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ELECTRICITY SECTOR REFORM ACTION PLAN

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22 October 2020

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DATA

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Practice Area: Electricity Market Development

Key Words: Electricity Market, Action Plan, Market Development

ACRONYMS

AFD	French Development Agency
CDS	Closed Distribution System
DAM	Day-Ahead Market
DSO	Distribution System Operator
EC	Energy Community
ECS	Energy Community Secretariat
EnCT	Energy Community Treaty
ENTSO-E	European Network of Transmission System Operators for Electricity
EPB	Energy Performance Building
ERRA	Energy Regulators Regional Association
ESCO	Electricity Market Operator
EU	European Union
GE-AR	Georgia-Armenia
GE-TR	Georgia-Turkey
GNERC	Georgian National Energy and Water Supply Regulatory Commission
GoG	Government of Georgia
GSE	Georgian State Electrosystem
HVDC	High-Voltage Direct Current
IDM	Intraday Market
LoEWS	Law of Georgia on Energy and Water Supply
MO	Market Operator
MoESD	Ministry of Economy and Sustainable Development of Georgia
MoF	Ministry of Finance of Georgia
MoLHSA	Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia
NARUC	National Association of Regulatory Utility Commissioners
NREAP	National Renewable Energy Action Plan
REMIT	Regulation on Wholesale Energy Market Integrity and Transparency
RES	Renewable Energy Source
SoLR	Supply of Last Resort
TSO	Transmission System Operator
USAID	United States Agency for International Development
USoA	Uniform System of Accounts
WB	World Bank

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INTRODUCTION

The objective of USAID Energy Program is to support Georgia's efforts to facilitate increased investment in power generation capacity as a means to increase national energy security and facilitate economic growth. The Program will have a significant impact on energy market reform efforts of the Government of Georgia (GoG) to comply with the country's obligations under the Energy Community Treaty (EnCT). The investment objective will be achieved through the provision of technical assistance to a variety of stakeholders in the energy sector.

The ultimate goal of this Program is to enhance Georgia's energy security through improved legal and regulatory framework and increased investments in the energy sector. The ultimate expected outcome of this project is an energy legal and regulatory framework that complies with European requirements and encourages competitive energy trade and private sector investments.

BACKGROUND

The GoG signed the EnCT in October 2016. The Treaty commits the GoG to harmonize its energy related legislation to specific European Union (EU) directives and other EU regulations. USAID Energy Program supports the GoG in development of legislation that is compliant with EU legislation.

USAID Energy Program was asked by the Ministry of Economy and Sustainable Development of Georgia (MoESD) to support in developing process of activities which should be implemented by Georgia under the Accession Protocol. These activities include development / modification process of primary and secondary legislation, monitoring of unbundling, development of Transmission System Operator (TSO) and Market Operator (MO), as well as development of balancing mechanism and regional market, as it is required by the EU Legislation.

ELECTRICITY SECTOR ACTION PLAN

To support the MoESD in electricity market development process, USAID Energy Program has developed the initial Electricity Sector Action Plan. The Action Plan provides the detailed activities to be accomplished during electricity market transition for the market to reach full competition. The initial Action Plan was shared with counterparts and other stakeholders, including international donor organization, to establish responsibilities of the various parties to support all the activities.

The Action Plan aiming update the status of the activities and monitor progress of the activities are tracked and recorded in the Electricity Sector Action Plan listed in annex 1. The updates are based on intensive communication with Georgian relevant energy stakeholders and donor companies as well. The finalized Electricity Sector Reform Action Plan will be shared with counterparts and other stakeholders, including international donor organizations to make them familiar with the accomplished and in progress activities listed in annex 1, which itself is in accordance with Accession Protocol and commitments under the EnCT.

The Electricity Sector Action Plan falls under commitment of energy market development component and was developed for the first year of the project and updated on an annual basis.

Annex 1 contains the second year Action Plan for the Electricity Sector.

UPDATES TO THE ELECTRICITY SECTOR ACTION PLAN

The Electricity Sector Action Plan needed significant updating from Y2 to Y3, due to significant accomplishment of prior planned actions. The GoG, the Parliament of Georgia and other authorized parties adopted several primary and secondary legislation, as an initiative to approximate to the EU standards and harmonize national legislation with Energy Community acquis.

The primary and secondary laws and sub-laws, applicable to the third energy package, came into force from December 2019 through 2020, which are Y3 updates. *These are listed in Annex 1:*

Primary legislation:

- Law on Energy and Water Supply;
- Law on Promoting the Generation and Consumption of Energy from Renewable Sources;
- Law on Energy Efficiency;
- Law on Energy Efficiency of Buildings and etc.

Secondary legislation:

- Government Resolution on Approval of the Concept of the Electricity Market Model;
- Georgian Energy and Water Supply regulator National Commission resolution on Approval of Electricity Market Rules;
- Georgian Energy and Water Supply regulator National Commission resolution on Approval of Electricity Retail Market;
- Georgian Energy and Water Supply regulator National Commission resolution on TSO and DSO unbundling Rules and etc.;
- Georgian Energy and Water Supply regulator National Commission resolution on Rules of Dispute Resolution;
- Georgian Energy and Water Supply regulator National Commission resolution on Approval of the Support Scheme for the Production and Use of Energy from Renewable Sources and etc.

ANNEX 1

MATRIX

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
State Energy Policy						
1	State Energy Policy	The energy policy act providing strategies and priorities in electricity and natural gas sectors, as well as other measures and guidelines to be required by Law of Georgia on Energy and Water Supply, for a period of at least 10 years	GoG		12 months from the date of entry into force of Law of Georgia on Energy and Water Supply (LoEWS)	Drafting: MoESD in cooperation with Georgian National Energy and Water Supply Regulatory Commission (GNERC) and other parties
2	Update and approve the National Energy Strategy (Optional)	The National Energy Strategy has to be updated in line with the approved Electricity Market Transitional Plan	MoESD			Approved by MoESD
Primary Legislation						
3	Adoption of new law on Energy and Water Supply	Adoption of draft Energy Law by government establishing the legal foundation for the electricity sector reform to a market in compliance with EC acquis. The Law shall require i) a new institutional set-up, ii) an unbundling regime, and iii) promote regulatory independence	GoG, Parliament	Drafted by Energy Community (EC)	2019/12	Adopted
4	Adoption of Energy Efficiency law in	Establishing the Georgian legal foundation for implementing energy efficiency policies, measures, and support schemes in compliance with Directive 2012/27/EU	MoESD			Adopted
5	Adoption of Energy Efficiency Labelling law	Adoption of draft Energy efficiency labelling Law by MoESD as a necessary precondition to move further towards its adoption by the parliament. It will establish the Georgian legal foundation for transposing EU Directive 2010/30/EU	MoESD			Adopted
6	Adoption of Renewable Energy Law and strategic framework and package	Establishing the strategic, institutional, and financial vision and framework for renewable energy in Georgia, including, preferably, the adoption of the Law on Renewable Energy. More precisely, adoption of the National Renewable	GoG, Parliament	Energy Community Secretariat (ECS)	2019/12	Adopted

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
		Energy Action Plan (NREAP) that sets the Georgian Government's renewable energy strategy and the government's decisions on the institutional and financial support framework, as well as the monitoring of the NREAP implementation				
7	Adoption of energy efficiency strategic Framework by the government	Establishing the strategic, institutional, and financial vision and draft framework for energy efficiency in Georgia. This shall encompass the adoption of National Energy Efficiency Action Plan (NEEAP) that sets the Georgian Government efficiency target as well as the government's decisions on the institutional and financial framework	MoESD		2019	NEEAP is updated for next years for 2019-2020 will be adopted by the end of 2019.
8	Adoption of Law on Energy Performance of Buildings and enforcement	Create the primary and extensive legal basis for the promotion of energy efficiency in/of buildings	MoESD	ECS (Support in developing of national calculation methodology for Energy Performance Building (EPB))	2019	Adopted
Secondary Legislation						
9	Electricity Market Concept Design	Adoption of electricity market concept to provide strategic guidance and target on i) design for electricity market reform, ii) design for electricity balancing market reform, and iii) principles for the promotion of a functioning electricity market by providing solutions for existing limitations	GoG	MoESD	2020/04	Adopted
10	Development of draft Electricity Market and Balancing Rules	This measure comprises of the development of two sets of regulatory acts that shall be compliant with EU and EC acquis. Act aim to targets for implementation of the Georgian electricity and balancing market, should specify transitory periods and intermediary targets.	GNERC, MoESD, Georgian State Electrosystem (GSE), Electricity Market Operator (ESCO)	ECS	4 month from adoption Electricity Market Concept Design (2020/08)	Adopted
11	Develop electricity market transition plan	Such transition plan shall establish the status of socially vulnerable customers and define the scope of their rights as well as measures aimed at	MoESD / GNERC / Ministry of Internally Displaced Persons from	USAID Energy Program	2019	Submitted to MoESD.

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
	on vulnerable customers	protecting socially vulnerable customers in order to meet their electricity demand. The transition plan shall not violate the electricity and natural gas market best practices and shall suggest alternative protection structure and timing of market opening and functions and responsibilities of competent authorities.	the Occupied Territories, Labour, Health and Social Affairs of Georgia (MoLHSA)			
12	Rules and regulations referring protection measures of vulnerable consumers	Rules and regulations should be developed to ensure comprehensive protection of socially vulnerable customers aiming to meet requirements of EU legislation and to provide uninterrupted supply of electricity and natural gas to vulnerable population.	MoESD, GNERC	EU4Energy	2020	Assistance agreed with the ECS
13	Develop social support schemes for vulnerable consumers	According to the agreement between Ministry of Finance of Georgia (MoF) and World Bank (WB); World Bank will conduct study on impact of tariff increase.	MoF	WB	2019	In process WB will submit study/impact assessment not on social support.
14	Develop study on Identification of the vulnerable groups; Cost evaluation of suggested policy options for their protection		MoESD	French Development Agency (AFD)	2019	Draft was submitted to MoESD and MoLHSA
15	Adoption of Public Service Obligation for Universal Supply	Find a transitory regime for the phasing-out of price regulation in the energy sector in all segments during a transitory period until 2021	GoG		Until December 31, 2020	
16	Certification procedure	Legal basis for certification requirement, certification process, certification decision, monitoring of requirements, data to be submitted, protection of confidential data, charging for certification, model application for certification	GNERC	ECS		Adopted
17	Licencing conditions for transmission and distribution system operators	Conditions for exercising licensed activity, rules concerning the cooperation and information exchange on electricity market, reporting, main provisions regarding transmission of electricity, rules concerning dispatch, metering services, metering administration and settlement, rules concerning connection, disconnection and	GNERC	ECS		Adopted

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
		reconnection to transmission system and change of transmission capacity, provisions concerning cross-border interconnectors, their development and capacity allocation principles, application of tariffs and etc.				
18	Transmission and Distribution network code and Commercial metering code	Transmission System technical operations, technical operation of interconnections, long term system development planning, operational planning of system performance, Dispatch rules, ancillary services, power system emergencies, technical requirements and process for connection to transmission system, use of transmission system, Organization of metering services (roles and responsibilities), types and capabilities of metering devices, entities involved and interrelations, technical requirements, accuracy and standards, technical requirements for communications and data interchange and etc.	TSO, GNERC			In force in compliance with European Network of Transmission System Operators for Electricity (ENTSO-E's) standards
19	Transmission system connection fee methodology	Rules and processes for demand connection, rules and processes for generators connections, High-Voltage Direct Current (HVDC) connection rules, Renewable Energy Sources connection rules, etc.	TSO, GNERC	USAID Energy Program		Submitted to GNERC
20	Rules for congestion management and procedure for interconnectors capacity allocation (the rules also includes methodology for cross-border capacity calculation)	Procedure for yearly, monthly and daily auctions, participation rules and requirements, joint auctions regime, auction platform and results, fall back procedures, use of transmission rights and rules for transferring them, secondary market rules, curtailment rules and processes, payments and clearance, etc. This document should contain the detailed methodology under which the TSO will calculate the capacity to be each time available for cross border trades	TSO, GNERC	EU4Energy		Drafted GSE (TSO) should be submitted to GNERC
21	Procedure on development of the 10 year transmission system development plan	Information on existing and forecasted demand and supply; indications of the main transmission infrastructure that needs to be built or upgraded over the next ten (10) years; all the investments already decided and identify new investments which have to be executed in the next three (3) years etc.	TSO, GNERC			submits for approval to the Ministry on an annual basis.

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
22	Commercial Metering Methodology	Metering Registries to be kept by appropriate operators, profiling methodologies where non-interval metering exists, forecast requirements entering the methodology, ex-ante determination of representation percentages, ex-post recalculations, processes when data is missing, reconciliation, combining interval and non-interval metering.	TSO, GNERC			Commercial Metering Methodology shall be the part of Commercial Metering Rules. The process of drafting is on initial stage.
23	Distribution System Operator (DSO) compliance programme	Unbundling and independence requirements of the DSO, Managerial independence, Operational independence, provisions ensuring non-discriminatory behaviour, measures to ensure equal access to the electricity distribution system, cases for refusal to grant access to the electricity distribution system, commercial and financial relations with other participants of electricity market and third parties, avoidance of conflict of interests, brand policy, provision of information, confidentiality of information, monitoring and reporting on the implementation of the Program.	GNERC	ECS		Adopted
24	Distribution connection fee methodology	This document should include: Rules and processes for demand connection, rules and processes for generators connections, Renewable Energy Sources (RES) and small RES connection rules, etc.	DSOs, GNERC	USAID Energy Program		Drafted, submitted to GNERC
25	Retail Supply Rules including rules for electricity supply by the Supplier of Last Resort and draft standard contract for relevant services (General Supply Conditions)	This document should include: customer services, contact principles, publication of information, contractual and pre-contractual procedure, rights and obligations of supply, publication of applicable tariffs, non-discrimination rules, regulation on retail supply, rules for small customers, special provisions for vulnerable customers, contract implementation and termination, dispute resolution, process for supplier change, communication with customer rules, monitoring of rules application	GNERC	National Association of Regulatory Utility Commissioners (NARUC) EU4Energy		Adopted

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
26	Rules for electricity supply by the universal service supplier and draft Standard Contract for relevant services	Rules to regulate the activities of such suppliers including, inter alia, their rights and obligations, termination of responsibilities and other relevant issues with a view to ensuring a continuous, reliable and qualitative supply of electricity to household customers and small enterprises, in line with the relevant provisions of the draft law on Energy and Water Supply	GNERC	EU4ENERGY		Drafted Assistance agreed within the framework of EU4Energy. Taking into account the document prepared by NARUC, consultants delivered draft by 15 April (latest – May) 2018
27	Methodology for setting the supply tariff for the universal service supplier and calculating corresponding remuneration for the service provider	Self-explanatory	GNERC	USAID Energy Program		Drafted, submitted to GNERC
28	Methodology for setting the supply tariff for the Supply of Last Resort (SoLR) and calculating corresponding remuneration for the service provider	Self-explanatory	GNERC	USAID Energy Program		Drafted, submitted to GNERC
29	Procedure on imposition of the public obligation of universal services to suppliers	Detailed procedure upon which the nomination of appropriate Suppliers who will also offer universal services under articles 9 and 120 para 2 of the draft law on Energy and Water Supply	GoG		Until December 31, 2020	
30	Methodology on selection (tender) on assigning a supplier of last resort	In accordance with article 122 para 11 of the draft energy law, a methodology needs to be developed under which Supply of last resort shall be provided at fair, comparable and market-based prices set and applied by suppliers of last resort in a transparent and non-discriminatory manner	GoG		Until December 31, 2020	
31	Procedure and form of information provision in the electricity bills	Self-explanatory	GNERC			Relevant rules will be amended by GNERC – no assistance required;

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
32	Consumers complaint handling procedure for suppliers	Self-explanatory	GNERC			Adopted
33	Quality of service indicators for DSO and suppliers	This document should include: The Basis of Service Quality Regulation, Continuity of Supply rules, voltage quality, commercial quality, data submission, monitoring of quality indicators etc.	GNERC			Drafted and on process of approval
33	Day Ahead Market (DAM) and Intraday Market (IDM) rules	Participation rules to the DAM, IDM general rules and processes, accounts and registration, bidding rules, pricing, settlements and clearing, Security Cover Requirements, Invoicing and Payments, Market Information and Reporting, timetable of Market Operations etc.	TSO, MO, GNERC	EU4Energy		Adopted
34	Rules on Information exchange on electricity market	Detailed rules (what, in what format and when) in accordance with European Network of Transmission System Operators for Electricity (ENTSO-E) requirements and Regulation on Wholesale Energy Market Integrity and Transparency (REMIT) obligations				
35	Licensing and Certification Rules includes licencing conditions for generation licencing conditions for market operator	Conditions for exercising licensed activity, rules concerning participation at the electricity market, accounting, information and reporting requirements, rules concerning electricity sale and purchase at the electricity market, fuel reserves requirements, balancing and ancillary services, dispatch management, public service obligations, purchasing of goods and services outside electricity market, requirement for financial responsibility for imbalances, rules concerning organization of licensed activity, human resources and code of conduct for licensee's staff, disputes settlement on the licensed activity, transferability of the License.	GNERC	ECS		Assistance agreed with the ECS. Should be incorporated in a single document regulating Licensing and Certification issues.

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
36	Electricity Market Monitoring rules includes (Requirements for protection, submission, disclosure and publishing of information by market participants)	Market monitoring Rules in accordance with REMIT	GNERC	EU4Energy		As a result of Twinning Project “Strengthening Capacities of the GNERC in Regulatory Cost Audit and Market Monitoring”, Draft Rules on Electricity Market Monitoring were developed. No assistance required - GNERC will draft the Electricity Market Monitoring rules based on the abovementioned document and provide ECS with the draft for revision for September 2019
37	Rules on security of supply	Rules on security of electricity supply shall at least include detailed provisions on the Purpose and scope, Risk assessment, Risk-preparedness plan, Emergency situations, Ex-post evaluation of the crisis situations, Monitoring the security of electricity supply (according to the Article 149 of the draft Energy and Water Supply Law)	MoESD	EU4Energy		Drafted
38	Procedure on definition of Closed Distribution System (CDS)	Determination of closed distribution systems, electricity supply rules within closed distribution networks, third party access rules etc.	GNERC			Assistance required - GNERC will approach Energy Regulators Regional Association (ERRA) for support with drafting definition of CDS in the gas sector. If approved, this experience would be relevant for the electricity sector as well
39	Methodology of evaluation of investment plans for transmission and distribution networks	Self- explanatory	GNERC			Adopted
40	Rules on Uniform System of Accounts (USoA)	In order to ensure accessibility to accurate and objective data necessary for setting tariffs and monitoring energy markets, GNERC sets uniform accounting rules for all regulated undertakings.	GNERC	USAID Energy Program		Submitted to GNERC

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
41	Methodology for Calculation and Setting of Fees for Services Provided by the Electricity MO	Fees for services provided by the electricity market operator shall reflect the justified costs incurred by the MO in providing its respective services to market participants under the terms and conditions to be stipulated in the Electricity Market Rules.	GNERC	USAID Energy Program		Submitted to GNERC
42	Adoption of Transparency Regulation	Adoption of transparency legislation and regulations that are compliant and aligned to EU and EC regulations and standards			2019	Drafted by GNERC partially.
Unbundling of Networks						
43	Legal Unbundling	Unbundling of network owns, distribution companies and generation sources	TSO, DSOs		until December 31, 2020/DSO	In progress
44	Adopt the USoA for transmission and distribution network owners and operators (TSO and DSOs)	Transparent, fair and consistent accounting and regulatory reporting by the network owners and the corresponding operators will ensure that the basis for network tariffs are reasonable and that the network operators are funding investments in accordance with their approved network investment plans	GNERC	USAID Energy Program		Drafted and submitted to GNERC
Development of Transmission System Operator						
45	Establish TSO	Model of the TSO unbundling has to be chosen in line with EU energy acquis	MoESD, GNERC, GSE		2019	Drafting after the adoption the LoEWS
Market Operator						
46	Test-run of electricity DAM and DAM go-live	To offer trial runs for future participants and stakeholders of the new organised market as a way to better understand the processes of bidding, price-formation, and settlement. Put into operation the organised day-ahead electricity market of Georgia			2020 / July	Jul-20
Balancing Mechanism						

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
47	Launch of the preparatory works for balancing mechanism deployment	Initiative to implement the first phase of a previously developed balancing concept, aiming at assuming full responsibility over the load-frequency control processes and all actions subsumed under balancing within the EC acquis (i.e. pursuant to the ENTSO-E Operation Handbook, or the Operation Guideline, respectively), covering: i) the dimensioning of reserves, ii) the introduction of load-frequency control and balancing energy activation processes, as well as, iii) the definition and procurement of balancing reserves	GNERC, MoESD, GSE, ESCO		2019	In progress
48	Balancing mechanism deployment	The implementation of the first phase of a previously developed balancing concept; GSE assumes full responsibility over the load-frequency control processes	GSE		2019	Left 1 stage by contract in May 2020.
49	Test-run of balancing market and go-live balancing market	Test-run that uses the same software and hardware as envisaged for the real operation of the balancing market in order to offer the stakeholders of the new balancing market an opportunity to better understand the processes. Establishing the underlying requirements of a non-discriminatory and fair electricity market while ensuring operational security and encompassing the go-live for the first market-based procurement of compatible standard balancing reserve and balancing energy products			2019	Issued by GNERC
50	Balancing Mechanism Completion	The implementation of the second phase of a previously adopted balancing concept through the establishment of a non-discriminatory imbalance pricing and settlement scheme based on an hourly settlement timeframe and including the completion of the introduction of balance responsibility for all market participants as well as the financial settlement of imbalances			2020	Balancing market is scheduled to go live on July 1, 2021.
Regional Market						

#	Action	Description of Action	Institution (s) in Charge / Beneficiaries	Assistance Donor Support (Actual / Requested)	Deadlines	Comments
51	Joint coordinated allocation of cross-border capacity between GE-TR (Georgia-Turkey):	Introduce coordinated processes for the efficient and non-discriminatory capacity allocation between Georgia and Turkey	MoESD	USAID Energy Program	2019-2020	In progress
52	Sign new intergovernmental agreement between GE-AR (Georgia Armenia):	Formalise cross-border cooperation relations with Armenia	MoESD	USAID Energy Program	2020	2 Working Group meetings were held

USAID Energy Program

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