

*Translation from Romanian*

OFFICIAL GAZETTE OF ROMANIA, PART I, No. 239/8.IV.2015

**ACTS OF THE NATIONAL REGULATORY AUTHORITY  
IN THE ENERGY DOMAIN**

NATIONAL REGULATORY AUTHORITY IN THE ENERGY DOMAIN

**ORDER**

**Approving the Rules on electricity take-over supplied into electricity networks,  
generated during the test periods of generating capacities**

Taking into account the provisions of article 9 par (1) letter h) from the Governmental Emergency Ordinance 33/2007 on the organisation and operation of the National Regulatory Authority in the Energy Domain, approved with amendments and additions under Law 160/2012,

Based on the provisions of article 5 par (1) letter c) of the Governmental Emergency Ordinance 33/2007 approved with amendments and additions under Law 160/2012,

The **president of the National Regulatory Authority in the Energy Domain** issues the following order:

Article 1- The Rules on electricity take-over supplied into electricity networks generated during the test period of generating capacities, provided in the annex which is integrant part of this order, are approved.

Article 2- The Romanian or foreign natural / legal persons that put in operation new or refurbished electricity generating capacities, distribution operators, the National Power Grid Company Transelectrica Sa, the Company Electricity and Natural Gas Market Operator OPCOM SA carry out the provisions of this order.

Article 3- The specific divisions of the National Regulatory Authority in the Energy Domain supervise the compliance with the provisions thereof.

Article 4- (1) This order is published in Romania's Official Gazette, Part I.

(2) On the enactment date thereof Order 14/2006 of the president of the National Regulatory Authority in the Energy Domain regarding electricity take-over delivered into electricity networks by electricity generating capacities during their commissioning periods, published in Romania's Official Gazette, Part I, no. 535 of 21 June 2006, is cancelled.

The president of the National Regulatory Authority in the Energy Domain  
**Niculae Havrilet**

Bucharest, 1 April 2015  
No. 59

**RULES****On electricity take-over supplied into electricity networks, generated during test periods of generating capacities**

Article 1- To the purpose of these rules, the terms and phrases below have the following meanings:

CPT – technological consumption (losses)

DSO – distribution system operator

OTS – transmission and system operator (TSO)

PE – balancing market (BM)

PRE – balancing responsible party (BRP)

RPUD – Regulation for scheduling generating units and dispatchable consumers approved by Order 32/2013 of the president of the National Regulatory Authority in the Energy Domain;

SEN – Romanian power system (RPS)

Article 2- (1) The time period necessary to make the commissioning tests to put in operation an electricity generating capacity, hereinafter called test period, is the time interval between the energising time for the test period and the date when the licence has been obtained, but no more than 24 months since energising.

(2) The Romanian or foreign natural / legal person that puts in operation a new or refurbished electricity generating capacity makes the operational tests of the respective capacity while observing the provisions of chap. IV section 7 'Energising the installation for use during test periods' from the Regulation on the users' connection to electricity networks of public interest, approved by Order 59/2013 of the president of the National Regulatory Authority in the Energy Domain, with later amendments and additions, as well as the regulatory framework regarding NPS balancing, as the case may be.

Article 3- (1) In case the capacity provided in article 2 represents non-dispatchable unit in the sense of RPUD (Scheduling Regulation), the Romanian or foreign natural / legal person takes the necessary steps according to the applicable regulatory framework in order to have it recorded to the PRE-CPT constituted by the OD (DO), which network it will be connected to.

(2) In case the capacity provided in article 2 is dispatchable unit in the sense of the RPUD, the following provisions apply:

a) To put such capacity in operation the Romanian or foreign natural / legal person takes the necessary steps according to the applicable regulatory framework to be recorded as provisional PRE (BRP) with the OTS (TSO) during the test period, in accordance with the establishment licence and the connection endorsement held;

b) During the test period the Romanian or foreign natural / legal person does not send daily bids and fixed bids on the PE (BM) associated to such capacity;

(3) The PRE (BRP) provided in par (1) and (2) notify daily to the OTS (TSO) the planned output of the generating capacity under test period, according to the test schedule approved by the OTS; by derogation from the provisions of the RPUD, the PRE (BRP) having the capacity provided in par (1) and (2) makes physical notifications in case of imbalance, according to the test schedule of the respective capacity.

Article 4- The Romanian or foreign natural / legal person that puts in operation new or refurbished electricity generating capacities receives for the electricity generated during tests the price for excess energy, as resulting from the calculation made by the settlement operator of the PE (BM). The resulting amounts of money are revenues owed to the Romanian or foreign natural / legal persons by means of the respective PRE-CPT OD or provisional PRE (BRP), as a result of the balancing mechanism within SEN.

Article 5- The OTS (TSO) takes into account the test schedules notified according to article 3 par (3) in the scheduling process and in the selection of balancing power on the PE (BM).

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