

Research RES LEGAL – Support System

Country: Slovenia

1. Overview

<p>Overview of support system</p>	<p>In Slovenia, electricity generated from renewable energy is promoted mainly through a feed-in tariff and a premium tariff. Certain producers ("qualified producers") of electricity from renewable sources may choose between a guaranteed feed-in tariff, and a bonus ("premium") on top of the electricity price achieved in the free market. Furthermore, in Slovenia public calls for grant applications are organised and loans are provided for projects in the field of renewable energy.</p>
<p>Support schemes</p>	<ul style="list-style-type: none"> • Feed-in tariff. In Slovenia, the generation of electricity from renewable energy sources is promoted through a feed-in tariff. Producers of electricity from renewable sources (qualified producers) who generate 5 MW or less may decide that they would like their electricity to be purchased at a fixed price. • Premium tariff. As an alternative, licensed generators may opt for a premium (a so-called "operational subsidy") on top of the electricity price they achieve in the market. • Subsidies. In Slovenia, the Ministry of the Economy (Directorate for Energy, Energy Efficiency and Renewable Energy Sources Division) invites applications for subsidies. • Loans. The Slovenian Environmental Fund (Eko sklad) invites applications for soft loans.
<p>Promoted technologies</p>	<p>In Slovenia, all renewable energy generation technologies are generally eligible for support. However, there are system capacity limits for certain technologies. Limitations on eligibility for subsidies and loans may be specified in the applicable call for applications document.</p>
<p>Statutory provisions</p>	<ul style="list-style-type: none"> • Administrative Procedures Act (Zakon o splošnem upravnem postopku - Uradni List, 65/2008) • Energy Act (Energetski zakon - Uradni list RS) • Decree on Support for Electricity Generated from Renewable Energy Sources (Uredba o podporah električni energiji, proizvedeni iz obnovljivih virov energije – Uradni list RS 37/2009) • Decree on the Issue of Certificates for Energy Generation Systems (Uredba o izdaji deklaracij za proizvodne naprave in potrdil o izvoru električne energije – Uradni list RS 8/2009) • Resolution on the Feed-in Tariff (Sklep o cenah in premijah za odkup električne energije od kvalificiranih proizvajalcev električne energije - Uradni list RS, 65/2008) • Regulation on Subsidies for Renewable Energy (Pravilnik o spodbujanju učinkovite rabe energije in rabe obnovljivih virov energije - Uradni list RS, 89/2008) • Regulation on the Use of Electricity Grids (Pravilnik o določitvi cen za uporabo elektroenergetskih omrežij in kriterijih za upravičenost stroškov - Uradni List, 134/2003) • Regulation on the Allocation of the Budget (Pravilnik o postopkih za izvrševanje proračuna Republike Slovenije - Uradni list, 50/2007) • Resolution on the National Energy Programme (Resolucija o Nacionalnem energetskem programu - Uradni list, 57/2004) • Statute of Eko sklad (Akt o ustanovitvi Eko sklada, Slovenskega okoljskega javnega sklada – Uradni list RS 112/2009) • Terms and Conditions of Eko sklad (Splosni pogoji poslovanja za spodbujanje razvoja na področju varstva okolja –

	<p>Uradni list RS 117/2005)</p> <ul style="list-style-type: none">• Call No. 44PO10 (Javni poziv za kreditiranje okoljskih naložb 44PO10 - Call for applications by Eko sklad for environment projects in the public sector)• Call No. 43BO10 (Javni poziv za kreditiranje okoljskih naložb 43BO10 - Call for applications by Eko sklad for environment projects in the public sector)• Decree on the amount of subsidy for electricity from renewable sources (Uredba o načinu določanja in obračunavanja prispevka za zagotavljanje podpor proizvodnji električne energije v soproizvodnji z visokim izkoristkom in iz obnovljivih virov energije – Uradni list RS 2/09)• Resolution on the amount of subsidy for electricity from renewable sources (Sklep o načinu določanja in obračunavanja prispevka za zagotavljanje podpor proizvodnji električne energije v soproizvodnji z visokim izkoristkom in iz obnovljivih virov energije – Uradni list RS 113/2009)
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2. Basic information on legal sources

Name of legal source (original language)	Zakon o splošnem upravnem postopku - Uradni list, 80/1999 (Zakon o splošnem upravnem postopku – uradno precisceno besedilo, Uradni list RS 24/2006)	Energetski zakon - Uradni list RS, 79/1999 (Energetski zakon – uradno precisceno besedilo, Uradni list RS, 79/1999)	Uredba o podporah elektricni energiji, proizvedeni iz obnovljivih virov energije – Uradni list RS 37/2009
Name of legal source (full name)			
Name of legal source (English)	Administrative Procedures Act		Decree on Support for Electricity Generated from Renewable Energy Sources
Abbreviated form	RS 24/2006	Energy Act	RS 37/2009
Entry into force	01.04.2000	15.10.1999	19.05.2009
Last amended on	05.02.2010	19.03.2010	26.11.2010
Future amendments			
Purpose	The act regulates the administrative procedure for granting subsidies in Slovenia.	The act establishes basic principles for energy policy and the energy market. It also includes provisions on the security of supply and energy efficiency. The amendment to the Energy Act (Uradni list RS 70/2008) re-defined the framework for renewable energy generation (Chapter VIIIa: Electricity from renewable sources and combined heat and power generation, § 64a - § 64s).	This decree includes provisions on financial support for system operators generating electricity from renewable sources, on the relations between system operators and grid operators, and on the calculation of the uniform annual price and the uniform annual premium.
Relevance for renewable energy	The Administrative Procedures Act sets a period within which the Environmental Fund shall decide on whether to grant loans to renewable energy projects.	The act is the basis for the feed-in tariff and the premium tariff for renewable energy. Chapter VIIIa and the following chapters contain specific regulations on renewable energy. § 64a to 64s stipulate regulations on support for, the connection of, and other measures related to renewable energy.	This decree is the basis for the agreements between the system operators and the grid operator and stipulates general provisions on the feed-in tariff.

Link to full text of legal source (original language)	http://www.uradni-list.si/1/objava.jsp?urlid=200624&stevilka=970	http://www.uradni-list.si/1/objava.jsp?urlid=199979&stevilka=3757 http://zakonodaja.gov.si/rpsi/r00/predpis_ZAKO5280.html	http://www.uradni-list.si/1/objava.jsp?urlid=200937&stevilka=1780
Link to full text of legal source (English)			http://www.mg.gov.si/fileadmin/mg.gov.si/pageuploads/Energetika/Sprejeti_predpisi/RES_EN.pdf

Legal source (original language)	Uredba o izdaji deklaracij za proizvodne naprave in potrdil o izvoru elektricne energije – Uradni list RS 8/2009	Sklep o cenah in premijah za odkup elektricne energije od kvalificiranih proizvajalcev elektricne energije - Uradni list RS 65/2008	Pravilnik o spodbujanju učinkovite rabe energije in rabe obnovljivih virov energije - Uradni list RS 89/2008
Legal source (full name)			
Name of legal source (English)	Decree on the Issue of Certificates for Energy Generation Systems	Resolution on the prices and premiums for the purchase of electricity from renewable sources by qualified producers	Regulation on Energy Efficiency and the Use of Renewable Energy
Abbreviated form	RS 8/2009	RS 65/2008	RS 89/2008
Entry into force	31.01.2009	01.07.2006	20.09.2008
Last amended on		14.10.2008	03.04.2009
Future amendments			
Purpose	This decree regulates the issue of certificates for renewable energy systems and of guarantees of origin for electricity.	This resolution sets the uniform annual premium and the uniform annual price for electricity.	This regulation sets out rules for the subsidies provided by the Ministry of the Environment and Spatial Planning for energy efficiency and the use of renewable energy.
Relevance for renewable energy	This decree applies to renewable energy generation.	This resolution sets the reference rates for the feed-in tariff and the premium tariff for electricity generated from renewable energy sources.	This regulation contains provisions on subsidies for investments in renewable energy.
Link to full text of legal source (original language)	http://www.uradni-list.si/1/objava.jsp?urlid=20098&stevilka=207	http://www.uradni-list.si/1/objava.jsp?urlid=200865&stevilka=2822	http://www.uradni-list.si/1/objava.jsp?urlid=200889&stevilka=3822
Link to full text of legal source (English)			

Name of legal source (original language)	Pravilnik o določitvi cen za uporabo elektroenergetskih omrežij in kriterijih za upravičenost stroškov - Uradni list RS 134/2003	Pravilnik o postopkih za izvrševanje proračuna Republike Slovenije - Uradni list RS 50/2007	Resolucija o Nacionalnem energetskega programu - Uradni list RS, 57/2004
Name of legal source (full name)			
Name of legal source (English)	Regulation on the Use of Electricity Grids	Regulation on the Allocation of the Budget	Resolution on the National Energy Programme
Abbreviated form	RS 134/2003	RS 50/2007	RS 57/2004
Entry into force	01.01.2004	07.06.2007	11.06.2004
Last amended on		16.06.2008	
Future amendments			
Purpose	The regulation establishes provisions on the calculation and distribution of the costs for the use of electricity grids.	This regulation sets out rules for the allocation of the budget of the Republic of Slovenia.	This resolution defines the strategy for a positive development of the Slovenian energy market.
Relevance for renewable energy	The regulation includes one provision on the surcharge on the price of renewable electricity.	Chapter 12 regulates the application procedure for investment subsidies.	This resolution includes provisions on the funding of the support system for renewable energy.
Link to full text of legal source (original language)	http://www.uradni-list.si/1/objava.jsp?urlid=2003134&stevilka=5854	http://www.uradni-list.si/1/objava.jsp?urlid=200750&stevilka=2694	http://www.uradni-list.si/1/objava.jsp?urlid=200457&stevilka=2669
Link to full text of legal source (English)			

Name of legal source (original language)	Akt o ustanovitvi Eko sklada, Slovenskega okoljskega javnega sklada – Uradni list RS 112/2009	Splosni pogoji poslovanja za spodbujanje razvoja na področju varstva okolja – Uradni list RS 117/2005	Javni poziv za kreditiranje okoljskih naložb 44PO10 - Uradni list,RS 29/10
Name of legal source (full name)			
Name of legal source (English)	Statute of Eko sklad	Terms and Conditions of Eko sklad	Public Call for Applications for Loans for Environmental Investments in the Public Sector
Abbreviated form	Statute of Eko sklad	Terms and Conditions of Eko sklad	Call No. 44PO10
Entry into force	31.12.2009	01.01.2006	09.04.2010
Last amended on	19.05.2006		
Future amendments			Open until 31.03.2011
Purpose	The statute sets out the tasks of the Environmental Fund.	The terms and conditions set out the requirements for low-interest loans and other incentives provided by the Slovenian Environmental Fund.	The call for applications document defines the amount of credit to be granted and the application procedure.
Relevance for renewable energy	The Environmental Fund awards loans to promote renewable energy.	These terms and conditions include provisions on the procedure for granting loans to renewable energy projects.	Loans are also available for the construction and renewal of renewable energy systems.
Link to full text of legal source (original language)	http://www.uradni-list.si/1/objava.jsp?urlid=2009112&stevilka=5087	http://www.uradni-list.si/1/objava.jsp?urlid=2005117&stevilka=5172	http://www.ekosklad.si/html/razpisi/main.html
Link to full text of legal source (English)			

Name of legal source (original language)	Javni poziv za kreditiranje okoljskih naložb občanov 430B10 -Uradni list RS 07/10	Uredba o načinu določanja in obračunavanja prispevka za zagotavljanje podpor proizvodnji električne energije v soproizvodnji z visokim izkoristkom in iz obnovljivih virov energije – Uradni list RS 2/09	Sklep o načinu določanja in obračunavanja prispevka za zagotavljanje podpor proizvodnji električne energije v soproizvodnji z visokim izkoristkom in iz obnovljivih virov energije – Uradni list RS 113/2009
Legal source (full name)			
Name of legal source (English)	Public Call for Applications for Loans for Environmental Investments in the Public Sector	Decree on the Calculation and Payment of the Support for High-Efficiency CHP Generation and Renewable Energy Generation	Resolution on the Calculation and Payment of the Support for High-Efficiency CHP Generation and Renewable Energy Generation
Abbreviated form	Call No. 430B10	RS 2/2009	RS 113/2009
Entry into force	39.01.2010	13.01.2009	01.01.2010
Last amended on		18.06.2010	
Future amendments	Open until 31.03.2010		
Purpose	The call for applications document defines the amount of credit to be granted and the application procedure.	The decree describes the method of calculation and payment of the support for high-efficiency CHP generation and renewable energy generation.	This resolution stipulates the average monthly level of support for the estimated amount of electricity (in Kilowatts).
Relevance for renewable energy	Loans are also awarded for the construction and renewal of renewable energy systems.	This method also applies to the support for electricity from renewable sources.	The average monthly level of support applies to the estimated output of renewable energy systems.
Link to full text of legal source (original language)	http://www.ekosklad.si/html/razpisi/main.html	http://www.uradni-list.si/1/objava.jsp?urlid=20092&stevilka=58	http://www.uradni-list.si/1/objava.jsp?urlid=2009113&stevilka=5160
Link to full text of legal source (English)			

Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Direktorat za energijo – Directorate for Energy	http://www.mg.gov.si/en/areas_of_work/energy/		+386 140 033 41	gp.mg@gov.si
Javna agencija Republike Slovenije za energijo – Energy Agency	http://www.agen-rs.si/en/		+386 140 033 41	gp.mg@gov.si
Ministrstvo za okolje in prostor (MOP) – Ministry of the Environment	http://www.mop.gov.si/en/		+386 147 874 00	
EKO SKLAD j.s. – Slovenian Environmental Fund	http://www.ekosklad.si/		+386 124 148 20	ekosklad@ekosklad.si

3. Support schemes

4.1. Subsidy scheme for investment projects

Legal source(s)	<ul style="list-style-type: none"> • Energy Act • RS 89/2008 • RS 50/2007 	
Country-specific approach	<p>The Ministry of Economy of the Republic of Slovenia awards subsidies to investment projects. Satz gelöscht. Subsidies for investment projects are awarded through calls for applications. The call for applications document specifies the technologies to be promoted. Calls for applications are launched on a regular basis. At the moment, all calls for applications are closed.</p>	
Eligible technologies	General information	<p>In general, all technologies are eligible for subsidies (Art. 25 in connection with Art. 5 RS 89/2008). The subsidy requirements are set out in each call document.</p>
	Wind	Eligible.
	Solar energy	Eligible.
	Geothermal energy	Eligible.
	Biogas	Eligible.
	Hydro-energy Biomass	Eligible.
Amount	<p>The subsidy is designed to cover the additional costs related to the use of renewable energy instead of traditional energy sources. According to this principle, the following subsidies are granted (Quellenangabe gelöscht):</p> <ul style="list-style-type: none"> • Subsidies are subject to a maximum of 50% of the eligible costs of an investment project. • The amount of subsidy available is defined in each call document (§ 29 RS 89/2008). 	
Adressees	<p>Entitled party: Every legal entity or natural person that meets the subsidy requirements may submit an application. Obligated party: The obligated party is the Ministry of Economy.</p>	
Procedure	Procedure	<ul style="list-style-type: none"> • Application. Applicants shall draft a project and investment plan for the investment project. To be able to apply they must hold all licences necessary for the implementation of the investment project. Applicants shall provide for a financial plan for the investment project. All obligations towards the Ministry related to grants already received must have been satisfied. All other requirements specified in the call for applications document must have been met. • Award. Having examined the application (chapter 12 § 225 RS 50/2007), the Ministry decides on whether to grant a subsidy by resolution (chapter 12 § 226 RS 50/2007). Negative decisions are communicated by notice (chapter 12 § 227 RS 50/2007). • Subsidy contract. The subsidy having been granted, the applicant shall conclude a subsidy contract (§ 31 RS 89/2008, chapter 12, § 228 RS

		89/2008) with the authority responsible for the payment of the subsidy (chapter 12 § 228 RS 50/2007).
	Competent authority	Ministry of Economy
Flexibility Mechanism		
Funding	State	The Republic of Slovenia provides the funds for the subsidy scheme (§ 1 RS 89/2008).
	Consumers	
	System operator	
	Grid operator	
	Distribution mechanism	

4.2. Loan scheme (Eko sklad)

<p>Legal source(s)</p>	<ul style="list-style-type: none"> • RS 24/2006 • Terms and Conditions of Eko sklad • Statute of Eko sklad • RS 50/2007 • Call No. 44PO10 • Call No. 43BO10 	
<p>Country-specific approach</p>	<p>The Environmental Fund of the Republic of Slovenia (Eko sklad) awards low-interest loans to renewable energy projects through tendering (chapter II § 2 Terms and Conditions of Eko sklad). At the moment (March 2011), two calls are open. The current calls for applications subsidise the reconstruction or renovation of renewable energy systems. They apply to municipalities, enterprises, other legal entities (chapter 1 of Call No. 44PO10) and private owners (chapter 1 of Call No. 43BO10). The application deadline for both calls has been extended to 31 March 2011.</p>	
<p>Promoted technologies</p>	<p>General information</p>	<p>All technologies used in the generation of renewable electricity are eligible for soft loans (chapter II § 7 of 11/2009).</p>
	<p>Wind</p>	<p>Eligible.</p>
	<p>Solar</p>	<p>Eligible.</p>
	<p>Geothermie</p>	<p>Eligible.</p>
	<p>Biogas</p>	<p>Eligible.</p>
	<p>Wasserkraft</p>	<p>Eligible.</p>
<p>Amount</p>	<ul style="list-style-type: none"> • The amount of credit shall not exceed 5% of the Fund's total budget. The credit risk to individual borrowers shall not exceed 10% of the Fund's total budget (chapter IV § 9 Terms and Conditions of Eko sklad). The maximum amount of credit per project is specified in the applicable call for applications document (chapter IV § 12 par. 2, second dash, Terms and Conditions of Eko sklad). The terms and conditions of tender are revised every year to effectively reach the target group. In total, the Fund provides 20 million Euros for legal entities (chapter 1 of Call No. 44PO10) and 12 millions for natural persons. • Legal entities are eligible for up to 90% of eligible investments (chapter 1 of Call No. 44PO10). • The maximum credit period is 15 years for legal entities (item 2 par. b of Call No. 44PO10) and 10 years for natural persons (item 3 par. b of Call No. 43BO10). • The credit period may be extended for legal entities if they provide evidence for the reasonableness of such an extension (item 2 par. b of Call No. 44PO10). • The minimum interest rate for legal entities is the three-month EURIBOR rate plus 1.5 percentage points (item 2 par. a of Call No. 44PO10). • Amount: The maximum amount of loan for legal entities is € 2 m. The minimum amount of loan is € 40,000 (item 2 par. c of Call No. 44PO10). The maximum credit period is 15 years (item 2 par. b of Call No. 44PO10). • The maximum amount of loan for private individuals is € 2,000 to € 40,000 (item 3 par. c of Call No. 43BO10). The maximum credit period is 10 years (item 3 Abs. b der Call No. 43BO10). The interest rate is 3.2% to 3.9% (item 3 par. a of Call No. 43BO10). 	

Beneficiaries	<p>Entitled party: All public or private legal entities and natural persons whose place of residence, branch or head office is in Slovenia are eligible (chapter III § 3 of 117/2005).</p> <p>Obligated party: The obligated party is the Environmental Fund (Eko sklad).</p>	
Procedure	Procedure	<ul style="list-style-type: none"> • Application. Applicants shall submit their applications to the Environmental Fund of the Republic of Slovenia (Eko sklad) (chapter IV § 5 Terms and Conditions of Eko sklad). The application form is included in the call for applications document (item 4 of Call No. 44PO10 and item 4 of Call No. 43BO10). • Terms and conditions of the current tender round: The application period ended on 31.03.2011 for both legal entities and individuals. • Granting of the loan. The decision on the granting of a loan is based on the general provisions of administrative law (§ 222 RS 24/2006). According to administrative law, the Fund shall decide on applications within two months. • Loan contract for private individuals. Private individuals must conclude a loan contract with the lending institution within 10 days from the day on which the loan was granted (item 7 of Call No. 43BO10). The total amount of credit is paid either as a lump sum or in two instalments by the lending bank. The first instalment amounts to 40% of the total amount and is paid within 5 days from the day on which the loan contract is signed. The remaining 60% are paid within 5 work days from the day on which the applicant submits evidence that the investments have been made (item 7 of Call No. 43BO10). • Loan contract for legal entities. Except for municipalities, applicants must conclude a loan contract within 6 months from the date on which the loan is granted. Municipalities must conclude the contract within 9 months from the date on which the loan is granted (item 6 of Call No. 44PO10).
	Competent authority	Environmental Fund (Eko sklad)
Flexibility Mechanism		
Funding	State	The loans are funded by the national budget and voluntary donations by national or international natural persons or legal entities (Chapter IV § 12 Statute of Eko sklad).
	Consumers	

	Grid operator	
	System operator	
	Distribution mechanism	

4.3. Feed-in tariff (fixed price)

<p>Legal source(s)</p>	<ul style="list-style-type: none"> • Energy Act • RS 8/2009 • RS 2/2009 • RS 37/2009 • RS 134/2003 • RS 65/2008 • RS 57/2004 	
<p>Country-specific support system</p>	<p>In Slovenia, a feed-in tariff scheme for renewable energy has been introduced. System operators generating up to 5 MW may sell their electricity to the Slovenian power market operator Borzen at a "uniform annual price". This guaranteed price applies only to systems whose capacity does not exceed 5 MW (art. 5 RS 37/2009).</p>	
<p>Promoted technologies</p>	<p>General information</p>	<p>Producers of electricity from renewable sources are eligible only if they hold the status of "qualified producer" (§ 29 Energy Act). All producers of renewable energy are usually deemed to be qualified producers (art. 3 RS 8/2009; art. 3 RS 37/2009). The capacity of a system must not exceed 5 MW (art. 5 RS 37/2009).</p>
	<p>Wind energy</p>	<p>Eligible (art. 3 par. 1(b) RS 37/2009).</p>
	<p>Solar energy</p>	<p>Eligible (art. 3 par. 1(c) RS 37/2009).</p>
	<p>Geothermal energy</p>	<p>Eligible (art. 3 par. 1(d) RS 37/2009).</p>
	<p>Biogas</p>	<p>Eligible (art. 3 par. 1(f) RS 37/2009).</p>
	<p>Hydro-energy</p>	<p>Eligible (art. 3 par. 1(a) RS 37/2009). The power station must not disrupt the natural flow of the river (art. 11 RS 37/2009).</p>
<p>Amount</p>	<p>General information</p>	
	<p>Wind energy</p>	<p>Uniform annual price: €ct 9.538 per kWh (annex II 37/2009).</p>
	<p>Solar energy</p>	<ul style="list-style-type: none"> • Uniform annual price: €ct 28.998 – 39.042 per kWh for ground-mounted systems, €ct 31.536 – 41,546 per kWh for building-mounted systems and €ct 36.267 – 47.778 per kWh for facade-integrated systems (annex II RS 37/2009). • The basis for the calculation of the price increases by 15% if the system is an integral part of the shell or of other elements of the building (art. 14 par. 2 RS 37/2009).
	<p>Geothermal energy</p>	<p>Uniform annual price: €ct 15.247 per kWh (annex II RS 37/2009).</p>
	<p>Biogas</p>	<ul style="list-style-type: none"> • Biogas from biomass: <ul style="list-style-type: none"> ○ Uniform annual price: €ct 14.077 – 16.005 per kWh (depending on the capacity of the system) (annex II RS 37/2009). • Biogas from bio-degradable waste:

		<ul style="list-style-type: none"> ○ Uniform annual price: €ct 12.915 – 13.923 per kWh (depending on the capacity of the system) (annex II RS 37/2009). • Digester gas: <ul style="list-style-type: none"> ○ Uniform annual price: €ct 6.609 – 8.584 per kWh (depending on the capacity of the system) (annex II RS 37/2009). • Landfill gas: <ul style="list-style-type: none"> ○ Uniform annual price: €ct 6.167 – 9.933 per kWh (depending on the capacity of the system) (annex II RS 37/2009).
	Hydro-energy	Uniform annual price: €ct 8.234 – 10.547 per kWh (depending on the capacity of the system) (annex II RS 37/2009).
	Biomass	Uniform annual price: €ct 16.743 – 22.435 per kWh (depending on the primary source of energy) (annex II RS 37/2009).
Degression	General information	According to law, only the tariff for PV systems will be subject to reduction. The Decree on the Amendment of RS 37/2009 (RS 94/2010) specifies that the reference price for PV systems shall decrease by 10% per year. The tariff will decrease as follows: 2010 - 7%; 2011 - 20% (originally 14%); 2012 - 30% (originally 21%); 2013 - 40% (originally 28%).
	Wind energy	
	Solar energy	
	Geothermal energy	
	Biogas	
	Hydro-energy	
Cap		
Eligibility period	The uniform annual price is guaranteed for the entire duration of the contract. The price is based on the reference price applicable on the day on which the contract is concluded and is paid for no more than 15 years (art. 9 RS 37/2009).	
Beneficiaries	<p>Entitled party: The entitled persons are those system operators that are qualified producers (art. 2 RS 37/2009 in conjunction with art. 3 RS 8/2009).</p> <p>Obligated party: The obligated party is the grid operator. The grid operator whose grid the system is connected to shall purchase all energy produced by the system operator (§§ 22a, 23a Energy Act).</p>	
Procedure	Procedure	The Energy Agency issues a permit to the system operator (art. 9 RS 37/2009). The grid operator and the system operator shall conclude a contract on the purchase of electricity, which shall have a duration of 15 years (§§ 22a, 23a Energy Act, art. 9 RS 37/2009).
	Competent authority	Energy Agency

Flexibility Mechanism		
Funding	State	
	Consumers	The costs of the feed-in tariff scheme are borne by the electricity consumers, who have to pay a surcharge on the electricity price (§ 66 Energy Act; item 6.4.2. RS 57/2004).
	Grid operator	
	System operator	
	Distribution mechanism	<ul style="list-style-type: none"> • End user – distribution grid operator. The electricity price includes a surcharge, which is used to finance the feed-in tariff scheme. The income from the surcharge accrues to the distribution grid operator. • Distribution grid operator – transmission grid operator. According to the Energy Agency, the distribution grid operator usually keeps the amount he had to pay to the system operators and transfers the remaining income from the surcharge to the transmission grid operator to cover the latter's costs for the purchase of electricity. The legal basis for the separation of surcharge income is § 27 RS 134/2003.

4.4. Feed-in tariff II (premium tariff)

Legal source(s)	<ul style="list-style-type: none"> • Energy Act • RS 8/2009 • RS 37/2009 • RS 134/2003 • RS 65/2008 • RS 57/2004 	
Country-specific support system	<p>Grid operators who sell their electricity to electricity traders on the basis of individual contracts are eligible for an additional premium (the so-called operational subsidy) paid by the power market operator Borzen. This uniform annual premium applies only to systems whose capacity does not exceed 5 MW (art. RS 37/2009). PV systems are eligible for a uniform annual premium if their capacity does not exceed 5 MW. This premium will apply until the national energy programme sets new indicative targets in 2010 (art. 14 par. 3 RS 37/2009).</p>	
Promoted technologies	General information	Producers of electricity from renewable sources are eligible only if they hold the status of "qualified producer" (§ 29 Energy Act). In principle, this definition covers all producers of renewable electricity (art. 3 RS 8/2009). The capacity of a system must not exceed 5 MW (art. 5 RS 37/2009).
	Wind energy	Eligible (art. 3 par. 1(b) RS 37/2009).
	Solar energy	Eligible (art. 3 par. 1(c) RS 37/2009).
	Geothermal energy	Eligible (art. 3 par. 1(d) RS 37/2009).
	Biogas	Eligible (art. 3 par. 1(f) RS 37/2009).
	Hydro-energy	Eligible (art. 3 par. 1(a) RS 37/2009). Eligible up to a capacity of 10 MW (art. 26 RS 37/2009). The power station must not disrupt the natural flow of the river (art. 11 RS 37/2009).
Amount	General information	The annual premium is calculated by a statutorily set formula, which is based on the reference costs, the market price of electricity and the so-called B factor (art. 8 RS 37/2009 in conjunction with annex III RS 37/2009).
	Wind energy	<ul style="list-style-type: none"> • Reference costs: 8.674 €/kWh – 9.538 per kWh (depending on the capacity of the system) (annex I RS 37/2009). • B factor: 0.80 – 0.86 (depending on the capacity of the system) (annex III RS 37/2009).
	Solar energy	<ul style="list-style-type: none"> • Reference costs: €ct 28.071 – 41.546 per kWh for building-integrated systems (annex I RS 37/2009); €ct 26.922 – 39.042 per kWh for ground-mounted systems (annex I RS 37/2009). • B factor: 0.88 - 1 (depending on the capacity of the system) (annex III RS 37/2009). • The basis for the calculation of the price increases by 15% if the system is

		an integral part of the shell or of other elements of the building (art. 14 par. 2 RS 37/2009).
	Geothermal energy	<ul style="list-style-type: none"> • Reference costs: €ct 15.247 per kWh (annex I RS 37/2009). • B factor: 0.92 (annex III RS 37/2009).
	Biogas	<ul style="list-style-type: none"> • Biogas from biomass: <ul style="list-style-type: none"> ○ Reference costs: €ct 14.077 – 16.005 per kWh (depending on the capacity of the system) (annex I RS 37/2009). ○ B factor: 0.92 (annex III RS 37/2009). • Biogas: <ul style="list-style-type: none"> ○ Reference costs: €ct 12.915 – 13.923 per kWh (depending on the capacity of the system) (annex I RS 37/2009). ○ B factor: 0.88 - 1 (depending on the capacity of the system) (annex III RS 37/2009). • Landfill gas: <ul style="list-style-type: none"> ○ Reference costs: €ct 6.167 – 9.933 per kWh (depending on the capacity of the system) (annex I RS 37/2009). ○ B factor: 0.92 - 1 (depending on the capacity of the system) (annex III RS 37/2009). • Digester gas: <ul style="list-style-type: none"> ○ Reference costs: €ct 6.609 – 8.584 per kWh (depending on the capacity of the system) (annex I RS 37/2009). ○ B factor: 0.92 - 1 (depending on the capacity of the system) (annex III RS 37/2009). • Biomass from bio-degradable waste: <ul style="list-style-type: none"> ○ Reference costs: €ct 12.915 – 13.923 per kWh (depending on the capacity of the system) (annex I RS 37/2009). ○ B factor: 0.92 (annex III RS 37/2009).
	Hydro-energy	<ul style="list-style-type: none"> • Reference costs: €ct 7,657 – 10.547 per kWh (depending on the capacity of the system) (annex I RS 37/2009). • B-factor: 0.86 – 0.90 (depending on the capacity of the system) (annex III RS 37/2009).
	Biomass	<ul style="list-style-type: none"> • If biomass accounts for more than 90% of primary energy use: <ul style="list-style-type: none"> ○ Reference costs: €ct 16.743 – 22.435 per kWh (depending on the capacity of the system) (annex I RS 37/2009). ○ B factor: 0.88 – 0.92 (depending on the capacity of the system) (annex III RS 37/2009). • If biomass is co-fired and accounts for more than 5% of primary energy use: <ul style="list-style-type: none"> ○ Reference costs: €ct 10.254 per kWh (depending on the capacity of the system) (annex I RS 37/2009). ○ B factor: 0.88 – 0.92 (depending on the capacity of the system)

		<p>(annex III RS 37/2009).</p> <ul style="list-style-type: none"> • If biomass is co-fired with fossil fuels and accounts for less than 5% of primary energy use: <ul style="list-style-type: none"> ○ Reference costs: €ct 2.64 per kWh (depending on the capacity of the system) (annex I RS 37/2009). ○ B factor: 0.88 – 0.92 (depending on the capacity of the system) (annex III RS 37/2009).
Degression	General information	<p>The fixed part of the uniform annual premium is evaluated every five years. The variable part is assessed at least once a year (e.g. if there are significant changes to the investment costs or other parameters on which the calculation of the fixed reference costs is based) (art. 6, par. 3 RS 37/2009). The variable reference costs are also adjusted to the forecast reference market price at least once a year (art. 6, par. 4 RS 37/2009).</p> <p>Only the premium for PV systems will decrease. In pursuance of the Decree on the Amendment of RS 37/2009 (RS 94/2010), the reference costs for PV systems will decrease by 10% every year: 2010 - 7%; 2011 - 20% (originally 14%); 2012 - 30% (originally 21%); 2013 - 40% (originally 28%).</p>
	Wind energy	
	Solar energy	
	Geothermal energy	
	Biogas	
	Hydro-energy	
Biomass		
Cap		
Eligibility period	There is no time limit on eligibility.	
Beneficiaries	<p>Entitled party: The entitled persons are those system operators that are qualified producers (art. 2 RS 37/2009 in conjunction with art. 3 RS 8/2009).</p> <p>Obligated party: The obligated party is the grid operator. The grid operator whose grid the system is connected to shall purchase all energy produced by the system operator (§§ 22a, 23a Energy Act).</p>	
Procedure	Procedure	The Energy Agency issues a permit to the system operator (art. 9 RS 37/2009). The grid operator and the system operator shall conclude a contract on the purchase of electricity, which shall have a duration of 15 years (§§ 22a, 23a Energy Act, art. 9 RS 37/2009).
	Competent authority	Energy Agency
Flexibility Mechanism		

Funding	State	
	Consumers	The costs of the premium tariff scheme are borne by the electricity consumers, who have to pay a surcharge on the electricity price (§ 66b Energy Act; item 6.4.2. 57/2004).
	Grid operator	
	System operator	
	Distribution mechanism	<ul style="list-style-type: none"> • End users – distribution grid operator. The electricity price includes a surcharge, which is used to finance the premium tariff scheme. The income from the surcharge accrues to the distribution grid operator. • Distribution grid operator – transmission grid operator. According to the Energy Agency, the distribution grid operator usually keeps the amount he paid to the system operators and transfers the remaining income from the surcharge to the transmission grid operator to amecover the latter's costs for the purchase of electricity. The legal basis for the separation of the income from the surcharge is § 27 of the Regulation on the Use of Electricity Grids.