

# Research RES LEGAL – Access to the grid

## Country: Slovakia

### 1. Overview of access to the grid

<b>Overview of access to the grid</b>	In Slovakia, access of electricity from renewable sources to the grid is mainly regulated by the Act on the Promotion of Renewable Energy Sources. Renewable energy systems must be given priority connection, and electricity from renewable sources must be given priority dispatch. The grid operator is obliged to extend the grid without discriminating against certain users.
<b>Statutory provisions</b>	<ul style="list-style-type: none"> <li>• Act No. 309/2009 Coll. (Zákon 309/2009 Z.z. o podpore obnoviteľných zdrojov energie – Act on the Promotion of Renewable Energy Sources)</li> <li>• Energy Act No. 656/2004 Coll. (Zákon 656/2004 Z.z. o energetike – general law on energy)</li> <li>• Government Decree No. 317/2007 Coll. (Nariadenie vlády 317/2007 Z.z. ktorým sa ustanovujú pravidlá pre fungovanie trhu s elektrinou – Government Decree on the Regulation of the Electricity Market)</li> </ul>
<b>Connection to the grid</b>	System operators are contractually entitled against the grid operator to the connection of renewable energy systems to the grid. The grid operator is obliged to enter into these contracts (§ 22 Par. 2 Letter o Energy Act No. 656/2004 Coll. in connection with § 3 Par. 1 Government Decree No. 317/2007 Coll. and § 24 Par. 2 Letter h Energy Act No. 656/2004 Coll. in connection with § 3 Par. 1 Government Decree No. 317/2007 Coll.). Renewable energy systems must be given priority connection (§ 5 Par. 2 Act No. 309/2009 Coll.).
<b>Usage of the grid</b>	Access to the grid is granted on the basis of either a transmission and access agreement or a distribution and access agreement (§ 4 Par. 1 Government Decree No. 317/2007 Coll.). Thus, the grid users (e.g. system operators) are contractually entitled to the transmission and distribution of electricity by the grid operator (§ 5 Par. 1 in connection with § 7 Par. 1 Government Decree No. 317/2007 Coll.). The competent transmission or distribution grid operator is obliged to enter into these agreements. Electricity from renewable sources must be given priority transmission and distribution (§ 4 Par. 1 Letter a) Act No. 309/2009 Coll.).
<b>Expansion of the grid</b>	The distribution grid operator is obliged to expand the grid upon the request of an electricity producer (§ 5 Par. 3 Act No. 309/2009 Coll.). Renewable energy is not given priority.

## 2. Basic information on legal sources

<b>Name of legal source (English)</b>	Act No. 656/2004 Coll. on Energy and consequential amendments	Government Decree No. 317/2007 Coll. on the Regulation of the Electricity Market	Act No. 309/2009 Coll. on the Promotion of Renewable Energy Sources and High-efficiency Cogeneration and on Amendments to Certain Acts
<b>Name of legal source (original language)</b>	Zákon 656/2004 Z.z. o energetike a o zmene niektorých zákonov	Nariadenie vlády 317/2007 Z.z. ktorým sa ustanovujú pravidlá pre fungovanie trhu s elektrinou	Zákon 309/2009 Z.z. o podpore obnoviteľných zdrojov energie a vysoko účinnej kombinovanej výroby a o zmene a doplnení niektorých zákonov
<b>Abbreviated form</b>	Energy Act No. 656/2004 Coll.	Government Decree No. 317/2007 Coll.	Act No. 309/2009 Coll.
<b>Type of law</b>	Act of parliament	Government decree	Act of parliament
<b>Document structure</b>	Sections, parts, articles, letters, numbers	Articles, paragraphs, letters	Articles, sections, paragraphs, letters, numbers
<b>Entering into force</b>	01/01/2005	15/07/2007	01/09/2009
<b>Latest amendment</b>	01/09/2009	01/09/2009	
<b>Future amendments</b>			
<b>Purpose</b>	Energy Act No. 656/2004 Coll. establishes general provisions on the energy market.	Government Decree No. 317/2007 Coll. establishes provisions on the regulation of the electricity market.	Act No. 309/2009 Coll. regulates the support system for renewable energy and high-efficiency combined heat and power generation and sets out the rights and obligations of renewable energy producers.
<b>Relation to renewable energy</b>	The Act also applies to renewable electricity generation.	Government Decree No. 317/2007 Coll. establishes provisions on the obligation to purchase RES electricity at special prices and use it to compensate for power losses in the distribution grid.	This Act mainly aims to promote renewable energy.
<b>Link to full text of legal source (original language)</b>	<a href="http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=18307&amp;FileName=04-z656&amp;Rocnik=2004">http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=18307&amp;FileName=04-z656&amp;Rocnik=2004</a>	<a href="http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=207565&amp;FileName=zz07-00317-">http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=207565&amp;FileName=zz07-00317-</a>	<a href="http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=209127&amp;FileName=zz2009-00309-">http://www.zbierka.sk/zz/predpisy/default.aspx?PredpisID=209127&amp;FileName=zz2009-00309-</a>

	<p>This version does not reflect the latest amendment of the act. The latest version is subject to a charge and can be downloaded from <a href="http://www.zbierka.sk">www.zbierka.sk</a>.</p>	<p><a href="#">0207565&amp;Rocnik=2007</a></p> <p>This version does not reflect the latest amendment of the act. The latest version is subject to a charge and can be downloaded from <a href="http://www.zbierka.sk">www.zbierka.sk</a>.</p>	<p><a href="#">0209127&amp;Rocnik=2009&amp;#xml=http://www.zbierka.sk/zz/predpisy/default.aspx?HitFile=True&amp;FileID=329&amp;Flags=160&amp;IndexFile=z2009&amp;Text=309/2009</a></p>
<b>Link to full text of legal source (English)</b>			

### 3. Further information

<b>Institution (name)</b>	<b>Website</b>	<b>Name of contact person (optional)</b>	<b>Telephone number (head office)</b>	<b>E-mail (optional)</b>
Ministerstvo Hospodárstva Slovenskej Republiky (MH SR) – Ministry of Economy	<a href="http://www.mhsr.sk/index/index.php?lang=en">http://www.mhsr.sk/index/index.php?lang=en</a>		+421 248 541 111	info@economy.gov.sk
Regulatory Office for Network Industries (URSO) – regulatory authority	<a href="http://www.urso.gov.sk/en/about-us">http://www.urso.gov.sk/en/about-us</a>		+421 258 100 411	urso@urso.gov.sk
Slovak Innovation and Energy Agency (SIEA)	<a href="http://www.sea.gov.sk/english/index.htm">http://www.sea.gov.sk/english/index.htm</a>		+421 258 248 111	office@siea.gov.sk

#### 4. Connection to the grid

<b>Abbreviated form of legal source</b>	<ul style="list-style-type: none"> <li>• Energy Act No. 656/2004 Coll.</li> <li>• Government Decree No. 317/2007 Coll.</li> <li>• Act No. 309/2009 Coll.</li> </ul>	
<b>Legal basis for a claim/addressees</b>	<input type="checkbox"/> statutory basis <input checked="" type="checkbox"/> contractual basis	System operators are contractually entitled against the grid operator to the connection of renewable energy systems to the grid. The grid operator is obliged to enter into these contracts (§ 22 Par. 2 Letter o Energy Law No. 656/2004 Coll. in connection with § 3 Par. 1 Government Decree No. 317/2007 Coll. and § 24 Par. 2 Letter h Energy Act No. 656/2004 Coll. in connection with § 3 Par. 1 Government Decree No. 317/2007 Coll.).
	<b>Entitled party</b>	The persons entitled are those renewable energy producers that meet the conditions of support set out in § 3 Act No. 309/2009 Coll. and whose systems meet the technical requirements of the grid operator pursuant to a separate regulation (Act No. 564/2004 Coll.) (§ 4 Par. 1 Letter a) Act No. 309/2009 Coll.).
	<b>Obligated party</b>	After the payment of the connection fee, the distribution grid operator is obliged to connect to the grid all systems complying with the technical requirements and the terms and conditions for connection to the grid (§ 5 Par. 2 Act No. 309/2009 Coll.).
<b>Priority to renewable energy (qualitative criteria)</b>	<input checked="" type="checkbox"/> Priority to renewable energy <input type="checkbox"/> Non-discrimination	The grid operator must ensure the priority connection of renewable energy systems that meet the technical requirements and the terms and conditions for connection to the grid so that the safety, reliability and stability of the grid operation is preserved (§ 5 Par. 2 Act No. 309/2009 Coll.).
<b>Capacity limits</b>	The regional distribution grid operator is obliged to take all electricity supplied by an electricity producer entitled to the support pursuant to § 4 Par. 1 Letter b) and d) Act No. 309/2009 Coll. (§ 5 Par. 6 Letter b) Act No. 309/2009 Coll.).	
<b>Limitations/deadlines</b>	A given connection agreement obliges the grid operator to connect a system operator's facility within five working days after the system operator has met the technical requirements and the terms and conditions (§ 3 Par. 5 Government Decree No. 317/2007 Coll.).	
<b>Arising/enforcement of a claim</b>	The claim arises at the date of the conclusion of the connection agreement (§ 3 Par. 1 Act No. 317/2007 Coll.).	
<b>Funding</b>		
	<b>State</b>	
	<b>Consumers</b>	
	<b>Grid operator</b>	The distribution grid operator bears part of the costs (§ 5 Par. 5 Act No. 309/2009 Coll.).

	<b>System operator</b>	The electricity producer bears the other part of the costs (§ 5 Par. 5 Act No. 309/2009 Coll.).
	<b>Distribution mechanism</b>	

## 5. Usage of the grid

<b>Abbreviated form of legal source</b>	<ul style="list-style-type: none"> <li>• Government Decree No. 317/2007 Coll.</li> <li>• Act No. 309/2009 Coll.</li> </ul>	
<b>Legal basis for a claim/addressees</b>	<input type="checkbox"/> statutory basis <input checked="" type="checkbox"/> contractual basis	Access to the grid is granted on the basis of either a transmission and access agreement or a distribution and access agreement (§ 4 Par. 1 Government Decree No. 317/2007 Coll.). Thus, the grid users (e.g. system operators) are contractually entitled to the transmission and distribution of electricity by the grid operator (§ 5 Par. 1 in connection with § 7 Par. 1 Government Decree No. 317/2007 Coll.). The transmission or distribution grid operator is obliged to enter into these agreements.
	<b>Entitled party</b>	The persons entitled to the priority transmission and distribution of electricity are those renewable energy producers that meet the conditions of support set out in § 3 Act No. 309/2009 Coll. and whose systems meet the technical requirements of the grid operator pursuant to a separate regulation (Act No. 564/2004 Coll.) so that the safety and reliability of the grid operation is preserved (§ 4 Par. 1 Letter a) Act No. 309/2009 Coll.).
	<b>Obligated party</b>	The obligated party is the grid operator (§ 5 Par. 1 in connection with § 7 Par. 1 Government Decree No. 317/2007 Coll.).
<b>Priority to renewable energy (qualitative criteria)</b>	<input checked="" type="checkbox"/> Priority to renewable energy <input type="checkbox"/> Non-discrimination	Electricity from renewable sources must be given priority transmission and distribution (§ 4 Par. 1 Letter a) Act No. 309/2009 Coll.).
<b>Capacity limits</b>	The distribution grid operator shall publish on his homepage information about capacity limits for electricity to be distributed (§ 7 Par. 4 Government Decree No. 317/2007 Coll.).	
<b>Limitations/deadlines</b>	The transmission grid operator shall receive the application for conclusion of the transmission and access agreement 7 working days prior to the start of transmission. If the applicant fails to do so, the transmission grid operator is entitled to refuse transmission (§ 5 Par. 2 Government Decree No. 317/2007 Coll.). The distribution grid operator shall receive the application for conclusion of the distribution and access agreement 14 days prior to the start of distribution. If the applicant fails to do so, the distribution grid operator may refuse distribution (§ 7 Par. 2 Government Decree No. 317/2007 Coll.).	
<b>Arising/enforcement of a claim</b>	The claim arises at the date of the conclusion of the agreement.	
<b>Funding</b>		
	<b>State</b>	
	<b>Consumers</b>	
	<b>Grid operator</b>	

	<b>System operator</b>	The costs of grid use are recovered through usage fees paid by those electricity market participants (e.g. system operators) who have concluded a distribution and access agreement. The costs of the transmission of electricity are included in the electricity price (§ 7 Par. 3 Government Decree No. 317/2007 Coll.).
	<b>Distribution mechanism</b>	

## 6. Expansion of the grid

<b>Abbreviated form of legal source</b>	<ul style="list-style-type: none"> <li>Act No. 309/2009 Coll.</li> </ul>	
<b>Legal basis for a claim/addressees</b>	<input checked="" type="checkbox"/> statutory basis <input type="checkbox"/> contractual basis	The distribution grid operator is obliged to extend the grid at the request of an electricity producer, if the connection of a system to the grid requires the grid to be extended (§ 5 Par. 3 Act No. 309/2009 Coll.). If the construction of a system requires a certificate pursuant to § 11 Act No. 656/2004 Coll., the distribution grid operator is obliged to extend the grid only upon the submission of the respective certificate. The obligation to extend the grid applies to all technical facilities that are necessary for the operation of the distribution grid (§ 5 Par. 4 Act No. 309/2009 Coll.).
	<b>Entitled party</b>	The persons entitled are the electricity producers (§ 5 Par. 3 Act No. 309/2009 Coll.).
	<b>Obligated party</b>	The distribution grid operator is obligated to expand the grid (§ 5 Par. 3 Act No. 309/2009 Coll.).
<b>Priority to renewable energy (qualitative criteria)</b>	<input type="checkbox"/> Priority to renewable energy <input checked="" type="checkbox"/> Non-discrimination	Renewable energy is not given priority.
<b>Capacity limits</b>	Act No. 309/2009 Coll. does not impose capacity limits on systems whose connection requires the extension of the grid. However, the rules of operation of the competent distribution grid operator must contain the conditions for the extension of the distribution grid and may thus specify capacity limits (§ 5 Par. 10 Act No. 309/2009 Coll.).	
<b>Limitations/deadlines</b>	Act No. 309/2009 Coll. does not impose time limits on the expansion of the grid. However, the rules of operation of the distribution grid operator in charge must contain the conditions for the extension of the distribution grid and may thus specify time limits (§ 5 Par. 10 Act No. 309/2009 Coll.).	
<b>Arising/enforcement of a claim</b>	The claim for the expansion of the grid arises at the request of a given electricity producer (§ 5 Par. 3 Act No. 309/2009 Coll.). If the construction of a system requires a certificate pursuant to § 11 Act No. 656/204 Coll., the claim for the expansion of the grid arises only after the submission of the respective certificate (§ 5 Par. 4 Act No. 309/2009 Coll.).	
<b>Funding</b>		
	<b>State</b>	
	<b>Consumers</b>	
	<b>Grid operator</b>	The distribution grid operator bears part of the costs of the expansion of the grid (§ 5 Par. 5 Act No. 309/2009 Coll.).
	<b>System operator</b>	The electricity producer bears the other part of the costs of the expansion of the grid (§ 5 Par. 5 Act No. 309/2009 Coll.).

	<b>Distribution mechanism</b>	
--	-------------------------------	--