

# ACTS OF THE NATIONAL AUTHORITY

## For a REGULATION in the FIELD of ENERGY

NATIONAL ENERGY REGULATORY AUTHORITY J

### ORDER

#### on the approval of the charges and the cash contributions charged by the National Energy Regulatory Authority in 2022

Having regard to Article 2(2) of Government Emergency Order No 33/2007 on the organisation and functioning of the National Energy Regulatory Authority, approved with amendments by Law No 160/2012, as amended, pursuant to Article 2<sup>(3)</sup> of Government Emergency Order No 33/2007, approved with amendments by Law No 160/2012, as amended,

**the President of the National Energy Regulatory Authority** shall issue the following order:

Article 1. The tariff charged to economic operators active in the electricity, heat and natural gas sectors for the granting of authorisations and licences, in accordance with Annex 1, and the tariff charged for issuing attestations and authorisations to economic operators providing services for the design, execution, verification and operation of electricity and natural gas installations, in accordance with Annex 2.

Article 2. The tariff charged for the authorisation of natural persons active in the electricity, heat and natural gas sectors, as set out in Annex 3, is hereby approved.

Art. 3. (1) The annual cash contribution collected by the National Energy Regulatory Authority from economic operators active in the electricity, heat and gas sector, which, according to the law, falls within the regulatory competence of the National Energy Regulatory Authority, is approved.

(2) The amount of the financial contribution referred to in paragraph 1 and the conditions for its payment are set out in Annex 4.

Article 4. (1) The tariff and the cash contribution shall be paid into the account of the National Energy Regulatory Authority RO98TREZ70020F160300XXXX, opened at the Treasury and Public Accounting Activity of the Municipality of Bucharest.

(2) In the event of failure to pay at maturity the invoices relating to the tariff and contribution provided for in this Order,

within 20 days from the date of their issue, interest and late payment penalties shall be charged for each day of late payment due for failure to pay budgetary obligations on time, in accordance with the provisions of Law No 207/2015 on the Code of Fiscal Procedure, as subsequently amended and supplemented, hereinafter referred to as the *Code of Fiscal Procedure*.

(3) For additional differences in payment obligations resulting from the correction/modification of declarations or documentary checks carried out by ANRE, interest and penalties shall be due from the day immediately following the due date of the contribution invoice/regulatory invoice for which the difference was established and up to the date of its extinction, including, in accordance with the provisions of the Fiscal Procedure Code.

Article 5. — Annexes 1 to 4 form an integral part of this Order.

Art. 6. — The organisational entities within the National Energy Regulatory Authority, as well as the natural and legal persons whose activity, according to the law, falls within its regulatory competence, shall comply with the provisions of this Order.

Art. 7. This Order shall be published in the Official Gazette of Romania, Part I, and shall enter into force on 1 January 2022.

President of the National Energy Regulatory Authority,  
**Dumitru Chiriță**

**The tariff charged to economic operators active in the electricity sector,  
thermal and natural gas for the granting of authorisations and licences**

. The fee for granting/modifying authorisations for establishment and licences for activities in the electricity and heat sector is set out in Table 1.

Table No 1 — Tariff for granting/amending authorisations for establishment and licences in the electricity and heat sector<sup>1)</sup>

No. crt.	Activity Subject matter of the request	Tariff (RON)	Application
0	1	2	3
1.	Analysis of the documentation attached to the application for authorisation to establish or refurbish electricity generation capacities <sup>6)</sup> or electricity and heat from cogeneration power plants and for the development of energy storage facilities added to such generation capacities, with the maximum power cut into the grid of those capacities > 1 MW	2.500 <sup>5)</sup>	
2.	Granting authorisation to set up or refurbish electricity generation capacities <sup>6)</sup> or electricity and heat from cogeneration power plants and to develop energy storage facilities added to such generation capacity, with maximum electricity power cut into the grid of those capacities > 1 MW The tariff shall be applied to the total value of the investment provided for in Annex 4 to the Regulation for granting licences and authorisations in the electricity sector, approved by Order No 12/2015 of the President of the National Energy Regulatory Authority, as amended.	0.32 %	1 MW &LT; Pmax <sup>2)</sup> &LT; 10 MW
		0.1 %	10 &LT; Pmax <sup>2)</sup> &LT; 100 MW
		0.05 %	Pmax <sup>2)</sup> > 100 MW
3.	Analysis of the documentation attached to the application for a permit to establish energy storage facilities that are not added to an existing electricity generating capacity, with the maximum electricity power flowed into the grid of those capacities > 1 MW	2.500 <sup>5)</sup>	
4.	Granting authorisation to set up energy storage facilities that are not added to an existing electricity generating capacity, with the maximum electricity power flowed into the grid of those capacities > 1 MW The tariff shall be applied to the total value of the investment provided for in Annex 4 to the Regulation for granting licences and authorisations in the electricity sector, approved by Order No 12/2015 of the President of the National Energy Regulatory Authority, as amended.	0.1 %	Pmax <sup>2)</sup> > 1 MW
5.	Analysis of the documentation attached to the application for a licence for the operation of electricity generation capacities and, where applicable, electricity and heat generation capacities from CHP plants with Pe <sup>3)</sup> > 10 MW and energy storage facilities added to those generating capacities	5.000 <sup>5)</sup>	
6.	Licensing for the operation of electricity generation capacity and, where applicable, electricity and heat generation capacities from Pe <sup>3)</sup> cogeneration power plants > 10 MW and energy storage facilities added to those generation capacities	5.000	
7.	Analysis of the documentation attached to the application for a licence for the operation of electricity generation capacities and, where applicable, electricity and heat generation capacities from 5 MW &LT; CHP power plants: Pe <sup>3)</sup> &LT; 10 MW and energy storage facilities added to those generation capacities	2.500 <sup>5)</sup>	
8.	Licensing for the operation of electricity generation capacities and, where applicable, electricity and heat generation capacities from 5 MW &LT; CHP power plants: Pe <sup>3)</sup> &LT; 10 MW and energy storage facilities added to those generating capacities	2.500	
9.	Analysis of the documentation attached to the application for a licence for the operation of electricity generation capacities and, where applicable, electricity and heat generation capacities from 1 MW &LT; CHP power plants: Pe <sup>2)</sup> &LT; 5 MW and energy storage facilities added to those generating capacities	500 <sup>5)</sup>	

0	1	2	3
10.	Licensing for the operation of electricity generation capacities and, where applicable, electricity and heat generation capacities from 1 MW &LT; CHP power plants; Pe <sup>2)</sup> &LT; 5 MW and energy storage facilities added to those generating capacities	500	
11.	Analysis of the documentation attached to the application for granting/modification of the licence for the commercial operation of energy storage facilities not added to an existing generation capacity	500 <sup>5)</sup>	
12.	Granting/Modification of the licence for the commercial operation of energy storage facilities not added to an existing generation capacity	500	
13.	Analysis of the documentation attached to the application for the licence for the provision of the electricity transmission service, for the provision of the system service and for the management of the balancing market	10.000 <sup>5)</sup>	
14.	Licensing of electricity transmission service, system service provision and balancing market management	10.000	
15.	Analysis of the documentation attached to the licence application for the activity of managing centralised electricity markets (other than the balancing market)	10.000 <sup>5)</sup>	
16.	Licensing of the activity of managing centralised electricity markets (other than balancing market)	10.000	
17.	Analysis of the documentation attached to the application for the licensing of the electricity distribution service — P <sup>4)</sup> > 10 MW	10.000 <sup>5)</sup>	
18.	Licensing of electricity distribution service — P <sub>4</sub> > 10 MW	10.000	
19.	Analysis of the documentation attached to the application for the licensing of the electricity distribution service — P <sup>4)</sup> &LT; 10 MW	2.500 <sup>5)</sup>	
20.	Licensing of electricity distribution service — P <sub>4</sub> &LT; 10 MW	2.500	
21.	Analysis of the documentation attached to the application for the electricity supply licence	2.500 <sup>5)</sup>	
22.	Licensing of the activity of electricity supply	2.500	
23.	Analysis of the documentation attached to the application for the license for the activity of the electricity trader	2.500 <sup>5)</sup>	
24.	Licensing of the electricity trader's activity	2.500	
25.	Analysis of the documentation attached to the application for a license for the aggregation activity	2.500 <sup>5)</sup>	
26.	Licensing for the activity of aggregation	2.500	
27.	Analysis of the documentation attached to the application for amendment of an authorisation to set up or a licence, except in the cases referred to in points 29, 31, 33, 35 and 37	2.500 <sup>5)</sup>	
28.	Modification of an authorisation to set up or a licence, except as provided for in points 30, 32, 34, 36 and 38	2.500	
29.	Analysis of the documentation attached to the application for modification of a licence for the operation of electricity generation capacities and, where applicable, of electricity and heat generation capacities from cogeneration power plants with 1 MW &LT; Pe <sup>3)</sup> &LT; 5 MW, except as provided in points 31, 33, 35 and 37	500 <sup>5)</sup>	
30.	Modification of a licence for the operation of electricity generation capacities and, where applicable, of electricity and heat generation capacities from cogeneration power plants with 1 MW &LT; Pe <sup>3)</sup> &LT; 5 MW, except as provided in points 32, 34, 36 and 38	500	
31.	Analysis of the documentation attached to the application for amendment of an authorisation to establish or a licence in case of change of legal form, name/name or any data concerning the applicant's premises, except in the cases referred to in point 33	625 <sup>5)</sup>	
32.	Amendment of an authorisation to set up or a licence in the event of a change in the legal form, name/name or any particulars concerning the applicant's premises, except in the cases referred to in point 34	625	

0	1	2	3
33.	Analysis of the documentation attached to the application for modification of a licence in case of change of legal form, name/name or any data on the applicant's premises, in the case of a licence for the operation of electricity generation capacity and, where applicable, of 1 MW &LT; $P_e$ &LT; 1 2 3 4 5 MW, and for a licence for the commercial operation of thermal generation capacities for which $P_t$ &LT; 5 1 MW;	1256 7	
34.	Modification of a licence in case of change of legal form, name/name or any data on the applicant's premises, in the case of a licence for the operation of electricity generation capacity and, where applicable, of electricity and heat generation capacities from 1 MW &LT; $P_e^{(3)}$ &LT; 5 MW cogeneration power plants, and in the case of a licence for the commercial exploitation of thermal generation capacities for which $P_t^{(7)}$ &LT; 1 MW	125	
35.	Analysis of the documentation attached to the application for granting/amending a provisional establishment authorisation/provisional licences, except for the establishment/provisional licence referred to in item 37	625 <sup>(5)</sup>	
36.	Grant/Amendment of a provisional establishment authorisation/provisional licences, except for the establishment/provisional licence referred to in item 38	625	
37.	Analysis of the documentation attached to the application for the grant/amendment of a provisional licence for the operation of electricity generation capacities and, where applicable, of electricity and heat generation capacities from 1 MW &LT; CHP power plants with 1 MW &LT; <sup>(5)</sup> MW, as well as in the case of a licence for the commercial operation of thermal generation capacities for which $P_t^{(7)}$ &LT; 1 MW	125 <sup>(5)</sup>	
38.	Granting/Amendment of a provisional licence for the operation of electricity generation capacities and, where applicable, of electricity and heat generation capacities from 1 MW &LT; CHP power plants with 1 MW &LT; $P_e^{(3)}$ &LT; 5 MW, as well as in the case of a licence for the commercial exploitation of heat generation capacities for which $P_t^{(7)}$ &LT; 1 MW	125	
39.	Issuing a duplicate of the establishment/licence authorisation	125	
40.	Analysis of the documentation attached to the application for the grant/amendment of a licence, in the cases referred to in points 41 and 42	2.500 <sup>(5)</sup>	
41.	Granting of a licence for the provision of the district heating service	5.000	
42.	Modification of a licence for the provision of the district heating supply service, except in the situations referred to in point 32	5.000	
43.	Analysis of the documentation attached to the application for the grant/amendment of a licence, in the cases referred to in point 44	2.500 <sup>(5)</sup>	$P_{T7} > 1 \text{ MW}$
		500 <sup>(5)</sup>	$P_{T7} \text{ \&LT; } 1 \text{ MW}$
44.	Granting of a licence for the commercial exploitation of heat generation capacities	2.500	$P_{T7} > 1 \text{ MW}$
		500	$P_{T7} \text{ \&LT; } 1 \text{ MW}$
45.	Modification of a licence for the commercial exploitation of heat generation capacities, except in the situations referred to in point 32	2.500	$P_{T7} > 1 \text{ MW}$
46.	Modification of a licence for the commercial exploitation of heat generation capacities, except in the situations referred to in point 34	500	$P_{T7} \text{ \&LT; } 1 \text{ MW}$

<sup>1</sup>Public institutions in the fields of education and health are exempted from paying the fee shown in Table 1 for granting/modifying authorisations for establishment and/or licences.

<sup>2</sup>  $P_{max}$  is the maximum power flow of generation and/or storage capacities.

<sup>3</sup>  $P_e$  is the installed electrical power of the generation capacities.

<sup>4</sup>  $P$  is the electrical power approved for the users of the electricity networks held by the applicant which does not include the electrical power associated with its generating sites and/or electricity consumption.

<sup>5</sup> Analysis rate:

<sup>5</sup>  $P_T$  is the rated heat output of heat generation capacities.

a) shall not be returned to the applicant if the National Energy Regulatory Authority refuses to grant or amend the authorisation/licence or closes the application;

b) it is also due by the legal entities of the Member States of the European Union referred to in Article 10(7) of the Regulation for granting licences and authorisations in the electricity sector, approved by Order No 12/2015 of the President of the National Energy Regulatory Authority, as amended, which requires the National Energy Regulatory Authority to carry out in Romania the activity of supplying electricity or the activity of the electricity trader on the basis of the licence/similar document held in the Member State.

<sup>7</sup>In the situations referred to in Article 9(2) of the Regulation for granting licences and authorisations in the electricity sector, approved by Order No 12/2015 of the President of the National Energy Regulatory Authority, as amended, for point 1 of Table 1, which concerns joint capacities/installations in the field of electricity and natural gas, the fee for granting the authorisation provided for in point 1 of Table 3 shall no longer apply.

2. The tariff for the analysis of documentation in the electricity sector is set out in Table 2. Table No 2 — Tariff for analysis of documentation in the electricity sector

No. crt.	Type of documentation	Tariff (RON)
1.	Notice on the connection of users to the electricity grids in the vicinity of the area of activity of some distribution system operators	500
2.	Confirmation of a closed electricity distribution system	1.000

NOTE:

The rate set out in Table 2:

- be paid by the applicant prior to submission of the documentation;
- shall not be returned to the applicant in case of withdrawal of application, closing of documentation and failure to grant the endorsement/refusal of confirmation of the closed distribution system.

3. The fee charged for the granting of authorisations and licences, for the analysis of applications for granting/amending/extension of establishment/licence authorisations, as well as for the analysis of documentation from economic operators active in the natural gas sector is set out in Tables 3, 4 and 5.

Table No 3 — Tariff for granting/amending authorisations for establishment and licences in the gas sector

No. crt.	Activity	Substantiation criterion	U.M.	Tariff (% of target value)	Tariff (lei/U.M.)
1.	Granting/Amendment of Establishment Authorisations	The updated value of the target according to Annex 3 of the Regulation for the granting of authorisations for establishment and licences in the natural gas sector, approved by Order No 199/2020 of the President of the National Energy Regulatory Authority, as amended	Lei	0,32	—
2.	Licensing of natural gas/biogas/biomethane supply	Quantity of natural gas/biogas/biomethane estimated to be supplied in the year in which the licence is granted	MWh	—	0,056
3.	Licensing of natural gas trader	Quantity of natural gas estimated to be supplied in the year in which the licence is granted	MWh	—	0,168
4.	Licensing of natural gas supply to natural gas producers	Quantity of natural gas estimated to be supplied in the year in which the licence is granted	MWh	—	0,168
5.	Licensing of LNG supplies	Quantity of LNG expected to be supplied in the year in which the licence is granted	t	—	0,780
6.	Grant/Amend license to operate natural gas transmission systems	Quantity of natural gas estimated to be transported in the year in which the licence is granted/modified	MWh	—	0,062
7.	Granting/Modification of Distribution System Operating License	Quantity of natural gas estimated to be distributed in the year in which the licence is granted/modified	MWh	—	0,086
8.	Grant/Amend license to operate the system of underground natural gas storage	Value of the target for which the grant/amendment of the licence is sought	Lei	0,32	—
9.	Grant/Amend license to operate upstream supply pipelines related to the production of natural gas	Value of the target for which the grant/amendment of the licence is sought	Lei	0,32	—
10.	Licensing/Modification of LNG terminals	Value of the target for which the grant/amendment of the licence is sought	Lei	0,32	—
11.	Licensing of centralised market management		Lei		10.000
12.	Granting/Modification license for commercial operation of hydrogen production facilities	Quantity of hydrogen expected to be produced in the year in which the licence is granted	MWh	—	0,056

NOTES:

- The tariff for granting/modifying authorisations for establishment and licences in the natural gas sector may not be less than 2,500 lei.
- The tariff for the modification of authorisations for establishment/licences in the natural gas sector in the case of changes of status, name or place of business without modification of the technical characteristics represents 25 % of the analysis fee provided for in Table No 4 in points 1-3.

Table No 4 — Tariff for the analysis of applications for granting/amending/extension of gas establishment/licences authorisations

No. crt.	Type of licence	Tariff (RON)
1.	Establishment-granting/amendment authorisations	2.500
2.	Licences — all types of grant/modification	2.500
3.	Extension of the validity of the establishment/licence authorisation	2.500
4.	Issuing a duplicate of the establishment/licence authorisation	125

## NOTES:

1. The tariff set out in Table 4:

- a) be paid by the applicant prior to submission of the documentation;
- b) if it is equal to the fee for granting or modifying the authorisation/licence, no invoice is issued for the payment of the fee for granting or amending the authorisation/licence, the amount due being paid in advance through the analysis fee;
- c) shall not be returned to the applicant in the event of withdrawal of the application for authorisation/license, classification of documentation and failure to grant authorisation/licence;
- d) it is also due for the confirmatory decisions provided for in the Regulation for the granting of authorisations for establishment and licences in the natural gas sector, approved by Order No 199/2020 of the President of the National Energy Regulatory Authority, as amended.

2. The fee for the analysis of requests for amendment of authorisations for establishment/licences in the natural gas sector in the case of changes in the statutes, name or seat(s) without modification of the technical characteristics shall represent 5 % of the analysis fee provided for in Table No 4 in item 1-3.

Table No 5 — Tariff for the analysis of documentation in the gas sector

No. crt.	Type of documentation	Tariff (RON)
1.	Confirmation of a closed gas distribution system	1.000

## NOTE:

The rate set out in Table 5:

- a) be paid by the applicant prior to submission of the documentation;
- b) shall not be returned to the applicant in case of withdrawal of application, closing of documentation and (non-)confirmation) of the decision confirming the closed distribution system.

4. The fee for authorising electricity and natural gas suppliers to participate in auctions of greenhouse gas emission allowances pursuant to Article 18(2) of Commission Regulation (EU) No 1.031/2010 of 12 November 2010 on the timing, administration and other aspects of auctioning of greenhouse gas emission allowances pursuant to Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community is set out in Table 6.

Table 6 — Tariff for authorising electricity and natural gas suppliers to participate in auctions of greenhouse gas emission allowances

No. crt.	Activity Subject matter of the request	Tariff (RON)
1.	Granting/Modification of authorisation to participate in auctions of greenhouse gas emission allowances	1.000
2.	Analysis of the documentation attached to the application for granting/amendment of an authorisation to participate in auctions of greenhouse gas emission allowances	1.000

## NOTES:

- 1. The analysis fee shall not be refunded to the applicant if the National Energy Regulatory Authority refuses to grant or amend the authorisation or closes the request.
- 2. Public institutions in the fields of education and health shall be exempt from paying the tariffs listed in Table 6.

**Fee charged for issuing attestations and authorisations to economic operators providing services for the design, execution, verification and operation of electricity and natural gas installations**

1. The fee for issuing attestations to economic operators providing services of design, execution, verification and operation of electrical installations is set out in Table 1.

Table No 1 — Tariff for issuing attestations

No. crt.	Type of attestation — category of activities	Tariff (RON)
1.	Certificates of type A1, Bp, Be, Bi, B	1.600
2.	Attestations of type A2, A3, C1A, C2A	3.100
3.	Attestations A, C1B, C2B, D1, D2, E1, E2, E2PA	4.500
4.	Issuing a duplicate of the attestation	125

NOTES:

1. The rates set out in Table 1:

a) it is also due for the confirmatory decisions provided for in the Regulation for the certification of economic operators that design, execute and verify electrical installations, approved by the Order of the President of the National Energy Regulatory Authority;

b) item 1-3 shall not be refunded in case of withdrawal of the application for attestation/visé/confirmation by the economic operator, as well as in case of non-granting/non-validation of the attestation or refusal to confirm, for whatever reason.

2. The fee for the periodic endorsement of the attestation/confirmation decision represents 50 % of the amount of the fee for issuing this type of attestation/confirmatory decision.

3. The fee for modifying the attestation/confirmatory decision in case of change of name, legal form or registered/professional seat of the holder of the attestation/confirmation decision, except in cases justified by legislative changes or regulations, represents 25 % of the fee for issuing this type of attestation/confirmatory decision.

The fee for the authorisation/amendment/extension of authorisations of economic operators active in natural gas is set out in Table 2.

Table No 2 — Tariff for issuing authorisations

No. crt.	Type of authorisation	Tariff (RON)
1.	Design — grant/extension	2.000
2.	Execution — grant/extension	3.000
3.	Issuing a duplicate of the authorisation	125

NOTES:

1. The rates set out in Table 2:

a) it is also due for the confirmatory decisions provided for in the Regulation for the authorisation of economic operators active in the field of natural gas, approved by Order No 98/2015 of the President of the National Energy Regulatory Authority, as amended;

b) points 1 and 2 shall not be refunded in the event of an application being closed or a refusal to grant/amend the authorisation.

2. The fee for amending the authorisation/confirmatory decision in case of change of the name, legal form or registered/professional seat of the holder of the authorisation/confirmation decision represents 25 % of the fee for issuing the respective type of authorisation/confirmatory decision.

3. The fee for the authorisation of legal persons installing and/or operating cost-sharing systems for heating and hot water or consumption in condominium buildings is set out in Table 3.

Table No 3 — Tariff for granting/extending/amending authorisations for installation/operation of cost-sharing systems or for issuing a duplicate

No. crt.	Type of authorisation	Tariff (RON)
1.	Documentation analysis*)	600
2.	Authorisation for mounting heating cost sharing systems (Type I)	2.400
3.	Authorisation for operating cost sharing systems for heating (Type II)	
4.	Authorisation for installation of cost sharing systems for hot water for consumption (Type III)	
5.	Authorisation for operating cost sharing systems for hot water for consumption (Type IV)	
6.	Amendment of the authorisation	1.200
7.	Duplicate authorisation issue	125

\*) The analysis fee shall not be refunded to the applicant in the event of withdrawal of the application, the closing of the documentation, as well as the non-granting of the authorisation.

**Fee charged for the authorisation of natural persons carrying out activities  
in the electricity, heat and gas sectors**

The fee for the authorisation of natural persons who design, execute and verify electrical installations is set out in Table 1.  
Table No 1 — Tariff for the authorisation of natural persons

No. crt.	Type of authorisation	Tariff (RON)
1.	Grade I	250
2.	Approval grades II, III, IV, type A or type B	250
3.	Extension for any of the Type A or Type B authorisation grades (including Grade I), including periodical endorsement	175
4.	Authorisation grades II, III, IV, type A + B	350
5.	Extension for any of the authorisation grades, type A + B, including periodical endorsement	175
6.	Project verifier in the field of technological electrical installations, including periodical targeting	125
7.	Quality and extrajudicial technical expert in the field of technological electrical installations, including periodical endorsement	175
8.	Issuing a duplicate of the authorised electrician's badge/authorised electrician's certificate	30

## NOTE:

The rate set out in Table 1:

- be paid by the applicant prior to submission of the documentation;
- it shall not be returned to the applicant in the cases provided for in Article 47(3) of the Regulation for the authorisation of electricians in the field of electrical installations, namely project verifiers and technical experts of quality and extrajudicial in the field of technological electrical installations, approved by Order No 99/2021 of the President of the National Energy Regulatory Authority.

2. The fee for the certification of natural gas project verifiers and technical experts and for the authorisation of natural persons active in natural gas is set out in Table 2.

Table no. 2 — Tariff for attestation/authorisation/extension of badges/certificates of attestation natural persons

No. crt.	Type of attestation	Tariff (RON)
1.	Project verifiers	350
2.	Extension of the right to practice for project verifiers, each type	175
3.	Technical experts	450
4.	Extension of the right to practice of technical experts, each type	225
5.	Authorised installers	250
6.	Extension of the validity period of authorised installers' badges, each type	125
7.	Issuing a duplicate certificate of certification of project verifiers/technical experts	30

## NOTE:

The rate set out in Table 2:

- be paid by the applicant prior to submission of the documentation;
- shall not be returned to the applicant in case of withdrawal of the application for authorisation/attestation, classification of documentation and failure to grant the authorisation/attestation.

**CASH CONTRIBUTION**

**annually charged by the National Energy Regulatory Authority from economic operators**



### active in the electricity, heat and natural gas sectors

#### I. Cash contribution from economic operators active in the electricity and heat sector

1. For economic operators in the field of electricity, licensees for the provision of the electricity transmission service, the provision of the system service, the management of the balancing market or the provision of the electricity distribution service, as well as for the economic operators providing the electricity distribution service on the basis of a decision confirming the closed distribution system issued by the National Energy Regulatory Authority, the annual cash contribution shall be determined on the basis of a percentage rate of 0.2 % applied to the turnover achieved by them in 2021 from the provision of the aforementioned services, but not less than the minimum contribution of RON 3.125.

2. Holders of licenses granted by the National Energy Regulatory Authority, in accordance with the law, to carry out the activities of: commercial exploitation of electricity generation capacity and energy storage facilities added to generation capacity; commercial exploitation of electricity and heat generation capacities from cogeneration power plants and energy storage facilities added to generation capacity; centralised electricity market management, electricity supply; the activity of the electricity trader, the activity of aggregation, the commercial operation of energy storage facilities which are not added to an existing generation capacity, as well as the holders of confirmations regarding the right to participate in the Romanian electricity markets granted by the National Energy Regulatory Authority to foreign legal persons having their registered office in a Member State of the European Union, are obliged to pay annually to the National Energy Regulatory Authority a cash contribution as follows:

a) for licensees active in the electricity sector, the annual cash contribution shall be determined on the basis of a percentage share of 0.1 % applied to their turnover in 2021 from the commercial activities covered by their licenses, but not less than a minimum contribution of RON 3.125, with the exception of the economic operators referred to in points (b) and (c);

b) for the economic operator exclusively holding a licence for the commercial operation of electricity generating capacity with installed electricity, on 31.12.2021, equal to or equal to 1 MW and less than or equal to 5 MW and which does not have electricity and heat generation capacity in cogeneration, the contribution to be levied in 2022 is equal to RON 3.125;

c) for the economic operator exclusively holding a licence for the commercial operation of electricity generating capacity with installed electricity, on 31.12.2021, more than 5 MW and less than or equal to 10 MW and which does not have electricity and heat generation capacity in cogeneration, the contribution to be charged in 2022 is RON 7,500;

d) for the legal person of the Member State of the European Union referred to in Article 10(7) of the Regulation for the granting of licences and authorisations in the electricity sector, approved by Order No 12/2015 of the President of the National Energy Regulatory Authority, as amended, a contribution calculated in accordance with the provisions of point (a) shall be levied, relating to the turnover achieved from the supply or trader

activity following the confirmation by the National Energy Regulatory Authority of the right to carry out these activities in Romania, but not less than a minimum contribution of RON 3.125.

3. Natural and legal persons who are allowed to carry out commercial exploitation of electricity generation capacities without having a licence granted by the National Energy Regulatory Authority shall not be obliged to pay annually to the National Energy Regulatory Authority a cash contribution, namely: holders of electricity generation capacities that can be started without voltage from the SEN, self-starting groups and used by them for the purpose of providing secure electricity to their own equipment or installations and holders of electricity generation capacities, including electricity and heat from cogeneration power plants, connected to the electricity grid, with a total electrical capacity of less than 1 MW.

4. Holders of licences granted for the commercial exploitation of thermal energy production capacities, commercial exploitation of heat generation capacities comprising respectively generating, storage and use of biogas/biomethane and district heating services shall be required to pay to the National Energy Regulatory Authority an annual cash contribution which shall be determined on the basis of a percentage of 0.1 % of their turnover in 2021 from the activities covered by their licenses, but not less than a minimum contribution of RON 3.125; the provisions of this paragraph and of items 5-13 shall also apply to holders of licenses granted by the National Energy Regulatory Authority to carry out activities in the heat sector.

5. In the case of any economic operator falling within the scope of points 1, point 2(a) and (d) and point 4, holder of a single licence, decisions confirming the closed distribution system granted by the National Energy Regulatory Authority or holding a decision confirming the applicant's right to participate in the Romanian electricity markets:

a) if 2022 is the year of expiry of the validity or withdrawal of the licence/decision confirming the closed distribution system, i.e. the right confirmed by the National Energy Regulatory Authority to participate in the Romanian electricity markets, the National Energy Regulatory Authority shall charge the economic operator the contribution the amount of which is determined as follows: the value calculated in accordance with points 1, 2 and 4 shall be weighted by the ratio between the period of validity of the licence/confirmation decision in 2022, expressed in calendar days, and the number of days of the calendar year (365), but may not be less than RON 3.125;

b) the provisions of point (a) are applicable in situations where the validity of the licence/decision confirming the closed distribution system, namely the right confirmed by the National Energy Regulatory Authority for Energy to participate in the electricity markets in Romania, expires in 2022, unless their amendment is requested or approved, in order to extend the validity of at least one period in the following year, as well as if a new licence is not granted for the same type of activity/decision confirming the closed distribution system or a decision confirming the same right.

6. Public institutions in the fields of education and health are exempted from paying the money contribution to the National Energy Regulatory Authority.

7. Holders of licences, decisions confirming the closed distribution system, including legal persons having their registered office in one of the Member States of the European Union referred to in Article 10(7) of the Regulation for granting licences and authorisations in the electricity sector, approved by Order No 12/2015 of the President of the National Energy Regulatory Authority, as amended, with the exception of the legal persons referred to in point 2(b) and (c), shall submit to the National Energy Regulatory Authority, by the end of February 2022, a statement on the estimated turnover for 2021 of the activities in the electricity and heat sector in Romania, licensed by the National Energy Regulatory Authority, for which they hold decisions confirming the closed distribution system or for which the National Energy Regulatory Authority has confirmed the right to participate in the electricity markets in Romania, signed by the legal representative of the applicant or by a person empowered by him. For economic operators who do not transmit the value of the specified turnover by the deadline mentioned above, the cash contribution shall be invoiced by applying the provisions of points 1 to 5 to the last value of the turnover realised from the licensed activities, for which they have decisions confirming the closed distribution system or for which the National Energy Regulatory Authority has confirmed the right to participate in the electricity markets in Romania, declared by that economic operator to the National Energy Regulatory Authority, but may not be less than RON 3.125.

8. The holder of the licence/decision confirming the distribution system or having a decision confirming the applicant's right to participate in the Romanian electricity markets, who, in the course of 2022, fully/partially takes over the activity carried out on the basis of a licence, decisions confirming the distribution system or decisions confirming the applicant's right to participate in the Romanian electricity markets of the same type by another natural or legal person shall submit the statement on the value of the estimated/realised turnover in 2021 by the previous licensee and will ensure full payment of the

B) the annual financial statements for 2021, registered with the Romanian tax administration authority, including the annual analytical verification balance that was the basis for the preparation of these financial statements.

Holders of licences under point 2(b) and (c) shall be exempted from submitting the annual financial statements to the National Energy Regulatory Authority.

11. In the case of the holder who holds several licenses granted by the National Energy Regulatory Authority, and during the billing year of the contribution collected ceases the performance of one of the activities regulated by the license, upon expiry of the validity or upon withdrawal of the respective license, the calculation of the monetary contribution shall be calculated as follows:

a) the realised turnover, related to the activity carried out in the previous year, on the basis of the licence the validity of which expired or which was withdrawn in 2022, shall be weighted by

contribution for the year 2022, which is the responsibility of the outgoing licence holder.

9. For licence holders, decisions confirming the closed distribution system granted by the National Energy Regulatory Authority or holding a decision confirming the applicant's right to participate in the Romanian electricity markets whose cash contribution exceeds the level of RON 3.125 may be paid in equal quarterly instalments; the deadline for payment of each of these instalments is the end of the first month of that quarter, with the exception of the first instalment to be paid in accordance with the deadline stated in the invoice issued by the National Energy Regulatory Authority.

10. The adjustment of the cash contribution consists of the billing of the difference between the amount of the contribution initially invoiced, in accordance with point 7, and the amount of the contribution determined on the basis of the turnover realised in 2021 from the commercial activities carried out by producers (for the production of electricity or for the production of electricity and heat delivered from the units described in the licences), transmission system operators, distribution system operators, aggregators, operators of energy storage facilities, suppliers or electricity traders for commercial activities in the electricity and heat sectors, licensed by the National Energy Regulatory Authority, for which they hold a decision confirming the closed distribution system or for which the National Energy Regulatory Authority has confirmed the right to participate in the Romanian electricity markets. The financial contribution levied for 2022 will be regularised by 31 December 2022. In order to regularise the cash contribution, license holders/confirmation decision shall submit to the National Energy Regulatory Authority within 5 days from the deadline laid down by law for submitting the annual financial statements to the Romanian tax administration authority:

a) the statement on the turnover achieved in 2021 from licensed activities, for which they hold a decision confirming the closed distribution system or for which the National Energy Regulatory Authority confirmed the right to participate in the electricity markets in Romania;

the ratio between the number of days in the billing/contribution year in which the licence was valid and the total number of days of that year. The cash contribution thus determined may not be less than a minimum contribution of RON 3.125;

b) when regularising the cash contribution, the turnover achieved — the total for the previous year, which constitutes the basis for the adjustment — is the sum of the turnover realised from the activities carried out in the previous year on the basis of licences, and one of these turnovers is that which was determined according to those specified in point (a);

c) the adjustment of the cash contribution consists of invoicing the difference between the amount of the contribution initially invoiced at the beginning of the year and the amount of the contribution determined on the basis of the turnover achieved in 2021, as determined in accordance with the conditions specified in point (b).

12. Upon granting during 2022 a licence to carry out

activities in the electricity and heat sector, a decision confirming the closed distribution system and the right to participate in the Romanian electricity markets confirmed by the National Energy Regulatory Authority, the applicant shall pay to the National Energy Regulatory Authority an annual cash contribution of:

a) 0.2 % of the turnover which he expects to carry out the licensed activities, in the year of its grant, in the case of applicants for the provision of the electricity transmission service, the provision of the system service and the management of the balancing market or licence for the provision of the electricity distribution service and the decision confirming the closed distribution system, but not less than a minimum contribution of RON 3,125;

b) 0.1 % of the turnover it expects to achieve by carrying out the licensed activities in the year of granting it in the case of applicants for commercial exploitation of electricity generation capacity and energy storage facilities added to generation capacity; commercial exploitation of electricity and heat generation capacities from cogeneration power plants and energy storage facilities added to generation capacity, centralised electricity market management, electricity supply; the activity of the electricity trader, the activity of aggregation, commercial exploitation of energy storage facilities which are not added to an existing generation capacity, as well as from carrying out commercial activities on the basis of the right to participate in the electricity markets in Romania of foreign legal entities having their registered office in a Member State of the European Union confirmed by the National Energy Regulatory Authority, under the conditions of the law, but not less than a minimum contribution amounting to RON 3.125;

c) RON 3.125 for the licence holder, exclusive holder of a licence for the commercial exploitation of electricity generating capacity with installed electricity capacity equal to or greater than 1 MW and less than or equal to 5 MW and who does not have electricity and heat generation capacity from cogeneration power plants;

d) RON 7,500 for the licence holder, exclusive holder of a licence for commercial exploitation of electricity generating capacity with installed electricity capacity greater than 5 MW and less than or equal to 10 MW and which does not hold electricity and heat generation capacity from cogeneration power plants;

e) 0.1 % of the turnover which he estimates will carry out activities subject to licences granted by the National Energy Regulatory Authority, under the terms of the law, in the field of thermal energy for the activities of commercial exploitation of thermal energy production capacities, commercial exploitation of thermal energy production capacities that consist respectively of generating, storing and using biogas/biomethane installations and providing the centralised heat supply service, but not less than a minimum contribution of RON 3.125.

13. (1) For the purposes of this Annex, the turnover which constitutes the basis for calculating the financial contribution received by the National Energy Regulatory Authority shall be the net turnover defined and calculated in accordance with the accounting regulations.

(2) In the case of balancing market operators, the turnover

that constitutes the basis for calculating the money contribution levied by the National Energy Regulatory Authority shall be the net turnover defined and calculated in accordance with the accounting regulations, less the revenues from the management of the balancing markets.

(3) In the case of electricity suppliers acting as intermediaries for the market with continuous double negotiation, the turnover that constitutes the basis for calculating the money contribution collected by the National Regulatory Authority for Energy is the net turnover defined and calculated according to the accounting regulations, less the revenues from electricity transactions.

(4) In the case of energy suppliers, the turnover which constitutes the basis for calculating the financial contribution received by the National Energy Regulatory Authority shall be the net turnover defined and calculated in accordance with the accounting regulations, without including the value of the green certificates and the value of the cogeneration contribution invoiced to final customers during the period provided for in Article 1(1) of Government Emergency Order No 118/2021 establishing a compensation scheme for electricity and natural gas consumption for the cold season 2021-2022, as well as for supplementing Government Ordinance No 27/1996 on granting facilities to persons residing or working in some localities in the Apuseni Mountains and in the Biosphere Reserve "Delta del.

14. For the analysis of the documentation submitted in order to issue the decision approving prices/tariffs in the electricity and heat sectors produced in cogeneration and heat produced in separate production capacities, natural and legal persons shall pay a cash contribution of RON 3,125 if:

a) have the legal obligation to request the National Energy Regulatory Authority to approve the prices/tariffs charged in carrying out commercial activities;

b) it carries out, according to the law, such activities in the electricity sector, without being licensed.

This contribution shall be levied upon submission of the analysis file and shall not be returned to the applicant if the National Energy Regulatory Authority refuses approval or in case of return of documentation on the grounds that the documentation is not complete.

15. Economic operators, natural and legal persons, applicants for accreditation or modification of accreditation for the application of the green certificate promotion scheme, which are not holders of a licence to commercially exploit the renewable electricity generation capacity from RES-E for which accreditation is requested, economic operators developing RES-E generating plant projects with installed capacity exceeding 250 MW, subject to detailed assessment of the support measure and notification to the European Commission, as well as economic operators licensed for the production of electricity in cogeneration with capacities installed in the plant above 200 MW requesting access to the support measure approved by Government Decision No 1.215/2009 establishing the criteria and conditions necessary for the implementation of the support scheme for the promotion of high-efficiency cogeneration based on useful heat demand, as amended,

subject to detailed assessment of the individual notification to the European Commission, shall pay to the National Energy Regulatory Authority a financial contribution of:

a) RON 3,125 for economic operators legal persons, applicants for accreditation or modification of accreditation for the application of the promotion system through green certificates, which are not holders of a license for commercial exploitation of the RES production capacity for which accreditation is requested; in the case of economic operators holding more than one RES generation capacity, the cash contribution shall be charged for each decision amending their accreditation;

b) RON 800 for economic operators legal persons, applicants for the amendment of the accreditation for the application of the system of promotion through green certificates as a result of the change of the name of the company or the form of organisation or applicants for the suspension of accreditation or the application of the promotion system through green certificates, if they are not holders of a licence to commercially exploit the RES-E production capacity for which accreditation is requested, by way of derogation from the provisions of point (a);

c) RON 600 for economic operators who are natural persons, applicants for accreditation or modification of the accreditation for the application of the promotion system through green certificates, who are not holders of a licence for commercial exploitation of the RES-E production capacity;

d) RON 150 for economic operators who are natural persons, applicants for accreditation or modification of accreditation for the application of the system of promotion through green certificates as a result of the change of name or form of organisation, if they are not holders of a licence for commercial exploitation of RES-E production capacity, by way of derogation from point (c);

e) 600 lei/MW installed for economic operators developing power plant projects subject to detailed assessment and notification of the support measure to the European Commission.

16. The economic operators accredited for the application of the green certificate promotion system shall pay the National Energy Regulatory Authority a monetary contribution of:

a) 125 lei for issuing a duplicate of the accreditation decision/amendment of accreditation/rejection of accreditation or suspension/end suspension/withdrawal decision;

b) 350 lei for the communication of copies of the documents of the file relating to the accreditation decision. This cash contribution shall not apply to decisions referred to in point (a) issued on the own initiative of the National Energy Regulatory Authority, as well as in situations where it is necessary to communicate data and information requested by the authorities of the State, in accordance with the legal provisions in force.

17. Economic operators requesting the issuance of opinions or the preliminary/final accreditation of new or retrofitted cogeneration units shall pay the National Energy Regulatory Authority a cash contribution determined with the following formula:  $T = 3.125 + 200 \times P$  [lei], where  $T$  represents the cash contribution and  $P$  is expressed in [MW] and represents the sum of electrical power  $P(e)$  and thermal power  $P(t)$  installed.

**I-I. Cash contribution collected from economic operators**

**active in the gas sector on a licence basis, decisions confirming the closed distribution system or on a legal basis confirmed by the National Energy Regulatory Authority for participation in the gas markets in Romania**

The annual cash contribution charged to licensees in the natural gas sector, decisions confirming the closed distribution system or holders of confirmations regarding the right to participate in natural gas markets in Romania granted by the National Energy Regulatory Authority shall be established on the basis of the data and information set out in Table 1.

Table no. 1 — Annual cash contribution charged for the performance of natural gas activities based on licence/decision confirming the closed distribution system/confirmed right of participation in the Romanian gas markets

No. crt.	Activity	Basis of calculation	U.M.	Cash contribution (lei/U.M.)
1.	Supply of natural gas/biogas/biomethane	Amount of natural gas/biogas/biomethane	MWh	0,056
2.	Natural gas trader	Quantity of natural gas	MWh	0,168
3.	Supply of natural gas by natural gas suppliers who are also producers of natural gas	Quantity of natural gas	MWh	0,168
4.	LNG supply	Quantity of LNG	t	0,780
5.	Operation of the natural gas transmission system	Quantity of natural gas transported	MWh	0,062
6.	Operation of the system of underground storage of natural gas	Quantity of natural gas stored in underground storage facilities	MWh	0,094
7.	Operation of the natural gas distribution system, including closed distribution system	Quantity of natural gas distributed	MWh	0,086
8.	Operation of upstream supply pipes	Quantity of natural gas transported through upstream pipelines to final customers and natural gas distribution systems directly connected/connected to upstream pipelines	MWh	0,031
9.	Commercial operation of hydrogen production facilities	Amount of hydrogen produced	MWh	0,056

1. The cash contribution provided for in Table 1 is also due for decisions confirming the closed distribution system and for the decisions confirming the right to participate in the natural gas markets in Romania provided for in the Regulation for the granting of authorisations for establishment and licences in the natural gas sector, approved by Order No 199/2020 of the President of the National Energy Regulatory Authority, as amended, and may not be less than RON 3.125.

2. The holders of licences granted by the National Energy Regulatory Authority to carry out the activity of managing the centralised gas markets and to operate the LNG terminal shall pay a cash contribution to the National Energy Regulatory Authority on an annual basis. The National Energy Regulatory Authority shall charge each licensee the contribution of 0.1 % of the turnover achieved in the previous year from the activity covered by the licence in question or at the minimum value of RON 3,125, if the result of the calculation is lower.

3. a) In the case of any natural or legal person carrying out a single activity on the basis of a licence or decision confirming the closed distribution system granted by the National Energy Regulatory Authority or on the basis of the right to participate in the Romanian natural gas markets confirmed by the National Energy Regulatory Authority, if 2022 is the year of expiry of the validity or withdrawal of the license/decision confirming the closed distribution system, i.e. the right confirmed by the National Energy Regulatory Authority to participate in the natural gas markets in Romania, the National Energy Regulatory Authority shall invoice the economic operator's contribution, the value of which is determined in accordance with items 1 and 2

and shall be weighted with the ratio between the period of validity of the license (365 days), but the period of validity of the license (325 days) may be charged to the economic operator.

B) The provisions of point a) are applicable in situations where the validity of the license/decision confirming the closed distribution system, namely the right confirmed by the National Energy Regulatory Authority to participate in the natural gas markets in Romania expires in 2022, if no amendment of that licence is requested or approved, in order to extend its validity until at least one of the following year's term, as well as if a new license/decision confirming the closed distribution system is not granted, i.e. as confirmed by the National Energy Regulatory Authority for participation in the natural gas markets in Romania, for the same type of activity.

4. a) Licensing holders/decisions confirming the closed distribution system/The holders of confirmations regarding the right to participate in the natural gas markets in Romania granted by the National Energy Regulatory Authority, provided for in the Regulation for the granting of authorisations for establishment and licences in the natural gas sector, approved by Order No 199/2020 of the President of the National Energy Regulatory Authority, as amended, shall submit to the National Energy Regulatory Authority, by the end of February 2022, the statement on the estimated turnover for the year 2021/the quantity of natural gas/biogas/biomethane/biomethane/hydrogen/LNG estimated for 2022 from the performance of the activities carried out on the basis of a licence/decision confirming the closed distribution system, i.e. as confirmed by the National Energy Regulatory

authority for participation in the natural gas markets in Romania, signed by the legal representative of the applicant or by a person empowered by him.

b) For economic operators, license holders, decisions confirming the closed distribution system, as well as those having the right confirmed by the National Energy Regulatory Authority to participate in the natural gas markets in Romania, which do not transmit the turnover/estimated quantity specified, by the deadline specified above, the cash contribution shall be calculated, as appropriate, on the basis of:

— the last realised turnover declared by the licensee to the National Energy Regulatory Authority;

— the estimated quantity of natural gas for 2022 in view of the data held by the National Energy Regulatory Authority as a result of the monitoring of the natural gas market. The amount of biogas/biomethane/hydrogen/LNG shall be determined by the National Energy Regulatory Authority on the basis of the latest quantities declared by licensees to the National Energy Regulatory Authority and other relevant data.

c) The amount of the annual cash contribution may not be less than 3,125 lei, if the result of the calculation carried out taking into account also the provisions of point (b) is lower.

5. The licensee, the holder of a decision confirming the closed distribution system and the holder of the confirmation of the right to participate in the Romanian natural gas markets granted by the National Energy Regulatory Authority, which in the course of 2022 fully takes over the activity carried out on the basis of a licence/confirmation decision of the same type by another natural or legal person, shall submit the statement on the value of the estimated/realised turnover in 2021, i.e. the quantity of natural gas/biogas/biomethane/biomethane/hydrogen/LNG estimated for 2022 by the previous holder of the confirmation licence/decision and shall ensure full payment of the value of the contribution for 2022 to which the license holder/confirmation decision ceases.

6. For licence holders, decisions confirming the closed distribution system and the holders of confirmations regarding the right to participate in the natural gas markets in Romania granted by the National Energy Regulatory Authority whose cash contribution exceeds the level of RON 3.125, it may be paid in equal quarterly instalments; the deadline for payment of each of these instalments is the end of the first month of that quarter, with the exception of the first instalment to be paid in accordance with the deadline stated in the invoice issued by the National Energy Regulatory Authority.

7. The adjustment of the amount of the cash contribution consists of invoicing the difference between the value of the contribution initially invoiced on the basis of the self-declaration and the amount of the contribution determined on the basis of the turnover achieved/quantity realised in the previous year from commercial activities in the gas sector.

8. The settlement of the financial contribution collected for 2022 from licensees granted by the National Energy Regulatory Authority for the management of the centralised gas markets and the operation of the LNG terminal shall be carried out by 31 December 2022. In order to regularise the cash contribution, licensees shall submit to the National Energy Regulatory

Authority, within 5 days from the deadline laid down by law for submitting the annual financial statements to the Romanian tax administration authority:

a) statement of turnover achieved in 2021 from licensed activities;

b) the annual financial statements for 2021, registered with the Romanian tax administration authority, including the annual analytical verification balance that was the basis for the preparation of these financial statements.

9. Regularisation of the contribution collected for 2022 from holders of licences for the supply of LNG, biogas/biomethane and commercial exploitation of hydrogen production facilities shall be carried out between 1 May and 31 May of the year following that for which the annual cash contribution was established, on the basis of the quantities actually realised in the year subject to regularisation and declared to the National Energy Regulatory Authority in accordance with the legal provisions specific to the natural gas sector, respectively, within the legal deadlines laid down by the Methodology for monitoring the natural gas market, approved by Order No 5/2013 of the President of the National Energy Regulatory Authority. In the same way, the contribution collected for 2022 from other licence holders, decisions confirming the closed distribution system and holders of confirmations regarding the right to participate in the Romanian natural gas markets granted by the National Energy Regulatory Authority for activities in the natural gas sector referred to in Table 1 shall be regularised.

10. When granting during 2022 a licence to carry out activities in the gas sector, a decision confirming the closed distribution system or a right confirmed by the National Energy Regulatory Authority to participate in the natural gas markets in Romania, the economic operator shall pay to the National Energy Regulatory Authority a cash contribution determined on the basis of the data and information set out in Table 1 and the provisions of points 1 and 2.

### III. Final provisions

1. The duration of the suspension of a licence/decision confirming the closed distribution system and the right confirmed by the National Energy Regulatory Authority to participate in the Romanian electricity and gas markets, which is specified in the decision issued for this purpose by the National Energy Regulatory Authority, does not reduce the amount of the contribution levied on the economic operator for the year in which its suspension is recorded.

2. In case of bankruptcy of the license holder/decision confirming the closed distribution system/the holder of the confirmation regarding the right to participate in the electricity and natural gas markets in Romania granted by the National Energy Regulatory Authority, the cash contribution is not due from the date of the opening of the bankruptcy proceedings of the licensee, established by a court decision which has become final.

3. The cash contribution collected from the license holder/decision confirming the closed distribution system/the holder of the confirmation regarding the right to participate in the electricity and natural gas markets in Romania granted by the National Energy Regulatory Authority in the year of granting the license/decision confirming the closed distribution system and the right confirmed by the National Energy Regulatory Authority to participate in the electricity and natural gas markets in Romania shall be regularised the following year.

4. Interest and penalties of less than 10 lei calculated for failure to pay the principal debts on time shall be cancelled.

5. If the adjustment of the contribution results in negative amounts, the National Energy Regulatory Authority shall charge interest and penalties on the debt calculated as the difference between the amount of the contribution invoice and the amount of the regularisation invoice, starting from the day immediately following the due date and up to and including the date of settlement.

6. The amounts that the National Energy Regulatory Authority owes to license holders/decision confirming the closed distribution system/the holder of the confirmation regarding the

right to participate in the electricity and natural gas markets in Romania granted by the National Energy Regulatory Authority shall be refunded within 30 days of receipt of the refund request. The refund application shall contain at least the following elements: company name, company identification data, including IBAN code and banking company, amount claimed, signature of legal representative of the company.

7. The declarations referred to in points I and II shall be sent by e-mail to [anre@anre.ro](mailto:anre@anre.ro) <mailto:anre@anre.ro>, by fax to No 021-312.43.65, to the portal of the National Energy Regulatory Authority or by post to: str. Constantin Nacu no. 3, Bucharest, sector 2, postal code 020995.

8. Failure to transmit the requested data within the time limits laid down in this Annex or its erroneous transmission following the receipt of the notifications of the National Energy Regulatory Authority constitutes an infringement in accordance with Articles 93 and 194 of Law No 123/2012 on electricity and natural gas, as amended, and Article 47 of Law No 51/2006 on Community public utilities, republished, as amended, as appropriate.

9. The amount of the annual cash contribution collected by the National Energy Regulatory Authority from a license holder/decision confirming the closed distribution system/the holder of the confirmation regarding the right to participate in the electricity and natural gas markets in Romania granted by the National Energy Regulatory Authority may not be less than RON 3.125.

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