



## Anti-Crisis Shield and energy sector

### Extension of deadlines to enter the auction system

»» The Act of 31 March 2020 amending the law on special arrangements for the prevention, counteracting and combating of COVID-19, other infectious diseases and crisis situations caused by them and certain other laws (further, the "Anti-Crisis Shield") introduced certain amendments to the Law on Renewable Energy Sources. These amendments allow for the **extension of the deadline by which an auction participant is obliged to first begin selling electricity within the auction system as a result of circumstances beyond the producer's control** (i.e. the COVID-19 epidemic). To this end, interested parties may submit applications to the President of the Energy Regulatory Office (*URE*) to extend such deadlines (for a period of no more than 12 months from the original deadline of this obligation).

»» In examining applications for a deadline extension, the President of the *URE* shall favour the producer when taking into account circumstances in which the delay:

- > in the supply of equipment comprising a renewable energy source (RES) installation or
- > in the supply of components necessary for the construction of RES installations, or
- > in the construction of RES installations and connections to the power grid, or
- > occurring during the acceptance or commissioning of RES installations, or
- > occurring when obtaining a concession or entry in the registers specified by law

is caused by a state of epidemic threat or a state of epidemic declared by way of a Regulation issued by the minister competent for health matters.

### Prohibition on the suspension of energy supplies

»» Given the emerging liquidity problems faced by energy consumers, the **legislature decided to introduce amendments aimed at preventing power companies from suspending the supply of electricity, heat or gaseous fuels** in the event that their recipients fail to pay their bills.

»» The Anti-Crisis Shield introduces amendments to the Energy Law by **introducing a restriction on the ability to suspend the supply of gaseous fuels or energy during a state of epidemic threat and a state of epidemic**

»» These amendments create a situation in which a **power company** undertaking business activities consisting of the transmission or distribution of gaseous fuels or energy, **may not suspend the supply of gaseous fuels or energy if the recipient has delayed and failed to make payment for the services provided for a period of at least 30 days after the payment deadline**. Similarly, such a company **may not suspend the supply, even if requested by a seller of gaseous fuels or energy**.