

CMS România | Romania tightens electricity grid access and licensing



On 25 May 2026, Romania published ANRE Order no 15/2026 amending orders in the field of connecting users to the public electricity network (Order 15/2026) and ANRE Order no 16/2026 amending the 2025 Regulation on the granting of licences and authorisations in the electricity sector (Order 16/2026) in the Official Gazette.

The key changes are summarised below.

I. Grid connection framework: higher guarantees and hard deadlines

Financial guarantees significantly increased

The financial guarantee for grid connection for production and production-and-consumption sites has increased from 5% to 20% of the grid connection tariff (without VAT). This increase does not apply where the grid operator has already communicated the guarantee amount prior to entry into force.

Auction participation guarantee

Potential bidders must now deposit a financial guarantee of EUR 20,000/MW of requested capacity to participate in the auction for allocation of available connection capacity for new production and storage projects in 2026. This deposit will be released or forfeited upon completion of the auction. From 2027, the guarantee will be set as the lower of EUR 20,000/MW and the weighted average of contract prices from tenders completed in the preceding year, weighted by allocated capacity (lei/MW).

Release of building permit financial guarantee

The financial guarantee for the extension of the building permit submission term will be released within ten working days from submission of the building permit. Previously, no express timeframe was specified.

Refund of VAT-inclusive guarantees

Order 15/2026 allows users to request the refund of the difference between the guarantee calculated on the grid connection tariff including VAT and the amount calculated excluding VAT. This also applies to guarantees established prior to entry into force.

Clear deadlines for obtaining setting-up authorisations

For projects with approved evacuation capacity above 1 MW, developers must obtain the setting-up authorisation within 12 months from signing the grid connection contract, but no later than 18 months from issuance of the ATR.

If ANRE confirms the application is complete before expiry, the deadlines are extended by up to 60 days. The term may be extended once by the grid operator by up to 12 months for justified reasons not attributable to the applicant. The grid operator must respond within ten business days. The deadlines will be automatically extended for the duration of the delay up to 12 months.

If the authorisation is not obtained in time, the ATR will cease to be valid and the grid connection agreement is automatically terminated.

Projects which have concluded grid agreements in 2026 or yet not secured such, may request a 12 months extension. For existing agreements ie before 2026 (generation sites above 1 MW), users must obtain the authorisation within 12 months from entry into force.

Grid connection agreement extensions clarified

Where additional time is needed for works under the grid operator's responsibility, the operator will now initiate the extension of the grid connection agreement. The operator must transmit a signed draft addendum at least 30 calendar days before expiry. If the request is submitted late, but before expiry, the contract is automatically extended by 30 days.

II. Licensing framework: stronger discipline through guarantees and funding deadlines

Extension of setting-up authorisation or licence validity

The period for submitting a request to extend the validity of an authorisation or license has been increased from 30 days to 60 days. If the 60-day deadline is not met, the application will be treated as a new application.

Deadline for submission of the setting-up authorisation application

The application may be submitted from the date of issue of the ATR, but no later than 30 days from conclusion of the grid connection agreement.

Financial guarantee of EUR 30/kW

The applicant must provide a financial guarantee of EUR 30/kW based on the installed electrical power as specified in the ATR, for each generation technology, valid until issuance of the commissioning protocol for the power plant construction.

The guarantee must be irrevocable, unconditional and enforceable upon ANRE's first request, in the form of a bank guarantee, a non-bank/insurance guarantee instrument or a wire transfer to a State Treasury account. ANRE may enforce the guarantee if the holder fails to complete the project within the validity period or voluntarily withdraws. Enforced amounts are transferred to the state budget. Refund or release is carried out within 30 days of the request, accompanied by the commissioning protocol. If an applicant submits pre-contractual financing documents, binding financing contracts must be sent to ANRE within six months.

Exemptions: The financial guarantee will not apply to:

applicants who provide proof of a performance bond under a contract for difference; or refurbishments that do not involve an increase in installed capacity.

For hybrid projects/refurbishments involving a capacity increase, the guarantee is calculated on the capacity difference between the initial and updated ATR. For authorisations issued before entry into force, any extension requested is conditional upon provision of a financial guarantee (if the commissioning protocol was not concluded).

For more information on these new regulations, contact your CMS client partner or the CMS experts who contributed to this article: **Varinia Radu**, **Ramona Dulamea** and **Raluca Diaconesa**.