

DECISION

Number: 0041/2023/P
File number: 826-2023-BA

Bratislava, on 13 February 2023

The Regulatory Office for Network Industries as the authority responsible for proceedings pursuant to Section 9 para. 1 letter b) of the first point and Section 9 para. 1 letter c) of the first point in connection with Section 5 para. 6 letter b) of the Act No. 250/2012 Coll. on regulation in network industries, as amended, in the matter of the decision on the price proposal for provision of services related to the operation of the Registry of renewable gases

has decided

according to Section 14 para. 11, 15 and Section 11 para. 2 letter g) of the Act No. 250/2012 Coll. on regulation in network industries, as amended, that for the regulated entity **SPP – distribúcia, a.s.**, Mlynské nivy 44/b, 825 11 Bratislava, ID No. 35 910 739, it **approves** for the period from 1 January 2023 to 31 December 2023 with validity until the end of the 6th regulatory period, the following prices for provision of services related to the operation of the Registry of renewable gases and the conditions of their application:

Category	Price
Annual payment for account maintenance	500 EUR/year
Issuing of guarantee of origin of renewable gas in the Registry of renewable gases:	0.10 EUR/MWh
Export of guarantee of origin of renewable gas outside the Registry of renewable gases:	0.03 EUR/MWh
Transfer of guarantee of origin of renewable gas within the Registry of renewable gases:	0.01 EUR/MWh
Import of the guarantee of origin of renewable gas into the Registry of renewable gases:	0.03 EUR/MWh
Transfer of confirmation of a volume of biomethane within the Registry of renewable gases:	0.01 EUR/MWh

Conditions for application of the prices:

A condition for the application of the mentioned prices is the conclusion of a contract on activities connected with the issuing and use of guarantees of origin of renewable gas. The annual payment for maintaining an account in the Registry of renewable gases shall mean an annual fee in EUR for maintaining the holder's account in the Registry of renewable gases on the basis of a concluded contract on activities connected with the issuing and use of guarantees of origin of renewable gas.

The price for issuing a guarantee of origin of renewable gas in the Registry of renewable gases shall mean a fee in EUR for issuing a guarantee of origin in electronic form, namely for each full megawatt-hour of renewable gas for which the account holder applies for the issuing of a guarantee of origin.

The price for export of a guarantee of origin of renewable gas from the holder's account shall mean a fee in EUR for the transfer of a guarantee of origin in electronic form in the volume of one megawatt hour to the recipient's account in the registry of guarantees of origin of renewable gases of another member state.

The price for the transfer of a guarantee of origin of renewable gas within the Registry of renewable gases shall mean a fee in EUR for the transfer of a guarantee of origin from the holder's account to the recipient's account in electronic form in the volume of one megawatt hour in the Registry of guarantees of origin of renewable gases.

The price for the import of a guarantee of origin of renewable gas to the holder's account in the Registry of renewable gases shall mean a fee in EUR for the transfer of a guarantee of origin in electronic form in the volume of one megawatt hour from the sender's account in the registry of guarantees of origin of renewable gases of another member state.

The price for the transfer of a certificate of an amount of biomethane within the Registry of renewable gases shall mean a fee in EUR for the transfer of a certificate of an amount from the holder's account to the recipient's account in electronic form in the volume of one megawatt hour in the Registry of guarantees of origin of renewable gases.

The prices stated in this decision are exclusive of value-added tax.

Reasoning:

On 20 December 2022, a price proposal for provision of services related to the operation of the Registry of renewable gases and the conditions of their application for the 6th regulatory period (hereinafter referred to as the "price proposal") of the regulated entity SPP – distribúcia, a.s., Mlynské nivy 44/b, 825 11 Bratislava, ID no. 35 910 739 (hereinafter referred to as the "regulated entity") was delivered to the Regulatory Office for Network Industries (hereinafter referred to as the "Office") and registered under the Office's reference file number 39567/2022/BA, recorded in the file no. 7529-2022-BA.

The delivery of the price proposal initiated according to Section 14 para. 1 of the Act No. 250/2012 Coll. on regulation in network industries, as amended (hereinafter referred to as the "Act on Regulation") the price procedure at the Office.

Due to the fact that currently the regulatory framework is not processed in a generally binding legal regulation, according to Section 40 para. 1 of the Act on Regulation the Office, by letter no. 1235/2023/BA dated 12 January 2023 according to Section 14 para. 9 of the Act on Regulation, called on the regulated entity to remove shortcomings and supplement the documents relating to the price proposal within 30 days from the date of delivery of the call, wherein it requested the submission of a detailed breakdown of cost items in Annex no. 2 of the price proposal in the section "summary of the costs of operation of the Registry of renewable gases" and including the submission of documents proving the values of the listed cost items and information on the prices for provision of services related to the operation of the Registry of renewable gases and the conditions of their application in EU member states where a renewable gas registry has been introduced.

At the same time, in the call, the Office instructed the regulated entity of the possibility of the price procedure being suspended in the event that the shortcomings in the price proposal

are not removed within the set period.

At the same time, the Office by decision no. 0002/2023/P-PK dated 12 January 2023 suspended the price procedure on the price proposal.

On 31 January 2023, the regulated entity supplemented the price proposal with a letter dated 31 January 2023, marked DE/2023/77, registered under file reference number of the Office 4321/2023/BA in the matter “Call to remove shortcomings in the price proposal – Supplementation of the price proposal” (hereinafter referred to as the “supplementation”).

The Office assessed the price proposal, including its supplements, and concluded that the price proposal contains all requisites according to Section 14 para. 4 of the Act on Regulation and the price proposed by the regulated entity for provision of services related to the operation of the Registry of renewable gases complies with Section 11b para. 5 of the Act No. 309/2009 Coll. on support for renewable energy sources and highly efficient combined production and on the amendment of certain acts (hereinafter referred to as “Act No. 309/2009 Coll.”)

This proceeding is not subject to the provisions of Section 33(2) pursuant to Section 41 of the Regulatory Act 71/1967 Coll. on Administrative Proceedings (Administrative Procedure Code), as amended, since the Authority based its decision only on the documents submitted by the regulated entity, which was at the same time granted in its entirety.

After examining the price proposal, the Office concluded that the price proposal is in accordance with the Act on Regulation, in accordance with Section 11b para. 5 of the Act No. 309/2009 Coll. and decided as stated in the operative part of this decision.

Based on the mentioned facts, the Office decided as stated in the operative part of this decision.

According to Section 14 para. 15 of the Act on Regulation, the price decision for the first year of the regulatory period shall apply for the entire regulatory period, unless the Office adopts a change to the price decision.

According to the Regulatory Policy dated 29 March 2022, the 6th regulatory period shall mean the period from 1 January 2023 to 31 December 2027.

According to Section 45j para. 7 of the Regulation Act, the Office will decide in the price procedure on the price proposal for the first year of the regulatory period according to Section 14 para. 5 within 180 days, while the prices according to the price decision shall be applied from 1 January 2023.

Instructions:

An appeal against this decision is admissible. The appeal must be submitted to the Regulatory Office for Network Industries within 40 days of the date of notification of the decision. An appeal in price matters shall not have suspensive effect. This decision shall be reviewable by a court after exhaustion of ordinary remedies.

Andrej Juris
Chairman

Martin Horváth
Vice-Chairman

The decision will be delivered to:

SPP – distribúcia, a.s., Mlynské nivy 44/b, 825 11 Bratislava