

## Research RES LEGAL – Grid issues

Country: Malta

### 1. Overview

<b>Overview of grid issues</b>	Electricity generated in renewable energy systems is entitled to priority transmission. According to the regulations in place, the provision of additional capacity on the grid, when necessary, is offered through a tendering procedure.
<b>Connection to the grid</b>	System operators are contractually entitled against grid operator Enemalta Corporation to the conclusion of an agreement of connection pursuant to the Network Code.
<b>Use of the grid</b>	System operators are entitled against the grid operator to priority dispatch of electricity from renewable sources.
<b>Grid expansion</b>	In case grid expansion is required in order to connect new plants, the provision of additional capacity is awarded through a tendering procedure.
<b>Statutory provisions</b>	<ul style="list-style-type: none"><li>• Electricity Market Regulations 2011 (LN 166/2011)</li><li>• Network Code (NC)</li></ul>

## 2. Basic information on legal sources

<b>Name of legal source (original language)</b>	LN 166 of 2011	NC
<b>Name of legal source (full name)</b>	Electricity Market Regulations 2011	The Network Code. Approved by the Malta Resources Authority. Version 1.2d. December 2007
<b>Name (English)</b>		
<b>Abbreviated form</b>	LN 166/2011	NC
<b>Entry into force</b>	10.05.2011	01.12.2007
<b>Last amended on</b>		
<b>Future amendments</b>		A new version of the network code is to be published, in accordance with Art. 9 LN 166/2011 before two years from the entry into force of LN 166/2011 (10.05.2011)
<b>Purpose</b>	Regulating the electricity market in Malta.	The Network Code states the basic technical and operational conditions for the connection of systems to the grid with respect to both electricity producers and consumers.
<b>Relation to renewable energy</b>	LN 166/2011 also applies to the connection of renewable energy systems.	The Network Code also applies to the producers of electricity from renewable energy sources.
<b>Link to full text of legal source (original language)</b>	<a href="http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&amp;itemid=10685&amp;l=1">http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&amp;itemid=10685&amp;l=1</a>	<a href="http://www.enemalta.com.mt/filebank/documents/Network%20Code%20EMC%20Approved%20%20December%202007.pdf">http://www.enemalta.com.mt/filebank/documents/Network%20Code%20EMC%20Approved%20%20December%202007.pdf</a>
<b>Link to full text of legal source (English)</b>		

### 3. Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
<b>Malta Resources Authority (MRA)</b>	<a href="http://www.mra.org.mt/home.shtml">http://www.mra.org.mt/home.shtml</a>		+356 212 206 19	enquiry(at)mra.org.mt
<b>Enemalta Corporation – grid operator</b>	<a href="http://www.enemalta.com.mt/page.asp?p=925&amp;l=1">http://www.enemalta.com.mt/page.asp?p=925&amp;l=1</a>		+356 212 246 00	customercare(at)enemalta.com.mt
<b>Malta Intelligent Energy Management Agency (MIEMA) (in planning)</b>	<a href="http://www.miema.org/site/">http://www.miema.org/site/</a>	Jesmond Xuereb	+356 213 315 05	jesmond.xuereb(at)ftz.org.mt

#### 4. Connection to the grid

<b>Abbreviated form of legal sources</b>	<ul style="list-style-type: none"> <li>• LN 166/2011</li> <li>• NC</li> </ul>	
<b>Overview</b>	<p>System operators are entitled to connection to the grid after an authorisation has been issued by the Malta Resource Authority (MRA) (Art. 4 LN 166/2011). The MRA may refuse to grant an authorisation only under the conditions set out in the Electricity Regulations (3<sup>rd</sup> Schedule LN 166/2011).</p> <p>Authorisations are not required from:</p> <ul style="list-style-type: none"> <li>• Any operator who produces electricity solely for his own use, is not connected in parallel to the distribution system and has installed a total peak generation capacity of less than 1500 kVA.</li> <li>• Any operator with a total peak generation capacity rated up to and including 16 Amps per phase, single-phase or multi-phase, 230/400V AC produced solely from renewable sources of energy or cogeneration plant (still, these producers will need to notify the MRA) (1<sup>st</sup> Schedule LN 166/2011).</li> </ul>	
<b>Procedure</b>	<b>Procedure</b>	System operators are entitled to connection to the grid after an authorisation has been issued by the MRA (Art. 4 LN 166/2011). The MRA may refuse to enter into a connection agreement only under the conditions set out in the Electricity Regulations (3 <sup>rd</sup> Schedule LN 166/2011). The MRA has to communicate to the applicant its decision on the authorization within 6 months (Art. 4(6) LN 166/2011).
	<b>Deadlines</b>	The deadlines for the connection of a system to the grid depend on the terms and conditions of the contract.
	<b>Obligation to provide information</b>	
<b>Priority to renewable energy (qualitative criteria)</b>	( ) Priority to renewable energy (X) Non-discrimination	A non-discriminatory regime is in place. (Art. 13(4) LN 166/2011).
<b>Capacity limits (quantitative criteria)</b>		
<b>Funding</b>		
	<b>State</b>	
	<b>Consumers</b>	
	<b>Grid operator</b>	
	<b>System operator</b>	The costs arising from the connection of a system to the grid are borne by the system operator.
	<b>Distribution mechanism</b>	

## 5. Use of the grid

<b>Abbreviated form of legal sources</b>	<ul style="list-style-type: none"> <li>• LN 166/2011</li> <li>• NC</li> </ul>	
<b>Overview</b>	System operators are statutorily entitled against the grid operator to use the grid. Moreover electricity from renewable energy sources shall be granted priority transmission.	
<b>Procedure</b>	<b>Procedure</b>	System operators are statutorily entitled against the grid operator to use the grid (Art. 13 LN 166/2011)
	<b>Deadlines</b>	The regulations do not specify deadlines.
	<b>Obligation to provide information</b>	
<b>Priority to renewable energy (qualitative criteria)</b>	( x ) Priority to renewable energy ( ) Non-discrimination	Electricity from renewable energy sources shall be granted priority transmission (Art. 13(4) LN 166/2011).
<b>Grid stability</b>	The grid operator is not obliged to grant priority dispatch where the security and reliability of the grid is at risk (Reg Art. 13(4) LN 166/2011). Where the grid operator has to shut down power stations due to capacity shortage, he has to avoid shutting down renewable energy systems wherever possible (Art. 13(4) LN 166/2011).	
<b>Funding</b>		
	<b>State</b>	
	<b>Consumers</b>	
	<b>Grid operator</b>	The costs of use of the grid are borne by the grid operator.
	<b>System operator</b>	
	<b>Distribution mechanism</b>	Statutory law does not provide for a distribution mechanism.

## 6. Grid expansion

<b>Abbreviated form of legal source</b>	<ul style="list-style-type: none"> <li>LN 166/2011</li> </ul>	
<b>Overview</b>	System operators are entitled to the expansion of the grid, if the expansion is necessary to guarantee the due execution of the connection of a system to the grid (Art. 12 LN 166/2011). The construction of additional capacity on the grid can be provided through a tendering procedure or an equivalent one in terms of transparency and non-discrimination (Art. 12 LN 166/2011).	
<b>Procedure</b>	<b>Procedure</b>	A tender for expansion may be launched by a public body or a private body independent from electricity generation, distribution and supply activities, appointed for the purpose by the Minister by notice in the Gazette. The details of the tendering procedure shall be published in the Official Journal of the European Union. (Art. 12 LN 166/2011).
	<b>Enforcement of claims</b>	
	<b>Deadlines</b>	Calls for tender must be published at least six months before their closing date (Art. 12 (3) LN 166/2011).
	<b>Obligation to provide information</b>	
<b>Incentives for grid expansion</b>		
<b>Funding</b>	As indicated by MRA, the distribution of costs for grid expansion is still to be determined.	
	<b>State</b>	
	<b>Consumers</b>	
	<b>Grid operator</b>	
	<b>System operator</b>	
	<b>Distribution mechanism</b>	
<b>Grid studies</b>		