

Energy Regulatory Office

<https://www.ure.gov.pl/en/communication/news/372,The-President-of-the-Energy-Regulatory-Office-URE-approved-amendments-to-the-Cap.html>
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The President of the Energy Regulatory Office (URE) approved amendments to the Capacity Market Rules

At the request of PGE, the President of URE modified the [Capacity Market Rules](#), approving the amendments set out in the Revision Sheet No. 7. The changes have been approved by the Minister for Climate and Environment.

The amendment was required to align the Rules with the current legal regulations^[1], and to clarify the provisions and resolve doubts related to certification processes, replacement of planned demand response units, performance of the capacity obligation, settlements and rules of cooperation with distribution system operators.

The changes being made^[2] relate to:

- a. adaptation of the provisions of the Rules to the provisions resulting from the amendment of the Energy Law, taking into account the changes in the processes:
 - a. participation of foreign capacity in the capacity market,
 - b. general certification, and
 - c. the secondary market;
- b. modifications to the process of replacing planned demand site units, resulting from past experience;
- c. the possibility of applying an individual availability correction factor for physical generation units based on more than one electricity generation or storage technology;
- d. clarification of the provisions concerning the performance of the capacity obligation during the capacity market recall period and during the test capacity market recall period;
- e. changes to the settlement process, including clarification of the determination of the remuneration and the price of the capacity obligation minus any deductible state aid and the time limits for the state aid deduction and indexation^[3];
- f. rules of cooperation with distribution system operators (DSOs) concerning the provision of information on network congestion and instructions of the DSO;

All documents related to the Rules and their amendments are available on the URE's website in the [Capacity Market](#) section and [on the website of the Public Information Bulletin](#).

- The capacity market is a regulatory solution that aims to prevent electricity shortages in the future by creating investment incentives for the construction of new and the modernisation of existing generating units.
- These solutions are also expected to result in more proactive power consumption management and improved electricity demand flexibility.
- The introduction of the capacity market transformed the architecture of the electricity market from a single-commodity market to a dual-commodity one, where trading is not limited to the electricity generated but also involves buying and selling the net available capacity, i.e. the readiness to supply energy to the grid. The selection of the capacity market units that will offer the new service in exchange for adequate remuneration is made following an auction.
- [The Act of 8 December 2017 on the capacity market](#) requires that the President of URE, among other things, approves the capacity market rules, by way of a decision, in coordination with the minister responsible for energy^[4].
- The Capacity Market Rules were approved by the President of URE by decision of 30 March 2018, and have since been updated seven times.

Link: [ERO President approves changes to the Capacity Market Rules - News - Energy Regulatory Office](#)

^[1] Among others, the Energy Law Act amended by the Act of 28 July 2023 (Journal of Laws 2023, item 1681).

^[2] The wording of Sections 1, 6, 7, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 23 of the Rules as well as of its Annexes Nos: 7.9, 13.1, 13.2, 14.1, 14.3, 14.4, 14.6, 14.8, 14.9, 14.10 and 14.15.

^[3] Including the implementation of the new wording of Article 48(2)(3)(b) of the Capacity Market Act (Journal of Laws 2023, item 2131).

^[4] Article 84(3) of the Capacity Market Act.

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