

## Research RES LEGAL – Access to the grid

### Country: Denmark

#### 1. Overview of access to the grid

<b>Overview of access to the grid</b>	In Denmark, access of electricity generated from renewable energy sources is basically regulated by the general provisions of energy law and shall be granted according to the principle of non-discrimination. Electricity generated from renewable energy sources is subject to special provisions only regarding use of the grid, in which renewable energy shall be given priority. The grid users are not entitled to the expansion of the grid.
<b>Statutory provisions</b>	<ul style="list-style-type: none"><li>• Act on Electricity Supply (Bekendtgørelse af lov om elforsyning No. 1115/2006 – general provisions on the supply of electricity)</li><li>• VE-Lov (Lov om fremme af vedvarende energi No. 1392/2008 – Law on the Promotion of Renewable Energy)</li></ul>
<b>Connection to the grid</b>	In return for payment, all system operators shall be granted connection to the grid without certain system operators being discriminated against (§ 24 Act on Electricity Supply). Systems for the generation of electricity from renewable sources are not given priority.
<b>Usage of the grid</b>	Under statutory law, the operators of systems for the generation of electricity from renewable sources are entitled to preferential use of the grids to be granted by the <u>grid operator</u> (§ 27c Act on Electricity Supply).
<b>Grid expansion</b>	The grid operator is statutorily obliged to expand the grids in order to guarantee the efficient transmission of electricity (§ 20 Act on Electricity Supply). Whenever possible, the national target of increasing the competitiveness and use of renewable energy sources is given special attention (§ 21 Act on Electricity Supply). The system operators are not entitled to an expansion of the grid.

## 2. Basic information on legal sources

<b>Name of legal source (original language)</b>	Bekendtgørelse af lov om elforsyning	Lov om fremme af vedvarende energi	
<b>Name of legal source (full name)</b>			
<b>Name of legal source (English)</b>		Law on the Promotion of Renewable Energy	
<b>Abbreviated form</b>	Act on Electricity Supply	VE-Lov	
<b>Type of law</b>	Act	Act	
<b>Document structure</b>	Articles (§)	Chapters, articles (§)	
<b>Entering into force</b>	21/11/2006	01/01/2009	
<b>Latest amendment</b>	27/05/2009	27/03/2009	
<b>Future amendments</b>			
<b>Purpose</b>	Managing and organising the national electricity sector.	Promoting the generation of electricity from renewable sources.	
<b>Relation to renewable energy</b>	The Act stipulates binding guidelines for the promotion of electricity from renewable sources.	See purpose.	
<b>Link to full text of legal source (original language)</b>	<a href="https://www.retsinformation.dk/Forms/R0710.aspx?id=22613">https://www.retsinformation.dk/Forms/R0710.aspx?id=22613</a>	<a href="https://www.retsinformation.dk/Forms/R0710.aspx?id=122961">https://www.retsinformation.dk/Forms/R0710.aspx?id=122961</a>	
<b>Link to full text of legal source (English)</b>	<a href="http://www.ens.dk/graphics/Publikationer/Laws/GB_Lovbekg_286_2005%20elforsyning_ar001003.pdf">http://www.ens.dk/graphics/Publikationer/Laws/GB_Lovbekg_286_2005%20elforsyning_ar001003.pdf</a> The English translation does not provide information on the latest		

	amendment of the Act.		
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### 3. Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
<b>Energistyrelsen (ENS) – Danish Energy Agency</b>	<a href="http://www.ens.dk/en-us/Sider/forside.aspx">http://www.ens.dk/en-us/Sider/forside.aspx</a>		+45 339 267 00	
<b>Energitilsynet (DERA) – Danish Energy Regulatory Authority</b>	<a href="http://www.energitilsynet.dk/english/">http://www.energitilsynet.dk/english/</a>		+45 722 680 70	
<b>Klima- og Energiministeriet (KEMIN)- Danish Ministry of Climate and Energy</b>	<a href="http://www.kemin.dk/en-US/Sider/frontpage.aspx">http://www.kemin.dk/en-US/Sider/frontpage.aspx</a>		+45 339 228 00	
<b>Energinet.dk – transmission grid operator</b>	<a href="http://www.energinet.dk/en/menu/Frontpage.htm#">http://www.energinet.dk/en/menu/Frontpage.htm#</a>		+45 70 10 22 44	<a href="mailto:info@energinet.dk">info@energinet.dk</a>

#### 4. Connection to the grid

<b>Abbreviated form of legal source</b>	Act on Electricity Supply VE-Lov	
<b>Legal basis for a claim/addressees</b>	( x ) statutory basis ( ) contractual basis	Under statutory law, the plant operator is entitled to the connection of the plant for the generation of electricity from renewable sources to the grid by the grid operator (§ 24 Act on Electricity Supply).
	<b>Entitled party</b>	Every plant operator whose plant complies with the technical requirements and who pays the charges for connection to the grid is entitled (§§ 24, 26 Act on Electricity Supply).
	<b>Obligated party</b>	The person obligated is the grid operator (§ 20 Act on Electricity Supply).
<b>Priority to renewable energy (qualitative criteria)</b>	( ) Priority to renewable energy ( x ) Non-discrimination	Plants shall be connected in line with the principle of non-discrimination (§ 24 par. 2 Act on Electricity Supply).
<b>Capacity limits (quantitative criteria)</b>		
<b>Limitations/deadlines</b>		
<b>Arising/enforcement of a claim</b>	The claim for connection to the grid is conditional upon compliance with the technical requirements established by the Ministry of Energy (§ 26 Act on Electricity Supply).	
<b>Funding</b>		
	<b>The state as cost bearer</b>	
	<b>The consumer as cost bearer</b>	
	<b>The grid operator as cost bearer</b>	The cost of the connection of a wind energy system is borne by the system owner and the transmission grid operator (Energinet.dk or an affiliated company) (§ 30 VE-Lov).
	<b>The system operator as cost bearer</b>	The cost of the connection of a system to the grid is borne by the system operator (§ 24 Act on Electricity Supply). The cost of the connection of wind energy systems is borne by the system owner and the transmission grid operator (Energinet.dk or an affiliated company) (§ 30 VE-Lov).
	<b>Distribution mechanism</b>	

#### 5. Usage of the grid

<b>Abbreviated form of legal source</b>	Act on Electricity Supply VE-Lov	
<b>Legal basis for a claim/addressees</b>	( x ) statutory basis ( ) contractual basis	The grid operator is statutorily entitled to usage of the grid to be granted by the grid operator (§ 24 Act on Electricity Supply).
	<b>Entitled party</b>	Every system operator whose system complies with the conditions established by Energinet.dk is entitled to use the grid (§§ 24, 26 Act on Electricity Supply).
	<b>Obligated party</b>	The obligated party is the grid operator (§ 20 Act on Electricity Supply).
<b>Priority to renewable energy (qualitative criteria)</b>	( x ) Priority to renewable energy ( ) Non-discrimination	Renewable energy shall be given priority in the usage of the grid (§ 27c par. 5 Act on Electricity Supply).
<b>Capacity limits (quantitative criteria)</b>	The plant operator is entitled to priority in use of the grid, i.e. if there is a capacity shortage, he shall be given priority over the producers of electricity from conventional energy in the use of the grids. The latter are obliged to reduce their supply if necessary. This principle of priority may only be violated for reasons of network security, i.e. to guarantee the technical quality and the balance of the grids (§ 27c par. 5 Act on Electricity Supply).	
<b>Limitations/deadlines</b>		
<b>Arising/enforcement of a claim</b>	A system operator's entitlement to use the grid is conditional upon the system's compliance with the technical requirements established by Energinet.dk (§ 26 Act on Electricity Supply).	
<b>Funding</b>		
	<b>The state as cost bearer</b>	
	<b>The consumer as cost bearer</b>	
	<b>The grid operator as cost bearer</b>	
	<b>The system operator as cost bearer</b>	The cost of grid usage is borne by the system operator, who has to pay a grid usage fee (§ 24 Act on Electricity Supply). The cost of the connection of wind energy systems is borne by the system operator and the transmission grid operator (Energinet.dk or an affiliated company) (§ 30 VE-Lov).
	<b>Distribution mechanism</b>	The grid operator may pass on to the grid users certain costs arising from his administrative tasks (§ 22 in conjunction with § 8 par. 1 and 4 Act on Electricity Supply).

## 6. Grid expansion

<b>Abbreviated form of legal source</b>	Act on Electricity Supply	
<b>Legal basis for a claim/addressees</b>	( x ) statutory basis ( ) contractual basis	The grid operator is statutorily obliged to expand the grids, if the expansion is necessary to guarantee the efficient transmission of electricity (§ 20 Act on Electricity Supply). The target of increasing use of renewable energy sources is given special attention whenever possible (§ 21 Act on Electricity Supply).
	<b>Entitled party</b>	Statutory law does not give rise to an enforceable claim for grid expansion.
	<b>Obligated party</b>	Statutory law does not give rise to an enforceable claim for grid expansion. However, grid operators shall act on their own responsibility and expand their grids to the extent necessary. If a grid operator fails to satisfy his obligation to expand the grid, the Ministry of Climate and Energy delegates the responsibility for the expansion of the grid to Energinet.dk (§ 20 Act on Electricity Supply).
<b>Priority to renewable energy (qualitative criteria)</b>	( ) Priority to renewable energy ( x ) Non-discrimination	System operators are not entitled to an expansion of the grid.
<b>Capacity limits (quantitative criteria)</b>		
<b>Limitations/deadlines</b>	System operators are not entitled to an expansion of the grid.	
<b>Arising/enforcement of a claim</b>	System operators are not entitled to an expansion of the grid.	
<b>Funding</b>		
	<b>The state as cost bearer</b>	
	<b>The consumer as cost bearer</b>	In effect, the costs of an expansion of the grid are borne by the consumers (§§ 8, 67).
	<b>The grid operator as cost bearer</b>	
	<b>The system operator as cost bearer</b>	
	<b>Distribution mechanism</b>	The costs of an expansion of the grid are first borne by the grid operator in charge (§ 67 Act on Electricity Supply). The grid operator may then pass on these costs to the consumers (§ 8 par. 7 Act on Electricity Supply). Every consumer is charged an additional fee, the so-called Public Service Obligation. The fees are scaled according to the consumer's place of residence (Western or

		Eastern Denmark) and his individual consumption. The fees are determined by Energinet.dk four times a year. According to Energinet.dk, the fees are then paid to the grid operators.
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