

# ELECTRICITY

## Direct line - draft amendment of the legislation

**As part of the government's legislative process, work is underway on the draft implementation of the outstanding provisions of RED II and the Electricity Market Directive. Among other things, the market-awaited direct line regulations have returned to the bill.**

According to current legislation, a direct line is an electricity line connecting an isolated generation unit directly to a customer or a line connecting a generation unit of an energy company to installations owned by that company or its subsidiaries. It is therefore a direct connection, bypassing the existing electricity grid.

In accordance with the Energy Law, the construction of a direct line currently requires the prior consent of the President of the Energy Regulatory Office. An administrative decision in this regard is issued taking into account the degree of utilization of the existing transmission capacity, the refusal to provide transmission or distribution services that has been issued and the non-acceptance of a complaint filed against the aforementioned refusal.

The interpretation of the regulations adopted so far (by the ERO and the SOKiK) resulted in the linking of direct lines only to so-called island systems, operating outside the domestic electricity system - without additional connections of the generating unit and the customer itself.

The conditions taken into account in the consent process and the above interpretation (taking into account the safety of customers) resulted in this institution not being used in practice for the last 18 years. However, this may all change as a result of an amendment to the legislation.

### **Draft of the bill**

As a result of ongoing legislative work, both the legal definitions (which will lead to a discontinuation of the narrow interpretation and association only with island systems) and the provisions concerning prior approval of the President of the ERO are to be changed (introduction of a notification procedure). However, there are doubts about so-called solidarity fee, which will be applied to supplied electricity.

**Are you interested in this topic?  
Feel free to contact us.**

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