

Order no. 1 of 15 January 2020 approving the tariffs and contributions levied by the National Energy Regulatory Authority in 2020

Having regard to the provisions of Art. 2 para. (2) of the Government Emergency Ordinance no. 33/2007 on the organisation and functioning of the National Energy Regulatory Authority, approved with amendments and additions by Law no. 160/2012, with subsequent amendments and additions, as well as the provisions of Law no. 121/2014 on energy efficiency, with subsequent amendments and additions,

Under Art. 2 par. (33) of the Government Emergency Ordinance no. 33/2007, approved with amendments and additions by Law no. 160/2012, with subsequent amendments and additions,

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

Art. 1

The tariff charged to economic operators carrying out activities in the electricity, thermal and natural gas sectors for granting authorisations and licences, according to Annex no. 1, and the tariff charged for issuing attestations and authorisations to economic operators providing services for design, execution, verification and operation of electrical and natural gas installations, according to Annex no. 2 shall be approved.

Art. 2

The fee charged for the authorisation of natural persons performing activities in the electricity, thermal and natural gas sectors, as set out in Annex No 3 is hereby approved.

Art. 3

(1) It approves the tariff and the monetary contribution collected annually by the National Energy Regulatory Authority from economic operators performing activities in the electricity, thermal and natural gas sector, which, according to the law, is within the regulatory competence of the National Energy Regulatory Authority.

(2) The amount of the tariff and the money contribution referred to in paragraph 1 and the conditions for their payment are laid down in Annex no. 4.

(3) The tariff and the money contribution collected for 2020 by the National Energy Regulatory Authority shall be calculated in accordance with the provisions of this order.

Art. 4

(1) The tariff and the money contribution shall be paid to the National Energy Regulatory Authority RO98TREZ70020F160300XXXXX opened at the Bucharest Treasury and Public Accounting Activity.

(2) In the event of non-payment of invoices related to the tariff and contribution provided for in this order at maturity, i.e. within 20 days of their issue, an amount equal to the level of interest and late payment penalties due for the non-payment of budgetary obligations shall be charged for each day of late payment of the payment of the budget obligations, in accordance with the legal provisions in force.

Art. 5

Annexes No 1 to 4 shall form an integral part of this Order.

Art. 6

Order of the President of the National Energy Regulatory Authority no. 251/2019 for the extension of the provisions of the Order of the President of the National Energy Regulatory Authority no. 224/2018 on the approval of the tariffs and money contributions levied by the National Energy Regulatory Authority in 2019, as well as for its amendment, published in the Official Gazette of Romania, Part I, no. 1054 of 30 December 2019, is repealed.

Art. 7

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

Art. 8

This order shall be published in the Official Gazette of Romania, Part I, and shall enter into force on the day of its publication.

President of the National Energy Regulatory Authority,
Dumitru Chirita

Annex 1: Tariff levied on economic operators performing activities in the electricity, thermal and natural gas sectors for the granting of authorisations and licences

(1) The tariff for granting/amending authorisations to set up and licenses for activities in the electricity and heat sector is set out in Table 1.

1. Table 1 – Tariff for granting/amending authorisations for establishment and licenses in the electricity and heat sector¹⁾

No. No. Lic.	Activity Purpose of the request	TA riful (lei)	Application
0	1	2	3
1.	Granting authorisation to set up or refurbish electricity production capacities ⁸⁾ The tariff shall be applied to the total value of the investment provided in Annex no. 4 to the Regulation for licensing and authorisations in the electricity sector, approved by the Order of the President of the National Energy Regulatory Authority no. 12/2015, as amended and supplemented, and may not be less than 2,500 lei ⁴⁾ .	0,32 % 0,1 % 0,05 %	Pe2) ^{<} 10 MW 10 < Pe2) ^{<} 100 MW Pe2) [≥] 100 MW

2.	Licensing for the exploitation of power generation capacities and, where applicable, electricity and heat generation capacities in cogeneration with $Pe2) > =^{10}MW$	5.000	
3.	Licensing for the exploitation of power generation capacities and, where applicable, electricity and heat generation capacities in cogeneration of $1 MW < Pe2) < 10^{MW}$	2.5005)	
4.	Licensing for the exploitation of power generation capacities and, where applicable, electricity and heat generation capacities in cogeneration with $Pe2) < =^1MW$	5006)	
5.	Licensing of electricity transmission, system service provision and balancing market management	10.000	
6.	Licensing for the activity of managing centralised electricity markets (other than the balancing market)	2.500	
7.	Licensing of electricity distribution service – $P3) \geq 10 MW$	10.000	
8.	Licensing of electricity distribution service – $1 MW < = P3) < 10 MW$	2.500	
9.	Licensing of electricity supply activity	2.500	
10.	Licensing of the activity of the electricity trader	2.500	
11.	Modification of an authorisation to set up or a licence, except as referred to in points 12, 13, 14, 15 and 16.	2.500	
12.	Modification of a licence for the exploitation of power generation capacities and, where applicable, electricity and heat generation capacities in cogeneration by $Pe2) < =^1MW$, except as provided for in points 13, 14, 15 and 16	500	
13.	Amendment of an authorisation to set up or a licence in the event of a change of legal form, name/name or any data relating to the premises of the applicant, except in the cases referred to in point 14	625	
14.	Modification of a licence in case of a change of legal form, name/name or any data relating to the applicant's premises, in the case of a licence for the exploitation of power generation capacities and, where applicable, the capacity to produce electricity and heat in cogeneration with $Pe2) < 1 MW$	125	
15.	Granting/Modification of a provisional establishment authorisation/provisional licences, with the exception of the provisional establishment/licence authorisation provided for in	625	
16.	Grant/Modification of a provisional licence for the exploitation of power generation capacities and, where applicable, electricity and heat generation capacities in cogeneration with $Pe2) < = 1 MW$	125	
17.	Analysis of the documentation attached to the application for the granting/modification of an authorisation to set up or license, in the cases referred to in points 1 to 3 and 5-11	2.5007)	
18.	Analysis of the documentation attached to the application for the granting/modification of a establishment authorisation or a licence in the cases referred to in points 13 and 15	6257)	
19.	Analysis of the documentation attached to the application for the grant/amending of a licence, in the cases referred to in points 4 and 12	5007)	
20.	Analysis of the documentation attached to the application for the grant/amending of a licence, in the cases referred to in points 14 and 16	1257)	
21.	Issue of a duplicate of the establishment/licence authorisation	125	
22.	Analysis of the documentation attached to the application for the granting/modification of a licence, in the cases referred to in point 23	2.500	
23.	Granting/Modification of a licence for carrying out activities in the field of centralised heat supply service	5.000	
24.	Granting/Modification of a licence exclusively for the production of heat in centralised system	2.500	Pt9) $\geq 1 MW$
		500	Pt9) $\leq 1 MW$
25.	Analysis of the documentation attached to the application for the granting/modification of a licence, in the cases referred to in point 24	2.500	Pt9) $\geq 1 MW$
		500	Pt9) $\leq 1 MW$

Public institutions in the fields of education and health are exempted from payment of the tariff listed in Table 1 for granting/modifying establishment authorisations and/or licences.

2) PE represents the installed electrical power of electricity generation capacities.

3) P is the approved electrical power for users of the applicant's power grids where the power of the applicant's production and/or electricity consumption is not included.

4) Is the minimum rate for granting an authorisation to set up, the basis for the calculation of the related tariffs

the authorisations referred to in point 15.

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5) Shall be the minimum licence fee for the activities referred to in point 3, the basis for the calculation of the rates for licences referred to in points 4 and 15.

6) The minimum licence fee for the activities referred to in point 4 shall be the basis for the calculation of the tariffs referred to in point 16.

7) The analysis rate:

a) it shall be deducted from the fee for granting or amending the authorisation/licence collected in relation to the favourable settlement of the application;

b) shall not be returned to the applicant if the National Energy Regulatory Authority refuses to grant or modify the authorisation/licence or ranks that request;

c) where it is equal to the tariff for granting or amending the authorisation/licence, no invoice shall be issued for the payment of the fee for granting or amending the authorisation/licence, the amount due being paid in advance by the analysis tariff;

d) it is also due to the legal entities of the Member States of the European Union referred to in Article 10(5) of the Regulation for the granting of licences and authorisations in the electricity sector, approved by the Order of the President of the National Energy Regulatory Authority no. 12/2015, as amended and supplemented, requesting the National Regulatory Authority for Energy to carry out in Romania the activity of supplying electricity or the activity of the trader of electricity on the basis of the licence held in the Member State of a Member State.

8) In the situations referred to in Article 9(3) of the Regulation for the granting of licences and authorisations in the electricity sector, approved by the Order of the President of the National Energy Regulatory Authority no. 12/2015, as

No. No. Lic	Type of documentation	Tariff (lei)
1.	Opinion on the connection of users to the power grids in the vicinity of the area of activity of some distribution operators	500

1.1.NOTE:

The tariffs set out in Table 2:

a) shall be paid by the applicant prior to submission of the documentation;

amended and supplemented, item 1 of the table, which refers to joint capacities/installations in the field of electricity and natural gas, shall no longer apply the tariff for granting the authorisation provided for in item 1 of Table 3.

9) PT represents the installed thermal input of the thermal energy production capacities.

(2) The fee for analysing the documentation for obtaining the opinion on the connection of users to the power grids in the vicinity of the area of activity of some distribution operators is set out in Table 2.

1. Table no. 2 – Documentation analysis fee for obtaining the opinion on the connection of users to the power grids in the vicinity of the area of activity of some distribution operators

b) shall not be returned to the applicant in case of withdrawal of the application, the closing of the documentation and the failure to give an opinion.

(3) The fee charged for granting authorisations and licences, for the analysis of applications for granting/modifying/extending authorisations for establishment/licenses, as well as for the analysis of documentation from economic operators performing activities in the natural gas sector is set out in Tables no. 3, 4 and 5. **1.** Table 3 – Tariff for granting/amending authorisations for establishment and licensing in the natural gas sector

No. No. Lic	Activity	Substantiation criterion	THE U.M.	Tariff (% of target value)	Taful – lei/U.M. —
1.	Granting/Modification of establishment authorisations	Present value of the objective according to Annex no. 3 to the Regulation for granting authorisations for establishment and licensing in the natural gas sector, approved by the Order of the President of the National Energy Regulatory Authority no. 34/2013, as amended and supplemented (Regulation)	licences	0,32	
2.	Licensing of gas supply natural/biogas/biomethane	Quantity of natural gas/biogas/biomethane estimated to be supplied in the year in which the licence is granted	MWh		0,056
3.	Licensing of natural gas trader	Quantity of natural gas estimated to be supplied in the year in which the licence is granted	MWh	—	0,168
4.	Licensing of gas supply to natural gas producers	Quantity of natural gas estimated to be supplied in the year in which the licence is granted	MWh		0,168
5.	Licensing of LNG supply	Quantity of LNG estimated to be provided in the year in which the licence is granted		—	0,780
6.	Granting/Modification of license for the operation of natural gas transmission systems	Estimated quantity of natural gas to be transported in the year in which the licence is granted	MWh		0,062
7.	Granting/Modification of operating license of the distribution system, closed distribution system	Estimated quantity of natural gas to be distributed in the year in which the licence is granted	MWh		0,086

8.	Granting/Modification of the operating license of the underground gas storage system	Present value of the target according to Annex No 7 to the Regulation	lions	0,32	
9.	Granting/Modification of operating licenses for upstream supply related to the production of natural gas	Present value of the target according to Annex No 7 to the Regulation	lions	0,32	
10.	Granting/Modification of terminal operating license LNG	Present value of the target according to Annex No 7 to the Regulation	lions	0,32	

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No. No. Lic	Type of licence	TA riful (lei)
1.	Authorisations to set up-granting/amendment	2.500
2.	Licenses – all types of granting/modification	2.500
3.	Extension of the validity of the establishment/licence authorisation	2.500
4.	Issue of a duplicate of the establishment/licence authorisation	125

The tariff for amending authorisations to set up/licenses in the natural gas sector in the case of changes in the statutes, name or premises/headquarters without changing the technical characteristics shall be 25 % of the analytical tariff set out in Table 4 in points 1 to 3.

2. Table no. 4 – Tariff for the analysis of applications for granting/modifying/extending authorisations for establishment/licenses in the natural gas sector

2.1. NOTES:

2.1.1. The tariff set out in Table 4:

- a) to be paid by the applicant prior to submission of the documentation;
- b) shall be deducted from the tariff for granting/modifying the establishment/licence authorisation, with the exception of the tariff referred to in point 4;
- c) shall not be returned to the applicant in case of withdrawal of the application for authorisation/licensing, the

No. No. Lic	Type of documentation	TA riful (lei)
1.	Opinion of principle isolated consumers type A or type B	500
2.	Advice providers of vocational training	500
3.	Prior notice for concession of natural gas distribution service	500

3.1. NOTE:

3.1.1. The tariffs set out in Table 5:

- a) shall be paid by the applicant prior to submission of the documentation; completion of the documentation and the non-approval/licence;
- d) it is also due for the confirmatory decisions provided for in the Regulation for granting authorisations to set up and licenses in the natural gas sector, approved by the Order of the President of the National Energy Regulatory Authority no. 34/2013, as amended and supplemented.

2.1.2. The tariff for the analysis of requests for modification of authorisations to set up/licenses in the natural gas sector in the case of changes in statutes, name or premises/headquarters without changing the technical characteristics shall be 25 % of the analysis tariff set out in Table 4 in point 1 to 3.

3. Table no. 5 – Tariffs for analysis of documentation in the natural gas sector

- b) shall not be returned to the applicant in case of withdrawal of the application, the closing of the documentation and the failure to give an opinion.

No. Lic	Activity Purpose of the request	TA riful (lei)
1.	Granting/Modification of authorisation for participation in auctions of greenhouse gas emission allowances	1.000
2.	Analysis of the documentation attached to the application for an authorisation for participation in auctions of greenhouse gas emission allowances	1.000

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

1. Table 6 – Tariff for authorising electricity and gas suppliers to participate in auctions of greenhouse gas allowances

1.1. NOTES:

1.1.1. The analysis rate:

- a) to be deducted from the fee for granting the authorisation/licence;
- b) it shall not be returned to the applicant if the National Energy Regulatory Authority refuses to grant or modify the authorisation or ranks that request.

1.1.2. Public institutions in the fields of education and health are exempted from paying the tariffs listed in Table 6.

Annex 2: Fee charged for issuing attestations and authorisations to economic operators providing design, execution, verification and operation services of electrical and natural gas installations

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

1. Table 1 – Tariff for issuing attestations

No. No. Item	Attested type – The category of activities	TA riful (lei)
1.	Type A1, Bp, Be, Bi, B, B	1.600
2.	Type A2, A3, C1A, C2A attestations	3.100
3.	Type A, C1B, C2B, D1, D2, E1, E2, E2PA attestations	4.500
4.	Issue of a duplicate attestation	125

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1.1. NOTES:

1.1.1. The tariffs set out in Table 1:

- a)** it is also due for the confirmatory decisions provided for in the Regulation for attestation of economic operators designing, executing and verifying electrical installations, approved by the Order of the President of the National Energy Regulatory Authority no. 45/2016, as amended and supplemented;
- b)** items 1 to 3 shall not be refunded in case of withdrawal of the request for attestation/sight/confirmation by the economic operator, as well as in the case of failure to grant/non-visit the attestation or refusal to confirm, for whatever reason.

1.1.2. The periodic targeting fee of the attestation/confirmation decision represents 50 % of the amount of the fee for **1. Table no. 2 – Tariff for issuing authorisations**

No. No. Item	Type of authorisation	TA riful (lei)
1.	Design – granting/extension	2.000
2.	Execution – granting/extension	3.000
3.	Issue of a duplicate authorisation	125

issuing the respective type of attestation/confirmation decision.

1.1.3. The tariff for amending the attestation/confirmation decision in case of change of the name, legal form or registered/professional seat of the holder of attestation/confirmation decision, except in cases of justified legislative changes or regulations, shall be 25 % of the fee for issuing that type of attestation/confirmation decision.

(2) The tariff for authorisation/modification/extension of authorisations of economic operators performing activities in the field of natural gas is set out in Table no. 2.

1.1. NOTES:

No. No. Item	Type of authorisation	TA riful (lei)
1.	Documentation analysis*)	600
2.	Authorisation for the installation of heating cost allocation systems (type I)	2.400
3.	Authorisation for operation of heating cost allocation systems (Type II)	
4.	Authorisation for mounting cost sharing systems for hot water consumption (Type III)	
5.	Authorisation for operation of cost sharing systems for hot water consumption (Type IV)	
6.	Extension of authorisation	1.200
7.	Modification of authorisation	400
8.	Duplicate issuance of authorisation	300

1.1.1. The tariffs set out in Table 2:

- a)** is also due for the confirmatory decisions provided for in the Regulation for the authorisation of economic operators performing activities in the field of natural gas, approved by the Order of the President of the National Energy Regulatory Authority no. 98/2015, as amended and supplemented;
- b)** points 1 and 2 shall not be refunded in the event of the closing of the application or the refusal to grant/modify the authorisation.

1.1.2. The fee for amending the authorisation/confirmation decision in case of change of the name, legal form or registered office of the holder of the authorisation/confirmation decision shall be 25 % of the fee for issuing that type of authorisation/confirmation decision.

(3) The fee for the authorisation of legal entities that mount and/or operate systems for allocating costs for heating and hot water consumption in condominium buildings is set out in Table 3.

1. Table 3 – Tariff for granting/extending/amending authorisations for mounting/exploiting cost-sharing systems or for issuing a duplicate

1.1. *) Analysis rate:

- a)** shall be deducted from the tariff referred to in points 2 to 5;
- b)** shall not be returned to the applicant in the event of withdrawal of the application, the closing of the documentation and the failure to grant authorisation.

Annex 3: Fee charged for the authorisation of natural persons performing activities in the electricity, thermal and natural gas sectors

(1) The fee for authorising electricians designing, executing and checking electrical installations is set out in Table 1.

No. No. Item	Type of authorisation	TA riful (lei)
1.	Grade I	250
2.	Authorisation grades II, III, IV, type A or type B	250
3.	Extension for any of the grades of approval, type A or type B (including grade I), including periodic targeting	175
4.	Authorisation grades II, III, IV, type A+B	350
5.	Extension for any of the grades of approval, type A+B, including periodic targeting	175

1. Table no. 1 – Tariff for the authorisation of electricians

6.	Project verifier in the field of electrical technological installations, including periodic targeting	125
7.	Quality and extrajudicial technical expert in electrical installations technology, including periodic targeting	175
8.	Issue of a duplicate of the authorised electrician card/adequacy of authorised electrician	30

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1.1. NOTE:

No. No. Lic.	Type of attestation	TA riful (lei)
1.	Project verifiers	350
2.	Extension of the right of practice of project verifiers, each type	175
3.	Technical experts	450
4.	Extension of technical experts' right of practice, each type	225
5.	Authorised installers	250
6.	Extension of validity of authorised installers' credentials, each type	125
7.	Issue of a duplicate certificate of attestation of project verifiers/technical experts	30

B) shall not be returned to the applicant in the cases provided for in Art. 42 par. (3) of the Regulation for the authorisation of electricians, project verifiers, technical executives for execution, as well as technical and extrajudicial experts in the field of electrical installations, approved by the Order of the President of the National Energy Regulatory Authority no. 11/2013, as amended.

(2) The fee for attestation of project verifiers and technical experts in the natural gas sector and for the authorisation of natural gas performers is set out in Table 2.1. Table no. 2 – Tariff for attestation/authorisation/extension cards/certificates of attestation of individuals

1.1. NOTE:

1.1.1. The tariff set out in Table 2:

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

Annex 4: Tariff AND CONTRIBUTION of money collected annually by the National Energy Regulatory Authority from economic operators performing activities in the electricity, thermal and natural gas sector CHAPTER I: The monetary contribution levied from economic operators performing activities in the electricity and heat sector

1._

a) For legal entities licensed for the provision of the electricity transmission service, for the provision of the system service and for the administration of the balancing market or the licensing market for the provision of the electricity distribution service granted by the National Energy Regulatory Authority, the contribution charged is equal to 0,2 % of the turnover achieved by them in 2019 of the commercial activities covered by the electricity transmission licenses, for the provision of the system service and for the management of the market of balancing, which do not hold the minimum contribution of the distribution market, or to the minimum share of the distribution market.

b) ~~For the purposes of this order, the turnover shall be that defined and calculated according to the tax regulations in the force.~~

B) For the purposes of this order, the turnover shall be that defined and calculated according to the financial-accounting regulations in force, issued by the Ministry of Public Finance.

► (*date 02-mar-2020 point 1., point B. of Annex 4, Chapter I corrected by the 2020 Act of Rectification

2. Holders of the other licenses granted by the National Energy Regulatory Authority, under the terms of the law, for commercial activities in the electricity and heat sector produced in cogeneration are required to pay annually to the National Energy Regulatory Authority a monetary contribution as follows:

a) for the legal entity holding the license, the contribution collected is equal to 0,1 % of its turnover in 2019 of the commercial activities that are subject to licenses held by it, but not less than the minimum contribution of 3,125 lei, except for the legal entity referred to in letter b), c), d);

b) for a legal person who holds exclusively a license for commercial exploitation of power generation capacities with installed electrical power less than or equal to 1 MW and the installed thermal input of 1 MW as at 31.12.2019, the contribution to be charged in 2020 shall be equal to 315 lei, by derogation from the provisions of Article 49(4) of the Regulation for licensing and authorisations in the electricity sector, approved by the Order of the President of the National Regulatory Authority, with the subsequent amendments No. 12;

c) for a legal person who holds exclusively a licence for the commercial exploitation of the capacities of Generation of electricity with installed power on 31.12.2019 above 1 MW andless or equal to 5 MW and which does not have capacity to produce electricity and heat in cogeneration, the contribution collected in 2020 is equal to 3.125 lei;

d) for the legal person who holds exclusively a licence for commercial exploitation of the capacity of

Generation of electricity with installed power on 31.12.2019 above 5 MW andless or equal to 10 MW and which does not have electricity and thermal power production capacities in cogeneration, the contribution charged in 2020 is equal to 7.500 lei;

e) for the natural person who holds exclusively a licence for the commercial exploitation of the capacities of

production of electricity or production of electricity and heat in cogeneration with installed electrical power less than or equal to 1 MW, the contribution to be charged is equal to 315 lei;

f) for the legal entity of the Member State of the European Union referred to in Article 10(5) of the Regulation for the granting of licences and authorisations in the electricity sector, approved by the Order of the President of the National Energy Regulatory Authority no. 12/2015, as amended and supplemented, a contribution calculated in accordance with the provisions of item a) shall be levied on turnover realised in Romania.

3. Holders of licenses granted for carrying out activities/services in the field of heat produced in centralised system have the obligation to pay annually to the National Energy Regulatory Authority a monetary contribution equal to 0.1 % of their turnover in 2019 of the activities covered by their licenses, but not less than the minimum contribution equal to 3,125 lei; the provisions of items 4 to 20 shall also apply to license holders for carrying out activities/services in the district of heat produced in a centralised system.

4. In the case of any legal person covered by items 1 and 2(a), holder of a single licence granted by the National Energy Regulatory Authority:

a) if 2020 is the year of expiry of the validity or withdrawal of the license, the National Energy Regulatory Authority shall invoice the license holder the contribution of which shall be determined as follows: the value calculated in accordance with the provisions of items 1 and 2 shall be weighted by the ratio between the period of validity of the licence in 2020, expressed in calendar days, and the number of days of the calendar year, but may not be less than 3,125 lei;

► (at 02-mar-2020 point 4., point A of Annex 4, Chapter I, corrected by the 2020 Act of Rectification)

b) the provisions of point (a) shall apply in situations where the validity of the licence expires in 2020, unless the amendment of that licence is requested or approved in order to extend its validity, at least for a period of the following year.

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

6. Licence holders, including legal persons having their registered office in one of the Member States of the European Union referred to in Article 10(5) of the Regulation for the granting of licences and authorisations in the electricity sector, approved by the Order of the President of the National Energy Regulatory Authority No 12/2015, as amended and supplemented, shall communicate to the National Regulatory Authority in the Energy Field, by official letter signed by the legal representative of the applicant, or by a person empowered by the latter's energy year, to the end of February, to communicate to the National Regulatory Authority for Energy, by official letter signed by the applicant's legal representative, or by a person empowered by the second year of energy, to the end of February, by a person authorised by the legal representative of the applicant, or by a person authorised by the second year, to the end of the second year of the energy. For license holders who do not transmit the value of the turnover specified by the above deadline, the money contribution shall be charged at the maximum level between the last annual contribution levied by the National Energy Regulatory Authority and the contribution resulting from the application of the provisions of items 1-5 to the last value of the turnover made from the activities licensed by the authority, declared by that economic operator to the National Energy Regulatory Authority.

7. The license holder who in 2020 takes over the full activity carried out on the basis of a license of the same type by another natural or legal person will ensure the full payment of the contribution for the year 2020, which goes to the license holder who ceases his activity, if the latter no longer holds any other license granted by the National Energy Regulatory Authority.

The licence holder who in the course of 2019 took over the entire activity carried out on the basis of a licence of the same type by other license holders, natural or legal persons:

a) forward by letter referred to in point 6 both the amount of turnover it made in 2019, from the date of taking over the business covered by the licence, and the value of the turnover made in 2019, until each of the previous holders of the licence surrendered the business;

b) will pay a contribution calculated to the total amount resulting from the sum of the turnover recorded in 2019 and that of the turnover obtained in 2019 by each holder of that licence.

8. For license holders whose money contribution exceeds the level of 3.125 lei, it can be paid in equal quarterly rates; the deadline for payment of each of these instalments is the end of the first month of the quarter concerned, except for the first instalment to be paid according to the due term in the invoice issued by the National Energy Regulatory Authority.

9. The duration of suspension of a license, which is specified in the decision issued for this purpose by the National Energy Regulatory Authority, shall not diminish the amount of the contribution levied from the license holder for the year in which its suspension is recorded.

10. The regularisation of the money contribution consists of invoicing the difference between the amount of the contribution initially invoiced at the beginning of the year and the amount of the contribution determined on the basis of the turnover realised in 2019 from the commercial activities carried out by producers (for electricity production or for the production of electricity and heat supplied from the units described in licences), transmission and system operators, distribution operators, suppliers or traders of electricity for commercial activities only in the electricity sector or for activities carried out in the electricity and energy sectors described in the heat units delivered. The money contribution collected for 2020 will be settled by December 31, 2020, after submission to the National Energy Regulatory Authority

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license holders of the Annual Report, drawn up in accordance with the Methodology for drawing up the Annual Report by license holders in the electricity and thermal sector, approved by the Order of the President of the National Energy Regulatory Authority no. 32/2016, as amended and supplemented.

11. The money contribution received from the applicant for license/licenses in the year of granting the respective license/licenses shall not be subject to regularisation.

12. In the case of the holder holding several licenses granted by the National Energy Regulatory Authority, and during the year of invoicing of the collected contribution ceases the performance of one of the activities regulated by the license,

upon expiry of the validity or withdrawal of the respective license, the calculation of the monetary contribution shall be performed as follows:

a) the turnover achieved, related to the activity carried out in the previous year, on the basis of the licence whose validity expired or was withdrawn during the invoicing year, shall be weighted by the ratio between the number of days in the billing year/regulation of the contribution in which the licence was valid and the total number of days of that year;

b) when regularising the money contribution, the turnover achieved – the total for the previous year, which is the basis for the calculation for settlement – is the sum of the turnovers made from the activities carried out in the previous year on the basis of licenses, and one of these turnovers is that which was determined according to item a);

c) the regularisation of the money contribution consists of invoicing the difference between the value of the contribution initially invoiced at the beginning of the year and the amount of the contribution determined on the basis of the turnover realised in 2019, determined as specified in letter b.

13. When regularising the money contributions, receivables or debts that may arise in relation to the National Energy Regulatory Authority, which are less than 10 lei, shall be cancelled.

14. If, following the regularisation of the money contributions, amounts that the National Energy Regulatory Authority owes to license holders, these amounts shall be constituted as an advance for the money contribution due by the respective license holders in the following year, only if the following conditions are met simultaneously:

a) paid the money contribution for the current year;

b) they hold at least one valid licence, both in the current year and in the following year.

15. When granting a licence in 2020, the applicant who is not holder of another license for carrying out activities in the electricity sector shall pay the National Energy Regulatory Authority a monetary contribution amounting to:

a) 0,2 % of the turnover which he estimated to achieve, by performing the activities covered by the licence granted in the year of granting it, in the case of licence applicants for the provision of the electricity transmission service, for the provision of the system service and for the management of the balancing or licence market for the provision of the electricity distribution service;

b) 0.1 % of the turnover that he estimated to achieve, by performing the activities covered by the license granted, in the year of its granting, for applicants for other licenses granted by the National Energy Regulatory Authority, under the law, for commercial activities in the electricity and heat sector produced in cogeneration.

16. For the analysis of the documentation submitted in order to issue the decision approving prices/tariffs in the electricity and heat sector produced in cogeneration and for heat produced in separate production capacities, individuals and legal entities will pay a monetary contribution of 3,125 lei if:

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

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

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

17. In determining the turnover for which the money contribution is charged, the following particular cases shall be considered:

a) turnover shall include revenues from sales of electricity and heat produced in the energy capacities specified under licence conditions;

b) the turnover of centralised and balancing market operators does not include revenues from electricity/gas sales transactions for markets where the operator of the centralised market/balancing market plays a counterparty role;

c) turnover does not include the revenues from electricity transactions of electricity suppliers acting as intermediaries for the continuous double-trading market;

d) the turnover related to the activity of the electricity producer and, where applicable, heat shall not include the value of green certificates, according to the regulations of the Ministry of Public Finance.

18. Economic operators, natural and legal persons, applicants for accreditation for the application of the promotion system through green certificates, who are not holders of a license to commercially exploit the capacity to produce electricity from renewable sources E-SRE for which accreditation is requested, economic operators developing E-SRE production plant projects with power installed greater than 250 MW, subject to detailed evaluation of the support measure and notification to the European Commission, as well as the economic operators holders of EUR 1.215 requesting access to the application for central capacity.

- a) 3.125 lei for economic operators legal entities, applicants for accreditation for the application of the promotion system through green certificates, who are not holders of a license to commercially exploit the production capacity of E-SREs for which accreditation is requested;
- b) 600 lei for economic operators, applicants for accreditation for the application of the promotion system through green certificates, who are not holders of the license of commercial exploitation of E-SRE production capacity;
- c) 150 lei for economic operators individuals, applicants for re-accreditation for the application of the promotion system through green certificates, who are not holders of license for commercial exploitation of E-SRE production capacity;
- d) 600 lei/MW installed for economic operators developing projects of power plants subject to detailed evaluation and notification of the support measure to the European Commission;
- e) 250 lei for issuing a duplicate of the accreditation decision, for economic operators accredited for the application of

No. No. /m	Activity	Substantiation criterion	THE U.M.	Tariff (lei/U.M.)
1.	Supply of natural gas/biogas/biomethane	Quantity of natural gas/biogas/biomethane	MWh	0,056
2.	Natural Gas Trader	Quantity of natural gas	MWh	0,168
3.	Supply of natural gas by natural gas suppliers who are also natural gas producers	Quantity of natural gas	MWh	0,168
4.	Provision of LNG	Quantity of LNG		0,780
5.	Transport of natural gas	Quantity of natural gas transported	MWh	0,062
6.	Underground storage of natural gas	Quantity of natural gas stored in underground storage warehouses	MWh	0,094
7.	Distribution of natural gas, including closed distribution system	Quantity of natural gas distributed	MWh	0,086
8.	Operation of upstream supply pipes	Quantity of natural gas transported through upstream supply pipes to final customers and natural gas distribution systems connected/connected directly to upstream supply pipes	MWh	0,031

the promotion system through green certificates;

f) 350 lei for the communication of copies of documents from the file related to the accreditation decision for economic operators accredited for the application of the promotion system through green certificates; it shall not apply in situations where it is necessary to communicate data and information required by the authorities of the State in accordance with the legal provisions in force.

19. Economic operators requesting approvals for the preliminary/final accreditation of new or refurbished cogeneration units shall pay the National Energy Regulatory Authority a monetary contribution determined by the formula: $T = 3.125 + 200 \times P$ [lei], in which 'T' is the monetary contribution and 'P' is expressed in [MW] and represents the sum of the electrical power [P(e)] and thermal [P(t)] installed.

20. In the event of the bankruptcy of the licence holder, the monetary contribution shall not be due from the date of opening of the bankruptcy of the licence holder, established by a court order that has remained final.

21. Failure to transmit the required data within the time limits stipulated in this Annex or their erroneous transmission following notifications of the National Energy Regulatory Authority shall constitute contravention in accordance with the provisions of Art. 93 of the Law on Electricity and Gas No. 123/2012, with subsequent amendments and additions, or Article 47 of the Law on Community Public utilities no. 51/2006, republished, with subsequent amendments and additions, as appropriate.

Chapter II: The tax and the monetary contribution levied for carrying out the activities of the natural gas sector on a licence basis

(1) The fee for carrying out the activities in the natural gas sector on a licence basis is set out in Table 1.

A) Table 1 – Tariff for carrying out activities in the natural gas sector based on license

B) Notes:

1. The tariff provided in Table no. 1 is also due for the confirmatory decisions provided for in the Regulation for granting authorisations to set up and licenses in the natural gas sector, approved by the Order of the President of the National Energy Regulatory Authority no. 34/2013, as amended and supplemented.

2. Holders of licenses granted by the National Energy Regulatory Authority for carrying out the activity of managing the centralised natural gas markets shall pay an annual contribution to the National Energy Regulatory Authority. The National Energy Regulatory Authority shall invoice the contribution that is levied from each license holder to the value of 0,1 % of the turnover achieved by him in the previous year from the activity that is subject to the administration of the centralised natural gas markets or to a minimum value, if the result of the calculation is less than or equal to 3,125 lei.

3. In the case of any natural or legal person who holds a single licence granted by the Authority

National Energy Regulatory, if 2020 is the year of expiry of the validity or withdrawal of the license, the National Energy Regulatory Authority shall invoice the license holder the contribution/tariff, whose value is weighted by the ratio between the validity of the licence in the year 2020, expressed in calendar days, and the number of days of the calendar year, but may not be less or less than 3,125 lei.

3. License holders and holders of confirmatory decisions provided for in the Regulation for granting authorisations and licenses in the natural gas sector, approved by the Order of the President of the National Energy Regulatory Authority, no. 34/2013, as amended and supplemented, shall communicate to the National Regulatory Authority in the field of Energy, by official letter signed by the applicant's legal representative or by a person empowered by him, by the end of the second decade of the year/year of the previous year of business, the value of the previous year/year, of the previous year. For license holders not transmitting the value of the turnover/estimated amount, specified, by the deadline specified above, the monetary contribution/tariff shall be invoiced on the basis of a value that is estimated by the National Energy Regulatory Authority. The amount of turnover achieved in the previous year is estimated at the level of turnover made from the latest financial reports of the license holder. The estimated amount of natural gas for 2020 is established taking into account the data held by the National Energy Regulatory Authority following the monitoring of the natural gas market, LNG (year/previous consumption/years previous, historical transactions, procurement contracts and other relevant content documents).

4. The license holder who during 2020 takes over the full activity carried out on the basis of a licence of the same type by another natural or legal person will ensure that the amount of the contribution/tariff for 2020 is paid to the license holder who ceases his activity.

5. For license holders whose money/tariff contribution is higher than the level of 3.125 lei, this can be paid in equal quarterly rates; the deadline for payment of each of these instalments is the end of the first month of the quarter concerned, except for the first instalment to be paid according to the due term in the invoice issued by the National Energy Regulatory Authority.

6. The duration of suspension of a license, which is specified in the decision issued for this purpose by the National Energy Regulatory Authority, does not diminish the amount of the contribution/tariff levied/percepted from the license holder for the year in which its/her suspension is recorded.

7. The regularisation of the amount of the money contribution/tariff consists of invoicing the difference between the amount of contribution/tariff invoiced/initially invoiced on the basis of the own liability statement and the amount of the determined/determined contribution/tariff based on the turnover achieved in the previous year from the commercial activities in the natural gas sector.

9. The period of settlement of the amount of the money contribution/tariff is from May 1 to May 31 of the year following the reference year, subject to regularisation, given that the final data for the year subject to settlement are obtained only after the legal reporting deadlines provided by the Natural Gas Market Monitoring Methodology, approved by the Order of the President of the National Energy Regulatory Authority no. 5/2013. For holders of LNG supply licences, biogas/biomethane, the tariff adjustment period shall range from 1 May to 31 May of the year following the reference year, subject to regularisation, taking into account the quantities made in the previous year, declared until 31 January 2021. The declaration is sent by e-mail to anre@anre.ro, by fax at no. 021-312.43.65 or by mail to the address Str. Constantin Nacu no. 3, Bucharest, sector 2, postal code 020995.

► (*/date 02-mar-2020 (1), point B., point 9 of Annex 4, Chapter II corrected by the 2020 Act of Rectification*)

8. When granting a license for carrying out activities in the natural gas sector, its holder shall pay to the National Energy Regulatory Authority a tariff according to Table no. 1/a monetary contribution amounting to 0,1 % of the estimated turnover shall be achieved by performing the activities covered by the respective license.

9. In order to regulate the value of money contributions/tariffs, receivables or debts that may arise in relation to the National Energy Regulatory Authority, which are less than 10 lei, shall be cancelled.

10. If, as a result of the adjustment of the value of the money contributions/tariffs, amounts that the National Energy Regulatory Authority owes to license holders, these amounts shall be constituted as an advance for the amount of the money contribution/tariff due/due to the respective license holders in the following year, only if the following conditions are met simultaneously:

- a) have paid the amount of the money contribution/affluent to the current year;
- hold at least one valid licence, both in the current year and in the following year.

11. The amount of the money contribution/annual fee levied/perceived by the National Energy Regulatory Authority from an applicant for license/licensing holder may not be less than 3,125 lei.

12. Failure to transmit the required data within the time limits provided for in this Annex or erroneously transmitted them following the receipt of notifications by the National Energy Regulatory Authority shall constitute

contravention according to the provisions of Art. 194 of the Law on Electricity and Natural Gas No. 123/2012, as amended and supplemented.

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