4**

In order to achieve the connection to the SD of the applicants referred to in Article 2(a) to (e) the following steps shall be taken:

- a) the submission and registration with the DSO of the application for connection to the SD accompanied by the documents referred to in Article 8(2) and the payment of the fee for the analysis of the application, as the case may be;
- b) assessment of the connection request;
- c) establishing the technical solution for making the connection;
- d) ATR issuance in accordance with the model set out in Annex 2;
- e) The DSO issues and transmits the connection agreement to applicants in accordance with the model set out in Annex 4; The DSO shall trigger the competitive tendering process of the connection works after the signing of the connection agreement by the applicant;
- f) obtaining the planning certificate, the approvals and approvals/authorisations issued by the competent bodies, as well as the permit to construct the necessary objective/pipeline/required connection or the agreement of the road manager for the connection installation in accordance with the provisions of Law No 50/1991 on the authorisation of the execution of construction works, republished, as subsequently amended and supplemented, by the EO designated by the DSO or EO selected by the applicant;
- g) design of the target/pipe required/required for connection, i.e. of the connection facility by the ESO designated by the DSO or ESO selected by the applicant;
- h) verification of the technical documentation/technical project related to the required objective/pipeline/required connection, i.e. the connection facility through the ANRE certified project verifiers, selected by the DSO or the applicant, in accordance with the legal provisions;
- i) execution of the target/pipe necessary for the connection, i.e. the connection facility through the ESO designated by the DSO or ESO selected by the applicant;
- j) the monitoring by the DSO of the works related to the achievement of the necessary objective/pipeline/required connection, i.e. the connection installation;
- k) reception and commissioning of the required target/pipe/required connection and connection installation by the DSO.

**Article 5**

(1) In order to connect to the SD, applicants, future household final customers, shall submit to the DSO the request for connection provided for in Article 4(a).

(2) The DSO shall carry out the activities necessary for the connection provided for in Article 4.

(3) The works necessary for the connection may also be carried out through the EO selected by future household customers applicants, and the DSO will reimburse the costs incurred in accordance with the provisions of Article 21(2).

**Art. 6**

(1) Applicants, future non-household final customers, shall submit to the DSO the request for connection provided for in Article 4(a).

(2) If, following the establishment of the technical solution, the length of the extension and connection installation is up to 2,500 metres, the DSO shall finance the works and carry out the activities necessary for the connection through the designated EO.

(3) The works necessary for the connection may also be carried out through the EO, selected by the applicants for future non-household customers, and the DSO will reimburse the costs incurred in accordance with the provisions of Article 21(2).

(4) If the length of the extension and connection installation is more than 2,500 metres, the DSO shall finance the works necessary to achieve the objective/pipe in accordance with Article 151(1) of the Law, and future non-household customers shall finance the necessary works for the connection facility.

(5) Future applicants for non-household final customers, in the situation referred to in paragraph (4), may finance the works necessary for the implementation of the extension facility through the EOs selected by them, and the DSO will reimburse the costs incurred for the extension installation in accordance with Article 24(3).

**Art. 7**

(1) In order to connect a new SD to an existing SD, applicants referred to in Article 2(d) and (e) shall submit an application for connection in accordance with Article 4(a).

(2) The DSO shall carry out the activities referred to in Article 4(b) to (e) and (j) to (k).

(3) The applicants referred to in paragraph 1 shall carry out the activities referred to in Article 4(f) to (i) through the EOs selected by them.

(4) The works referred to in paragraphs (2) and (3) shall be financed by the applicant.

(5) The applicants referred to in paragraph (1) shall finance the resizing of the existing SD with a view to making the connection, in accordance with the solution established by the DSO, as appropriate.

**SECTION 4: Connection request, ATR issuance****Article 8**

(1) Applicants referred to in Article 2(a) to (e) shall submit to the DSO a request for connection drawn up in accordance with the model set out in Annex 1.

(2) The connection request shall be accompanied by the following:

- a) documents attesting the ownership or use of the land/land and/or construction where the objectives/systems for which the connection is requested are located;
  - b) identification documents of the applicant and, where applicable, of the natural or legal person mandated by him to represent the applicant in relation to the DSO; the identity document shall be submitted for natural persons, i.e. the certificate of registration with the National Trade Register Office, for legal persons and, where applicable, the mandate;
  - c) other documents which the applicant considers it necessary to produce in support of his application.
- (3) The developer of the residential assembly shall submit with the connection request the following documents:
- a) information on the flow rate and pressure required for each building/construction, in accordance with the provisions of the Technical Rules;
  - b) the planning certificate issued in order to obtain the building permit for the building/construction to be built, within the period of validity, in copy;

- c) the situation plan, drawn up in accordance with the legal provisions in force, with location in the area for new constructions or for existing buildings that are being modified, in copy. For existing buildings which do not change, it is sufficient to plan their location, in coordinates showing precisely the location of the building/construction;
- d) Approved Area Urban Plan (PUZ) or Urban Detail Plan (UDP), if requested by the Urban Planning Certificate, in copy.
- (4) The applicant referred to in paragraph (3) shall also comply with the provisions of Article 34(7).
- (5) The request for connection, accompanied by the documents referred to in paragraphs (2) and (3), as the case may be, and the reply to the notification referred to in Article 11(2), together with supporting documents, shall be transmitted and registered with the DSO in accordance with the provisions of the performance standard for natural gas distribution and system service.

#### Article 9

The requests for connection submitted by the applicants shall be centralised by the DSO and shall form the basis for the execution of the connection works to the SD.

#### Article 10

- (1) Applicants shall submit to the DSO the request for connection and proof of payment of the fee for the analysis of the application, as appropriate, by one of the following ways:
- a) at a specialised information and public relations office, provided with registry at the level of each organisational unit belonging to the DSO;
- b) by postal or data services, i.e. fax, e-mail;
- c) via the DSO web page dedicated to the online take-up of requests.
- (2) The fee for analysing the application for connection to the SD shall be calculated by the DSO and shall be paid by the applicants, with the exception of future household customers, taking into account the situation provided for in paragraph (4), as appropriate.
- (3) The DSO shall take into account the following activities when calculating the charge for the analysis of the request for connection to the SD:
- a) analysis of the documentation attached to the application for connection to the SD;
- b) establishing the technical solution for connection to SD;
- c) the issue and transmission of the ATR accompanied by the related documents;
- d) carrying out the monitoring of SD connection requests and how they have been dealt with;
- e) registrar activities and physical and electronic archiving of applications for connection to SD and related documentation, as well as the ranking activity.
- (4) Payment of the analysis fee shall also be made by future household customers who submit a request for connection in the situation referred to in Article 26(2).
- (5) In order to inform applicants, the DSO is obliged to publish on its website the fees for analysing the application for connection to the SD.
- (6) Payment of the fee for analysing the request for connection to the SD shall be made by the applicant in one of the following forms of payment, as appropriate: by bank transfer to the DSO account, online payment, other forms of payment made available by the DSO.

#### Art. 11

- (1) Within 5 working days of receipt of the connection request, the DSO shall assess the application by verifying its content and the accompanying documents.
- (2) If it is found that the application for connection is not correctly completed and/or if the accompanying documents are not complete, the DSO shall notify the applicant within the time limit specified in paragraph 1 and by the manner specified by the DSO in the application for connection to SD in Section 1, item 8 of Annex 1, indicating the missing data and documents and/or which must be completed or redeployed, providing all the information necessary for this purpose.
- (3) The notification referred to in paragraph (2) shall include the statement that, if the applicant fails to complete the application for connection and/or the accompanying documents within 30 days of its receipt, the request for connection shall be classified for the reason "Incomplete document" without refund of the analysis fee.
- (4) The provisions of paragraph (3) shall be without prejudice to the right of the applicant to submit to the DSO a new request for connection.
- (5) In addition to replying to the connection request, the DSO is obliged to inform applicants that they are obliged to operate the gas installation within a maximum period of 180 days from the commissioning of the required connection facility.

#### Art. 12

- (1) The applicant may withdraw its application for connection at any time until the ATR is issued, on the basis of a written request, without the analysis fee being refunded.
- (2) If the applicant withdraws its connection request after signing the connection agreement, the DSO shall have the right to request and receive from the applicant the value of the activities carried out by the applicant after the signature of the contract.

#### Art. 13

Within 30 days of receipt of a correct and complete application for connection made by the applicants referred to in Article 2(a), (b), (d) and (e), the DSO shall issue the ATR.

#### Art. 14

- (1) The DSO is obliged to finance the investment works necessary for the connection in the order of receipt, registration and processing of requests for connection to the SD during the calendar year.
- (2) Once the ATR is issued, the DSO shall inform the applicant of the possibility for the applicant to finance the execution of the works, and the reimbursement of costs will be carried out by the DSO in accordance with the provisions of this Regulation.

### CHAPTER II: Making the connection

#### SECTION 1: Establishing the connection solution

##### Art. 15

- (1) No later than 30 days after receipt of the connection request and of the documents accompanying it, correct and complete, the DSO shall establish the technical solution for making the connection.
- (2) When establishing the solution referred to in paragraph (1), the DSO shall take into account at least the following aspects:
- a) the limits of natural gas distribution capacities and technological regimes and the need to maintain the quality of the natural gas distribution service for SD users;
- b) the provisions of the Technical Rules;
- c) the possibility of connecting multiple applicants by means of the necessary target/pipe/required connection, where the DSO simultaneously receives two or more connection requests allowing connection to the SD through this duct.
- (3) If the connection to the SD requires the execution of a necessary objective/pipe/required connection, the connection installation shall be carried out within the same project with the objective/pipe.
- (4) The location of the connection installation shall be determined by the DSO taking into account the view of the applicant as expressed in the application for connection to the SD and in accordance with the provisions of the Technical Rules.
- (5) Pressure adjustment and/or natural gas measuring equipment, including wire, shall be purchased and mounted by the DSO.
- (6) The supply of natural gas to buildings within residential areas shall be carried out in accordance with the provisions of the Technical Rules, the supply solution being established by the DSO taking into account the provisions of this Regulation.

##### Art. 16

In the event that the technical solution for connection to the SD requires connection to a natural gas distribution pipeline or to another SRM/SR/SM/PRM/PR/PM, owned by third parties, the applicant shall be obliged to submit with the application for connection to the SD one of the documents referred to in Article 108(1)(g) of the Law.

##### Art. 17

If after the establishment of the connection solution it is necessary to change it, as a result of technical changes in the SD or restrictions and/or conditionalities in the notices issued subsequently by the owners/operators of public building systems and/or other competent institutions, the DSO shall establish a new solution, with the information of the applicant.

##### Art.18

- (1) In the event of a change in the administrative data of the applicant, the applicant has the obligation to notify the DSO, no later than 10 working days after their registration.
- (2) The notification referred to in paragraph 1 shall be accompanied by supporting documents which shall be submitted in copy.
- (3) In the category of changes to the data of an administrative nature referred to in paragraph (1) are:
- a) change of the applicant's identification data;
- b) changing the identification data of the objectives/systems of the applicant;
- c) change of applicant following acquisition of the objective/system through purchase, concession, lease or successors in title.
- (4) In the situation referred to in paragraph (1), the DSO shall be obliged to send to the applicant, no later than 10 days from the date of receipt of the notification, to the correspondence address indicated by the applicant, the proposal for an addendum to the connection agreement, if it has been concluded.

#### SECTION 2: Design, execution and commissioning of the target/pipe and the connection installation respectively

##### Art. 19

- (1) Within 60 days of the designation of EOs for carrying out the necessary works for the connection provided for in Article 15, the EO shall be required to ensure that complete technical documentation is drawn up and submitted in order to obtain the planning certificate, approvals and approvals issued by the authorised bodies, as appropriate, for the necessary objective/pipe for the connection, respectively for the connection facility.
- (2) If opinions are required, which are obtained on the basis of specialist projects, the time limit referred to in paragraph 1 shall be deferred accordingly until they have been obtained.
- (3) After obtaining the documents referred to in paragraph (1), the designated EO shall submit the complete documentation in order to obtain the building permit for the necessary objective/pipe/required connection, namely the consent/authorisation of the road manager for the connection installation, within a maximum of 30 days.
- (4) All approvals/authorisations obtained by the EO designated to achieve the target/pipe necessary for the connection, i.e. for the connection facility, shall be requested and obtained on behalf of the DSO.
- (5) When preparing the technical documentation/technical project of the required objective/pipe/required connection and/or connection installation, the conditions laid down in the ATR, respectively in the opinions and agreements/authorisations issued by the authorised public institutions, shall be complied with.

##### Art. 20

- (1) If the applicant finances the works necessary for the connection, the activities of obtaining opinions/authorisations/agreements are carried out by the applicant, requested and obtained on behalf of the DSO.
- (2) The EO selected by the applicant shall be obliged to comply with the deadlines for carrying out the works necessary for the connection, in accordance with the provisions of Article 138(1)(d)(1) and Article 148(1) of Regulation (EC) No 1408/71.
- (3) and Article 151(1) of the Law, after obtaining the documents referred to in paragraph (1).

##### Art. 21

- (1) The costs related to the design activities, the verification of the technical documentation/technical project and the execution of the necessary objective/pipe/required connection, respectively of the connection facility, shall be borne by the DSO in accordance with the provisions of Article 138(1)(d)(1), Article 148(3) and Article 151(1) of the Law.
- (2) Where the activities referred to in paragraph (1) are financed by the applicant, the costs necessary for the connection shall be reimbursed by the DSO in equal annual instalments within five years of the start of operation of the gas facility.
- (3) The level of expenses to be reimbursed may not exceed the minimum between the DSO's offer set out in the connection agreement and the amount negotiated by the applicant with the selected EO, as specified by the applicant in the connection agreement.
- (4) The DSO offer provided in the connection agreement is calculated in accordance with the principles laid down in ANRE regulations for approving the tariffs related to the process of connection to the distribution systems in the gas sector plus the justified, timely costs and reflecting the market conditions for achieving/resising and commissioning the necessary objective/pipe/required connection.

##### Art. 22

The technical reception of the objective/pipe and of the connection installation shall be carried out in accordance with the provisions of Article 162(1) of the Law, in conjunction with the provisions of the Technical Regulations.

##### Art. 23

The commissioning of the objective/pipe/line and the connection installation shall be carried out within the time limits laid down in Articles 138(1)(d)(1), 148(3) and 151(1) of the Law, in conjunction with the provisions of the Technical Rules.

##### Art. 24

- (1) The objective/Conduct, i.e. the connection facility, is part of the DSO's assets if they are financed by the DSO.
- (2) In the event that the future household customer, namely the applicant referred to in Article 148(3) of the Law, finances the necessary objective/pipe for connection and the connection facility, they shall become part of the DSO's assets on the date of commissioning.
- (3) The extension facility with a length of more than 2.500 m, financed by the future non-household customer applicant and the one provided for in Article 2(d), enters into the assets of the DSO on the date of commissioning; the costs relating to the extension facility shall be reimbursed to applicants by the DSOs in equal annual instalments within 5 years of the start of operation of the gas installation.
- (4) In the situation and in the case of the applicants referred to in paragraph (3), the connection installation financed by them shall be handed over by a report of surrender and receipt to the DSO, in accordance with the provisions of Article 108(1)(b) of the Law.

**Art. 25**

- (1) In the event that, after the commissioning of the necessary objective/pipe/required connection or connection installation, the DSO finds that it is necessary to modify it or to change the solution, as a result of changes in the SD likely to affect safe operation, the DSO shall establish a new solution, with the information of the applicant, and shall carry out all the work required by the new solution at its own expense.
- (2) In the case referred to in paragraph (1), if it is also found that there is a need to change the location of the initial demarcation point, the DSO shall bear the costs arising from the modification of the applicant's user facility up to the new demarcation point.
- (3) In the situation referred to in Article 2(c)(i), the works shall be financed and carried out by applicants through an EO selected by them.
- (4) For applications for resising the connection installation, the works shall be financed and carried out by the DSO in accordance with the provisions of this Regulation, and the applicant shall be bound by the provisions of Article 11(5).

**SECTION 3: Technical advice on connection**

**Art. 26**

- (1) On the basis of the technical solution referred to in Article 15(1), the DSO shall draw up the ATR in accordance with the model set out in Annex 2; The ATR is also accompanied by an offer of connection contract to carry out the works necessary to connect to the SD.
- (2) For separation from an existing joint use installation, the DSO shall issue the ATR only when it is necessary to resise the connection and/or an SRM/SR/MS/PRM/PR/PM.
- (3) For separation from an existing joint use installation and where no new ATR is required for the design and execution of the new individual use installation, separated from the existing joint use installation, the DSO shall transmit to the original ATR applicant or, failing that, the information referred to in paragraph (5).
- (4) For the situations referred to in paragraph (3), the DSO shall notify the applicant to that effect, within 15 days from the date of receipt of the request for connection to the SD.
- (5) By the notification provided for in paragraph (4) the DSO shall provide the applicant with the following information:
- a) the length, diameter, technical capacity and pressure regime of the existing connection serving with natural gas the building in which the joint-use facility is located;
- b) the demarcation point between the connection and the installation of use;
- c) data on the type of the counter, including its fitting/non-equipment with a corrective device, to be fitted at the future consumption site, including pressure drop;
- d) pressure downstream of the adjusting equipment.
- (6) The notification referred to in paragraph (4) shall form the basis for drawing up the necessary technical documentation/technical project/required for the execution of the facility for joint/individual use of natural gas.
- (7) The ATR shall be drawn up in two copies, one of which shall be kept in the DSO archive in physical and electronic format, throughout the life of the connection or until onissue a new ATR for the same connection and the other one to the applicant with a forwarding address to the correspondence address indicated in the connection request.
- (8) The ATR shall be accompanied by the drawing of the technical solution for connection to the SD, drawn up in accordance with Annex 3.
- (9) The documents referred to in paragraph (8) shall be sent to the applicant in the manner specified in the application for connection to the SD in Section 1, item 7 of Annex 1.
- (10) The ATR issued by the DSO is the basis for drawing up the necessary technical documentation/technical project/required for the execution of the objective/pipe, of the connection facility, i.e. a installation for use of natural gas, where applicable.
- (11) By issuing the ATR, the DSO commits to:
- a) carry out the necessary works for the connection;
- b) to put into operation the necessary objective/pipework and connection installation within the time limits specified in Articles 138(1)(d1)<sup>and</sup>148(3) and 151(2).
- (1) of the law.

**Art. 27**

The validity of the ATR shall cease in the following situations:

- a) when issuing a new ATR for the same connection installation;
- b) upon request of CF following the submission of a request for decommissioning of the connection facility;
- c) at the end of the validity of the legal approvals on the basis of which the technical approval of the connection was issued for any reason, ordered by the administrative courts by final court decision;
- d) at the closing of the request for connection, in accordance with Article 32(2);
- e) upon termination of the SD connection agreement.

**Art. 28**

- (1) If after the issuance of the ATR it is necessary to change the technical connection solution as a result of technical changes at SD level or restrictions and/or conditionalities in the notices issued subsequently by the owners/operators of public building networks and/or other competent institutions, the DSO shall establish a new connection solution, with the information of the applicant, and update the ATR free of charge.
- (2) In the situation referred to in paragraph (1), the ATR shall be updated no later than 30 days from the date on which the need to change the connection solution is established.
- (3) The provisions of paragraph (1) shall apply only if the design and/or execution of the necessary objective/pipe/required connection, respectively the connection installation, has not started.

**Art. 29**

- (1) In the event of a change in the administrative data of the applicant during the period of validity of the ATR, the applicant has the obligation to notify the DSO within 10 working days of their registration.
- (2) The notification referred to in paragraph 1 shall be accompanied by supporting documents which shall be submitted in copy.
- (3) In the category of changes to the data of an administrative nature referred to in paragraph (1) are:
- a) change of the applicant's identification data;
- b) changing the identification data of the objectives/systems of the applicant;
- c) change of applicant following acquisition of the objective/system through purchase, concession, lease or successors in title.
- (4) In the situation referred to in paragraph (1), the DSO shall be required to send the applicant, within 10 working days from the date of receipt of the notification, to the postal address indicated by the applicant, the updated ATR accompanied, if appropriate, by the proposal for an addendum to the connection agreement, if it has been concluded.

**Art. 30**

- (1) In case of deterioration or loss of ATR by the applicant, the applicant may apply to the DSO for a duplicate.
- (2) In the situation referred to in paragraph (1), the DSO shall be required to send the duplicate to the applicant, within 5 working days from the date of registration of the application, to the correspondence address indicated in the application.
- (3) The document referred to in paragraph (2) shall be sent to the applicant free of charge.

**Art. 31**

The DSO shall not issue a new ATR in the event of the relocation, replacement or supplementation of the flow rates of appliances burning gaseous fuels, with or without modification of the route of the natural gas installation, subject to compliance with the natural gas flows provided for in the ATR and resulting from the sizing of the connection installation.

**Art. 32**

- (1) Applicants are obliged to return the signed connection contract within 10 days from the date of receipt.
- (2) If the applicant does not submit the connection agreement within the period provided for in paragraph (1) or request at least 3 days before the expiry of the deadline, the DSO shall close the connection request within 30 days and notify the applicant thereof within two working days.

**Art. 33**

- (1) When one SD is fed from another SD, the SRM is located on the upstream SD land, as close as possible to the territorial-administrative boundary between the two ATUs.
- (2) The SD objectives necessary to connect a new SD to an existing one shall be handed over by the applicants referred to in Article 2(e) to the DSO upstream for operation/operation, in accordance with the provisions of Article 108(1)(b) of the Law.

**SECTION 4: SD Connection Agreement**

**Art. 34**

- (1) The model of the contract for connection to the SD is set out in Annex 4.
- (2) The connection agreement shall be transmitted by the DSO in accordance with the provisions of Article 26(1).
- (3) After the signature of the contract between the DSO and the applicant, the DSO shall, within 60 days, designate the EO on a competitive basis, in accordance with the provisions of Article 151(11) of the Law.
- (4) If no offer for connection works is submitted on a competitive basis, within 5 days of the end of this process, the DSO shall notify the applicant of the need to select an EO.
- (5) The works necessary for the connection carried out by the EO selected by the applicant are carried out on the basis of a service contract, in compliance with the mandatory minimum clauses laid down in Order No 96/2018 of the President of the National Energy Regulatory Authority approving mandatory clauses in contracts for the provision of services in order to carry out the connection works to the natural gas distribution/transmission system, as amended.
- (6) The applicant shall submit to the DSO the contract referred to in paragraph (5), together with the connection agreement, within the period specified in Article 32(1).
- (7) The connection of the developer of the residential assembly shall be carried out taking into account also the provisions of the annex to the connection agreement called Specific Rules for the realisation of the connection to the SD of the assemblies of blocks of dwellings and/or individual dwellings.

**CHAPTER III: Briefings and communication channels**

**Art. 35**

- (1) The DSO shall organise the work on the connection to the SD in accordance with the provisions of this Regulation, so that it can be carried out operationally.
- (2) The DSO is required to organise a system to inform applicants about the process of connecting to the SD by publishing on its website and displaying at its administrative premises the following information:
- a) contact details and working hours with the public;
- b) the public work programme for the specialised public information and relations office with the registry;
- c) this Regulation on the connection to the natural gas distribution system and the Order of the President of the National Energy Regulatory Authority approving it, in full on his own website and extracted at administrative premises, including:
- (i) request for connection to SD — model;
- (ii) list of documents to be attached to the request for connection to the SD;
- (iii) other information on the SD connection process;
- d) the information to be provided in the SD connection agreement on the parties' obligations, time limits, etc.
- (3) The competitive process of designation of EO, provided for in Article 34(3), shall be carried out monthly in two instalments, per county/ATU/sector, as follows:

- a) in the first instalment, the requests received during the period 1 to 15 of the current month shall be auctioned;  
 b) in the second instalment, the requests received during the period 16-30/31 of the current month shall be auctioned.

**Art. 36**

The DSO shall draw up, publish and maintain on its website an annual report on the connection to the SD in accordance with the provisions of the Performance Standard for natural gas distribution and system service.

**Art. 37**

- (1) The DSO is required to draw up, publish on its website and maintain an electronic register of connection requests and how they have been dealt with.  
 (2) The DSO shall be required to update the register referred to in paragraph (1) on its website no later than the day following the date of submission of the application for connection to the SD; the publication of confidential and personal data shall be carried out in compliance with the legal provisions in force, taking into account the options provided for in the application for connection to the SD in Section 1, item 9 of Annex 1.  
 (3) The DSO shall keep the information in the register provided for in paragraph (1):  
 a) on its website, for a period of at least 2 calendar years;  
 b) in electronic format, for the rest of the life of the DSO.  
 (4) The DSO is required to establish and maintain annually an electronic register of works put into operation.  
 (5) The register provided for in paragraph (3) shall be kept by the DSO in electronic form throughout the lifetime of the DSO.

**CHAPTER IV: Transitional and final provisions****Art. 38**

Applicants have the right to notify ANRE of the breach by the DSO/OE/project verifiers attested to ANRE of the provisions of this Regulation.

**Art. 39**

- (1) The ATP and ATR of the natural gas distribution system issued until 14 October 2020 shall be valid until the expiry of the validity period, without being able to be extended.  
 (2) ATPs and ATRs for which no connection agreements have been concluded and which were issued between 14 October 2020 and the date of approval of this Regulation shall be amended by the DSO, in accordance with the provisions of the Regulation, within 45 days of the date of entry into force of this Regulation.  
 (3) If the connection agreement has not been concluded on the basis of the ATR referred to in paragraph (1), the design and execution of the connection installation shall be carried out in accordance with the provisions of this Regulation.  
 (4) Requests for connection to the SD submitted to the DSO before the entry into force of this Regulation and for which the ATRs have not been issued shall be settled in accordance with the provisions of this Regulation.  
 (5) Requests for reimbursement of connection charges received on the basis of connection requests made after 30 July 2020 shall be settled no later than 30 days after the entry into force of this Regulation, as follows:  
 a) in the event that the objective/pipe/connection and/or SRM/SR/MS/PRM/PR/PM were put into service until the date of the request for reimbursement, the DSO shall take over these goods in accordance with the provisions of Article 108(1)(d) of the Law;  
 b) in the event that the objective/pipe/connection and/or SRM/SR/MS/PRM/PR/PM have not been put into operation by the date of submission of the refund application, the DSO shall return to the applicant the connection fee collected in compliance with the fiscal provisions, and the objective/pipe/connection and/or SRM/SR/MS/PRM/PR/PM enters the DSO's patrimony.

**Art. 40**

- (1) ANRE issues authorisations to establish direct buses in accordance with Article 152 of the Law.  
 (2) In the situation referred to in paragraph (1), the stages of connection to the SD referred to in Article 4 shall be completed, as appropriate.  
 (3) The costs of the works necessary for the execution of the direct bus shall be borne by the applicant.  
 (4) The works for the execution and connection of the direct bus to the SD shall be carried out by the DSO or ESO selected by the applicant, as appropriate, on the basis of the supply and demand mechanism.

**Art. 41**

The DSO shall be required to develop its own operational procedure ensuring the implementation of the provisions of this Regulation, within 30 days from the date of publication of this Regulation in the Official Gazette of Romania, Part I.

**Art. 42**

In order to ensure the normal competitive environment and non-discriminatory treatment of authorised economic operators ANRE, the economic operator, holder of the licence to operate the natural gas distribution system, is prohibited from carrying out activities of design and execution of natural gas installations related to applicants/final customers in the area concessioned by it for the service of public utility of natural gas distribution, except for the related activities:

- a) the cessation of the supply of natural gas to installations for use, where there is a danger of explosion and safety in operation is affected;  
 b) installation and/or dismantling of natural gas measurement systems/equipment.

**Art. 43**

Annexes 1 to 4 shall form an integral part of this Regulation.

**Annex 1: Request for connection to the natural gas distribution system — model —**

To .....  
 (name of natural gas distribution system operator — DSO)

**Applicant's identification data**

1. Name/Name and forename: .....  
 2. Address of registered office/domicile\*: locality ..... str ..... No ..... BL ..... SC ..... et ..... PA. AP. .... county ..... postcode ..... phone ..... e-mail .....  
 3. Address of the building/objective for which connection to the natural gas distribution system is requested\*: locality ..... str ..... No ..... BL ..... SC ..... et ..... PA ..... county ..... postcode .....  
 4. Correspondence address\*: locality ..... str ..... No ..... BL ..... SC ..... et ..... PA ..... county ..... postcode .....

5. Legal representative/Mandatory: ..... identified by ID card series ..... No ..... issued by ..... on ..... domiciled in locality ..... str ..... No ..... BL BL ..... SC ..... et ..... PA ..... county/sector ..... postcode ..... phone ..... fax ..... e-mail .....

6. Applicant type:  
 L—new;  
 —Existing.

7. DSO's response to this request:  
 It shall be sent by post to the applicant's home/registered office/consumer's address or to the representative's address;  
 The applicant or the trustee from the DSO's headquarters shall be picked up by the applicant.

8. The applicant's communication with the DSO is made by:

- L— electronic post;  
 L— fax;  
 L— staff at the DSO headquarters;  
 L— Phone, SMS;

L— other communication pathways.  
 9. For the publication of information on the DSO's website on the contact details and address of the place of consumption, the applicant shall:

- L— agrees to the publication;  
 L— does not agree to publication.

10. The applicant shall tick the method of carrying out the works necessary for the connection to the natural gas distribution system of the building/objective referred to in point 3, namely:  
 By the natural gas distribution operator;  
 L— by the authorised economic operator ANRE, selected by the applicant.

\*If the address is the same, complete the requested information only once.

**Section 2****Information on connection to the natural gas distribution system**

1. Connection to the natural gas distribution system (SD) in the locality ..... belonging to the commune/city/municipality ..... county ..... a:  
 L— the place of consumption located in the locality ..... str ..... No ..... BL ..... SC ..... PA ..... county .....  
 The closed distribution system located in the locality ..... belonging to the commune/city/municipality ..... county .....  
 The natural gas distribution system located in the locality ..... belonging to the commune/city/municipality ..... county .....  
 2. Details of the connection:  
 L— .....

**Section 3****Technical parameters for the safe operation of the target for which connection is requested**

Natural gas flow requested: ..... MCh and list of appliances burning gaseous fuels SECTION 4

**Other specific requirements**

1. ....

**Section 5****Documents attached to the application**

I attach to the connection request the following documents (referred to below, as appropriate): 1

2.  
 3. In view of the provisions of Article 326 of the Criminal Code relating to false statements, I declare that all the information and documents accompanying this application are correct and true. I also undertake to submit the original documents to the DSO at its request.  
 Common documents:  
 1. mandate — where the applicant is represented by the trustee it is necessary to present the mandate by which he/she is empowered to:  
 a) support all necessary steps to obtain technical approval for connection to the natural gas distribution system;  
 b) the lifting of the DSO response to the connection request;  
 2. the owner's acceptance or the applicant's agreement on compensation of the owners if the technical connection solution requires connection to an existing distribution line/connection/regulating-measurement station/regulatory station/measurement station/regulating-measurement post/regulatory/measurement post, property of third parties. The applicant's agreement is the authentic instrument by which he declares to compensate the owners for his share of the investment made by them.  
 Specific documents, in certified copy of the original:  
 Natural person:  
 a) copy B.I./C.I. of the owner and/or tenant;  
 b) copy of documents attesting the ownership/use of the applicant for the place of consumption, respectively



building permit/sale-purchase act/lease/commodation/donation/certificate of heir etc. for the building(s) where the appliances burning gaseous fuels are located;  
c) in the case of rental/commodation contracts, it is necessary to submit the property owner's consent for making the connection of the demand facility to the natural gas distribution system.

Tenant/owner association:  
a) copy of the instrument of incorporation of the association;  
b) copy of the tax registration certificate;  
c) layout of the building (comprising the number of stairs, levels on each staircase and the number of apartments on each scale and level) — in the form of a plan or a description thereof.

Legal person:  
a) copy of the registration certificate at the Trade Register Office/tax registration certificate;  
b) copy of documents proving the applicant's ownership/use for the place of consumption, i.e.:  
(i) building permit/sale-purchase act/lease/donation/certificate of heir, etc.  
for the building(s) where the appliances burning gaseous fuels are located;  
(ii) in the case of rental/commodation contracts, it is also necessary to submit the property owner's consent for making the connection of the demand facility to the natural gas distribution system;  
c) copy of the document by which the applicant attests the ownership/use of the land on which a natural gas distribution system or closed distribution system.

Developer of the residential ensemble  
a) information on the flow rate and pressure required for each building/construction, in accordance with the provisions of the Technical Rules;  
b) the planning certificate issued in order to obtain the building permit for the building/construction to be built, within the period of validity, in copy;  
c) the situation plan, drawn up in accordance with the legal provisions in force, with location in the area for new constructions or for existing buildings that are being modified, in copy. For existing buildings which do not change, it is sufficient to plan their location, in coordinates showing precisely the location of the building/construction;  
d) the approved zoning plan (PUZ) or the urban detail plan (UDP), if requested by the urban planning certificate, in copy;  
e) copy of the identity document, the trade register registration certificate or other legal operating authorisations issued by the competent authorities, as appropriate;  
f) the ownership document or any other document attesting the right to use the land, the building and/or the building for which the connection is requested, in copy. In the case of premises which are not the property of the future user, the written consent of the owner is required for the construction of connection facilities;  
g) other documents which the applicant considers necessary to submit in support of his or her application.

Applicant's signature: .....

Date: .....

## Annex 2: Technical Opinion on connection to the natural gas distribution system — model —

Natural gas distribution system operator .....

No. .... /date .....

1. As a result of the connection request no. .... from the date of ..... please find below the technical approval of the connection to the natural gas distribution system for:  
Setting up/modifying a natural gas distribution system in localities ..... belonging to the commune/city/municipality ..... county

Setting up/modifying a closed distribution system in the locality ..... belonging to the commune/city/municipality ..... county

☐ ♦ natural gas supply to the consumption site in str. .... No. .... BL. .... SC. .... et. .... PA. .... locality ..... county .....  
☐ .....

2. The technical connection solution requires the following objectives of the natural gas distribution system:

- extension of the existing natural gas distribution pipeline in the locality ..... belonging to the commune/city/municipality ..... county ..... on the street  
material type ..... diameter ..... inch/mm, pressure regime ..... bar (Pa) with the distribution pipe posed on the street ..... material type  
diameter .. inch/mm, pressure regime ..... bar (Pa); and/or
  - resising the existing natural gas distribution pipeline in the locality ..... belonging to the commune/city/municipality ..... county ..... on the street  
material type ..... pressure regime ..... bar (Pa) from diameter ..... inch/mm to diameter ..... inch/mm;
  - existing/new natural gas connection (material type) ..... diameter ..... inch/mm, length.. m, natural gas flow .... MC/h connected in the pressure gas distribution pipeline.... bar (Pa),  
material type ..... diameter ..... inch/mm, posed/mounted underground/overground on the street
- d) adjustment-measurement station/adjustment station/measurement station/adjustment-measurement post/measurement station/new):  
 - natural gas flow..... (MC/h); ..... installation of natural gas connection in the public/private domain  
 - regulator type ..... the natural gas delivery pressure regimes upstream and downstream of the adjustment-measurement station/regulatory station/measurement station/regulatory-measurement post/regulatory/measurement station is: bar (Pa) upstream and bar (Pa) downstream.  
 - meter type..... (equipped with corrective device or not)

2.1. The technical solution for connecting the direct bus requires the following objectives of the natural gas distribution system:

- resising the existing natural gas distribution pipeline in the locality ..... belonging to the commune/city/municipality ... county ..... on the street ..... material type ..... pressure regime ..... from diameter ..... inch/mm to diameter ..... inch/mm;
- natural gas pipeline (material type) ..... diameter ..... inch/mm, length ..... m, natural gas flow ..... MC/h, connected to the pressure gas distribution pipeline . material type diameter inch/mm, posed/mounted underground/overground on the street
- adjustment-measurement station/adjustment station/measurement station/adjustment-measurement post/measurement station/new):  
 - natural gas flow..... (MC/h); ..... installation of natural gas connection in the public/private domain  
 - regulator type ..... the natural gas delivery pressure regimes upstream and downstream of the adjustment-measurement station/regulatory station/measurement station/regulatory-measurement post/regulatory/measurement station is: bar (Pa) upstream and bar (Pa) downstream.  
 - meter type..... (equipped with corrective device or not)

3. This technical connection advice is accompanied by:

- drawing with the technical solution for natural gas supply;
- the offer of the connection contract.

4. This opinion ceases to be valid:

- when issuing a new technical connection advice;
- at the request of the final customer, following the submission of a request for decommissioning of the connection facility;
- at the end of the validity of the agreements/authorisations and/or the legal approvals on the basis of which the technical approval of the connection was issued for any reason, ordered by the administrative courts by final court decision;
- at the closing of the connection request, in accordance with Article 32(2) of the Regulation on connection to the natural gas distribution system, approved by Order No 18/2021 of the President of the National Energy Regulatory Authority;
- upon termination of the SD connection agreement.

5. This technical connection advice sets out the technical conditions for connection and is the basis for drawing up the technical documentation/projects related to the extension and/or resising of the natural gas target/distribution pipeline, the connection and/or the adjustment-measurement station/regulatory station/measurement station/adjustment post/regulatory/measurement post, and/or the installation for the use of natural gas, related to the demand facility.

6. This technical connection advice does not provide any technical information on the type of material, diameter, length or underground/overground installation/installation of the natural gas installation necessary for its design and execution.

7. The connection installation shall be put into operation within a maximum of 90 days after obtaining the building permit or the consent/authorisation of the road manager, in accordance with the provisions of

Article 138(1)(d)(1) and Article 148(3) and Article 151(1) of Law No 123/2012 on electricity <https://sintact.ro/%23/dokument/16926802> and natural gas, as amended (Law).

8. The implementation of the extension and/or resising of the natural gas distribution pipeline/objective necessary for the connection to the natural gas distribution system, both of a future household customer and of a non-household final customer where the extension and connection installation is up to 2.500 m, shall be carried out within a maximum of 90 days of obtaining the building permit necessary to achieve the objective/pipeline, in accordance with the provisions of Articles 148(3) and 151(1) of the Law.

Legal representative of the natural gas distribution system operator

Surname and forename: .....

Date: .....

Signature: .....

## Annex 3: Drawing of the technical solution for connection to the natural gas distribution system — model —

Natural gas distribution system operator .....

1. Number and date of registration of the application for connection to the natural gas distribution system: ..... and/or

2. Applicant: ..... (surname and forename/name)

3. Location:

Extension/resising of the natural gas target/pipeline

..... (full address);

Connection and/or adjustment-measurement station/adjustment station/measurement station/adjustment-measurement station/adjustment post/measurement post:

..... (full address)

### LEGEND:

(Specify all the graphical representations/conventional marks of the new and/or existing technical characteristics of the distribution ducts, connection and/or adjustment station/adjustment station/measurement station/adjustment-measurement post/adjustment post/measurement post provided in the above drawing.)

.....

(surname and first name(s))

Type of authorisation of the installer: .....

Badge No: .....

Date: .....

Signature: .....

### Annex 4:

[Contract for connection to the natural gas distribution system — model —](#)

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