

Research RES LEGAL – Grid issues

Country: Slovakia

1. Overview of grid issues

Overview of grid regulations	In Slovakia, access of electricity from renewable sources to the grid is mainly regulated by the Act on the Promotion of Renewable Energy Sources. Renewable energy systems must be given priority connection, and electricity from renewable sources must be given priority dispatch. The grid operator is obliged to extend the grid without discriminating against certain users.
Connection to the grid	The system operators are contractually entitled against the grid operator to the connection of renewable energy systems to the grid. The grid operator is obliged to enter into connection agreements with the generators of electricity from renewable sources. Renewable energy systems shall be given priority connection.
Use of the grid	Access to the grid is granted on the basis of either a transmission and access agreement or a distribution and access agreement. Thus, the grid users (e.g. system operators) are entitled to the transmission and distribution of electricity by the grid operator. The competent transmission or distribution grid operator is obliged to enter into these agreements. Electricity from renewable sources shall be given priority transmission and distribution.
Grid expansion	The distribution grid operator is obliged to expand the grid upon the request of an electricity producer. Renewable energy is not given priority
Statutory provisions	<ul style="list-style-type: none">• Act No. 309/2009 Coll. (Zákon 309/2009 Z.z. o podpore obnoviteľných zdrojov energie – Act on the Promotion of Renewable Energy Sources)• Energy Act No. 656/2004 Coll. (Zákon 656/2004 Z.z. o energetike – general law on energy)• Government Decree No. 317/2007 Coll. (Nariadenie vlády 317/2007 Z.z. ktorým sa ustanovujú pravidlá pre fungovanie trhu s elektrinou – Government Decree on the Regulation of the Electricity Market)

2. Basic information on legal sources

Name of legal source (original language)	Zákon 309/2009 Z.z. o podpore obnoviteľných zdrojov energie	Zákon 656/2004 Z.z. o energetike a o zmene niektorých zákonov	Nariadenie vlády 317/2007 Z.z.
Full name	Zákon 309/2009 Z.z. o podpore obnoviteľných zdrojov energie a vysoko účinnej kombinovanej výroby a o zmene a doplnení niektorých zákonov		Nariadenie vlády 317/2007 Z.z. ktorým sa ustanovujú pravidlá pre fungovanie trhu s elektrinou
Name of legal source (English)	Act No. 309/2009 Coll. on the Promotion of Renewable Energy Sources and High-efficiency Cogeneration and on Amendments to Certain Acts	Act Nr. 656/2004 Coll. on Energy and consequential amendments	Government Decree No. 317/2007 Coll. on the Regulation of the Electricity Market
Abbreviated form	Act No. 309/2009 Coll.	Energy Act No. 656/2004 Coll.	Government Decree No. 317/2007 Coll.
Entry into force	19.09.2009	01.01.2005	15.07.2007
Last amended on	01.05.2011	01.05.2010	01.06.2010
Future amendments			
Purpose	Act No. 309/2009 Coll. sets out the framework for the support system for renewable energy and high-efficiency combined heat and power generation and defines the rights and obligations of renewable energy producers.	Energy Act No. 656/2004 Coll. establishes general provisions for the energy market.	Government Decree No. 317/2007 Coll. establishes provisions on the regulation of the electricity market.
Relevance for Renewable Energy	This Act mainly aims to promote renewable energy.	The Act also applies to renewable electricity generation.	Government Decree No. 317/2007 Coll. establishes provisions on the obligation to purchase RES electricity at special prices and use it to compensate for power losses in the distribution grid.
Link to full text of legal source (original language)	http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=209127&FileName=zz2009-00309-0209127&Rocnik=2009&#xml=http://	http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=18307&FileName=04-z656&Rocnik=2004	http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=207565&FileName=zz07-00317-0207565&Rocnik=2007

	www.zbierka.sk/zz/predpisy/default.aspx?HitFile=True&FileID=329&Flags=160&IndexFile=zz2009&Text=309/2009 Amending legislation: http://www.urso.gov.sk/doc/legislativa/z_558-2010_sk.pdf http://www.urso.gov.sk/doc/legislativa/z_136-2011_sk.pdf	Amending legislation: http://www.urso.gov.sk/doc/legislativa/z_558-2010_sk.pdf	Amending legislation: http://www.urso.gov.sk/doc/legislativa/nv_211-2010_sk.pdf
Link to full text of legal source (English)			

3. Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Ministerstvo Hospodárstva SR (MHSR) – Ministry of Economy	http://www.mhsr.sk/index/index.php?lang=en		+421 248 541 111	info@economy.gov.sk
Regulatory Office for Network Industries (URSO) – Regulatory Authority	http://www.urso.gov.sk/en/about-us		+421 258 100 411	urso@urso.gov.sk
Slovak Innovation and Energy Agency (SIEA)	http://www.siea.sk/oldweb/english/index.htm		+421 258 248 111	office@siea.sk
Ministerstvo Životného Prostredia SR – Ministry of Environment	http://www.enviro.gov.sk/servlets/page?c_id=5300&lang_id=2		+421 259 561 111	podatelna@enviro.gov.sk

4. Connection to the grid

Legal source	<ul style="list-style-type: none"> • Energy Act No. 656/2004 Coll. • Government Decree No. 317/2007 Coll. • Act No. 309/2009 Coll. 	
Overview	<p>System operators are contractually entitled against the grid operator to the connection of renewable energy systems to the grid. The grid operator is obliged to enter into these contracts (§ 22 Par. 2 Letter o Energy Law No. 656/2004 Coll. in conjunction with § 3 Par. 1 Government Decree No. 317/2007 Coll. and § 24 Par. 2 Letter h Energy Act No. 656/2004 Coll. in conjunction with § 3 Par. 1 Government Decree No. 317/2007 Coll.).</p> <p>The producers of electricity from renewable sources shall comply with the conditions for support set out in § 3 Act No. 309/2009 Coll. Renewable energy systems shall meet the grid operator's technical requirements (§ 4 Par. 1 Letter a) Act No. 309/2009 Coll.), which are specified in a separate regulation (Act No. 564/2004 Coll.).</p> <p>After a system operator has paid the connection fee for his system, the distribution grid operator is obliged to connect the system to his grid if it complies with the technical requirements and the terms and conditions for connection to the grid (§ 5 Par. 2 Act No. 309/2009), if the connection of the system to the distribution grid is technically feasible, if the grid is most closely located to the system and if connecting the system to a different grid is neither technically nor economically more feasible.</p>	
Procedure	Procedure	<ul style="list-style-type: none"> • Application. The operator of a renewable energy system shall apply for a grid connection agreement (§ 22 Par. 2 Letter o Energy Act No. 656/2004 Coll.). • Agreement. The system is connected as set out in the connection agreement and only if it complies with the technical requirements and the grid operator's terms and conditions (§ 3 Par. 1 Government Decree No. 317/2007 Coll.). • Connection. A system may be connected to either the transmission or the distribution grid provided that the secure, reliable and stable operation of the grid is ensured.
	Deadlines	<p>If the system meets the technical requirements and the terms and conditions, the grid operator must connect it to his grid within five work days (§ 3 Par. 5 Government Decree No. 317/2007 Coll.).</p>
	Obligation to provide information	<p>The distribution grid operator shall provide the following information to a given generator of electricity from renewable sources (§ 5 Par. 13 Act No. 309/2009 Coll.):</p> <ul style="list-style-type: none"> • a cost estimate for connection • an estimated date when the application for connection will be accepted

		and processed <ul style="list-style-type: none"> • an estimated date when the system will be connected
Priority to renewable energy (qualitative criteria)	(x) Priority to renewable energy () Non-discrimination	The grid operator must ensure the priority connection of renewable energy systems that meet the technical requirements and the terms and conditions for connection (§ 5 Par. 2 Act No. 309/2009 Coll.).
Capacity limits (quantitative criteria)	The regional distribution grid operator is obliged to connect a renewable energy system to the grid provided that the safe, reliable and stable operation of the grid is ensured (§ 5 Par. 2 Act No. 309/2009 Coll.).	
Funding		
	State	
	Consumers	
	Grid operator	The distribution grid operator bears part of the costs (§ 5 Par. 5 Act No. 309/2009 Coll.).
	System operator	The electricity producer bears the other part of the costs (§ 5 Par. 5 Act No. 309/2009 Coll.).
	Distribution mechanism	

5. Use of the grid

Legal source	<ul style="list-style-type: none"> • Energy Act No. 656/2004 Coll. • Government Decree No. 317/2007 Coll. • Act No. 309/2009 Coll. 	
Overview	<p>Access to the grid is granted on the basis of either a transmission and access agreement or a distribution and access agreement (§ 4 Par. 1 Government Decree No. 317/2007 Coll.). The competent transmission or distribution grid operator is obliged to enter into such an agreement and to purchase the electricity as specified in the agreement (§ 5 Par. 1 in conjunction with § 7 Par. 1 Government Decree No. 317/2007 Coll.).</p> <p>Renewable energy producers are entitled to the priority transmission and distribution of electricity if they meet the conditions of support set out in § 3 Act No. 309/2009 Coll., if their systems meet the grid operator's technical requirements pursuant to a separate regulation (Act No. 564/2004 Coll.) and if the secure and reliable operation of the grid can be ensured (§ 4 Par. 1 Letter a) Act No. 309/2009 Coll.).</p>	
Procedure	Procedure	<ul style="list-style-type: none"> • Application. First, a system operator applies to the grid operator for an agreement. • Agreement. Then, the system operator and the competent transmission or distribution grid operator conclude a transmission and access agreement or a distribution and access agreement. This agreement sets out the conditions for use of the grid by the system operator.
	Deadlines	<p>The transmission grid operator shall receive the application for conclusion of the transmission and access agreement 7 working days prior to the start of transmission. If the applicant fails to submit the application in time, the transmission grid operator is entitled to refuse transmission (§ 5 Par. 2 Government Decree No. 317/2007 Coll.). The distribution grid operator shall receive the application for conclusion of the distribution and access agreement 14 days prior to the start of distribution. If the applicant fails to submit the application in time, the distribution grid operator may refuse distribution (§ 7 Par. 2 Government Decree No. 317/2007 Coll.).</p>
	Obligation to provide information	
Priority to renewable energy (qualitative criteria)	(x) Priority to renewable energy () Non-discrimination	<p>Electricity from renewable sources must be given priority transmission and distribution (§ 4 Par. 1 Letter a) Act No. 309/2009 Coll.).</p> <p>Grid operators with more than 100,000 customers are obliged to give priority to electricity from renewable sources when purchasing electricity to cover grid losses (§ 24 Energy Act No. 656/2004 Coll.).</p>
Grid stability	<p>The grid operator is entitled to limit or interrupt the operation of his grid to an indefinite extent and for an indefinite period of time without being obliged to pay damages unless the damage was caused by the grid operator himself (§ 22 Energy Act No. 656/2004 Coll.). He is obliged to give notice of forthcoming limitations and interruptions and their approximate duration at least five days in advance (§ 7 Par. 5 Government Decree No. 317/2007 Coll.).</p>	

	The distribution grid operator shall publish on his website information about capacity limits for electricity to be distributed (§ 7 Par. 4 Government Decree No. 317/2007 Coll.). Systems in the affected area are managed by the energy dispatcher, who is responsible for the secure and reliable operation of the grid, the operations management of the grid and the calculation of the load of the connection lines (§ 26 Energy Act No. 656/2004 Coll.).	
Funding		
	State	
	Consumers	
	Grid operator	
	System operator	The costs of grid use are recovered through the charges for use paid by those electricity market participants (e.g. system operators) who have entered into a distribution and access agreement. The costs of the transmission of electricity are included in the electricity price (§ 7 Par. 3 Government Decree No. 317/2007 Coll.).
	Distribution mechanism	

6. Grid expansion

Legal source	Act No. 309/2009 Coll.	
Overview	The distribution grid operator is obliged to extend the grid at the request of an electricity producer, if the connection of a system to the grid requires the grid to be extended (§ 5 Par. 3 Act No. 309/2009 Coll.). If the construction of a system requires a certificate pursuant to § 11 Act No. 656/2004 Coll., the distribution grid operator is obliged to extend the grid only upon the submission of the respective certificate.	
Procedure	Procedure	A system is connected to the distribution grid if the grid is technically capable of this connection and closely located to the system and if connecting the system to a different grid is neither technically nor economically more feasible. The distribution grid is deemed technically capable even if the system can only be connected by means of an economically viable expansion of the grid. In this case, the distribution grid operator is obliged to extend his grid on the request of an electricity producer. Where the construction of a system as defined in § 11 Energy Act No. 656/2004 Coll. requires a certificate on compliance with the long-term concept of Slovakia's energy policy, the distribution system operator is obliged to extend his grid only upon the submission of the certificate. The obligation to extend the grid also applies to all technical facilities necessary for the operation of the distribution grid (§ 5 Par. 3 and 4 Act No. 309/2009 Coll.).
	Enforcement of claims	
	Deadlines	Act No. 309/2009 Coll. does not impose time limits on the expansion of the grid. However, the distribution grid operators' rules of operation must contain the conditions for the extension of the distribution grid and may thus specify time limits (§ 5 Par. 10 Act No. 309/2009 Coll.).
	Obligation to provide information	
Incentives for grid expansion		
Funding		
	State	
	Consumers	
	Grid operator	The distribution grid operator bears part of the costs of the expansion of the grid (§ 5 Par. 5 Act No. 309/2009 Coll.).

	System operator	The electricity producer bears the other part of the costs of the expansion of the grid (§ 5 Par. 5 Act No. 309/2009 Coll.).
	Distribution mechanism	
Grid studies		