

Research RES LEGAL – Access to the grid

Country: Estonia

1. Overview of access to the grid

Overview of access to the grid	In Estonia, access of renewable energy systems to the grid is subject to the general provisions of energy law. Electricity from renewable sources is not given priority. The plant operators are entitled against the grid operator to the connection of their plants to the grid and to the transmission of the electricity they produce, without any plant operator being discriminated against. Furthermore, the general statutory provisions oblige the grid operator to expand the grid. The costs arising from an expansion are passed on to the grid users
Statutory provisions	<ul style="list-style-type: none"> Electricity Market Act (ES) (Elektrituruseadus RT I 2003, 25, 153 (ES))
Connection to the grid	On a plant operator's request, the grid operator is obliged to connect plants located within his area of operation to the grid as soon as they meet the technical requirements. When connecting plants to the grid, the grid operator shall respect the principle of non-discrimination. The costs arising from the connection of plants to the grid are borne by the plant operators.
Usage of the grid	The grid operator is statutorily obliged to transmit the electricity produced and sold via his grid, without discriminating against certain buyers. The costs of transmission are borne by the electricity buyers.
Grid expansion	The grid operator is statutorily obliged to expand the grid within his area of operation in such a way as to enable the grid services to be adequate. The plant operator may claim the expansion of the grid, if the grid operator refuses to connect a plant for the reason of insufficient grid capacity. The costs of a grid expansion are passed on to the grid users.

2. Basic information on legal sources

Name of legal source (original language)	Elektrituruseadus RT I 2003, 25, 153 (ES)		
Name of legal source (full name)			
Name of legal source (English)	Electricity Market Act		
Abbreviated form	ES		
Type of law	Act		
Document structure	Chapters, articles, paragraphs		
Entering into force	01/07/2003		
Latest amendment	01/01/2008		
Future amendments			
Purpose	Establishing regulations on the energy market.		
Relation to renewable energy	The Act regulates the promotion of renewable energy, its connection and access of to the grid, the expansion of the grid and the distribution of the costs arising from this promotion system.		
Link to full text of legal source (original language)	http://www.riigiteataja.ee/ert/act.jsp?id=12894671		
Link zur Rechtsquelle im Volltext (Englisch)	http://www.legaltext.ee/en/andmebaas/tekst.asp?loc=text&dok=X60045K3		

	<u>&keel=en&pg=1&ptyyp=l&tyyp=SITE</u> <u>X&query=energy</u> Please note: The English translation is not up to date.		
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3. Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Majandus- ja Kommunikatsiooniministeerium (MKM) – Ministry of Economic Affairs and Communications	Website of MKM http://www.mkm.ee/index.php?keel=en	Viive Savel	+372 625 64 48	viive.savel@mkm.ee

4. Connection to the grid

Abbreviated form of legal source	Elektricity Market Act (ES)	
Legal basis for a claim/addressees	(x) statutory basis () contractual basis	On the plant operator's request, the grid operator is obliged to connect plants within his area of operation to the grid and activate the grid connection as soon as a plant meets the technical requirements. When connecting plants to the grid, the grid operator shall respect the principle of non-discrimination. The costs of a connection to the grid are borne by the plant operator (Chapter 6 § 65 par. 1 no. 1, 3 ES).
	Entitled party	The persons entitled are the plant operators (Chapter 6 § 65 par. 1 no. 1, 3 ES).
	Obligated party	The obligated party is the grid operator (Chapter 6 § 65 par. 1 no. 1, 3 ES).
Priority to renewable energy (qualitative criteria)	() Priority to renewable energy (x) Non-discrimination	Statutory law does not give priority to renewable energy sources. The grid operator is obliged to respect the principle of non-discrimination when providing grid services to the market participants (Chapter 6 § 65 par. 2 ES).
Capacity limits (quantitative criteria)	The grid operator may refuse to connect a plant if the grid capacity is insufficient (Chapter 6 § 65 par. 3 no. 4 ES).	
Limitations/deadlines	The grid connection agreement shall specify the date of connection to the grid (Chapter 8 § 87 par. 1 no. 4 ES). The ES does not specify any other limitations regarding the connection of a plant to the grid.	
Arising/enforcement of a claim	Statutory law does not give priority to renewable energy sources. The grid operator is obliged to respect the principle of non-discrimination when providing grid services to the market participants (Chapter 6 § 65 par. 2 ES).	
Funding		
	The state as cost bearer	
	The consumer as cost bearer	
	Grid operator	
	Plant operator	The costs of connection to the grid are borne by the plant operators. According to the Estonian Ministry of Economic Affairs and Communications , this principle is laid down in Chapter 6 § 71 par. 1 no. 1, 3 ES.
	Distribution mechanism	Statutory law does not provide for a distribution mechanism.

5. Usage of the grid

Abbreviated form of legal source	Elektricity Market Act (ES)	
Legal basis for a claim/addressees	(x) statutory basis () contractual basis	The grid operator is statutorily obliged to transmit electricity through the grid (Chapter 6 § 65 par. 1 no. 4 ES).
	Entitled party	The persons entitled to the transmission of electricity are the electricity buyers (Chapter 6 § 65 par. 1 no. 4 ES).
	Obligated party	The obligated party is the grid operator (Chapter 6 § 65 par. 1 no. 4 ES).
Priority to renewable energy (qualitative criteria)	() Priority to renewable energy (x) Non-discrimination	Statutory law does not give priority to renewable energy. The grid operator shall respect the principle of non-discrimination when providing grid services to the market participants (Chapter 6 § 65 Par. 2 ES).
Capacity limits (quantitative criteria)	The grid operator may refuse the transmission of electricity if it would result in a capacity overload (Chapter 6 § 65 Par. 3 no. 4 ES).	
Limitations/deadlines	Statutory law does not specify any limitations or deadlines.	
Arising/enforcement of a claim	Statutory law does not specify the circumstances in which a claim arises, However, if the grid operator does not satisfy his obligation to grant usage of the grid, he shall pay an administrative penalty (Chapter 10 § 101 ES). The energy market inspector is in charge of the proceedings (Chapter 10 § 106 par. 2 ES).	
Funding		
	State	
	Consumer	
	Grid operator	The electricity buyer bears the costs of usage of the grid. According to the Estonian Ministry of Economic Affairs and Communications , this principle is laid down in Chapter 6 § 71 par. 1 no. 4 ES.
	Plant operator	
	Distribution mechanism	Statutory law does not provide for a distribution mechanism.

6. Grid expansion

Abbreviated form of legal source	Electricity Market Act (ES)	
Legal basis for a claim/addressees	<input checked="" type="checkbox"/> (x) statutory basis <input type="checkbox"/> () contractual basis	The grid operator has the statutory obligation to expand the grid in his area of operation to enable the electricity producers to use grid services and power plants to be connected to the grid (Chapter 6 § 66 par. 1 ES). According to the Estonian Ministry of Economic Affairs and Communications , a plant operator may claim the expansion of the grid, if the grid operator has refused to connect a plant for the reason of insufficient grid capacity.
	Entitled party	According to the Estonian Ministry of Economic Affairs and Communications , the entitled persons are the plant operators .
	Obligated party	The obligated party is the grid operator (Chapter 6 § 66 par. 1 ES).
Priority to renewable energy (qualitative criteria)	<input type="checkbox"/> () Priority to renewable energy <input checked="" type="checkbox"/> (x) Non-discrimination	Statutory law does not give priority to renewable energy sources. When providing grid services, the grid operator has certain general obligations, which also include compliance with the principle of non-discrimination (Chapter 6 § 65 par. 2 ES).
Capacity limits (quantitative criteria)		
Limitations/deadlines		
Arising/enforcement of a claim	According to the Estonian Ministry of Economic Affairs and Communications , a plant operator may claim the expansion of the grid if the grid operator refuses to connect a plant for the reason of insufficient grid capacity.	
Funding		
	State	
	Consumer	The costs of a grid expansion are borne by the grid users (Chapter 6 § 71 par. 5 ES).
	Grid operator	
	Plant operator	
	Distribution mechanism	The grid usage fees include the costs of a grid expansion, which are thus passed on to the grid users (Chapter 6 § 71 par. 5 ES).