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ENERGY, UTILITIES & INFRASTRUCTURE PRACTICE

Extension of Deadlines for the Development of RES and CHP Projects Due to Covid-19

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In view of the Covid-19 state of emergency several packages of emergency measures have been adopted by the Greek Government.

The Energy industry overall is one of the sectors which, under the circumstances, is facing several issues and complications due to the suspension of operation of several governmental authorities. In particular, urgent measures have been introduced as outlined in the Legislative Act dated March 30th 2020 (G.G. B' 75/30.03.2020), responding to the concerns raised by the energy market players in the field of RES producers since they have already raised their concern that they will not be able to meet the deadlines for the timely commissioning of the projects already initiated before the Covid-19 crisis. With a view to safeguard the RES investments in Greece, said Legislative Act, inter alia, postpones the obligations of the RES investors for different periods depending the status and the nature thereof with an aim to allow for more time to complete their

development programs and to secure that said projects will be finally materialized.

The Legislative Act introduces extensions of several project timetables and their validity period in order to secure the necessary licenses and administrative permits/acts. Most notably, the Act addresses the duration of the installation licenses which are affected, the conclusion of the binding grid connection offers with the ITO, as well as the deadlines for the electrification of the RES projects.

We summarize hereunder the introduced measures:

DEADLINE EXTENSIONS ON RES AND CHP PROJECTS

6-MONTH EXTENSION

- I. A six-month extension will apply for the installation licenses and the binding grid connection offers for RES and CHP power stations which expire by June 30 2020.

- II. A six-month extension has been added to the deadlines for the trial operation of RES power stations which have successfully participated in RES tenders, provided same will be commissioned (including the testing period) by June 30 2020.

4-MONTH EXTENSION

- I. A four-month extension for the installation licenses and the binding grid connection offers for RES and CHP power stations will apply in cases where their validity expires between July 1, 2020 and December 31, 2020.
- II. A four-month extension is added to the deadlines for the trial operation of RES power stations which have successfully participated in RES tenders, provided same will be commissioned (including the testing period) between July 1, 2020 and December 31, 2020.
- III. A four-month extension is added to the implementation date (01.01.2021) for the reference tariff upon which operating aid to RES project is calculated according to Ministerial Decision YPEN/DAPEEK/25511/882/20.03.2

019 and para.5, art.4 of Law 4414/2016.

- IV. A four-month extension is added to the operation, be it trial or regular, deadlines of RES power stations which have concluded Power Purchase Agreements before December 31, 2015 and which, in accordance with para.12(a)(b) of art.3 of Law 4414/2016, are exempted from participating in RES tenders.

2-MONTH EXTENSION

- I. A two-month extension is added to the deadline for the acceptance of the binding grid connection offer concerning RES and CHP power stations in accordance with art.3 and 4 of Law 3468/2006. The same two-month extension applies to the submission of the relevant guarantee letter to the competent Operator, as stipulated in subpara.I.1(3) of Law 4152/2013, provided they are due to expire between the period as of the date of issuance of the Legislative Act (i.e. March 30, 2020) and June 30, 2020.

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