



**ORDER**

**No. 1290/05.09.2024**

**regarding the approval of the initiation of the first auction for the *State aid scheme in the form of Contracts for Difference for the production of electricity from renewable sources of onshore wind and solar photovoltaic energy* as well as the Tender rules for the first auction**

**Considering:**

- Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC, as subsequently amended and supplemented;
- Commission Implementing Regulation (EU) 2020/1001 of 9 July 2020 laying down detailed rules for the application of Directive 2003/87/EC of the European Parliament and of the Council as regards the operation of the Modernisation Fund supporting investments to modernise the energy systems and to improve energy efficiency of certain Member States, as subsequently amended;
- Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Romania COM/2021/608 final;
- European Commission Notice - Technical Guidelines on the application of "do no significant harm" principle under the Recovery and Resilience Mechanism Regulation (2021/C58/01);
- point 2.5.2 of Section 2.5 of the Communication from the Commission Temporary Crisis and Transition Framework for State Aid measures to support the economy following the aggression against Ukraine by Russia (2023/C 101/03);
- Decision COM C (2024) 1596 final of 06.03.2024 - SA 108510 (2023N) approving the Contracts for Difference support scheme for the production of renewable electricity from onshore wind and solar photovoltaic;
- The provisions of Government Emergency Ordinance no. 60/2022 on establishing the institutional and financial framework for the implementation and management of the funds allocated to Romania through the Modernization Fund, as well as for amending and supplementing certain normative acts, as approved with additions under Law no. 376/2023, as subsequently amended and supplemented;
- Art. 2 points 13, 31, and 43 of G.D. no. 318/2024 on the approval of the general framework for the implementation and functioning of the Contracts for Difference support mechanism for low carbon technologies;

- Order of the minister of energy no. 1120/2024 on the approval of the state aid scheme in the form of Contracts for Difference for the production of electricity from renewable sources of onshore wind and solar photovoltaic energy;
- Letter no. 4912/SIB/11.07.2024 under which the Competition Council and the European Commission have been informed on the adjustment of the auction capacity, without affecting the total capacity of the scheme, and on the adjustment of the maximum strike price for the first auction;
- The report of the General Directorate for Energy Policies no. 251.757/04.09.2024 and of the General Directorate for Investments no. 238.645/04.09.2024 on the need to approve the initiation of the first auction for the state aid scheme in the form of Contracts for Difference for the production of electricity from renewable sources of onshore wind and solar photovoltaic energy as well as the tender rules for the first auction;

**On the basis of** art. 4 lett. b) of G.D. no. 318/2024 on the approval of the general framework for the implementation and functioning of the Contracts for Difference support mechanism for low carbon technologies and art. 10 para. (6) of G.D. on the organization and functioning of the Ministry of Energy, as subsequently amended and supplemented;

**the minister of energy issues the following**

### **Order**

**Art. 1.** - The general framework entitled „Initiation of the first auction for the *State aid scheme in the form of Contracts for Difference for the production of electricity from renewable sources of onshore wind and solar photovoltaic energy*”, provided under Annex no.1 which forms an integral part of this order is hereby approved.

**Art.2.** – The Tender rules for the first auction for the *State aid scheme in the form of Contracts for Difference for the production of electricity from renewable sources of onshore wind and solar photovoltaic energy*, provided under Annex no. 2 which forms an integral part of this order is hereby approved.

**Art. 3.** The provisions of this Order enter into force from the date of publication in the Official Gazette of Romania, Part I.

**Art. 4.** The operator of the CfD scheme – the National Electricity Transmission Company TRANSELECTRICA SA, nominated under Government Decision no. 318/2024 *on the approval of the general framework for the implementation and functioning of the Contracts for Difference support mechanism for low carbon technologies* and the Ministry of Energy shall carry out the provisions of this order.

**Minister of Energy**  
**Sebastian-Ioan BURDUJA**