

EED implementation in Romania

Introduction

In August 2014 entered into force the Law no. 121/2014 on energy efficiency. The Law transposes the European Union regulations set out under Directive 2012/27/UE regarding energy efficiency into national legislation. The main purpose of the Law is to establish a coherent legislative framework for the development and application of the national energy efficiency policy in order to achieve the national target for increasing energy efficiency.

The Romanian National Energy Regulation Authority (ANRE) is an autonomous administrative body under Parliamentary control, entirely self-financed and independent as regards its decision-making process, organisation and functioning, whose scope of activity is to issue, approve and monitor the implementation of the national-wide binding regulatory framework required for the proper functioning of the electricity, heat and natural gas sectors and markets in terms of efficiency, competition, transparency and consumer protection.

The main responsibility of implementing Directive 2012/27/UE on energy efficiency (EED) lies with the National Regulatory Authority for Energy (ANRE) through the Energy Efficiency Department; established by the Law no. 121/2014 on energy efficiency which is responsible with transposing the provisions of the law into secondary legislation and has the following main attributions and responsibilities:

- draft policy proposals and delegated legislation on energy efficiency;
- monitor the implementation of the National Energy Efficiency Action Plan as well as related programs for increasing energy efficiency at national level;
- cooperate with national and international bodies to promote energy efficient usage and reduce the negative impact on the environment;
- elaborate technical regulations in order to increase energy efficiency in all the sectors of activity;
- authorize energy auditors and certificate energy managers;
- regularly update the list of energy services suppliers that are qualified and certified, as well as their qualifications/certifications;
- develop synthesis of implementation stage by operators of the energy efficiency programs ;
- promote to consumers the usage of renewable resources, through additional actions to regulatory activity;
- participate to substantiating the indicative targets for energy saving and the necessary measures;
- monitor voluntary agreements initiated by competent authorities;
- collaborate with National Authority for Regulating and Monitoring Public Procurement in order to support central public administration authorities to meet the obligation of purchasing only high efficiency performance products, services and buildings, as far as the requirements for cost effectiveness, economic feasibility, high viability, technical compliance and a sufficient level of competition are met.

1. Legal context

In order to ensure a clear and consistent transposition of Directive 2012/27 / EU into national legislation in accordance with the reasoned opinion issued by the European Commission regarding

the case 2014/0367, the draft for amending and supplementing Law no. 121/2014 on energy efficiency is currently under Parliamentary analysis (since March 2016).

Main proposed amendments:

- ANRE's Department for energy efficiency encourages training programs for the qualification of energy auditors, aiming to ensure a sufficient number of available experts;
- Operators exceeding 1000 toe energy consumption have to carry out an energy audit every four years on a profile established by the operator, which represents at least 50% of the total energy consumption of the economic operator; the audit is carried out by an individual or legal entity authorized by law and underpinning the establishment and implementation of measures to improve energy efficiency;
- Economic operators with an energy consumption under 1000 toe, with the exception of SMEs, are obliged to carry out an energy audit every 4 years on an representative energy consumption profile chosen by the operator;
- The Ministry of Energy, SMEs and Business Environment shall develop programs to encourage SME's to undergo energy audits and the subsequent implementation of the recommendations of these audits;
- The Ministry of Energy, SMEs and Business Environment may set up support schemes for SME's, including if they have concluded voluntary agreements, to cover the costs of an energy audit and implementation of highly cost-effective recommendations from the energy audits, without bringing prejudice to the state aid legislation;

Following the provisions of the Law no. 121/2014 on energy efficiency for the transposition of the Directive 2012/27/UE regarding energy efficiency, the Romanian authorities approved by Governmental Decision no 122/2015 the National Energy Efficiency Action Plan (2014-2020).

The support scheme for promoting high-efficiency cogeneration has been approved in Romania by Governmental Decision no 219/2007 for the promotion of cogeneration based on useful heat demand. The bonus scheme represents state aid operational type (N 437/2009 - Romania), authorized by the European Commission being implemented by Government Decision No 1215/2009, *establishing the criteria and the conditions required for the implementation of the support scheme for the promotion of high-efficiency cogeneration based on a useful heat demand*. In 2015, the Governmental Decision no 219/2007 for the promotion of cogeneration based on useful heat demand was modified by the Governmental Decision no 846/2015.

Secondary legislation on energy efficiency issued by the Romanian Energy Regulatory Authority

- ANRE Decision no.2794/2014 - Regulation for certification of energy managers and energy service provider companies and Regulation for authorising industrial energy auditors
- Decision ANRE no.2123/2014 Guide for energy audit - it includes minimum criteria for energy audits according to Energy Efficiency Directive 27/2012/CE;
- Model for developing the Program for increasing energy efficiency for industrial units ANRE Decision no. 8/DEE/12.02.2015
- Model for developing the Program for increasing energy efficiency of establishments with a population exceeding 5000 inhabitants - ANRE Decision no. 7/DEE/12.02.2015 for approving the Model for developing the Program for increasing energy efficiency of establishments with a population exceeding 5000 inhabitants.
- Decision no. 13/DEE/2015 regarding the approval of the syllabus of specialized courses in the field of energy management and energy audits development.
- Decision no 1765/2013 regarding the approval of the layouts for the total energy consumption statement and the analysis questionnaire of the energy consumer.
- ANRE Order No. 95/2015 amending the approval of contribution for high-efficiency cogeneration and certain provisions on its invoicing;

- ANRE Order No. 61/2015 on approving the calculation method for establishing the quantity of electricity produced by high efficiency cogeneration in for certification by guarantee of origin;
- ANRE Order No. 10/2015 on the approval of the Methodology for monitoring and reporting data regarding the support scheme on the promotion of high efficiency cogeneration based on the useful heat demand;

Guidelines for the building sector – Ministry for Regional Development and Public Administration

- Good practice guide for the design of ventilation / air-conditioning in buildings (Indicative GEx 011-2015)
- Good practice guide for designing lighting systems / protection in buildings (Indicative GEx 012-2015)
- Guidance on the use of renewable energy in new and existing buildings (Indicative GEx 013-2015)

2.2. Non-legislative provisions

ANRE, through the Energy Efficiency Department, in collaboration with other competent authorities, promotes the development of energy services market and regulates the access to it, especially for SMEs by: disseminating clear and easily accessible information on: (i) the available energy services contracts and provisions that must be included in such contracts, according to Annex no.10, to guarantee energy savings and end users' rights.

In addition to legal implementation, ANRE conducted awareness-raising campaigns:

- series of **training courses** for energy managers in 4 different cities – Bucharest, Craiova, Iasi and Brasov.

The courses introduced a new platform for energy managers to upload the yearly energy consumption on ANRE's portal. Approximately 300 energy managers from companies with a total energy consumption exceeding 1000 toe participated at.

- **workshop** addressed to the representatives of public local authorities which have the obligation to elaborate energy efficiency improvement programmes, including short term and 3 to 6 years measures.

Accordingly to the provisions of the Energy Efficiency Law no. 121/2014:

- Art. 9(12) For municipalities more than 5000 inhabitants it is obligatory to have:
 - Energy efficiency programs
- Art. 9(13) For municipalities more than 20000 inhabitants it is obligatory to have:
 - Energy efficiency programs
 - Energy manager

The workshop addressed a number of issues such as gathering information needed for elaborating the energy efficiency improvement programme and the databases analysis of municipalities' energy consumption, the identification of energy savings potential and energy efficiency measures, as well as the identification of sources and mechanisms for financing these measures.

Energy Efficiency Information Point – established by the Energy Efficiency Department within ANRE in order to help all energy consumers to achieve a better understanding of energy efficiency matters, from legislation to concrete measures that can help increase energy efficiency.

In order to raise the awareness of decision-making institutions regarding the active policies and measures for increasing energy efficiency, reducing energy poverty and protecting the vulnerable consumers, at the request of the Energy Efficiency Department within ANRE, a **Study on “Energy Efficiency – national priority for reducing energy poverty, increasing life quality and safety of energy consumers”** was elaborated by the Romanian Institute for Life Quality and Institute of Sociology, at the request of the Energy Efficiency Department within ANRE (June-September 2015).

The study highlighted the fact that in Romania it should be taken into account the difficulties of the national context represented by the share of people facing poverty or social exclusion risk (40%). In the case of energy household consumption, the dissemination of the benefits resulting from energy efficient behaviour changes to the vulnerable consumers is a prerequisite to ensure a decent living standard required by the European context.

In December 2015 the Ministry of Energy has submitted to the European Commission the "Report on the assessment of the national potential to implement high-efficiency cogeneration and efficient district heating and cooling, in accordance with Art. 14 para. 1 of Law no. 121/2014 on energy efficiency, which is published on the European Commission website at the following link:

<http://ec.europa.eu/energy/en/topics/energy-efficiency/cogeneration-heat-and-power>

3. Future activities

- Future activities will be in accordance with the European Energy Strategies (Energy Union, Energy Strategy 2020 and 2030) and the outcome of the revision of the Energy Efficiency Directive.
- Continuing the participation within Horizon2020 projects, including on CAEED next project.

4. Relevant information

Energy efficiency legislation link on ANRE’s website

<http://www.anre.ro/en/energy-efficiency/legislation/energy-efficiency-legislation1438862283>

Ministry of Energy website

<http://energie.gov.ro/>

Ministry of Regional Development and Public Administration website

<http://www.mdrap.ro/>