

## REPORT

### **In pursuance of Art.5.3 and Art.10.1 of Directive 2004/8/EC of the European Parliament and of the Council of 11 February 2004 on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC**

In Bulgaria, the **State Energy and Water Regulatory Commission (SEWRC)** is the independent competent body which issues guarantees of origin of electricity and ensures compliance with the criteria and rules for issuing guarantees of origin.

#### **Mechanism for issuing guarantees of origin:**

1. Producers submit an application to SEWRC for issuing a guarantee of origin of the electricity from each plant owned by them
2. The application covers the quantity of electricity generated within an antecedent period of 3 months
3. The guarantee of origin contains the following information:
  - type of the guarantee of origin;
  - a unique number containing the producer's registration number and running number of the guarantee of origin issued to it;
  - the body which has issued the guarantee of origin;
  - date of issuance, period of electricity generation;
  - quantity of electricity produced by way of cogeneration, whose type is certified with the guarantee of origin;
  - electricity generation technology, including
    - quantity of energy for useful heat demand generated simultaneously with the electricity,
    - type and low heating value of the fuel used
    - the results from the efficiency assessment of the cogeneration facilities, determined in compliance with the ordinance under art. 162, para.3 of the Energy Law, including the saved primary energy of the fuel or RES used for the plant;
  - the generation plant;
  - total installed capacity of the generation plant;
  - installed capacity of the facilities generating electricity by a co-generation process ;
  - producer's name and BULSTAT code;
4. When an application for issuing a guarantee of origin by a given producer is examined for the first time, SEWRC shall deliver a decision within 15 days of receipt of the application in cases where the applicant is a licensed producer, and within two months where the application is submitted by a non-licensed producer.  
When examining each subsequent application, SEWRC shall deliver a decision within 15 days of receipt of the application.
5. The issued guarantee of origin becomes effective from the moment of its entry into the register.
6. At a producer's request, SEWRC issues a certificate for the owned guarantee of origin in a paper form.
7. SEWRC **refuses** to issue a guarantee of origin **in case of:**
  - Incompleteness, inaccuracy or lack of authentication of the data submitted by the producer

- Nonconformity with the legal requirements for determining the quantity of electricity as generated from cogeneration

8. SEWRC **issues** a guarantee of origin **for a quantity** of electricity **other than the one declared** by the producer if enough data are available for its determination by SEWRC, by adhering to the effective legislative requirements.

9. The guarantee of origin shall be **revoked by the SEWRC if:**

- documents on the ground of which it has been issued are found non-authentic
- it is found that the holder of the certificate has provided untrue information that has served as grounds for issuing such certificate

10. A guarantee of origin may be revoked **within a one-year period** following its entry into force

## **Payments and protection of the interests of electricity producers and consumers**

### **1. Protection of producers**

- > Pending the issuance of a guarantee of origin, the producer is paid for the entire quantity of electricity invoiced by him as generated by way of cogeneration at the preferential price valid for this producer.
- > A balancing (equalizing) payment for the respective period is to be made within 10 days following the issuance of the guarantee of origin.

### **2. Protection of consumers**

- > In case of systematic or considerable deviations between the quantities registered with a guarantee of origin and the quantities invoiced by the producer at preferential price, the contracts for purchase of electricity may stipulate special conditions for the advance payments.

## **Register of the guarantees of origin**

SEWRC draws up, maintains and publishes on its Internet page a public register containing:

- Data for the producers having received a guarantee of origin
- The issued and revoked guarantees of origin

The issuance and revocation of the guarantees of origin become effective from the moment of their entry into the register

SEWRC enters the changes into the register by the end of the working day following the day of the adoption of the respective decision

## **Mutual recognition of the guarantees of origin issued in EU Member States**

SEWRC recognizes the guarantees of origin issued in EU Member States under conditions of reciprocity. The guarantees of origin issued in an EU Member State serve as evidence for the

truthfulness of the facts and circumstances certified with them.

Each refusal of SEWRC to recognize a guarantee of origin, including in case of reasons related to fraud prevention, shall be grounded on objective, transparent and non-discriminatory criteria and well-reasoned.

In case of an act by SEWRC entered into force stating refusal to recognize a guarantee of origin, the dispute can be referred to the European Commission.