

Research RES LEGAL - Netzfragen

Country: Luxembourg

1. Overview of grid-related regulations

Overview of access to the grid	In Luxembourg, access of electricity from renewable sources to the grid is governed by general legislation on energy. Electricity from renewable sources is not eligible for priority access. On the contrary, access to the grid shall be granted according to the principle of non-discrimination. However, electricity generated from renewable energy sources is granted various privileges like cost reductions or its preferential use in case of power loss.
Connection to the grid	The operators of power generation systems are entitled to connection to the grid without any operator being discriminated against (Art. 5 and 19 Loi du 01/08/2007; Art. 54 (1) Loi du 01/08/2007). This principle also applies to the operators of renewable energy systems. In contrast to systems generating electricity from conventional sources, renewable energy systems need not be authorised for production (Art. 15 (4) Loi du 01/08/2007). The cost of connection of a system to the grid shall be borne by the system operator (Art. 5 (6) Loi du 01/08/2007).
Use of the grid	The operators of power generation systems are generally entitled to use the grid for the applicable charges and according to the principle of non-discrimination (Art. 19, 20 Loi du 01/08/2007). This principle also applies to the operators of renewable energy systems. Electricity from renewable sources is not granted priority dispatch. However, the operators of renewable energy systems are exempt from grid usage fees (Art. 5 (7) RGD 08/02/2008). Electricity from renewable sources shall be preferred when compensating for power loss (Art. 27 (19) Loi du 01/08/2007).
Grid expansion	The expansion of the grid is subject to the general provisions of the Law on the Organisation of the Electricity Market. Letzter Satz löschen
Statutory provisions	<ul style="list-style-type: none"> • Loi du 01/08/2007 (Organisation du marché de l'électricité – Law on the Organisation of the Electricity Market) • RGD 08/02/2008 (Règlement relatif à la production d'électricité basée sur les sources d'énergie renouvelables – Regulation on the generation of electricity based on renewable energy sources)

2. Basic information on legal sources

<p>Name of legal source (original language)</p>	<p>Loi du 1er août 2007</p>	<p>Règlement grand-ducal du 8 février 2008 relatif à la production d'électricité basée sur les sources d'énergie renouvelables</p>	
<p>Name of legal source (full name)</p>	<p>Loi du 1er août 2007 1) relative à l'organisation du marché de l'électricité; 2) instaurant un poste de Commissaire du Gouvernement à l'Energie; 3) abrogeant - la Loi modifiée du 14 décembre 1967 portant institution d'un poste de Commissaire du Gouvernement, portant création d'un service de l'énergie de l'Etat et concernant l'exploitation des centrales hydro-électriques d'Esch-sur-Sûre et de Rosport; - la Loi du 4 janvier 1928 concernant l'établissement et l'exploitation des réseaux de distribution d'énergie électrique dans le Grand-Duché de Luxembourg approuvant la convention de concession du 11 novembre 1927 ainsi que ses annexes; - la Loi du 30 juin 1927 approuvant le contrat de fourniture de courant du 11 avril 1927 pour l'électrification du Grand-Duché de Luxembourg; - la Loi du 2 février 1924 concernant les distributions d'énergie électrique dans le Grand-Duché de Luxembourg; - la Loi modifiée du 24 juillet 2000 relative à l'organisation du marché de l'électricité; et 4) modifiant - la Loi du 30 mai 2005 portant 1) organisation de l'Institut Luxembourgeois de Régulation; 2) modification de la Loi modifiée du 22 juin 1963 fixant le régime des traitements des</p>		

	fonctionnaires de l'Etat; - la Loi modifiée du 22 juin 1963 fixant le régime des traitements des fonctionnaires de l'Etat.		
Name of legal source (English)	Law on the Organisation of the Electricity Market	Grand-Ducal Regulation of 8 February 2008 on the generation of electricity based on renewable energy sources	
Abbreviated form	Loi du 01/08/2007	RGD 08/02/2008	
Entry into force	24/08/2007	01/01/2008	
Last amended on	31/12/2010		
Future amendments			
Purpose	regulating the electricity market	Promoting the use of renewable energy, especially through a feed-in tariff.	
Relevance for renewable energy	Some provisions regulate the access of renewable energy to the grid.	This regulation promotes renewable energy only.	
Link to full text of legal source (original language)	http://www.legilux.public.lu/leg/a/archives/2007/0152/a152.pdf#page=2	http://www.eco.public.lu/documentation/legislation/reglements/2008/02/energies.pdf	
Link to full text of legal source (English)			

2. Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Institut Luxembourgeois de Régulation (ILR) – Regulatory authority	http://www.ilr.public.lu/index.html		+352 458 84 51	info(at)ilr.lu
Ministère de l’Economie et du Commerce extérieur - Ministry of Economy and Foreign Trade	http://www.eco.public.lu/		+352 247 824 78	info(at)eco.public.lu
Agence de l’Energie S.A. – Energy agency	http://www.energieagence.lu/		+352 406 564	info (at) energieagence.lu

3. Connection to the grid

<p>Abbreviated form of legal sources</p>	<ul style="list-style-type: none"> • Loi du 01/08/2007 • RGD 08/02/2008 	
<p>Overview</p>	<p>The operators of electricity generation systems are contractually entitled against the grid operator to the connection of their systems to the grid (Art. 5 and 19 Loi du 01/08/2007). The agreements to be concluded shall be based on a model contract developed by the grid operator and approved by the regulatory authority (Art. 5 (5) RGD 08/02/2008). Moreover, Art. 5 (5) RGD 08/02/2008 stipulates that grid connection agreements with operators of renewable energy systems shall be submitted to the competent ministries and to the regulatory authority without undue delay.</p> <p>Renewable energy systems whose capacity exceeds 200 kW shall be equipped with a meter (Art. 5 (2) RGD 08/02/2008). Furthermore, the operators of medium-voltage or high-voltage grids may request a system operator to permanently link the system to be connected to a control device via a suitable telecommunication medium.</p> <p>The persons entitled to connection are the operators of renewable energy systems (Art. 5 (5) RGD 08/02/2008). The person obligated to connect eligible systems to the grid is the grid operator (Art. 5 (5) RGD 08/02/2008).</p>	
<p>Procedure</p>	<p>Procedure</p>	<p>According to the grid operator, the system operators are obliged to proceed as follows:</p> <ul style="list-style-type: none"> • The operators of systems to be connected to the low-voltage grid must apply for connection. They must submit a certified copy of the relevant entry in the cadastre, a general arrangement drawing and the system specifications. • The grid operator is obliged to submit an offer including a confirmation of order and a connection permit including a connection agreement within 10 work days. The offer is a package deal (earthworks and reconstruction works are not included) and is valid for 6 months. • The system operator must send back the confirmation of offer to the grid operator, who will then start to connect the system. • The connection permit must be signed by the electrician. • The grid connection agreement must be signed by the system operator when the works are completed. The original agreement must be returned to the grid operator. The meter will be put into operation only after the agreement has been returned. <p>Having received the required documents and a notice of commissioning, a date will be set for the connection to be established and for the meter to be put into operation. The procedure for systems to be connected to a medium-voltage or a high-voltage grid differs in the following respects:</p> <ul style="list-style-type: none"> • The system operator must enter into an additional agreement with the grid operator: the agreement on the use of the grid and the established connection. • The operators of medium-voltage systems may also enter into a

		business agreement with the distribution grid operator.
	Deadlines	The date of connection of the system depends on the terms of the agreement.
	Obligation to provide information	
Priority to renewable energy (qualitative criteria)	() Priority to renewable energy (+) Non-discrimination	Systems shall be connected to the grid according to objective, transparent and non-discriminatory criteria (Art. 54 (1) Loi 01/08/2007). The regulatory authority shall ensure compliance with these criteria (Art. 54 (1) Loi du 01/08/2007). Renewable energy systems are not eligible for priority connection. However, the operators of renewable energy systems need not apply for authorisation to produce (Art. 15 (4) Loi du 01/08/2007). The regulatory authority shall take into account the advantages of and additional costs for renewable energy systems when monitoring the compliance of the grid operator's conditions, fees and tariffs with the principle of non-discrimination (Art. 54 (1) (f) Loi du 01/08/2007).
Capacity limits (quantitative criteria)	The grid operator may deny access to the grid if grid capacity is insufficient. He shall explain his decision and inform the system operator and the regulatory authority within 30 days on the measures necessary to upgrade the grid (Art. 19 (3) Loi du 01/08/2007).	
Funding		
	State	
	Consumers	
	Grid operator	
	System operator	The system operator shall bear the cost of connection to the grid (Art. 5 (6) Loi du 01/08/2007). Furthermore, the system operator shall cover the cost of the meter and, if required, the cost of a telecommunication connection to the control device of the medium or high-voltage grid operator. These obligations arise from the system operator's duty to install a meter (Art. 5 (2), (3), RDG 08/02/2008).
	Distribution mechanism	

4. Use of the grid

Abbreviated form of legal sources	<ul style="list-style-type: none"> • Loi du 01/08/2007 • RGD 08/02/2008 	
Overview	<p>A system operator is contractually entitled against the grid operator to the purchase of renewable electricity (Art. 5 (6) RDG 08/02/2008). Furthermore, the system operator is contractually entitled to the transmission of renewable electricity. The grid operator is obligated to conclude the respective contract (Art. 5 (5) RDG 08/02/2008). The contract shall be in line with a model contract drafted by the grid operator. The model contract shall comply with general legislation on grid use. As soon as the contract has been concluded, it shall be submitted to the ministry in charge and the regulatory authority without undue delay.</p> <p>The entitled persons are the operators of renewable energy systems (Art. 5 (7) RGD 08/02/2008). The person obligated is the grid operator (Art. 5 (7) RGD 08/02/2008).</p>	
Procedure	Procedure	The claim for purchase and transmission of electricity arises at the date of the conclusion of the contract (Art. 5 (5) RGD 08/02/2008).
	Deadlines	
	Obligation to provide information	
Priority to renewable energy (qualitative criteria)	<input type="checkbox"/> Priority to renewable energy <input type="checkbox"/> Non-discrimination	<p>The grid shall be used according to objective, transparent and non-discriminatory criteria (Art. 54 (1) Loi 01/08/2007). The regulatory authority shall ensure compliance with these criteria (Art. 54 (1) Loi du 01/08/2007). Renewable energy systems are not eligible for priority use. However, the operators of renewable energy systems have the privilege of being exempt from grid usage fees (Art. 5 (7) RGD 08/02/2008). Furthermore, the transmission grid operator is obliged to give priority to electricity generated from renewable energy when compensating for power loss (Art. 27 (10) Loi du 01/08/2007).</p>
Grid stability		
Funding	State	
	Consumers	The consumers bear the costs of grid use. These costs are included in the electricity charges to be paid by the consumers. The electricity supplier shall then transfer them to the grid operator in charge (Art. 21 Loi du 01/08/2007).
	Grid operator	
	System operator	The operators of renewable energy systems may use the grid for free. Yet, additional services are subject to charge (Art. 5 (7) RGD 08/02/2008).

	Distribution mechanism	
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5. Grid expansion

Abbreviated form of legal sources	Loi du 01/08/2007	
Overview	<p>A contract may give rise to a claim for the expansion of the grid, if the expansion is necessary to connect a system to the grid. This principle is based on the provisions on the connection charges, which may also include charges for a grid expansion (Art. 5 (6) Loi du 01/08/2007).</p> <p>The persons entitled are system operators connecting their systems to the grid (Art. 5 (1) Loi du 01/08/2007).</p> <p>The person obligated is the grid operator (Art. 5 (1) Loi du 01/08/2007).</p>	
Procedure for system operators	Procedure	
	Enforcement of claims	
	Deadlines	
	Obligation to provide information	The grid operator shall inform the system operator and the regulatory authority within 30 days about the extension works necessary to connect the system (Art. 19 (3) Loi du 01/08/2007).
Incentives for grid expansion		
Funding		
	State	
	Consumers	
	Grid operator	
	System operator	According to current legislation, the system operator bears the cost of a grid expansion (Art. 5 (6) Loi du 01/08/2007). The grid operator may claim a reasonable amount of money for providing the necessary information on the measures required for the expansion of the grid (Art. 19 (3) Loi du 01/08/2007).
	Distribution mechanism	
Grid studies		