

Renewable Energy Coordination Group

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**Streamlining and simplification of the  
administrative procedures for renewable energy  
projects**

**Biljana Trivanović**

**Ministry of Foreign Trade and Economic Relations of  
Bosnia and Herzegovina**

**Article 13 of Directive 2009/28/EC requires the Contracting Parties to ensure that the administrative procedures are clear defined, coordinated and streamlined, with transparent timetables for planning and building applications. Smaller and decentralised installation shall enjoy less burdensome authorisation procedures, if possible through simple notification and/or the concept of one-stop-shop shall be implemented where appropriate.**

**The first progress report identified that the administrative procedures are the greatest barriers that the renewable energy investors are facing in the Contracting Parties. Therefore, the RE CG group will work to identify and address these barriers, exchange best practices that are specific on different renewable energy technologies and could be replicated in the Contracting Parties.**

**Technologies to be covered: hydro, bioenergy for electricity and heating, solar PV and thermal, wind, biofuels.**

Questions	Answers
<p><b>1.</b> What did your country do, to ensure that authorization, certification and licensing procedures for RE generation facilities are clearly coordinated, transparent, streamlined and simplified?</p> <p>If these criteria are difficult to implement, what are the reasons and barriers behind it?</p> <p><b>2.</b> Please describe in details what are the main specific barriers and problems regarding the authorization, certification and licensing procedures for the following renewable energy technologies:</p> <ul style="list-style-type: none"> <li>- Wind</li> <li>- Solar PV and Thermal</li> <li>- Hydro (small, medium, large)</li> <li>- Biofuels</li> <li>- Bioenergy for electricity and heating</li> </ul>	
<p><b>3.</b> Are the technical specifications, which must be met by renewable energy equipment and systems in order to benefit from support schemes clearly defined by your country?</p> <p>If not, what are the barriers to do so?</p>	
<p><b>4.</b> Does your country encourage local and regional administrative bodies to include heating and cooling from renewable energy sources in the planning of city infrastructure?</p>	

**1. What did your country do, to ensure that authorization, certification and licensing procedures for RE generation facilities are clearly coordinated, transparent, streamlined and simplified?**

**If these criteria are difficult to implement, what are the reasons and barriers behind it?**

## **Albania**

The new Law on Renewable Energy is the top priority and is on its final stages of adoption and has foreseen on a specific article regarding “Information, certification and statistics” that The Ministry through the agency responsible for renewable energy sources, shall ensure that information on the benefits and costs of developing and using energy from renewable sources, as well as on support measures is made available to all relevant stakeholders, such as consumers, developers, designers, sponsors, investors, financial institutions, constructors, installers, architects, and suppliers of heating and cooling equipment and systems and power and other equipment that use energy from renewable sources.

Also an important part of the facilitation of RE production depends on the development of a comprehensive set of secondary legislation. or specific decisions as:

The DCM (Decision of Council of Minister) No. 822 “For the Regulation and Procedures of building new electric energy capacities that are not subject to concession” in order to create a more streamlined process to facilitate the permitting procedure.

**1. What did your country do, to ensure that authorization, certification and licensing procedures for RE generation facilities are clearly coordinated, transparent, streamlined and simplified?**

**If these criteria are difficult to implement, what are the reasons and barriers behind it?**

## **Bosnia and Herzegovina**

In order to analyze and recommend improvements of the current permitting regime and all obstacles to investments in Energy Sector a Working Group for Identification and Elimination of Legislative and other Obstacles to Investment in Energy Sector has been established.

Two major reports have been developed: *Draft Report on the Permitting Regime and Obstacles to Investment in the Energy Infrastructure Projects in BiH* and the *Report on International Best Practice in Energy Infrastructure Permitting*.

In the upcoming period, a detailed sectoral analysis of all aspects related to energy infrastructure permitting will include the areas of spatial planning, concessions, water management, construction, environmental protection and public interest. The Working Group adopted a Roadmap which defined the deadlines for these activities.

The main barriers and problems in the authorization, certification and licensing procedures for all RES producers in BiH are closely related to its complex constitutional structure, and the division of competences between state, entity and cantonal levels of government. The complex constitutional structure results in complicated permitting procedures, gaps and overlaps in legislation and overall lack of supervision over the whole permitting process.

**1. What did your country do, to ensure that authorization, certification and licensing procedures for RE generation facilities are clearly coordinated, transparent, streamlined and simplified?**

**If these criteria are difficult to implement, what are the reasons and barriers behind it?**

## **Kosovo\***

In July 2016 Kosovo has approved energy laws that has to facility the process:

- Law on Energy (establish a One Stop Shop for RES)
- Law on Electricity
- Law on Energy Regulatory

(Based on this Laws revision of secondary legislation will be done within 9 months from July)

- Law on expropriation on immovable property

## **FYR Macedonia**

The existing national primary legislation for authorization and licensing procedures defines detailed description of procedures and duration (deadlines) for implementing procedure by specifying the duties of institutions and the interested party (the applicants).

At present, there is no one-stop shop for coordinating all steps.

The Energy Law stipulates that the procedure on issuing the decision on the authorization for construction or expansion of electricity and heating energy generation facilities and electricity and heating energy cogeneration facilities is based on the principles of objectivity, transparency and non-discrimination.

**1. What did your country do, to ensure that authorization, certification and licensing procedures for RE generation facilities are clearly coordinated, transparent, streamlined and simplified?**

**If these criteria are difficult to implement, what are the reasons and barriers behind it?**

## **Republic of Moldova**

The new Law on electricity introduced new provisions, new sub-laws (under elaboration), but also relies on the existing Regulations, as for instance the Government Decision on the Regulation on construction/ reconstruction of power plants. This documents stipulates and describes all steps to be undertaken in order to develop a RE project.

The above mentioned Regulation describes the steps to be followed by investors and guides in respect to other Laws and Regulations to be consulted.

In order to avoid the Investors confusion because of too many interrelated laws the Government decided on appointing the Energy Efficiency Agency with the attribution of One stop shop/ Centre for informing the investors on EE and RES.

The procedures to be tackled by an investor aren't the simplest ones, at all, which basically served as an argument for creating the One stop shop mentioned above, in order to provide the needed informational support.

Some of the existing legal and, especially, administrative bottlenecks are to be overcome by the new sub-laws or those to be revised. Also, a new Urban Planning and Construction Code is to be adopted in order to simplify the construction procedures.

**1. What did your country do, to ensure that authorization, certification and licensing procedures for RE generation facilities are clearly coordinated, transparent, streamlined and simplified?**

**If these criteria are difficult to implement, what are the reasons and barriers behind it?**

## **Montenegro**

In recent years, Montenegro has made some simplifications related to the administrative procedures for authorization, certification and licensing.

In accordance with the Law on Spatial Development and Construction of Structures the number of procedures for issuing the construction permits were reduced. A one-stop shop is envisaged for small projects in relation to the technical specifications and construction and exploitation permits.

In the previous period Montenegro reduced time for processing permit applications.

The Energy Law provides for the possibility of issuing energy permits for construction of facilities for electricity production capacity up to 1 MW, without conducting the tender procedure.

Despite the authorization and permitting procedures being clearly defined by law, there are often difficulties in their practical application.



**1. What did your country do, to ensure that authorization, certification and licensing procedures for RE generation facilities are clearly coordinated, transparent, streamlined and simplified?**

**If these criteria are difficult to implement, what are the reasons and barriers behind it?**

## **Republic of Serbia**

The authorization, certification and licencing procedures for RE generation facilities are mostly defined under the Planning and Construction Law which is adopted in December of 2014.

The Law has been brought a number of specific responsibilities for administrative authorities, among which the most important for future investors in the renewable energy sources field.

The Law facilitates considerably procedures for obtaining required permits and consents for energy facility construction.

## **Ukraine**

The existing laws and regulations establish a clear and transparent mechanism for accession to electric grids related to the renewable energy and the "green" tariff establishment.

On the website of SAEE were laid out the brochures that explain the procedure of implementation of projects in the field of renewable energy. Ministries and other central executive bodies also highlight the appropriate clarifications to the procedures on their websites. In power supply companies were opened call-centers that provide customers with all the necessary information.

**2. Please describe in details what are the main specific barriers and problems regarding the authorization, certification and licensing procedures for the following renewable energy technologies: Wind, Solar PV and Thermal, Hydro (small, medium, large) and Biofuels, Bioenergy for electricity and heating**

## **Albania**

Operators have to adapt their grid development plans to accommodate more renewable energy and increase transparency towards potential investors regarding connection and access to the grids.

Because the development of RE covers different governance responsibilities, from municipality level to the central government, it can be stated that there is a lack of unification of procedures and cooperation in between institutions.

There is lack of clearly defined “maps” or guidelines on where the most suitable terrain or land is available for developing RE. because land is managed by the municipalities, investors have to go to each one in search for suitable spots to develop their RE investments.

2. Please describe in details what are the main specific barriers and problems regarding the authorization, certification and licensing procedures for the following renewable energy technologies: Wind, Solar PV and Thermal, Hydro (small, medium, large) and Biofuels, Bioenergy for electricity and heating

## **Bosnia and Herzegovina**

In this moment there are no identified permitting barriers specified under technologies. Lack of funds for initiatives and lack of financial resources are common for all technologies.

## **Kosovo\***

The study “Streamlining the Regulatory Framework for RES done by Fichtner has find some important barriers that have to do with all renewable energy technologies:

Limited access to capital both, equity and loans, and poor experiences of developers concerning banking procedure and requirements .

Complex authorization procedures and requirements ,combined the limited knowledge at local authorities about RE specific procedures and lack of coordination of the authorization process

No simplified authorization regime for small generators

Lack of conducive investment environment

**2. Please describe in details what are the main specific barriers and problems regarding the authorization, certification and licensing procedures for the following renewable energy technologies: Wind, Solar PV and Thermal, Hydro (small, medium, large) and Biofuels, Bioenergy for electricity and heating**

## **FYR Macedonia**

A critical unnecessary obstacle is the large number of institutions involved in permitting procedures and a lack of coordination among involved authorities.

Ministry of Economy prepared Guidelines - manual procedures for the development and construction of a plant for production of electricity from renewable energy sources from SHPP, wind power plants, photovoltaic power plants, biomass power plants and biogas.

## **Republic of Moldova**

Some of the existing legal and, especially, administrative bottlenecks are to be overcome by the new sub-laws or those to be revised. Also, a new Urban Planning and Construction Code is to be adopted in order to simplify the construction procedures.

## **Montenegro**

There are barriers to achieving agreements with neighboring countries regarding the optimal utilization of the joint hydro potential and water management.

The existing regulation on the use of energy from renewable sources in heating and cooling should be adjusted to the new Energy Efficiency Law

**2. Please describe in details what are the main specific barriers and problems regarding the authorization, certification and licensing procedures for the following renewable energy technologies: Wind, Solar PV and Thermal, Hydro (small, medium, large) and Biofuels, Bioenergy for electricity and heating**

## **Republic of Serbia**

In this moment there are no identified permitting barriers specified under technologies. It is expected that Memorandum of understanding between Ministry and Chamber of commerce on cooperation be signed. Under this Memorandum it is envisaged that Chamber of commerce provide Ministry with information directly from the investors in specific RE technology. So, it is planned to make interview with investors, members of Chamber, which has been already built or started to build RES facilities with specific technologies and try to identify concrete barriers in permitting procedure they have had.

## **Ukraine**

Major barriers regarding certification and licensing of renewable energy facilities :

- 1.The impossibility to conclude long-term contracts for the purchase-sale of electric energy within "green" tariff
- 2.This complicates the procedure of secured loans and in most cases, makes it impossible to obtain credit financing
- 3.The complexity and duration of changing land usage purpose procedure for renewable energy facilities construction.

The way to overcome the barrier is adoption of the relevant legal framework.

**3. Are the technical specifications, which must be met by renewable energy equipment and systems in order to benefit from support schemes clearly defined by your country?**

**If not, what are the barriers to do so?**

## **Albania**

At the moment there are no Support schemes in power regarding renewable energy apart from the concessionary agreements of Hydro Power Plants that are supported by a feed-in tariff.

The new RE law will foresee the support of RE with the method of Contract for Difference and this support shall be granted following a competitive process to ensure the lowest cost.

## **Bosnia and Herzegovina**

Appliance must meet the technical standards for certain types of equipment (BAS standards).

The construction of the plant RES privileged producers are obliged to apply modern technology and perform the installation of new, unused equipment in accordance the law.

3. Are the technical specifications, which must be met by renewable energy equipment and systems in order to benefit from support schemes clearly defined by your country? If not, what are the barriers to do so?

## **Kosovo\***

The technical specifications are set on Rule on support scheme (On Support of Generation of Electricity from Renewable Energy Sources)

## **FYR Macedonia**

To stimulate construction of new power plants using renewable energy sources RE Producers can obtain the status of preferential generator, and thereby the right to sell electricity under feed-in tariffs.

In order to get connected and to start delivering electricity, producers using RES have to comply/accept to quality standards. Technologies for renewable sources connected to the transmission network must meet certain standards and requirements under the Grid Code for the transmission of electricity and Grid Code for distribution of electricity.

The new Law will improve this area.

## **Republic of Moldova**

There is a Decision approved by national Regulator on Technical Norms for Transmission Electricity Networks.

The specific guidelines introducing the technical requirements for RES generation have been published.

**3. Are the technical specifications, which must be met by renewable energy equipment and systems in order to benefit from support schemes clearly defined by your country? If not, what are the barriers to do so?**

## **Republic of Serbia**

In order to benefit from support scheme, it is necessary that equipment is new no used before and to use renewable energy sources.

## **Ukraine**

In 2015 adopted the Law of Ukraine No. 514-VIII "On amendments to some laws of Ukraine to ensure competitive conditions of electricity production from alternative energy sources".

Currently, there are no technical specifications that must be met to receive "green" tariff. To receive allowances to "green" tariff at the rate of 5 and 10% on renewable electricity generation it is required the usage of Ukrainian production equipment at the rate of 30 and 50%, respectively. The specific percentages of equipment items are defined in the Law of Ukraine "On electric power industry.



4. Does your country encourage local and regional administrative bodies to include heating and cooling from renewable energy sources in the planning of city infrastructure? If no, what are the barriers to do so?

## **Albania**

The central government encourages such practice but it is the responsibility of the local governance include in its Strategic development plans such specifications

The main barriers are also related to the lack of Legislation to regulate the market of renewable energy. The inclusion of such technologies is left to the citizens. Apart from solar water heating which is somewhat implemented and that does not require special regulatory acts, all other RE technologies must have a clear legislative basis on which to be developed on planning documents.

## **Bosnia and Herzegovina**

There is no legal framework to encourage and support the local or regional / authorities in this regard, and do not exist or are not sufficiently generous funding for this type of incentive. "

4. Does your country encourage local and regional administrative bodies to include heating and cooling from renewable energy sources in the planning of city infrastructure? If no, what are the barriers to do so?

## **Kosovo\***

Draft Law Energy Performance of Building will address this issues, which is waiting for approval by Parliament. After that will be drafted all the necessary regulations to regulate the use of minimum level of RES in planning infrastructure .

## **FYR Macedonia**

In accordance the Energy Law when constructing new or major renovation of buildings or building units in their ownership, public sector entities are obliged to install solar collectors for hot water, when deemed cost-effective.

In designing and building of new buildings the Rulebook on Building Energy Performance envisage some combination of the highly efficient alternative systems to be used, if available and if their use is technically, environmentally and economically justified.

As a result of these commitments, the public sector has a greater role in promoting measures to improve the energy efficiency of other sectors of final energy consumption.

4. Does your country encourage local and regional administrative bodies to include heating and cooling from renewable energy sources in the planning of city infrastructure? If no, what are the barriers to do ?

## Republic of Moldova

The new draft of Urban Planning and Constructions Code promotes, besides District Heating, the use of renewable energy in buildings.

In accordance the Law on energy performance of buildings at the designing stage of a new buildings, the technical and economic feasibility of RES technologies shall be analyzed and implemented contains provisions about RES in buildings.

As a general rule a minimum share of RE to be used by different types of buildings, and imposed it by a technical norm/ decision. This share became compulsory for new buildings and in case of major renovations.

4. Does your country encourage local and regional administrative bodies to include heating and cooling from renewable energy sources in the planning of city infrastructure? If no, what are the barriers to do ?

## Montenegro

Yes, Montenegro encourages local administrative bodies to include heating and cooling from renewable energy sources in the planning of city infrastructure.

In accordance with the Energy Law local self-government unit shall prioritize heating and/or cooling from renewable sources, when it undergoes the procedure of planning the municipal infrastructure, as possible.

Also, the Energy Law stipulates: “When choosing technology for district heating and/or cooling or for industrial use, relevant authority in the local government shall give preference to solutions which envisage thermal energy generation in energy facilities using renewable energy sources and high-efficiency cogeneration.”

According to the Energy Law, the distributor of thermal energy is required to ensure connection of new energy facilities that use renewable energy sources or high-efficiency cogeneration.

4. Does your country encourage local and regional administrative bodies to include heating and cooling from renewable energy sources in the planning of city infrastructure? If no, what are the barriers to do so?

## Republic of Serbia

There are no concrete incentives from the Republic level in higher usage of renewable energy in heating sector, but there are many projects are developing at Republic level in order to identify possibilities in terms of financial sustainability to district heating system facilities switch from fossil to renewable energy

## Ukraine

For the purpose of local executive bodies empowerment and encouraging the development of thermal energy production from alternative sources, Agency has developed a draft Law of Ukraine "On amendments to the Law of Ukraine "On heat supply" concerning incentives for production of thermal energy from alternative energy sources”:

- transfer of power to local authorities to set tariffs and provide licensing of economic activity on production, transportation and supply of heat from alternative sources;
- the establishment of stimulating tariffs for thermal energy produced from renewable energy sources, at the rate of 90% of the current tariff for heat from natural gas for the needs of budgetary institutions and the citizens.

**Thank you for your attention!**

**Biljana Trivanović**

**[biljana.trivanovic@mvteo.gov.ba](mailto:biljana.trivanovic@mvteo.gov.ba)**

**Ministry of Foreign Trade and Economic Relations of  
Bosnia and Herzegovina**