

USAID / PROJET DE REFORME DU SECTEUR DE L'ELECTRICITE

GAP ANALYSIS OF THE ELECTRICITY SECTOR LEGISLATION IN DEMOCRATIC REPUBLIC OF CONGO

TASK ORDER NO. AID-660-TO-16-00003

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Acronyms and Abbreviations

Although an effort was made to reduce the number of acronyms used in this document, many are commonly used and are included here – specifically for names of donors, government institutions and commonly used technical terms. Whenever the acronym or abbreviation appears the first time, it is defined in the text.

DRC	Democratic Republic of Congo
DNO	Distribution Network Operator
GDRC	Government of the Democratic Republic of Congo
LOE	Law on Electricity
MEHR	Ministry of Energy and Hydraulic Resources of the DRC
PSR	Power Sector Reform
RA	Regulatory Authority
REA	Rural Electrification Agency
SNEL	National Power Company of the Democratic Republic of Congo
SOW	Scope/Statement of Work
TNO	Transmission Network Operator
UCM	Unit for Preparation and Management of Projects of the MEHR
USAID	United States Agency for International Development
WP1	First Annual Work Plan

Foreword

On May 11, 2016, USAID awarded a Task Order # AID-660-TO-16-00003 to ECODIT LLC to implement the Democratic Republic of Congo Power Sector Reform (DRC PSR) Project. The project will last three years, from May 16, 2016 to May 15, 2019.

The PSR first annual work plan (WP1) details the implementation process and provides a breakdown of activities to be conducted for each of the four PSR components and a schedule of anticipated progress towards the required outcomes.

Component 1 of the WP1, consists of five activities related to "Strategy, Policy and Decrees." Activity 1.1 involves a review of the Law on Electricity (LoE) and the decrees establishing Regulatory Authority (RA) and Rural Electrification Agency (REA). More specifically, Activity 1.1 will review the LoE, promulgated in 2014 and decrees establishing RA and REA, promulgated in April 2016, as the initial step to a detailed examination of the requirements that are set forth in such legislation and directly linked to the scope of PSR technical assistance.

Apart from the decrees that have already been adopted, the LoE envisages a set of new inter-ministerial and ministerial decrees and orders that would be promulgated to serve as a secondary legislation and supporting instruments for implementation of the basic law. Following the gap analysis and detailed assessment of the legislation mentioned above, the PSR team will indicate the needs for procedures and guidelines to be prepared for RA and REA, propose a plan of activity with a timeline for recommended text alignment and the drafting of new legal instruments.

This Gap Analysis is a product of the requirements mentioned above and structured in the following manner:

- Part I presents a detailed gap analysis of the LoE and related decrees, overarching comments on the LoE, and a table listing specific individual comments for decrees and articles titled "Legal and regulatory review of the LoE"¹.
- Part 2 presents a list of all legal instruments the PSR team recommends following on the results of the Gap analysis. It consists of those that were foreseen in the law and those not foreseen by needed based on the views of the PSR team.

¹ The individual comments have been set out in tabular form for ease of reference

PART I: GAP ANALYSIS OF THE ENERGY SECTOR LEGISLATION IN THE DRC

1.1. General Comments to the Law on Electricity of the Democratic Republic of Congo No. 14/011, promulgated on 17 of June 2014

The LoE No. 14/01, promulgated on 17 June 2014, establishes the legal basis for the electricity sector in the Democratic Republic of Congo (DRC). During our review of the law, we made a number of overarching observations described below in the form of general comments. These comments are for information purpose only, and do not require direct action by the PSR Project.

The LoE demonstrates positive movement towards the adoption of international electricity sector standards. These positive trends include:

- The establishment of a Regulatory Authority (RA) for the electricity sector. By doing so, the GRDC has made initial efforts towards liberalizing the electricity sector.
- An obligation of the State (GDRC) to promote electrification in rural and suburban areas, in order to increase electricity access for these populations;
- Clear rules on tariff and billing structures according to the principles of cost reflective prices, equality, equity and non-transferability of charges;
- The establishment of a role for the RA in the review of tariffs and prices, energy security and supply monitoring;
- The intention to create economic conditions for achieving and securing a return on investment in the electricity sector through public-private partnership;
- The establishment of the delegation contract for management by a third party of the publicly owned facilities (production, transmission or distribution systems) for the public service of electricity. With this contract, private investors can own independent electricity generation facilities that are not in the public domain.
- Making the RA responsible for resolving disputes between operators and between operators and customers. This ensures that the interests of both customers and operators are better protected.
- Embedding within the law the issue of fair competition, transparency and environmental protection, and creating a legacy for improvement of the electricity sector.
- The introduction of clear definitions of electricity sector criminal offenses and required penalties for such offences, as well as administrative penalties and fines

for certain activities that are not criminal offences, but performed in violation of the LoE.

However, there are several issues that the LoE does not address sufficiently, such as:

- The law does not mention any obligations related to the preparation of the Grid Code, Metering Code, and Distribution Code, or any regional directive or regional electricity code to which the DRC is a signatory or is obliged to implement². This point will need to be addressed in secondary legislation.
- The law does not address the development of a long-term system or investment plan based on the Transmission Network Operator (TNO) or Distribution Network Operator (DNO)'s proposals.
- The law does not mention the need for the effective unbundling of the vertically integrated National Power Company "Société Nationale d'Électricité" (SNEL) (functional, managerial and accounting), in order to ensure that there are no cross subsidies between generation, transmission, distribution, and supply activities.
- Article 25 of the law contains dispositions that may create difficulties for investment in the electricity sector in DRC. It foresees that in the case that the RA does not provide its opinion to the Minister of the Ministry of Energy and Hydraulic Resources (MEHR) within the deadline set in the law, "the tariffs proposed by the operator will be submitted directly to the Minister for decision." Investors need to know that the regulator is performing its statutory duties, such as, in this case, advising the MEHR on tariffs and prices. The fact that the RA is given the option of not reviewing the tariffs, may create uncertainty and reluctance on the part of the investor to invest in the DRC's electricity sector.
- The law does not oblige the concessionaire of the transmission network to publish data documenting safe and efficient system operations.
- The law places the licensing system under the responsibility of the central government or provinces. The GDRC may consider granting such authority to the RA, since the functions involved with monitoring and licensing are reciprocally supportive: the control over licensed companies is more efficient when the same authority performs these two functions. In addition, the licensing fees that the RA collects would present a secure source of funding which would help to ensure that the RA continues to function.

² The regional directive, electricity code and guidelines are available on different web sites, such as of the Pool Énergétique de l'Afrique Centrale (PEAC), Southern African Development Community (SADC) and Southern African Power Pool (SAPP).

1.2. Legal and Regulatory Review of the Law on Electricity No. 14/011 Promulgated on June 17, 2014

This section presents a detailed review of the LoE, the Decree on Establishment of the Regulatory Authority (included in article 1.3) and the Decree on Establishment of REA (included in article 1.4). This review summarizes the details of this review including a description of each Article or Decree, the reference, the observations, importance with respect to the goals of the PSR and our recommendations. Recommendations that we have identified as medium-level in importance for the PSR, are not expected to be addressed in the first year of the project.

Recommendations that we are including in Exhibit 1, 2 and 3 are based on the current legal practice in the DRC.

Exhibit 1. Law on Electricity Review and Recommendations

No	Description of Specific LoE Sections	LOE Reference	Observation	Level of Importance for the reform	Recommendations	Relevant PSR Component
1	Article 15 of the Law foresees that in the case of general interests , the State may impose on an operator a lower price than the price set forth in the concessions, license, or authorization.	Article 15	The law does not define what is considered "general interest", nor the manner in which these modified conditions (including pricing conditions) will be set and who will compensate the operator who signed the concession agreement, licensee or authorization in the case of imposing the lower prices than those already set in concession. This	High	Issue a decree ³ to define the "general interest" and conditions under which the lower prices can be imposed on concessionaires.	Component 1

³ The issue of "general interest" may not need to be included in a separate decree only for the purpose of defining the general interest and related issues. For such purpose, we may use another decree applicable for concessions, as in the table below

No	Description of Specific LoE Sections	LOE Reference	Observation	Level of Importance for the reform	Recommendations	Relevant PSR Component
			may create uncertainty for an investor who wishes to apply for a concession, license, or authorization in DRC			
2	General terms of supply, in accordance with Article 19 of the law, are expected to be issued by the Minister in a proposal from the RA.	Article 19	n/a	High	Issue a decree for general terms and conditions of supply.	Component 1
3	Article 20 of the Law foresees that the Transmission Network Operator (TNO) and Distribution Network Operator (DNO) will sign contracts with producers and /or eligible customers to guarantee their rights and obligations and that these contracts shall be submitted to the RA.	Article 20	The law did not define who are the "eligible customers" as well as criteria for eligibility and the manner by which a customer may obtain the status of eligibility.	High	Issue a decree on the criteria of customer eligibility. ⁴	Component 1
4	The party, whose right to conclude a public network contract has been refused,	Article 20 (and 98)	The law rightly addresses the issue of dispute settlement. See also Article 98 of the law	Medium	Issue a ministerial order to set forth the principles and methodology for settling disputes, or issue an internal	Component 2

⁴ Issue of eligibility may be treated in another decree as well, such as decree on general conditions of energy supply (point 2 in this table)

No	Description of Specific LoE Sections	LOE Reference	Observation	Level of Importance for the reform	Recommendations	Relevant PSR Component
	has the right to complain first to the RA, then to refer its dispute to the relevant court.		that extends such dispute resolution to customers as well.		RA regulation on Dispute Settlement Procedure ⁵	
5	Article 24 sets forth that the rules and terms of fixing electricity prices for end-users, tariffs on access to transmission and distribution networks, as well as generation prices are fixed by ministerial decree issued by the responsible Ministers, based on a proposal from the RA.	Article 24	A decree that addresses tariff methodology and prices should be prepared to reflect the principles of tariffs setting and the manner in which these tariffs are calculated.	High	The decree should set rules for setting electricity prices for end-users, tariffs for access to the transmission and distribution network and producer prices.	Component 2
6	Article 25 sets forth that the new tariffs should be proposed by the operator to the RA, after being reviewed and analyzed by the RA and proposed to the Minister within 15 days . The law does not set the timeline for review of tariffs	Article 25	15 days for review and submission of the RA's opinion to the Minister is not a realistic deadline. The RA will likely need at least 4 months to review (very advanced regulators initially need 3-5 months to review tariffs). There is a lot of information to be collected	High	The ministerial decree should include a disposition that requires the Regulator to review the tariffs application within a certain period of time (e.g. 3- 5 months), and notify the applicant (operator) that the tariffs application has been reviewed and no additional information is needed. Then within 15 calendar days upon such notification, the	Component 2

⁵ This document may be prepared in the form of a Ministerial Order or as Regulation on Dispute Settlement Procedure issued by the Board of RA and approved by the Minister.

No	Description of Specific LoE Sections	LOE Reference	Observation	Level of Importance for the reform	Recommendations	Relevant PSR Component
	by the RA.		and verified (many times registers are not kept properly by the applicant, there is a lack of historical data), and there is a need for consultations. Article 25 does not clearly state from which day the 15-day deadline will be counted.		Regulator should submit the tariffs proposal to the Minister. ⁶ The ministerial decree referred to in Article 24 shall include the timeline for the review of tariffs by the RA. This will enable implementation of the article 25;	
7	The technical conditions of production, transmission, import, export, distribution and trade of electricity and the provision of related services are set by the order of the Minister.	Article 28	The technical conditions should be set out to ensure the safety of persons and property and the proper functioning of the entire public service of electricity.	High	The ministerial order should define the technical conditions of production, transmission, import, export, distribution and trade of electricity and provision of related services.	Component 4
8	The commissioning of production infrastructure, transmission, import, export and distribution of electricity is subject to obtaining a certificate of conformity issued by the regulatory	Article 29	Certificate of conformity models are not currently available for RA use.	High	Issue models of certificate of conformity.	Component 4

⁶ The ministerial order should contain a deadline for the Regulator to review the application because: i) without a deadline the Regulator may postpone and delay the review and ii) SNEL will need sufficient advance notice to start an application, collect data and conduct an efficient and effective process.

No	Description of Specific LoE Sections	LOE Reference	Observation	Level of Importance for the reform	Recommendations	Relevant PSR Component
	authority.					
9	The commissioning of production infrastructure, transmission, import, export and distribution of electricity is subject to obtaining a certificate of conformity issued by the regulatory authority in the electricity sector that complies with current safety standards and norms in the DRC.	Article 30	Safety standards referred to in this Article and the conditions of registration, control and monitoring shall be fixed by the competent ministers.	High	Adopt a ministerial order for the determination and publication of accepted norms and safety standards.	Component 4
10	Based on an RA proposal, the Minister may take all necessary measures to prohibit all activities related to production, transmission, import, export and distribution of electrical energy that are proven to be hazardous for the persons, the property and the environment. This article implies that the monitoring	Article 32	Per article 33, electrical safety is the responsibility of the MEHR and its accredited independent experts. Monitoring functions should be the responsibility of the RA.	Medium	Issue a ministerial order to set the principles of monitoring activities of the RA ⁷	Component 2

⁷ In some countries, the Regulatory Board issues guidelines on monitoring that covers all monitoring and reporting requirements and procedures. Such Guidelines or Regulation are normally approved by the Minister, as required for all internal regulation of the RA and this should be considered for the DRC as well.

No	Description of Specific LoE Sections	LOE Reference	Observation	Level of Importance for the reform	Recommendations	Relevant PSR Component
	of the security and safety issues with regard to production, transmission, distribution and export and import is a regulatory function.					
11	Independent experts for the certification of electrical generation, transmission and distribution shall be accredited by the Minister to exercise control or inspect technical conformity under the LoE.	Article 34	Establish the conditions for approval (accrediting) of independent experts by ministerial order.	High	Issue a ministerial order to establish the conditions for accreditation of independent experts.	Component 4
12	Power sector operators must pay charges to the central or provincial government or the decentralized territorial entity concerned, as appropriate.	Article 36	Rules related to the amount, the rate and the recovery dispositions are determined in accordance with the law on public finances and by those establishing the duties, taxes and charges for the central government, the provinces and the decentralized territorial entities.	High	Issue an Inter-ministerial order defining power sector activity fee collection rates and methods.	Component 1

No	Description of Specific LoE Sections	LOE Reference	Observation	Level of Importance for the reform	Recommendations	Relevant PSR Component
13	Concessions and licenses are granted on the basis of a competitive bidding process in compliance with public procurement rules established by the law on procurement applicable in DRC.	Article 39	The procedures for the selection of operators, the granting of concessions, the modification and termination Of?...are fixed based on an RA proposal, by a Council of Ministers deliberated decree.	High	Issue a decree by the Council of Ministers to define the procedures for the granting, modification and termination of concessions and licenses to operators.	Component 4
14	Concession contract specifications shall be elaborated by the RA, submitted for approval to the competent authority and annexed to the concession contract.	Article 56	The RA will elaborate specifications for concession contracts. Specifications are also covered in Article 51 and 53 of the law.	High	Concession contracts should include contract specification in the annex to the contract,	Component 4
15	Any export of electricity is subject to the conditions set by the Council of Ministers' deliberated decree taking into account the needs of the DRC domestic market and its international commitments.	Article 71	Issue a decree on the export of electricity by the Council of Minister.	Medium	The Decree on export of electrical energy shall be issued by the Council of Ministers	Component 4
16	For private own generation facilities with an installed capacity between 100 kilowatts and 999.99 kW it is	Article 74	Setting authorization conditions by the RA through the regulation.	High	Issue a regulation (or a model) for authorization for self-production facilities.	Component 4

No	Description of Specific LoE Sections	LOE Reference	Observation	Level of Importance for the reform	Recommendations	Relevant PSR Component
	obligatory to follow conditions for authorization based on an RA regulation-guided proposal.					
17	For operators of 51 – 99 kW self-generated power, the self-generator is required to inform the local authority in charge of electricity by written declaration.	Article 76	Informing local electricity authorities of self-generated power follows international standards and norms for self-production facilities.	High	Issue a declaration on the decision on the applicable standards and norms for self-production facilities.	Component 4
18	The State may assign through a third party operating contract, the management of all, or part of its production facilities, transmission or distribution networks. The delegation of an operation agreement is follows public contract award procedures.	Article 81 and 82	The RA prepares the tender documents, examines the bids received and proposes the selected best offer of the operators to the relevant authority for decision.	High	Prepare a Decision/Model of delegation contract, other than concession.	Component 4
19	The delegation contract will include service rules prepared by the relevant authority, setting forth applicable principles concerning the relationship between the delegator and	Article 84	Service rules regulate the relationship between the delegator and end-users of electricity.	High	Covered in point 18 above	n/a

No	Description of Specific LoE Sections	LOE Reference	Observation	Level of Importance for the reform	Recommendations	Relevant PSR Component
	electricity customer, especially in pricing and access to networks.					
20	RA resources include various sources of funding.	Article 95	RA financial resources are anticipated to enable a fully functional RA. The mechanisms and procedures for collection and management of these resources shall be established by the decree.	High	Issue a decree to establish the mechanisms and procedures for collection and management of RA financial resources.	Component 1
21	Article 97 sets forth the different sources of REA funding.	Article 97	The mechanisms and procedures for collection, management and distribution of REA funding shall be set by decree deliberated by the Cabinet, according to the Public Institutions law.	High	Issue a decree establishing the mechanisms and procedures for collection and management of REA financial resources.	Component 3
22	Transmission or distribution concessionaires have the right to secure objects of concession under the conditions set forth in the regulations applicable to roads, town planning, environment, and safety standards.	Article 106 and 107	This article addresses technical requirements to ensure the safety and convenience of people and buildings.	Medium	Issue an Inter-ministerial order to define the technical requirement conditions to ensure safety and convenience related to persons and building when conducting works in the area belonging to third parties.	Component 4

1.3 Review of the Decree No. 16/013⁸ on Establishment of the RA

Exhibit 2. Decree No. 16/013⁹ Review and Recommendations

No	Description	Reference to the Decree	Observations	Level of Importance for reform	Recommendations:	Relevant PSR Component
1	<p>The RA is responsible for performing certain monitoring activities, such as:</p> <ul style="list-style-type: none"> • Ensuring operator compliance of the conditions and execution of concession contracts, licenses and authorizations; • Monitoring operator’s application and implementation of standards and norms; and • Monitoring tariff structure elements and tariffs applied to customers. 	Article 3 of the Decree nr. 16/013	The LoE empahsazes the issue of RA’s monitoring responsibilities in Article 3 of the Decree nr. 16/013.	Medium	(See part 1.2 above, in recommendations for LoE Article 32)	n/a
2	Article 5 foresees the sources of funding of the regulatory authority.	Article 5 of the Decree nr. 16/013	Sources of expected RA funding are defined in detail.	High	(See part 1.2, in recommendation for LoE Article 95)	n/a

⁸ Decree no. 16 /013 on Creation, Organization and Functioning of a Public Institution responsible for the Regulation of the electricity sector

3	The Board of Directors is the RA decision-making and controlling body.	Article 10 of the Decree nr. 16/013	The Decree on RA establishment does not address Board meeting procedures, frequency, quorum, decision-making mechanisms (e.g., consensus, majority), information and meeting notice requirements, etc.)	High	The Statute should address these issues.	Included under number 4 below.
4	Board of Directors' organization and operations are defined by internal regulation as adopted by the Board of Directors and duly approved by the Minister.	Article 14 of the Decree nr. 16/013	Internal regulations of the RA, based on our WP1 consist of: the Statute ⁹ and the Code of Ethics. The Statute will cover Board meetings, the procedure and frequency of such meetings and the manner in which decisions are issued. It will cover other issues that are related to internal organization and external relation of the RA. The Code of Ethics will deal with ethical principles, avoidance of conflict of interest and similar topics.	High	Issue the Statute and Code of Ethics.	Component 2
5	Article 18 of the decree requires that RA General Management ensure strict staff compliance with the manual of procedure (operations).	Article 18 of the Decree nr. 16/013	Manual of operations is a bylaw that ensures all procedures necessary for a fully-functional RA are in place. It describes detailed RA functions (Board, management, staff, departments, and units).	High	Issue the Manual of Operations.	Component 2

⁹ Statute of the Regulatory Authority is also mentioned in Article 15 and 34 of the Decree no.16/013

1.4 Review of the Decree No. 16/014¹⁰ on the Establishment of REA

Exhibit 3. Decree No. 16/014 Review and Recommendations

No	Description	Reference to the Decree	Observations	Level of Importance for reform	Recommendations:	Relevant PSR Component
1	Pursuant to LoE Article 97, REA financial resources are created from different sources.	Article 6 of the Decree nr. 16/014	This article provides details on how the REA will be financed.	High	(See part 1.2, recommendation for LoE Article 97.	n/a
2	REA financial resources also includes grants of the Multi Donor Facility for the development and improvement of living conditions in rural and suburban areas in the fight against poverty.	Article 6 (paragraph 7) of the Decree nr. 16/014	Definition of the Multi Donor Facility for the development and improvement of living conditions in rural and suburban areas is needed.	High	The GDRC shall consider defining the Multi Donor Facility in a separate legal document.	Not included in the list of legal instruments in Part 2. It will be considered in the later phase of the project.
3	The Board of Directors is the designing, decision making and controlling body of the REA. The Board is responsible for	Article 8 of the Decree nr. 16/014	The decree does not address Board meeting procedures, frequency, quorum, decision-making mechanisms, information and notice	High	Include this gap in the Manual of Operations (as indicated in article 12 of the	See point 4 in this table.

¹⁰ Decree No. 16/014 on Creation, Organization and Functioning of a Public Institution named National Agency for the Electrification of Rural and Suburban Area

No	Description	Reference to the Decree	Observations	Level of Importance for reform	Recommendations:	Relevant PSR Component
	approving administrative and financial operations manuals.		requirements for meetings, etc.		decree.	
4	The Board of Director organization and operations are defined by the internal regulation adopted by the Board of Directors and approved by the Minister.	Article 12 of the Decree nr. 16/014	REA governance should be described in the Internal regulation of the REA.	High	Issue the Manual of Operations (as indicated in the WP1).	Component 3

PART 2: LIST OF LEGAL INSTRUMENTS TO BE PREPARED

2.1 DECREES and ORDERS

No	Component number:	Legal instruments to be drafted (decree`s and orders):	Legal reference (LOE):
1	Component 1	Decree to define the "general interest" and conditions under which lower prices can be imposed on concessionaires. Or, as explained in Section 1.2 above, use another decree applicable for concessions and include in it the definition of "general interest".	Article 15
2	Component 1	Ministerial order for general terms and conditions of supply.	Article 19
3	Component 1	Ministerial order on the criteria of eligibility. Or, include the criteria of eligibility in another ministerial order (e.g. in the ministerial order for general terms and conditions of supply).	Article 20
4	Component 1	Inter-ministerial order on the rates and methods of fee collection to support power sector operations.	Article 36
5	Component 1	Decree establishing the mechanisms and procedures for collection and management of the RA financial resources.	Article 95
6	Component 2	Ministerial order to set principles and methodology for Dispute settlement procedures. Or an internal regulation on RA dispute settlement (See Exhibit 1, No 4, Section 1.2).	Article 20 and 98
7	Component 2	Decree establishing the rules for setting end-use electricity prices, transmission and distribution tariffs and producer prices.	Article 24
8	Component 2	Ministerial order setting principles for internal regulation of RA monitoring activities. (See Exhibit 1, number 10, Section 1.2 above).	Article 32
9	Component 3	Decree establishing the mechanisms and procedures for collection and	Article 97

No	Component number:	Legal instruments to be drafted (decree`s and orders):	Legal reference (LOE):
		management REA financial resources.	
10	Component 4	Ministerial order on technical conditions for production, transmission, import, export, distribution, and trade of electricity and provision of related services.	Article 28
11	Component 4	Ministerial order to determine and publish accepted norms and safety standards.	Article 30
12	Component 4	Ministerial order to establish the conditions for approval (accrediting) of independent experts, providers of electricity sector services and suppliers of materials and electrical equipment.	Article 34
13	Component 4	Decree to define the procedures for the selection of operators, including the granting, modification and termination of concessions and licenses.	Article 39
14	Component 4	Decree regulating the export of electrical energy, issued by the Council of Ministers.	Article 71
15	Component 4	Inter-ministerial order defining the technical requirements for the safety and convenience of people and buildings, and how agreements can be terminated.	Article 107

2.2 BYLAWS

No	Relevant PSR Component	Legal instrument to be drafted (Bylaws)	Legal reference
1	Component 2	Statute of RA and Code of Ethics	Article 14 of the Decree nr. 16/013 on establishment of RA
2	Component 2	RA Manual of Operations	Article 18 of the Decree nr. 16/013
3	Component 3	REA Manual of Operations	Article 12 of the Decree nr. 16/014
4	Component 4	Models of certificate of conformity	Article 29 of the LoE
4	Component 4	Specification of annex to the concession contract	Article 56 of the LoE
5	Component 4	The regulation (or a model) on the authorization for self-production facilities in the private domain.	Article 74 of the LoE
6	Component 4	Decision on the applicable standards and norms for distributed generation facilities subject to declaration	Article 76 of the LoE
7	Component 4	Decision/Model of delegation contract, other than concession	Article 81/82 of the LoE