

Emergency Ordinance 6/2025 on the measures applicable to final customers in the electricity market during the period April 1, 2025-June 30, 2025, respectively the measures applicable to final customers in the natural gas market during the period April 1, 2025-March 31, 2026, as well as for the amendment and completion of some regulatory acts in the energy field

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Considering the European and regional energy context deeply affected by the energy crisis and the prolonged conflict in Ukraine, which has caused major disruptions in energy supply chains and increased market volatility, directly affecting Romania's economic stability and energy security,

taking into account the fact that the war in Ukraine led to the destruction of critical infrastructure in the region, reducing the transit capacity of energy resources to Europe and generating substantial price increases, which puts additional pressure on the Romanian energy market and on end consumers,

seeing that Romania has become a net importer of electricity, recording a negative balance of 354 GWh in the first weeks of 2025, and this trend is maintained due to the decrease in

domestic production and the increase in energy transportation and distribution costs compared to the previous year,

Noting that, at European level, competition for access to alternative energy supply sources has intensified, prompting Member States to take rapid measures to protect national economies, and Romania must adopt similar measures to avoid major imbalances in the national energy system,

considering the social state character of Romania, as enshrined in art. 1 paragraph (3) of the Constitution of Romania , republished, as well as the constitutional obligations of the Romanian state to ensure the protection of citizens against the effects of an unprecedented economic and social crisis, as enshrined in art. 47 of the Constitution of Romania , republished, on ensuring a decent standard of living and in art. 135 on the protection of the national economy and strategic resources,

considering the need to strengthen national energy security by promoting an energy patriotism that prioritizes Romania's interests in the current geopolitical context, taking into account the fact that the adoption of responsible and sustainable energy policies is essential for protecting the national economy and the well-being of citizens, the recent initiatives of the Ministry of Energy emphasizing the importance of defending Romania's legitimate interests in the face of external challenges, and the promotion of energy patriotism implying both reducing dependence on external resources and supporting domestic energy production, these measures contributing to strengthening energy sovereignty and ensuring a decent standard of living for all citizens,

taking into account the fact that Romania is facing an alarming increase in the phenomenon of energy poverty, according to the World Bank report of September 2024, which shows that over 25% of the population is in a situation of energy vulnerability, and 17.8% of households experience major difficulties in paying bills,

seeing that the lack of immediate measures could lead to the bankruptcy of some SMEs and energy-intensive industries, causing massive job losses and reducing Romania's economic competitiveness at the European level,

noting that the national energy infrastructure is under pressure, with a risk of major supply shortages, especially in the context of increased demand for the winter of 2025-2026, and that Transelectrica has warned of the significant risk of blackouts during peak consumption periods, which would affect the functioning of essential institutions, including hospitals and educational institutions,

considering the need for Romania to comply with its obligations under the Just Transition Mechanism and the European Green Deal, implementing appropriate measures to protect vulnerable consumers and ensure the stability of the energy market, failing which there is a risk of sanctions from the European Union,

taking into account the alarming increase in energy prices, driven by geopolitical instability and attacks on energy infrastructure in Ukraine, as well as economic estimates indicating a possible doubling of natural gas and electricity prices in the absence of urgent intervention,

seeing that the Republic of Moldova is facing a severe energy crisis, after Russia stopped gas supplies to the Transnistrian region, which generated an increase in demand for imports from Romania, putting additional pressure on national resources and the National Energy System,

noting that production from renewable sources is insufficient during certain periods of the year, the "Dunkelflaute" phenomenon causing a rapid depletion of natural gas stocks and water reserves in large reservoirs, which requires the adoption of measures to balance the National Energy System (SEN) in order to prevent a major energy crisis,

given the current situation at national and international level, determined by the still high level of electricity and natural gas prices, mainly due to the current geopolitical context, it is necessary to extend the application of some of the protection measures included in Government Emergency Ordinance No. 27/2022 on the measures applicable to final customers in the electricity and natural gas market during the period April 1, 2022-March 31, 2023, as well as for the amendment and completion of some regulatory acts in the field of energy, approved with amendments and completions by Law No. 206/2022, with subsequent amendments and completions, of a temporary nature, of consumers, so that the prices for electricity and natural gas paid by final customers do not affect economic competitiveness and do not aggravate the level of energy poverty,

taking into account the fact that a transition period towards liberalized electricity and natural gas markets is necessary, so as not to cause destabilization among market participants,

considering that, before the complete liberalization of energy markets, a period of preparation of support measures that will be granted specifically to consumers affected by energy poverty is necessary, by correctly defining them and limiting the aid granted to the minimum necessary, while also ensuring appropriate consumption behavior for this category, in the sense of making consumption more efficient at the real level of their own needs,

Taking into account the public benefit generated by ensuring a high level of protection of the life, health, safety and economic interests of consumers,

Considering that it is imperative to ensure rigorous discipline of the energy market and a high level of protection of citizens as consumers, in the current geopolitical conditions,

having regard to the PSD-PNL-UDMR-Parliamentary Group of National Minorities in the Chamber of Deputies 2024-2028 Government Program, adopted by Decision of the Romanian Parliament no. 33/2024 for granting confidence to the Government, which provides: "Introducing a system for compensating energy costs, to support vulnerable households and combat energy poverty, so that, after paying utility bills, no household falls below the relative poverty threshold",

Considering that these elements create an extraordinary situation whose regulation cannot be postponed, which affects the general public interest, with implications for Romania's energy, economic and social security, and which requires the immediate intervention of the Government through urgent regulatory measures,

pursuant to art. 115 paragraph (4) of the Constitution of Romania , republished,

The Government of Romania adopts this emergency ordinance.

Article 1

(1) By way of derogation from the provisions of art. 80 paragraph (2) of the Law on Electricity and Natural Gas no. 123/2012 , as subsequently amended and supplemented, for the consumption made during the period 1 April 2025-30 June 2025, the final capped price invoiced by electricity suppliers is:

a) maximum 0.68 lei/kWh, VAT included, for consumption by the following categories of customers:

- (i) household customers whose monthly consumption is between 0 and 100 kWh inclusive;
- (ii) household customers at whose place of consumption there are people who use medical devices, appliances or equipment powered by the electrical network, necessary for carrying out medical treatments, based on confirmation from the specialist doctor and a request submitted to the supplier; the final invoiced capped price applies from the first of the month following the one in which the previously provided documents were submitted;
- (iii) household customers who have at least 3 children under the age of 18 in their care, based on an application and a declaration on their own responsibility; the age limit is extended to 26 years if the adult child is attending a form of education; the final invoiced capped price applies from the first of the month following the month in which the previously provided documents were submitted;
- (iv) single-parent household customers, who have at least one child under the age of 18 in their care, based on an application and a declaration on their own responsibility; the age limit

is extended to 26 years if the adult child is attending a form of education; the final invoiced capped price applies from the first of the month following the month in which the previously provided documents were submitted;

b) maximum 0.80 lei/kWh, VAT included, for consumption by household customers whose monthly consumption at the place of consumption is between 100.01 and 255 kWh; electricity consumption between 255 and 300 kWh/month is invoiced at a maximum price of 1.3 lei/kWh, VAT included, and if consumption exceeds 300 kWh/month, the entire consumption is invoiced at a maximum price of 1.3 lei/kWh;

c) maximum 1 lei/kWh, VAT included, for 85% of the monthly consumption at the place of consumption, the difference in monthly electricity consumption to be invoiced at a maximum price of 1.3 lei/kWh, VAT included, based on the affidavit of the legal representative for the following categories of consumers:

(i) small and medium-sized enterprises, as defined in Law No. 346/2004 on stimulating the establishment and development of small and medium-sized enterprises, with subsequent amendments and supplements, hereinafter referred to as SMEs;

(ii) operators/regional operators defined in art. 2 letters g) and h) of the Law on Community Public Utilities No. 51/2006 , republished, with subsequent amendments and completions, which provide/provide the public utility services provided in art. 1 paragraph (2) letters a), b), b¹), c) and h) of the Law No. 51/2006 , republished, with subsequent amendments and completions, the Bucharest Metro Transport Company "Metrorex" - SA, as well as the airports that are under the subordination/coordination or authority of the Ministry of Transport and Infrastructure;

(iii) economic operators in the food industry, identified by NACE code 10, as well as those in the agriculture and fishing sector, identified by NACE codes 01 and 03;

(iv) local public authorities and institutions, decentralized public services of ministries and other central bodies, companies and societies of county, municipal or local interest, autonomous regies and all public and private entities that provide a public service, pursuant to the law, if they are established or organized at the level of communes, cities, municipalities, counties, Bucharest municipality and, as the case may be, at the level of administrative-territorial subdivisions of municipalities or at the level of intercommunity development associations, under the leadership, coordination, control and responsibility of local public administration authorities;

(v) national research and development institutes, as defined by Government Ordinance no. 57/2002 on scientific research and technological development, approved with amendments and completions by Law no. 324/2003 , with subsequent amendments and completions;

d) maximum 1 leu/kWh, VAT included, for the full consumption of public and private hospitals, defined according to Law no. 95/2006 on the health reform, republished, with subsequent amendments and completions, of public and private educational institutions, defined according to Law no. 198/2023 on pre-university education , with subsequent

amendments and completions, as well as of nurseries, of public and private providers of social services provided for in the Nomenclature of social services, approved by Government Decision no. 867/2015 for the approval of the Nomenclature of social services, as well as of the framework regulations for the organization and functioning of social services, with subsequent amendments and completions; the capping mentioned in this article also applies to situations in which one of the aforementioned entities is the final beneficiary of the electricity consumption and/or for all buildings that were built and authorized for the purpose of hospitals;

e) maximum 1 lei/kWh, VAT included, for 85% of the monthly consumption, made at the place of consumption, for public institutions, other than those provided for in letter d), as well as for those belonging to officially recognized religions in Romania, according to Law no. 489/2006 on religious freedom and the general regime of religions, republished; the difference in monthly electricity consumption is invoiced at a maximum price of 1.3 lei/kWh, VAT included;

f) maximum 1.3 lei/kWh, VAT included, for household and non-household consumers not provided for in letters a)-e);

(2) The provisions of paragraph (1) letter a) points (ii)-(iv) shall also apply to consumption places used under a rental contract. In this situation, the following documents shall be submitted to the supplier by the household customer:

- a) the request regarding the application of the capped price;
- b) copy of the rental contract;
- c) the tenant's declaration on his own responsibility that he falls into one of the categories provided for in paragraph (1) letter a) points (ii)-(iv) or the medical confirmation provided for in paragraph (1) letter a) point (ii), as the case may be.

(3) By way of derogation from the provisions of art. 180 paragraph (1) of Law no. 123/2012 , as subsequently amended and supplemented, for consumption made during the period 1 April 2025-31 March 2026, the final price invoiced by natural gas suppliers is:

- a) maximum 0.31 lei/kWh, VAT included, in the case of household customers hereinafter referred to as CC;
- b) maximum 0.37 lei/kWh, VAT included, in the case of non-household customers whose annual natural gas consumption in the previous year at the place of consumption is no more than 50,000 MWh, as well as in the case of thermal energy producers and non-household customers within industrial parks regulated by Law no. 186/2013 on the establishment and operation of industrial parks, as amended and supplemented, as well as those within closed distribution systems defined according to Law no. 123/2012 , as amended and supplemented.

- (4) The final invoiced price provided for in paragraph (3) letter b) shall also apply to consumption points of non-household customers connected after April 1, 2025, within the limit of an annual consumption of no more than 50,000 MWh.
- (5) By way of exception to the provisions of paragraph (1), in the case of consumption points of household customers in a condominium, connected through a common installation with a single metering meter, for inclusion in the consumption tranches provided for in paragraph (1) letters a) and b), the consumption of each owner is determined by dividing the total consumption of the owners/tenants association by the number of months of consumption and the number of living spaces that are part of the respective condominium.
- (6) For the calculation of each residential space in the condominium, the natural gas consumption is determined by dividing the total annual consumption of the owners/tenants association by the number of residential spaces that are part of the respective condominium.
- (7) In the case of residential districts for which suppliers have concluded supply contracts with city halls, respectively real estate developers/owners' associations of real estate developments, and the consumption points of household customers are invoiced jointly through a single invoice, the provisions of paragraphs (5) and (6) shall apply to determine the consumption related to the respective contracts and the division at the level of household consumer beneficiaries.
- (8) The amounts and tranches provided for in paragraph (1), as well as in art. 7 paragraph (1) may be modified by Government decision, initiated in accordance with the provisions of art. 80 and 180 of Law no. 123/2012 , with subsequent amendments and completions, depending on the developments recorded on the domestic and international electricity and natural gas markets and on the geopolitical developments in Romania's vicinity.
- (9) The price applicable for the period 1 April 2025-30 June 2025 from the standard offers for customers provided for in paragraph (1), developed and published by electricity suppliers, cannot exceed the value of the final invoiced price provided for in paragraph (1).
- (10) The price applicable for the period 1 April 2025-31 March 2026 from the standard offers for customers provided for in paragraph (3), developed and published by natural gas suppliers, cannot exceed the value of the final invoiced price provided for in paragraph (3).
- (11) For the period 1 April 2025-30 June 2025, for the billing periods for which consumption is established based on the index read and transmitted by the customer, the classification in the consumption tranches established according to the provisions of art. 1 is carried out based on the electricity consumption determined, taking into account the index transmitted by the latter. If the reading interval by the distribution operator, hereinafter referred to as the OD, is that established by the legal provisions in force, the consumption related to each billing period between two meter readings by the OD is established as the product between the number of days of the billing period and the average daily consumption, the classification and billing of the customer being in accordance with the related consumption tranches. If the OD reads the meter at an interval greater than the 3-month interval provided for by the legal

provisions in force, in addition to the sanction provided for by law and the penalties provided for in the performance standard, the regularization of electricity consumption is carried out by referring to the last index read and communicated by the customer/OD, the classification in the consumption tranches for the billing period being carried out based on the consumption established as the difference between the index read and communicated by the OD and the index read and communicated by the customer/OD.

(12) In the case of a household customer, if, following the adjustment, the amount paid by the customer in excess is greater than 100 lei, then the supplier is obliged to refund the amount paid by the customer within 5 days from the date of issue of the adjustment invoice. Amounts below this value will be offset against subsequent invoices. Failure by suppliers to comply with this obligation constitutes a contravention and is established and sanctioned in accordance with the provisions of Law no. 123/2012 , as amended and supplemented.

(13) Electricity/natural gas suppliers are required to break down the price for the final customer from the standard electricity/natural gas supply offers, developed and published by them, and from the supply contracts concluded with final customers, into the following components:

- a) the price of electricity/natural gas, which includes the electricity/natural gas purchase component (including the transmission tariff - the component for introducing electricity/gas into the network/system, the storage cost, as appropriate) and the supply component;
- b) the network/system component established on the basis of regulated tariffs for network/system services (distribution, transmission, system service);
- c) fees, taxes, contributions established according to the legal provisions in force.

(14) The declarations and documents validly submitted to energy suppliers until the entry into force of this emergency ordinance, in application of the provisions of Government Emergency Ordinance no. 27/2022 regarding the measures applicable to final customers in the electricity and natural gas market during the period 1 April 2022-31 March 2023, as well as for the amendment and completion of some regulatory acts in the energy field, approved with amendments and completions by Law no. 206/2022, with subsequent amendments and completions, are valid and produce legal effects for all operations and administrative acts regulated by this emergency ordinance.

Art. 2

(1) The final invoiced price provided for in art. 1 para. (1) and (3) shall be established by each supplier as the sum of the following components, as the case may be:

- a) the procurement component established under the conditions provided for in art. 3;
- b) the supply component established under the conditions provided for in art. 4;
- c) the components represented by the regulated/established tariffs according to the regulations of the National Energy Regulatory Authority, hereinafter referred to as ANRE, in force during the period of application of the provisions of this emergency ordinance, for the

services provided by the operators of the electricity/natural gas distribution and transport networks/systems, including for the services provided by the operators of underground natural gas storage facilities;

d) components represented by VAT, excise duties, the contribution related to the support scheme for promoting high-efficiency cogeneration based on the demand for useful thermal energy, the equivalent value of green certificates related to the system for promoting the production of energy from renewable sources, the contribution related to the support scheme such as contracts for difference.

(2) For the customers referred to in art. 1 para. (1) and (3), the final price invoiced by each electricity/natural gas supplier is the minimum value of:

- a) the maximum final price provided for in art. 1 paragraph (1) and/or (3);
- b) the contractual price;
- c) the final price calculated according to the provisions of art. 5 and 6.

Article 3

(1) The value of the procurement component is calculated by each supplier, for each month of the period of application of the provisions of this emergency ordinance, as the difference between the final invoiced price provided for in art. 1 para. (1) and (3) and the components provided for in art. 2 para. (1) letter b)-d), as the case may be.

(2) The average purchase price achieved shall be calculated by each supplier, for each month of the period of application of the provisions of this emergency ordinance, and shall include:

- a) the equivalent value of electricity/natural gas purchased through all forward contracts and from the day-ahead market/intraday market, including the equivalent value of natural gas extracted from underground natural gas storage facilities - excluding the equivalent value of quantities purchased in the month of analysis and intended for storage in underground storage facilities, as well as the transfer value between the production activity and the supply activity in the case of producers supplying electricity/natural gas to final customers;
- b) the equivalent value of the imbalance achieved, but not more than 10% of the equivalent value of electricity/natural gas provided for in letter a).

(3) By way of exception to the provisions of paragraph (2), for the final customers referred to in art. 1 taken over as a last resort, the suppliers of last resort shall determine the average purchase price achieved, for each month of the period of application of the provisions of this emergency ordinance, and shall include:

- a) the equivalent value of electricity/natural gas purchased, through forward contracts and from the day-ahead market/intraday market, including the equivalent value of natural gas extracted from underground natural gas storage facilities - excluding the equivalent value of quantities purchased in the month of analysis and intended for storage in underground storage

facilities, as well as the transfer value between the production activity and the supply activity in the case of producers that supply electricity/natural gas, to ensure the consumption of customers taken over as a last resort;

b) the amount corresponding to the equivalent value of the monthly imbalance related to the clients taken over as a last resort.

Article 4

(1) During the period April 1, 2025-June 30, 2025, the supply component for the electricity supply activity is a maximum of 73 lei/MWh.

(2) During the period April 1, 2025-March 31, 2026, the supply component for the natural gas supply activity is a maximum of 15 lei/MWh.

(3) By way of exception to the provisions of paragraph (1), during the period April 1, 2025-June 30, 2025, the supply component of the prices applied to customers taken over as last resort is a maximum of 80 lei/MWh for the electricity supply activity.

Article 5

(1) During the period 1 April 2025-30 June 2025, for the final electricity customers referred to in art. 1 paragraph (1), the final price referred to in art. 2 paragraph (2) letter c) shall be established by each supplier as the sum of the following components, as the case may be:

- a) the purchase price established under the conditions provided for in art. 6;
- b) the supply component established under the conditions provided for in art. 4;
- c) the components represented by the regulated/established tariffs according to ANRE regulations in force during the period of application of the provisions of this emergency ordinance, for the services provided by the operators of the electricity distribution and transmission networks;
- d) components represented by VAT, excise duties, the contribution related to the support scheme for promoting high-efficiency cogeneration based on the demand for useful thermal energy, the equivalent value of green certificates related to the system for promoting the production of energy from renewable sources, the contribution related to the support scheme such as contracts for difference.

(2) During the period 1 April 2025-31 March 2026, for the final natural gas customers referred to in art. 1 paragraph (3), the final price shall be that provided for in art. 2 paragraph (2) letter c), and for the final natural gas customers other than those referred to in art. 1 paragraph (3), the final price shall be established by each supplier as the sum of the following components, as the case may be:

- a) the purchase price established under the conditions provided for in art. 6;
- b) the supply component established under the conditions provided for in art. 4;

c) the components represented by the regulated/established tariffs according to ANRE regulations in force during the period of application of the provisions of this emergency ordinance, for the services provided by the operators of natural gas distribution and transmission systems, including for the services provided by the operators of underground natural gas storage facilities;

d) components represented by VAT, excise duties.

(3) If the price in the supply contract in force concluded with the final customers referred to in paragraphs (1) and (2) is lower than the final price resulting from the application of this emergency ordinance, the contractual price shall apply.

(4) By way of exception to the provisions of paragraph (1) and article 3, in the case of energy producers that transfer electricity from the production portfolio to the supply portfolio, for the quantities of electricity transferred, the final price is:

a) the contractual price if it ensures compliance with the ceilings in art. 1 paragraph (1);

b) the capped price provided for in art. 1 paragraph (1) if the contractual price is higher than the value of the ceilings.

(5) In the case of producers transferring energy from the production portfolio to the supply portfolio, the purchase component provided for in paragraph (1) and Article 3 of the supply contracts for which electricity will be purchased from the market will be determined taking into account exclusively the purchase price achieved. For the quantity of energy purchased to cover these contracts, producers will draw up and maintain a separate record from the quantity transferred from their own production.

Article 6

(1) The purchase price provided for in art. 5 shall be calculated by each supplier for each month, referred to as month n, of the period of application of the provisions of this emergency ordinance and shall include:

a) the equivalent value of the electricity/natural gas purchased, which also includes the quantities extracted from underground storage facilities, as well as those transferred between the production activity and the supply activity in the case of producers supplying electricity/natural gas;

b) the estimated value of the electricity/natural gas needed to be purchased from the day-ahead/intraday market;

c) an adjustment component calculated for month n as the difference between the purchase price taken into account in the final price invoiced in month n-1 and the purchase price achieved in month n-1 determined in accordance with the provisions of art. 3 paragraph (2).

(2) By way of exception to the provisions of paragraph (1), in the case of customers referred to in art. 5, taken over as a last resort, the purchase price from the final invoiced price is

determined similarly to the average purchase price achieved provided for in art. 3 paragraph (3).

Article 7

(1) The value resulting from the product between the quantity of natural gas invoiced to final customers, beneficiaries of the support scheme established by this emergency ordinance, in each month of the period of application of the provisions of this emergency ordinance and the positive difference between the average purchase price determined according to the provisions of art. 3 paragraph (2) or, as the case may be, paragraph (3) and the value of the purchase component determined according to the provisions of art. 3 paragraph (1), relating to the invoiced month, will be compensated to the suppliers through the budget of the Ministry of Labor, Family, Youth and Social Solidarity, for household customers, and through the budget of the Ministry of Energy, for non-household customers, in accordance with the values calculated by ANRE, from the Energy Transition Fund.

(2) The supporting documents that must be submitted monthly to ANRE by suppliers, separately for household and non-household customers, in order to cover the price differences compensated according to paragraphs (1) and (3) are:

- a) supporting documents attesting to the value of the electricity/natural gas purchased, including quantities extracted from underground storage facilities or transferred from own production to the supply activity, such as, but not limited to: purchase contracts, invoices, internal notes;
- b) supporting documents attesting the amount corresponding to the equivalent value of the monthly imbalance, such as, but not limited to: settlement notes, invoices;
- c) the quantity of electricity/natural gas delivered monthly in order to cover the consumption of the final customers provided for in art. 1 para. (1) and (3) by customer categories and consumption tranches;
- d) any other necessary documents or information requested by ANRE, in order to verify and determine the values provided for in paragraphs (1) and (3).

(3) The value resulting from the product between the quantity of electricity invoiced to final customers, beneficiaries of the support scheme established by this emergency ordinance, in each month of the period of application of the provisions of this emergency ordinance and the positive difference between the average purchase price determined according to the provisions of art. 3 paragraph (2) whose value is less than or at most equal to the value of 700 lei/MWh or, as the case may be, determined according to the provisions of art. 3 paragraph (3) and the value of the purchase component determined according to the provisions of art. 3 paragraph (1), related to the invoiced month, will be compensated to the suppliers from the state budget, through the budget of the Ministry of Labor, Family, Youth and Social Solidarity, for household customers, and through the budget of the Ministry of Energy, for non-household customers, in accordance with the values calculated by ANRE.

(4) The successive sale, respectively the sale between groups of affiliated companies or intragroup, of quantities of electricity or natural gas by traders and/or suppliers with trading activities or by traders and/or suppliers with trading activities who have the same shareholding or final beneficiary, in order to increase the price, is prohibited and constitutes a contravention.

(5) Failure to comply with the provisions of paragraph (4) shall be sanctioned by ANRE with a fine of 5% of the annual turnover of the offending person.

Article 8

(1) The amounts related to the compensations provided for in art. 7 paragraph (1) for each supplier shall be determined by ANRE, within 30 days from the date of receipt of the settlement requests, the model of which is provided in annexes no. 1 and 2, submitted and registered with the National Agency for Payments and Social Inspection, respectively the Ministry of Energy and, in copy, to ANRE at the e-mail address: plafonare@anre.ro, by the suppliers.

(2) In the event that ANRE finds the occurrence of material errors, lack of supporting documents or calculation errors as a result of the data being uploaded by suppliers onto the IT platform, the term provided for in paragraph (1) shall be extended by the terms provided for in art. 9 paragraphs (9) and (10).

Article 9

(1) Suppliers are required to keep monthly records, in a differentiated manner, of the final customers provided for in art. 1 to whom the compensated price differences provided for in this emergency ordinance apply, as well as of the final customers provided for in art. 5.

(2) Customers are identified by suppliers through the identification attributes related to the place of consumption, according to the consumption invoices issued based on validly concluded supply/sale contracts.

(3) Upon request by ANRE, suppliers are required to make available to it the records provided for in paragraph (1), as well as any other information related to the documents provided for in art. 7.

(4) The responsibility for the accuracy and calculation of the amounts requested in the settlement request lies exclusively with the suppliers.

(5) Based on the invoices issued for each month of the application period provided for in art. 1 para. (1) and (3), suppliers shall submit to the National Agency for Payments and Social Inspection at the e-mail address: plafonare.casnici@mmanpis.ro, respectively to the Ministry of Energy at the e-mail address: plafonare@energie.gov.ro and, in copy, to ANRE at the e-mail address: plafonare@anre.ro, by uploading on the IT platform at www.spv.anre.ro, the request for monthly settlement of the amounts related to the compensation, differentiated for

household and non-household customers provided for in art. 1, separately for electricity and/or natural gas, according to annex no. 1 or annex no. 2.

(6) The National Agency for Payments and Social Inspection, respectively the Ministry of Energy, will send ANRE, within 2 working days, confirmation of the registration of the settlement request submitted by the supplier.

(7) Once the monthly settlement request is submitted to the National Agency for Payments and Social Inspection, respectively to the Ministry of Energy and ANRE, each supplier is obliged to upload, within 5 working days, the supporting documents provided for in art. 7 para. (2), accompanied by the self-declaration, the model of which is provided in annex no. 3, on the IT platform made available by ANRE.

(8) If the existence of material or calculation errors resulting from the lack of full communication of the supporting documentation or due to the erroneous entry of data into the IT platform made available by ANRE is found, as a result of the checks carried out by it or as a result of the suppliers' findings communicated to ANRE, the regulatory authority will communicate these errors to the supplier and the National Agency for Payments and Social Inspection, respectively the Ministry of Energy, as well as the rectified values of the compensations, within 5 days from the date of the finding.

(9) Within 5 days from the date of the communication provided for in paragraph (8), the supplier shall make the corresponding corrections and shall communicate to ANRE and to the National Agency for Payments and Social Inspection or the Ministry of Energy, as the case may be, the revised settlement request.

(10) ANRE shall transmit the values related to the compensations, provided for in art. 7 paragraph (1), according to annex no. 4, to the National Agency for Payments and Social Inspection, respectively the Ministry of Energy, and they shall pay to the suppliers the amounts representing the value of the compensation of the consumptions made during the period 1 April 2025-30 June 2025 for electricity, respectively 1 April 2025-31 March 2026 for natural gas, as follows:

a) 40% of the amount requested by the settlement request submitted in accordance with the provisions of paragraph (5), from the Energy Transition Fund and from other legally established sources, within 10 working days from the transfer of funds for this purpose by the Ministry of Finance to the account of the Ministry of Energy, respectively the Ministry of Labor, Family, Youth and Social Solidarity - National Agency for Payments and Social Inspection;

b) the difference in payment between the value determined according to the provisions of art. 8 paragraph (1) and the value provided for in letter a), after validation of the amounts by ANRE, according to annex no. 4, within 10 working days from the transfer of funds for this purpose by the Ministry of Finance to the account of the Ministry of Energy, respectively the Ministry of Labor, Family, Youth and Social Solidarity - National Agency for Payments and Social Inspection;

c) if the value determined according to art. 8 paragraph (1) is lower than the value settled according to letter a), the suppliers are obliged to return the difference between the two values within 10 working days from the date of communication of the value determined by ANRE.

(11) By way of derogation from the provisions of art. 286 paragraph (1) letter a) of Law no. 227/2015 on the Fiscal Code, as subsequently amended and supplemented, the differences provided for in art. 7 paragraph (1) are not subsidies directly linked to the price and are not included in the VAT tax base.

(12) The amounts related to the compensations granted according to art. 7 paragraph (1) are ensured through the budget of the Ministry of Labor, Family, Youth and Social Solidarity and the budget of the Ministry of Energy from the Energy Transition Fund.

(13) All settlement requests submitted by suppliers must refer to the quantities of energy and/or natural gas sold according to the contractual billing periods in the invoices issued for the month for which the settlement is requested.

Article 10

By way of derogation from the provisions of art. 2 point 33 of Law no. 500/2002 on public finances, as subsequently amended and supplemented, in the phase of liquidation of expenses, the Ministry of Energy, the National Agency for Payments and Social Inspection and ANRE shall carry out checks on the consistency of the total amounts in the payment statements, only on the basis of the settlement requests and the self-declarations submitted by the suppliers, the models of which are provided in annexes no. 1-4. The subsequent phases of budgetary expenses shall be carried out exclusively with regard to the amounts approved for settlement, as a result of the checks carried out in accordance with this emergency ordinance.

Article 11

(1) By way of derogation from the provisions of art. 143 paragraph (2¹) of Law no. 123/2012, as subsequently amended and supplemented, during the period 1 April 2025-31 October 2025, natural gas suppliers/producers of thermal energy in cogeneration plants and in thermal plants as direct customers of natural gas producers, hereinafter referred to as PET direct customer, shall constitute in underground natural gas storage facilities a minimum stock of natural gas to ensure continuity and security in the supply of their final customers/ensuring their own consumption and affordability of the price by them; the minimum stock shall represent at least 90% of the storage capacity of underground storage facilities at national level, according to Annex no. 5.

(2) Natural gas suppliers/direct customer PET constitute their minimum stock of natural gas by:

- a) storing natural gas in its own name, by concluding underground natural gas storage contracts with one of the holders of the operating license for underground natural gas storage systems; and/or
- b) the conclusion, by October 31, 2025, of sale-purchase contracts concerning quantities of natural gas originating from underground natural gas storage facilities, stored by another natural gas supplier;
- c) concluding mandate contracts with another supplier, in order to store natural gas.

Article 12

(1) During the period 1 April 2025-31 March 2026, natural gas producers carrying out both onshore and/or offshore extraction activities, regardless of the date of commencement of this activity, and natural gas sales activities are obliged to deliver, at the price of 120 lei/MWh, the necessary quantities of natural gas resulting from internal production activity to suppliers/direct customer PETs/network operators, in order to ensure, in the following order of priority:

- a) during the period April 1, 2025-October 31, 2025, the natural gas requirement for the establishment of the minimum stock required for the period November 1, 2025-March 31, 2026;
- b) during the period April 1, 2025-March 31, 2026, the gas requirement for current consumption of household customers, established according to Annex No. 5;
- c) during the period November 1, 2025-March 31, 2026, the gas requirement for the current consumption of thermal energy producers, only for thermal energy intended for the population, established according to Annex No. 5;
- d) during the period 1 April 2025-31 March 2026, the necessary quantities of natural gas resulting from internal production activity to the transmission and system operator and to the distribution concessionaire operators holding an operating license - network operators in order to ensure 75% of the quantity of natural gas intended for technological consumption (CT), established according to Annex No. 5.

(2) The price of natural gas provided for in paragraph (1) for the period 1 April 2025-31 March 2026 may be modified by Government decision, initiated in accordance with the provisions of art. 180 of Law no. 123/2012, with subsequent amendments and supplements, depending on the developments recorded on the domestic and international natural gas markets and the geopolitical developments in Romania's vicinity.

(3) When concluding the contracts provided for in paragraph (1), relating to the period April 1, 2025-March 31, 2026, the parties shall include clauses that allow the application of the provisions of paragraph (2).

(4) The category of household customers, provided for in paragraph (1), also includes household customers from condominiums, homeowners' associations, tenants' associations and residential neighborhoods.

(5) Depending on subsequent developments on the natural gas market, ANRE will update the calculation method of natural gas quantities intended for CC consumption and thermal energy production, hereinafter referred to as PET, for the period 1 April 2025-31 March 2026, as established in Annex No. 5.

(6) Until March 31, 2026, the royalty owed by natural gas producers for the quantities of natural gas sold according to paragraph (1) shall be established based on the price provided for in paragraph (1), by order of the President of the National Regulatory Authority for Mining, Petroleum and Geological Storage of Carbon Dioxide, issued within 10 days from the date of entry into force of this emergency ordinance.

Article 13

The quantities of natural gas sold under the conditions of art. 12 paragraph (1) are exempt from the application of the provisions of Government Ordinance no. 7/2013 on the establishment of the tax on additional income obtained as a result of the deregulation of prices in the natural gas sector, approved with amendments by Law no. 73/2018, with subsequent amendments and completions, and from the provisions of art. 20 of Law no. 256/2018 on some measures necessary for the implementation of petroleum operations by holders of petroleum agreements relating to offshore and onshore deep-water petroleum perimeters, republished, with subsequent amendments and completions.

Article 14

(1) Starting with April 1, 2025, during the period of application of the provisions of this emergency ordinance, electricity producers, aggregated electricity production entities, traders, suppliers carrying out trading activity and aggregators trading quantities of electricity and/or natural gas on the wholesale market, as well as partners in financial risk insurance contracts (hedging contracts) of electricity producers shall pay a contribution to the Energy Transition Fund, established in accordance with the provisions of the methodologies set out in Annexes No. 6, 6.1 and 6.2.

(2) The provisions of paragraph (1) are not applicable to production capacities put into operation after April 1, 2022, as well as to companies providing public thermal services that produce electricity through cogeneration.

(3) Bilateral contracts concluded on the wholesale market through direct negotiation shall be reported to ANRE by the contracting parties within 2 working days from the date of conclusion.

(4) The contribution to the Energy Transition Fund is calculated, declared and paid by the seller monthly, by the 25th inclusive of the month following the month for which it is due.

- (5) The amounts representing the equivalent of the contribution to the Energy Transition Fund shall be paid into a distinct available account in lei opened at the State Treasury units within the competent central fiscal bodies, coded with the payer's fiscal identification code.
- (6) In the first 3 working days of each month, the amounts collected in the account provided for in paragraph (5) shall be transferred by the State Treasury units to a separate available account in lei opened in the name of the Ministry of Finance at the Treasury and Public Accounting Activity of the Municipality of Bucharest, called the "Energy Transition Fund".
- (7) At the request of the Ministry of Energy and the Ministry of Labor, Family, Youth and Social Solidarity, the Ministry of Finance is authorized to increase the state budget revenues, to a distinct position, as well as the commitment credits and budgetary credits provided for in their budgets, within the limits of the amounts available in the balance of the account provided for in paragraph (6), for the payment of the compensations provided for by this emergency ordinance.
- (8) The amounts by which the state budget revenues have been increased according to the provisions of paragraph (6) shall be transferred by the Ministry of Finance from the account provided for in paragraph (5) to the budgetary revenue accounts provided for in paragraph (6) coded with the fiscal identity codes of the Ministry of Energy and the Ministry of Labor, Family, Youth and Social Solidarity, as the case may be.
- (9) The Ministry of Energy and the Ministry of Labor, Family, Youth and Social Solidarity are authorized to detail the influences approved according to paragraph (7) in the budget and in the annexes thereto and to communicate them to the Ministry of Finance, within 5 working days from the budget increase.
- (10) Until December 22 of the budget year, the amounts remaining unused, determined as the difference between the revenues collected according to paragraph (7) and the payments made, shall be transferred by the Ministry of Energy and the Ministry of Labor, Family, Youth and Social Solidarity from the revenue account of the state budget in which they were collected to the available account provided for in paragraph (6).
- (11) The amounts remaining available at the end of the year in the account provided for in paragraph (6), including the amounts transferred according to paragraph (10), shall be used in the following year based on the mechanism provided for in paragraph (7).
- (12) The amounts in the accounts provided for in paragraphs (5) and (6) are not interest-bearing and are not subject to enforcement.

Article 15

- (1) Failure to comply with the obligations provided for in art. 1 para. (1)-4), art. 2 para. (2), art. 3-6, art. 12 para. (1), art. 20 and point 2 letter a), point 6, point 16 of annex no. 5 constitutes a contravention and is sanctioned with a fine of between 1% and 5% of the annual turnover of the financial year preceding the sanction.

(2) Failure to comply with the obligations provided for in art. 1 para. (5)-(13), art. 9 para. (1)-(3), (7), (9) and (13), art. 14 para. (3), art. 17, art. 21 and point 2 letter b) and e), point 8, point 9, point 12, point 13 of annex no. 5 constitutes a contravention and is sanctioned with a contraventional fine from 100,000 lei to 400,000 lei.

(3) Failure to comply with the obligations provided for in art. 11 constitutes a contravention and is sanctioned according to the provisions of paragraph (1), by way of derogation from the provisions of art. 195 paragraph (1) point 2 letter d¹) of Law no. 123/2012, as subsequently amended and supplemented.

(4) The offenses provided for in this emergency ordinance committed by electricity and natural gas distribution suppliers/operators in relation to household customers shall be ascertained and sanctioned by the National Authority for Consumer Protection.

(5) The detection of contraventions committed by electricity and natural gas distribution suppliers/operators in relation to non-household customers and the application of sanctions are carried out by the authorized representatives of ANRE.

(6) Failure to comply with the obligations provided for in art. 14 paragraphs (1) and (4) shall be ascertained and sanctioned by the National Tax Administration Agency.

(7) Failure by operators to comply with the data upload instructions provided in Annexes No. 7 and 8 constitutes a contravention and is sanctioned with a contravention fine of 25,000 lei to 50,000 lei.

(8) Failure by operators to comply with the deadlines provided for in art. 19 paragraph 4 and art. 23 point 2 of this emergency ordinance, respectively the deadline for rectifying the data uploaded to the IT platform and resubmitting settlement requests and/or self-declarations, constitutes a contravention and is sanctioned with a contravention fine of 25,000 lei to 50,000 lei.

(9) The establishment of contraventions and the application of sanctions for contraventions provided for in art. 7 para. (4), art. 9 para. (1) (3), (7), (9) and (13), art. 12 para. (1), art. 14 para. (3), art. 15 para. (1)-(3), para. (7) and (8) and art. 17 shall be established and sanctioned by ANRE. The application by ANRE of contravention sanctions related to turnover shall be carried out under the provisions of art. 95 para. (2) and (3) and of art. 198 para. (2) and (3) of Law no. 123/2012, with subsequent amendments and completions.

2/2001 on the legal regime of contraventions, approved with amendments and completions by Law no. 180/2002, with subsequent amendments and completions, shall apply to the contraventions provided for in paragraphs (1)-(4), (7) and (8), with the exception of the provisions of art. 8 par. (2) letter a), of art. 28 par. (1), as well as of art. 29 of the aforementioned ordinance.

(11) The application of the sanction of the contravention fine shall be prescribed within 2 years from the date of the commission of the act.

(12) Annual turnover means the turnover of the offending legal entity from the licensed activity in the financial year preceding the sanctioning of the act. If, in the financial year

preceding the sanctioning, the enterprise did not register a turnover or it cannot be determined, the turnover corresponding to the financial year in which the offender registered a turnover, the year immediately preceding the reference year for calculating the turnover for the purpose of applying the sanction, shall be taken into account. In the event that the offender did not register a turnover in the year preceding the reference year for calculating the turnover for the purpose of applying the sanction, the last registered turnover shall be taken into account. If the violator is a newly established legal entity and/or which did not register a turnover in the year prior to the sanction, it will be sanctioned with a contravention fine of 1,000,000 lei to 10,000,000 lei.

Article 16

(1) For the application of the sanction by reference to the turnover, at the level of the National Authority for Consumer Protection, a commission is established, by order of the president of the National Authority for Consumer Protection, with the aim of analyzing the control documents and establishing the sanction according to art. 21 paragraph (2) of Government Ordinance no. 2/2001 , approved with amendments and completions by Law no. 180/2002 , with subsequent amendments and completions, with the following composition:

- a) the general director of the General Directorate for Market Control and Surveillance or the substitute designated by him;
- b) the chief commissioner within the General Directorate for Market Control and Surveillance or the substitute designated by him/her;
- c) the head of the Food and Non-Food Products and Services Service or the substitute designated by him/her;
- d) the Director General of the Directorate General for Legal Affairs and European Harmonization or the substitute designated by him/her;
- e) the commissioner appointed by administrative act by the president of the authority, other than the one who drew up the control document.

(2) The commissioner who prepared the control document notifies the commission within a maximum of 3 days, and the commission meets within a maximum of 10 calendar days from receipt of the control document.

(3) By order of the President of the National Authority for Consumer Protection, the working procedure regarding the establishment and application of the penalty on turnover is approved, an order which is published in the Official Gazette of Romania, Part I.

Article 17

The supplier will notify the customers in its portfolio of the changes resulting from the application of the provisions of this emergency ordinance with the first invoice sent after the entry into force of this emergency ordinance.

Article 18

(1) For the purpose of applying the support scheme, when a regularization period comprises two or more months, it shall be broken down into each incident calendar month.

(2) For the purposes of this emergency ordinance, the notion of "supplier" includes the electricity supplier, the natural gas supplier, the electricity producer for customers connected to its installations and the electricity distribution operator with the right to resell electricity.

Article 19

(1) The regularization procedure means the regularization of the invoiced volumes of electricity and natural gas during the period of applicability of the support scheme established by this emergency ordinance.

(2) Until December 31, 2026, for the period of application of the support scheme established by this emergency ordinance, the amounts settled to electricity and natural gas suppliers will be adjusted, after transmitting to ANRE, for each month of the period and for each category of customers benefiting from the capped final price, the information regarding the quantities of energy invoiced for the months of consumption during the application period, as a result of changes to the amounts already settled.

(3) In order to verify the correct classification by suppliers of the final customers beneficiaries of the compensation scheme, in terms of the final invoiced price, ANRE randomly requests and verifies invoices issued and supply contracts concluded by electricity and natural gas suppliers for final customers whose contractual price is higher than the ceilings provided for in art. 1 para. (1) and (3), but the final price invoiced to them was below the ceilings provided for in art. 1 para. (1) and (3).

(4) For the regularization procedure provided for in paragraph (1), as well as for the data necessary for the monthly settlement, the final deadline for entering the data necessary for the settlement of amounts from the Energy Transition Fund or, as the case may be, the regularization of amounts settled from the Energy Transition Fund is December 31, 2026.

(5) Settlement of the regularization invoices will be made through the budget of the Ministry of Energy or the Ministry of Labor, Family, Youth and Social Solidarity, from the Energy Transition Fund, in accordance with the values calculated and communicated by ANRE. If the value determined by ANRE as a result of the regularization process is lower than the settled value, the suppliers are obliged to return the difference between the two values within 10 working days from the date of communication of the value determined by ANRE.

Article 20

(1) For the period 1 July 2025-30 June 2026, electricity suppliers shall prepare and publish/communicate standard offers only for periods for which they have purchased, on the date of preparation of the offer, a quantity of electricity at least equal to 50% of the consumption of final customers under the competitive regime and under the universal service regime from the portfolio, as the case may be, carried out in the last month for which there are consumption data on the date of preparation of the offer.

(2) For the period 1 April 2026-31 March 2027, natural gas suppliers shall prepare and publish/communicate standard offers only for periods for which they have purchased, on the date of preparation of the offer, a quantity of natural gas at least equal to 50% of the consumption of final customers under competitive regime achieved in the last month for which there are consumption data on the date of preparation of the offer.

Article 21

In the standard offers referred to in art. 20, the supply component for the electricity supply activity is mentioned separately from the electricity purchase component (including the transmission tariff - the component for introducing electricity into the network) within the electricity price.

Article 22

(1) The Ministry of Labor, Family, Youth and Social Solidarity will establish the criteria for the identification and eligibility of consumers affected by energy poverty in order to apply appropriate social measures and/or financial support for the period following the expiration of the support mechanisms provided for in this emergency ordinance, until June 15, 2025.

(2) In applying the provisions of paragraph (1), the Ministry of Labor, Family, Youth and Social Solidarity collaborates with the Ministry of Finance, the National Institute of Statistics, the Ministry of Development, Public Works and Administration, together with local authorities, the Ministry of Energy, ANRE, suppliers/distributors of electricity, heat and natural gas, as well as with other public institutions that can provide data necessary for the development of criteria for the identification and eligibility of consumers affected by energy poverty and the identification of sources of financing for support.

Article 23

Government Emergency Ordinance no. 27/2022 on the measures applicable to final customers in the electricity and natural gas market during the period April 1, 2022-March 31, 2023, as well as for the amendment and completion of some regulatory acts in the field of energy, published in the Official Gazette of Romania, Part I, no. 274 of March 22, 2022, approved with amendments and completions by Law no. 206/2022, with subsequent amendments and completions, is amended as follows:

1. In Article 9, paragraph (10) is amended and will have the following content:

"(10) The National Energy Regulatory Authority, hereinafter referred to as ANRE, will transmit the values related to the compensations, provided for in art. 7 paragraph (1), according to annex no. 4, to the National Agency for Payments and Social Inspection, respectively the Ministry of Energy, and they will pay to the suppliers the amounts representing the value of the compensation of the consumptions made during the period 1 April 2024-31 March 2025, as follows:

- a) 40% of the amount requested by the settlement request submitted in accordance with the provisions of paragraph (5), from the Energy Transition Fund and from other legally established sources, within 10 working days from the transfer of funds for this purpose by the Ministry of Finance to the account of the Ministry of Energy, respectively the National Agency for Payments and Social Inspection;
- b) the difference in payment between the value determined according to the provisions of art. 8 para. (1) and the value provided for in letter a), after validation of the amounts by ANRE, according to annex no. 4, within 10 working days from the transfer of funds for this purpose by the Ministry of Finance to the account of the Ministry of Energy, respectively the National Agency for Payments and Social Inspection.
- c) if the value determined according to art. 8 paragraph (1) is lower than the value settled according to letter a), the suppliers are obliged to return the difference between the two values within 10 working days from the date of communication of the value determined by ANRE."

2. In Article 23 ² paragraph (4), points (ii) and (iii) are amended and will have the following content:

"(ii) for the period April-August 2022, the final deadline for entering the data necessary for the settlement of amounts from the state budget or, as the case may be, the regularization of amounts settled from the state budget is April 30, 2025;

(iii) for the period September 2022-August 2023, the final deadline for entering the data necessary for the settlement of amounts from the state budget or, as the case may be, the regularization of amounts settled from the state budget is April 30, 2025. For the period September 2023-August 2024, the final deadline for entering the data or, as the case may be, the regularization of amounts settled from the state budget is July 31, 2025. For the period September 2024-March 2025, the final deadline for entering the data or, as the case may be, the regularization of amounts settled from the state budget is December 31, 2025."

3. Article 23 ³ is repealed.

Article 24

Law on Electricity and Natural Gas No. 123/2012 , published in the Official Gazette of Romania, Part I, No. 485 of July 16, 2012, with subsequent amendments and supplements, is amended and supplemented as follows:

1. In Article 28, paragraph (2) is amended and will have the following content:

"(2) In order to maintain adequate liquidity of the electricity market, producers are required to trade at least 50% of the annual electricity production through contracts on electricity markets, on markets other than PZUM, PI and PE. Producers who only have production capacities from wind, photovoltaic sources, micro-hydropower plants that benefit from the support scheme through green certificates, as well as electricity production capacities in cogeneration, are exempt from this provision."

2. After article 43, a new article is inserted, art. 43 ¹, with the following content:

"Art. 43 ¹

Electricity market operators are responsible for publishing price indices for standard products traded on organized electricity markets:

- a) Electricity market operators are required to publish, in a transparent and accessible manner, price references for all standard products traded on the organized electricity markets they manage.
- b) The publication of price references will be carried out daily and will include information on closing prices, traded volumes and any other relevant data for each standard product.
- c) The publication of this information will be made on the website of the electricity market operator.
- d) The electricity market operator shall ensure free and non-discriminatory access to this information for all market participants and the general public."

3. In Article 146, after paragraph (3), a new paragraph, paragraph (4), is inserted, with the following content:

"(4) The natural gas market operator is responsible for publishing price references for standard products traded on centralized natural gas markets:

- a) The natural gas market operator is obliged to publish, in a transparent and accessible manner, price references for all standard products traded on the centralized natural gas markets it manages.
- b) The publication of price references will be carried out daily and will include information on closing prices, traded volumes and any other relevant data for each standard product.
- c) The publication of the information provided for in letters a) and b) will be made on the website of the natural gas market operator.
- d) The natural gas market operator shall ensure free and non-discriminatory access to this information for all market participants and the general public."

Article 25

By way of derogation from the provisions of art. 4 paragraph (2) of Government Ordinance no. 2/2001 on the legal regime of contraventions, approved with amendments and completions by Law no. 180/2002 , with subsequent amendments and completions, the provisions of art. 15 paragraph (1), point 2 letters a), b) and e), points 6, 8, 9, 12, 13 and 16 of Annex no. 5 shall enter into force within 2 working days from the date of entry into force of this emergency ordinance.

Article 26

Annexes No. 1-8 are an integral part of this emergency ordinance.

PRIME MINISTER

ION-MARCEL CIOLACU

Countersign:

Deputy Prime Minister,

Marian Neacsu

Deputy Prime Minister, Minister of Finance,

Tanczos Barna

p. Deputy Prime Minister, Minister of Internal Affairs,

Romeo Simionescu,

secretary of state

Minister of Energy,

Sebastian-Ioan Burduja

Minister of Labor, Family, Youth and Social Solidarity,

Simona Bucura-Oprescu

p. Secretary General of the Government,

Mihnea-Claudiu Drumea

Minister of Economy, Digitalization, Entrepreneurship and Tourism,

Bogdan-Gruia Ivan

ANNEX No. 1: SETTLEMENT REQUEST

Supplier name.....

Registered office address.....

County.....

WHOM.....

CIS.....

Escrow account or bank account no.

Phone.....

E-mail.....

To: National Agency for Payments and Social Inspection

Towards science: National Energy Regulatory Authority

SETTLEMENT REQUEST

The undersigned,.....(*), as legal representative of.....(**), registered at the trade registry office with no., CUI....., with registered office in....., telephone no....., fax no....., holder of License no.dated on..... and account.....opened at the Bank....., Branch....., request the settlement of the amount of.....lei, related to the month....., pursuant to the provisions of Government Emergency Ordinance no. (***)).

According to the provisions of Government Emergency Ordinance no., the data, information and supporting documents that formed the basis for establishing the requested amount are to be uploaded on the platform made available by the National Energy Regulatory Authority, in order to determine the value of the compensation to be borne from the budget of the Ministry of Labor, Family, Youth and Social Solidarity.

I declare on my own responsibility that the data, information and supporting documents made available to the National Energy Regulatory Authority, as well as the calculations by which I established the requested amount are real and correct, in accordance with the provisions of art. 9 paragraph (4) of Government Emergency Ordinance no., according to which: "The responsibility for the correctness and method of calculation of the amounts requested for settlement lies with the suppliers."

The legal representative of the applicant,

.....

(first and last name clearly, signature)

Date.....

(*) To be completed with the name and surname of the legal representative of the requesting supplier.

(**) To be completed with the name of the supplier.

(***) Government Emergency Ordinance no.

ANNEX No. 2: SETTLEMENT REQUEST

Supplier name.....

Registered office address.....

County.....

WHOM.....

CIS.....

Escrow account or bank account no.

Phone.....

E-mail.....

To: Ministry of Energy

Towards science: National Energy Regulatory Authority

SETTLEMENT REQUEST

The undersigned,..... (*), as legal representative of..... (**), registered at the trade registry office with no., CUI....., with registered office in....., telephone no....., fax no....., holder of License no.dated on..... and account.....opened at Bank....., Branch....., request the settlement of the amount of.....lei, related to the month....., pursuant to the provisions of Government Emergency Ordinance no. (***)

According to the provisions of Government Emergency Ordinance no., the data, information and supporting documents that formed the basis for establishing the requested amount are to be uploaded on the platform made available by the National Energy Regulatory Authority, in order to determine the value of the compensation to be borne from the budget of the Ministry of Energy.

I declare on my own responsibility that the data, information and supporting documents made available to the National Energy Regulatory Authority, as well as the calculations by which I established the requested amount are real and correct, in accordance with the provisions of art. 9 paragraph (4) of Government Emergency Ordinance no., according to which: "The responsibility for the correctness and method of calculation of the amounts requested for settlement lies with the suppliers."

The legal representative of the applicant,

.....

(first and last name clearly, signature)

Date.....

(*) To be completed with the name and surname of the legal representative of the requesting supplier.

(**) To be completed with the name of the supplier.

(***) Government Emergency Ordinance no.

ANNEX No. 3: DECLARATION ON OWN RESPONSIBILITY of the legal representative

- model -

The undersigned,....., legal representative of....., registered at the trade registry office with no., CUI....., aware of the provisions of art. 326 of the Criminal Code regarding false declarations, declare on my own responsibility the following:

1. the data and information contained in the templates drawn up pursuant to art. 8 para. (1), as well as the supporting documents uploaded on the platform made available by the National Energy Regulatory Authority, as well as the amount of....., requested to be borne from the budget of the Ministry of Labor, Family, Youth and Social Solidarity/Ministry of Energy, according to Settlement Request no.of date....., submitted to the National Agency for Payments and Social Inspection/Ministry of Energy, relating to the month....., are correct, real and in accordance with the provisions of Government Emergency Ordinance no.;

2. all documents submitted to the National Energy Regulatory Authority are in accordance with their originals.

I sign this declaration.

.....

The legal representative of the applicant,

.....

(first and last name clearly, signature)

Date.....

ANNEX No. 4:

National Energy Regulatory Authority

ELECTRICITY/NATURAL GAS

By:

National Agency for Payments and Social Inspection

or

Ministry of Energy

Based on the provisions of Government Emergency Ordinance no., relating to supplier....., which issued Settlement Request no., we inform you that, following the analysis of the data entered by supplier..... in the platform made available by the National Energy Regulatory Authority, the following compensation value resulted.....

Supplier.....	month	
	Household customers no. /amount	Non-household customers no. /amount
Total number of beneficiaries		
Compensation value (lei)		

Representative's signature

National Energy Regulatory Authority

.....

ANNEX No. 5: METHOD OF CALCULATING the quantities of natural gas required by suppliers/direct customer PET, as well as for the CT of network operators

1. The quantities of natural gas from domestic production that producers are obliged to sell to suppliers/direct customer PETs and ORs are established separately for the following periods and in the following order of priority:

- a) April 1, 2025-October 31, 2025, the quantities of natural gas intended to constitute the minimum stock of natural gas suppliers/direct customer PET;
- b) April 1, 2025-March 31, 2026, the quantities of natural gas intended for the current consumption of CC;
- c) November 1, 2025-March 31, 2026, the quantities of natural gas intended for the current consumption of thermal energy producers/direct customer PET, only for thermal energy intended for the population;
- d) April 1, 2025-March 31, 2026, the quantities of natural gas necessary to ensure 75% of the technological consumption of the transmission and system operator and of the distribution concession operators holding an operating license (OR).

2. In order to establish the quantities of natural gas specified in point 1, producers, suppliers, direct customer PETs and ORs are required to transmit to the transmission and system operator, within two working days from the publication of this emergency ordinance, the following categories of information:

a) natural gas producers shall transmit the following information:

- the quantity of natural gas estimated to be produced during the period April 1, 2025-March 31, 2026, broken down by each month, expressed in MWh;
- the quantity of natural gas intended for technological consumption specific to petroleum operations carried out by petroleum agreement holders, estimated for the period April 1, 2025-March 31, 2026, broken down by each month, under the terms of the law, expressed in MWh;
- the quantity of natural gas intended for own consumption, estimated for the period April 1, 2025-March 31, 2026, broken down by each month, expressed in MWh;

- the quantity of natural gas reinjected into the field for technological purposes during the period April 1, 2025-March 31, 2026, broken down by month, for which the petroleum royalty is not due, under the terms of the law, expressed in MWh;
- the quantity of natural gas from current domestic production contracted prior to the entry into force of this emergency ordinance, with delivery between April 1, 2025 and March 31, 2026, broken down by month, expressed in MWh;
- the estimated quantity to be produced and delivered to final customers/distribution systems connected to the upstream supply pipelines, if this constitutes the sole supply source;

b) natural gas suppliers shall transmit the following information:

- the quantity of natural gas estimated to be supplied during the period April 1, 2025-March 31, 2026, broken down by each month and customer category: household, non-household, thermal energy producer, expressed in MWh;
- the quantity of natural gas estimated to be held in storage facilities from previous storage cycles on March 31, 2025, broken down by each final customer category, expressed in MWh;
- the estimated quantity to be delivered to final customers connected to upstream supply pipelines or final customers connected to upstream supply distribution systems;

c) PET direct client transmits the following information:

- the quantity of natural gas estimated to be consumed during the period November 1, 2025-March 31, 2026 for the production of thermal energy in cogeneration plants and thermal power plants, broken down by destination: heating for the population or natural gas for other destinations, expressed in MWh;
- the quantity of natural gas intended for the production of thermal energy that it requests to store in underground storage facilities, expressed in MWh, broken down by destination: heating for the population or natural gas for another destination;
- the quantity of natural gas from previous storage cycles estimated to be held in storage facilities on March 31, 2025, expressed in MWh, broken down by destination: heating for the population or natural gas for other destinations;

d)OR transmit the following information:

- the quantity of natural gas destined for CT for each month from April 1, 2025 to March 31, 2026 determined with the following formula:

$$Q^{CTi}_{ORm} = 0.75 \times CT^{2024}_i,$$

in which:

Q^{CTi}_{ORm} - the quantity of natural gas destined for CT of network operator m for month i of the reference period;

CT^{2024}_i - technological consumption of network operator m for month i of the reference interval in the period 2023/2024, accepted by ANRE;

- the quantity of natural gas estimated to be held in storage facilities from previous storage cycles on March 31, 2025;

e) the storage capacity of the warehouses that make up the operated storage system, expressed in MWh.

3. In the case of new participants in the natural gas market, the data provided for in point 2 shall be transmitted from the date of obtaining the supply license, respectively from the date of the report on the commissioning of the installation for use in the case of final customers.

4. Natural gas producers, suppliers, direct customer PET and OR, as the case may be, are directly responsible for the accuracy of the information transmitted according to the provisions of point 2.

5. The quantities of natural gas from current domestic production remaining available to each producer, after complying with the obligations assumed under the contracts concluded prior to the entry into force of this emergency ordinance, with delivery during the period April 1, 2025-March 31, 2026, are established as the difference between the quantities of natural gas estimated to be produced by each producer, except for the quantities of natural gas intended for technological consumption specific to petroleum operations, own consumption and the quantities of natural gas reinjected into deposits, for technological purposes, exempted from the payment of royalties under the law, during the respective period, and the quantities of natural gas from current domestic production contracted for sale by each producer, prior to the entry into force of this emergency ordinance, with delivery during the period April 1, 2025-March 31, 2026.

6. Within five working days of receiving the complete information provided for in point 2, the transmission and system operator shall carry out the following activities:

a) calculate the minimum stock to be stored in underground storage depots representing 90% of the storage capacity of the SS at national level;

b) calculates the stock that the holders of natural gas supply licenses are obliged to establish in underground storage facilities, representing 90% of the storage capacity of the SS, from which the quantities of natural gas held by the TSO for the purpose of operating and balancing the NTS, as well as the quantities of natural gas intended for the production of thermal energy that the PET direct client requests to store, are subtracted:

$$\text{SumaQ}^{\text{Dep}_{\text{Furi}}} = 0.9 \times \text{S}\hat{\text{I}} - \text{Q}^{\text{Dep}_{\text{OTS}}} - \text{SumaQ}^{\text{Dep}_{\text{PETj}}},$$

in which:

$\text{SumaQ}^{\text{Dep}_{\text{Furi}}}$ - the total quantity of natural gas intended for the minimum stock of suppliers;

SS - storage system capacity at national level;

$\text{Q}^{\text{Dep}_{\text{TSO}}}$ - the quantities of natural gas held by the TSO for the operation and balancing of the NTS;

$\text{SumaQ}^{\text{Dep}_{\text{PETj}}}$ - the total quantity of PET natural gas that the direct customer requests to store in underground storage facilities during the period April 1, 2025-October 31, 2025;

c) the total quantity of natural gas intended for the suppliers' minimum stock, determined according to the provisions of letter b), is broken down by each supply license holder according to the share of the quantity of natural gas estimated to be supplied by the respective supplier during the period 1 April 2025-31 March 2026 in the total quantity estimated to be supplied at national level. The breakdown of the quantities intended for storage is carried out proportionally to the share of CC, NC and PET consumption in the consumption requirement;

d) determines and transmits to producers, suppliers, direct customer PET, network operators and the National Energy Regulatory Authority the total quantities of natural gas for which each producer k is obliged to conclude sale-purchase contracts with suppliers/direct customer PET, for natural gas intended for storage in order to

establish the minimum stock, the CC consumption requirement, as well as the CT intended for network operators (RO), in the following order of priority:

(i) quantities of natural gas intended for storage in order to establish the minimum stock for suppliers and direct customer PET during the period April 1, 2025-October 31, 2025

$$Q^{\text{ProdKdep}}_{\text{Furi} / \text{PETj}} = (\text{Suma}Q^{\text{Dep}}_{\text{Furi}} + \text{Suma}Q^{\text{Dep}}_{\text{PETj}} - \text{Suma}Q^{\text{DepoExis}}_{\text{Furi} / \text{PETj}}) \times \text{Prod}_k / \text{Sum}^n_{k=1} \text{Prod}_k,$$

in which:

$Q^{\text{ProdKdep}}_{\text{Furi} / \text{PETj}}$ - the quantity of natural gas for the period April 1, 2025-October 31, 2025, which producer k is obliged to sell to suppliers/PET clients directly in order to establish the minimum stock;

$Q^{\text{Dep}}_{\text{Furi}}$ - the quantity of natural gas intended for the minimum stock that the supplier is obliged to establish during the period April 1, 2025-March 31, 2026, calculated based on the share of the quantity of natural gas estimated to be supplied in the total quantity estimated to be supplied to final customers at national level during the respective period;

$Q^{\text{Dep}}_{\text{PETj}}$ - the quantity of natural gas intended for the minimum stock that PET direct client j requests to store in underground storage facilities during the period April 1, 2025-October 31, 2025;

Prod_k - the quantity of natural gas estimated to be produced by producer k , except: quantities of natural gas intended for technological consumption specific to petroleum operations, own consumption and quantities of natural gas reinjected into deposits, for technological purposes, exempt from royalty payment under the law, during the period April 1, 2025-March 31, 2026;

$\text{Sum}^n_{k=1} \text{Prod}_k$ - the total quantity of natural gas estimated to be produced by natural gas producers, except: quantities of natural gas intended for technological consumption specific to petroleum operations, own consumption as well as quantities of natural gas reinjected into deposits, for technological purposes, exempt from royalty payment under the law, during the period April 1, 2025-March 31, 2026;

(ii) quantities of natural gas intended for the current consumption of CC during the period April 1, 2025-March 31, 2026, to the extent that quantities of natural gas are available from producers with delivery during that period:

$$Q^{\text{ProdKCCI}}_{\text{Furi}} = \text{Sum}Q^{\text{CC}}_{\text{Furi}} \times \text{Prod}_k / \text{Sum}^n_{k=1} \text{Prod}_k,$$

in which:

$Q^{ProdKCCI}_{Furi}$ - the quantity of natural gas for the period April 1, 2025-October 31, 2025, which producer k is obliged to sell to suppliers in order to ensure CC consumption;

Q^{CC}_{Furi} - the quantity of natural gas estimated to be supplied to CC by supplier i during the period April 1, 2025-October 31, 2025;

$$Q^{ProdKCCII}_{Furi} = \text{Sum} (Q^{CCII}_{Furi} - Q^{DepCC}_{Furi}) \times \text{Prod}_k / \text{Sum}^n_{k=1} \text{Prod}_k$$

in which:

$Q^{ProdKCCII}_{Furi}$ - the quantity of natural gas for the period November 1, 2025-March 31, 2026, which producer k is obliged to sell to suppliers in order to ensure CC consumption;

Q^{DepCC}_{Furi} - the quantities of natural gas existing in the storage depots intended for CC;

Q^{CCII}_{Furi} - the quantity of natural gas estimated to be supplied to CC by supplier i during the period November 1, 2025-March 31, 2026;

(iii) the quantities of natural gas intended for the production of thermal energy in cogeneration plants and in thermal plants, intended for population consumption during the period November 1, 2025-March 31, 2026, to the extent that quantities of natural gas are available from producers with delivery during the respective period

$$Q^{ProdKPETCC}_{PETj} = \text{Sum} (Q^{CC}_{PETj} - Q^{DepCC}_{PETj}) \times \text{Prod}_k / \text{Sum}^n_{k=1} \text{Prod}_k,$$

in which:

$Q^{ProdKPETCC}_{PETj}$ - the quantity of natural gas for the period November 1, 2025-March 31, 2026, which producer k is obliged to sell to PET direct customers/PET suppliers;

Q^{CC}_{PETj} - the quantity of natural gas estimated by PET direct client j /PET suppliers to be consumed during the period November 1, 2025-March 31, 2026 for the production of thermal energy in cogeneration plants and thermal plants, intended for population consumption;

Q^{DepCC}_{PETj} - the quantity of natural gas existing in storage depots and related to the production of thermal energy for the population;

(iv) the quantities of natural gas destined for the OR CT for the period April 1, 2025-March 31, 2026, to the extent that quantities of natural gas are available from producers with delivery during that period

$$Q^{ProdKCT}_{/ORm} = (\text{Suma}Q^{CTi}_{ORm} - \text{Suma}Q^{DepoExis}_{ORm}) \times \text{Prod}_k / \text{Sum}^n_{k=1} \text{Prod}_k,$$

in which:

$Q^{\text{ProdKCT}}_{\text{ORm}}$ - the quantity of natural gas that producer k is obliged to sell to ORm in order to ensure CT during the period April 1, 2025-March 31, 2026;

$\text{Suma}Q^{\text{CTi}}_{\text{ORm}}$ - the quantity of gas destined for CT related to network operator m for the period April 1, 2025-March 31, 2026;

$Q^{\text{DepExis}}_{\text{ORm}}$ - the quantities of natural gas that OR m holds from previous storage cycles.

7. In the event that the total quantity of natural gas required, calculated according to point 6, is greater than the total available production of the producers for the respective period, the sales obligation of each producer is adjusted proportionally to the share of each producer's available in the total available for the respective period. The allocation of quantities intended for each supplier/PET direct customer/OR is determined by applying to the quantities calculated for them the share of the adjusted obligation in the total quantities calculated for each producer. The resulting differences for each consumption category are purchased from the competitive market.

8. Each supplier/PET direct customer reports to ANRE the degree of fulfillment of the obligation to establish the minimum stock at each of the deadlines provided for in the minimum stock establishment trajectory, established in accordance with the provisions of Commission Implementing Regulation (EU) 2024/2995 of 29 November 2024 establishing the stock establishment trajectory with intermediate objectives for 2025 for each Member State that has underground gas storage facilities on its territory and directly interconnected to its market area.

9. In the event of a change in the portfolios of final customers by more than 5%, as a result of the exercise by final customers of the right to change the natural gas supplier or as a result of the termination of supply contracts, the quantities of natural gas allocated under the provisions of art. 12 of this emergency ordinance and the related storage capacities shall be mandatorily transferred to the new supplier. The quantities of natural gas related to the consumption of final customers that are the subject of the transfer are equal to the quantities resulting from applying the share of consumption of the category of customers to which the final customer belongs in total consumption to the minimum stock obligation established. The price of natural gas is that provided for in art. 12, to which the regulated tariffs are added.

10. If the monthly consumption requirement of customers in the portfolio of a supplier or PET direct customer changes by more than 5% as a result of the commissioning of new consumption points, the transmission and system operator recalculates the quantity of natural gas intended for the supplier or PET direct customer within the limit of the quantities of natural gas available.

11. The supplier or PET client directly sends a request to the transport operator accompanied by the following information:

- a) the period for which the change in natural gas deliveries/estimated natural gas consumption occurs;
- b) justification for the increase/reduction of natural gas deliveries/estimated natural gas consumption.

12. Within 5 working days from the receipt of the documents specified in point 11, the transmission and system operator shall recalculate the related quantities. This shall be communicated to the parties involved who, within a maximum of 5 days from the date of communication, shall be obliged to conclude a contract/additional act, as the case may be, for the transfer of the quantities of natural gas.

13. If the quantities of natural gas remaining available to each producer, established in accordance with the provisions of point 5, change by more than 5% as a result of changes in the quantities of natural gas estimated to be produced, technological consumption specific to petroleum operations, own consumption or quantities of natural gas reinjected into deposits for technological purposes, exempt from the payment of royalties under the law, the producer shall transmit to the transmission and system operator, by the 10th of the month preceding the month of production, the following information:

- a) the period for which the change in available natural gas production occurs;
- b) justification for the increase/reduction of available natural gas production.

14. In the event that the quantity of available natural gas is 5% higher than that communicated in accordance with the provisions of point 2, within 2 working days from the receipt of the documents with the information provided for in point 13, the transmission and system operator, together with the National Energy Regulatory Authority, distributes this quantity to suppliers/direct customer PET/OR, depending on the situation existing at that time on the natural gas market.

In the event that the quantity of natural gas remaining available is 5% lower than that communicated in accordance with the provisions of point 2, the producer shall reduce pro rata the quantities delivered under all contracts concluded for the entire period in which the change in available production occurs and shall communicate the new quantities to the TSO and the parties involved together with the data provided for in point 13.

The TSO communicates to the suppliers/direct customer PET/OR allocated to the producer the new quantities distributed; within a maximum period of 5 days from the date

of communication, the parties are obliged to conclude a contract/additional act, as the case may be.

15. The delivery of the quantities of natural gas provided for in point 1 is carried out on the basis of contracts concluded between the producer and suppliers/PET direct client/OR. The buyer is obliged to provide a financial payment guarantee in favor of the producer to cover the risk of non-payment of invoices issued by the producer or to pay in advance the equivalent value of the delivered natural gas, at least two working days before the start of deliveries.

16. At the end of the delivery period, the supplier/direct customer PET/OR shall complete a declaration on its own responsibility regarding the destination of the natural gas purchased under this emergency ordinance and submit it to ANRE. The buyer is obliged to respect the destination of the purchased natural gas.

17. In the event of transfer between suppliers, respectively between PET direct client and supplier, of the quantities allocated under this emergency ordinance, the daily average for the interval, multiplied by the number of days in each month, is used to determine these quantities.

18. The breakdown of the minimum stock for each supplier is carried out proportionally to the share of CC, NC and PET consumption in the estimated consumption.

In the case of PET, the breakdown of the requested stock is carried out proportionally to the destination of consumption: for the population, respectively for another destination.

19. In order to simplify the contracting process, the TSO assigns the quantities of natural gas from internal production that natural gas producers are obliged to sell to suppliers/direct customer PET/OR, according to the following principles:

- a) the first suppliers with the highest market share will purchase all the quantities that the producers with the lowest market share are obliged to sell, as the case may be, according to the TSO allocation;
- b) the difference between the consumption needs of PET and the first suppliers with the highest market share remaining uncovered will be purchased proportionally to the market share held by the first producers with the highest market share;
- c) suppliers with the lowest market share/direct customer PET and OR will purchase the necessary quantities of natural gas from producers with the highest market share, according to the TSO allocation.

20. By way of exception to the provisions of the Regulation on the programming and operation of underground natural gas storage facilities, approved by Order of the

President of the National Energy Regulatory Authority no. 141/2021 , published in the Official Gazette of Romania, Part I, no. 28 of January 10, 2021, for the injection stage April 1, 2025-October 31, 2025, applicants may submit applications for access to the storage system within a maximum of 5 working days from receipt of the data provided for in point 6. Access to storage capacity is ensured with priority to holders of natural gas supply licenses, thermal energy producers, within the limits of the quantities calculated in accordance with the provisions of this emergency ordinance.

ANNEX No. 6: CALCULATION METHODOLOGY of the contribution to the Energy Transition Fund due by electricity producers for production activity/aggregated entities

SECTION 1: Purpose

Article 1

(1) This methodology aims to establish how electricity producers subject to the provisions of Article 14 of the emergency ordinance/aggregated entities calculate the contribution to the Energy Transition Fund to be paid in accordance with the aforementioned provisions.

(2) This methodology establishes:

- a) the categories of economic operators with the obligation to pay the contribution to the Energy Transition Fund, provided for in art. 14 of the emergency ordinance;
- b) definition of monthly revenues from the sale of electricity produced on the electricity markets by the economic operators referred to in letter a);
- c) defining monthly expenses;
- d) the method of calculating the monthly net income;
- e) the method of calculating the monthly electricity sales price;
- f) the method of calculating the additional monthly income.

Art. 2

The monthly selling price of electricity and the value of the additional monthly income are used to calculate the value of the Energy Transition Fund provided for in art. 14 of the emergency ordinance.

SECTION 2: Scope

Article 3

This methodology creates the procedural framework for calculating the contribution to the Energy Transition Fund and is used as a working tool in the activity of electricity producers subject to the provisions of Article 14 of the emergency ordinance/aggregated entities.

Article 4

This methodology is applied by all electricity producers subject to the provisions of art. 14 of the emergency ordinance/aggregated entities, during the period April 1, 2025-June 30, 2025.

SECTION 3: Terms used

Article 5

The specific terms used in this methodology are:

Electricity markets	According to the definition in the Law on Electricity and Natural Gas No. 123/2012 , with subsequent amendments and supplements
Reference price	400 lei/MWh
Monthly quantity sold - C ₁ (MWh)	the quantity delivered monthly to the electricity markets by the electricity producer/aggregated entity from its own production and/or transferred from the production portfolio to the supply portfolio
Monthly income - V ₁ (lei)	revenues obtained from the sale of electricity with physical delivery from own production and/or from its transfer from the production portfolio to the supply portfolio
Monthly expenses - Che ₁ (lei):	a) expenses for imbalances, in a percentage of maximum 10% of the value of electricity with physical delivery from own production, in the case of producers of electricity from wind and solar energy; 5% in the case of other producers; b) expenses based on contracts with derivative financial instruments in the energy sector (hedging); c) expenses with CO ₂ certificates related to electricity produced and sold. The actual production expenses for obtaining one MWh of electricity are not included.
Monthly net income - V _{nl} (lei)	The difference between monthly income and monthly expenses
Monthly electricity sales price - P _{lv} (lei/MWh)	the price resulting from the difference between monthly revenues and monthly expenses reported to the total quantity of energy physically delivered from own production and/or transferred from the production

	portfolio to the supply portfolio in the respective month
Contribution to the Energy Transition Fund - C _s (lei)	0.8 * (difference between the monthly selling price and the reference price) * monthly quantity physically delivered from own production and/or transferred from the production portfolio to the supply portfolio

SECTION 4: Calculation of the monthly electricity sales price and the contribution to the Energy Transition Fund

Article 6

The monthly electricity sales price - P_{lv} is calculated as the ratio between the monthly net income and the quantity produced and physically delivered monthly on the electricity markets and/or transferred from the production portfolio to the supply portfolio:

$$P_{lv} = V_{nl} / C_l,$$

where:

$$V_{nl} = V_l - C_{hel}$$

Article 7

The contribution to the Energy Transition Fund - C_s is determined under the conditions where P_{lv} > 400 lei/MWh and is calculated as representing 80% of the product between the difference between the monthly sales price and 400 lei/MWh and the monthly quantity physically delivered from own production and/or transferred from the production portfolio to the supply portfolio - C_l.

$$C_s = 0.8 \times (P_{lv} - 400) \times C_l$$

Article 8

The calculation provided for in art. 6 and 7 is carried out monthly by the electricity producers provided for in art. 14 of this emergency ordinance/aggregated entities.

Article 9

Electricity producers/Aggregate Entities may submit corrective declarations, without additional calculation of tax accessories, 15 days after the publication by OPCOM of the final prices related to the balancing market for the settlement month.

Article 10

The contracts with derivative financial instruments (hedging) provided for in art. 5 shall be reported to the Financial Supervisory Authority and/or the National Agency for Fiscal Administration, hereinafter referred to as ANAF, within two working days from the signing by the parties.

ANNEX no. 6¹: METHODOLOGY FOR CALCULATING the contribution to the Energy Transition Fund due by electricity and natural gas producing entities, aggregated electricity production entities, electricity and natural gas traders, electricity and natural gas suppliers and independent electricity aggregators for trading activity

SECTION 1: Purpose

Article 1

(1) This methodology aims to establish how electricity and natural gas producing entities, aggregated electricity production entities, electricity and natural gas traders, electricity and natural gas suppliers and independent electricity aggregators subject to the provisions of Article 14 of the emergency ordinance calculate the contribution to the Energy Transition Fund to be paid in accordance with the aforementioned provisions.

(2) **This methodology establishes:**

- a) defining the monthly weighted average selling price
- b) defining the monthly weighted average purchase price;
- c) the method of calculating the contribution to the energy transition.

Art. 2

The sales and purchase prices of electricity and natural gas are used to calculate the value of the contribution to the Energy Transition Fund provided for in art. 14 of the emergency ordinance.

SECTION 2: Scope

Article 3

This methodology creates the procedural framework for calculating the contribution to the energy transition and is used as a working tool in the activity of electricity and natural gas producing entities, aggregated electricity production entities, electricity and natural gas traders, suppliers and aggregators that are subject to the provisions of Article 14 of the emergency ordinance.

Article 4

This methodology is applied by electricity and natural gas producing entities, aggregated electricity producing entities, electricity and natural gas traders, suppliers and aggregators that are subject to the provisions of Article 14 of the emergency ordinance, until June 30, 2025 for the electricity sector and until March 31, 2026 for the natural gas sector.

SECTION 3: Terms used

Article 5

The specific terms used in this methodology are:

Reference price	the average monthly purchase price of electricity and natural gas, to which a 20% margin is added
Wholesale electricity market	according to the definition in the Law on Electricity and Natural Gas No. 123/2012 , with subsequent amendments and supplements
Q_delivered monthly	the quantity delivered on the wholesale electricity and natural gas market by all economic operators carrying out trading activities. When calculating the delivered quantity, all quantities traded with delivery in the reference month are taken into account, regardless of the date of conclusion of the contract, except for quantities originating from import and/or from the intra-community space, at the first transaction
Average_price - see	weighted average monthly selling price of electricity/natural gas delivered in the reference month
Average price	weighted average monthly purchase price of electricity/natural gas delivered in the reference month For suppliers that carry out trading activities and do not specifically allocate the purchase contracts between the supply activity and the trading activity, for the calculation of the average purchase price for the trading activity, the entire purchase made by the suppliers is taken into account, regardless of the destination of the electricity/natural gas, with the exception of natural gas purchases according to art. 12 of the emergency ordinance.

SECTION 4: Calculation of contribution to the Energy Transition Fund

Article 6

The contribution to the Energy Transition Fund (C_TE) is determined as follows:

$$\mathbf{C_TE = (Price(average-vz) - Price(average acz) \times 1.2) \times Q (delivered monthly) .}$$

Article 7

The contribution to the Energy Transition Fund (C_TE) is determined when the trading price is higher than the reference price.

Article 8

The calculation provided for in art. 6 is carried out monthly by electricity and natural gas producing entities, aggregated electricity production entities, electricity and natural gas traders, electricity and natural gas suppliers and independent electricity aggregators that are subject to the provisions of art. 14 of the emergency ordinance.

ANNEX no. 6 ²: CALCULATION METHOD of the contribution to the Energy Transition Fund with withholding tax from the income of resident/non-resident entities obtained under hedging contracts

- Unique item

Electricity producers, aggregated electricity production entities, which trade quantities of electricity and/or natural gas on the wholesale market, will withhold at source and pay the contribution to the Energy Transition Fund from the income obtained by resident/non-resident entities, related to products for hedging long-term market risks, in accordance with art. 23 of the Electricity and Natural Gas Law no. 123/2012 , as subsequently amended and supplemented, according to the formula:

$$\mathbf{C_TE = 0.8 \times (Variable_price\ el - 400) \times Q_monthly ,}$$

where:

Variable_price el = variable electricity price according to hedging contract;

Q_monthly = quantity of electricity related to the settlement month according to the hedging contract.

ANNEX No. 7:

MODEL April 2025 - March 2026[illegible]

NOTE: The template is completed according to the instructions in the "User Guide" available at spv.anre.ro

ANNEX No. 8:

MATTRESS regularization

	quantity invoiced to capped end customers (MWh)	purchase price with delivery in the month (lei/MWh)					supply component (lei/MWh)	regulated tariff equivalent (lei/MWh) - calculated by each supplier	unit tax value (lei/MWh) - calculated by each supplier	purchase component (lei/MWh) - calculated by each supplier	value of the price component of the capped final invoice - transmitted by suppliers (lei/MWh)	price difference - transmitted by suppliers (lei/MWh)
month	end customer category	average price purchase contracts, prosumers, DAM and PI, storage as appropriate	purchase cost (lion)	the equivalent of the imbalance achieved (lion)	accepted cost imbalance (lion)	average purchase price accepted (lei/MWh)		end customer category	end customer category	end customer category	end customer category	end customer category

		(lei/M Wh)										
mon th	A	B	C	D	It is	F	G	H	and	J	K	IT
Apr. 25												
.....												
Mar. 26												

NOTE: The template is completed according to the instructions in the "User Guide" available at spv.anre.ro

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