PARLIAMENT OF ROMANIA
CHAMBER OF DEPUTIES
Committee for industry and services

PROPOSED AMENDMENTS
to the Law project for the approval of Government Ordinance (GO) no. 29/2010 amending and suplementing Law no. 220/2008 on establishing the promotion system for the production of electricity from renewable energy sources and the Law project for the approval of Government Emergency Ordinance (GEO) no. 88/2011 amending and suplementing Law no. 220/2008 on establishing the promotion system for the production of electricity from renewable energy sources

Crt. no.	Text of law no. 220/2008, republished	Text of GO no. 29/2010	Text adopted by Senate	Text of GEO no. 88/2011	Text adopted by Senate	Proposed amendments
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1	Law title LAW no. 220 of 27 October 2008 on establishing the promotion system for the production of electricity from renewable energy sources	_____	Law title LAW for the approval of Government Ordinance no. 29/2010 amending and suplementing Law no. 220/2008 on establishing the promotion system for the production of electricity from renewable energy sources	_____	Law title LAW for the approval of Government Emergency Ordinance no. 88/2011 amending and suplementing Law no. 220/2008 on establishing the promotion system for the production of electricity from renewable energy sources	
2	_____	_____	Single article. - It is approved the Government Ordinance no. 29 of 30 August 2010 amending and suplementing Law no.	_____	Single article.- It is approved the Government Emergency Ordinance no. 88 of 12 October 2011 amending and	

			220/2008 on establishing the promotion system for the production of electricity from renewable energy sources, adopted in virtue of art. 1 point I.13 of Law no. 138/2010 on the Government ability to issue Ordinances and published in the Official Gazzete of Romania, Part I, no. 614 of 31 August 2010.		suplementing Law no. 220/2008 on establishing the promotion system for the production of electricity from renewable energy sources, published in the Official Gazzette of Romania, Part I, no. 736 of 19 October 2011, with the following modifications and supplements:	

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	_____	Ordinance title ORDINANCEamending and suplementing Law no. 220/2008 on establishing the promotion system for the production of electricity from renewable energy sources	_____	Emergency ordinance title EMERGENCY ORDINANCE amending and suplementing Law no. 220/2008 on establishing the promotion system for the production of electricity from renewable energy sources		
		Art. I. -Law no. 220/2008 on establishing the promotion system for the production of electricity from renewable energy		Art. I. -Law no. 220/2008 on establishing the promotion system for the production of electricity from renewable energy		

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		sources, republished in the Official Gazzete of Romania, Part I, no. 577 dated 13 August 2010, is modified and supplemented as follows:		sources, republished in the Official Gazzete of Romania, Part I, no. 577 dated 13 August 2010, with subsequent modifications and supplements, is modified and supplemented as follows:		
	CHAPTER I General provisions					
	Art. 1 (1) The present law sets forth the legal framework required for the extension of the use of renewable energy sources, by: a) attracting in the national energy balance of renewable energy sources, required for increasing power supply security and limiting the dependence from the import of primary energy resources; b) stimulating the sustainable development at local and regional level and creating new jobs related to processes of valorification of renewable energy sources; c) reduction of					

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	environment pollution by diminishing the production of pollutant emissions and greenhouse gas; d) ensuring the necessary co-finance in attracting external financial sources, aimed at promoting renewable energy sources, within the limit of the sources agreed upon annually through the government budget law and for the benefit of local public authorities exclusively; e) defining regulations regarding the origin garanties, applicable administrative proceedings and connection to the electric network as far as electricity produced from renewable sources is concerned; f) establishing the sustainability criteria for biofuels and bio-liquids. (2) The present law establishes the promotion system for electricity produced from renewable energy sources.					
	Art. 2 According to the					

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	present law, the terms and expressions below have the following meaning: a) ANRE- National Energy Regulatory Authority b) biomass - the biodegradable fraction of products, waste and residues of biological origin from agriculture (including vegetal and animal substances), forestry and related industries, including fisheries and aquaculture, as well as the biodegradable fraction of industrial and municipal waste, classified according to legal provisions; c) bioliquids- liquid fuel for energy purposes, other than for transport, including electricity and heating and cooling, produced from biomass; d) biofuels- liquid or gaseous fuel for transport produced from biomass; e) power plant – set of installations, buildings and equipment necessary for the					

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	production of electricity; it can be built from one or more electric groups; f) refurbished hydropower plant- hydropower plant with an installed power under 10 MW, which meets the following requirements: - has a lifespan of at least 15 years since the commissioning date; are o durată de funcţionare de cel puţin 15 ani de la data punerii în funcţiune; - has undergone various replacement operations of some existent morally and/or physically used technologies, with modern technologies, in the purpose of increasing the efficiency of production activity; g) new plant/new electricity group- plant/electricity group installed after 1st January 2004, entirely made of new equipment; h) green certificate – title which certifies the production from renewable energy sources of an amount of					

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	electricity. The green certificate can be traded in a distinct manner from the electricity that it represents on an organized market, according to the legal framework. The certificate can be transactioned, independently of the quantity of electricity represented, on an organised market, under conditions of law; i**)** gross final energy consumption- the amount of electricity produced, including the consumption of electricity in the electricity production sector, as well as the electricity losses from transmission and distribution, excluding the electricity produced in electricity plants by means of accumulation through the pumping of water previously pumped in a superior reservoir, to which it is added the difference between the import and export of electricity;	1. Under article 2, after				

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	j) technical own consumption – the consumption of electricity by a power station, necessary for the production of electricity; k) final electricity user – a person that uses electricity for own consumption, excepting electricity consumption in technological processes of electricity production, transmission and distribution; l) mandatory annual quotas for the acquisition of green certificates – target for acquiring green certificates imposed each year on the suppliers of electricity, according to the provisions of this law, under sanction of penalties; m) the mandatory	letter i) two new letters are inserted, lett. lit.i^1) and i^2) with the following content: „i^1) gross final electricity consumption -the consumption of energy commodities delivered for energy purposes to industry, transport, household, services, including public services, agriculture, forestry and fishing, including the consumption of electricity and heating in the electricity and heating production sector, as well as the electricity and heating losses from the transmission and distribution; i^2) renewables obligation- promotion system that either imposes to electricity producers to include in their production a certain amount of electricity from				

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	annual quota of electricity produced from renewable energy sources supported by the promotion scheme - the maximum share of electricity generated from renewable sources in the gross final consumption of electricity, for which the system of forfetary quota applies, excluding the electricity produced in water power plants with installed capacity above 10 MW; n) aerothermal energy - energy stored in the form of heat in the ambient air; o) geothermal energy - energy stored in the form of heat beneath the surface of solid earth; p) hydrothermal energy – energy stored in the form of heat in surface water; q) Environment Fund – economical and financial instrument managed by the Environment Fund Administration, designed for supporting and carrying out projects	renewable energy sources, or imposes to electricity producers to include in the electricity delivery a certain proportion of electricity from renewable energy sources, or imposes to electricity producers to include in their consumption a certain proportion of electricity from renewable sources. Systems within which such requiremenents can be met by using green certificates are included in definition.”				

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	and programs for the protection of the environment, as per the legal provisions in power in the field of environment protection, regulated according to the Emergency Government Ordinance no. 196/2005 regarding the Environment fund, approved with modifications to Law no. 105/2006, with subsequent modifications and supplements; r) Electricity supplier – the company that holds the license to supply electric energy, providing electrical power to one or more consumers under a supply contract; s) guarantee of origin - an electronic document whose sole function is that of providing proof to a final customer that a given share or amount of energy was produced from renewable sources, as required by Article 3 para. (6) of Directive 2003/54/EC of European Parliament and of the					

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	Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92 EC; ș) power group - technologic unit that produces electricity which can be individualized as achievement, refurbishment and commissioning; t) district heating or district cooling – the distribution of thermal energy in the form of steam, hot water or chilled liquids, from a central source of production, through a network to multiple buildings or locations, for the use of space or process heating or cooling; ț) line ministry – Ministry of Economy, Commerce and Business Environment; u) transmission system operator- the juridical person that holds, under any title, an electric grid for transmission and is the					

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	official holder of a transport license according to which this person is responsible for the operation, maintenance and, if necessary, for the development of the transmission grid in a certain area and, where is applicable, the interconnection of this grid to other electroenergetic systems, as well as ensuring, in the long term, that the capacity of the system can respond to reasonable requests regarding the transmission of electric power; v) distribution operator- any juridical person that holds, under any title, an electric grid for distribution and is the official holder of a distribution license according to which this person is responsible for the operation, maintenance and, if necessary, for the development of the distribution grid in a certain area and, where					

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	is applicable, the interconnection of this grid to other system, as well as ensuring, in the long term, that the capacity of the system can respond to reasonable requests regarding the distribution of electric energy; w) network operators - distribution operator and the transmission system operator; x) National renewable energy action plan – the plan based on which national targets are drawn regarding the percentage of energy from renewable sources used in transport, electricity, heating and cooling in the year 2020, taking into account the effects of other policies regarding electric efficiency in the end consumer phase and the measures which need to be adopted in order to meet the respective global national targets; y) mandatory quota system – promotion mechanism for					

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	electricity produced from renewable energy sources by means of applying mandatory annual quotas for the acquisition of green certificates; z) promotion system – any instrument, scheme or mechanism, which promotes the use of energy resulted from renewable sources by reducing the cost of such energy, by increasing the price for which it is sold or by increasing, by means of certain obligations regarding renewable energy or in another way, the acquired quantities of such energy; this includes, but is not limited to the promotion system by means of green certificates, subsidies for investment, waivers for or reduction of taxes, promotion scheme regarding the obligation to buy energy from renewable sources; aa) promotion system by means of green certificates – the mandatory quota system					

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	combined with the transaction of green certificates; ab) isolated electric energy system – the local system for the production, distribution and supply of electricity which is not linked to the National Electric Energy System; ac) renewable energy sources – energy from renewable non - fossil sources namely wind, solar, aerothermal, geothermal, hydrothermal and ocean energy, hydropower, biomass, landfill gas, also called deposit gas, sewage treatment plant gas and biogases; ad) national targets regarding the percentage of electricity produced from renewable energy sources – national objectives regarding the percentage of electricity produced from renewable sources in the final gross consumption of electricity, including besides electricity produced from the renewable sources					

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	provided under art. 3 para. (1) also electricity produced in water power plants with installed power higher than 10 MW.			1) New letters ae) – am), shall be inserted under article 2, after letter ad), with the following content: „ae) *multi-fuel power plant* - electricity plant which produces electricity using renewable and conventional power sources, which are used either in individual combustion plants/boilers, or in the same combustion power as long as the conventional fuel energy content does not exceed 10% of the total energy content ; af) *overcompensation* – situation when, considering the specific average technical and economic indicators yearly achieved for each technology, from the cost-benefit analysis performed for the set of		

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				generation capacities using the same technology, it results an internal rate of return higher by 10% than the value considered for the relevant technology when authorizing the promotion system, and that will be published on ANRE webpage; ag) *cost-benefit analysis* – analysis performed to determine the efficiency of investments made in production of electricity from renewable energy sources, achieved by using the discounting technique applied to the investment costs, operating costs and incomes generated during the project's lifespan; ah) *internal rate of return* – indicator resulted from a cost-benefit analysis expressing the return of an investment project, namely the discounting rate for which the discounted incomes equal the discounted expenditures; ai) *energy crop*:		

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				agricultural or nonagricultural crop developed to obtain biofuels production or biomass production used for the purpose of producing electricity and heat; aj) *priority access to the grid for electricity produced from renewable resources* – totality of rules, commercial and technical conditions upon which for some of the energy producers, it is granted the possibility to undertake at anytime the energy produced and to sell the entire quantity of energy produced at a certain moment, depending on the capacity of the grid connection and the availability of the units/eligible resources; ak) guaranteed access to the grid for electricity from renewable sources	1. Under article I, paragraph 1, letter ak) of article 2) shall have the following content: „ak) guaranteed access to the grid for electricity from renewable sources – totality of rules,	1. Under article I, paragraph 1, letter ak) of article 2) shall have the following content: **„ak) guaranteed access to the grid for electricity from renewable sources –**

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				– totality of rules, technical and commercial conditions upon which for the energy produced from renewable resources qualified to the Green Certificates promotion scheme, contracted and sold on the electricity market, there is granted the access to the electric grid; al) *accreditation* – activity developed by ANRE based on its own regulations, by which a business operator owning power plants using renewable energy sources is granted the right to benefit from the promotion system provided by this law; am) *qualification* – activity developed by ANRE based on its own regulation, by which the volume of electricity produced in high-efficiency cogeneration in a cogeneration plant/group is established.”	technical and commercial conditions upon which for the energy produced from renewable resources qualified to the Green Certificates promotion scheme, contracted and sold on the electricity market, except for the balance market, there is granted the access to the electric grid;”	**totality of rules, technical and commercial conditions upon which for the energy produced from renewable resources qualified to the Green Certificates promotion scheme, contracted and sold on the electricity market, there is granted the access to the electric grid;”**
	Art. 3. (1) The system of promoting electricity produced from					

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	renewable energy sources, hereinafter promotion system, implemented by this law shall be applied for the electricity supplied into the electric grid and/or to the consumers, produced from: a) hydraulic energy used in power station with installed power of maximum 10MW; b) wind energy; c) solar energy; d) geothermal energy; e) biomass; f) bio liquids; g) biogas; h) landfill gas resulted from waste processing; i) sewage treatment plant gas. (2) The promotion system set up by this law shall be applied for a period of: a) 15 years, for electricity produced according to the provisions of para. (1), in new power			2. Letter h) of article 3, paragraph (1) is modified and shall have the following content: “h) waste fermentation gas;”		

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	groups/plants; b) 10 years, for electricity produced in modernized hydroelectric plant groups with installed power equal or higher than 10 MW; c) 7 years, for electricity produced in groups/plants, which have been used before for producing electricity in other states should they be used in isolated electricity systems or should they have been operating before the this law came into power, but not older than 10 years and meeting the environmental protection norms; d) 3 years, for electricity produced in non-modernized hydroelectric groups/plants with an installed power not exceeding 10 MW. (3) The promotion system shall be applied			3. Letter c) of article 3, paragraph (2) is modified and shall have the following content: "c) 7 years, for electricity produced in wind groups/plants, which have been used before for producing electricity in other states should they be used in isolated electricity systems or should they have been operating in Romania before the application of the promotion scheme provided by the present Law;" 4. Under article 3, paragraphs (3) and (4) are modified and shall have the following content:	2. Under article I, point 4, paragraph (3) of article 3 shall have the following content: "(3) The promotion system established by this law shall only be applied to producers for electricity produced during the trial period, based on the	2. Under article I, point 4, paragraph (3) of article 3 shall have the following content: "(3) The promotion system established by this law shall be applied to producers for electricity ***produced from renewable sources,***

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	to producers, holders of production capabilities mentioned in para. (2), qualified by ANRE in this field, starting with the date when they begin to produce electricity and receive green certificates for electricity, as per art. 6, provided that the commissioning, respectively the refurbishment of groups/plants are completed until the end of 2016." (4) The qualification in view of applying the promotion system established by this law can be performed in stages, depending on the commissioning of each individual power group within a power capacity containing several such power groups, case in which the application period of the promotion system regulated by means of this law shall be applied differently, depending on the qualification moment.			"(3) The promotion system established by this law shall only be applied to producers for electricity produced from renewable sources, including electricity produced during the trial period, based on the accreditation decision issued by ANRE pursuant to the provisions of art. 6 para. (6), provided that the commissioning, respectively the refurbishment of groups/plants are completed until the end of 2016. (4) In view of applying the promotion system established by this law, the accreditation of power plants can be performed in stages, depending on the commissioning of each individual power group within a power capacity containing several such power groups, case in which the application period of the promotion system regulated by means of this law shall be applied differently,	accreditation decision issued by ANRE pursuant to the provisions of art. 6 para. (6), provided that the commissioning, respectively the refurbishment of groups/plants are completed until the end of 2016."	***including electricity produced*** during the trial period, based on the accreditation decision issued by ANRE pursuant to the provisions of art. 6 para. (6), provided that the commissioning, respectively the refurbishment of groups/plants are completed until the end of 2016."

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	(5) In the case of electricity produced in multi-fuel electricity plants which use renewable and conventional sources, only that part of electricity benefits from the promotion system which is produced entirely from renewable sources of energy, based on the energy content resulted from renewable sources. (6) The promotion system for producing electricity from renewable energy sources stipulated in this law shall not be applied for: a) electricity produced from imported industrial and/or city waste, regardless of the installed power of the electric plant; b) electricity produced in plants which accumulate by pumping the water previously pumped in the superior basin;			depending on the accreditation moment." 5. Letters a) and c) of article 3, paragraph (6) are be modified and shall have the following content: "a) electricity produced from fuel originating from biomass, industrial and/or municipal waste purchased from abroad, irrespective of the installed power of the power plant; ……		

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	c) electricity produced in multi-fuel electric plants using renewable and conventional sources where the conventional fuel energy content represents more than 75% of the total energy content used; d) electricity related to the internal technical consumption of the plant. (7) In case of electricity produced in cogeneration from renewable sources, the promotion system is applied for highly efficient cogenerated electricity qualified according to specific regulations, the producers having the right to choose either the cogeneration promotion scheme or the promotion scheme provided in this law.			c) electricity produced in plants using renewable and conventional sources in the same combustion system, if the conventional fuel energy content exceeds 10% of the total energy content;" 6. Under article 3, para (7) is modified and shall have the following content: "(7) In case of electricity produced in cogeneration from renewable sources, the producers have the obligation to opt either for the support scheme for high-efficiency cogeneration promotion based on the useful heat demand, pursuant to Government Decision no. 1215/2009 on establishing the criteria and requirements necessary for implementing the support scheme for promoting high-efficiency cogeneration		

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				based on the demand for useful thermal power, or for the promotion scheme hereunder.” 7. Under article 3, four new paragraphs, (8) – (11), are inserted after paragraph (7), with the following content: “ (8) In case of producers of energy from renewable sources who benefited of green certificates prior to application of the promotion system hereunder, the application periods set out under para. (2) shall be shortened according to the periods during which they already benefited of green certificates. (9) Producers of electricity from the renewable sources referred to under para. (1) let. e) –g) can only benefit from the promotion system established by this law if they hold certificates of origin for the biomass		

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				used as fuel or raw material. (10) The certificates of origin mentioned under para. (9) are issued by: a) the Ministry of Environment and Forests, for biomass originating from forestry and associated industries, as well as for biomass originating from industrial and municipal wastes; b) the Ministry of Agriculture and Rural Development, for biomass originating from agriculture and associated industries. (11) The certificates of origin mentioned under para. (10) are issued based on the procedures approved by order of the minister of environment and forests and, respectively, of the minister of agriculture and rural development.”		
	CHAPTER II The promotion system for production of electricity from renewable energy sources					
	Art. 4 (1) For the					

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	promotion of electricity produced from renewable energy sources the promotion system provided by this law shall be applied. (2) The level of national targets regarding the percentage of electricity produced from renewable sources of energy in the final gross consumption of electricity for years 2010, 2015 and 2020 is 33%, 35% and 38% respectively. (3) In order to achieve the national targets set in para. (2), apart from the electricity produced from renewable sources of energy provided in art. 3 para. (1), the electricity produced in hydroelectric plants with installed power higher than 10 MW shall also be considered. (4) The annual mandatory quotas for electricity produced from renewable energy sources which benefit from the promotion system of green certificates for the 2010-					

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	2020 period are the following: 2010 - 8,3%; 2011 - 10%; 2012 - 12%; 2013 - 14%; 2014 - 15%; 2015 - 16%; 2016 - 17%; 2017 - 18%; 2018 - 19%; 2019 - 19,5%; 2020 - 20%. (5) Annual mandatory quotas for electricity produced from renewable energy sources which benefit from the green certificate promotion system for the 2020-2030 period shall be set by the line ministry and shall be approved by Government decision and shall be lower than the quota set for year 2020. (6) ANRE qualifies the producers of electricity from renewable energy sources in order to benefit from the green certificate promotion system, under the requirements provided for in the Regulations for qualifying producers of electricity from			8. Under art 4, paragraphs (6) and (9) are modified and shall have the following content: "(6) ANRE accredits the producers of electricity from renewable energy sources in order to benefit from the green certificate promotion system, under the requirements provided		

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	renewable sources, so as to apply the green certificate promotion system. (7) In the first decade of December, ANRE publishes on its webpage the annual mandatory quota for the acquisition of green certificates estimated for issue in the following year based on the information regarding the estimated electricity produced from renewable energy sources for the next year and the final energy consumption estimated for the next year. (8) ANRE elaborates within 3 months of this law coming into force*) a methodology for establishing the annual quotas of green certificates, approved by order of the president of ANRE. (9) By 1 March this year, ANRE shall adjust the annual mandatory quota for the acquisition of green certificates			for in the Regulations for the accreditation of producers of electricity from renewable sources, so as to apply the green certificate promotion system. …….. (9) ANRE determines by order, by the latest 1st of March of each year, the annual mandatory quota for the acquisition of green certificates relevant to the previous year based		

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	related to last year, based on last year's effective results and shall publish it on its webpage.			on the quantities of energy produced from renewable sources and on the final electricity consumption in the previous year, however without exceeding the level corresponding to the mandatory quotas of electricity obtained from renewable sources, as set out under art. (4)."		
	Art. 5 (1) The level of the national target regarding the percentage of energy produced from renewable sources in the final gross consumption of energy in 2020 is 24%. (2) The final gross energy consumption from renewable sources shall be calculated as the sum of the following: a) gross final consumption of electricity from renewable energy sources; b) gross final consumption of energy from renewable sources for heating and cooling; and c) final consumption of					

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	energy resulted from renewable sources in transport. (3) The methodology for calculating the final gross consumption of energy resulted from renewable sources is set by ANRE within 90 days of this law coming into force**). (4) In order to achieve the target provided in para. (1), the energy policy of Romania shall pursue at least the fulfilment of the mandatory annual quotas for electricity produced from renewable energy sources, provided for in art. 4. (5) The level of the national target regarding the percentage of energy from renewable sources used in all forms of transport in the year 2020 is at least 10 % from the final national consumption of energy in transport. (6) The share of energy from renewable sources used in all forms of transport in the year					

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	2020 shall be set as follows: a) for the calculation of the denominator, that is the total amount of energy consumed in transport, only the petrol, diesel, biofuels consumed in road and railway transport and electricity shall be taken into account; b) for the calculation of the numerator, that is the amount of energy from renewable sources consumed for transport, all types of energy from renewable sources consumed in all forms of transport shall be taken into account ;					
	c) for the calculation of the contribution from electricity produced from renewable sources and consumed in all types of electric vehicles in the terms of let. a) and b), the percentage of electricity from renewable sources in Romania shall be used, measured 2 years before the year in question. In addition, for calculating the electricity from					

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	renewable sources consumed by electric road vehicles, that consumption shall be considered to be 2.5 times the energy content of electricity resulted from renewable sources. Art. 6 (1) The transmission system operator issues green certificates to producers on a monthly basis, for the amount of electricity produced from renewable energy sources and delivered to the suppliers and/or end consumers. (2) Producers of energy from renewable sources benefit from a number of green certificates for the electricity produced and delivered according to the provisions of para. (1), including for the amount of electricity produced in the trial operating period of electric groups/plants, as follows:			9. Art 6 is modified and shall have the following content: “Art. 6. - (1) The transmission system operator issues green certificates to producers on a monthly basis, for the amount of electricity produced from renewable energy sources, deducting the energy necessary or the own technical consumption of the power plant. (2) Producers of energy from renewable sources benefit from a number of green certificates for the electricity produced and delivered according to the provisions of para. (1), as follows: a) 3 green certificates for each 1 MWh produced and delivered if the hydroelectric plants are new, or two green certificates for		

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	a) for electricity from hydroelectric plants with a maximum 10 MW installed power: (i) 3 green certificates for each 1 MWh produced and delivered if the hydroelectric plants are new; (ii) two green certificates for each 1 MWh produced and delivered if the hydroelectric plants are refurbished; b) a green certificate for every 2 MWh from hydroelectric plants with a maximum of 10 MW installed power, which does not fit the conditions provided in letter a); c) two green certificates until 2017 and one green certificate starting 2018 for each 1 MWh produced and delivered by producers of electricity from wind power energy; d) 3 green certificates for each 1 MWh produced and delivered by producers of electricity from the sources provided in art.			each 1 MWh produced and delivered if the hydroelectric plants are refurbished, for the electricity from hydroelectric plants with a maximum 10 MW installed power; b) a green certificate for every 2 MWh from hydroelectric plants with a maximum of 10 MW installed power, which does not fit the conditions provided for at let. a); c) two green certificates until 2017 and one green certificate starting 2018 for each 1 MWh produced and delivered by producers of electricity from wind power energy; d) 2 green certificates for each 1 MWh produced and delivered by producers of electricity from the sources provided for at art. 3 para. (1) let. d) - g); e) a green certificate for each 1 MWh produced and delivered by producers of electricity from the sources		

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	3 para. (1) let. d) - i); e) 6 green certificates for each 1MWh produced and delivered by producers of electricity from solar energy. (3) The isolated electricity system shall also benefit from the green certificate promotion system regulated by this law. (4) For the high efficiency cogenerated electricity produced in plants which use renewable energy sources provided for in art. 3 para. (1) let. d) - i), in addition to provisions of para. (2) let. d) one green certificate shall be granted for each 1 MWh produced and delivered. (5) ANRE has the			provided for at art. 3 para. (1) let. h) and i); f) 6 green certificates for each 1 MWh produced and delivered by producers of electricity from the sources provided for at art. 3 para. (1) let. c). (3) Electricity produced in power plants using renewable sources, connected to the isolated electricity system shall also benefit from the green certificate promotion system regulated by this law. (4) For electricity produced in cogeneration plants/groups using the renewable energy sources provided for in art. 3 para. (1) let. d) - i) and qualified by ANRE as of high efficiency, in addition to provisions of para. (2) let. d) and e) one green certificate shall be granted for every MWh produced and delivered. **(**5) For electricity produced in power	3. Under article I point 9, paragraph (5) of article 6 shall have the following content: „(5) For electricity	

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	following attributions: a) it qualifies the power groups/plants which benefit from the promotion scheme, in the terms of the Regulations for qualifying producers of electricity from renewable sources, so as to apply the green certificate promotion system; b) it elaborates the regulatory guidelines for the monitoring of production costs/revenues of producers of electricity from renewable sources which benefit from the promotion scheme by means of green certificates.			plants using biomass resulting from energetic crops, in addition to provisions of para. (2), let d), one green certificate shall be granted for every MWh produced and delivered. (6) ANRE has the following attributions: a) it qualifies the power groups/plants which benefit from the promotion scheme by means of green certificates, in the terms of the Regulations for qualifying producers of electricity from renewable sources, so as to apply the green certificate promotion system; b) it elaborates the regulatory guidelines for the monitoring of production costs/revenues of producers from renewable sources which benefit from the promotion scheme by	produced in power plants which use biomass resulting from energetic crops or wood waste, defined according to the Government Decision no. 2293/2004, in addition to provisions of para. (2), let d), one green certificate shall be granted for every MWh produced and delivered.”	

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				means of green certificates". (7) By exception to the provisions of para. (2) and (4), irrespective of the type of the renewable source used, producers of electricity benefit from: a) 1 green certificate for every MWh produced and delivered by power plants during trial period; b) a number of green certificates determined by ANRE by reducing the number of green certificates set out under para. (2), reducing the reference value of the investment per MW with the value of the aid granted and maintaining the value of the IRR considered in the calculus submitted to the European Commission during the authorization of the promotion scheme, if the power plants benefit in addition from one or several state aids.		Point 9 of GEO (Government Emergency Ordinance) no. 88/2011 is modified as follows: 9. Article 6 is modified and shall have the following content: (7) By exception to provisions of para. (2) and (4), irrespective of the type of renewable source used, producers of electricity benefit from: a) 1 green certificate for every MWh produced and delivered by power plants during trial period; b) a number of green certificates determined by ANRE by reducing the number of green certificates set out under para. (2), reducing the reference value of the investment per MW with the value of the aid granted and maintaining the value of the IRR considered in the calculus submitted to the European Commission during the

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						authorization of the promotion scheme, if the power plants benefit in addition from one or several state aids. b[1]) The reduction of the number of green certificates as referred to under let. b shall be applied until meeting the value of the investment aid received by the electricity producer, using for calculation the average value of a green certificate, calculated as the the arithmetic mean of the maximum and minimum value of green certificates trading, provided for in the present law. *Dep.Valeriu Zgonea – PSD* *Dep.Ciprian Dobre – PNL*
					4. Under article I, point 9, a new paragraph, (7^1), is inserted after paragraph (7) of article 6, with the following content:	

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					„(7[1]) In case that power plants benefited or applied for one or several state aids until the time of the support scheme authorization by European Commission, beneficiaries can choose either the number of green certificates calculated according to para. (7), or for the number of certificates applicable at the time of finance application.”	
				(8) Producers of electricity from renewable sources benefit from green certificates according to the provisions of para. (2), after being accredited by ANRE based on the regulations referred to under para. (6) letter a), starting with the calendar month during which ANRE’s accreditation decision was issued. (9) The green certificates issued by transmission system operator have a validity duration of 16 months. (10) The mechanism of		(10) The mechanism of

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				reduction of the number of green certificates foreseen at para. (7), letter b) is set up by the ANRE in the Regulation foreseen at para. (6) let a)."		reduction of the number of green certificates foreseen at para. (7), letter b), as well as the procedure regarding the application of para. 7 letter b^1) is set up by the ANRE in the Regulation foreseen at para. (6) let a). *Dep.Valeriu Zgonea – PSD* *Dep.Ciprian Dobre – PNL*
	Art. 7 (1) Distribution operators shall send on a monthly basis, free of charge, to the transmission system operator data regarding the amounts of electricity produced from renewable sources and delivered to producers connected to the distribution networks within their licence area, for whom they act as concessionaires, based on concession agreements.			10. Article 7 is modified and shall have the following content: "Art. 7. – Producers of electricity from renewable sources send, on a monthly basis, to the transmission system operator, the information required to determine the quantity of electricity produced from renewable sources which benefits from green certificates in the previous month, accompanied by: „a) protocols confirming the measured values of the electricity supplied/consumed,		

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	(2) Producers who deliver electricity through direct contracts shall send on a monthly basis to the transmission system operator data regarding the amounts of electricity produced from renewable sources.			signed with the network operators, in case of producers supplying electricity in electricity networks; b) data regarding the quantities of electricity produced from renewable sources and delivered to consumers, in case of producers supplying electricity directly to consumers, including for end own consumption, other than own process consumption.”		
	Art. 8– The suppliers of electricity have the obligation to purchase yearly a number of green certificates equal to the multiplication of the value of mandatory annual quota for green certificates for the year in question, as per the provisions of art. 4 para. (7) and the amount of electricity expressed in MWh, supplied annually to end consumers.			11. Article 8 is modified and shall have the following content: “Art. 8- (1) The quantity of electricity for which the obligation to acquire green certificates is set up includes: a) electricity acquired by suppliers of electricity, both to be sold to end consumers and for the own consumption thereof. b) electricity used for own end consumption, other than own process consumption, by a producer of electricity; c) electricity used by a		

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				producer to supply electricity to consumers connected through direct lines to the power plant. (2) Suppliers of electricity and producers referred to under para. (1) have the obligation to purchase yearly a number of green certificates equal to the multiplication of the value of mandatory annual quota for green certificates acquisition for the year in question, as per the provisions of art. 4 para. (9) and the amount of electricity referred to under para. (1) expressed in MWh, supplied annually to end consumers. (3) The suppliers of electricity and producers referred to under para. (1) have the obligation to send, on an annual basis, to ANRE, in the format and within deadlines established by the latter, the quantities of electricity for which they have the obligation to acquire green certificates as per this law.”		

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	Art. 9 (1) The transmission and system operator and distribution operators have the obligation to ensure transmission, respectively distribution of electricity produced from renewable energy sources, ensuring the reliability and safety of electricity networks. (2) The connection of producers of electricity from renewable sources to electricity networks shall be done in the terms of the Regulations regarding the connection of users to public electric networks, issued in the terms of art. 11 para. (2) let. q) from the electricity Law no. 13/2007, with subsequent modifications and supplements*). (3) The investments made by the transport and/or distribution operators in the terms of the provisions of art. (2) shall be considered as regulated assets, recognized as such by					

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	ANRE. (4) Fees for transmission and distribution are non-discriminatory between the energy produced from renewable energy sources and that produced from conventional energy sources. (5) In case the transmission system operator or the distribution operators take significant measures to limit the use of renewable energy sources, in the aim of ensuring the security of the national electric grid and the security of energy distribution, the responsible system operators have the obligation to inform ANRE with regard to these measures and to inform on the corrective measures they plan to take in order to prevent inadequate limitations.					
	CHAPTER III The trade of green certificates					
	Art. 10 (1) Producers of electricity from renewable energy					

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	sources and suppliers shall trade the green certificates on the centralized market of green certificates, as well as on the green certificate bilateral contract market. (2) The guidelines for the trade of green certificates on the green certificate market shall be provided by "Electric Energy Market Operator - Opcom" Company, as the electricity market operator according to the regulations of ANRE. (3) Until meeting the national targets, the green certificates can be traded only on the green certificate internal market.			12. Under article 10, paragraph (3) is modified and shall have the following content: "(3) Until meeting the national targets provided under art. 4 para. (2), the sale of electricity produced from renewable sources benefiting from the promotion system provided by this law shall only be performed in order to cover Romania's final gross consumption of electricity, such electricity being accompanied by		

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				guarantees of origin issued in compliance with the provisions of art. 24.”		
	Art. 11 (1) For the 2008-2025 period, the trade value for green certificates on the markets mentioned in art. 10 para. (1) varies between: a) a minimum trade value of 27 euros/certificate; and b) a maximum trade value of 55 euros/certificate. (2) In all cases, the value in lei is calculated at a medium exchange rate set by the National Bank of Romania for December last year. (3) Starting 2011, the trade values mentioned in para (1) are indexed annually by ANRE according to the average inflation parameter in the month of December last year, calculated at a level of UE 27, officially communicated			13. Under article 11, para (3) and (4) are modified and shall have the following content: “(3) Starting 2011, the trade values mentioned in para (1) are indexed annually by ANRE according to the average annual inflation rate for the previous year, determined at EU’s Eurozone level, officially communicated		

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	by EUROSTAT. (4) Within 15 days since the average inflation rate calculated at UE 27 level is published by EUROSTAT, ANRE publishes on its website the minimum and maximum values established according to the provisions of para (1) - (3), indexed and applicable for the year in question. (5) After 2025, the trade value for green certificates shall be the one set on the green certificate market but it cannot be lower than the minimum trade value applied in 2025, indexed annually as per the provisions of para. (3).			by EUROSTAT. (4) Within 15 days since the average annual inflation rate is published by EUROSTAT, ANRE approves by order the minimum and maximum values established according to the provisions of para (1) and (3), applicable for the year in question".		
	CHAPTER IV Suppliers compliance with mandatory quotas			14. The title of chapter IV is modified and shall have the following content: "Compliance with mandatory quotas for green certificates acquisition"		
	Art. 12 (1) ANRE			15. Article 12 is modified and shall have the following content: "Art. 12.- (1) Until 15		

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	establishes, until 15 April each year, for the previous calendar year and for each supplier, based on the number of green certificates acquired and on the electricity supplied to the end consumers, the level of compliance with the mandatory annual quota for green certificates acquisition. (2) The supplier who does not meet the mandatory annual quota has the obligation to pay the equivalent of green certificates not acquired at a 110 euro rate for each certificate not acquired, calculated in lei at an average exchange rate set by the National Bank of Romania for December of previous year. (3) Starting 2011, the value provided for in para (2) shall be indexed annually by ANRE according to the average inflation rate registered in December of the previous year, calculated for a UE 27 level, communicated officially			April each year, ANRE establishes, for each supplier and for each of the individual producers who have the obligation to acquire green certificates, the level of individual compliance with the mandatory annual quota for green certificates acquisition of the previous calendar year, based on the information about the number of green certificates acquired and on the electricity consumed/supplied for consumption, according to the provisions of art. 8 para (1). (2) Suppliers, as well as the producers referred to under art. 8 para. (1) who do not meet the mandatory annual quota have the obligation to pay to the Environment Fund Administration the equivalent of the green certificates not acquired at a 110 euro rate for each certificate not acquired, calculated in lei at an average exchange rate set by the National Bank of		

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	by EUROSTAT. 4) Within 15 days since EUROSTAT publishes the average inflation rate calculated for a UE 27 level, ANRE shall publish on its website the value established according to the provisions of para (2) and (3), indexed and applicable for the entire year in question. (5) The amount resulted from the application of provisions of para. (2) and (3) shall be collected by the transmission system operator and shall be turned into revenue for the Environment Fund in order to finance the production of energy from renewable sources by natural persons who invest in energy facilities with installed power of up to 100 kW.			Romania for December of previous year. (3) Starting 2011, the value provided for in para. (2) shall be indexed annually by ANRE according to the average inflation rate for the previous year, at EU's Eurozone level, officially communicated by EUROSTAT. 4) Within 15 days since the formal publication of the average annual inflation rate by EUROSTAT, ANRE shall approve and publish on its website the value determined pursuant to the provisions of para. (2) and (3), applicable for the year in question. (5) The Environment Fund Administration issues invoices for the collection of payments generated by the application of para. (2), within 10 days from the date of the notice issued by ANRE, regarding debtors and the amounts owed by these. (6) The amount generated from the		

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				application of the provisions of para. (5) shall be used by the Environment Fund Administration in view of financing investments in the production of energy from renewable sources by natural persons obtaining power capacities under 100 kW. (7) Suppliers and producers who sell electricity to end consumers have the obligation to inform them periodically according to ANRE regulations on the cost of green certificate acquisition for every KWh sold to end consumers.”		
	CHAPTER V The regional evaluation of renewable energy sources potential					
	Art. 13 (1) The line Ministry has the following attributions: a) it elaborates the strategy for capitalizing on and promoting renewable energy sources; b) it evaluates the					

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	technical, economic and ecological potential for each type of renewable energy source; c) it structures the potential established according to let. b) for licence areas related to the electricity distribution operators who act as concessionaires in the lease contracts; d) it elaborates, together with ANRE, the unitary framework of norms and regulations regarding the use of renewable energy sources. (2) The line Ministry elaborates the National renewable action plan according to the model set by the European Commission in accordance with the provisions of art. 4 par. (4) of Directive 2009/28/CE of the European Parliament and of the Council dated 23 April 2009 regarding the promotion of renewable energy use,	2. Under article 13, paragraph (2) is modified and shall have the following content: „(2) The line Ministry elaborates the National renewable action plan according to the model set by the European Commission in accordance with the provisions of art. 4 para (1) of Directive 2009/28/CE of the European Parliament and of the Council dated 23 April 2009 regarding the promotion of renewable energy use,				

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	modifying and subsequently repealing Directives 2001/77/CE and 2003/30/CE.	modifying and subsequently repealing Directives 2001/77/CE and 2003/30/CE.”				
	CHAPTER VI Trading of electricity produced from renewable energy sources					
	Art. 14 (1) Producers of electricity from renewable energy sources sell the electricity produced on the electricity market at the market price. (2) The electricity produced from renewable energy sources in power plants with a maximum installed power of 1 MW/plant can be sold for the prices regulated to the default suppliers in whose licensed areas are located the plants.			16. Article 14 is modified and shall have the following content: “Art. 14. - (1) Producers of electricity from renewable energy sources sell the electricity produced on the electricity market at the market price. (2) The electricity produced from renewable energy sources in power plants with a maximum installed power of 1 MW/plant can be sold to suppliers in whose licensed areas the relevant plants are located, for uniquely regulated prices per type	5. Under article I point 16, paragraphs (2), (7) and (9) of the article 14 shall have the following content: „(2) The electricity produced from renewable energy sources in power plants with a maximum installed power of 1 MW/plant or of 2 MW/plant in the case of high efficiency cogeneration from biomass can be sold to suppliers in whose	

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	(3) Default suppliers have the obligation, upon request from producers and consumers who own the electric plants which use renewable energy sources, to purchase the electricity produced according to para. (2), under the conditions set by ANRE. (4) Regulated prices provided for in para. (2) are set by ANRE based on a methodology which shall be approved within 60 days of this law coming into force*), according to the promotion system provided by the former. (5) The requests for sale of electricity of producers/consumers referred to under para. (3) shall be submitted to default suppliers, normally until then end of October of the year previous to the			of technology. The electricity sold for a regulated price does no longer benefit from green certificates. (3) The suppliers referred to under para (2) have the obligation, upon the request of producers using renewable energy sources, to purchase the electricity produced pursuant to para (2), subject to the conditions set up by ANRE. (4) Regulated prices and the trading regime of electricity from renewable sources referred to under para. (2) are determined by ANRE based on a methodology and shall be notified to the European Commission, according to the law. (5) The requests for the sale of electricity of producers/consumers referred to under para (3) shall be submitted to the suppliers under para (2), usually by the end of October of the year	licensed areas the relevant plants are located, for uniquely regulated prices per type of technology. The electricity sold for a regulated price does no longer benefit from green certificates. ……..	

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	contracting one, the purchase and sale agreements being concluded for at least one year. (6) Natural persons holding units for production of electricity from renewable sources with installed power under 1MW per place of consumption, as well as public authorities holding facilities for production of electricity from renewable sources, developed, entirely or in part, with structural funds, can benefit from the part of suppliers with whom they have signed electricity supply contracts, upon request, from the financial and/or quantitative settlement service, between the energy supplied and the energy consumed in the network, according to a methodology elaborated by ANRE, within 60 days of this law coming into force*). (7) The transmission system operator and/or the distribution operators provide the			preceding the contracting one, the purchase and sale agreements being concluded for a period of at least one year. (6) Natural persons holding units for production of electricity from renewable sources with installed power under 50 kWh per place of consumption, as well as public authorities holding facilities for production of electricity from renewable sources, developed, entirely or in part, with structural funds, can benefit from the part of suppliers with whom they have signed electricity supply contracts, upon request, from the financial and/or quantitative settlement service, between the energy supplied and the energy consumed in the network, according to a methodology approved by ANRE. (7) The transmission system operator and/or the distribution operators provide the	(7) The transmission system operator and/or the distribution operators provide the	It is required the formulation approved by Parliament in Juin 2010

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	transport and distribution, respectively, as well priority dispatching for electricity produced from renewable sources, for all producers of electricity from renewable sources, regardless of amount, based on transparent and non-discriminatory criteria, with the possibility of modifying the notifications during the operation day, according to the methodology set by ANRE, within 90 days of this law coming into force**), so that the restriction or suspension of energy production be applied only in exceptional cases, should this be necessary to ensure the stability and the security of the National Energy System.			well priority dispatching for electricity produced from renewable sources, so that the actual production of electricity from renewable sources is as close as possible to the available quantity of such resources, only being entitled to restrict or suspend the production of electricity from renewable sources only based on technical and commercial regulations approved by ANRE or in exceptional cases, provided that such action is critical for maintaining the stability and meeting the safety criteria of the National Energy System.	well priority dispatching for electricity produced from renewable sources, so that the actual production of electricity from renewable sources is as close as possible to the available quantity of such resources, only being entitled to restrict or suspend the production of electricity from renewable sources only based on regulations set forth by ANRE, in exceptional cases, provided that such action is critical for maintaining the stability and meeting the safety criteria of SEN (National Energy System).	(7) The transmission system operator and/or the distribution operators provide the transport and distribution, respectively, as well priority dispatching for electricity produced from renewable sources, for all producers of electricity from renewable sources, regardless of amount, based on transparent and non-discriminatory criteria, with the possibility of modifying the notifications during the operation day, according to the methodology set by ANRE, within 90 days of this law coming into force**), so that the restriction or suspension of energy production be applied only in exceptional cases, should this be necessary to ensure the stability and the security of the National Energy System.

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				(8) For electricity using the support system provided for in the present law, contracted and sold on the energy market, it will be provided guaranteed access to the grid, except for the energy contracted and sold at the price regulated pursuant to the provisions of para. (2), for which it will be ensured priority access to grid. (9) ANRE establishes the technical and commercial rules which allow guaranteed, respectively priority access to the power networks pursuant to para. (7) and (8), including the possibility of transacting electricity during the operation day, at the proposal of the transmission system operator and after consulting all stakeholders.”	(9) ANRE establishes the technical and commercial rules which allow guaranteed, respectively priority access to the power	

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					networks pursuant to para. (7) and (8), including the possibility of transacting electricity during the operation day, at the proposal of the transmission sistem operator and after consulting all stakeholders.”	
	Art. 15 (1) With the aim of meeting the national target for energy resulted from renewable energy sources: a) Romania via common agreements with member states of the European Union may: (i) stipulate and agree on transfers of electricity resulted from renewable sources with another member state; (ii) cooperate in carrying out joint projects regarding the production of electricity from renewable energy sources; (iii) harmonize, totally or partially, national promotion schemes; b) Romania may, via	3. Under article 15, paragraph (1) letter b) is modified and shall have the following content: “b) Romania may, via				

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	common agreements with third countries, cooperate in carrying out projects relating to the production of electricity from renewable energy sources. (2) Agreements of the type mentioned in para. (1) are signed for one or several years and are notified to the European Commission by the line ministry within no more than 3 months as of the end of each year of being in force. (3) The norms for taking into account the results of the agreements provided in para. (1) when setting the national target are issued by the ministries involved, within 60 days of the Romanian legislation aligning to the specific European legislation, set by Directive 2009/28/CE.	common agreements with third countries, cooperate in carrying out projects relating to the production of electricity from renewable energy sources. This cooperation can also involve private operators.”		17. Under article 15, paragraphs (2) and (3) are modified and shall have the following content: “(2) Cooperation by joint agreements such as those mentioned under para. (1) let. a) points (i) and (ii) and let. b) can also involve private operators. Such agreements are signed for one or several years and notified to the European Commission by the line ministry within no more than 3 months as of the end of each year of being in force. (3) If electricity from renewable energy sources produced and consumed in a third party country within the joint agreements provided under para. (1) let. b) is taken into account for the meeting of the national target concerning gross final		

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				consumption of energy from renewable sources, the line ministry shall send a request for receiving the European Commission's acceptance, in compliance with the provisions of art. 9 para. (3) – (7) and art. 10 of Directive 2009/28/EC." 18. Under article 15, a new paragraph, paragraph (4), shall be inserted after paragraph (3), with the following content: "(4) The line Ministry can propose to the Government the application of provisions of para. (1) let. a) points (i) and (iii), at the proposal of another member state of the European Union or in case this is necessary for meeting the national target concerning the gross final consumption of energy from renewable sources, in compliance with the provisions of art. 6, respectively 11 of		

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				Directive 2009/28/EC.”		
	CHAPTER VII Joint projects					
	Art. 16 (1) The regulation guidelines necessary for the cooperation with other member states in all types of joint projects regarding the production of electricity, heating or cooling from renewable energy sources shall be elaborated by the line ministry in collaboration with competent authorities, and shall be approved by Government decision within 90 days of this law coming into force***). The respective cooperation can involve private operators. (2) The line Ministry, based on the data supplied by the competent authorities, shall notify the European Commission with regard to the proportion or amount of electricity, heating or cooling from renewable energy sources produced by any joint project on			19. Under article 16, paragraph (1) is repealed.		

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	the Romanian territory, that became operational after 25 June 2009, or by the increased capacity of an installation that was refurbished after that date, which is to be regarded as counting towards the national overall objective of the member state within the joint project. (3) The notification mentioned in para. (2): a) describes the installation proposed in the joint project or identifies the refurbished installation; b) specifies the proportion or amount of electricity, heating or cooling produced by the respective installation which needs to be taken into account for the national overall objective of another member state; c) identifies the member state in whose favour the notification is made; and d) specifies the period, in whole calendar years, during which the					

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	electricity, or heating or cooling produced by the installation from renewable energy sources needs to be considered as being included in the global national objective of the other member state. (4) The period specified in para. (3) let. d) shall not extend year 2020. The duration of a joint project may extend beyond 2020. (5) A notification made on the basis of this article shall be modified or withdrawn without the approval of the member state identified according to para. (3) let. c).					
	Art. 17 (1) In case of joint projects as per art. 16, within 3 months since the end of each year of the period specified in art. 16 para. (3) let. d), the line ministry shall send a notification letter to the European Commission, in which it shall mention: a) the total amount of electricity or heating or					

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	cooling produced during the year from renewable energy sources by the installation which was the object of the notification; and b) the amount of electricity or heating or cooling produced during the year from renewable energy sources by that installation which is to count towards for the national overall target of another member state in accordance with the conditions of notification. 2) The notification letter shall be sent both to the member state for which the notification was made as well as to the European Commission. (3) The amount of electricity or heating or cooling from renewable energy sources notified according to para. (1) let. b) shall be: a) deducted from the amount of electricity or heating or cooling from renewable energy sources that is taken into account in measuring compliance					

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	by the member state which sends the notification letter in the terms of para. (1); and b) added to the amount of electricity or heating or cooling from renewable energy sources that is taken into account in measuring compliance by the member state receiving the notification letter in the terms of para. (2).					
	Art. 18 The electricity from renewable energy sources produced in a third country is taken into account for the national overall objective only if the following conditions are met: a) the electricity is consumed within the Community, a requirement that is deemed to be made where : (i) an equivalent amount of electricity to the electricity accounted for has been firmly nominated to the allocated interconnection capacity by all transmission					

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	system operators in the country of origin, the country of destination and, if relevant, in each third country of transit; (ii) an equivalent amount electricity to the electricity accounted for has been firmly registered in the schedule of balance by the responsible transmission system operator on the Community side of an interconnector; and (iii) the nominated capacity and the production of electricity from renewable energy sources by the installation mentioned in let. b) refers to the same time period; b) the electricity is produced by a newly built installation which became operational after 25 June 2009 or by the increased capacity of an installation that was refurbished after that date, under a joint project as mentioned in let. a); and c) the amount of electricity produced and					

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	exported has not received support from a support scheme of a third country other than investment aid granted to the installation.					
	Art. 19 In the terms of art. 16 para. (2) and art. 18 let. b), units of energy from renewable sources imputable to an increase in the capacity of an installation shall be treated as if they were produced by a separate installation becoming operational at the moment at which the increase of capacity occurred.					
	CHAPTER VIII Monitoring and reporting					
	Art. 20 (1) ANRE monitors the development and functioning of green certificates market, elaborates and publishes every year a report regarding the modality of functioning of the promotion system for electricity produced from renewable sources. (2) ANRE publishes annually on its website					

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	until 30 March the proportion of electricity produced from renewable sources in the final gross consumption of electricity, except for the electricity produced in hydroelectric plants with installed power higher than 10 MW, for the previous year. (3) Every three months, ANRE elaborates a report on the monitoring of the energy and of green certificates markets, that shall be sent to the specialty committes of Parliament and to the line Ministry. (4) The line Ministry elaborates once every 2 years, starting October 2010, the report regarding the modalities of meeting the national targets and the measures taken in order to facilitate the access to the grid of electricity produced from renewable energy sources, based on ANRE reports.	4. Under article 20, paragraph (5) is modified and shall have the following content:				

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	(5) The report provided for at para. (4) details: a) the implementation and functioning of the promotion system for electricity from renewable sources, as well as the modality of accomplishment of the measures stipulated in the National action plan; d)functioning of origin guarantees system for electricity and measures taken to ensure system reliability and protection against fraud; e) progress in evaluating and improving administrative procedures to remove potential regulatory barriers identified and other type of obstacles to development of renewable energy production; f) the measures taken to ensure the transmission and distribution of electricity produced from renewable energy sources; the development of availability and use of biomass resources for	„(5) The report provided for at para. (4) details: a) sectoral shares, electricity, heating and cooling and transport and, respectively, global electricity from renewable energy from the two previous calendar years and the steps taken or planned at national level to promote renewable energy development taking into account the indicative trajectory in Annex I, Part B of Directive 28/2009/CE; b)introduction and operation of promoting systems and of other measures to promote renewable energy and any developments in the measures used with respect to those established by the National Action Plan on Renewable Energy of the Member State and information on how supported electricity is allocated to the final users, according to Directive 2003/54/CE; c) the ways in which				

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	the energy purpose.	promotion systems were structured to take into account renewable energy applications and offer additional advantages over other comparable applications but have higher costs, including biofuels produced from waste, residues, non-food cellulosic and lignocellulosic materials; d)functioning of origin system of guarantees for electricity, heating and cooling from renewable energy sources and measures taken to ensure system reliability and protection against fraud; e) progress in evaluating and improving administrative procedures to remove potential regulatory barriers identified and other type of obstacles to renewable energy development; f)the measures taken to ensure the transmission and distribution of electricity produced				

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		from renewable energy sources and to improve the framework or rules for bearing and sharing the costs referred to in art. 16 paragraph (3) of Directive 28/2009/CE; g) development of availability and use of biomass resources for energy purposes; h) trading price and changes in land use terms associated with increased use of biomass and other renewable forms of energy; i) joint development and use of biofuels produced from wastes, residues, non-food cellulosic and lignocellulosic materials; j) the estimated impact of biofuel production and bioliquids on biodiversity, water resources, water and soil quality in Romania; k) estimated net reduction in emissions of greenhouse gases by using renewable energy; l) estimated excess of energy production from				

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		renewable sources in Romania, comparing with the orientative trajectory, which could be transferred to other Member States, and also the estimated potential for joint projects by 2020; m) estimated demand for energy from renewable sources must be satisfied other than by domestic production by 2020; n) information on how to estimate the share of biodegradable waste from waste used for energy production and on measures taken to improve and verify these estimates." 5. Under article 20, a new paragraph, para. (6) is inserted, with the following content: „(6) In every report can be corrected data from the previous reports."				
	Art. 21 (1) The line Ministry elaborates and notifies the European Commission until 30 June 2010 the National action plan in the field of renewable energy.					

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	(2) The national action plan in the field of renewable energy mentioned in para. (1) sets the national objectives regarding the proportion of energy from renewable sources used in transport, electricity, heating and cooling in the year 2020, taking into account the effects of other policy measures regarding electricity efficiency of the final energy consumption, and the measures which need to be adopted in order to fulfil the national overall objective, including the cooperation between local, regional and national authorities, statistical transfers or the planned common projects, the national strategies for developing biomass resources and mobilizing new biomass sources destined for different uses, as well as the measures which need to be taken according to this law.					
	Art. 22 – In case the proportion of energy					

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	from renewable sources decreases under the value set by the guidelines provided in art. 5 for a period of 2 years, the line ministry elaborates and notifies to the European Commission a National action plan in the field of renewable energy, modified by 30 June of the following year, a National plan which sets appropriate and proportional measures in order to achieve in a reasonable period of time the value set in the guidelines.					
	Art. 23 – The line Ministry shall elaborate and notify the European Commission before the deadline for the elaboration of the National action plan in the field of renewable energy, a provisional document which indicates: a) the estimated excess in the production of energy from renewable	6. Under article 23, letter a) is modified and shall have the following content: „a) the estimated excess in its production of energy from renewable				

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	sources as compared to the national objective, which could be transferred to other member states, according to art. 16-19, as well as its estimated potential for common projects until the year 2020; and b) the estimated request of energy from renewable sources which needs to be satisfied in another way than by means of internal production by year 2020.	sources as compared to the indicative objectives, established according to Annex I Part B of Directive 2009/28/EC, which could be transferred to other member states, according to art. 16-19, as well as its estimated potential for common projects until the year 2020;"				
		7. A new article, art. 23^1 is inserted, after art, 23, with the following content: „Art. 23^1 -The provisional document referred to under art. 23 shall be updated in the report mentioned at art. 20 para. (4)."				
	CHAPTER IX Origin guarantees for electricity, heating and cooling produced from renewable energy sources					
	Art. 24 (1) For the purpose of proving to final customers the share					

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	or the amount of energy from renewable sources in the mix of energy from a supplier, the system of origin guarantees for the production of energy from renewable sources shall be set, according to objective, transparent and non-discriminatory criteria. (2) ANRE elaborates the Regulations for the issue and pursuit of origin guarantees, which shall be approved via Government decision within 3 months of this law coming into force*).					
		8. After Chapter IX two new chapters are introduced, Chapter IX[1] and Chapter IX[2] with the following content: „CHAPTER IX[1] Administrative procedures „Art. 24 [1] – (1) Public authorities responsible for granting permits, licenses, permits or certificates for				

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		electricity generation plants, for transmission and power distribution grids or for heating / cooling grids that use renewable energy and in the processes of transformation of biomass into biofuels and other energy products, are required to issue these documents on the basis of specific procedures developed by respecting the principle of proportionality and taking into account the specific structure of the sector of energy from renewable sources. (2) Regulations provided for under para. (1) are objective, transparent, proportional, without discriminating between applicants and take into account the particular features of each technology using renewable energy sources. 3) For plants with installed capacity below 1 MW and for distributed production				

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		plants of energy from renewable sources, simplified procedures are established by the regulations mentioned at para. (1). (4) For regulations and codes relevant to the building sector, are inserted new measures in order to increase the amount of all types of energies from renewable sources in the field of building. Art. 24^2 Until the 31st December 2014, regulations and/or codes mentioned under art. $24^{\mathbf{1}}$ para. (4) foresee the use of some minimum levels of energy from renewable energy sources in case of new buildings and of the existing ones subject to a major renovation." CHAPTER IX^2 Systems of certification for installers and information campaigns Art. 24^3-(1) Until 2012, responsible public				

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		authorities, under the coordination of the line ministry, prepare and make available to installers of small boilers and stoves, based on biomass and solar photovoltaic and solar thermal systems, shallow geothermal and heat pumps systems, certification schemes or equivalent qualification systems. (2) Schemas provided for under para. (1) are based on the criteria referred to under the annex integrant part of the present law. (3) Romania recognizes the certification issued by the other Member States according to the criteria provided for at para. (2). Art. 24^4-Authorities of central and local public administration responsible in the field of promotion of energy from renewable sources organise appropriate programs of informing, sensibilization, guidance or of training				

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		regarding the advantages and practical aspects of development and use of energy from renewable sources.”				
	CHAPTER X Access to the power network					
	Art. 25 (1) Producers of electricity from renewable energy sources have priority access to the electricity transmission/distribution network to the extent the safety of the National Energy System is not affected. (2) Network operators shall provide to any new producers of energy from renewable sources who wish to connect to the system complete the			20. Under article 25, paragraph (1) is modified and shall have the following content: **„**(1) Capacities of production of electricity from renewable energy sources are connected to the electricity transmission/distribution network to the extent the safety of the National Energy System is not affected”.	6. Under article I point 20, paragraph (1) of article 25 shall have the following content: **„**Art. 25**.** -(1) Capacities of production of electricity from renewable energy sources are connected to the electricity transmission/distribution network within the limit of ensuring capacities stocks for a quick compensation of variations of production of electricity from renewable sources.”	6. Under article I point 20, paragraph (1) of article 25 shall have the following content: **„Art.25. – (1) Capacities of production of electricity from renewable sources are connected to the transport/distribution network, ~~within the limit of ensuring capacities stocks for a quick compensation of variations of production of electricity from renewable sources,~~ to the extent the safety of the National Energy System is not affected.”**

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	necessary information, including: a) a full and detailed estimation of the costs related to the connection; b) a reasonable and precise deadline for receiving and analysing the request of connection to the power network; c) a reasonable guiding schedule for any proposed connection to the power network.					
	CHAPTER XI Final provisions					
	Art. 26 (1) ANRE adapts the regulatory framework necessary for applying this law within 60 days since its coming into force**).			21. Article 26 is modified and shall have the following content: "Art. 26. - (1) Business operators who develop a project of a plant for production of electricity from renewable sources, with installed capacities exceeding 125 MW and are eligible for the application of the promotion system determined hereunder, shall prepare and send according to the law the documentation necessary for a detailed analysis thereof by the		

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	2) ANRE elaborates the Regulations for qualifying producers of electricity from renewable sources, so as to apply the green certificate promotion system approved by the order of the president of ANRE, within 60 days of this law coming into force***).			European Commission, pursuant to the provisions of point 160, let. b, subpoint iii) of the Community Guidelines regarding the state aid for environment protection (2008/C82/01) published in Official Journal of the European Union no. C82 of 1 April 2008. (2) The applicant business operators benefit from the promotion system set forth by this law only after such system has been authorised by the European Commission and only for technologies of producing electricity from the renewable sources specified in the authorisation decision, respectively after the completion of the detailed assessment provided under para. (1) (3) The enforcement of the provisions of para. (2) shall be performed by ANRE by issuing an accreditation decision pursuant to art. 6 para.		

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				(6) let. a). (4) For the operators referred to under para. (1), ANRE can modify the number of green certificates provided under art. 6 para. (2), in compliance with the provisions of the European Commission's decision."	7. Under article I point 21, a new paragraph, para. (5) is inserted after paragraph (4) of article 26, with the following content: „(5) Any modification of the promotion system, subsequent to the issuance of the European Commission decision, regarding the categories of producers and technologies that benefit from support, the number of green certificates granted or the duration of application of support schemes, shall come into force only after its authorization by the European Commission."	It is proposed the elimination of the text coming from Senate, for being redundant. Romania, at the time of adhesion to the European Union, undertook the commitment to respect all Union regulations.
	Art. 27 – If within 2 years the level of mandatory annual					

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	quotas for electricity produced from renewable sources, which benefit from the promotion system, is not met, the Government shall take incentive measures for investments in order to meet the dispositions of this law.					
	Art. 28 (1) The regulatory framework regarding the promotion of biofuels and bio liquids, as well as the manner in which their use is taken into account when performing the objectives set by this law, shall be elaborated by Government decision, within 90 days of this law coming into force.***) (2) The regulation framework regarding the reception of excess of green certificates and statistical transfers of electricity from renewable sources, provided in art. 15 para. (1) let. a) shall be elaborated by the line ministry and shall be approved by			22. Under article 28, paragraph (2) is repealed.		

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	Government decision within 90 days of this law coming into force****).					
				23. After art. 28 two new articles are inserted, art. 29 and 30, with the following content: "Art. 29. - (1) ANRE monitors the producers benefiting from the promotion system through green certificates and drafts public annual reports. (2) In case the data resulted from the feasibility studies performed for the new investment projects and the results of monitoring the costs/incomes of the producers point out that the parameters specific to each technology differ significantly from the ones considered in the calculation made for authorization of the promotion system hereunder, which could lead to general overcompensation for	8. Under article I point 23, paragraphs (2) and (3) of the article 29 shall have the following content: "(2) In case the data resulted from the feasibility studies performed for the new investment projects and the results of monitoring the costs/incomes of the producers point out that the parameters specific to each technology differ significantly from the ones considered in the calculation made for authorization of the promotion system hereunder, which could lead to general overcompensation for	

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				one or several of the technologies referred to under art. 3 para (1), ANRE shall propose measures to reduce the number of green certificates set out under art. 6 para (2). (3) The actions envisaged under para. (2) shall be approved by Government Decision and will be applied to the producers of electricity from renewable sources which begin production of electricity after the effective date of this decision. Art. 30. - (1) The following actions are considered infringements:	one or several of the technologies referred to under art. 3 para. (1), ANRE shall propose measures to reduce the number of green certificates set out under art. 6 para (2)for new beneficiaries, that could reduce the internal rates of return distributed on technologies, where applicable, until reaching the values taken in consideration when authorizing the support scheme. (3) The actions envisaged under para. (2) shall be approved by Government Decision and shall be applied to producers of electricity from renewable sources which begin production of electricity after the effective date of this decision, but not earlier than January 2014.”	

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				a) the failure of producers, suppliers of electricity referred to under art. 8 para.(1) to submit, at the established deadlines, the data/information requested by ANRE according to present Law and the regulations issued to apply this law, or the submission of inaccurate or incomplete such data/information; b)the failure to pay for the equivalent value of green certificates not acquired by the business operators referred to under art. 8 para (1), within the terms set out in ANRE regulations; c)trading of green certificates for prices which do not meet the limits set under art. 11; d)the unjustified refusal of the network operators to validate the measured values of the electricity supplied/consumed, according to Art. 7 letter a. (2) The infringements mentioned under para. (1) letter a), c) and d) are fined RON 1.000 to		

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				RON 10.000, in case of natural persons, and RON 10.000 to RON 100,000, in case of legal entities. (3) The infringements mentioned under para. (1) letter b) are fined the total equivalent value of the green certificates not acquired by a supplier or producer referred to under art. (8) para (1) multiplied three times, the minimum value of such fine amounting to RON 10,000, and the maximum value amounting to RON 100,000. (4) The infringements are being observed and sanctioned by the authorized representatives of ANRE. (5) The infringements under para (1) are subject to the provisions of Government Ordinance no. 2/2001, regarding the legal regime of contraventions, approved as amended and supplemented by Law no. 180/2002, as		

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				subsequently amended and supplemented.”		
	NOTE: We reproduce below the mention on transposition of Community regulations of Law. No. 139/2010 modifying Law no. 220/2008 on establishing the promotion system for energy from renewable energy sources: “This law transposes art. 1- 4, art. 5 para. (1), art. 6 - 10, art. 12, art. 15 para. (1) and art. 16 para. (2) - (6) from Directive no. 2009/28/CE of the European Parliament and Council dated 23 April 2009 regarding the advertisement of the use of energy resulted from renewable sources, modifying and subsequently repealing Directives 2001/77/CE and 2003/30/CE, published in the Official Gazette of the European Union no. L140 dated 5 June 2009. The other provisions of the mentioned directive which are not transposed					

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	in this law shall be transposed through ulterior Government decisions.”					
		9. After the note, it is introduced the Annex „Criteria relevant for installers certification schemes”, provided for in the annex to the present ordinance. „ANNEX Criteria relevant for installers certification schemes Art. 1 The certification or qualification process shall be transparent and clearly defined. Art. 2 Biomass, heat pump, shallow geothermal and solar photovoltaic and solar thermal installers shall be certified by an accredited training programme or training provider. Art. 3 The accreditation of the training programme or provider shall be effected by Member States or administrative bodies they appoint. The accrediting body shall ensure that the training				

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		programme offered by the training provider has continuity and regional or national coverage. The training provider shall have adequate technical facilities to provide practical training, including some laboratory equipment or corresponding facilities to provide practical training. The training provider shall also offer in addition to the basic training, shorter refresher courses on topical issues, including on new technologies, to enable life-long learning in installations. The training provider may be the manufacturer of the equipment or system, institutes or associations. Art. 4 The training leading to installer certification or qualification shall include both theoretical and practical parts. At the end of the training, the				

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		installer must have the skills required to install the relevant equipment and systems to meet the performance and reliability needs of the customer, incorporate quality craftsmanship, and comply with all applicable codes and standards, including energy and eco-labelling. Art. 5 The training course shall end with an examination leading to a certificate or qualification. The examination shall include a practical assessment of successfully installing biomass boilers or stoves, heat pumps, shallow geothermal installations, solar photovoltaic or solar thermal installations. Art. 6 The certification schemes or equivalent qualification schemes shall take due account of the following guidelines:				

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		1. Accredited training programmes should be offered to installers with work experience, who have undergone, or are undergoing, the following types of training: a) in the case of biomass boiler and stove installers: training as a plumber, pipe fitter, heating engineer or technician of sanitary and heating or cooling equipment as a prerequisite; b) in the case of heat pump installers: training as a plumber or refrigeration engineer and have basic electrical and plumbing skills (cutting pipe, soldering pipe joints, gluing pipe joints, lagging, sealing fittings, testing for leaks and installation of heating or cooling systems) as a prerequisite; c) in the case of a solar photovoltaic or solar thermal installer: training as a plumber or				

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		electrician and have plumbing, electrical and roofing skills, including knowledge of soldering pipe joints, gluing pipe joints, sealing fittings, testing for plumbing leaks, ability to connect wiring, familiar with basic roof materials, flashing and sealing methods as a prerequisite; or d) a vocational training scheme to provide an installer with adequate skills corresponding to a three years education in the skills referred to in point (a), (b) or (c) including both classroom and workplace learning. 2.The theoretical part of the biomass stove and boiler installer training should give an overview of the market situation of biomass and cover ecological aspects, biomass fuels, logistics, fire protection, related subsidies, combustion				

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		techniques, firing systems, optimal hydraulic solutions, cost and profitability comparison as well as the design, installation, and maintenance of biomass boilers and stoves. The training should also provide good knowledge of any European standards for technology and biomass fuels, such as pellets, and biomass related national and Community law. 3. The theoretical part of the heat pump installer training should give an overview of the market situation for heat pumps and cover geothermal resources and ground source temperatures of different regions, soil and rock identification for thermal conductivity, regulations on using geothermal resources, feasibility of using heat pumps in buildings and determining the most suitable heat pump				

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		system, and knowledge about their technical requirements, safety, air filtering, connection with the heat source and system layout. The training should also provide good knowledge of any European standards for heat pumps, and of relevant national and Community law. The installer should demonstrate the following key competences: a) a basic understanding of the physical and operation principles of a heat pump, including characteristics of the heat pump circle: context between low temperatures of the heat sink, high temperatures of the heat source, and the efficiency of the system, determination of the coefficient of performance (COP) and seasonal performance factor (SPF); b) an understanding of				

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		the components and their function within a heat pump circle, including the compressor, expansion valve, evaporator, condenser, fixtures and fittings, lubricating oil, refrigerant, superheating and sub-cooling and cooling possibilities with heat pumps; and c) the ability to choose and size the components in typical installation situations, including determining the typical values of the heat load of different buildings and for hot water production based on energy consumption, determining the capacity of the heat pump on the heat load for hot water production, on the storage mass of the building and on interruptible current supply; determine buffer tank component and its volume and integration of a second heating system. 4.The theoretical part of				

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		the solar photovoltaic and solar thermal installer training should give an overview of the market situation of solar products and cost and profitability comparisons, and cover ecological aspects, components, characteristics and dimensioning of solar systems, selection of accurate systems and dimensioning of components, determination of the heat demand, fire protection, related subsidies, as well as the design, installation, and maintenance of solar photovoltaic and solar thermal installations. The training should also provide good knowledge of any European standards for technology, and certification such as Solar Keymark, and related national and Community law. The installer should demonstrate the				

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		following key competences: a) the ability to work safely using the required tools and equipment and implementing safety codes and standards and identify plumbing, electrical and other hazards associated with solar installations; b) the ability to identify systems and their components specific to active and passive systems, including the mechanical design, and determine the components' location and system layout and configuration; c) the ability to determine the required installation area, orientation and tilt for the solar photovoltaic and solar water heater, taking account of shading, solar access, structural integrity, the appropriateness of the installation for the building or the climate				

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		and identify different installation methods suitable for roof types and the balance of system equipment required for the installation; and d) for solar photovoltaic systems in particular, the ability to adapt the electrical design, including determining design currents, selecting appropriate conductor types and ratings for each electrical circuit, determining appropriate size, ratings and locations for all associate associated equipment and subsystems and selecting an appropriate interconnection point. 5. The installer certification should be time restricted, so that a refresher seminar or event would be necessary for continued certification.”				
		Art. II.- Law no. 220/2008 on establishing the promotion system for		Art. II. – (1) In order to benefit from the green certificate promotion system, electricity		

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		production of energy from renewable energy sources, republished in the Official Gazette of Romania, Part I, no. 577 of 13 August 2010, as subsequently amended and supplemented by the present ordinance, shall be republished, after being approved by law and texts shall be given a new layout.		producers owning power groups/plants using renewable energy sources operating on the date of coming into force of this emergency ordinance must request accreditation from the Romanian Energy Regulatory Authority (ANRE) within 30 days and benefit from the number of green certificates specified under art. 6 para. (2) of Law no. 220/2008 on establishing the promotion system for production of energy from renewable energy sources, republished, as subsequently amended and supplemented, after procurement of such accreditation. (2) Electricity producers owning power groups/plants using renewable energy sources in the form of biomass, bioliquids or biogas, operating on the date of coming into force of this emergency ordinance, are temporary accredited by ANRE for a period of 6		• Under article II, after paragraph (3) a new paragraph is inserted, paragraph (3 [1]), with the

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				months to benefit from green certificates without submitting certificates of origin for such sources. (3) Electricity producers which, on the date of coming into force of this emergency ordinance, operate for commercial purposes plants for producing electricity from renewable sources with an installed power exceeding 125 MW shall be accredited by ANRE and benefit from the number of green certificates specified under art. 6 para. (2) of Law no. 220/2008, republished, as subsequently amended and supplemented, corresponding to the used renewable source for a period of 24 months as of the accreditation date.		following „(3 [1]) (1) Business operators who develop a project of a plant for production of electricity from renewable sources, with installed capacities exceeding 125 MW, who at date of this emergency ordinance coming into force, benefit from a connection contract with the relevant network operator, will be accredited by ANRE according to art. 6 para. 6 let. a) of Law no. 220/2008, republished, with subsequent modifications and supplements, after they start to produce and deliver electricity in SEN (National Energy System) and shall benefit from the number of green certificated provided for at art. 6 of Law no. 220/2008, republished, with subsequent modifications and supplements, corresponding to the

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						renewable source used, for a period of 24 months starting from the accreditation date.” • Under article II, paragraph (4) is modified and shall have the following content: (4) Producers of electricity referred to under paragraph (3) and business operators referred to under paragraph (3 [1] **)** shall prepare and send to the competent authorities the documentation necessary for a detailed analysis of the support scheme by the European Commission, pursuant to the provisions of art. 26 para. (1) of Law no. 220/2008, republished, with subsequent modifications and supplements, within no more than 3 months from the date of the accreditation decision issue, the non-compliance with this deadline leading to the suspension of granting

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				(4) Producers of electricity referred to under para. (3) shall prepare and send to the competent authorities the documentation necessary for a detailed analysis of the support scheme by the European Commission, pursuant to the provisions of art. 26 para. (1) of Law no. 220/2008, republished, with subsequent modifications and supplements, within no more than 3 months from the date of the accreditation decision issue, the non-compliance with this deadline leading to the suspension of granting the promotion system established by this emergency ordinance.”		the promotion system established by this emergency ordinance.” • Under article II, paragraph (5) is modified and shall have the following content: „(5) The coming into force of provisions of para. (3) and of para. (3 [1]), shall be made by ANRE by issuing an accreditation decision, according to provisions of art. 6 para. (6) let. a) of Law no. 220/2008, republished, with subsequent modifications and supplements.” • Under article II, paragraph (6) is modified and shall have the following content: „ (6) In the case of electricity producers mentioned under para. (3) and of business operators referred to under para. (3 [1]), the possible positive differences between the number of granted

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				(5) The coming into force of provisions of para. (3) shall be made by ANRE by issuing an accreditation decision, according to provisions of art. 6 para. (6) let. a) of Law no. 220/2008, republished, with subsequent modifications and supplements. (6) In the case of electricity producers mentioned under para. (3) the possible positive differences between the number of granted green certificates and the number of due green certificates according to the individual decision of the European Commission, shall be regained within no more		green certificated and the number of due green certificates according to the individual decision of the European Commission, shall be regained within no more than 24 months from the date of their issuance, based on a decision issued by ANRE, which sipulates the regularization of the number of green certificates by reducting the number of granted green certificates and/or by their obligation of purchasing green certificates from the market.”

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				than 24 months from the date of their issuance, based on a decision issued by ANRE, which sipulates the regularization of the number of green certificates by reducting the number of granted green certificates and/or by their obligation of purchasing green certificates from the market.”		
				Art. III. – The procedures mentioned under art. 3 para. (11) of Law no. 220/2008, republished, as subsequently amended and supplemented, are approved by order of the minister of environment and forests, respectively, of the minister of agriculture and rural development, within 60 days as of the date of coming into force of this emergency ordinance, while the regulation specified under art. 6 para. (6) let. a) and methodologies referred to under art. 14 para. (4) and (6) of Law no. 220/2008, republished,		

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				as subsequently amended and supplemented, are approved by order of ANRE within 30 days, respectively 120 days as of the date of coming into force of this emergency ordinance.		
				Art. IV. – On the date of coming into force of this emergency ordinance, the following shall be repealed: a) Government Decision no. 443/2003 on promoting the production of electricity from renewable energy sources, published in the Official Gazette of Romania, Part I, no. 288 of 24 April 2003, as subsequently amended; b) Government Decision no. 1479/2009 on establishing the promotion system for the production of electricity from renewable energy sources, published in the Official Gazette of Romania, Part I, no. 843 of 7 December 2009.		