

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

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

### CHAPTER I: General provisions

#### Art. 1

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

#### Art. 2

This Regulation shall apply to economic operators who are granted, amended, suspended or withdrawn establishment/licensing authorisations in the sector of electricity and/or heat produced from cogeneration power plants.

#### Article 3

This Regulation establishes:

- a) the conditions for the granting of establishment permits and licenses laid down by law;
- b) the conditions for amending, suspending or withdrawing establishment authorisations or licences granted; c) the conditions for refusal/modification of establishment and licensing authorisations.

#### Article 4

The abbreviations used in the text of this Regulation are the following:

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

#### Article 5

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

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

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

### CHAPTER II: Authorisation and licensing regime in the field of electricity

#### SECTION 1: General conditions for granting authorisations Art. 6

ANRE shall issue establishment permits for the production or refurbishment of electricity or electricity and heat production capacities in cogeneration power plants and energy storage facilities added to such production capacities, as well as establishment permits for the production of energy storage facilities not added to an existing electricity production capacity, if the maximum electricity output debited to the network of those capacities is greater than 1 MW or becomes greater than 1 MW.

**Article 7**

(1) ANRE does not issue establishment permits for:

- a) works for the realisation or repowering of electricity or heat generation capacities in cogeneration power plants and of energy storage facilities added to such generating capacities, as well as for the realisation of energy storage facilities not added to an existing electricity generation capacity, if the maximum electricity capacity debited to the network of those capacities is less than and including 1 MW;
- b) works for the development/refurbishment of electrical installations, surveillance, telecommunication and/or control systems related to power generation capacities, including combined heat and power generation capacities;
- c) works for the construction/refurbishment of power stations and power lines.

(2) In the case of power capacities with a maximum electricity capacity of less than and including 1 MW, but with an installed capacity of 1 MW or more, notification to the competent authority of the status of the implementation of the investment project is mandatory, namely: a notification at the start of the execution works and a notification after the signature of the acceptance report of the commissioning.

**Article 8**

(1) ANRE shall determine the period of validity of a start-up permit on the basis of the time taken to complete the installation and commissioning of the authorised energy capacities and having regard to the duration proposed by the applicant for the permit.

(2) The minimum period of validity of a start-up authorisation shall be 12 months.

(3) The establishment permit for the construction/refurbishment of a power-generating capacity, including the production of electricity and heat in cogeneration, or the development of new storage facilities, shall allow the holder to register as balancing responsible party and to participate in the electricity market during the trial period, outside the trial programme agreed with the network operator, provided that:

- a) obtain the agreement of the network operator to which it is connected and of the transmission system operator in advance, specifying the technical conditions and possible periods of operation;
- b) take responsibility for balancing throughout the service life outside the test programme.

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

**Article 9**

(1) The establishment permit for the construction/refurbishment of a power-generating capacity, including the production of electricity and heat in cogeneration, or the construction of new storage facilities comprising several generating groups/units/installations, may contain a phased implementation of those components, as documented by the applicant.

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

**SECTION 2: General conditions for licensing****Article 10**

(1) ANRE issues licences for:

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

(2) The activities referred to in paragraph (1)(b) also include the commercial operation of separate heat generation capacities which are located in common premises with cogeneration capacities, with technological connections, as well as joint management and operation with these cogeneration capacities.

(3) Commercial exploitation of power generation capacities can be carried out, without holding a license granted by ANRE, by:

- a) the holder of power-generating capacities that can be started without voltage from the SEN, self-starting groups and that are used by the holder for the purpose of supplying security of electricity to its own equipment or facilities, without flowing electricity into the public network;

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

#### Art. 11

- (1)** For the commercial exploitation of the energy capacities referred to in Article 10(1)(a) and the energy capacities referred to in Article 10(1)(b), a single licence shall be issued, namely that referred to in Article 10(1)(b), which shall include both types of operated energy capacities.
- (2)** In order to grant a licence for the commercial operation of a power-generating capacity or the production of electricity and heat from combined heat and power plants comprising facilities for the production, storage and use of biogas/biomethane respectively, and to amend an existing licence in order to include in its specific conditions a new power capacity of this type, the following conditions must be met:
- a)** the establishment/operation of these installations is authorised under the ANRE regulations applicable to both electricity and natural gas; for the operation of facilities for the production, storage and use of biogas, respectively, in order to operate these facilities safely, the licensee may choose to conclude a contract with an economic operator holding the specific authorisation for this type of objectives, granted by ANRE in accordance with the provisions of the Regulation for the authorisation of economic operators carrying out activities in the field of natural gas, approved by order of the president of ANRE, in force on the date of granting the license, in which case the contract shall be submitted, in copy, attached to the application for granting/modifying the license;
- b)** the installation for the production, storage and use of biogas/biomethane, respectively, is put into operation, as confirmed by the acceptance report, which shall be sent in copy to the application for the grant/modification of the licence.

#### Article 12

- (1)** The licence holder may not hold two licences of the same type at the same time.
- (2)** The holder of the licence referred to in Article 10(1)(c) may not simultaneously hold any of the licences referred to in Article 10(1)(a), (b), (d) to (i).
- (3)** The concessionaire distribution system operator holding a licence to provide the electricity distribution service may not simultaneously hold any of the licences referred to in Article 10(1)(a) to (c), (e) to (i).
- (4)** The distribution system operator, which holds a licence to provide the electricity distribution service, may not simultaneously hold the licences referred to in Article 10(1)(c), (e), (h) and (i).
- (5)** The holder of the licence for the activity of supplying electricity may not simultaneously hold a licence for the activity of an electricity trader, the rights specific to the activity of a trader being included in the licence for

the electricity supply activity which it owns, and neither a licence for the activities referred to in Article 10(1)(c) and (e).

(6) The holder of the licences referred to in Article 10(1)(a), (b) and (i) may not simultaneously hold a licence for the activity of electricity trader, the activity of trader being included in those licences, nor a licence for the activities referred to in Article 10(1)(c) and (e).

(7) Applications for licences made in breach of paragraphs 1 to 6 shall be recorded as correspondence and shall not be included in the work plan, and the applicant shall be notified thereof.

#### Article 13

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

a) 25 years for any of the licences referred to in Article 10(1)(a) to (e) and (i);

b) 10 years in the case of licences referred to in Article 10(1)(f)(h).

(2) The holder of the establishment authorisation/licence shall have the right to apply for an extension of its validity before the expiry of the period of validity; in this case, the applicant must take into account the duration of ANRE's examination of the application, as well as the regularity of the meetings of the Regulatory Committee, so as to ensure the continued validity of the establishment/licence authorisation, but not less than 30 days before the expiry date of the establishment/licence authorisation.

(3) If the 30-day period referred to in paragraph 2 is not complied with, the application shall be treated as an application for a new establishment/licence authorisation; in this case, the documentation to be used for issuing the new establishment/licence authorisation shall be that referred to in Article 41(3) or (4), as the case may be.

#### Article 14

When granting a licence, ANRE may establish complementary rights specific to other types of licences.

### SECTION 3: Authorisation/licence applicants

#### Article 15

(1) Romanian or foreign legal/natural persons may apply for authorisation/licences.

(2) A foreign legal person outside the European Union may apply for authorisation/licence only if it has established in Romania, in accordance with the law, a secondary establishment for the entire period of validity of the authorisation/licence necessary for the performance of its activities.

(3) The natural persons referred to in paragraph (1) must prove that the conditions laid down by the relevant legislation for the organisation and pursuit of economic activities by authorised natural persons, individual undertakings and family businesses have been fulfilled.

#### Art. 16

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

a) economic operators in bankruptcy proceedings;

b) economic operators who have as controlling shareholders or managers persons who previously had the capacity of controlling shareholder or administrator within licensed economic operators who have not paid their payment obligations resulting from transactions carried out on the electricity market and/or resulting from the application of administrative penalties by reference to their turnover, for the acts referred to in Article 93(1) of the Law;

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

d) foreign natural persons outside the European Union.

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

### CHAPTER III: Procedure for granting/modifying authorisations and licences

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

#### Art. 17

(1) In order to obtain/modify an authorisation/licence, the applicant shall submit to ANRE an application containing the data and information in templates 1.1 to 1.3 set out in Annex 1, where applicable, accompanied by the documents necessary to grant/modify the authorisation/licence in accordance with this Regulation.

(2) The applicant has the obligation to provide ANRE with the full contact details of the applicant, namely the address of the registered office, the telephone/fax number and the e-mail address of the applicant, as well as of the applicant's legal representative, in the application for granting/modifying the authorisation/licence.

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

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

a) through a portal made available by ANRE for this purpose;

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

c) on paper submitted/submitted to the ANRE registry.

(5) The documents to be transmitted in any of the forms referred to in paragraph (4)(a) and (b) shall be certified by electronic signature belonging to the applicant's legal representative/person authorised by him, and those transmitted in the form referred to in paragraph (4)(c) shall be certified by hand in original.

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



**Art. 18**

(1) The application/licence file shall contain:

- a) the ascertaining certificate, issued by the National Trade Register Office (ONRC), issued no later than 30 days before the date of submission to ANRE, in original or with the electronic signature of the legal representative, or in a certified copy of the original by the applicant's legal representative, or the information provision report issued through the Infocert service by the ONRC or similar documents issued by the competent authorities, or the documents establishing the administrative-territorial units and/or their associations, containing the field of activity for which the establishment/licence authorisation is sought;
- b) extracts, in copy, from the last financial statement submitted by the applicant to the competent tax authorities in accordance with the law, prior to the registration with ANRE of the application for authorisation/licence, comprising the first page of those financial statements, with proof of registration with the tax authorities, the balance sheet and the profit and loss account, as well as the last monthly verification balance drawn up; in the case of the applicant applying for an authorisation/licence during the year in which it was established, a copy of the last completed monthly verification balance will be attached;
- c) ~~the self-declarations of the controlling shareholders/associations of the applicant and, where applicable, of the directors/members of the applicant's board of directors, drawn up on a case-by-case basis in accordance with templates 2.1 or 2.2, as applicable, in Annex 2;~~
- d) the self-declarations of the controlling shareholders/associations of the applicant and, where applicable, of the directors/members of the applicant's board of directors, drawn up on a case-by-case basis in accordance with template 2.1 or 2.2, as applicable, in Annex 2, which also contain consent to the processing of personal data in the case of natural persons.

►(on 19 June-2025 Art. 18(1)(C) of Chapter III, Section 1, as amended by Art. I, point 1 of [Order 26/2025](#))

~~e) statements by the applicant, a natural person and/or natural persons referred to in point (c), on consent to the processing of personal data, drawn up in accordance with template No 2.3 of Annex 1;~~

2- (the text of Article 18(1)(D) of Chapter III, Section 1 was repealed on 19 June 2025 by [Article I\(2\) of Order No 26/2025](#))

(2) Where the State or a local government authority is a controlling shareholder, the provisions of paragraph 1(c) shall apply only to the administrators, members of the applicant's board of directors or, where applicable, the representative of the local/central government authority or persons authorised by it, as the case may be.

## **SECTION 2: Specific documents to be requested when granting the authorisation/licence**

**Art. 19**

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

~~a) the acts by which the applicant for authorisation has \_\_\_\_\_ Acquired the quality \_\_\_\_\_ of  
owner, concessionaire or holder \_\_\_\_\_ with  
anything~~

~~legal title of the land and/or construction \_\_\_\_\_ which / in which se locate energy capacities \_\_\_\_\_ which is  
set up/repower;~~

a) the acts by which the applicant for authorisation has \_\_\_\_\_ Acquired the quality \_\_\_\_\_ of  
owner, concessionaire or holder \_\_\_\_\_ with anything \_\_\_\_\_  
legal title of the land and/or construction \_\_\_\_\_ which / in which se locate energy capacities \_\_\_\_\_ which is  
establish/refurbish, accompanied by a land/construction record table and documents proving the rights of the applicant  
for authorisation in respect of such immovable property, drawn up in accordance with model No 3.1 in Annex 3;

►(on 19 June-2025 Art. 19(1), letter A. of Chapter III, Section 2, as amended by Art. I, point 3. of [Order 26/2025](#))

~~b) the land registry extracts, issued in the year of application for authorisation, proving the registration in the land registry of the rights over immovable property, land and/or buildings referred to in point (a), reflecting their up-to-date status;~~

c) the land register extracts, issued in the year of application for authorisation, proving the entry in the land register of the rights to immovable property on land referred to in point (a), reflecting their up-to-date status;

►(on 19 June-2025 Art. 19(1), letter B. of Chapter III, Section 2, as amended by Art. I, point 3. of [Order 26/2025](#))

~~d) a table showing the land/construction and documents proving the rights of the applicant for authorisation in respect of such immovable property, drawn up in accordance with model No 3.1 in Annex 3;~~ (the text of Article 19(1)(C) of Chapter III, Section 2, was repealed on 19 June 2025 by [Article I\(4\) of Order No 26/2025](#)) d) proof of notification of the intention to develop/refurbish energy capacity, sent to the local public administration authority for public information, unless the local public authority has already published information on the content of the authorisation to construct energy capacity in accordance with Law No 50/1991 on the authorisation of the execution of construction works, republished, as amended;

e) ~~proof of the publication in the media, usually local, of the intention to develop/refurbish energy capacities, with the exception of the energy capacities installed on the buildings;~~ (the text of Article 19(1)(E) of Chapter III, Section 2 was repealed on 19 June 2025 by [Article I\(4\) of Order No 26/2025](#))

~~f) the technical and economic data relating to each of the energy capacities covered by the works for which development consent is sought, completed in a table in the format set out in template 4.1 of Annex 4, resulting, where appropriate, from a feasibility study/business plan/memorial;~~

g) the technical and economic data relating to each of the energy capacities covered by the works for which the grant of the establishment permit is requested, completed in a table in the format set out in template 4.1 of Annex 4, accompanied by the statement of presentation/explanation of the investment project, including any relevant information that the applicant considers useful on the understanding of its technical options, investment financing or explanation of the submitted documents;

~~h) the statement of presentation/explanation of the investment project including any relevant information that the applicant considers useful with regard to the understanding of its technical options, financing of the investment or explanations with regard to the submitted documents;~~ (the text of Article 19(1)(G) of Chapter III, Section 2 was repealed on 19 June 2025 by [Article I\(4\) of Order No 26/2025](#))

i) documents from which the sources of funding for the works are derived, such as: available capital allocated to that investment by the economic operator, binding documents issued by banking institutions (such as credit lines/loans, comfort letters qualified by the bank as binding), loans granted by banking institutions, individuals/legal entities or national or international bodies providing non-repayable financing, issuance of shares raising market capital, other documents of a contractual or pre-contractual nature relating to the financing of the investment; additionally, in case of financing of the works by individuals or companies, evidence will be submitted that they have the necessary sources of financing;

j) the technical advice on the connection within the period of validity, accompanied by the connection contract if it has been concluded;

k) the environmental agreement or, if the investment project does not require an environmental assessment, the decision on the qualification of the investment project, issued by the competent authority for environmental protection;

l) the energy capacity location plan, containing the necessary information on the identification of the land occupied by the energy capacity components and its positioning in relation to other objectives existing or being set up in the geographical area concerned;

m) a statement by the applicant that, when establishing the locations of the components of the energy capacities subject to authorisation, existing or planned targets have been identified in accordance with existing permits in the vicinity of the energy capacities, from which safety distances are established in the technical rules in force, and that safety distances have been respected in relation to the identified targets. The statement shall be accompanied by the table drawn up in accordance with template 3.2 set out in Annex 3;

~~n) a note on the stages of carrying out the works to be carried out on the basis of the requested establishment authorisation and the implementation of the resulting capacities, as well as the total duration of the investment project;~~ (the text of Article 19(1)(M) of Chapter III, Section 2 was repealed on 19 June 2025 by [Article I\(4\) of Order No 26/2025](#))

o) Declaration on the applicant's honour that only contractors/subcontractors certified in accordance with ANRE regulations will be employed for the design and execution of the electrical installation works covered by the establishment permit.

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

(3) If the applicant submits documents drawn up in the pre-contractual phase relating to the financing of the realisation of energy capacity, it is obliged to submit to ANRE, within a time limit laid down in the specific conditions associated with the establishment authorisation, the contracts providing financing for the works covered by the authorisation.

(4) In the event of an application for a permit to set up/refurbish a thermoelectric power generation capacity, which complies with Article 14(6) of Law No 121/2014 on energy efficiency, as subsequently amended and supplemented, in addition to the documents referred to in paragraph (1), the file relating to the application for a permit to set up shall also contain documents issued by the local public administration authorities in the central area and, where appropriate, by the central public administration authorities, showing the conclusions of the assessments and analyses carried out in accordance with Article 14(1) and (3) of Law No 121/2014, as subsequently amended and supplemented, with regard to the identification of a potential for the implementation of high-efficiency cogeneration in the geographical area in the vicinity of the area in which the power capacity covered by the permit is to be set up/refurbished.

(5) If it appears from the documents referred to in paragraph (4) that a potential for implementing high-efficiency cogeneration in accordance with Article 14(4) of Law No [121/2014](#), as amended, ~~has been identified in the geographical area surrounding the area in which the energy capacity covered by the authorisation will be set up/repowered~~, the applicant shall carry out and submit to ANRE a cost-benefit analysis drawn up in accordance with Article 14(6) of Law No 121/2014, as amended; in this case, the decision to grant/refuse the establishment permit will be taken in the light of the conclusions of the submitted cost-benefit analysis.

(6) If it appears from the documents referred to in paragraph (4) that no potential for the implementation of high-efficiency cogeneration has been identified in the geographical area in the vicinity of the area where the energy capacity covered by the authorisation will be established/refurbished, or if there is no analysis of the potential for the implementation of high-efficiency cogeneration carried out in accordance with Law No 121/2014, as subsequently amended and supplemented, with the exception of paragraphs (4) and (5), the applicant shall submit notifications from the local/central government authorities confirming this fact.

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

(8) The decision referred to in paragraph 7 and the reasons therefor shall be notified to the European Commission within three months of its adoption.

#### Article 20

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

- a) the addresses of the sites where the energy capacities for the operation of which the licence is requested are installed;
- b) the technical and economic characteristics of the energy capacities referred to in point (a), in accordance with the table drawn up in accordance with model No 4.2 set out in Annex 4;
- c) the technical and economic characteristics of the electrical networks under the licence applicant's management, in accordance with the table drawn up in accordance with model No 4.2 set out in Annex 4, electrical networks intended for: (i) the discharge into the NES of the electrical power produced by the capacities under the licence applicant's management;
- (ii) providing access to electricity networks of public interest to users other than the licensee;
- d) the organisational chart of the applicant economic operator, valid on the date of application for the licence, indicating the organisational entity responsible for carrying out the activity for which the licence is requested;
- e) the applicant's own personnel record - the personnel structure, by specialty, attesting the qualification of the personnel assigned to the activity for which the licence is requested, which must include their own specialized personnel (engineers, technicians, economists, etc.), in relation to the volume of activities carried out/installations managed, as well as a sufficient number of authorised electricians, but not less than 2 authorised electricians having the degree and type of authorisation related to the types of works carried out;
- f) extracts from REVISAL, bearing the date of access to the database and assumed by signature by the legal representative of the applicant, resulting in the employment with an individual employment contract within it of the persons nominated in the personnel file submitted; if the applicant's employees do not include at least two authorised electricians, a service contract concluded with an economic operator certified by ANRE may be submitted instead of the documents proving compliance with this requirement;
- g) ~~the estimated turnover in the year of the grant of the licence applied for as a result of carrying out the activities covered by it;~~ (the text of Article 20(1)(G) of Chapter III, Section 2 was repealed on 19 June 2025 by [Article I\(6\) of Order No 26/2025](#));
- h) the report of receipt of the commissioning of the energy capacity, signed by the applicant's legal representatives, showing the completion of the tests, including those carried out in accordance with the programme of tests/tests agreed with the network operator in accordance with the regulations in force, and the commissioning of the energy capacities for normal exploitation at full capacity;
- i) ~~documents proving the rights of ownership or use over the energy capacities for the commercial exploitation of which the economic operator requests the granting of the licence, i.e. the land register extracts proving their registration in the land register;~~
- j) documents proving ownership or use of the energy capacity for the commercial exploitation of which the economic operator applies for a licence;

►(on 19 June-2025 Art. 20, para. (1), letter I. of Chapter III, Section 2, as amended by Art. I, item 7. of [Order 26/2025](#))

- k) land register extracts proving the entry in the land register of the rights to the land on which the energy capacity is located, where the applicant has not been issued with a establishment permit in respect of that energy capacity;
- l) the connection certificate issued by the network operator corresponding to the development stage(s) set out in the technical connection advice, except in the case referred to in paragraph 2;
- m) documents proving that the applicant has started the procedure required to obtain the environmental permit.
- n) ) In the case of power plants for which, according to the technical regulations issued by ANRE, it is necessary to obtain a certificate of technical conformity, if the applicant submits to ANRE, instead of the document referred to in paragraph (1)(k), the certificate of technical conformity with temporary validity, issued in accordance with the provisions of the procedure on the energisation for the test period and the certification of the technical conformity of wind and photovoltaic power plants, approved by order of the ANRE President, the licence shall be granted on the basis of and for the period of validity of the certificate of technical conformity with temporary validity, with the possibility of extension, if the applicant submits to ANRE, during the period of validity of the licence, the connection certificate issued by the network operator.

#### Article 21

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

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

- a) summary tables for power lines and substations in the electricity transmission network;
- b) total installed power in power station transformers in the power transmission network;
- c) single-layer electricity schemes, where the dividing points between the electricity transmission network operated by the licensee and the installations of transmission system operators in neighbouring countries, i.e. producers, distribution system operators or customers served, can be located;

- d) information on power lines, i.e. power stations in the electricity transmission network, in the 1970 national stereographic coordinate system, which is presented in GIS vector format in XML/SHAPE files, according to the scheme published on ANRE's website, with the following data set attached as attributes:
1. type and name of power capacity - power line, power station;
  2. location of power capacity (overhead or underground power line);
  3. rated voltage;
  4. branch;
  5. number of transformers X unit power (in the case of a substation);
  6. total number of transformers (in the case of a power station);
  7. total installed power MVA (in the case of a substation);
  8. the length of the power capacity, overhead or underground power line, the length of the power capacity being understood as the actual length of the power capacity, not the linear length;
  9. the unique registration code of the economic operator operating that energy capacity;
  10. energy capacity inventory number(s)/sub-inventory numbers;
  11. the net carrying amount of the energy capacity at the commissioning date;
  12. the number and date of the acceptance report at the end of the works;
- e) the list and technical data relating to the dispatching systems used, as well as the technical and physical facilities used (information and communication infrastructure, buildings, software, other technical systems, etc.), including the Supervisory Control and Data Acquisition (SCADA) systems;
- f) the list and data relating to the platform used for the balancing market and its technical and physical facilities (communication and IT infrastructure, buildings, software, other technical systems, etc.);
- g) documents proving ownership or use of the respective energy capacities for the commercial exploitation of which the economic operator requests the granting of the licence;
- h) the record of receipt of the commissioning of a new or upgraded energy capacity, signed by the applicant's legal representatives, showing the commissioning of the energy capacity;
- i) the connection certificate issued by the network operator to the installations to which the applicant's installations are connected, if applicable;
- j) contracts by which it has acquired ownership of parts of the electricity transmission network and, where applicable, the concession contract by which it has acquired the right to use the public electricity transmission network of the State;
- k) the declaration by the members of the applicant's board of directors, board of directors and supervisory board that the statutory certification requirements have been met.
- (3) The presentation of the organisational and human resources framework for carrying out the activities referred to in paragraph (1) shall include:
- a) the organisational chart of the economic operator applying for the licence, valid on the date of application for the licence;
  - b) the applicant's own personnel record - the personnel structure, by specialty, attesting the qualification of the personnel assigned to the activities for which the licence is requested, of which a sufficient number of authorised electricians must be part, in relation to the volume of activities carried out/installations managed; to its own staff may be added the staff provided by an economic operator certified by ANRE with whom the applicant has concluded a service contract for the performance of activities related to the operation and maintenance of electrical installations, in which case the respective contract will also be presented;
  - c) extracts from REVISAL, bearing the date of access to the database and assumed by signature by the legal representative of the applicant, from which results the employment with an individual employment contract within it of the persons nominated in the personnel file submitted.
- (4) In addition to the documents referred to in paragraphs 2 and 3, the applicant for a licence shall notify in writing the estimated turnover from the activities covered by the licence applied for in the year in which it is granted.
- Article 22**
- (1) In order to grant the licence for the activity of the electricity market operator, in addition to the documents referred to in Article 18, the file relating to the application for the licence must contain a presentation of the technical, organisational and human resources framework required to carry out that activity.
- (2) The presentation of the technical-organizational and human resources framework must include:
- a) a copy of the applicant's rules of organisation and operation, in full or in extract, showing the duties and responsibilities of the departments engaged in the activities of the electricity market operator service, the existence of a customer communication system and the existence of a customer complaint resolution system;
  - b) the applicant economic operator's organisational chart, valid on the date of application for the licence, indicating the departments responsible for carrying out the activity for which the licence is requested;
  - c) the applicant's own personnel record - the personnel structure, by specialty, attesting the qualification of the personnel assigned to the activity for which the licence is requested;
  - d) documents showing that at least 10 persons with a minimum of 3 years' previous experience in the field of electricity have been employed under an individual employment contract with the applicant (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents);
  - e) the list of organised electricity markets, with the exception of the balancing market, and, where applicable, the markets for green certificates, in accordance with Article 10(2) of Law No 220/2008 establishing the system for promoting the production of energy from renewable energy sources, republished, as amended, which the applicant intends to organise and administer on the basis of the licence, in accordance with the law and regulations of ANRE;
  - f) the list of the main software products in the day-to-day operation of the applicant economic operator,



for the purposes of managing the organised electricity market(s) referred to in point (e), with details of the ownership of the rights to use such software products;

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

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

**(3)** The applicant shall attach to the application financial documents showing that he has at least EUR 1 000 000 at the foreign exchange rate of the National Bank of Romania valid on the 1st of the month in which the licence application is registered.

**(4)** In addition to the documents referred to in paragraphs 2 and 3, the applicant for a licence shall notify in writing the estimated turnover from the activities covered by the licence applied for in the year in which it is granted.

#### **Art. 23**

**(1)** In order to grant a licence for the provision of the electricity distribution service, in addition to the documents referred to in Article 18, the file relating to the application for the licence must contain a presentation of the technical, organisational and human resources framework required to carry out that activity.

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

**a)** delineation of the area of activity where the applicant is to provide the electricity distribution service (e.g.: county, premises, building, etc.);

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

**c)** single-layer high-voltage electricity schemes, where the dividing points between the distribution facilities operated by the applicant for the licence and the facilities of the transmission system operator, producers or other distribution system operators are represented;

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

- 1.** type and name of power capacity - power line, branch, substation, substation;
  - 2.** the SIRUTA code of the locality/village in the administrative-territorial unit where the energy capacity is located;
  - 3.** location of power capacity (overhead or underground power line);
  - 4.** rated voltage;
  - 5.** the length of the power capacity, overhead or underground power line, the length of the power capacity being the actual length of the power capacity and not the linear length;
  - 6.** total number of transformers (in the case of substations/transformation points);
  - 7.** total installed power MVA (in the case of substations/transformation points);
  - 8.** the unique registration code of the economic operator operating that energy capacity;
  - 9.** energy capacity inventory number(s)/sub-inventory numbers;
  - 10.** the net carrying amount of the energy capacity at the commissioning date;
  - 11.** the number and date of the acceptance report at the end of the works;
- e)** the list of energy capacities located at the boundary between the area of activity defined in the specific conditions attached to the licence and the areas of activity of other distribution system operators, in the case of applicants from concession-holder economic operators, or the declaration that such energy capacities do not exist;
- f)** data on low-voltage electrical installations, specifying nominal voltages, lengths of power lines and connections;
- g)** the number of users connected to the licence applicant's facilities, broken down by type of user, with an indication of the total approved power for each type of user; in the case of electricity generation capacity, it shall also be broken down by type of primary energy source;
- h)** the connection certificate issued to the licence applicant by the network operator to which its installations are connected, in accordance with the applicable regulations;
- i)** documents proving ownership or use of the respective energy capacities for the commercial exploitation of which the economic operator requests the granting of the licence;
- j)** the acceptance of the concessionaire distribution system operator, in the case of an applicant intending to provide the electricity distribution service using its own distribution networks, in an area leased to another distribution system operator, as defined in the specific conditions attached to the licence granted to the latter; the acceptance of the concessionaire distribution system operator is not required in the case of electricity distribution networks constructed and put into operation before the obligation to obtain that agreement has been established by the Act or where the agreement has been obtained by a previous distribution system owner;
- k)** specification of customer contact centres, including general customer contact points.
- (3)** The presentation of the organisational and human resources framework referred to in paragraph (1) shall include:
- a)** the applicant economic operator's organisational chart, valid on the date of application for the licence, indicating the departments responsible for carrying out the activity for which the licence is requested;
- b)** the applicant's own personnel record - the personnel structure, by specialty, attesting the qualification of the personnel assigned to the activity for which the licence is requested, which must include a sufficient number of authorised electricians, in relation to the volume of activities carried out/installations managed; to its own staff may be added the staff provided by an economic operator certified by ANRE with which

the applicant has concluded a service contract for the performance of activities relating to the operation and maintenance of electrical installations, in which case that contract shall be presented;

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

**(4)** In addition to the documents referred to in paragraphs 2 and 3, the applicant for a licence shall submit:

**a)** the estimated turnover from the activities covered by the licence applied for in the year in which it was granted;

**b)** proof of fulfilment of the conditions for separation of activities, in accordance with the law, in the case of concessionaire distribution operators;

**c)** copy of the concession contract concluded with the concession authority, in the case of concessionaire distribution operators.

#### Article 24

**(1)** In order to grant a licence for the supply of electricity, in addition to the documents referred to in Article 18, the file relating to the application for a licence must contain a presentation of the organisational and human resources framework required to carry out that activity.

**(2)** The presentation of the organisational and human resources framework referred to in paragraph (1) shall include:

**a)** specifying the premises of the requesting economic operator where the activity related to the supply of electricity is to be carried out;

**b)** specification of customer contact centres, including general customer contact points;

**c)** copy of the applicant's rules of organisation and functioning, in full or in extract, showing: (i) the tasks and responsibilities of the compartments engaged in the activity of electricity supply;

(ii) the existence of a customer communication system;

(iii) the existence of a system for collecting and resolving customer complaints;

(iv) the existence of a risk management system to ensure the supervision and management of risk factors;

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

**e)** the applicant's own personnel record - the personnel structure, by specialty, attesting the qualification of the personnel assigned to the activity for which the licence is requested;

**f)** ~~documents showing that at least 3 persons with a minimum of 3 years' previous experience in the field of electricity have been employed under an individual employment contract with the applicant (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents); For foreign economic operators, the documents relating to Romanian natural persons assigned to supply activities will also be submitted.~~

**g)** documents showing that at least 3 persons with a minimum of 3 years' previous experience in the field of electricity have been employed under an individual employment contract with the applicant (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents).

►(on 19 June-2025 Article 24(2) (F) of Chapter III, Section 2, as amended by Article I(8) of [Order No 26/2025](#))

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

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

**b)** available from bank credit lines benefiting the applicant economic operator, according to the financial documents supporting this;

**c)** financial resources that the applicant's associates and/or shareholders make available to the applicant by means of financing/loan contracts accompanied by documentary evidence of the receipt of the loan (contract, payment instrument, bank statement, balance sheet for the period of the loan operation).

**(4)** Where the applicant for a licence for the supply of electricity is also an electricity producer, the book value of the capacities for the production of electricity or the production of electricity and heat from combined heat and power plants shall be taken into account when determining the value of the financial resources referred to in paragraph 3, together with the values resulting from the resources referred to in paragraph 3.

**(5)** Economic operators with the status of citizen energy community or renewable energy community shall be exempted from the requirement to prove financial resources in accordance with paragraph 3; in their case, the requirement referred to in paragraph 2(f) shall be reduced to one person only.

#### Article 25

**(1)** In order to grant a licence for the activity of the electricity trader, in addition to the documents referred to in Article 18, the file relating to the application for a licence must contain a presentation of the organisational and human resources framework necessary to carry out that activity.

**(2)** The presentation of the organisational and human resources framework referred to in paragraph (1) shall include:

**a)** specifying the premises of the applicant economic operator where the activity of the electricity trader is to be carried out;

**b)** copy of the applicant's rules of organisation and operation, in full or in extract, showing the duties and responsibilities of the departments engaged in the activity of electricity trader;

- c) the applicant economic operator's organisational chart, valid on the date of application for the licence, indicating the department responsible for carrying out the activity for which the licence is requested;
- d) the applicant's own personnel record - the personnel structure, by specialty, attesting the qualification of the personnel assigned to the activity for which the licence is requested;
- e) ~~documents showing that at least 3 persons with a minimum of 3 years' previous experience in the field of electricity have been employed under an individual employment contract with the applicant (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents); For foreign economic operators, the documents relating to Romanian natural persons assigned to trading activities will also be submitted.~~

documents showing that at least 3 persons with a minimum of 3 years' previous experience in the field of electricity have been employed under an individual employment contract with the applicant (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents).

on 19 June 2025, Article 25(2) (E) of Chapter III, Section 2, as amended by Article I(9) of [Order No 26/2025](#)

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

- a) equity - the value of which is calculated on the basis of the data from the last monthly balance sheet, according to the formula used in the preparation of the annual financial statements that the economic operator communicates to the tax authorities;
- b) available from bank credit lines benefiting the applicant economic operator, according to the financial documents supporting this;
- c) financial resources that the applicant's associates and/or shareholders make available to the applicant by means of financing/loan contracts accompanied by documentary evidence of the receipt of the loan (contract, payment instrument, bank statement, balance sheet for the period of the loan operation).

#### Article 26

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

18, the application file must contain an overview of the technical, organisational and human resources framework required to carry out this activity.

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

- a) an indication of the address of the applicant's registered office(s) where the aggregation activity is to be carried out, as well as the telephone number of the department responsible for carrying out the activity for which the licence is requested or of a customer relationship provider;
- b) copy of the applicant's rules of organisation and operation, in full or in extract, showing the duties and responsibilities of the compartments engaged in the aggregation activity;
- c) the applicant economic operator's organisational chart, valid on the date of application for the licence, indicating the departments responsible for carrying out the activity for which the licence is requested;
- d) the applicant's own personnel record - the personnel structure, by specialty, attesting the qualification of the personnel assigned to the activity for which the licence is requested;
- e) ~~documents showing that at least 3 persons with a minimum of 3 years' previous experience in the field of electricity have been employed under an individual employment contract with the applicant (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents); for foreign economic operators, the documents relating to Romanian natural persons assigned to aggregation activities shall also be submitted;~~
- f) documents showing that at least 3 persons with a minimum of 3 years' previous experience in the field of electricity have been employed under an individual employment contract with the applicant (REVISAL extracts/work certificates, as well as curriculum vitae or other relevant documents);

►(on 19 June-2025 Art. 26(2), letter E. of Chapter III, Section 2, as amended by Art. I, point 10. of [Order 26/2025](#))

- g) a description of the business, including reference to the electricity market(s) in which it is to participate as a market participant involved in aggregation;
- h) a list of the main software products and/or other elements of IT and communication infrastructure and/or other technical systems, etc., in the applicant's day-to-day operation, used for the purpose of carrying out the activity for which the licence is requested, with details of the ownership of the rights to use these software products/goods;
- i) where participating in the balancing market, confirmation issued by the transmission system operator by which they are validated: the fulfilment of communication and integration requirements in the transmission system operator's information systems, operating requirements, integration into dispatching structures and integration into the measurement system;
- j) an internal working procedure confirming the protection of commercially sensitive and personal customer information that the applicant obtains and manages in the aggregation activity.

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

- a) equity - the value of which is calculated on the basis of data from the last monthly verification balance,

according to the formula used in drawing up the annual financial statements which the economic operator communicates to the tax authorities;

**b)** available from bank credit lines benefiting the applicant economic operator, according to the financial documents supporting this;

**c)** financial resources that the applicant's associates and/or shareholders make available to the applicant by means of financing/loan contracts accompanied by documentary evidence of the receipt of the loan (contract, payment instrument, bank statement, balance sheet for the period of the loan operation).

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

#### Article 27

Licence applicants for aggregation activities - economic operators holding the status of citizen energy community or renewable energy community - shall be exempt from the requirement to prove financial resources as provided for in Article 26(3); in their case, the requirement referred to in Article 26(2)(e) shall be reduced to one person only.

#### Article 28

The holder of any of the types of licenses referred to in Article 10(1)(a), (b), (f), (g) or (i) may carry out the aggregation activity on the basis of the license held, as a complementary right related to that license, in accordance with the ANRE regulations in force.

#### Article 29

**(1)** In order to grant a start-up permit to a natural person for the development/refurbishment of an energy capacity for the production of electricity or for the production of electricity and heat from cogeneration power plants or for the development of new energy storage facilities, the file relating to the application for the start-up permit shall contain:

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

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

**c)** the self-declaration, drawn up in accordance with template 2.2 set out in Annex 2;

**d)** the original or a copy of the certificate establishing the situation and the registration as an independent natural person carrying out an economic activity, issued by the Trade Register Office, reflecting the applicant's up-to-date situation and containing the field of activity for which authorisation is sought;

**e)** the documents referred to in Article 19(1).

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

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

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

**c)** the self-declaration, drawn up in accordance with template 2.2 set out in Annex 2;

**d)** the original or a copy of the certificate establishing the situation and the registration as an independent natural person of an economic activity, issued by the Trade Register Office, reflecting the applicant's up-to-date situation and containing the field of activity for which the licence is applied for;

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

### SECTION 3: Solving the application for authorisation/licence

#### Article 30

**(I)** ANRE shall examine whether the documentation submitted by the applicant complies with the provisions of this Regulation and, where appropriate, notify the applicant of any additions, corrections or clarifications to be made, within a maximum of 60 calendar days from the date of registration of the application.

**(II)** By way of exception to paragraph (1), ANRE shall analyse applications for the grant/modification of licences by including new energy capacities for which the applicant has not provided proof of prior authorisation to set up within a period of 6 months from the date of registration of the application, with appropriate measures, as appropriate.

►(on 19 June-2025 Article 30(1) of Chapter III, Section 3, supplemented by Article I(11) of [Order No 26/2025](#))

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

**(3)** If the applicant fails to reply within the time limit laid down in paragraph (2) or if, within 6 months from the date of registration of the application, the documentation submitted is not complete, it shall be automatically closed, ANRE notifying the applicant accordingly.

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

**(5)** If the documentation does not meet the requirements of this Regulation, ANRE shall issue a decision refusing authorisation/licence.

**(6)** In the case of a request for establishment permits for the development/repowering of units/capacities for production from renewable energy sources or in high-efficiency cogeneration, as well as licences for



their commercial exploitation, the period referred to in paragraph 4 shall be reduced to 30 calendar days if the conditions laid down in this Regulation are fulfilled.

#### Article 31

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

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

#### Article 32

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

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

(2) When applying for an establishment permit, in addition to the elements referred to in paragraph 1, account shall be taken of the results of checks on:

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

(3) In duly justified cases, ANRE shall analyse the completeness of the documentation referred to in paragraph (1)(a) in relation to documents which are similar in content or effect to those referred to in this Regulation.

#### Article 33

(1) Once the process of analysing the documentation submitted by the applicant has been completed, the specialised department within ANRE draws up a report proposing to the Regulatory Committee of ANRE how to deal with the applicant's application, as well as the related draft decision.

(2) In order to grant/amend a start-up authorisation/licence, after preparing the draft decision and the report referred to in paragraph (1), ANRE shall communicate to the applicant the fee for granting/amendment of the start-up authorisation/licence to be paid by the applicant in accordance with the relevant ANRE regulations.

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

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

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

(5) The general conditions attached to the establishment authorisation/licence shall be approved by order of the President of ANRE.

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

#### Article 34

The Regulatory Committee within ANRE shall decide, on the basis of the report drawn up by the specialised department within ANRE, whether to grant, amend, suspend, withdraw the authorisation/licence or refuse it, which shall be done by decision of the President of ANRE.

#### Article 35

(1) If the authorisation/licence is granted, ANRE shall communicate to its holder:

- a) the decision of the President of ANRE on granting the authorisation/licence;
- b) the authorisation/licence form, drawn up in accordance with models 5.1 and 5.2 set out in Annex 5;
- c) the specific conditions attached to the authorisation/licence, which form an integral part thereof.

(2) In case of refusal to grant/modify the authorisation/licence, ANRE shall communicate to the applicant its decision on refusal to grant/modify the authorisation/licence, which shall contain the reasons for not granting it.

### CHAPTER L IV : Conditions under which authorisations or licences granted are amended and specific conditions for granting licences after the expiry of the maximum term of validity Article 36

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

- a) in case of changes in the status of the authorisation/licence holder due to change of legal form, change of name or change of registered office or other premises covered by the authorisation/licence;
  - b) when the specific conditions attached to the authorisation/licence need to be updated: in the case of the inclusion in the licence of new energy capacities or the exclusion of energy capacities from those covered by the licence, including the inclusion/exclusion of electricity storage facilities, in the case of changes in technical characteristics leading to a change in the installed power or in the territorial delimitation of the geographical area in which the activity may take place, or in other situations;
  - c) in the event of a merger or division of the holder of the authorisation/licence;
  - d) in the case of the sale or transfer of assets or other operations as a result of which tangible assets intended for the activities authorised by the establishment/licence authorisation will be transferred or will belong to another person or persons;
  - e) where the holder applies for an extension of the period of validity of a grant of establishment authorisation, if the period for completion of the authorised works exceeds the date on which the authorisation expires;
  - f) where the holder applies for an extension of the period of validity of a licence granted, where the period of validity is less than the maximum period allowed under Article 13(1).
- (2) In the situations referred to in paragraph (1)(a) and (b), the holder of the licence/authorisation shall lodge with ANRE an application for amendment of the licence/authorisation within the time limits for notification of such situations laid down, as the case may be, in the general conditions attached thereto or, if no such time limits are laid down, no later than 30 calendar days after the occurrence of the situation requiring the amendment of the licence/authorisation.
- (3) Applicants for development consents shall have the right to update the technological specifications of their projects between the application for development consent and the construction phase of the projects in order to facilitate the uptake of innovative technologies.

#### Article 37

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

#### Article 38

- (1) The holder of the authorisation/licence shall notify the competent authority, at least 120 days before the date on which it is to take place, of the merger/division operations and of any sale or transfer of assets or other operations as a result of which:
- a) the tangible assets intended for the activities authorised by the authorisation/licence will be transferred or will belong to another person/s;
  - b) the value of the existing share capital shall be reduced, in one tranche or as a whole, by at least 5%. Existing share capital of the authorisation/licence holder means the initial share capital, at the date of issue of the authorisation/licence, or the share capital existing at the date of the last amendment, obtained by increases or decreases in the initial share capital, made after the authorisation/licence was issued, subject to the conditions attached to the authorisation/licence.
- (2) Holders of licences for the provision of electricity distribution or transmission services shall notify the competent authority at least six months in advance of their intention to carry out the operations referred to in paragraph 1(b).
- (3) In the case referred to in paragraph (2), ANRE shall be notified by means of a new notification at least 120 days before the effective date of the operation leading to the reduction of the existing share capital, as decided by the management bodies of the licence holders.

#### Article 39

Pending a change in the authorisation/licence due to a change in the name, legal form or information on the registered office or other premises covered by the authorisation/licence, the holder of the authorisation/licence shall be entitled to carry out the activity for which he/she has been authorised/licensed under the existing authorisation/licence.

#### Article 40

- (1) Applications for changes to authorisations/licences shall be accompanied by:
- a) in the cases referred to in Article 36(1)(a), the documents proving, in accordance with the law, the change in the status of the holder of the authorisation/licence;
  - b) in the cases referred to in Article 36(1)(b), those documents referred to in this Regulation which are the subject of the amendment in question relating to new energy capacities and their technical characteristics, in the case of the commissioning of new energy capacities, or documents relating to the decommissioning of existing capacities, in the case of their exclusion from the licence, or to other situations referred to in Article 36(1)(b).
- (2) In the event of a merger or division of the authorisation/licence holder, the following documents shall be attached to the application:
- a) the ascertaining certificate, issued by the ONRC, of the economic operator taking over the respective capacities/activities, containing the scope of activity necessary for the continuation of the transferred activity;
  - b) the draft terms of merger/division, published in the Official Gazette of Romania, and the decisions of the management bodies on merger/division, which must result in the handing over and taking over of the assets and staff involved in the activity covered by the authorisation/licence;

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

(3) The Parties are required to take all necessary actions related to the start and registration of merger/division operations in a timely manner so as to ensure the continuity of the activities/services covered by the authorisations/licenses concerned by the merger/division process.

#### Article 41

(1) The holder requests ANRE to amend the authorisation/licence by extending its validity at least 30 days before the expiry date; the application shall be accompanied by the documents referred to in paragraphs 3 or 4, as appropriate.

(2) ANRE shall examine the request for amendment referred to in paragraph 1 and shall, if the documentation attached thereto is complete in accordance with paragraphs 3 or 4, as appropriate:

a) modification of authorisations/licenses granted;

b) granting of new authorisations/licenses.

(3) The file relating to the application for an extension of the period of validity of a start-up authorisation in accordance with Article 36(1) of Regulation (EC) No 2200/1999 shall contain the following information:

(1) sub-paragraph (e) shall contain:

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

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

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

d) the documents referred to in Article 19(1)(i) and (j), within their period of validity, or documents relating to the extension of their period of validity, as the case may be;

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

(4) The file relating to the application for an extension of the period of validity of a licence, as referred to in Article 36(1)(f), must contain:

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

b) a statement whether the elements underlying the grant of the licence, the validity of which is to be terminated, have been changed or maintained; in case of modification, the elements that have been modified shall be specified;

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

d) proof that the holder fulfils the conditions laid down, as the case may be, in Article 22(3), Article 24(3), Article 25(3) or Article 26(3) relating to financial resources, in the case of an application for an extension of the validity of a licence falling within the category referred to in Article 10(1)(e), (f), (g) or (h);

e) information note on contracts for the supply of electricity to final customers which are still in progress and which are valid for more than the duration of the licence;

f) the declarations, in original or certified copy, referred to in Article 18(1)(c) or, as the case may be, in Article 29(2)(c).

(5) In the case of licences referred to in Article 10(1)(a) to (d) and (i) with a maximum period of validity under this Regulation, the file relating to the application for a new licence shall contain:

a) the documents referred to in paragraph 4(a), (b) and (f);

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

c) the applicant's own personnel record - the personnel structure, by specialty, attesting the qualification of the personnel assigned to the activity for which the licence is requested, of which the personnel must be part as stipulated by this Regulation for the respective type of activity covered by the licence;

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

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

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

(7) In the case of licences referred to in Article 10(1)(f), (g) and (h), the term of validity of which has reached its maximum under this Regulation, when granting a new licence, the criterion used to establish the applicant's economic indicators shall also relate to favourable results in the energy sector, in which sense objectives, investments, targets and results in the energy market shall also be taken into account, on the basis of an explanatory memorandum.

#### Article 42

In the situations referred to in Article 36, ANRE shall examine the request for amendment and the documentation attached thereto and, if the request is well founded, shall order, as appropriate:

a) modification of authorisations/licenses granted;

- b) withdrawal of authorisations/licences;
- c) granting of new authorisations/licences.

## **CHAPTER V: Procedure for suspending and withdrawing authorisations and licences**

### **Article 43**

(1) In the event of non-compliance by the holder of the establishment authorisation or the licence respectively with its legal obligations under primary or secondary legislation, as well as in the event of non-compliance with the general and specific conditions attached to the licence/authorisation, established by ANRE ex officio or upon referral to third parties or notification by the holder, ANRE shall apply the measures set out in paragraphs 2 or 3, as appropriate.

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

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

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

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

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

(5) In the event of termination of the reasons that led to the suspension of the authorisation/licence, based on an application accompanied by an explanatory note, ANRE shall issue a decision terminating the suspension, which shall take effect on the date set by ANRE therein.

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

### **Article 44**

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

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

(2) Where the establishment of energy capacity has been carried out in breach of the property rights and/or use of immovable property of other natural/legal persons, the suspension of the authorisation/licence shall be carried out only on the basis of a final judgment establishing the infringement of those rights.

### **Article 45**

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

- a) at the reasoned request of the holder; in the case of an applicant holding a licence for the activity of supplying electricity, the application shall be accompanied by a statement that, at the time of the application, it has no electricity supply contracts in progress;
- b) in the event of revocation, incapacity, bankruptcy or deregistration of the holder;
- c) upon termination of the concession or lease of the power capacities operated, upon their sale by the holder;
- d) in cases where the cancellation by the issuer/expiry of the validity of one of the acts (authorisation, agreement, opinion, permit or approval) on which the authorisation/licence was granted in accordance with the provisions of this Regulation is irremediable, leading to the impossibility of carrying out the activities permitted by the authorisation/licence or of complying with the conditions attached to them;
- e) loss of the legal title relating to the holding of immovable property in or on which the energy capacities are located, or loss of the legal title relating to the holding of energy capacities, resulting in the impossibility of carrying out the activity permitted by the licence, established by a final court decision;
- f) as a result of an appeal concerning the granting of the authorisation/licence, which was positively resolved;
- g) in the case of evidence (orders restricting or prohibiting activity, court decisions, etc.) issued by a public authority that the establishment/operation of energy capacities or one or more of their components endangers or seriously harms individuals, property and/or the environment;
- h) if the holder of the licence for the activity of supplying electricity infringes the legal prohibition laid down in Article 58(11) of the Law by submitting notices of unilateral termination of electricity supply contracts concluded with final customers;
- i) if the holder of a licence fails to pay the amounts due to ANRE as an annual contribution or cannot be contacted to pay the amounts due to ANRE within one year from the date of issue of the invoice, in which case the licence may be withdrawn without prior notice or notice.

## **CHAPTER VI: Provisional licence**

### **Article 46**

(1) In the event of transfer of ownership/use of the energy capacities provided for in



the specific conditions attached to a licence, by means of sales contracts or other operations as a result of which tangible assets intended for the activities authorised by the licence are transferred to another person in ownership/use, with the exception of merger/division operations, the economic operator taking over the respective energy capacities may request from ANRE, under the conditions of this Chapter:

- a) granting a provisional licence where it does not hold a licence of the same type as the holder from which it took over the energy capacity; or
  - b) modification of the licence held, if it holds a licence of the same type as the holder from which it took over the energy capacities, consisting in the inclusion of those energy capacities in the specific conditions associated with the licence, with the right to exploit them on a provisional/final basis.
- (2) In the event of the transfer of activities for the realisation/repowering of energy capacities which are provided for in the specific conditions associated with a permit to set up, through operations of the kind referred to in paragraph 1, the economic operator taking over these activities may carry them out as a result of the granting by ANRE of a provisional permit to set up under the conditions of this Regulation.
- (3) The provisions of this Chapter shall also apply by analogy to the situation in which the transfer of energy capacity takes place as a result of the bankruptcy of the authorised/licensed economic operator, in which case the documents proving the transfer shall be the specific ones, in accordance with Law No 85/2014 on insolvency prevention and insolvency procedures, as subsequently amended and supplemented.

#### Article 47

- (1) The application for an authorisation to set up/temporary licences or, where applicable, the application to modify the licence by including energy capacities with provisional operating rights shall be submitted to ANRE at least 30 calendar days before the date of transfer of the activities of realisation/refurbishment of the energy capacities or, where applicable, of those capacities and shall be signed both by the legal representative of the holder of the authorisation to set up/temporary licence transferring them and by the legal representative of the person taking them over.
- (2) ANRE shall issue, by decision of the President of ANRE, an authorisation to establish/temporary licence to the person who takes over the energy capacity development/repowering activities or, as the case may be, to the person who takes over the energy capacity or modifies the licence held by including energy capacity with provisional exploitation rights.
- (3) The Establishment Permit/Provisional Licence shall be valid until the date on which its holder obtains the Establishment Permit/Final Licence issued under this Regulation, but no longer than 6 months from the date of its issuance.
- (4) At least 30 calendar days before the establishment authorisation/provisional licence ceases to be valid, the holder of the establishment authorisation/provisional licence must apply for the establishment authorisation/final licence.

#### Article 48

- (1) In order to be granted a provisional establishment authorisation, the application file must contain the following documents:
- a) the contract proving the transfer operation in progress, concluded in accordance with the law;
  - b) the certificate of establishment issued by the Trade Register Office in respect of the economic operator taking over the activities for the realisation/repowering of energy capacities which are laid down in the specific conditions attached to a permit to set up, covering the field of activity for which the permit to set up is sought;
  - c) the declaration referred to in Article 18(1)(c), with the exception of existing holders of authorisations/licences.
- (2) In order to grant the definitive establishment authorisation for the situations referred to in Article 46(2), the application file must contain:
- a) documents proving the completion of the operation to transfer the energy capacity realisation/repowering activities that are set out in the specific conditions associated with a permit to set up;
  - b) a note on the remaining work to be carried out by the applicant until the end of the investment project, by presenting the physical execution schedule in the technical proposal containing both a correct percentage assessment and the most precise detail and estimation of the value of the remaining work to be completed and the duration of completion;
  - c) the documents referred to in Article 19(1)(b), (h), (i) and (n).
- (3) The economic operator taking over the activity of building/repowering an energy capacity may apply directly for a definitive authorisation if it proves that both the documents referred to in paragraph (2) and the documents referred to in paragraph (1)(b) and (c) are held at the time of application.

#### Article 49

- (1) In order to grant a provisional licence or to amend a licence by including energy capacities with a provisional right to operate, the application file shall contain the following documents:
- a) the prior consent referred to in Article 11(3) of the Law, issued prior to the conclusion of the contract referred to in point (b);
  - b) the contract proving the transfer operation in progress, concluded in accordance with the law;
  - c) the certificate of findings issued by the Trade Register Office in respect of the economic operator taking over the energy capacities, which shall contain the field of activity for which the licence is requested;
  - d) a statement by the applicant's legal representative on how to provide the necessary staff for the commercial exploitation of the energy capacity during the period of the provisional licence, with documentary evidence to that effect, where appropriate, unless specified in the contract referred to in point (b);
  - e) the declaration referred to in Article 18(1)(c), with the exception of holders of existing authorisations/licences.
- (2) With a view to granting a definitive licence for the situations referred to in Article 46(1) or amending a licence by including energy capacity with a definitive right to operate, the file relating thereto

the application must contain:

- ~~a) proof that the rights acquired as a result of the actual transfer have been entered in the land register;~~ (the text of Article 49(2)(A) of Chapter VI was repealed on 19 June 2025 by [Article I\(12\) of Order No 26/2025](#))
  - b) in the case of transfer of capacity to produce electricity or to produce electricity and heat from cogeneration power plants or storage facilities, the documents referred to in Article 20(1)(d), (e) and (f);
  - c) in the case of transfer of electricity distribution capacity, the documents referred to in Article 23(3)(a), (b) and (c);
  - d) the self-declaration, signed by the legal representative of the economic operator taking over the energy capacity, related to the activity covered by the licence, communicating the estimated turnover for the current year, related to the activity covered by the licence;
  - e) documents proving that the applicant has commenced the procedures necessary for the transfer of the environmental permit.
- (3) The economic operator taking over the energy capacity with a view to its commercial exploitation may apply directly for a definitive licence if he proves that both the documents referred to in paragraph (1) and the documents referred to in paragraph (2) are held on the date of application.

## **CHAPTER VII: Authorisation of offshore wind**

### **Article 50**

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

### **Article 51**

In order for ANRE to issue the establishment authorisation, applicants shall submit an application in accordance with template 1.1 set out in Annex 1, to which they shall attach the following documents:

- a) exploration permit issued to the applicant by the Ministry of Energy;
- b) the concession contract concluded by the applicant with the Ministry of Energy for the purpose of exploring and operating the concessioned offshore wind perimeter;
- c) the final exploration report provided for in Article 17(3) of Law No 121/2024 on offshore wind energy, which proves the completion of the exploration of the offshore wind perimeter;
- d) the acts by which the applicant for authorisation has acquired the status of holder under any legal title of the land on which the energy capacities related to the offshore wind power plant, which may be offshore and/or onshore, are located;
- e) the statement of presentation/explanation of the investment project, including any relevant information that the applicant considers useful on the understanding of its technical options (offshore technology used) or explanations on the submitted documents;
- f) summary table of the works required to be carried out, i.e. those relating to:
  - (i) the wind perimeter to be built;
  - (ii) underwater connecting cables to grid connection points outside the concession perimeter, as well as/or any other offshore energy capacity related to the offshore wind power plant subject to authorisation;
  - (iii) electricity installations related to the offshore wind power plant project carried out on land up to the connection point to the electricity transmission network;
- g) the technical and economic data relating to each of the energy capacities covered by the works for which development consent is requested, completed in a table in the format set out in template 4.1 of Annex 4, resulting, where appropriate, from a feasibility study/business plan/memorial;
- h) the energy capacity location plan, containing the necessary information on the identification of the land occupied by the energy capacity components and its positioning in relation to other objectives existing or being set up in the geographical area concerned;
- i) a statement by the applicant that, when establishing the locations of the components of the energy capacities subject to authorisation, existing or planned targets have been identified in accordance with existing permits in the vicinity of the energy capacities, from which safety distances are established in the technical rules in force, and that safety distances have been respected in relation to the identified targets. The statement shall be accompanied by the table drawn up in accordance with template 3.2 set out in Annex 3;
- j) a note on the stages of carrying out the works to be carried out on the basis of the requested establishment authorisation and the implementation of the resulting capacities, as well as the total duration of the investment project;
- k) a declaration on the applicant's legal representative's honour that only contractors/subcontractors certified in accordance with ANRE regulations, as well as authorised divers, will be employed for the design and execution of the electrical installation works covered by the establishment permit;
- l) the technical connection advice issued by the transmission system operator;
- m) the administrative act issued by the competent authority for environmental protection.

### **Article 52**

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

### **Article 53**

- (1) The operation of offshore wind energy by an economic operator shall be carried out on the basis of a licence issued to an economic operator for the commercial exploitation of electricity generation capacities and, where appropriate, of energy storage facilities added to such generation capacities.
- (2) The activity referred to in paragraph (1) shall be carried out by an economic operator within the offshore wind perimeter that has been leased to it and without prejudice to offshore oil operations or rights conferred on holders of offshore prospecting permits and offshore oil agreements.
- (3) In order to obtain the licence referred to in paragraph (1), the applicant shall submit to ANRE an application in accordance with model no. 1.2 set out in Annex 1, accompanied by the documents required for the grant of the licence, as follows:
- a) development consent for the construction of the offshore wind power plant, issued by the Competent Authority for the Regulation of Offshore Oil Operations at the Black Sea;
  - b) identification of the locations where the energy capacities for the operation of which the licence is requested are installed, indicating the main coordinates;
  - c) the technical and economic characteristics of the energy capacities referred to in point (b), in accordance with the table drawn up in accordance with model No 4.2 in Annex 4;
  - d) the technical and economic characteristics of the electrical networks under the licence applicant's management, in accordance with the table drawn up in accordance with model No 4.2 in Annex 4, electrical networks intended for:
    - (i) the discharge into the NES of the electrical power produced by the capacities under the licence applicant's management;
    - (ii) providing access to electricity networks of public interest to users other than the licensee;
  - e) the organisational chart of the applicant economic operator, valid on the date of application for the licence, indicating the organisational entity responsible for carrying out the activity for which the licence is requested;
  - f) the applicant's own personnel record - the personnel structure, by specialty, attesting the qualification of the personnel assigned to the activity for which the licence is requested, which must include their own specialized personnel (engineers, technicians, economists, etc.), in relation to the volume of activities carried out/installations managed, as well as a sufficient number of authorised electricians, but not less than 2 authorised electricians having the degree and type of authorisation related to the types of works carried out;
  - g) extracts from REVISAL, bearing the date of access to the database and assumed by signature by the legal representative of the applicant, resulting in the employment with an individual employment contract within it of the persons nominated in the personnel file submitted; if the applicant's employees do not include at least two authorised electricians, a service contract concluded with an economic operator certified by ANRE may be submitted instead of the documents proving compliance with this requirement;
  - h) the estimated turnover in the year of the grant of the licence applied for as a result of carrying out the activities covered by it;
  - i) the report of receipt of the commissioning of the energy capacity, signed by the applicant's legal representatives, showing the completion of the tests, including those carried out in accordance with the programme of tests/tests agreed with the network operator in accordance with the regulations in force, and the commissioning of the energy capacities for normal exploitation at full capacity;
  - j) documents proving ownership or use of the energy capacity for the commercial exploitation of which the economic operator applies for a licence;
  - k) the connection certificate issued by the network operator corresponding to the development stage(s) set out in the technical connection advice, except in the case referred to in paragraph (4);
  - l) documents proving that the applicant has started the necessary procedure to obtain the environmental permit;
  - m) a technical expert report issued by an independent verification body confirming that the installation and operation of the wind turbines as well as the HVDC offshore conversion station comply with the technical rules applicable to the offshore wind power plant, best practices in the field of offshore wind energy and comply with the safety rules in the field.
- (4) In the case of power plants for which, in accordance with the technical regulations issued by ANRE, it is necessary to obtain a certificate of technical conformity, if the applicant submits to ANRE, instead of the document referred to in paragraph (3)(k), the certificate of technical conformity with temporary validity issued in accordance with the provisions of the procedure concerning the release of electricity for the test period and the certification of the technical conformity of wind and photovoltaic power plants, approved by order of the President of ANRE, the licence shall be granted on the basis of and for the period of validity of the certificate of technical conformity with temporary validity, with the possibility of extension, if the applicant submits to ANRE, during the period of validity of the licence, the connection certificate issued by the network operator.

## **CHAPTER VIII: Final and transitional provisions**

### **Article 54**

- (1) Establishment permits, as well as licenses that were granted by ANRE before the entry into force of this Regulation to allow activities in the field of electricity, shall remain valid until their expiry, with the possibility of their amendment by ANRE under the conditions of this Regulation.
- (2) Decisions on the granting/modification/suspension/withdrawal of establishment authorisations/licences or on any refusal shall be communicated to the holder and information on these decisions shall be published on the ANRE website.

### **Article 55**

- (1) If the control action taken by ANRE establishes that the holder of the authorisation/licence has not complied with the law or one or more of the conditions of the authorisation/licence, ANRE shall apply penalties by law.
- (2) The imposition and/or payment of any administrative fine shall not in any way limit the right of ANRE to suspend/withdraw the authorisation/licence under the terms of this Regulation.
- (3) If, following a control activity carried out by ANRE, it is found that the works have been completed

for the development/refurbishment of energy capacity, without a permit to set up, such a permit shall no longer be issued.

#### Article 56

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

(2) Before applying to the competent administrative court, a person who considers that his or her right or legitimate interest has been infringed by an individual administrative act issued by ANRE on the basis of this Regulation must request ANRE, within 30 days from the date of service of the act, to revoke it, in whole or in part, specifying the reasons for that request.

#### Article 57

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

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

a) the legal representative;

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

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

#### Article 58

(1) ANRE charges fees for granting/modifying authorisations/licences, in accordance with the law.

(2) Throughout the period of validity of a licence, which includes the period of suspension of the licence in the event of suspension, the licence holder shall pay an annual contribution to ANRE.

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

#### Article 59

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

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

#### ANNEX 1:

##### 1. TEMPLATE No 1.1

Mr President, I, the undersigned, (forename and surname), in his capacity as ..... (Director General/Single Administrator) to the economic operator registered with the Trade Register Office under the name ..... (Name national company/company/autonomous region), having the legal form of (C.N./S.A./S.R.L./R.A.), entered in the trade register under No J/ ..... /....., having unique registration code ....., with its registered office in ..... (Name municipality/city/municipality, str. nr. , county, postcode), telephone no. ...., fax no. ...., address of e-mail of both the economic operator and the legal representative ..... and account ..... (specification/account number/ROL), opened with the Bank ..... (name of commercial bank), branch ..... (name/location of the branch where the company account is opened national/company/autonomous region), I request ..... (granting of an authorisation to establishment/amendment of establishment authorisation) for realising the new energy capacity<sup>1)</sup> ..... (Name energy capacity for which the permit is requested, its location); retrofitting of energy capacity<sup>2)</sup> (name of the energy capacity for which the permit is requested to be retrofitted, its location).

<sup>1), 2)</sup> Fill in only the line following one of these figures according to the situation.

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

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

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

Pending the development by public institutions and specialised bodies of central government of software and the capacity to provide electronic public services,

☐ I agree

☐ disagree

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

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

Signature of legal representative

##### 2. TEMPLATE No 1.2



Mr President, I, the undersigned, ..... (forename and surname), in his capacity as ..... (Director General/Single Administrator) to the economic operator registered with the Trade Register Office with the name ..... (name of the national company/companies/autonomous region), having the legal form of ..... (C.N./S.A./S.R.L./R.A.), entered in the trade register under No J/.../ ..... , having unique registration code ..... , with its registered office in ..... (Name municipality/city/municipality, street no. , county, postcode), telephone no. .... , fax no. .... , address of e-mail of both the economic operator and the legal representative ..... and account ..... (specification/account number/ROL), opened with the Bank ..... (name of commercial bank), branch ..... (name/location to the branch where the account of the national company/company/autonomous region is opened), I request (granting of a licence/modification of the licence) for ..... (type of licence).  
I would like to inform you that, for the purpose of communication with the National Energy Regulatory Authority (ANRE), I can be contacted by phone/fax at no. .... (phone/fax no.)\*).

\*) Both the phone of the applicant legal person and of the legal representative will be passed.

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

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

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

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

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

Signature:

### 3. TEMPLATE 1.3

Mr President,

I, the undersigned, ..... (forename and surname), I request ..... (granting of a licences/modification of licence) for the commercial operation of electricity or heat generation capacities in cogeneration power plants and energy storage facilities added to the generating capacity/for the commercial operation of energy storage facilities not added to an existing generating capacity, being registered/individual undertaking/family undertaking I represent being registered with the Trade Register Office under No J/.../ ..... , having the unique code of registration ..... , in accordance with the provisions of the law on organisation and deployment in the territory of Romania of some economic activities by authorised natural persons, sole proprietorships and family businesses, and having their domicile/residence<sup>1)</sup> in ..... (name of commune/city/municipality, str. nr. , county, postal code).

<sup>1)</sup> For natural persons who are foreign nationals.

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

Please note that in my/individual/family business name the account with , (specification/account number/ROL) at the Bank ..... (Name.....commercial bank), branch ..... (name/location of branch)<sup>2)</sup>.

<sup>2)</sup> Fill in if applicable.

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

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

Pending the development by public institutions and specialised bodies of central government of software and the capacity to provide electronic public services,

☐ I agree

☐ disagree

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

Knowing the provisions of Article 326 of the Criminal Code on false declarations, I certify on my own responsibility the veracity and authenticity of all documents submitted.

Date of completion:

Signature:

### 4. TEMPLATE No 1.4

#### DECLARATION ON OWN RESPONSIBILITY

I, the undersigned, ..... , legal representative of .....\*), registered with the Registry Office

the Trade No ....., CUI ....., 326 of the Criminal Code on forgery in  
Declarations, I declare on my honour that the following documents:

\*) Fill in the name of the applicant.

.....,  
which were submitted to the National Energy Regulatory Authority (ANRE) and registered under No / \*\*)  
..... for obtaining/modifying the establishment permit/licence ....., Continues to be valid  
and can be used at the current request .....

\*\*) Fill in the number of the submitted application, granted by ANRE upon registration.  
Please note that if there are any changes/updates, I undertake to submit the updated documents.  
I sign this declaration.

(surname and forename in clear, quality, signature)

Date .....

## ANNEX 2:

### 1. TEMPLATE 2.1

#### DECLARATION ON OWN RESPONSIBILITY

(applicant legal person)

The undersigned, ....., as controlling shareholder/associate  
applicant/manager/member of the board of directors of the economic operator .....,  
registered with the Trade Register Office under no..... CUI ....., knowing the provisions of Art. 326  
of the Criminal Code on false declarations, I declare on my honour the following:  
- I was/was not a controlling shareholder/associate and/or manager of economic operators holding  
authorisations/licences granted by the National Energy Regulatory Authority\*);

\*) Specify the holders of authorisations/licences if they were shareholders/associates/administrators/members of the  
board of directors.

- I was/was not a controlling shareholder/manager of licensed economic operators who failed to pay the payment  
obligations resulting from transactions carried out on the electricity market and/or resulting from the application of  
administrative penalties in relation to their turnover, for the acts referred to in Article 93(1) of Law No 123/2012 on  
electricity and natural gas, as amended.

Date of completion:

Signature:

### 2. MODEL No 2.2

#### DECLARATION ON OWN RESPONSIBILITY

(applicant's natural person)

~~I, the undersigned, ....., identified with C.I. No ....., CNP ....., residing in  
....., as shareholder/associate controlling the applicant/manager/member of the board of  
directors of the economic operator .....  
Knowing the provisions of Article 326 of the Criminal Code on false declarations, I hereby declare on my honour the  
following:~~

~~- I was/was not a controlling shareholder/associate and/or manager of economic operators holding  
authorisations/licences granted by the National Energy Regulatory Authority\*);~~

~~- ) Specify the holders of authorisations/licences if they were shareholders/associates and/or administrators.~~

~~- I was/was not a controlling shareholder/manager of licensed economic operators who failed to pay the payment  
obligations resulting from transactions carried out on the electricity market and/or resulting from the application of  
administrative penalties in relation to their turnover, for the acts referred to in Article 93(1) of Law No 123/2012 on  
electricity and natural gas, as amended.~~

~~Date of completion:~~

~~Signature:~~

### 2. Template No 2.2

#### DECLARATION ON OWN RESPONSIBILITY

(applicant's natural person)

I, the undersigned, ....., identified with C.I. No ....., CNP ....., residing in  
....., as shareholder/associate controlling the applicant/manager/member of the  
board of directors of the economic operator .....  
Knowing the provisions of Article 326 of the Criminal Code on false declarations, I hereby declare on my honour the  
following:

- I was/was not a controlling shareholder/associate and/or manager of economic operators holding authorisations/licences granted by the National Energy Regulatory Authority\*);

- )Specify the holders of authorisations/licences if they were shareholders/associates and/or administrators.

- I was/was not a controlling shareholder/manager of licensed economic operators who failed to pay the payment obligations resulting from transactions carried out on the electricity market and/or resulting from the application of administrative penalties in relation to their turnover, for the acts referred to in Article 93(1) of Law No 123/2012 on electricity and natural gas, as amended;

- agree that the National Energy Regulatory Authority (ANRE), with its registered office at str. Constantin Nacu no. 3, sector 2, Bucharest, to collect and process my personal data. Consent to the processing of personal data, as well as the provision of the data referred to in the GDPR form, is voluntary. This consent may be revoked at any time, with subsequent effect, by notification to ANRE.

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

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

- \*)This form is valid only if the third box is ticked with x.

[ ] e-mail to .....

[ ] phone number .....

[ ] I understand this statement of consent and agree to the collection and processing of my personal data for the purposes described in the GDPR form.

Date of seal compl:

Signature:

- (on 19 June-2025, paragraph 2. of Annex 2, as amended by Article I, paragraph 13. of [Order 26/2025](#))

### 3. MODEL No 2.3

#### DECLARATION OF CONSENT

I, the undersigned, ....., residing in ....., CNP ....., I agree that The National Energy Regulatory Authority (ANRE), with its registered office at str. Constantin Nacu no. 3, sector 2, Bucharest, to collect and process my personal data.

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

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

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

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

[ ] e-mail to: .....

[ ] telephone number: .....

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

Date of completion:

Signature:

[the text of paragraph 3. of Annex 2 was repealed on 19-Jun-2025 by [Article I, paragraph 14. of Order 26/2025](#)]

#### ANNEX 3:

##### 1. TEMPLATE No 3.1

**EVIDENCE of land/construction temporarily or definitively occupied by the establishment of energy capacity and acts on rights to such land/construction** ..... (Name)

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

## 2. TEMPLATE No 3.2 SAFETY DISTANCES

C matching energy capacity	Objective	Distances (m)	
		Relative distance according to the project	Normalised distance

## ANNEX 4:

### 1. MODEL No 4.1

### ~~TECHNICAL-ECONOMIC DATA on the energy capacities for which authorisation is sought setting up~~

No. crt.	Name of indicators	UM	Group 1	Group n	Total central
1.	General data				
	Project name: central/storage facility				
	Electrical power installed (production/storage)	MWe			
	Maximum electric power cut into the network	MWe			
	Installed heat output	MWt			
	Lifetime	Ani			
	Duration of investment	Ani			
2.	Average accounting depreciation time of	Ani			
	Total investment value* (excluding VAT), of	lei			
	Equipment	lei			
3.	Construction and installation	lei			
	Indicators calculated in the cost-benefit analysis of the feasibility study, on the basis of which the project was decided:				
	IRR – Internal Rate of Return	%	-	-	
	NPV – net present value	lei	-	-	
4.	DRI – time to pay back the investment	Ani	-	-	
	Presentation of the main construction types and technical characteristics** of the components of the power generation and/or storage capacities, as well as of the power plant installations	-	-	-	

~~\*) In the case referred to in Article 13(3) of the Regulation for the granting of licences and authorisations in the electricity sector, approved by Order No6/2025 of the President of the National Energy Regulatory Authority, the value of the remaining work to be carried out shall be indicated.~~

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

~~Date of completion and signature:~~

### 1. Template 4.1

### TECHNICAL-ECONOMIC DATA on the energy capacities for which the establishment permit is requested

No. crt.	Name of indicators	UM	Group 1	Group n	Total central
1.	General data				
	Project name: central/storage facility				
	Location address				
	Electrical power installed (production/storage)	MWe			
	Maximum electric power cut into the network	MWe			
	Installed heat output	MWt			
	Lifetime	Ani			
2.	Duration of investment	Ani			
	Average accounting depreciation of the investment	Ani			
	Total investment value* (excluding VAT), of which:	lei			
3.	Equipment	lei			
	Construction and installation	lei			
4.	Indicators calculated in the cost-benefit analysis of the feasibility study, on the basis of which the project was decided:				



3.	IRR - Internal Rate of Return	%	-	-	
	NPV - net present value	lei	-	-	
	DRI - time to pay back the investment	Ani	-	-	
4.	Presentation of the main construction types and technical characteristics† of the components of the power generation and/or storage capacities, as well as of the power plant installations	-	-	-	
5.	Presentation of the stages of carrying out the works to be carried out on the basis of the requested establishment authorisation and the implementation of the resulting capacities, contained in the presentation/explanation of the project. .... ‡ investment				

\*In the case referred to in Article 13(3) of the [Regulation for the granting of licences and authorisations in the electricity sector](#), approved by Order No [6/2025 of the President of the National Energy Regulatory Authority](#), as amended, the value of the remaining work to be carried out shall be indicated.

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

The presentation/explanation of the investment project will be annexed to the table. Date of completion and signature:

► (on 19 June-2025 item 1. of Annex 4 as amended by Article I item 15. of [Order 26/2025](#))

## 2. TEMPLATE No 4.2

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

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

Technical † characteristics of the power lines and substations and substations used to discharge the electrical power produced into the NES; in the case of electricity networks under the management of the licensee intended to provide access to electricity networks of public interest to other users, the following shall be submitted: the technical characteristics of the lines, branches, substations and substations used for this purpose;  
b) information in the 1970 national stereographic coordinate system, presented in GIS vector format in XML/SHAPE files, according to the scheme published on the website of the National Energy Regulatory Authority, with the following dataset attached as attributes:

- 1.type and name of power capacity - power line, branch, substation, substation;
- 2.the SIRUTA code of the locality/village in the administrative-territorial unit where the energy capacity is located;
- 3.Power capacity location (air or underground power line);
- 4.Nominal voltage;
- 5.Energy capacity length, overhead or underground power line, the length of the power capacity being understood as the actual length of the power capacity, not the linear length;
- 6.total number of transformers (in the case of substations/transformation stations);
- 7.Total installed MVA power (in the case of substations/transformation points);
- 8.the unique registration code of the economic operator operating that energy capacity;
- 9.Inventory number(s)/inventory sub-number(s) related to energy capacity;
- 10.the net carrying amount of energy capacity at the commissioning date;
- 11.number and date of the acceptance report at the end of the works.

Date of completion:

Signature:

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



**ANNEX 5:****1. TEMPLATE No 5.1**

National Energy Regulatory Authority

No..... from .....

**INSTALLATION AUTHORISATION for ..... (Achieving the new capacity energy/repowering)**

located on/in ..... (Nameenergy capacity), having the maximum electrical power .. MW,  
by the permit), granted ..... (address/descriptionfull site for the energy objective or capacity covered  
economic operator), having a CUI ..... (Name  
(code Unique tax registration).

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

Date of issue: ..... (date authorisation)

Valid until .....

Forgery of this document is punishable under the law.

**2. MODEL No 5.2****LICENCE ..... (registration number in the ANRE Special Licence Register)/(date) for**

..... (name of licence) granted ..... (name of applicant/licensee), CUI

..... (unique tax identification number)

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

Date of issue: ..... (date license)

Valid until .....

Forgery of this document is punishable under the law.

Published in Official Gazette No 262 of 26 March 2025