Republic of Latvia

Cabinet

Regulation No. 821

Adopted 19 December 2023

**Regulations Regarding Permits for the Introduction of New Electricity Generation Equipment or the Increase of Electricity Generation Capacity**

*Issued pursuant to*

*Section 22, Paragraph two of the Electricity Market Law*

1. The Regulation prescribes the requirements to be met in order to obtain a permit from the State Construction Control Bureau (hereinafter – the Bureau) for the increase, renewal of electricity generation capacity and the introduction of new electricity generation equipment if the electricity generation equipment with a capacity equal to or exceeding 500 kilowatts is intended to be connected to the transmission system or distribution system (hereinafter – the permit), and also the procedures for issuing, re-registering, revoking, and extending the period of validity of the abovementioned permit, the amount of security deposit to be deposited into the State account, the procedures for the payment and refund thereof, and the criteria for refusing the permit.

2. The Regulation shall not be applicable to the introduction of new electricity generation equipment, the increase and renewal of electricity generation capacity in the territorial sea of the Republic of Latvia or the exclusive economic zone of the Republic of Latvia.

3. Within the meaning of this Regulation, the renewal of electricity generation capacity is the upgrade of electricity generation equipment in operation, fully or partly replacing the equipment or operational system and installation to increase the efficiency or generation capacity of electricity generation equipment.

4. In order to obtain the permit, a submitter shall complete a submission (Annex 1) and submit it to the Bureau. The following shall be appended to the submission:

4.1. a layout plan of the electricity generation equipment on immovable property according to the spatial data of the Cadastre Information System;

4.2. technical characteristics of the electricity generation equipment to be installed in accordance with Annex 2 to this Regulation;

4.3. a copy of the document confirming the payment of the security deposit.

5. The submission referred to in Paragraph 4 of this Regulation shall also be submitted if, in renewing the electricity generation equipment, it is intended to increase the generation capacity of the electricity generation equipment in operation.

6. Prior to submitting the submission, the submitter shall register in the Land Register the right of superficies to the immovable property where it is planned to introduce new electricity generation equipment or to increase the existing electricity generation capacity if the submitter does not own the relevant immovable property. The period of the right of superficies may not be shorter than the period of validity of the permit to be issued.

7. The submitter may only obtain one permit for the introduction of new electricity generation equipment per one unit of land with a matching cadastre designation if the planned type of the new electricity generation equipment does not differ.

8. Prior to submitting the submission, the submitter shall receive technical regulations or a decision of acceptance of the State Environmental Service after carrying out an environmental impact assessment if it is required in accordance with the law On Environmental Impact Assessment, informing the Bureau of this fact in the submission.

9. If the applicant has received one of the documents referred to in Paragraph 8 of this Regulation, the attachments referred to in Sub-paragraphs 4.1 and 4.2 of this Regulation need not be appended to the submission.

10. The amount of the security deposit for the introduction of new electricity generation equipment, for the increase or renewal of electricity generation capacity shall be EUR 200 for each MW intended in the permit, including short one.

11. The submitter shall pay the security deposit into the account of the Treasury specified on the website of the Bureau according to the capacity of the electricity generation equipment indicated in the submission.

12. The Bureau shall examine the submitted documents, verify the conformity thereof with the requirements of this Regulation, and take the decision to issue the permit or to refuse to issue the permit within a month. The Bureau shall inform the system operator of the issued permit to the system of which it is planned to connect the electricity generation equipment.

13. The Bureau shall take the decision to refuse to issue the permit if:

13.1. the submitter fails to submit all necessary information or documents within the period specified by the Bureau;

13.2. the ratio of the capacity of solar electricity generation equipment indicated in the submission to the area of immovable property is technically unjustified, provided that the introduction of 1 MW of capacity requires an area of at least 0.5 ha. The abovementioned condition shall not refer to the introduction of solar electricity generation equipment with electricity storage facility;

13.3. it is established that, on the day of submitting the submission, the submitter has a debt of taxes (fees) administered by the State Revenue Service which exceeds EUR 150 in total;

13.4. at the moment of taking the decision, insolvency proceedings have been declared in respect of the submitter or its economic activity has been terminated;

13.5. seizure has been imposed on the immovable property indicated in the submission within the scope of criminal proceedings;

13.6. it is established that international or national sanctions have been imposed on the submitter (including the relevant natural or legal person);

13.7. the right of superficies referred to in Paragraph 6 of this Regulation has not been corroborated in the Land Register or the period thereof is shorter than the period of validity of the permit.

14. In order to introduce several types of electricity generation equipment, the submitter shall obtain a permit for several types of electricity generation equipment (hereinafter – the hybrid permit). The submitter shall indicate in the submission the proportion of capacity to be introduced for several types of electricity generation equipment according to the total intended capacity thereof and shall complete sections of Annex 2 to this Regulation for each of the types of electricity generation equipment. The holder of the hybrid permit has an obligation to respect the proportion of capacities of the types of electricity generation equipment specified in the hybrid permit. If one of the types of electricity generation equipment is introduced with a lower capacity than that specified in the hybrid permit, the permitted capacity to be introduced for other types of electricity generation equipment shall decrease according to the proportion specified in the hybrid permit.

15. In order to add another type of electricity generation equipment to the type of electricity generation equipment specified in the original permit within the scope of single connection, the holder of the permit shall obtain the hybrid permit. The holder of the hybrid permit has an obligation to respect the proportion of capacities of the types of electricity generation equipment specified in the hybrid permit. If the type of electricity generation equipment specified in the original permit is introduced with a lower capacity, the permitted capacity to be introduced for other types of electricity generation equipment shall decrease according to the proportion specified in the hybrid permit.

16. The security deposit specified in Paragraph 10 of this Regulation shall is paid for obtaining the hybrid permit, summing up the capacities of the various electricity generation equipment. If the original permit has been issued to the holder of the permit, it shall pay the security deposit according to the additionally planned capacity intended for the type of electricity generation equipment.

17. All requirements of this Regulation laid down for the holder of the permit shall be applicable to the holder of the hybrid permit.

18. The system operator shall inform the Bureau if it establishes that the various types of electricity generation equipment specified in the permits issued to the holder of the permit will be introduced within the scope of a single connection. The Bureau shall issue the hybrid permit to the holder of the permit, replacing the permits issued previously, and include conditions in the hybrid permit which correspond to the conditions of the permits issued previously, and also determine the proportion of capacities of the various types of electricity generation equipment according to the maximum capacity to be introduced which has been specified in the original permit. The Bureau shall inform the system operator of this decision to the system of which it is planned to connect the electricity generation equipment.

19. The holder of the permit shall, within 10 months after the day of entry into effect of the decision referred to in Paragraph 12 of this Regulation, commence the introduction of the electricity generation equipment specified in the decision or the increase of the existing electricity generation capacity which is confirmed by a written agreement entered into with the system operator on the conditions for the implementation of the connection process (hereinafter – the agreement on implementation of the connection process) or, within the scope of the existing connection, a connection agreement which is submitted by the holder of the permit to the Bureau together with the confirmation.

20. The holder of the permit may submit to the Bureau a submission for the revocation of the permit and the refund of the security deposit before expiry of the period referred to in Paragraph 19 of this Regulation. The documents confirming that the obligation referred to in Paragraph 19 of this Regulation has not been fulfilled for reasons beyond control of the holder of the permit shall be appended to the submission and the account of the person with the credit institution to which the security deposit is to be refunded shall be indicated. The Bureau shall take the decision to revoke the permit and to refund the security deposit or transfer the security deposit to the State budget if there are no grounds for the refund of the security deposit. The Bureau shall inform of the decision taken the system operator to the system of which it was planned to connect the electricity generation equipment.

21. If the holder of the permit fails to fulfil the obligation referred to in Paragraph 19 of this Regulation or if the Bureau establishes that the introduction of electricity generation equipment or the increase of electricity generation capacity has not commenced (the holder of the permit and the system operator have not entered into the agreement on implementation of the connection process or connection agreement), and also the holder of the permit has not requested the revocation of the permit and the refund of the security deposit in accordance with Paragraph 20 of this Regulation, the Bureau shall, within one month after the period referred to in Paragraph 19 of this Regulation, take the decision to revoke the permit. The Bureau shall inform of the decision taken the system operator to the system of which it was planned to connect the electricity generation equipment.

22. The system operator shall, within one month, inform the Bureau of the cancellation of the technical requirements issued to the holder of the permit if, in accordance with the regulations for a system connection developed by the Public Utilities Commission, the holder of the permit has not entered into the connection agreement, does not comply with the agreement on implementation of the connection process, or has not entered into a system service contract. The Bureau shall, within one month after receipt of information on the cancellation of the technical requirements, take the decision to revoke the permit. The Bureau shall inform of the decision taken the system operator to the system of which it was planned to connect the electricity generation equipment.

23. The holder of the permit shall, within three months after implementation of the activity authorised in the decision, inform the Bureau of this fact in writing by submitting a confirmation of the connection of new electricity generation equipment to the electricity system or the increase of electricity generation capacity, and a copy of the permit issued by the system operator regarding the connection of a power plant to the system or regarding the increase of electricity generation capacity, or a copy of the final operational notification. Concurrently with this confirmation, the holder of the permit shall submit to the Bureau a submission for the refund of the security deposit. The account of the person with a credit institution to which the security deposit is to be refunded shall be indicated in the submission.

24. If the electricity generation capacity has been introduced or increased in a smaller amount than that indicated in the permit or hybrid permit issued by the Bureau, a new permit for further increase of electricity generation capacity shall be obtained from the Bureau.

25. The holder of the permit may submit a submission for the increase of electricity generation capacity if it has submitted a confirmation of the connection of new electricity generation equipment to the electricity system.

26. The holder of the permit may request amendments to the permit in respect of the composition of the immovable property indicated therein if it does not affect the technical requirements issued by the system operator for the construction of the electricity generation equipment connection. The requirement of Paragraph 6 of this Regulation shall be applicable to the immovable properties to be connected.

27. The Bureau shall not refund the security deposit and shall transfer it to the State budget if the holder of the permit:

27.1. has failed to submit to the Bureau the confirmation referred to in Paragraph 19 of this Regulation together with the agreement on implementation of the connection process (copy) within 10 months from the day of entry into effect of the decision referred to in Paragraph 12 of this Regulation;

27.2. has failed to submit to the Bureau the submission for the revocation of the permit and the refund of the security deposit within the period referred to in Paragraph 19 of this Regulation;

27.3. has failed, within three months after implementation of the permit, to submit the submission for the refund of the security deposit, the confirmation of the connection of new electricity generation equipment to the electricity system or the increase of electricity generation capacity, and also if the holder of the permit has failed to submit a copy of the permit issued by the system operator regarding the connection of a power plant to the system or regarding the increase of electricity generation capacity, or a copy of the final operational notification.

28. The period of validity of the permit shall be five years.

29. The period of validity of the hybrid permit shall be five years. If the hybrid permit replaces the original permit, the period for the introduction of the type of electricity generation equipment indicated in the permit shall remain the same as that specified in the original permit. If the hybrid permit is issued on the basis of the information referred to in Paragraph 18 of this Regulation, the periods of validity specified in the permits issued previously shall be retained in the hybrid permit.

30. One month before expiry of the period of validity of the permit, the holder of the permit has the right to request an extension of this period by submitting to the Bureau information on the course of implementation of the project for the introduction of new electricity generation equipment or the increase of capacity, and justification for the need to extend the period, and also the connection agreement entered into between the system operator and the holder of the permit if it is required to enter into such agreement. The Bureau may extend the period of validity of the permit for not more than two years. The Bureau shall inform of the decision taken the system operator to the system of which it is planned to connect the electricity generation equipment.

31. The holder of the permit has the right to request the Bureau to re-register the permit to another person if the agreement on implementation of the connection process or connection agreement referred to in Paragraph 19 of this Regulation has been entered into between the holder of the permit and the system operator.

32. For the purpose of re-registration of the permit, the holder of the permit and the person to whom it is intended to re-register the permit shall comply with the requirement laid down in Paragraph 6 of this Regulation and submit to the Bureau a joint submission for the re-registration of the permit, indicating the date and number of the permit, and also the intended actions regarding the refund of the security deposit. If the holder of the permit has requested the refund of the security deposit, the submission for the re-registration of the permit shall be accompanied by a copy of the document confirming the payment of the security deposit deposited by the person to whom it is intended to re-register the permit.

33. The Bureau shall take the decision on the re-registration of the permit without changing the conditions of the permit to be re-registered if the criteria referred to in Sub-paragraphs 13.3, 13.4, 13.5, 13.6, and 13.7 of this Regulation are not applicable to the person to whom it is intended to re-register the permit. The Bureau shall inform of the decision taken the system operator to the system of which it is planned to connect the electricity generation equipment.

34. Permits issued before coming into force of this Regulations shall be valid until expiry of the period of validity thereof, and this Regulation shall be applicable thereto.

35. If the hybrid permit is issued by adding another type of electricity generation equipment in addition to the type of electricity generation specified in the original permit, and the original permit has been obtained before coming into force of this Regulation, the capacity of the electricity generation equipment to be added may not exceed the capacity of electricity generation equipment specified in the original permit.

36. The holder of the permit who has obtained the permit before coming into force of this Regulation has the right to request, until 1 July 2024, the revocation of the permit and the refund of the security deposit if the holder of the permit has decided not to implement the activities specified in the permit.

37. This Regulation shall come into force on 1 January 2024.

Prime Minister E. Siliņa

Acting for the Minister for Climate and Energy – Minister for Economics V. Valainis

**Annex 1**

Cabinet Regulation No. 821

19 December 2023

**Submission for the Permit for the Introduction of New Electricity Generation Equipment or the Increase (Renewal) of Electricity Generation Capacity**

On the base of Paragraph 4 of Cabinet Regulation No. 821 of 19 December 2023, Regulations Regarding Permits for the Introduction of New Electricity Generation Equipment or the Increase of Electricity Generation Capacity,

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|  |
| *(name of the merchant/given name, surname of the natural person)* |

submits the submission for the following (*mark as appropriate*):

 the obtaining of the permit

 the obtaining of the hybrid permit

submits the submission for the following (*mark as appropriate*):

 the introduction of new electricity generation equipment

 the increase of capacity (including when renewing electricity generation capacity)

Electricity generation capacity is intended for the following (*mark as appropriate*):

 the commercial activity (trade of electricity)

 self-consumption

**1. Information on the submitter:**

1.1. registration number of the merchant with the Commercial Register/personal identity number

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| 1.2. legal address/declared address of the merchant |
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| --- | --- | --- | --- |
| 1.3. contact person (given name, surname, position) | | |  |
|  | | |  |
| 1.4. telephone number of the contact person | |  | |
|  | |  | |
| 1.5. e-address |  | | |

**2. Information on the new electricity generation equipment planned**1:

2.1. the type of power plant and the total intended capacity of the electricity generation equipment to be installed, MW (*complete as appropriate*):

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Condensing power plant | Cogeneration plant | Wind power plant | Hydroelectric power plants | Solar power plant | Other  (indicate type) | Storage facility |
|  |  |  |  |  |  |  |

2.2. the planned location of the power plant:

2.2.1. address of the power plant (street, house name or number, city/town or village, rural territory, municipality) and cadastre number of the immovable property, cadastre designation of the unit of land (if the immovable property consists of several units of land)

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2.2.2. address of the electricity connection (street, house name or number, city/town or village, rural territory, municipality) and cadastre number of the immovable property

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2.3. the system operator to the system of which it is planned to connect the power plant

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2.4. proportion of the capacity to be introduced for types of electricity generation equipment (*complete if it is intended to introduce several types of electricity generation equipment at one connection point*)

% MW/ % MW3

**3. Information on the existing electricity generation capacity to be increased (renewed)**4:

3.1. address of the power plant (street, house name or number, city/town or village, rural territory, municipality) and cadastre number of the immovable property

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|  |

3.2. the electricity system operator to the system of which the power plant has been connected

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3.3. the type of power plant (*mark as appropriate*):

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Condensing power plant | Cogeneration plant | Wind power plant | Hydroelectric power plants | Solar power plant | Other  (indicate type) | Storage facility |
|  |  |  |  |  |  |  |

3.4. capacity of the existing electricity generation equipment (or inverters if such are installed) MW

3.5. total intended electricity capacity after the increase (renewal) MW

**4. Technical provisions or environmental impact assessment number (if applicable)5**

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Authorised person of the merchant/natural person

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|  |
| *(position (if applicable), given name, surname, signature6)* |

Date6

Notes.

1To be completed if it is planned to install new electricity generation equipment.

2To be completed if the address of the connection is different from the address indicated in Sub-paragraph 2.2.1 of this submission and is already known.

3To be completed if it is planned to obtain the hybrid permit, indicating the proportion of each type of electricity generation equipment as percentage.

4To be completed if it is planned to increase the existing capacity (including renew electricity generation equipment in operation).

5 To be completed in case of receipt of technical regulations or a decision of acceptance of the State Environmental Service after carrying out an environmental impact assessment if it is required in accordance with the law On Environmental Impact Assessment.

6 The details of the document “signature” and “date” need not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding drawing up of electronic documents.

**Annex 2**

Cabinet Regulation No. 821

19 December 2023

**Planned Technical Indicators of New Electricity Generation Equipment or Technical Indicators of Existing Electricity Generation Equipment after the Increase (Renewal) of Capacity**

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| **1. Technical indicators of electricity generation equipment of a solar power plant:**  1.1. electricity generation capacity (for one inverter (x – number of inverters)) \_\_\_\_ kW x \_\_\_\_;  1.2. capacity of storage facility (if applicable) \_\_\_\_\_\_\_\_ kW;  1.3. efficiency coefficient of the inverter \_\_\_\_\_\_;  1.4. area occupied by the equipment \_\_\_\_\_\_ m2. |
| **2. Technical indicators of electricity generation equipment of a wind power plant:**  2.1. number of electricity generation units \_\_\_\_\_\_;  2.2. maximum electricity generation capacity (for each generation unit separately) \_\_ kW;  2.3. rotor diameter (for each generation unit separately) \_\_\_\_\_\_ m;  2.4. for equipment with a horizontal rotational axis – height from the surface of the land to the axis of the rotor (for each generation unit separately) \_\_\_\_\_\_ m;  2.5. for equipment with a vertical rotational axis – height from the surface of the land to the highest point of equipment (for each generation unit separately) \_\_\_\_\_\_ m. |
| **3. Technical indicators of electricity generation equipment of a storage facility (as independent equipment):**  3.1. installed electricity capacity \_\_\_\_\_ MW;  3.2. capacity of the storage facility \_\_\_\_\_\_\_\_ MWh;  3.3. area occupied by the equipment \_\_\_\_\_\_ m2. |
| **4. Technical indicators of electricity generation equipment of a cogeneration plant:**  4.1. number of electricity generation units \_\_\_\_\_\_;  4.2. type of heating fuel (for each generation unit separately) \_\_\_\_\_\_;  4.3. type of cogeneration technology (for each generation unit separately) \_\_\_\_\_\_;  4.4. electricity generation capacity (for each generation unit separately) \_\_\_\_\_\_ kW;  4.5. thermal energy generation capacity (for each generation unit separately) \_\_\_\_\_\_ kW;  4.6. efficiency coefficient (for each generation unit separately) \_\_\_\_. |
| **5. Technical indicators of electricity generation equipment of a condensing power plant:**  5.1. number of electricity generation units \_\_\_\_\_\_;  5.2. type of heating fuel (for each generation unit separately) \_\_\_\_\_\_;  5.3. type of technology (for each generation unit separately) \_\_\_\_\_\_;  5.4. electricity generation capacity (for each generation unit separately) \_\_\_\_\_\_ kW;  5.5. efficiency coefficient (for each generation unit separately) \_\_\_\_;  5.6. cooling technology \_\_\_\_\_\_. |
| **6. Technical indicators of electricity generation equipment of a hydroelectric power plant:**  6.1. number of electricity generation units \_\_\_\_\_\_;  6.2. electricity generation capacity (for each generation unit separately) \_\_\_\_\_\_ kW;  6.3. type of hydraulic turbine (for each generation unit separately) \_\_\_\_\_\_;  6.4. flowrate (for each generation unit separately) \_\_\_\_\_\_ m3/s;  6.5. decrease (for each generation unit separately) \_\_\_\_\_\_ m. |
| **7. Technical indicators of other types of electricity generation equipment:**  7.1. number of electricity generation units \_\_\_\_\_\_;  7.2. electricity generation capacity (for each generation unit separately) \_\_\_\_\_\_ kW. |
| Note. Section shall be completed according to the selected type of electricity generation equipment or several sections shall be completed according to the submission. |