

REGULATION of 12 March 2025 for the granting of licences and authorisations in the electricity sector

► (on 26-March-2025 the act was approved by [Order 6/2025](#))

CHAPTER I: General provisions

Article 1

The National Energy Regulatory Authority, hereinafter referred to as *ANRE*, shall be empowered to grant, amend, suspend and withdraw authorisations for the establishment and licensing of electricity and/or heat produced from combined heat and power plants, in accordance with Law No [123/2012](#) on electricity and natural gas, as amended, and this Regulation.

Art. 2

This Regulation shall apply to economic operators which are granted, amended, suspended or withdrawn authorisation to establish/license electricity and/or heat produced from CHP power plants.

Article 3

This Regulation establishes:

- a) the conditions for granting the establishment authorisations and licences provided for by law;
- b) the conditions for amending, suspending or withdrawing the authorisation or licence granted;
- c) the conditions for refusal to grant/amend authorizations for establishment and licenses.

Article 4

The abbreviations used in this Regulation are as follows:

- a) *ANRE* - National Energy Regulatory Authority;
- b) *Law* - Law No. [123/2012 on electricity and natural gas](#), as subsequently amended and supplemented;
- c) *SEN* - The national electricity system.

Article 5

(1) The terms used in this Regulation are defined in the Law.

(2) For the purposes of this Regulation, the following terms and expressions shall have the following meanings:

- a) *Establishment/authorisation authorisation* - administrative act granting a person permission to realize or refurbish energy capacities to produce electricity or electricity and heat from cogeneration power plants, issued by ANRE at the request of that person;
- b) *annual contribution* - the amount of money charged annually by ANRE to a license holder, for the entire duration of its validity, established by order of the president of ANRE;
- c) *Licensing* - an administrative act granting the holder the permission to carry out the commercial exploitation of energy capacities in the electricity and/or heat sector produced from power plants in cogeneration or to provide services to participants in the electricity market, issued by ANRE at the request of a Romanian or foreign natural/legal person;
- d) *amendment of the authorisation/licence* - the issuance by ANRE of the decision approving the amendment of the authorisation/licence and/or the associated specific conditions of the authorisation or licence;
- e) *concessionaire distribution operator* - the legal person that has the status of concessionaire in a concession contract for the provision of the public electricity distribution service;
- f) *commissioning* - all the activities provided by the technical design documentation and by the regulations in force to demonstrate that the equipment and technological systems related to an energy capacity/ies behave within the limits provided by the project, when it/they declares itself adequate to enter into commercial operation;
- g) *maximum debited electrical power of the electricity generation capacity* - the maximum simultaneous active electrical power that can be discharged through the connection installation to the electricity grid, provided in a connection certificate or in a valid connection technical opinion, issued for the respective electricity generation capacity;
- h) *withdrawal of the authorisation/licence* - the issuing by ANRE of the decision whereby an authorisation/licence holder withdraws totally the rights conferred by that act; withdrawal takes place at the request of the holder or at the initiative of ANRE;
- i) *suspension of the authorisation/licence* - the issuance by ANRE of the decision by which an authorisation/licence holder withdraws, partially or totally, for a certain period of time, the rights conferred by the respective act, ANRE being able to approve the continuation of its activity under a controlled regime, in order not to affect the interests of electricity and heat consumers;
- j) *fee for granting/modifying the license/authorization* - amount of money collected by ANRE from individuals/legal entities requesting the granting or modification of licenses/authorizations, established by order of the president of ANRE;
- k) *authorisation/licence holder* - natural or legal person holding an authorisation/licence granted by ANRE.

CHAPTER II: Regime of authorisations and licences in the field of electricity

SECTION 1: General conditions for granting authorisations Art. 6

ANRE issues establishment permits for the construction or refurbishment of electricity or electricity and heat production capacities from cogeneration power plants and of energy storage facilities added to such generating capacities, as well as establishment permits for the construction of energy storage facilities that are not added to an existing electricity production capacity, if the maximum electricity output to the grid of those capacities is greater than 1 MW or becomes greater than 1 MW.

Article 7

(1) ANRE does not issue establishment authorisations for:

- a) works for the realization or refurbishment of electricity or electricity and heat production capacities from cogeneration power plants and of energy storage facilities added to such generating capacities, as well as for the realization of energy storage facilities that are not added to an existing electricity production capacity, if the maximum electrical power cut into the network of those capacities is less than 1 MW inclusive;
- b) works for the realization/refurbishment of electrical installations, surveillance, telecommunications and/or control systems related to the energy production capacities, including the capacities for the production of electricity and heat in cogeneration;
- c) works for the construction/refurbishment of stations and power lines.

(2) In the case of energy capacities that have a maximum electrical power debited in the network of less than 1 MW inclusive, but an installed capacity equal to or greater than 1 MW, it is mandatory to notify the competent authority of the stage of implementation of the investment project, namely: a notification at the start of the execution works and a notification after the signing of the minutes of reception of the commissioning.

Art. 8

(1) ANRE shall establish the duration of validity of an establishment authorisation on the basis of the time needed to complete the installation and commissioning of the authorised energy capacities and taking into account the duration proposed by the applicant for authorisation.

(2) The minimum duration of validity of an establishment authorisation shall be 12 months.

(3) The establishment permit for the construction/refurbishment of an electricity generation capacity, including the production of electricity and heat in cogeneration, or the construction of new storage facilities allows the holder, after energising the test facility, to register as a balance responsible party and participate in the electricity market during the test period, outside the test programme agreed with the network operator, provided that:

- a) obtain the prior consent of the network operator to which it is connected and the transmission system operator, specifying the technical conditions and possible periods of operation;
- b) assume responsibility for balancing throughout the period of operation outside the programme of tests.

(4) In the event of application by the holder of the authorisation to set up the provisions of paragraph (3), the provisions on disconnection laid down in Article 136(4) of [the Regulation on terms and conditions for balance responsible parties](#), approved by Order No [127/2021 of the President of the National Energy Regulatory Authority](#), as subsequently amended and supplemented, shall not apply for periods of operation outside the trial programme.

Article 9

(1) The establishment permit for the construction/refurbishment of an electricity generation capacity, including the production of electricity and heat in cogeneration, or the construction of new storage facilities, comprising several groups/production units/installations, may contain a phased commissioning of the respective components, according to the documentation submitted by the applicant.

(2) In the case of the establishment/refurbishment of a capacity for the production of electricity or electricity and heat produced in cogeneration plants with a maximum electrical power output of more than 1 MW, comprising an installation for the production, storage and use of biogas/biomethane, ANRE shall grant an authorisation for the establishment of energy capacity and an authorisation for the establishment of the installation for the production of biogas/biomethane, both the provisions of this Regulation and those of the Regulation on the authorisation of activities in the field of natural gas, approved by order of the President of ANRE, being applicable. The joint documents shall be submitted in a single copy accompanied by a declaration on honour of the applicant's legal representative, drawn up in accordance with model No 1.4 set out in Annex 1, showing that these documents may be used by ANRE in both applications for authorisation of establishment.

SECTION 2: General conditions for the granting of licences**Article 10**

(1) ANRE issues licenses for:

- a) commercial exploitation of electricity generation capacities and, where applicable, energy storage facilities added to those generation capacities;
- b) commercial exploitation of electricity and heat generation capacities from cogeneration power plants and, where applicable, of energy storage facilities added to those generating capacities;
- c) the provision of electricity transmission services as well as system balancing services;
- d) provision of the electricity distribution service;
- e) the activity of the electricity market operator;
- f) electricity supply activity;
- g) the activity of the electricity trader;
- h) aggregation activity;
- i) commercial operation of energy storage facilities other than those referred to in points (a) or (b).

(2) The activities referred to in par. (1) lett. b) also include the commercial exploitation of the capacities for the separate production of thermal energy that are located in common premises with the cogeneration capacities, having technological connections, as well as the joint administration and operation with these cogeneration capacities.

(3) The commercial exploitation of the energy capacities for electricity production may be carried out, without holding a license granted by ANRE, by:

- a) the owner of electricity generation capacities that can be switched on without voltage from the NES, self-starting groups and that are used by him for the purpose of providing security of electricity supply to his own equipment or installations, without flowing electricity into the public network;

- b)** the holder of electricity generation capacities or of electricity and heat generation capacities in cogeneration power plants connected to the electricity grid and/or of energy storage facilities with a total electrical capacity of less than 1 MW.
- (4)** The provision of the distribution service is allowed without holding a license granted by ANRE, as follows:
- a)** economic operators operating closed distribution systems to which a decision confirming the closed distribution system has been issued by ANRE, in accordance with Article 50 of the Law, irrespective of the electrical power approved for consumption sites;
- b)** distribution operators or managers of industrial parks within industrial parks established under Law No. [186/2013](#) on the establishment and operation of industrial parks, as subsequently amended and supplemented, distribution operators or managers of free zones within free zones established under Law No. [84/1992](#) on the regime of free zones, as subsequently amended and supplemented, regardless of the power;
- c)** economic operators with distribution networks supplying electricity to consumer premises with approved power totalling less than 3 MW, other than the economic operators referred to in points (a) and (b);
- d)** the economic operators referred to in point (b) holding electricity networks outside the limit of the industrial park/free zone, up to the point of delimitation with the concessionaire's electricity distribution network or with the electricity transmission network, subject to the following conditions:
- l)** the electrical power approved for the consumption sites outside the limit of the industrial park, respectively of the free zone supplied from the electrical networks is cumulatively below 3 MW;
- m)** there is a written notification to the concessionaire distribution operator in the location region of the respective industrial park or free zone regarding the provision of the distribution service through these electricity networks; **e)** holders of power generating capacities carrying out the distribution activity, including through the provision of transformation and/or connection services for network operators, for the supply of electricity to final customers directly connected to the electrical installations of the respective power generating units or from the electrical networks that the power generating capacity holders operate.
- (5)** The activity of a natural or legal person consisting in selling electricity to final customers directly supplied from the electricity installations of the electricity production unit or from the electricity networks it operates or located in the proximity of such networks is carried out without the electricity supply licence provided for in par. (1) lett. f), subject to compliance with the specific regulations approved by ANRE.
- (6)** The activities referred to in par. (1) lett. f) or g) may be carried out in Romania without a license by a legal person having its registered office in a Member State of the European Union, if that legal person holds a valid license or a similar document on the basis of which it has the right to carry out the respective activity, issued by the competent authority of the Member State, and if it declares on its own responsibility that it will comply with the Romanian technical and commercial regulations applicable for that activity.
- (7)** In the situation referred to in par. (6), the foreign legal entity shall request ANRE to issue a decision under the conditions and in compliance with the procedure for confirming 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, approved by order of the President of ANRE.

Art. 11

- (1)** For the commercial exploitation of the energy capacities referred to in Art. 10 par. (1) lett. a) and of the energy capacities referred to in Art. 10 par. (1) lett. b) a single license shall be issued, namely the one referred to in Art. 10 par. (1) lett. b), which shall include both types of energy capacities operated.
- (2)** In order to grant a licence for the commercial exploitation of a capacity to produce electricity or to produce electricity and heat from combined heat and power plants, comprising, respectively, installations for the production, storage and use of biogas/biomethane, i.e. the modification of an existing licence in order to include in its specific conditions a new energy capacity of this type, the following conditions must be met:
- a)** to have the authorisation to set up/operate these installations under the conditions of the ANRE regulations applicable to both electricity and natural gas; for the operation of installations for the production, storage and use of biogas, respectively, in order to operate these installations safely, the applicant for the licence may choose to conclude a contract with an economic operator holding the specific authorisation for this type of objectives, granted by ANRE in accordance with the provisions of the Regulation for the authorisation of economic operators carrying out activities in the field of natural gas, approved by order of the President of ANRE, in force on the date of granting the licence, in which case the contract shall be sent, in copy, attached to the application for granting/amending the licence;
- b)** the installation for the production, storage and use of biogas/biomethane is commissioned, as confirmed by the report of receipt of the commissioning, which is sent, in copy, attached to the application for granting/modifying the licence.

Article 12

- (1)** The licence holder may not hold two licences of the same type simultaneously.
- (2)** The license holder referred to in Art. 10 par. (1) lett. c) may not simultaneously hold any of the licenses referred to in Art. 10 par. (1) lett. a), b), d)-i).
- (3)** The concessionaire distribution operator, holder of the license for the provision of the electricity distribution service, may not simultaneously hold any of the licenses referred to in Art. 10 par. (1) letters a)-c), e)-i).
- (4)** The distribution system operator, the license holder for the provision of the electricity distribution service, may not simultaneously hold the licenses provided for in Art. 10 par. (1) lett. c), e), h) and i).
- (5)** The holder of the licence for the activity of electricity supply cannot simultaneously hold a licence for the activity of electricity trader, the rights specific to the activity of trader being included in the licence for

the electricity supply activity it holds, as well as the license for the activities referred to in Art. 10 par. (1) lett. c) and e).

(6) The holder of the licenses referred to in Art. 10 par. (1) letters a), b) and i) may not simultaneously hold a license for the activity of electricity trader, the activity of trader being included in these licenses, nor a license for the activities referred to in Art. 10 par. (1) letters c) and e).

(7) Applications for granting licenses made in violation of the provisions of par. (1) - (6) shall be registered as correspondence and shall not be included in the work plan, the applicant being notified in this respect.

Art. 13

(1) The period of validity of a licence shall be determined by ANRE, taking into account the data submitted by the applicant for the licence when it was granted, and shall not exceed:

a) 25 years, for any of the licenses referred to in Art. 10 par. (1) lett. a)-e) and i);

b) 10 years, in the case of licenses under Art. 10 par. (1) lett. f) h).

(2) The holder of the establishment/licence authorisation has the right to request an extension of its validity before the expiry of its term of validity; in this situation, the applicant must take into account the duration of ANRE's examination of the application, as well as the periodicity of the meetings of the Regulatory Committee, so as to ensure the continuity of the validity of the establishment/licence authorisation, but not less than 30 days before the expiry date of the establishment/licence authorisation.

(3) If the 30-day time limit laid down in par. (2) is not respected, the application shall be treated as an application for a new establishment/licence authorisation; in this case, the documentation that will underpin the issuance of the new establishment/licence authorisation is the one provided for in Art. 41 par. (3) or (4), as the case may be.

Article 14

When granting a license, ANRE may establish complementary rights specific to other types of licenses.

SECTION 3: Applicants for authorisations/licenses

Art. 15

(1) Romanian or foreign legal/natural persons may apply for authorisations/licenses.

(2) A foreign legal entity outside the European Union may request the granting of authorizations/licenses only if it has established in Romania, under the law, a secondary office for the entire duration of the authorization/license, necessary for the performance of its activities.

(3) The individuals referred to in par. (1) must prove the fulfillment of the conditions established by the legislation in the field regarding the organization and performance of certain economic activities by authorized individuals, individual enterprises and family businesses.

Art. 16

(1) ANRE does not grant establishment/license authorisations to the following categories of economic operators:

a) economic operators that are in bankruptcy proceedings;

b) economic operators that have as shareholders controlling or as administrators persons who previously had the status of shareholder controlling or administrator in economic operators holding a license who have not paid their payment obligations resulting from transactions carried out on the electricity market and/or resulting from the application of contravention sanctions by reference to their turnover, for the acts referred to in Art. 93 par. (1) of the Law;

c) economic operators that were sanctioned in a period of 5 years prior to the date of registration of the application, with the withdrawal of an authorisation/licence held on the electricity market;

d) foreign natural persons outside the European Union.

(2) Applications for establishment/licence authorisations falling under par. (1) shall be registered as correspondence and shall not be included in the work plan, with the applicant being notified thereof.

CHAPTER III: Procedure for granting/amending authorisations and licences

SECTION 1: Documents required for all types of authorisations and licences

Art. 17

(1) In order to obtain/amend an authorisation/licence, the applicant shall submit to ANRE an application containing the data and information from models no. 1.1-1.3 set out in Annex no. 1, as appropriate, accompanied by the documents necessary for granting/amending the authorisation/licence in accordance with this Regulation.

(2) The applicant is obliged to provide ANRE, in the application for granting/amending the authorisation/license, with its full contact details, namely the address of the registered office, telephone/fax number and e-mail address of the applicant, as well as of its legal representative.

(3) The application and the documents attached thereto, referred to in par. (1), as well as the correspondence between the applicant and ANRE shall be drafted in Romanian.

(4) The documents attached to the application must be signed on each page by the applicant's legal representative or by a person authorised by him/her and sent to ANRE together with the application, by the following means:

a) through a portal provided by ANRE for this purpose;

b) by e-mail to an address published on ANRE's website;

c) on paper submitted/submitted to ANRE's registry.

(5) Documents that are transmitted in any of the forms provided for in par. (4) lett. a) and b) shall be certified with an electronic signature belonging to the legal representative of the applicant/person empowered by him/her, and those transmitted in the form provided for in par. (4) lett. c) shall be certified with a handwritten signature in original.

(6) Where, on the date of submission of the application in accordance with paragraph (1), the applicant has submitted an application under review, the common/specific documents referred to in this Regulation already submitted may be used for all pending applications submitted to ANRE, on the basis of a declaration on honour, drawn up in accordance with template No 1.4 set out in Annex 1, regarding the maintenance of their validity, provided that they are completed in the event of changes/updates of certain documents.

Art. 18

(1) The application/licence dossier must contain:

- a) the ascertaining certificate, issued by the National Trade Register Office (ONRC), issued no more than 30 days before the date of submission to ANRE, in original or with the electronic signature of the legal representative or in certified copy of the original by the applicant's legal representative, or the information provision report issued through the Infocert service by ONRC or other similar documents issued by competent authorities or the documents establishing the administrative-territorial units and/or their associations, containing the field of activity for which the establishment authorization/license is requested;
- b) extracts, in copy, from the last financial statement submitted by the applicant to the competent tax bodies in accordance with the law, prior to the registration with ANRE of the application for authorisation/license, including the first page of these financial statements, with proof of registration with the tax bodies, the balance sheet and the profit and loss account, as well as the last monthly verification balance closed; in the case of the applicant submitting the application for an authorisation/licence during the year in which it was established, a copy of the last completed monthly verification balance shall be attached;
- c) the affidavits of the shareholders/associates holding the applicant's control, as well as, where applicable, of the directors/members of the applicant's board of directors, drawn up, for each of them, in accordance with Template No 2.1 or 2.2, as the case may be, from Annex No 2;
- d) the statements of the applicant, natural person and/or natural persons referred to in letter c) regarding the consent to the processing of personal data, drawn up in accordance with template no. 2.3 of Annex no. 2.

(2) If the state or a local public administration authority is the controlling shareholder, the provisions of par. (1) let. c) shall apply only to the administrators, to the members of the applicant's board of directors or, as the case may be, to the representative of the local/central public administration authority or to the persons empowered by it, as the case may be.

SECTION 2: Specific documents to be applied for when granting the authorisation/licence**Art. 19**

(1) In addition to the documents referred to in Article 18, the file relating to the application for an authorisation for establishment must contain the following documents:

- a) the acts by which the applicant for authorisation acquired the status of owner, concessionaire or holder with any legal title of the land and/or construction on which/in which the energy capacities that are being set up/refurbished are located;
- b) extracts from the land register, issued in the year of application for authorisation, proving the registration in the land register of the rights over immovable property, land and/or buildings referred to in letter a), which reflect their updated situation;
- c) table with the evidence of the land/construction and the documents proving the rights of the applicant for authorisation over these real estates, drawn up in accordance with model no. 3.1 of Annex no. 3;
- d) proof of notification of the intention to realize/refurbish energy capacities, sent to the local public administration authority, for public information, unless the local public authority has already published information on the content of the authorization to build energy capacity according to the provisions of Law No. [50/1991](#) on the authorization of construction works, republished, as subsequently amended and supplemented;
- e) proof of publication in the media, usually local, of the intention to build/refurbish energy capacities, with the exception of the energy capacities installed on the buildings;
- f) the technical and economic data relating to each of the energy capacities covered by the works for which the establishment permit is requested, completed in a table in the format set out in Template No 4.1 of Annex 4, resulting, where applicable, from a feasibility study/business plan/memorial;
- g) the statement of presentation/explanation of the investment project including any relevant information that the applicant considers useful regarding the understanding of its technical, investment financing options or explanations regarding the submitted documents;
- h) documents showing the sources of funding for the works, such as: the available capital allocated to that investment by the economic operator, binding documents issued by banking institutions (such as credit lines/loans, comfort letters qualified by the bank as binding), loans granted by banking institutions, by natural/legal persons or by national or international bodies providing non-repayable financing, the issuance of shares raising capital on the market, other contractual or pre-contractual documents relating to the financing of the investment; additionally, in case of financing of works by individuals or companies, proof of their possession of the necessary sources of financing will be submitted;
- i) the technical approval for connection within the validity period, accompanied by the connection contract if it has been concluded;
- j) the environmental agreement or, where the investment project does not require an environmental assessment, the decision on the classification of the investment project issued by the competent environmental protection authority;
- k) the energy capacity site plan, which shall include the necessary information on the identification of the land occupied by the energy capacity components and their positioning in relation to other existing or emerging objectives in the geographical area concerned;
- l) the statement of the applicant for authorisation that, when establishing the locations of the components of the energy capacities subject to authorisation, existing targets or targets in the process of being set up in accordance with authorisations in force, located in the vicinity of the energy capacities, against which safety distances are established in the technical rules in force, have been identified and the safety distances to the identified targets have been respected. The declaration shall be accompanied by the table drawn up in accordance with model No 3.2 set out in Annex 3;

m) note on the stages of carrying out the works to be carried out on the basis of the requested authorisation to set up and operate the resulting capacities, as well as the total duration of the investment project;

n) declaration on the applicant's own responsibility that only contractors/subcontractors certified according to ANRE regulations will be employed for the design and execution of electrical installation works subject to the establishment authorization.

(2) If the applicant holds a building permit for the respective energy capacity, then the documents referred to in par. (1) lett. a) and b) may be replaced by the building permit held and the related site plan, intended for non-change.

(3) If the applicant submits documents drawn up in the pre-contractual phase relating to the financing of the achievement of energy capacities, it has the obligation to submit to ANRE, within a time limit set in the specific conditions associated with the establishment authorisation, the contracts that ensure the financing of the works covered by the authorisation.

(4) In the case of an application for the establishment authorisation for the development/refurbishment of a thermoelectric power generating capacity, which falls within the provisions of Article 14(6) of Law No 121/2014 _on energy efficiency, as subsequently amended and supplemented, in addition to the documents referred to in paragraph (1), the file relating to the application for the establishment authorisation shall also contain documents issued by the local public administration authorities in the central area and, where applicable, by the central public administration authorities, showing the conclusions of the assessments and analyses carried out in accordance with the provisions of Article 14(1) and (3) of Law No 121/2014, as subsequently amended and supplemented, with regard to the identification of a potential for the implementation of high-efficiency cogeneration in the geographical area surrounding the area where the energy capacity covered by the authorisation will be established/refurbished.

(5) Where it is apparent from the documents referred to in paragraph (4) that a potential for implementing high-efficiency cogeneration in accordance with Article 14(4) of Law No 121/2014, as subsequently amended and supplemented, has been identified in the geographical area adjacent to that in which the energy capacity covered by the authorisation will be established/refurbished, the applicant shall carry out and submit to ANRE a cost-benefit analysis drawn up in accordance with Article 14(6) of Law No 121/2014, as subsequently amended and supplemented; in this case, the decision to grant/refuse the establishment authorisation will be taken on the basis of the conclusions of the cost-benefit analysis submitted.

(6) If it follows from the documents referred to in par. (4) that a potential for implementing high-efficiency cogeneration has not been identified in the geographical area in the vicinity of the one where the energy capacity covered by the authorisation will be established/refurbished, or if there is no analysis of the potential for implementing high-efficiency cogeneration, carried out in accordance with Law No 121/2014, as subsequently amended and supplemented, except for the provisions of par. (4) and (5), the applicant shall submit notifications from the local/central public administration authorities confirming this fact.

(7) ANRE shall be entitled to adopt, in the case referred to in paragraph (5), a decision authorising an individual energy installation other than the results of local/national assessments identifying the existence of a potential for the application of high-efficiency cogeneration, if there are overriding legal, property or financial reasons in this respect, as proven by the applicant, in accordance with Article 14(11) of Law No 121/2014, as amended.

(8) The decision referred to in par. (7) and the related reasoning shall be notified to the European Commission within 3 months of its adoption.

Art. 20

(1) In order to grant a licence for the commercial exploitation of electricity or electricity and heat generation capacities from cogeneration power plants and energy storage facilities added to such generating capacities, as well as to grant a licence for the commercial exploitation of energy storage facilities that are not added to an existing electricity production capacity, in addition to the documents referred to in Article 18, the file relating to the licence application shall contain:

a) the addresses of the sites where the energy capacities for the operation of which the licence is requested are installed;

b) the technical and economic characteristics of the energy capacities referred to in point (a), in accordance with the table drawn up in accordance with Model No 4.2 set out in Annex 4;

c) the technical and economic characteristics of the electricity networks managed by the applicant for the licence, in accordance with the table drawn up in accordance with Model No 4.2 set out in Annex 4, the electricity networks intended for: (i) the discharge into the NES of the electrical power produced by the capacities under the licence applicant's management;

(ii) to provide access to electricity networks of public interest to users other than the applicant for the licence;

d) the organisation chart of the applicant economic operator, valid on the date of application for the licence, indicating the organisational entity responsible for carrying out the activity for which the licence is requested;

e) the applicant's own personnel sheet - the personnel structure, by specialties, attesting the qualification of the personnel assigned to the activity for which the license is requested, which must include its own specialized personnel (engineers, technicians, economists, etc.), in relation to the volume of activities carried out / installations managed, as well as a sufficient number of licensed electricians, but not less than 2 licensed electricians having the degree and type of authorization related to the types of works performed;

f) extracts from REVISAL, bearing the date of accessing the database and assumed by signature by the applicant's legal representative, resulting in the employment with an individual employment contract within it of the persons nominated in the personnel sheet submitted; if the applicant's employees do not include at least 2 licensed electricians, a service contract concluded with an economic operator certified by ANRE may be submitted instead of the documents proving the fulfilment of this requirement;

g) the estimated turnover to be achieved in the year of granting the license requested as a result of carrying out the activities that

are subject to it;

h) the energy capacity commissioning report, signed by the applicant's legal representatives, showing the completion of the tests, including those carried out in accordance with the programme of tests/tests agreed with the network operator in accordance with the regulations in force, and the commissioning of the energy capacities for normal operation at full capacity;

i) documents proving the rights of ownership or use over the energy capacities for the commercial exploitation of which the economic operator requests the granting of the license, respectively the extracts of the land register proving their registration in the land register;

j) land registry extracts proving the registration in the land register of the rights over the land on which the energy capacity is located, if the applicant has not been issued with an authorisation to establish that energy capacity;

k) the connection certificate issued by the network operator corresponding to the development stage(s) set out in the technical connection opinion, except in the situation referred to in par. (2);

l) documents evidencing the start by the applicant of the procedure necessary to obtain the environmental authorisation.

(2) In the case of power plants for which, according to the technical regulations issued by ANRE, it is necessary to obtain a certificate of technical compliance, if the applicant submits to ANRE, instead of the document referred to in paragraph (1)(k), the certificate of technical compliance with temporary validity, issued in accordance with the provisions of the procedure on live voltage for the testing period and certification of the technical compliance of wind and photovoltaic power plants, approved by order of the President of ANRE, the licence shall be granted on the basis and for the duration of validity of the certificate of technical compliance with temporary validity, with the possibility of extension, in the situation where the applicant submits to ANRE, during the validity period of the licence, the connection certificate issued by the network operator.

Art. 21

(1) In order to grant the license for the provision of the electricity transmission service, as well as the balancing services of the system, in addition to the documents referred to in Article 18, the file related to the application for the license must contain a presentation of the technical, organizational and human resources framework for carrying out these activities.

(2) The presentation of the technical framework for carrying out the activities referred to in par. (1) shall include:

a) summary tables for power lines, i.e. substations in the electricity transmission network;

b) total installed power in substation transformers in the electricity transmission network;

c) single-line electrical schemes, on which the boundary points between the electricity transmission network operated by the licence applicant and the installations of transmission system operators in neighbouring countries, i.e. producers, electricity distribution operators or customers served, can be located;

d) information on power lines, i.e. substations in the electricity transmission network, in the 1970 national stereographic coordinate system, information presented in vector GIS format in XML/SHAPE files, according to the scheme published on the ANRE website, with the following dataset attached as attributes:

1. type and name of energy capacity - power line, power station;

2. location of energy capacity (overhead or underground power line);

3. rated voltage;

4. branch;

5. number of transformers X unit power (in the case of a substation);

6. total number of transformers (in the case of a substation);

7. total installed capacity MVA (in the case of a substation);

8. the length of the energy capacity, overhead or underground power line, by the length of the energy capacity being understood its actual length, and not the linear length;

9. the unique registration code of the economic operator operating that energy capacity;

10. energy capacity inventory number(s)/sub-inventory numbers;

11. the net book value of the energy capacity at the date of commissioning;

12. the number and date of the report of receipt at the end of the works;

e) the list and technical data relating to the dispatching systems used, as well as the technical and physical equipment used (computer and communication infrastructure, buildings, software, other technical systems, etc.), including Supervisory Control and Data Acquisition (SCADA);

f) the list and data relating to the platform used for the balancing market, as well as related technical and physical facilities (IT and communication infrastructure, buildings, software, other technical systems, etc.);

g) documents proving the ownership or use of the respective energy capacities for the commercial exploitation of which the economic operator requests the granting of the license;

h) the minutes of reception of the commissioning of a new or repowered energy capacity, signed by the legal representatives of the applicant, resulting in the commissioning of the energy capacity;

i) the connection certificate issued by the network operator to whose installations the applicant's installations are connected, if applicable;

j) the contracts by which it acquired ownership of parts of the electricity transmission network and, where applicable, the concession contract by which it acquired the right to use the public electricity transmission network of the State;

k) a statement by the members of the applicant's board of directors, board of directors and supervisory board on the fulfilment of the certification requirements laid down by law.

(3) The presentation of the organizational and human resources framework for carrying out the activities referred to in par. (1) shall include:

a) the organisation chart of the economic operator applying for the licence, valid on the date of application for the licence;

b) the fact sheet on the applicant's own staff - the staff structure, by specialties, attesting the qualification of the staff assigned to the activities for which the licence is requested, which must include a sufficient number of licensed electricians, in relation to the volume of the activities carried out / installations managed; to its own staff may be added the staff provided by an economic operator certified by ANRE with whom the applicant has concluded a service contract for the performance of activities related to the operation and maintenance of electrical installations, in which case the respective contract will also be presented;

c) extracts from REVISAL, bearing the date of access to the database and assumed by signature by the applicant's legal representative, resulting in the employment with an individual employment contract within it of the persons nominated in the personnel sheet submitted.

(4) In addition to the documents stipulated in par. (2) and (3), the license applicant shall notify in writing the turnover estimated to be achieved from carrying out the activities covered by the requested license, in the year of its granting.

Art. 22

(1) In order to grant the license for the activity of the electricity market operator, in addition to the documents referred to in Article 18, the file related to the application for the license must contain a presentation of the technical-organizational and human resources framework necessary to carry out this activity.

(2) The presentation of the technical-organizational and human resources framework should include:

a) copy of the applicant's organization and functioning regulation, in full or in extract, from which the duties and responsibilities of the departments engaged in the activities related to the electricity market operator service are derived, the existence of a communication system with customers and the existence of a system for solving customer complaints;

b) the organisation chart of the applicant economic operator, valid on the date of application for the licence, indicating the departments responsible for carrying out the activity for which the licence is requested;

c) the fact sheet on the applicant's own staff - the staff structure, by specialties, attesting the qualification of the staff assigned to the activity for which the licence is requested;

d) documents showing the employment with an individual employment contract within the applicant of at least 10 persons with previous experience of at least 3 years in the field of electricity (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents);

e) the list of organised electricity markets, with the exception of the balancing market, and, where applicable, green certificate markets, in accordance with the provisions of Article 10(2) of Law No 220/2008 establishing the system for promoting the production of energy from renewable energy sources, republished, as amended, which the applicant intends to organise and administer on the basis of the licence, in accordance with the law and ANRE regulations;

f) a list of the main software products in the applicant economic operator's day-to-day operation, for the purpose of managing the organised electricity market(s) referred to in point (e), specifying the ownership of the rights to use such software products;

g) the list of technical and physical means allocated by the applicant to the organisation and management of the organised electricity market(s) referred to in point (e), such as buildings, IT and communication infrastructure elements and other technical systems, etc.;

h) internal working procedures confirming the protection of commercially sensitive information that the applicant obtains and manages in the organisation and management of organised electricity markets.

(3) The applicant shall attach to the application financial documents showing that he/she has at least 1.000.000 euros, at the exchange rate of the National Bank of Romania valid on the 1st of the month in which the application for granting the license is registered.

(4) In addition to the documents stipulated in par. (2) and (3), the license applicant shall notify in writing the turnover estimated to be achieved from carrying out the activities covered by the requested license, in the year of its granting.

Art. 23

(1) In order to grant a license for the provision of the electricity distribution service, in addition to the documents referred to in Article 18, the file related to the application for the license must contain a presentation of the technical and organizational and human resources framework necessary to carry out this activity.

(2) The presentation of the technical framework referred to in paragraph 1 shall include:

a) the delimitation of the area of activity in which the applicant is to provide the electricity distribution service (e.g.: county, precinct, building, etc.);

b) summary tables for power lines, i.e. substations and medium and high voltage substations, specifying technical data such as nominal voltages, powers installed in substation transformers in the distribution network, lengths of lines within this network;

c) single-wire high-voltage electrical diagrams, on which are represented the delimitation points between the distribution installations operated by the license applicant and the installations of the transmission system operator, respectively of the producers or of other electricity distribution operators;

d) information on power lines, electrical connections, substations and substations in electricity distribution networks, in the national stereographic coordinate system 1970, information that is presented in vector GIS format in XML/SHAPE files, according to the scheme published on the ANRE website, with the following dataset attached as attributes:

1. type and name of energy capacity - power line, connection, substation, substation;

2. SIRUTA code of the locality/village in the administrative-territorial unit where the energy capacity is located;

3. location of energy capacity (overhead or underground power line);

4. rated voltage;

5. the length of the energy capacity, overhead or underground power line, by the length of the energy capacity being understood its actual length, and not the linear length;
 6. total number of transformers (in the case of substations/substations);
 7. total installed MVA (in the case of substations/substations);
 8. the unique registration code of the economic operator operating that energy capacity;
 9. energy capacity inventory number(s)/sub-inventory numbers;
 10. the net book value of the energy capacity at the date of commissioning;
 11. the number and date of the report of receipt at the end of the works;
 - e) the list of energy capacities located at the boundary between the area of activity defined in the specific conditions associated with the licence and the areas of activity of other distribution operators, in the case of economic operators requesting concessions, or the declaration that there are no such energy capacities;
 - f) data on low-voltage electrical installations, specifying nominal voltages, lengths of power lines and connections;
 - g) the number of users connected to the license applicant's installations, broken down by type of users, specifying the total power approved for each type of users; in the case of electricity generation capacities, it shall also be broken down by type of primary energy sources;
 - h) the connection certificate issued to the license applicant by the network operator to which its installations are connected, in accordance with the applicable regulations;
 - i) documents proving the ownership or use of the respective energy capacities for the commercial exploitation of which the economic operator requests the granting of the license;
 - j) the acceptance of the concessionaire distribution operator, in the case of the applicant intending to provide the electricity distribution service using its own electricity distribution networks, in an area concessioned to another distribution operator, defined under the specific conditions associated with the licence granted to the latter; the acceptance of the concessionaire distribution operator is not required in the case of electricity distribution networks built and put into operation before the obligation to obtain the respective agreement was established by the Law or if the agreement was obtained by a previous owner of the distribution network;
 - k) specification of customer relations centres, including end-customer general enquiry points.
- (3) The presentation of the organizational and human resources framework referred to in par. (1) shall include:
- a) the organisation chart of the applicant economic operator, valid on the date of application for the licence, indicating the departments responsible for carrying out the activity for which the licence is requested;
 - b) the applicant's own personnel sheet - the personnel structure, by specialties, attesting the qualification of the personnel assigned to the activity for which the license is requested, which must include a sufficient number of licensed electricians, in relation to the volume of activities carried out / installations managed; to its own staff may be added the staff provided by an economic operator certified by ANRE with whom the applicant has concluded a service contract for the performance of activities related to the operation and maintenance of electrical installations, in which case the respective contract will be presented;
 - c) extracts from REVISAL, bearing the date of access to the database and assumed by signature by the applicant's legal representative, resulting in the employment with an individual employment contract within it of the persons nominated in the personnel sheet submitted.
- (4) In addition to the documents stipulated in par. (2) and (3), the license applicant shall submit:
- a) the estimated turnover from the activities covered by the licence applied for, in the year in which it was granted;
 - b) proof that the conditions for separation of activity have been met, in accordance with the law, in the case of concessionaire distribution operators;
 - c) copy of the concession contract concluded with the granting authority, in the case of concessionaire distribution operators.

Art. 24

- (1) In order to grant a license for the supply of electricity, in addition to the documents referred to in Article 18, the file related to the application for the license must contain a presentation of the organizational and human resources framework necessary to carry out this activity.
- (2) The presentation of the organizational and human resources framework referred to in par. (1) shall include:
- a) specification of the premises of the requesting economic operator where the activity related to the supply of electricity is to be carried out;
 - b) specification of customer relations centres, including end-customer general enquiry points;
 - c) copy of the applicant's organisational and operational rules, in full or in extract, showing: (i) the tasks and responsibilities of the business areas engaged in the supply of electricity;
 - (ii) the existence of a system of communication with customers;
 - (iii) the existence of a system for collecting and resolving customer complaints;
 - (iv) the existence of a risk management system to ensure the supervision and management of risk factors;
 - d) the organisation chart of the applicant economic operator, valid on the date of application for the licence, indicating the departments responsible for carrying out the activity for which the licence is requested;
 - e) the fact sheet on the applicant's own staff - the staff structure, by specialties, attesting the qualification of the staff assigned to the activity for which the licence is requested;
 - f) documents showing the employment with an individual employment contract within the applicant of at least 3 persons with previous experience of at least 3 years in the field of electricity (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents); for foreign economic operators, the documents related to the Romanian natural persons assigned to the supply activity will also be presented.

(3) The applicant must attach to the application documents showing that he has an amount of money at least equal to EUR 200,000 at the exchange rate of the National Bank of Romania valid on the 1st of the month in which the application for the license is registered, an amount that comes from one or more of the following resources:

a) equity - the value of which is calculated on the basis of the data from the last monthly verification balance, according to the formula used to prepare the annual financial statements that the economic operator communicates to the tax authorities;

b) the availability from bank credit lines enjoyed by the applicant economic operator, according to the supporting financial documents in this respect;

c) financial resources that the applicant's associates and/or shareholders make available to the applicant through financing/loan agreements accompanied by supporting documents showing the receipt of the loan (contract, payment instrument, bank statement, accounting balance for the period in which the loan operation was carried out).

(4) Where the applicant for the electricity supply licence is also an electricity producer, the accounting value of the capacities for electricity generation or for electricity and heat production from cogeneration power plants shall be taken into account when establishing the value of the financial resources referred to in par. (3) together with the values resulting from the resources referred to in par. (3).

(5) Economic operators with the status of citizen energy community or renewable energy community are exempted from the requirement to prove financial resources under par. (3); in their case, the requirement laid down in par. (2) lett. f) shall be reduced to one person.

Art. 25

(1) In order to grant a license for the activity of the electricity trader, in addition to the documents referred to in Article 18, the file related to the application for the license must contain a presentation of the organizational and human resources framework necessary to carry out this activity.

(2) The presentation of the organizational and human resources framework referred to in par. (1) shall include:

a) specification of the premises of the requesting economic operator where the electricity trader's activity is to be carried out;

b) copy of the applicant's organization and functioning regulation, in full or in extract, showing the duties and responsibilities of the compartments engaged in the activity of electricity trader;

c) the organisation chart of the applicant economic operator, valid on the date of application for the licence, indicating the department responsible for carrying out the activity for which the licence is requested;

d) the fact sheet on the applicant's own staff - the staff structure, by specialties, attesting the qualification of the staff assigned to the activity for which the licence is requested;

e) documents showing the employment with an individual employment contract within the applicant of at least 3 persons with previous experience of at least 3 years in the field of electricity (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents); for foreign economic operators will be presented including the documents related to the Romanian individuals assigned to trading activity.

(3) The applicant shall attach to the application documents showing that he has an amount of money at least equal to EUR 200,000 at the exchange rate of the National Bank of Romania valid on the 1st of the month in which the application for the license is registered, an amount that comes from one or more of the following resources:

a) equity - the value of which is calculated on the basis of the data from the last monthly verification balance, according to the formula used to prepare the annual financial statements that the economic operator communicates to the tax authorities;

b) the availability from bank credit lines enjoyed by the applicant economic operator, according to the supporting financial documents in this respect;

c) financial resources that the applicant's associates and/or shareholders make available to the applicant through financing/loan agreements accompanied by supporting documents showing the receipt of the loan (contract, payment instrument, bank statement, accounting balance for the period in which the loan operation was carried out).

Art. 26

(1) In order to grant a license for the aggregation activity, in addition to the documents stipulated in art.

18, the file related to the application for the license must contain a presentation of the technical-organizational and human resources framework necessary to carry out this activity.

(2) The presentation of the technical-organisational and human resources framework referred to in par. (1) shall include:

a) specifying the address of the applicant's registered office(s) where the aggregation activity is to be carried out, as well as the telephone number of the department responsible for carrying out the activity for which the licence is requested or of a person in charge of customer relations;

b) copy of the applicant's organization and functioning regulation, in full or in extract, showing the duties and responsibilities of the compartments engaged in the aggregation activity;

c) the organisation chart of the applicant economic operator, valid on the date of application for the licence, indicating the departments responsible for carrying out the activity for which the licence is requested;

d) the fact sheet on the applicant's own staff - the staff structure, by specialties, attesting the qualification of the staff assigned to the activity for which the licence is requested;

e) documents showing the employment with an individual employment contract within the applicant of at least 3 persons with previous experience of at least 3 years in the field of electricity (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents); for foreign economic operators will be presented including the documents related to the Romanian natural persons assigned to the activity of

aggregation;

f) a description of the business, including with reference to the electricity market(s) in which it is to participate as a market participant engaged in aggregation;

g) the list of the main software products and/or other elements of information and communication infrastructure and/or other technical systems, etc., in the applicant's current operation, used for the purpose of carrying out the activity for which the licence is requested, with details on the ownership of the rights to use these software products/goods;

h) where they participate in the balancing market, confirmation by the transmission system operator that they are validated: fulfilling the communication and integration requirements in the information systems of the transmission system operator, the operating requirements, the integration in the dispatching structures and the integration in the measurement system;

i) an internal working procedure confirming the protection of commercially sensitive and personal customer information that the applicant obtains and manages in the aggregation activity.

(3) The applicant shall attach to the application documents showing that he has an amount of money at least equal to EUR 200,000 at the exchange rate of the National Bank of Romania valid on the 1st of the month in which the application for the license is registered, an amount that comes from one or more of the following resources:

a) equity - the value of which is calculated on the basis of the data from the last monthly verification balance, according to the formula used to prepare the annual financial statements that the economic operator communicates to the tax authorities;

b) the availability from bank credit lines enjoyed by the applicant economic operator, according to the supporting financial documents in this respect;

c) financial resources that the applicant's associates and/or shareholders make available to the applicant through financing/loan agreements accompanied by supporting documents showing the receipt of the loan (contract, payment instrument, bank statement, accounting balance for the period in which the loan operation was carried out).

(4) If the applicant for the licence for the aggregation activity is also an electricity producer, the book value of the capacities to produce electricity or to produce electricity and heat from cogeneration power plants shall be taken into account when establishing the value of the financial resources referred to in par. (3) together with the values resulting from the resources referred to in par. (3).

Art. 27

Licensing applicants for the aggregation activity - economic operators holding the status of citizen energy community or renewable energy community - are exempted from the requirement to prove financial resources according to the provisions of Art. 26 par. (3); in their case, the requirement laid down in Art. 26 par. (2) lett. e) shall be reduced to one person.

Art. 28

The holder of any of the types of licenses referred to in Art. 10 par. (1) lett. a), b), f), g) or i) may perform the aggregation activity based on the license held, as a complementary right related to the respective license, according to the ANRE regulations in force.

Art. 29

(1) In order to grant an establishment permit to a natural person for the development/refurbishment of an energy capacity to produce electricity or to produce electricity and heat from power plants in cogeneration or for the development of new energy storage facilities, the file related to the application for the establishment permit must contain:

a) copy of the identity document, in the case of Romanian citizens and citizens of the Member States of the European Union;

b) copy of the passport and of the documents resulting from the residence in Romania, in the case of foreign citizens;

c) the affidavit, drawn up in accordance with model no. 2.2 set out in Annex no. 2;

d) the ascertaining certificate, in original or in copy, regarding the situation and registration as a natural person providing, independently, an economic activity, issued by the Trade Register Office, reflecting the applicant's current situation and containing the field of activity for which the authorization is requested; **the documents** referred to in Article 19(1).

(2) In order to grant a licence to a natural person for the commercial exploitation of electricity or electricity and heat production capacities from cogeneration power plants and, where applicable, energy storage facilities added to such generating capacities, and to grant a licence to a natural person for the commercial exploitation of energy storage facilities not added to an electricity production capacity, the licence application file shall contain:

a) copy of the identity document, in the case of Romanian citizens and citizens of the Member States of the European Union;

b) copy of the passport and of the documents resulting from the residence in Romania, in the case of foreign citizens;

c) the affidavit, drawn up in accordance with model no. 2.2 set out in Annex no. 2;

d) the ascertaining certificate, in original or in copy, regarding the situation and registration as a natural person providing, independently, an economic activity, issued by the Trade Register Office, reflecting the applicant's current situation and containing the field of activity for which the license is requested;

e) the documents referred to in Article 20(1).

SECTION 3: Handling of the application for authorisation/licence

Art. 30

(1) ANRE shall examine whether the documentation submitted by the applicant complies with the provisions of this Regulation and, where appropriate, shall notify the applicant of any additions, corrections or

the clarifications to be made, within a maximum of 60 calendar days from the date of registration of the request.

(2) The applicant has the obligation to complete the documentation according to the observations submitted by ANRE, within a maximum of 60 calendar days from the receipt of the notification.

(3) If the applicant does not reply within the deadline stipulated in par. (2) or if within 6 months from the date of registration of the application the submitted documentation is not complete, it shall be automatically closed, ANRE notifying the applicant accordingly.

(4) ANRE shall issue the decision granting the authorisation/licence within 60 days from the date on which the documentation attached by the applicant to its application is complete and complies with the provisions of this Regulation.

(5) If the documentation does not meet the requirements of this Regulation, ANRE shall issue a decision on the refusal to grant the authorisation/licence.

(6) In the case of an application for establishment permits for the development/refurbishment of units/capacities for production from renewable energy sources or in high-efficiency cogeneration, as well as licences for their commercial exploitation, the time limit referred to in par. (4) shall be reduced to 30 calendar days, provided that the conditions laid down in this Regulation are met.

Art. 31

In the process of reviewing the documentation, depending on the quality and complexity of the information submitted by the applicant, ANRE has the right to:

- a) to convene at the headquarters of ANRE the authorized representatives of the applicant in order to clarify issues related to the submitted documents;
- b) to check on the spot the existing situation/documents, at the request of the specialised directorate;
- c) request any other documents whose obligation to submit results from regulatory acts subsequent to this Regulation or whose verification is necessary in order to clarify the information contained in the documentation submitted by the applicant.

Article 32

(1) When granting or refusing an authorisation/licence, the following elements resulting from the analysis of the documents submitted by the applicant shall be taken into account, as appropriate:

- a) the compliance and completeness of the documentation with regard to the provisions of this Regulation;
- b) the veracity of the documentation submitted;
- c) the existence of a technical-organisational framework, including the provision of qualified personnel, enabling the applicant to fulfil the conditions associated with the authorisation/licence;
- d) the financial capacity of the applicant, in the sense that the applicant has sufficient financial resources necessary for the activity for which the authorisation/licence has been requested, assessed on the basis of availability evidenced by the documents provided for in this Regulation;
- e) the energy efficiency of the energy capacities for which authorisation/license has been requested;
- f) other elements of those referred to in Article 9(7) of the Law.

(2) In the case of an application for an establishment authorisation, in addition to the elements referred to in par. (1), the results of the checks on:

- a) the fulfilment of the legal conditions for the location of the energy capacities for which the establishment permit has been requested in relation to the objectives located in the same area, built or those in the process of being authorised by ANRE;
- b) the fulfilment of the legal requirements for the connection of energy capacities to the electricity grid.

(3) In duly justified cases, ANRE shall analyse the completeness of the documentation, referred to in par. (1) let. a), in relation to documents that are similar in content or effects to those provided by this Regulation.

Art. 33

(1) After completing the analysis of the documentation submitted by the applicant, the specialised department of ANRE prepares a report proposing to the Regulatory Committee of ANRE how to deal with the applicant's application, as well as the related draft decision.

(2) In order to grant/amend an establishment/licence authorisation, after preparing the draft decision and the report referred to in par. (1), ANRE shall communicate to the applicant the fee for granting/amending the establishment/licence authorisation to be paid by the applicant in accordance with the relevant ANRE regulations.

(3) The draft decision and the report referred to in par. (1) shall be placed on the agenda of the meeting of the Regulatory Committee of ANRE only after payment of the fee for granting/amending the authorisation of establishment/licence by the applicant in accordance with the relevant ANRE regulations.

(4) The establishment authorisation/Licence issued by ANRE is valid together with the associated general and specific conditions, which are an integral part of it, in these documents being listed, in principle, the following information, but not limited to:

- a) data on the authorisation/licence holder;
- b) the subject matter of the authorisation/licence;
- c) the duration of validity of the authorisation/licence;
- d) the rights and obligations of the authorisation/licence holder;
- e) the conditions for the variation, suspension, withdrawal of the authorisation/licence;
- f) the conditions under which ANRE is entitled to impose sanctions on the authorisation/licence holder.

(5) The general conditions attached to the establishment/license authorisation are approved by order of the President of ANRE.

(6) The specific conditions attached to the establishment/licence authorisation are approved for each individual authorisation/licence holder by decision of the President of ANRE granting the establishment/licence authorisation.

Art. 34

The Regulatory Committee of ANRE decides, on the basis of the report drawn up by the specialised department of ANRE, to grant, amend, suspend, withdraw or refuse the authorisation/licence which

shall be made by decision of the President of ANRE.

Art. 35

- (1) If the authorisation/licence is granted, ANRE shall communicate to the holder of the authorisation/licence:
- a) the decision of the President of ANRE on granting the authorisation/licence;
 - b) the authorisation/licence form, drawn up in accordance with models 5.1 and 5.2 set out in Annex 5;
 - c) the specific conditions attached to the authorisation/licence, which form an integral part thereof.
- (2) In case of refusal to grant/amend the authorisation/licence, ANRE communicates to its applicant the decision on refusal to grant/amend the authorisation/licence, which contains the reasons for not granting it.

CHAPTER L IV : The conditions under which the authorizations or licenses granted are modified and the specific conditions for granting licenses after the maximum term of validity Art. 36

(1) ANRE takes a decision, at the request of the holders, in accordance with the legal provisions in force, on the modification of the authorisations/licenses granted in the following situations:

- a) in case of changes in the status of the authorisation/licence holder due to change of legal form, change of name or change of registered office or other premises covered by the authorisation/licence;
- b) when it is necessary to update the specific conditions attached to the authorisation/licence: in the case of the inclusion in the licence of new energy capacities or the exclusion of energy capacities from those provided for in the licence, including the inclusion/exclusion of electricity storage facilities, in the case of changes in technical characteristics leading to changes in the installed power or to the territorial delimitation of the geographical area in which the activity can be carried out or in other situations;
- c) in the event of a merger or division of the authorisation/licence holder;
- d) in the case of the sale or transfer of assets or other operations as a result of which the tangible assets intended for the activities authorised by the establishment/licence authorisation will be transferred or belong to another person or persons;
- e) when the holder requests the extension of the period of validity of an authorisation for establishment granted, in the event that the deadline for completion of the authorised works exceeds the date on which the authorisation expires;
- f) when the holder requests the extension of the validity period of a license granted, in the situation where the validity period is less than the maximum duration allowed under the provisions of Art. 13 par. (1).

(2) In the situations referred to in par. (1) letters a) and b), the license/authorization holder shall register with ANRE a request to modify the license/authorization within the deadlines for notifying these situations, as the case may be, under the general conditions associated with it or, if such deadlines are not provided for, within no more than 30 calendar days from the occurrence of the situation requiring the modification of the license/authorization.

(3) Applicants for authorisation of establishment shall have the right to update the technological specifications of their projects between the submission of the application for authorisation and the construction phase of the projects in order to facilitate the uptake of innovative technologies.

Art. 37

- (1) The amendment of the authorisations/licenses is made on the initiative of ANRE in the following situations:
- a) if there are any changes in circumstances since the date of granting/amending the authorisations and/or licences, such as changes in the relevant legislative and regulatory framework, with due regard for the equal treatment of holders and in relation to the nature of the situation giving rise to the change;
 - b) if events occur that substantially affect the authorised/licensed activities or lead to the impossibility of carrying out the authorised/licensed activity;
 - c) when the holder does not request the updating of the specific conditions associated with the authorisation/licence in accordance with the provisions of Art. 36 par. (1) lett. b);
 - d) in other situations where ANRE deems it appropriate to modify the license.
- (2) In the cases referred to in par. (1), ANRE shall not charge a fee for the modification of authorisations/licenses.

Art. 38

(1) The authorisation/licence holder shall notify the competent authority, at least 120 days before the date on which the merger/division operations are to take place, as well as any sale or transfer of assets or other operations as a result of which:

- a) tangible assets intended for activities authorised by authorisation/licence shall be transferred or belong to another person or persons;
- b) the amount of existing share capital shall be reduced, in one instalment or as a whole, by at least 5%. The existing share capital of the holder of the authorisation/licence shall mean the initial share capital, at the date of issue of the authorisation/licence, or the share capital existing at the date of the last amendment, obtained through increases or decreases in the initial share capital, made after the issue of the authorisation/licence, in compliance with the conditions attached to the authorisation/licence.

(2) Holders of licences for the provision of electricity distribution or transmission services shall notify the competent authority, at least 6 months in advance, of their intention to carry out the operations referred to in par. (1) lett. b).

(3) In the case referred to in par. (2), ANRE shall be notified by a new notification at least 120 days before the effective date of the operation leading to the reduction of the existing share capital, according to the decision of the management bodies of the license holders.

Art. 39

Until the authorisation/license is amended as a result of a change of name, legal form or information on the registered office or other premises covered by the authorisation/licence, the authorisation/licence holder shall be entitled to carry out the activity for which it has been authorised/licensed on the basis of the existing authorisation/licence.

Article 40

- (1) The application for an amendment to the authorisations/licenses will be accompanied by:
- a) in the situations referred to in Art. 36 par. (1) lett. a), the documents proving, under the law, the modification of

the status of the authorisation/licence holder;

b) in the situations provided for in Art. 36 par. (1) lett. b), those documents provided for by this Regulation that are subject to the amendment in question regarding the new energy capacities and their technical characteristics, in case of commissioning of new energy capacities, or the documents regarding the decommissioning of existing capacities, in case of their exclusion from the license, or regarding other situations among those provided for in Art. 36 par. (1) lett. b).

(2) In case of merger or division of the authorisation/licence holder, the following documents shall be submitted attached to the application:

a) the ascertaining certificate, issued by the ONRC, of the economic operator taking over the respective capacities/activities, containing the scope of activity necessary for the continuation of the transferred activity;

b) the draft terms of merger/division, published in the Official Gazette of Romania, and the decisions of the management bodies on merger/division, which must result in the handing over and taking over of assets and personnel involved in the activity subject to authorisation/license;

c) termination of the registrar relating to the draft terms of merger/division.

(3) The parties have the obligation to undertake in a timely manner all necessary actions related to the start and registration of merger/division operations, so as to ensure the continuity of the activities/services covered by the authorisations/licenses covered by the merger/division process.

Article 41

(1) The holder requests ANRE to amend the authorisation/licence in order to extend its validity period at least 30 days before the expiry date; the request shall be accompanied by the documents referred to in par. (3) or (4), as the case may be.

(2) ANRE shall examine the request for amendment referred to in par. (1) and shall order, if the documentation attached to it is complete in accordance with par. (3) or (4), as the case may be:

a) modification of the authorisations/licenses granted;

b) granting new authorisations/licenses.

(3) The file related to the application for the extension of the validity period of an establishment authorization according to Art. 36 par.

(1) lett. e) must contain:

a) the ascertaining certificate, in original or in copy, regarding the registration and the situation of the establishment authorization holder, issued by the Trade Register Office no later than 30 days before the date of transmission to ANRE;

b) a note on the need to extend the period of validity of the authorisation, i.e. the reasons that led to the non-completion of the execution and/or connection to the NES of the energy capacity within the deadline set by the establishment authorisation;

c) a note on which works have been carried out and which still need to be carried out by the end of the investment project, by presenting the physical execution schedule in the technical proposal that would allow both a correct assessment in percentage terms and the most accurate detail and estimation of the value of the remaining works to be completed;

d) the documents referred to in Art. 19 par. (1) letters i) and j), within the validity period, or documents related to the extension of their validity period, as the case may be;

e) documents proving the achievement of energy capacity financing, if, at the time of granting the authorisation, the applicant has submitted documents drawn up in the pre-contractual phase.

(4) The file related to the application for the extension of the validity period of a license, according to Art. 36 par. (1) lett. f), must contain:

a) the ascertaining certificate, in original or in copy, regarding the registration and the situation of the license holder, issued by the Trade Register Office no later than 30 days before the date of transmission to ANRE;

b) statement on the modification or maintenance of the elements that were the basis for granting the license whose validity is to cease; in case of modification, the elements that have been modified shall be specified;

c) addresses of the premises through which the holder carries out its activity or can be contacted, updated if changes have occurred;

d) proof that the holder meets the conditions stipulated, as the case may be, in Art. 22 par. (3), Art. 24 par. (3), Art. 25 par. (3) or Art. 26 par. (3) regarding financial resources, in the case of the request for the extension of the validity of a license from the category of those stipulated in Art. 10 par. (1) lett. e), f), g) or h);

e) an information note on contracts for the supply of electricity to ongoing end-customers, the validity of which exceeds the validity of the licence;

f) the statements, in original or certified copy, referred to in Art. 18 par. (1) let. c) or, as the case may be, in Art. 29 par. (2) let. c).

(5) In the case of the licenses referred to in Art. 10 par. (1) lett. a)-d) and i) whose validity period has reached the maximum duration according to this Regulation, the file related to the application for a new license must contain:

a) the documents referred to in par. (4) lett. a), b) and f);

b) the organisation chart of the applicant economic operator, valid on the date of application for the licence, indicating the organisational entity responsible for carrying out the activity for which the licence is requested;

c) the fact sheet on the applicant's own staff - the staff structure, by specialties, attesting the qualification of the staff assigned to the activity for which the licence is requested, which must include staff as stipulated by this Regulation for the type of activity covered by the licence;

d) extracts from REVISAL, bearing the date of accessing the database and assumed by signature by the applicant's legal representative, resulting in the employment with an individual employment contract within it of the persons nominated in the personnel sheet;

e) a justification note on the duration for which the new licence is requested in relation to the technical condition of the energy capacities commercially exploited under that licence.

(6) If a new licence is requested for the commercial operation of nuclear power plants, copies of the authorisations issued by the National Commission for Nuclear Activities Control (CNCAN) for the energy capacities for which the licence is requested shall be sent in addition to the documents referred to in par. (5), within their validity.

(7) In the case of the licenses referred to in Art. 10 par. (1) lett. f), g) and h), the validity period of which has reached the maximum duration according to this Regulation, when granting a new license, the criterion used to establish the economic indicators of the applicant will also relate to the favorable results in the energy sector, meaning that the objectives, investments, targets and results in the energy market will be taken into account, based on an explanatory memorandum.

Art. 42

In the situations provided for in Article 36, ANRE shall analyse the request for amendment and the documentation attached to it and, if the request is justified, shall order, as the case may be:

- a) modification of the authorisations/licenses granted;
- b) withdrawal of authorisations/licenses;
- c) granting new authorisations/licenses.

CHAPTER V: Procedure for suspension and withdrawal of authorisations and licences

Article 43

(1) In case of non-compliance by the holder of the establishment authorisation or of the licence with its legal obligations provided for in primary or secondary legislation, as well as in case of non-compliance with the general and specific conditions associated with the licence/authorisation, established by ANRE ex officio or upon notification by third parties or upon notification by the holder, ANRE shall apply the measures provided for in par. (2) or (3), as the case may be.

(2) If the non-fulfilment or non-compliance is not attributable to the authorisation/licence holder, ANRE shall order, as appropriate:

- a) the granting of a compliance period of maximum 6 months to the holder of the respective authorisation/licence, if the situation created can be remedied, under the sanction of suspension of the authorisation/licence;
- b) the withdrawal of the authorisation/licence, if the situation created is irretrievable.

(3) If the non-fulfilment or non-compliance is attributable to the authorisation/licence holder, ANRE shall order, as appropriate:

- a) the suspension of the authorisation/licence for a set period of time in order to remedy the situation created, if it is remediable; or
- b) withdrawal of the authorisation/licence, if the situation created is irretrievable.

(4) The suspension of the authorisation/licence shall be decided at the meeting of the Regulatory Committee of ANRE, shall be made by decision of the President of ANRE and shall take effect during the period set by ANRE therein.

(5) In case of termination of the reasons that led to the suspension of the authorisation/licence, based on an application accompanied by an explanatory note, ANRE issues a decision to terminate the suspension, which takes effect on the date set by ANRE therein.

(6) The withdrawal of the authorisation/licence shall be decided at the meeting of the Regulatory Committee of ANRE, shall be made by decision of the President of ANRE and shall take effect from the date set by ANRE therein.

Article 44

(1) In addition to the situations provided for in Article 43, ANRE shall suspend the authorisation and/or the licence holder in the following situations:

- a) upon reasoned request submitted by the authorisation/licence holder and accepted by ANRE;
- b) if another public institution has suspended the validity of one of the documents on which the authorisation/licence was based (authorisation, agreement, opinion, permit or approval) in accordance with the provisions of this Regulation;
- c) if the establishment of energy capacities or one or more of their components endangers or harms individuals, property and/or the environment, a situation ascertained by a public authority/institution or by a court;
- d) during the checks carried out by ANRE on an appeal concerning the granting of the authorisation/licence;
- e) in other situations expressly provided by the Law or ANRE regulations.

(2) If the establishment of energy capacities was carried out in violation of the rights of ownership and/or use over immovable property of other natural/legal persons, the suspension of the authorisation/licence shall be carried out only on the basis of a final court decision establishing the violation of those rights.

Art. 45

In addition to the situations provided for in Article 43, ANRE shall withdraw the authorisation and/or licence from the holder in the following situations:

- a) at the reasoned request of the holder; in the case of the applicant holding a license for the activity of electricity supply, the application will be accompanied by a statement showing that, at the time of submitting the application, it has no ongoing electricity supply contracts;
- b) in the event of disqualification, incapacity, bankruptcy or deregistration of the holder;
- c) upon termination of the concession or lease of the exploited energy capacities, upon their sale by the holder;
- d) in cases where the cancellation by the issuer/expiration of the validity of one or more of the acts (authorisation, agreement, opinion, permit or approval) which were the basis for granting the authorisation/licence under the provisions of this Regulation is irremediable, leading to the impossibility of carrying out the activities permitted by the authorisation/licence or of complying with the conditions attached thereto;
- e) the loss of the legal title regarding the possession of real estate in or on which the energy capacities are located or the loss of the legal title regarding the possession of energy capacities, which leads to the impossibility of carrying out the activity allowed by the license, established by a final court decision;
- f) as a result of an appeal concerning the granting of the authorisation/licence, which was resolved favourably;

- g) when presenting evidence (orders restricting or prohibiting activity, court decisions, etc.) issued by a public authority, attesting that the establishment/functioning of energy capacities or one or more of their components endangers or seriously harms individuals, property and/or the environment;
- h) if the license holder for the activity of electricity supply violates the legal prohibition set out in Art. 58 par. (1¹) of the Law by sending notifications of unilateral denunciation of electricity supply contracts concluded with final customers;
- i) if the licensee does not pay the amounts due to ANRE as an annual contribution or cannot be contacted in order to pay the amounts due to ANRE, within one year from the date of issue of the invoice, in which case the license may be withdrawn without notice or prior notice.

CHAPTER VI: Provisional licence

Art. 46

(1) In the case of the transfer of the ownership/use of the energy capacities that are provided for in the specific conditions associated with a licence, through sales contracts or other operations following which the tangible assets intended for the activities authorised by the licence are transferred to another person, with the exception of merger/division operations, the economic operator taking over the respective energy capacities may request from ANRE, under the conditions of this chapter:

- a) the granting of a provisional licence in the event that it does not hold a licence of the same type as that of the holder from whom it took over the energy capacities; or
- b) the modification of the licence held, if it holds a licence of the same type as that of the holder from which it took over the energy capacities, consisting in the inclusion of those energy capacities in the specific conditions associated with the licence, with the right to exploit them on a provisional/final basis.

(2) In the case of the transfer of activities for the realization/refurbishment of energy capacities that are provided for in the specific conditions associated with an establishment authorisation, through operations such as those referred to in par. (1), the economic operator taking over these activities may carry them out following the granting by ANRE of a provisional establishment authorisation under the terms of this Regulation.

(3) The provisions of this Chapter shall also apply through similarity to the situation in which the transfer of energy capacities takes place as a result of the bankruptcy of the authorised/licensed economic operator, in which case the documents proving the transfer shall be the specific ones, in accordance with Law No 85/2014 on insolvency prevention and insolvency procedures, as subsequently amended and supplemented.

Art. 47

(1) The application for granting an authorisation for establishment/provisional licence or, as the case may be, the application for modifying the license by including energy capacities with a provisional exploitation right shall be submitted to ANRE at least 30 calendar days before the date of transfer of the activities for the realization/refurbishment of the energy capacities or, as the case may be, of the respective capacity and shall be signed both by the legal representative of the holder of the authorisation for establishment/license who transfers them and by the legal representative of the person who takes them over.

(2) ANRE issues, by decision of the President of ANRE, a provisional authorisation/licence to the person who takes over the activities of realization/refurbishment of the energy capacities or, as the case may be, to the person who takes over the energy capacities or modifies the licence held by including some energy capacities with provisional exploitation right.

(3) The establishment authorisation/provisional licence shall be valid until the date on which its holder obtains the establishment authorisation/definitive licence issued under the terms of this Regulation, but no longer than 6 months from its date of issue.

(4) At least 30 calendar days before the authorisation of establishment/provisional licence ceases to be valid, the holder of the authorisation of establishment/provisional licence must submit the application for a definitive authorisation of establishment/licence.

Article 48

(1) For a provisional authorisation to be granted, the application file must contain the following documents:

- a) the contract proving the ongoing transfer operation, concluded in accordance with the law;
- b) the ascertaining certificate issued by the Trade Register Office regarding the economic operator that takes over the activities of realization/refurbishment of the energy capacities that are provided in the specific conditions associated with an establishment authorization, containing the field of activity for which the establishment authorization is requested;
- c) the statement referred to in Art. 18 par. (1) lett. c), except for the existing holders of authorisations/licenses.

(2) In order to grant the authorisation of establishment with a final character for the situations referred to in Art. 46 par. (2), the file related to the application must contain:

- a) documents proving the completion of the operation for the transfer of the activities for the realization/refurbishment of the energy capacities that are provided in the specific conditions associated with an establishment authorization;
- b) a note on the work remaining to be carried out by the applicant until the completion of the investment project, by presenting the physical execution schedule in the technical proposal containing both a percentage-correct assessment and the most precise detail and estimation of the value of the work remaining to be completed and the duration of completion;
- c) the documents referred to in Art. 19 par. (1) lett. b), h), i) and n).

(3) The economic operator taking over the activity of realization/refurbishment of an energy capacity may directly request to be granted a final authorization, if it proves the possession at the date of the application of both the documents referred to in par. (2), as well as the documents referred to in par. (1) letters b) and c).

Art. 49

(1) In order to grant a provisional licence or to modify a licence by including

energy capacities with provisional exploitation rights, the application file must contain the following documents:

- a) the prior consent referred to in Article 11(3) of the Law, issued prior to the conclusion of the contract referred to in point (b);
 - b) the contract proving the ongoing transfer operation, concluded in accordance with the law;
 - c) the ascertaining certificate issued by the Trade Register Office regarding the economic operator taking over the energy capacities, containing the field of activity for which the license is requested;
 - d) the statement of the applicant's legal representative on how to provide the staff necessary for the commercial exploitation of energy capacities during the provisional licence, with the transmission of supporting documents in this regard, as the case may be, unless this is specified in the contract referred to in letter b);
 - e) the statement referred to in Art. 18 par. (1) lett. c), with the exception of existing holders of authorisations/licenses.
- (2) In order to grant the final license for the situations referred to in Art. 46 par. (1) or in order to modify a license by including energy capacities with definitive exploitation right, the application file must contain:
- a) proof that the rights acquired as a result of the actual transfer have been entered in the land register;
 - b) in the case of transfer of capacities for the production of electricity or electricity and heat from cogeneration power plants or storage facilities, the documents referred to in Art. 20 par. (1) lett. d), e) and f);
 - c) in case of transfer of electricity distribution capacities, the documents referred to in Art. 23 par. (3) lett. a), b) and c);
 - d) the declaration on honour, signed by the legal representative of the economic operator taking over the energy capacity, related to the activity covered by the licence, which communicates the estimated turnover for the current year, related to the activity covered by the licence;
 - e) documents attesting the initiation by the applicant of the procedures necessary for the transfer of the environmental authorisation.
- (3) The economic operator that takes over the energy capacity for its commercial exploitation may directly request to be granted a definitive license, if it proves the possession at the date of the application of both the documents referred to in par. (1) and the documents referred to in par. (2).

CHAPTER VII: Authorisation of offshore wind power plants

Article 50

- (1) The authorisation for the establishment of the offshore wind power plant shall be issued by ANRE, upon request, to an exploration permit holder that has concluded a concession contract with the Ministry of Energy in order to carry out specific activities for the exploration of the offshore wind perimeter, respectively for the exploitation of this perimeter through the construction and operation of offshore wind power plants.
- (2) The establishment of the offshore wind power plant shall take place within the concessioned offshore windmill perimeter and without prejudice to offshore oil operations or rights conferred on holders of offshore exploration permits and offshore oil agreements.
- (3) The establishment permit is valid for the total duration of the investment project declared by the applicant, but no longer than the date of termination of the validity of the development consent.

Article 51

In order for ANRE to issue the establishment authorisation, the applicants shall submit an application in accordance with Template No 1.1 set out in Annex 1, to which they shall attach the following documents:

- a) exploration permit issued to the applicant by the Ministry of Energy;
- b) the concession contract concluded by the applicant with the Ministry of Energy for the exploration and exploitation of the concessioned offshore wind farm;
- c) the final exploration report provided for in Article 17(3) of Law No 121/2024 on offshore wind energy, proving the completion of the exploration of the offshore wind perimeter;
- d) the acts by which the applicant for authorisation acquired the status of holder with any legal title of the land on which the energy capacities related to the offshore wind power plant, which may be offshore and/or onshore, are located;
- e) the statement of presentation/explanation of the investment project, including any relevant information that the applicant considers useful regarding the understanding of its technical options (offshore technology used) or explanations regarding the submitted documents;
- f) summary table of the works to be carried out, namely those relating to:
 - (i) the wind perimeter to be built;
 - (ii) underwater connecting cables to the grid connection points outside the concessioned perimeter, as well as/or any other offshore energy capacity related to the offshore wind power plant subject to authorisation;
 - (iii) the onshore offshore wind power plant project's electricity installations up to the connection point to the electricity transmission network;
- g) the technical and economic data relating to each of the energy capacities covered by the works for which the establishment permit is requested, completed in a table in the format set out in Template No 4.1 of Annex 4, resulting, where applicable, from a feasibility study/business plan/memorial;
- h) the energy capacity site plan, which shall include the necessary information on the identification of the land occupied by the energy capacity components and their positioning in relation to other existing or emerging objectives in the geographical area concerned;
- i) the statement of the applicant for authorisation that, when establishing the locations of the components of the energy capacities subject to authorisation, existing targets or targets in the process of being set up in accordance with authorisations in force, located in the vicinity of the energy capacities, against which safety distances are established in the technical rules in force, have been identified and the safety distances to the identified targets have been respected. The declaration shall be accompanied by the table drawn up in accordance with model No 3.2 set out in Annex 3;

- j) note on the stages of carrying out the works to be carried out on the basis of the requested authorisation to set up and operate the resulting capacities, as well as the total duration of the investment project;
- k) sworn statement of the applicant's legal representative that only contractors/subcontractors certified according to ANRE regulations, as well as authorised divers, will be employed for the design and execution of electrical installation works covered by the establishment authorisation;
- l) the technical connection opinion issued by the transmission system operator;
- m) the administrative act issued by the competent environmental protection authority.

Article 52

The establishment authorisation shall be issued within 30 calendar days from the date on which the documentation submitted by the applicant is complete, a date which shall be established also by reference to the clarifications provided to ANRE regarding the documents submitted.

Article 53

(1) The activity of offshore wind energy exploitation by an economic operator is carried out under the license for the commercial exploitation of electricity generation capacities and, where applicable, of energy storage facilities added to such generation capacities, issued to an economic operator.

(2) The activity referred to in par. (1) shall be carried out by an economic operator within the offshore wind farm that has been leased to it and without prejudice to offshore oil operations or rights granted to holders of offshore exploration permits and offshore oil agreements.

(3) In order to obtain the license referred to in par. (1), the applicant shall submit to ANRE an application according to model no.

1.2 provided in Annex no. 1, accompanied by the necessary documents for granting the license, as follows:

a) development approval for the construction of the offshore wind power plant, issued by the Competent Authority for the Regulation of Offshore Oil Operations in the Black Sea;

b) identification of the locations where the energy capacities for the operation of which the licence is requested are installed, indicating the main coordinates;

c) the technical and economic characteristics of the energy capacities referred to in point (b), in accordance with the table drawn up in accordance with Model No 4.2 of Annex 4;

d) the technical and economic characteristics of the electricity networks managed by the applicant for the licence, in accordance with the table drawn up in accordance with Model No 4.2 of Annex 4, the electricity networks intended for: (i) the discharge into the NES of the electrical power produced by the capacities under the licence applicant's management;

(ii) to provide access to electricity networks of public interest to users other than the applicant for the licence;

e) the organisation chart of the applicant economic operator, valid on the date of application for the licence, indicating the organisational entity responsible for carrying out the activity for which the licence is requested;

f) the applicant's own personnel sheet - the personnel structure, by specialties, attesting the qualification of the personnel assigned to the activity for which the license is requested, which must include its own specialized personnel (engineers, technicians, economists, etc.), in relation to the volume of activities carried out / installations managed, as well as a sufficient number of licensed electricians, but not less than 2 licensed electricians having the degree and type of authorization related to the types of works performed;

g) extracts from REVISAL, bearing the date of accessing the database and assumed by signature by the applicant's legal representative, resulting in the employment with an individual employment contract within it of the persons nominated in the personnel sheet submitted; if the applicant's employees do not include at least 2 licensed electricians, a service contract concluded with an economic operator certified by ANRE may be submitted instead of the documents proving the fulfilment of this requirement;

h) the estimated turnover in the year of granting the requested license as a result of carrying out the activities covered by it;

i) the energy capacity commissioning report, signed by the applicant's legal representatives, showing the completion of the tests, including those carried out in accordance with the programme of tests/tests agreed with the network operator in accordance with the regulations in force, and the commissioning of the energy capacities for normal operation at full capacity;

j) documents proving the ownership or use of the energy capacities for the commercial exploitation of which the economic operator requests the granting of the license;

k) the connection certificate issued by the network operator corresponding to the development stage(s) set out in the technical connection opinion, except in the situation referred to in par. (4);

l) documents evidencing the start by the applicant of the procedure necessary to obtain the environmental authorisation;

m) a technical expert report issued by an independent verification body confirming that the installation and operation of wind turbines, as well as the HVDC offshore conversion station, comply with the provisions of the technical rules applicable to the offshore wind power plant, the best practices in the field of offshore wind energy and comply with the safety rules in the field.

(4) In the case of power plants for which, according to the technical regulations issued by ANRE, it is necessary to obtain a certificate of technical compliance, if the applicant submits to ANRE, instead of the document referred to in paragraph (3)(k), the certificate of technical compliance with temporary validity issued in accordance with the provisions of the procedure on live voltage for the testing period and certification of the technical compliance of wind and photovoltaic power plants, approved by order of the President of ANRE, the licence shall be granted on the basis and for the duration of validity of the certificate of technical compliance with temporary validity, with the possibility of extension, in the situation where the applicant submits to ANRE, during the validity period of the licence, the connection certificate issued by the network operator.

CHAPTER VIII: Final and transitional provisions

Article 54

(1) Establishment authorizations, as well as licenses that were granted by ANRE before the entry into force of the

This Regulation in order to allow certain activities in the field of electricity shall remain valid until their expiry, with the possibility of their amendment by ANRE under the conditions of this Regulation.

(2) Decisions on granting/amending/suspending/withdrawing authorisation(s) or on any refusal shall be communicated to the holder, and information on these decisions shall be published on ANRE's website.

Art. 55

(1) If, following the control action taken by ANRE, it is established that the holder of the authorisation/licence has not complied with the law or with one or more of the conditions of the authorisation/licence, ANRE shall apply sanctions under the law.

(2) The application and/or payment of any administrative fine shall not in any way limit ANRE's right to suspend/withdraw the authorisation/licence under the terms of this Regulation.

(3) If, following a control activity undertaken by ANRE, it is found that the works for the realization/refurbishment of the energy capacity have been completed, without an establishment authorization, this authorization shall no longer be issued.

Art. 56

(1) ANRE's decisions on granting, amending, suspending or withdrawing the authorisation/licence or on refusing to grant/amend/suspend/withdraw the authorisation/licence may be challenged in administrative litigation before the Bucharest Court of Appeal, under the law.

(2) Before addressing the competent administrative court, the person who considers himself/herself injured in a right or in a legitimate interest by an individual administrative act issued by ANRE on the basis of this Regulation must request ANRE, within 30 days from the date of communication of the act, to revoke it, in whole or in part, specifying the reasons for this request.

Article 57

(1) ANRE shall provide the holder with the original of the authorisation/licence granted.

(2) After the approval of the application for granting/amending/suspension/withdrawal of establishment/license authorisations, the original documents shall be collected by their holders by:

a) the legal representative;

b) the holder's employees or any person who submits a power of attorney to that effect, signed by the holder's legal representative.

(3) In case of loss/destruction of the documents related to the establishment/license authorization, ANRE shall provide the holder, upon request, with a duplicate. The holder's application must be accompanied by proof of publication of the loss/destruction of the authorisation/licence documents in Part III of the Official Gazette of Romania.

Art. 58

(1) ANRE charges fees for granting/amending authorisations/licenses, under the law.

(2) Throughout the validity period of a licence, which also includes the duration of the suspension of the licence in the event of its suspension, the licence holder pays an annual contribution to ANRE.

(3) The level of the fees for granting/modifying authorisations/licenses, of the fees for issuing a duplicate, as well as of the annual contribution shall be established by order of the President of ANRE.

Art. 59

ANRE publishes on its website up-to-date information on authorisations and licences granted/refused, suspended and/or withdrawn. **Article 60**

Annexes 1 to 5 shall form an integral part of this Regulation.

ANNEX 1:

1. MODEL No 1.1

Mr President, I, the undersigned, (first name(s) and the name), in his capacity as (Director general/sole administrator) to the economic operator registered with the Trade Register Office under the name (name of the national company/company/autonomous region), having the legal form of (C.N./S.A./S.R.L./R.A.), registered in the Trade Register under no. J/ /, having unique registration code, with its registered office in (name commune/city/municipality, str. nr. , county, postal code), telephone no., fax number, address of e-mail from both the economic operator and the legal representative and account (specification/account number/ROL), opened with the Bank (name of commercial bank), branch (name/location of the branch where the company account is opened national/company/autonomous region), I request (granting of an authorisation of establishment/amendment of the authorisation of establishment) forrealisation of new energy capacity¹⁾ (name of the energy capacity for whose construction-assembly works the authorization is requested, its location); repowering of energy capacity²⁾ (name of the energy capacity for which the permit is requested for the refurbishment works, its location).

^{1), 2)} Fill in only the row following one of these figures, as appropriate.

I would like to inform you that, for the purpose of communication with the National Energy Regulatory Authority (ANRE), can be contacted by phone/fax at no. (No. telephone/fax).

The application shall be accompanied by the specific documents, a list of which is annexed hereto.

At the present date, the economic operator, in whose name and on whose behalf I sign this application, is not in bankruptcy proceedings and has not been sanctioned in a period of 5 years prior to the date of registration of the application with

withdrawal of an authorisation/licence held in the electricity market.

Until the development by public institutions and specialized bodies of the central public administration of software and the capacity to provide electronic public services,

♂_acquiesce_acquiesce

❖ I strongly disapprove of this document

with the transmission to ANRE of copies/extracts from opinions or other documents that have been issued by public institutions or specialized bodies of the central public administration.

Knowing the provisions of the Criminal Code on false statements, I certify on my own responsibility the veracity and authenticity of all submitted documents.

Signature of legal representative

2. MODEL No 1.2

Mr President,

I, the undersigned (first name(s) and the name), in his capacity as (Director general/sole administrator) to the economic operator registered at the Trade Register Office with the name (name of the national company/company/autonomous region), having the legal form of (C.N./S.A./S.R.L./R.A.), registered in the Trade Register under no. J/.../ , having unique registration code , with its registered office in (name commune/city/municipality, street no. , county, postal code), telephone no. , fax number , address of e-mail from both the economic operator and the legal representative and account (specification/account number/ROL), opened with the Bank (name of commercial bank), branch (name/location the branch where the account of the national company/company/autonomous region is opened), I request (licensing/modifying the licence) for (type of license).

I would like to inform you that, for the purpose of communication with the National Regulatory Authority for Energy (ANRE), I can be contacted by phone/fax at no. (telephone/fax number)*).

*) Both the applicant legal entity and the legal representative's phone will be switched.

The application shall be accompanied by the specific documents, a list of which is annexed hereto.

At this date, the economic operator, in whose name and on whose behalf I sign this application, is not in bankruptcy proceedings and has not been sanctioned in a period of 5 years prior to the date of registration of the application with the withdrawal of an authorisation/license held on the electricity market.

Until the development by the public institutions and the specialized bodies of the central public administration of the software and of the capacity to provide electronic public services, I agree with them.

with the transmission to ANRE of copies/extracts from opinions or other documents that have been issued by public institutions or specialized bodies of the central public administration.

Knowing the provisions of the Criminal Code on false statements, I certify on my own responsibility the veracity and authenticity of all submitted documents.

Signature:

3. MODEL No 1.3

Mr President,

I, the undersigned, (forename and surname), I request (Granting an licences/change of licence) for the commercial operation of electricity or electricity and heat generation capacities from cogeneration power plants and energy storage facilities added to the production capacity/for the commercial operation of energy storage facilities that are not added to an existing production capacity, being registered/individual company/family company which I represent being registered with the Trade Register Office under No J/.../ , with the unique code of registration , in accordance with the provisions of the law on the organization and conduct on the territory

of Romania of certain economic activities by sole proprietorships, sole proprietorships and family businesses, and having their domicile/residence¹⁾ in (name of commune/city/municipality, str. nr. , county, postcode).

¹⁾ For individuals who are foreign citizens.

I would like to inform you that, for the purpose of communication with the National Regulatory Authority for Energy (ANRE), I can be contacted by phone/fax at no. (telephone/fax no.) and e-mail address

I would like to mention that the account opened in my/the individual company's/the family business's name is , (specification/account number/ROL) at the Bank (name commercial bank), branch (name/location of the branch)†.

†To be completed if applicable.

The application shall be accompanied by the specific documents, a list of which is annexed hereto.

At this date, the economic operator, in whose name and on whose behalf I sign this application, is not in bankruptcy proceedings and has not been sanctioned in a period of 5 years prior to the date of registration of the application with the withdrawal of an authorisation/license held on the electricity market.

Until the development by the public institutions and specialized bodies of the central public administration of



software and capacity to provide electronic public services,

♂_ acquiesce_ acquiesce

❖ I strongly disapprove of this document

with the transmission to ANRE of copies/extracts from opinions or other documents that have been issued by public institutions or specialized bodies of the central public administration.

Knowing the provisions of Art. 326 of the Criminal Code on false statements, I certify on my own responsibility the veracity and authenticity of all documents transmitted.

Completion date:

Signature:

4. MODEL No 1.4

STATEMENT ON OWN LIABILITY

I, the undersigned,, legal representative of §), registered at the Registry Office

the Trade No, CUI, 326 of the Criminal Code on forgery in

I declare on my honour that the following documents:

*) Fill in the name of the applicant.

.....
which were submitted to the National Regulatory Authority for Energy (ANRE) and registered under no./ §) to obtain/amend the authorisation of establishment/licence, maintain their validity and can be used at the current request

**) Fill in the number of the submitted application, granted by ANRE upon registration.

Please note that if there are any changes/updates, I undertake to submit the updated documents.

I am signing this statement.

(name and surname in clear, quality, signature)

Date

ANNEX No 2:

1. MODEL No 2.1

STATEMENT ON OWN LIABILITY

(of the applicant legal person)

Undersigned,, as controlling shareholder/associate applicant/administrator/member of the board of directors of the economic operator, registered at the Trade Register Office under no. CUI, being aware of the provisions of Article 326

of the Criminal Code on false statements, I declare on my honour the following:

- I have/have not been a controlling shareholder/associate and/or an administrator in economic operators holding authorisations/licenses granted by the National Energy Regulatory Authority*);

*) Specify the holders of authorisations/licenses, if they had the status of shareholder/associate/administrator/member of the board of directors within them.

- I have/have not been a controlling shareholder/administrator in economic operators holding a licence who have not paid their payment obligations resulting from transactions carried out on the electricity market and/or resulting from the application of administrative penalties in relation to their turnover, for the acts referred to in Article 93(1) of Law No [123/2012 on electricity and natural gas](#), as amended.

Completion date:

Signature:

2. MODEL No 2.2

STATEMENT ON OWN LIABILITY

(of the applicant as a natural person)

I, the undersigned,, identified by C.I. no, CNP, residing in, as shareholder/associate controlling the applicant/administrator/member of the board of directors of the economic operator

Knowing the provisions of Art. 326 of the Criminal Code on false statements, I declare on my own responsibility the following:

- I was/was not a controlling shareholder/associate and/or an administrator in economic operators holding authorisations/licenses granted by the National Energy Regulatory Authority*);

‡Specify the authorisation/license holders, if they were shareholders/associates and/or administrators in them.

- I was/was not a controlling shareholder/administrator in some operators economic licensees who have not paid their payment obligations resulting from transactions carried out on the market of electricity and/or resulting from the application of administrative penalties by reference to the turnover of



for the acts referred to in Art. 93 par. (1) of the Electricity and Natural Gas Law No. 123/2012, as subsequently amended and supplemented.

Completion date:

Signature:

3. MODEL No 2.3

CONSENT STATEMENT

I, the undersigned,, residing in, CNP I agree that The National Regulatory Authority for Energy (ANRE), based in str. Constantin Nacu nr. 3, sector 2, Bucharest, to collect and process my personal data.

Consent to the processing of personal data, as well as the provision of the data mentioned in the GDPR form, is voluntary. This consent may be revoked at any time, with subsequent effect, by notification to ANRE.

Notification of revocation of consent can be made by e-mail to dpo@anre.ro or by a written request to ANRE Registry in Bucharest, str. Constantin Nacu no. 3, sector 2. Please note that the revocation of the consent does not affect the lawfulness of the use of the data before the withdrawal of the consent (the notification does not have retroactive effect). If the consent is not given or has been revoked, the personal data will not be used for the purposes mentioned in the GDPR form that can be found on the website www.anre.ro. If you have any questions about this declaration of consent or the data protection by ANRE in general, please do not hesitate to contact our data protection officer at: dpo@anre.ro.

Please mark*) with [x] the manner in which you wish to be contacted for the purpose of providing information by ANRE and to fill in your e-mail address and/or telephone number:

*) This form is valid only if this box is ticked by x.

[] e-mail to:

[] telephone number:

[] I have understood this declaration of consent and I consent to the collection and processing of my personal data for the purposes described in the GDPR form.

Completion date:

Signature:

ANNEX 3:

1. MODEL No 3.1

HIGHLIGHTS of the lands/constructions occupied temporarily or definitively by the establishment of the energy capacity and of the documents regarding the rights on these lands/construction (name)

Energy capacity composition	Building (land and/or construction) on which the energy capacity is located Identifier, address/cadastral number	Land surface area (sqm)	Legal act by which the rights of owner/concessionaire/user over land and/or constructions were acquired	No/Date of the land register extract
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2. MODEL No 3.2

SAFETY DISTANCES

Componentency of energy capacity	Objective	Distances (m)	
		Relative distance according to the project	Normative distance

ANNEX 4:

2. MODEL No 4.1

TECHNICAL-ECONOMIC DATA relating to the energy capacities for which authorisation is sought



No. crt.	Name of indicators	UM	Group 1	Group n	Total central
1.	General data				
	Project name: power plant/storage facility				
	Installed electrical power (production/storage)	MWe			
	Maximum electrical power delivered to the	MWe			
	Installed heat output	MWt			
	Lifetime	Ani			
	Duration of the investment	Ani			
	Average depreciation period of the investment	Ani			
2.	Total investment* (excluding VAT), of which:	lei			
	Equipment	lei			
	Construction and assembly	lei			
3.	Indicators calculated in the cost-benefit analysis of the feasibility study, on the basis of which the project was decided:				
	IRR - internal rate of return	%	-	-	
	NPV - net present value	lei	-	-	
	DRI - payback time	Ani	-	-	

4.	Presentation of the main design types and technical characteristics**) of the components of the energy production and/or storage capacities, as well as of the power plant's electrical installations	-	-	-	
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*) In the case provided for in Art. 13 par. (3) of the Regulation for granting licenses and authorizations in the electricity sector, approved by Order No. 6/2025 of the President of the National Energy Regulatory Authority, the value of the remaining works to be carried out shall be mentioned.

**) Depending on the situation and characteristics of the energy capacities for which the establishment permit is requested, the National Energy Regulatory Authority may request, in addition to the data in the table, other data and information that it considers relevant.

Completion date and signature:

3. MODEL No 4.2

TECHNICAL-ECONOMIC DATA relating to the energy capacities for which the licence is requested

No. crt.	Name of indicators	UM	Group 1	Group n	Total central
1.	General data				
	Name of the power plant/storage facility				
	Installed electrical power generation	MWe			
	Installed electrical storage power	MWe			
	Installed heat output	MWt			
	Lifetime	Ani			
	Year BIP				
	Average depreciation period of the investment	Ani			
2.	Presentation of the main design types and technical characteristics*) of the components of the power generating and/or storage capacities, if applicable, as well as of the electrical installations**) of the power plant/storage unit	-	-	-	

1) Depending on the situation and characteristics of the energy capacities for the commercial operation of which the licence is requested, the National Energy Regulatory Authority may request, in addition to the data in the table, other data and information that it considers relevant.

2)) Technical characteristics of power lines, substations and substations used for the discharge into the NES of the electrical power produced; in the case of electricity networks managed by the applicant for the licence, intended to ensure access to electricity networks of public interest for other users, the following shall be submitted: a) technical characteristics of lines, connections, substations and substations used for this purpose; b) information in the national stereographic coordinate system 1970, presented in vector GIS format in XML/SHAPE files, according to the scheme published on the website of the National Energy Regulatory Authority, with the following data set attached as attributes:

- 1 .type and name of energy capacity - power line, connection, substation, substation;
- 2 SIRUTA code of the locality/village in the administrative-territorial unit where the energy capacity is located;
- 3 .placement of energy capacity (overhead or underground power line);
- 4 .nominal voltage;
- 5.1 the width of the energy capacity, overhead or underground power line, by the length of the energy capacity being understood its actual length, and not the linear length;
- 6 .total number of transformers (in the case of substations/substations);
- 7 total installed MVA power (in the case of substations/substations);
- 8 .unique registration code of the economic operator operating that energy capacity;
- 9 .inventory number(s)/inventory sub-number(s) related to energy capacity;
- 10 .the net book value of the energy capacity at the date of commissioning;
- 11 .the number and date of the minutes of receipt at the end of the works.

Completion date:

Signature:

ANNEX 5:

1. MODEL No 5.1

National Energy Regulatory Authority

No from

ESTABLISHMENT AUTHORISATION for (realisation of the new capacity energy/energy capacity refurbishment)

on/in (name energy capacity), with the maximum electrical power MW, located
covered by the permit), granted (address/description complete site for the energy objective or capacity
economic operator), with CUI (name
..... (unique tax registration number).

This authorisation is valid subject to the specific and general conditions which form an integral part of the authorisation.

President ,

Date of issue: (date of authorisation)

Valid until

Forgery of this document shall be punishable by law.

2. MODEL No 5.2

LICENSE (No. registration in the Special License Register ANRE)/(date) for
..... (name of licence)

granted (name of applicant/license holder), CUI

..... (unique tax registration number)

This licence is valid under the specific and general conditions which form an integral part of the licence. *President* ,

Date of issue: (date the Licence)

Valid until

Forgery of this document shall be punishable by law.

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