

**DECISION  
OF THE GOVERNMENT OF THE RUSSIAN FEDERATION  
NO. 168 OF MARCH 21, 2007  
ON AMENDING SOME DECISIONS OF THE GOVERNMENT OF THE RUSSIAN  
FEDERATION ON ELECTRICAL ENERGY ISSUES  
(with the Amendments and Additions of October 22, 2012)**

The Government of the Russian Federation hereby resolves:

1. To endorse the Amendments to Decisions of the Government of the Russian Federation on electrical energy issues attached hereto.

2. To establish that payment for a technological connection of power receiving apparatus (power installation) of legal entities and natural persons to power grids shall be collected at the rate defined by a contract of technological connection in accordance with the specifications for technological connection to power grids issued before the entry into force of the present Decision.

3. By July 1, 2007 the Ministry of Industry and Energy of the Russian Federation together with the Ministry of Economic Development and Trade of the Russian Federation, the Federal Antimonopoly Service and the Federal Service on Tariffs shall prepare and, in the established procedure, lay before the Government of the Russian Federation a draft Decision of the Government of the Russian Federation on making amendments to Decision of the Government of the Russian Federation No. 19 of January 19, 2004 on Endorsing the Rules for Approving Investment Programmes of Electrical Energy Natural Monopoly Entities (Sobranie Zakonodatelstva Rossiyskoy Federatsii, item 278, No. 4, 2004) that envisage improving the procedure for approval of investment programmes and of the system of monitoring the implementation thereof, and concerning the definition of the procedure for drawing up and financing investment programmes.

Chairman of the Government  
of the Russian Federation

M. Fradkov

**Amendments  
to Decisions of the Government of the Russian Federation on Electrical Energy Issues  
(endorsed by Decision of the Government of the Russian Federation No. 168 of March 21,  
2007)  
(with the Amendments and Additions of October 22, 2012)**

1. abrogated from January 1, 2014.

**Information on changes:**

*See the text of Item 1*

2. In Decision of the Government of the Russian Federation No. 861 of December 27, 2004 on Endorsing the Rules for Non-Discriminatory Access to Electricity Transmission Services and for the Provision of Such Services, the Rules for Non-Discriminatory Access to the Services of Operative Dispatching in the Electrical Energy Industry and for the Provision of Such Services, the Rules for Non-Discriminatory Access to the Services of an Administrator of a Wholesale Market Trading System and for the Provision of Such Services and the Rules for Technological Connection of Power Receiving Apparatus (Power Installation) of Legal Entities and Natural Persons to Power Grids (Sobranie Zakonodatelstva Rossiyskoy Federatsii, item 5525, No. 52, 2004; item 3876, No. 37, 2006):

a) the Rules for Non-Discriminatory Access to electricity transmission services and for the Provision of Such Services endorsed by the said decision shall be set out as follows:

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**"Rules  
for Non-Discriminatory Access to the Services  
of Electricity transmission**

**and for the Provision of Such Services**  
**(endorsed by Decision of the Government of the Russian Federation**  
**No. 861 of December 27, 2004)**  
**(in the wording of Decision of the Government of**  
**the Russian Federation No. 168 of March 21, 2007)**

**I. General Provisions**

1. The present Rules define the general principles of, and the procedure for, the provision of a non-discriminatory access to electricity transmission services, and also of/for the provision of such services.

2. The terms used in the present Rules have the following meanings:

**"certificate of delineation of balances of power grids"** means a document drawn up in the course of technological connection of power receiving apparatus (power installation) that defines the boundaries of balances;

**"certificate of delineation of operational responsibilities of parties"** means a document drawn up by a grid organisation and a consumer of electricity transmission services in the course of technological connection of power receiving apparatus that defines the boundaries of parties' responsibility for the operation of the relevant power receiving apparatus and power grid apparatus;

**"the balance boundary"** means a line separating power industry apparatus between owners according to ownership or possession on other grounds envisaged by federal laws as defining the boundary of operational responsibilities between a grid organisation and a consumer of electricity transmission services (a consumer of electricity in whose interests a contract is concluded for the provision of electricity transmission services) for the condition of power apparatus and for the maintenance thereof;

**"declared power rating"** means the maximum value of power consumed in the current regulation period as defined by an agreement between a grid organisation and a consumer of electricity transmission service, calculated in megawatts;

**"maximum power"** means the value of power due to the composition of power receiving equipment and the consumer's technological process, calculated in megawatts;

**"connected power"** means the aggregate value of rated power of transformers and power receiving apparatus of a consumer of electrical power which are connected to a power grid (including those indirectly connected), calculated in megavolt-amperes;

**"power grid carrying capacity"** means the technologically maximum admissible power that can be transmitted with account taken of operating conditions and the operational reliability of electrical power systems;

**"grid organisations"** means organisations possessing under a right of ownership, or on other grounds established by federal laws, power grid apparatus used by these organisations to provide electricity transmission services and to accomplish in the established procedure the technological connection of power receiving apparatus (power installation) of legal entities and natural persons to power grids;

**"territorial distribution network"** means a set of electricity transmission lines and equipment which are not incorporated in the unified national (all-Russia) power grid and are used to provide electricity transmission services;

**"point of connection to a power grid"** means the place of physical connection of power receiving apparatus (power installation) of a consumer of electricity transmission services (the consumer of electricity in whose interests a contract is concluded for the provision of electricity transmission services) with an power grid of a grid organisation.

3. Non-discriminatory access to electricity transmission services implies that equal terms and conditions are available for the provision of the said services to consumers thereof, irrespective of organisational legal form and legal relationship with the provider of the services.

4. Consumers of electricity transmission services are persons possessing under a right of ownership or on other legal grounds power receiving apparatus and/or electrical energy facilities, electricity wholesale market agents technologically connected in the established procedure to a power grid (including those indirectly connected) which are exporting (importing) electrical power, and also power selling organisations and guaranteeing suppliers in the

interests of the electrical power consumers they service. Electricity transmission services shall be provided by a grid organisation under a contract for provision of electricity transmission services for a compensation (hereinafter referred to as "contract").

5. If power receiving apparatus of a consumer of electrical power are connected to power grids of a grid organisation via power installations of electricity producers, grid facilities of persons that do not provide electricity transmission services or via power grid facilities in abeyance directly connected to grids of grid organisations (hereinafter referred to as "indirect connection to a power grid") the consumer shall conclude a contract with the grid organisation whose grids have connection with the power installations of electricity producers, the power grid facilities in abeyance or the power receiving apparatus (power grid facilities) of the persons which do not provide electricity transmission services with which its power receiving apparatus is directly connected.

In this case according to the contract the point of connection is the point where the power receiving apparatus of the power consumer is connected to the power grid facility of the person that does not provide electricity transmission services.

6. The owners and other legal possessors of the power grid facilities via which the consumer's power receiving apparatus is indirectly connected to the power grids of the grid organisation are neither entitled to impede the flow of electrical power via their facilities for such consumer nor to charge for it.

These owners and other legal possessors of power grid facilities via which the consumer's power receiving apparatus is indirectly connected to the power grids of the grid organisation are entitled to provide electricity transmission services through the use of the power grid facilities they possess after a tariff has been set for them for electricity transmission services. In this case their relationships that have to do with electricity transmission are subject to the provisions of the present Rules envisaged for grid organisations.

The consumers of services that are indirectly connected to power grids shall make payment for electricity transmission services according to methodological directions confirmed by the federal executive governmental body charged with the state regulation of tariffs.

7. The following is not deemed electricity transmission service: the activities of a consumer (producer) of electrical power that uses electrical energy when residential and non-residential premises are provided thereto for lease, rent and/or operation.

8. For the purpose of performing its obligations to consumers of services (buyers and sellers of electrical power) a grid organisation shall conclude contracts with other grid organisations having a technological connection to power grid facilities owned by the given grid organisation or on other legal grounds (hereinafter referred to as "adjacent grid organisations") in accordance with Section III of the present Rules.

## **II. Procedure for Concluding and Performing the Contract**

9. The contract is public and compulsory for a grid organisation.

10. The contract shall not be concluded before the conclusion of a contract of technological connection of power receiving apparatus (power installations) of legal entities and natural persons to power grids, except for cases when consumers of services are as follows:

a) persons whose power receiving apparatus have a technological connection to a power grid;

b) persons exporting (importing) electrical power and not possessing, using, and disposing of, electrical energy facilities connected to a power grid;

c) power selling organisations (guaranteeing suppliers) concluding the contract in the interests of the electricity consumers they service.

11. In respect of the electricity consumers in whose interests the contract is concluded the grid organisation is entitled to request information and documents on technological connection from relevant persons and/or empowered governmental bodies for the purpose of assessing the technical characteristics of the power receiving apparatus required for the provision of electricity transmission services.

12. Within the framework of the contract the grid organisation shall undertake to implement a set of organisational and technologically-related actions to ensure the transmission

of electricity via power grid technical apparatus and the consumer shall undertake to pay for them.

**13.** The contract shall comprise the following significant terms and conditions:

a) the maximum power of the power receiving apparatus technologically connected in the procedure established by the legislation of the Russian Federation to the power grid, with this value being distributed for each point of connection;

b) the declared power within the limits of which the grid organisation undertakes to ensure the transmission of electricity at the points of connection specified in the contract. In this case, if connection is indirect the declared power at the point of connection of each of the power receiving apparatus of consumers of services shall be determined in accordance with the electricity consumption of each consumer during power system peak load hours as annually determined by the system operator;

c) the responsibilities of the consumer of services and of the grid organisation for the condition and maintenance of power grid facilities which are defined by the balances of the grid organisation and of the consumer of services (the consumer of electricity in whose interests the contract is concluded) and recorded in a certificate of delineation of the balance of power grids and in a certificate of operational responsibilities of the parties deemed annexes to the contract;

d) the parties' obligations to equip the points of connection with electrical energy meters, including meters complying with the requirements established by the legislation of the Russian Federation, and also to ensure their operability and the observance over the whole effective term of the contract of the operating standards which are established by the empowered body charged with technical regulation and metrology and by the manufacturer as applicable thereto. Until the discharge of the obligations to equip the points of connection with recording instruments the parties shall apply the calculation method they have agreed upon for keeping record of electrical energy (power) used to assess the amounts of electrical energy (power) transmitted.

**14.** While performing the contract the consumer of services shall:

a) observe the electrical energy (power) consumption (production) regime set out in the contract. If the consumer has systematically (twice or more over the calendar year) exceeded the declared power by over ten per cent then the actual used power shall be used to determine obligations under the contract in the current period of regulation, or the maximum power for consumers whose connected power of power receiving devices exceeds 750 kVA;

b) pay for the services provided by the grid organisation in terms of electricity transmission, at the rate and within the term established by the contract;

c) maintain in appropriate technical condition the relay protective facilities and automatic emergency protection apparatus, electrical energy and power metering and recording instruments that ensure the regulation of reactive power as well as the other apparatus required for maintaining the required electricity reliability and quality parameters, and shall observe the requirements established for the technological connection and operation of these facilities, instruments and apparatus;

d) operate the power receiving apparatus possessed by the consumer, in accordance with technical operating rules, safety rules and operative dispatch control rules;

e) observe the requirements established in the established procedure by the grid organisation, the system operator (operative dispatch control agent) applying to the setup of relay and automatic protection apparatus, and shall also maintain the power supply circuit with responsible loads being allocated for the reserved external feed lines that ensure electricity supply for covering emergency and technological reservation demand;

f) maintain at the balance boundary the values of electricity quality indicators conditioned by the operation of its power receiving apparatus as meeting technical regulations and other compulsory requirements, among other things shall observe the ratios of active and reactive power consumption determined for specific power receiving apparatus (groups of power-receiving apparatus);

g) comply with the grid organisation's requirements concerning a limitation on consumption regime in accordance with confirmed consumption reduction schedules (temporary disconnection) in the event of occurrence (a threat of occurrence) of electrical energy and power deficit and also in the other cases envisaged by the legislation of the Russian Federation as grounds for introducing a full or partial reduction of consumption regime;

h) provide technological information to the grid organisation (main electrical diagrams, specifications of equipment, diagrams of relay protection apparatus and automatic emergency protection apparatuses, and operative information on the technological regimes of equipment operation);

i) inform the grid organisation within the term established by the contract of emergency situations at power facilities, and on the planned, current repair and overhaul thereof;

j) inform the grid organisation of the scope of participation in automatic or operative emergency power control, in the rated primary frequency regulation and in the secondary power regulation (for power stations) and also of a list and the power rating of current collectors of the consumer of services that can be disconnected by automatic emergency protective apparatus;

k) provide free access for empowered representatives of the grid organisation to the points of monitoring and recording of the quantity and quality of transmitted electricity in the procedure and in the cases established by the contract.

**15.** While performing the contract the grid organisation shall:

a) ensure the transmission of electricity at the point of connection of the power-receiving apparatus if the consumer of services (consumer of electrical power in whose interests the contract is concluded) to the power grid, the quality and parameters thereof complying with technical regulations and the emergency and technological reservation demand;

b) transmit electricity in accordance with the agreed-upon category of reliability of the power-receiving apparatus of the consumer of services (consumer of electricity in whose interests the contract is concluded);

c) determine, in the procedure set out by the Ministry of Industry and Energy of the Russian Federation, the values of the ratio of active and reactive power consumption for specific power receiving apparatus (groups of apparatus) of consumers of services. In this case the said characteristics for the consumers connected to power grids with a voltage of 35 kV and below shall be set by the grid organisation, and for the consumers connected to power grids with a voltage exceeding 35 kV they shall be set by the grid organisation jointly with the relevant operative dispatch control agent;

d) it shall inform the consumer of services (the consumer of electricity in whose interests the contract is concluded) in the procedure and within the term established by the contract of emergency situations in power grids, the repair and preventive maintenance affecting the performance of obligations under the contract;

e) provide free access for empowered representatives of consumers of services to points of monitoring and recording of the quantity and quality of the electricity transmitted to the given consumer, in the procedure and in the cases established by the contract.

**16.** If the consumer of services has deviated from the contract-established ratio of active and reactive power consumption as the result of participation in reactive power regulation by agreement with the grid organisation the consumer shall pay for electricity transmission services, among other things within the end tariff (price) for the electricity supplied thereto under a power supply contract, with account being taken of the step-down coefficient set in accordance with the methodological directions confirmed by the federal executive governmental body charged with the state regulation of tariffs.

If according to readings of metering and recording instruments the grid organisation detects that there has been a deviation from the ratio of active and reactive power consumption a report shall be drawn up and sent to the consumer. Within ten working days after the receipt of the report the consumer of electricity shall notify in writing of the term needed to ensure the observance of the established characteristics by means of installation on the consumer's own apparatus ensuring the regulation of reactive power or of the impossibility to comply with the said requirement and of the consumer's consent to the application of a step-up coefficient to the charged for electricity transmission services. This term shall not exceed six months. If upon the expiry of ten working days no such notice has been sent by the consumer the grid organisation and also the guaranteeing supplier (power supply organisation, power selling organisation) under the power supply contract shall apply a step-up coefficient to the tariff for electricity transmission services (among other things, within the end electricity tariff (price)). The step-up coefficient shall be applicable until the installation of relevant apparatus by the consumer of services who has committed the deviation from the ratio of active and reactive power consumption.



The amount of the above step-up and step-down coefficients shall be set in accordance with the methodological directions confirmed by the federal executive governmental body charged with the state regulation of tariffs.

The losses incurred by the grid organisation or third persons due to breach of the established ratio of active and reactive power consumption shall be compensated by the person at fault for the breach in accordance with the civil legislation of the Russian Federation.

**17.** If automatic emergency protection and regime-maintaining apparatus and/or components thereof have been installed on power receiving apparatus of consumers of services the preservation and reliable operation thereof and also the possibility of timely execution of commands of the system operator (operative dispatch control agent of a technologically isolated territorial power system) shall be ensured by the grid organisation, unless according to the contract these actions are to be accomplished by the consumer on his own.

If at the conclusion of a contract for technological connection by a consumer of services and the grid organisation no requirement was included therein for the connection of the power-receiving apparatus of the consumer of services to automatic emergency and regime-maintaining apparatus including special automatic load disconnection apparatus and apparatus allowing the remote entry of temporary consumption disconnection schedules from dispatch centres of the system operator in accordance with his commands relevant terms shall be envisaged by an agreement between the same parties. Measures for equipping the power receiving apparatus of consumers of services with relay protection apparatus and automatic emergency protection and regime-maintaining apparatus shall be implemented in accordance with the demand of the relevant operative dispatch control agent by the grid organisation on the basis of the said contractual terms, unless otherwise established by agreement of the parties.

If a consumer of services is in breach of the contractual terms concerning the ensuring of operability of relay protection apparatus and automatic emergency protection and regime-maintaining apparatus the grid organisation is entitled to suspend performing its obligations under the contract or refuse to perform them.

**18.** A person intending to conclude a contract (hereinafter referred to as the "applicant") shall send the following to a grid organisation:

a) an application for conclusion of a contract comprising the following details confirmed by documents attached thereto:

the particulars of the consumer of electricity transmission services or of the consumer of electricity in whose interest the contract is being concluded;

the amounts of and the would-be regime of electricity transmission, with a breakdown by the month;

the amount of connected maximum power and the nature of load of the power-receiving apparatus (power installations) connected to the grid with the distribution thereof for each point of connection and together with a certificate of delineation of balances of power grids and of operational responsibilities of the parties;

a single-line diagram of the power grid of the consumer of services (the consumer of electricity in whose interests the contract is being concluded);

the date of commencement of provision of the services of electricity transmission;

b) a copy of a contract for the provision of operative dispatch control services if the contract is being concluded with the organisation charged with controlling the unified national (all-Russia) power grid;

c) a draft contract, if the applicant so wishes.

**19.** For the purposes of using electricity for the household needs of citizens who are consumers contracts shall be concluded by the guaranteeing supplier (power selling organisation) which provides services to relevant consumers or by the consumers of electricity proper. Such contracts shall incorporate the terms mentioned in Subitems "c" and "d" of Item 13, Subitems "a" - "c" (if relevant equipment is available) and "k" of Item 14, Subitems "a", "b" and "d" of Item 15 of the present Rules. Under such contracts declared power shall be determined on the basis of the electrical energy consumption of the citizens being consumers and of the average number of hours of use of power consuming equipment's power by the consumers.

**20.** Within 30 days after the receipt of the documents mentioned in Item 18 of the present Rules the grid organisation shall examine them and send to the applicant either a draft

contract signed by the grid organisation or a refusal to conclude it with the reasons for the refusal.

**21.** If in the documents so filed there are no details specified in Subitem "a" of Item 18 of the present Rules the grid organisation shall within six working days notify the applicant accordingly and shall within 30 days after the receipt of the lacking documents consider the application.

**22.** Having received the draft contract from the grid organisation, the applicant shall complete it in as much as the particulars of the applicant are concerned, and shall send one copy of the draft contract he has signed to the grid organisation.

**23.** The contract shall be deemed concluded as of the date when the grid organisation receives the draft contract signed by the applicant, except as otherwise established by a contract or a court's decision.

If for the purpose of concluding a contract several organisations apply which are taking part in a tender for a right to pursue activity as a guaranteeing supplier such contract shall be concluded with each of the organisations. The date of commencement of provision of services under a contract shall not precede the date when the status of guaranteeing supplier is conferred on the relevant organisation.

**24.** A grid organisation is entitled to refuse to conclude a contract if:

a) a consumer of services does not have a concluded contract for the provision of operative dispatch control services, if a contract is being concluded with the organisation charged with controlling the unified national (all-Russia) power grid;

b) there is no technical possibility for provision of electricity transmission services in the amount declared, if the appropriate transmission of the declared power cannot be ensured by the grid organisation in the existing technological conditions;

c) the application for conclusion of the contract has been filed by a person not having a technological connection (direct or indirect) to the power grids of this grid organisation. In this case the condition sine qua non for concluding a contract with guaranteeing suppliers and power selling organisations is the existence of a technological connection of the consumers of electricity in whose interests the contract is being concluded, and for the organisations pursuing the activity of exporting/importing electricity, the existence of a connection of this grid organisation's power grids with the power grids of the neighbour states on whose territories export/import electricity supply takes place.

**25.** The grid organisation's decline or refusal without a good reason to conclude a contract may be appealed against by a consumer of services in the procedure established by the legislation of the Russian Federation.

**26.** If there is no technical possibility for provision of electricity transmission services within the scope declared by the consumer of services the grid organisation shall within 30 days notify the applicant of the terms and the scope on which/within which the service can be provided and the contract may be concluded.

**27.** If grounds exist for a refusal to conclude a contract the grid organisation shall within 30 days after the receipt of the application or the draft contract specified in Item 18 of the present Rules send to the applicant a substantiated refusal in writing to conclude a contract together with substantiating documents.

**28.** The condition sine qua non for the commencement of provision of electricity transmission services to a consumer is the commencement by the consumer of services (the consumer of electricity in whose interests the contract is being concluded) of performance of a contract of purchase/sale (supply) of electricity on wholesale and/or retail-sale electricity markets.

**29.** In the following cases a grid organisation shall suspend the provision of electricity transmission services according to certificates of approval of emergency and technological reservation demand:

a) a consumer has arrears on payment for electricity transmission services for two and more settlement periods;

b) the performance of obligations under contracts of purchase/sale of electricity or under a contract for connection to the trading system of a wholesale electrical energy (power) market has been suspended, provided there is an appropriate notice (in writing) from the administrator of the trading system, from the guaranteeing supplier or power selling organisation including an

indication of the consumer's arrears, the term for repayment thereof, and also the would-be term for imposition of limits on consumption regime;

c) a consumer of services (the consumer of electricity in whose interests a contract is concluded) has connected to a power grid an apparatus that does not comply with contractual terms;

d) a connection has been made in breach of the procedure for technological connection of power receiving apparatus (power installations) of legal entities and natural persons to power grids.

**30.** If a consumer of electricity (including a power selling organisation) needs to install metering and recording instruments at the grid facilities possessed by a grid organisation the consumer is entitled to send an application to the grid organisation on the need for equipping the point of supply with metering and recording apparatus together with an indication of the point of supply that has to be equipped and the necessary specifications of the metering and recording instruments.

The grid organisation shall examine the application and send to the applicant within 15 working days after the receipt thereof a document comprising specifications for the performance of the work of equipping the point of supply with metering and recording instruments (with an indication of the term for, and the cost of, performance of the work) or a substantiated refusal due to the technical impossibility of installing the necessary metering and recording instruments. The specifications shall include only the works that have to do with the installation of the metering and recording instruments.

Within ten working days after the receipt of the document with specifications for the work of equipping the point of supply with the metering and recording instruments the applicant shall agree with the grid organisation on the term for completion of, and the cost of, the work.

The term for completion of the work shall not exceed three months after the date of approval of the specifications, unless new grid facilities have to be created for the purpose of installing the metering and recording instruments and limitations have to be imposed on the consumption regime for other consumers.

If the applicant agrees with the term and cost of the work the grid organisation shall carry out the work of equipping the point of supply with the metering and recording instruments.

The applicant may perform the work of equipping the point of supply with the metering and recording instruments either on his own or with the help of third persons.

The applicant is entitled to dispute the grid organisation's refusal to install the metering and recording instruments, specifications for the installation thereof or the grid organisation's requirements concerning the persons who carry out works on its grid equipment, in the procedure established by the legislation of the Russian Federation.

**31.** The suspension of provision of electricity transmission services shall not cause rescission of the contract.

If the provision of electricity transmission services is suspended the consumers of the services may have a partial or full limitation on electricity consumption regime.

A consumer of services shall not be limited in his electricity consumption below the power level established in the certificate of approval of emergency and technological reservation demand, except for the cases established by the legislation of the Russian Federation.

**32.** A contract concluded for a certain term shall be deemed extended by the same term and on the same terms and conditions, unless within its effective term either of the parties declares its termination, amendment or conclusion of a new contract.

If within the effective term of the contract one of the parties makes a proposal for concluding a new contract the relationships of the parties shall be governed in accordance with the earlier contract until the conclusion of the new one.

Within ten days after the emergence of grounds for rescission of a contract concluded with a guaranteeing supplier (power selling organisation) the grid organisation shall send to the consumers for whom the contract is effective a notice of the would-be rescission of the contract and a proposal for conclusion of a contract with a grid organisation.

The rescission of the contract shall not cause disconnection of a power receiving apparatus of a consumer of services from the power grid.



**33.** A electricity transmission outage, the termination of, or limitation on the regime of, electricity transmission shall be admissible by agreement of the parties, except for cases when the unsatisfactory condition of power-receiving apparatus of a consumer of services certified by the federal empowered body charged with technological energy supervision poses the threat of an accident or of a danger to life and safety. In the said cases the grid organisation shall notify the consumer of services of the electricity transmission outage, termination or limitation within three days after the date of the decision but at least 24 hours before these measures are put in force.

### **III. Procedure for Concluding and Performing Contracts between Grid Organisations**

**34.** Under a contract between adjacent grid organisations one party to the contract shall undertake to provide electricity transmission services to the other party with the use of power grid facilities possessed by it under the right of ownership or on other legal grounds, and the other party undertakes to pay for these services and/or a consideration in the form of provision of electricity transmission services. The service shall be provided within the connected (declared) power at the relevant point of technological connection of power grid facilities of one grid organisation to facilities of another grid organisation. The consumer of the services provided under such contract is defined in accordance with Item 39 of the present Rules.

**35.** When a contract is concluded between adjacent grid organisations the parties shall designate the power grid facilities-possessed by them under a right of ownership or on other legal grounds -- in respect of which it is necessary to implement a mutual coordination of operational condition, repairs, updating of equipment and other measures (hereinafter referred to as "inter-grid coordination facilities"). A list of the inter-grid coordination facilities is deemed an integral part of the contract between the adjacent grid organisations.

The list of the inter-grid coordination facilities contains reference to the party responsible for modifying (approving the implementation of a modification of) the operational condition of each item on the list.

The list of the inter-grid coordination facilities shall not include power grid facilities that are on lists of dispatch facilities of dispatch centres of the system operator or other operative dispatch control agents.

The fact that one of the grid organisations is designated as the organisation responsible for modification (approving the implementation of a modification) of the operational condition of inter-grid coordination facilities shall not affect the price of the contract between the adjacent grid organisations.

**36.** A grid organisation is not entitled to refuse to conclude a contract with an adjacent grid organisation.

Contracts between adjacent grid organisations shall be concluded in accordance with the civil legislation of the Russian Federation and the legislation of the Russian Federation on electrical energy with due regard to the details established by the present Rules.

If a grid organisation refuses or declines without good reason to conclude a contract the other party is entitled to apply to a court claiming enforcement of conclusion of a contract and compensation for the damages it has incurred.

**37.** Relationships relating to other possessors of power grid facilities incorporated in the unified national (all-Russia) power grid shall be regulated on the basis of contracts on the procedure for using the power grid facilities incorporated in the unified national (all-Russia) power grid. The effective term of such contracts shall be limited by the transitional period of electrical energy reforms.

Upon the termination of the transitional period of electrical energy reforms the relationships of provision of electricity transmission services through the use of the power grid facilities incorporated in the unified national (all-Russia) power grid shall be regulated with the organisation charged with the administration of the unified national (all-Russia) power grid, except for cases when contracts requiring the use of these facilities are concluded by owners of such facilities on their own.

Relationships relating to the provision of electricity transmission services involving the use of power grid facilities possessed by the federal state unitary enterprise "The Russian State

Concern for the Production of Electrical and Thermal Energy at Atomic Power Stations" shall be regulated under a contract with the organisation charged with the administration of the unified national (all-Russia) power grid.

**38.** A contract between adjacent grid organisation shall include the following significant terms and conditions:

a) the amount of connected (declared) power within which the relevant party undertakes to ensure electricity transmission at the relevant point of connection;

b) the liabilities of the parties to the contract for the condition and maintenance of power grid facilities, such liabilities being recorded in a certificate of delineation of the balances of power grids and of operational responsibilities of the parties attached to the contract;

c) the procedure for settlements of accounts for services provided with account taken of Item 41 of the present Rules;

d) the specifications of points of connection of the power grid facilities possessed by the parties to the contract including the carrying capacity thereof;

e) a list of inter-grid coordination facilities including an indication therein for each facility of the party responsible for implementing (approving the implementation of) modification in the operational condition thereof, and also the procedure for coordinating the actions of the parties when such modifications and repair works are carried out.

**39.** Also a contract between adjacent grid organisations may regulate the following terms and conditions:

a) conditions for maintaining power supply reliability parameters that comply with compulsory parameters, and the quality of electricity including conditions for parallel operation of the electrical circuits possessed by the parties to the contract;

b) a procedure for equipping the power grid facilities possessed by the parties to the contract with relay protection apparatus and automatic emergency protection and regime-maintaining apparatus (if not available) and a procedure for interaction of the parties to the contract at the adjustment and use thereof;

c) a procedure for equipping the power grid facilities possessed by the parties to the contract with instruments intended for electrical energy and power metering and for keeping a record of the flow of electricity via points of connection of the power grid facilities of the parties to the contract;

d) a procedure for the parties' mutual notification of actions that can have consequences for the technological operational modes of power grid facilities of the other party, including a procedure for seeking approval and for mutual notification of repair and preventive works at power grid facilities;

e) a procedure for the interaction of the parties to the contract when a technological disorder occurs and is eliminated in the operation of the power grid facilities possessed by the parties;

f) the scope of, and procedure for the provision by the parties to the contract, of technological information (electrical diagrams, equipment's specifications, information on equipment's operating modes and other data as might be required for performance under the terms of the contract).

**40.** While performing under the provisions of the contract mentioned in the present section grid organisations shall:

a) ensure the operability of, and the observance of compulsory requirements applicable to the operation of the relay protection apparatus and automatic emergency protection and regime-maintaining apparatus, electrical energy and power metering apparatus possessed by them, and also of the other apparatus required to maintain the necessary electricity reliability and quality parameters;

b) in a timely fashion inform the other party to the contract of the occurrence (a threat of occurrence) of emergency situations in the operation of the power grid facilities they possess, and also of the repair and preventive works carried out at these facilities;

c) provide free access for empowered representatives of the other party to the contract to points for monitoring and recording the quantity and quality of transmitted electricity.

**41.** Under a contract between adjacent grid organisations the consumer of services is defined as follows:

a) when the contract is performed between possessors of power grid facilities incorporated in the unified national (all-Russia) power grid and territorial grid organisations the territorial grid organisation is the consumer of services;

b) when the contract is performed between the organisation charged with the unified national (all-Russia) power grid and other possessors of power grid facilities incorporated in the unified national (all-Russia) power grid these other possessors of the power grid facilities incorporated in the unified national (all-Russia) power grid are deemed consumers of services;

c) when the contract is performed between territorial grid organisations providing services to consumers which are located on the territories of different subjects of the Russian Federation the consumer of services is the adjacent grid organisation to whose power grids the amount of electrical energy transmitted according to the results of the preceding regulation year exceeded the amount released from its grids, with the value of the services provided being determined in accordance with the methodological directions confirmed by the federal executive governmental body charged with the state regulation of tariffs;

d) when the contract is performed between territorial grid organisations providing services to consumers located on the territory of one subject of the Russian Federation, and the parties to the contract carry out mutual provision of electricity transmission services, both parties are deemed consumers of services.

**42.** When tariffs are being established for electricity transmission services the rates thereof shall be set with account taken of the need for ensuring the equality of tariffs for electricity transmission services for all the consumers of services located on the territory of the relevant subject of the Russian Federation and belonging to one group (category) in as much as it concerns those for which the legislation of the Russian Federation envisages differentiation of electrical energy (power) tariffs.

Settlements of accounts under a contract concluded by territorial grid organisations in accordance with the present section shall be effected at the tariff for electricity transmission services which is set in accordance with the methodological directions confirmed by the federal executive governmental body charged with the state regulation of tariffs in respect of each party to such contract and is of an individual nature. In this case, the expenses of a territorial grid organisation towards payment for the services provided under the said contract shall be included in the economically-substantiated expenses taken into account in the setting of the electricity transmission services tariff for other consumers of its services, and the incomes of the other party to the said contract from the services it provides under the contract and incomes from the electricity transmission services provided to other consumers shall produce in sum total the necessary gross earnings of this organisation.

#### **IV. Procedure for Gaining Access to Power Grids When Their Carrying Capacity Is Limited**

**43.** When a connection is made to a power grid, including an indirect connection, and a contract is concluded a right is conferred on any consumer of services to receive electricity in any period of time within the effective term of the contract within the connected power rating defined by the contract, with the quality and parameters of the electricity meeting technical regulations and other compulsory requirements.

A limitation on rights to receive electricity that leads to a power deficit is only possible in the case of an emergency and/or decommissioning of power facilities for the purposes of repairing or terminating their operation.

In this case a limitation on the consumption of electricity shall take place in accordance with certificates of approval of emergency and technological reservation demand.

**44.** When access to electricity transmission services is provided in conditions of limited carrying capacity of power grids it is prohibited to collect additional payment.

**45.** The carrying capacity of a power grid shall be assessed according to the calculation diagram of the Unified Energy System of Russia elaborated by the system operator jointly with the organisation charged with the administration of the unified national (all-Russia) power grid with account taken of forecast electrical energy and power balance-sheets. While carrying out such calculations one shall also take account of the schedules of repairs on basic generating equipment (agreed upon with generating companies), electrical substation equipment, electricity

transmission lines, and the power-receiving apparatus of consumers of electricity with controllable load.

The system operator and the organisation charged with the administration of the unified national (all-Russia) power grid shall inform participants in the market of limitations on power grid carrying capacity including the results of these calculations.

#### **V. Procedure for Setting Tariffs for Electricity Transmission Services Taking Account of the Degree of Use of the Power Grid's Capacity**

46. Tariffs for electricity transmission services shall be set with account taken of the use by consumers of the said services of the capacity of the power grid with which they have a technological connection.

47. The value of declared power shall be determined for each point of connection and it shall not exceed connected power at the relevant point of connection of the consumer of services.

At least eight months before the beginning of next tariff regulation period the consumer of services shall notify the grid organisation of declared power for the forthcoming calendar year.

If no notice has been received from the consumer of services concerning declared power then for tariff-setting purposes one shall accept the value of connected power of the power-receiving apparatus of the consumer of services, if the contract has a provision allowing the use of connected power in such case for the purposes of defining obligations under the contract.

While assessing a base for setting tariffs for next regulation period the grid organisation is entitled to use the following for the consumers of services which have systematically exceeded declared power level: the power value declared by the consumer for next regulation period or the actual value of used power for the past period.

48. Tariffs for electricity transmission services shall be set in accordance with the Fundamentals of Electrical and Thermal Energy Pricing in the Russian Federation and the Rules for the State Regulation and Application of Electrical and Thermal Energy Tariffs in the Russian Federation endorsed by Decision of the Government of the Russian Federation No. 109 of February 26, 2004 with account being taken of Item 42 of the present Rules.

Taking account of the degree of use of (declared or connected) grid power in the calculation electricity transmission services tariff is done in accordance with the methodological directions confirmed by the federal executive governmental body charged with the state regulation of tariffs.

49. The cost of a grid organisation's electricity transmission services provided by the grid organisation to an electricity producer being an agent in a wholesale electrical energy (power) market and selling electrical energy (power) in the wholesale market shall be assessed on the basis of the value of excess of electric energy consumption for own needs over the rated value of consumption for own needs determined in compliance with the rules of the wholesale electrical energy (power) market of the transitional period and a contract for connection to the trading system of a wholesale market less the amount of electric energy released to the consumers of electricity which are connected to the power installations of the producer and which pay for the grid organisation's services on their own. In this case this payment shall not exceed the value of the grid organisation's services calculated on the basis of the amount of electrical energy released to the producer of electricity from the grids of the grid organisation.

The cost of the grid organisation's services that have been provided to a producer of electricity who sells electric energy (power) in a wholesale market shall be assessed on the basis of the electrical energy released to the producer of electricity from the grids of the grid organisation.

#### **VI. Procedure for Assessing Losses in Power Grids and for Making Payment for Such Losses**

50. The amount of actual electrical energy losses in power grids shall be assessed as the difference between the amount of electrical energy supplied into an power grid from other grids or from producers of electricity and the amount of electrical energy consumed by the power receiving apparatus connected to that grid, and also that transmitted to other grid organisations.

51. Grid organisations shall pay for the cost of actual electrical energy losses that have occurred in the grid facilities they possess less the cost of the losses taken into account in electricity prices (tariffs) in the wholesale market.

52. Within the electricity transmission services tariff consumers of services, except for producers of electricity, shall pay for rated losses taking place when electricity is transmitted through a grid of a grid organisation with which relevant persons have concluded a contract, except for the losses included in electricity price (tariff), for the purpose of avoiding double recording thereof.

Within the electricity transmission services tariff the consumers of services who are indirectly connected through the power installations of producers of electricity shall pay for rated losses only on the amounts of electrical energy not supported by the output of the relevant power station.

Consumers of services shall pay for electrical energy losses in excess over the rated value if it is proven that the losses occurred at the fault of these consumers of services.

53. Technological loss rates shall be set by the empowered federal executive governmental body in compliance with the present Rules and the methodology of calculating rated electricity technological losses in power grids.

## **GARANT:**

*See the Procedure for Calculating and Substantiating the Rates of Technological Losses of Electricity when It is Transmitted through Power Grids endorsed by Order of the Ministry of Industry and Energy of the Russian Federation No. 267 of October 4, 2005*

54. The rates of electricity losses in power grids shall be established for the entirety of electricity transmission lines and other grid installations possessed by the relevant grid organisation, with account being taken of differentiation by the grids' level of voltage when tariffs are set for electricity transmission services.

55. The methods of calculating rated technological electricity losses in power grids shall include a provision for losses calculation on the basis of:

a) the technical characteristics of electricity transmission lines and of other grid installations determining the value of variable losses according to electricity transmission and transformation technology;

b) rated conditionally-permanent losses for electricity transmission lines, power transformers and other grid installations;

c) rated losses in electricity meters;

d) the technical condition of electricity transmission lines and of other grid installations.

## **VII. Procedure for Grid Organisations to Provide and Disclose Information on the Carrying Capacity of Power Grids, the Technical Characteristics Thereof and the Cost of Electricity Transmission Services**

56. A grid organisation shall disclose information concerning access to electricity transmission services and the provision of such services, including information on the carrying capacity of power grids and their technical characteristics in compliance with the standards for the disclosure of information by agents in wholesale and retail electricity markets.

57. At a request filed in writing by a person asking for a technological connection to a power grid and/or conclude a contract, and also by a consumer of services a grid organisation shall provide information on the availability of power grid carrying capacity and on the cost of electricity transmission services.



58. The information requested shall be provided within seven days after the receipt of the request.

59. Information on the technical characteristics of power grids shall be disclosed by a grid organisation on a quarterly basis within 30 working days after the end of the quarter.

60. Documents comprising the information requested shall be prepared by grid organisations in the established procedure.

61. A grid organisation shall be accountable for late or incomplete disclosure of information, and for the unreliability of information disclosed, in the procedure established by the legislation of the Russian Federation.

**VIII. Procedure for Consideration of Applications (Complaints)  
Concerning Access to Electricity Transmission Services  
and for Taking Decisions on Such Applications (Complaints)  
Which Are Binding on Legal Entities and Natural Persons**

62. The grounds for the anti-monopoly body to open and examine cases of the granting of access to electricity transmission services, take decisions and issue prescriptions are as follows: applications of governmental bodies, local self-government bodies or applications (complaints) of legal entities and natural persons.

63. The application (complaint) shall comprise information on the applicant and on the person in respect of which the application (complaint) is filed, a description of the breach of provisions of the present Rules, and also the applicant's claim.

64. The anti-monopoly body shall consider the application (complaint) within one month after the receipt thereof.

In the event of the insufficiency or lack of evidence allowing a conclusion to be drawn that the signs of a breach of the present Rules' provisions exist or do not exist the anti-monopoly body is entitled to extend the term for consideration of the application (complaint) to three months after the receipt thereof for the purposes of collecting and analysing additional evidence. The applicant shall be notified in writing by the anti-monopoly body of the extension of the term for consideration of the application (complaint).

65. If no sign of a breach of the provisions of the present Rules exist the anti-monopoly body shall notify the applicant in writing accordingly within ten days after the date of the decision taken.

66. Cases of breach of provisions of the present Rules in as much as access to electricity transmission services is concerned shall be considered and decisions (prescriptions) on them shall be taken in the procedure established by the federal anti-monopoly body.";

b) the Rules for Non-Discriminatory Access to Operative Dispatch Services in the Electrical Energy Industry and for the Provision of Such Services endorsed by the said decision shall be set out as follows:

**"Rules  
for Non-Discriminatory Access to  
Operative Dispatch Services in the Electrical Energy Industry  
and for the Provision of Such Services  
(endorsed by Decision of the Government  
of the Russian Federation No. 861 of December 27, 2004)  
(in the wording of Decision of the Government  
of the Russian Federation No. 168 of March 21, 2007)**

1. The present Rules define the general principles of, and the procedure for ensuring, a non-discriminatory access of electrical power industry agents (hereinafter referred to as "consumers of services") to the services of operative dispatch control in the electrical power industry (hereinafter referred to as the "services") provided by a system operator and by other operative dispatch control agents (hereinafter referred to as the "system operator"), and also the procedure for provision of such services.

2. The present Rules shall not extend to relationships that have to do with the provision of services by lower operative dispatch control agents in the energy industry to higher operative dispatch control agents.

3. Non-discriminatory access to services implies the provision of equal conditions for the provision of services to the consumers thereof, irrespective of their organisational legal form and of the legal relationships with the person who provides these services.

4. The system operator shall disclose information concerning access to the services and the provision of the services in accordance with the standards for the disclosure of information by wholesale and retail electricity market agents.

5. Within the framework of provision of operative dispatch control services the system operator shall carry out the following functions:

a) ensuring the observance of the established parameters of operational reliability of the Unified Energy System of Russia and the quality of electricity;

b) controlling the technological regimes of power industry facility operation;

c) mid-term and long-term forecasting of electricity output and consumption;

d) taking part in the maintenance of a generating facility reserve;

e) approving the decommissioning for the purpose of repair or termination of operation of grid facilities and electricity and thermal energy generating installations and also commissioning them after repair;

f) elaborating optimum daily schedules for the operation of power stations and the power grids of the Unified Energy System of Russia;

g) regulating current frequency, ensuring the operation of automatic current frequency and power regulation and the operation of system and automatic emergency protection apparatus;

h) organising and controlling the parallel operation regimes of the Unified Energy System of Russia and of power systems of foreign states;

i) in the event of a technological connection of power industry installations to the unified national (all-Russia) power grid and to territorial distribution grids taking part in the compilation and issuance of technological specifications that would ensure the operation thereof within the Unified Energy System of Russia.

6. Services shall be provided under a bilateral contract for the provision of operative dispatch control services in the power industry (hereinafter referred to as "contract") concluded with consumers of the services. In this case the system operator is not entitled to refuse to conclude such a contract with a consumer of the services. The contract shall comprise the specifications established by the system operator as required for the operator's controlling the regimes of the Unified Energy System of Russia, and also a term for achieving compliance with these specifications.

7. The consumers of services being wholesale market agents shall conclude a contract with the system operator before they conclude a contract for the provision of the services of electricity transmission through the unified national (all-Russia) power grid.

8. The price of the services shall be determined by the tariffs set by the federal executive governmental body charged with the regulation of tariffs.

9. A consumer of services who intends to conclude a contract (hereinafter referred to as an "applicant") shall send an access-to-services application in writing to the system operator comprising the following:

a) the particulars of the consumer of the services;

b) points of connection to the grids of a grid organisation;

c) the term for the provision of the services.

10. Simultaneously with the application the applicant is entitled to send a draft contract to the system operator.

11. The system operator shall consider the application within 30 days after the receipt thereof and take a decision on granting access to the services or on refusing to grant it.

12. If the information specified in Item 9 of the present Rules is lacking the system operator shall notify the applicant accordingly within three days and shall consider the application within 30 days after the date of receipt of the missing pieces of information, in accordance with Item 11 of the present Rules.

13. If a decision on granting access to the services is taken the system operator shall send the draft contract signed by the system operator to the applicant.

14. Having received the draft contract signed by the system operator and having no objections as to the terms thereof, the applicant shall complete the part of the contract containing information on the applicant, sign it and send the signed copy of the contract to the system operator.

15. If the applicant has submitted his version of the contract, and the system operator has no objections to the terms thereof, the latter shall sign it and send the signed copy of the contract to the applicant.

The Contract shall be deemed concluded as of the date when the person that has signed the draft contract and sent it received the contract signed by the other party, unless otherwise established by the contract or a court decision.

16. If a decision on refusing to grant access to the services has been taken the system operator shall send a notice in writing to the applicant and a substantiated refusal within ten days after the receipt of the application.

A refusal to grant access to services may be appealed against at the anti-monopoly body and/or in court.

17. The system operator is entitled to refuse to grant access to services for an applicant on the following grounds:

- a) the applicant did not provide the information required under Item 9 of the present Rules;
- b) the applicant provided unreliable information;
- c) the applicant's power installations are located outside of its dispatch responsibility zone.

18. The applicant is entitled to file an application again with the system operator. If the grounds specified in Item 17 of the present Rules have been eliminated the system operator is not entitled to refuse to grant access to services for the applicant.

19. Within the framework of provision of the services of operative dispatch control the system operator shall chose the most economically effective decision ensuring safe and accident-free operation of power industry technological infrastructure and the quality of electricity that complies with the provisions of technical regulations and other compulsory requirements.

20. Consumers of services are not entitled to perform operative dispatch commands and orders if the performance thereof is going to endanger human life and the safety of equipment or is going to lead to a breach of the limits and conditions of safe operation of atomic power stations.

21. If emergency power supply regimes occur services shall be provided with due regard to the details established by the legislation of the Russian Federation.";

c) the Rules for Non-Discriminatory Access to the Services of an Administrator of a Wholesale Market Trading System and for the Provision of Such Services endorsed by the said decision shall be set out as follows:

**"Rules  
for Non-Discriminatory Access to the Services  
of an Administrator of a Wholesale Market Trading System  
and for the Provision of Such Services  
(endorsed by Decision of the Government  
of the Russian Federation No. 861 of December 27, 2004)  
(in the wording of Decision of the Government  
of the Russian Federation No. 168 of March 21, 2007)**

1. The present Rules define the general principles of, and the procedure for ensuring, the non-discriminatory access of wholesale electrical energy (power) market agents to the services of organising the operation of a trading system of a wholesale electrical energy (power) market which are provided by the administrator of the trading system of the wholesale market

(hereinafter referred to as "wholesale market agents", "services" and "administrator"), and also the procedure for provision of such services.

2. Non-discriminatory access to the services of an administrator implies the provision of equal conditions for provision of services to wholesale market agents, irrespective of their organisational legal form and of their relationships with the person who provides these services.

3. The administrator shall disclose information concerning access to services and concerning the provision of services, in accordance with the standards for the disclosure of information by wholesale and retail electricity market agents.

4. The administrator is not entitled to refuse to provide services to wholesale market agents, except for the cases established by the present Rules and by the rules of the wholesale electrical energy (power) market.

5. The services of the administrator may be provided to persons that have acquired the status of a wholesale agent in accordance with the rules of a wholesale electrical energy (power) market and have provided the administrator with the documents and information described in Items 6-8 of the present Rules, and which also have signed a contract for connection to the wholesale market's trading system.

6. A legal entity wishing to gain access to the services of the administrator (hereinafter referred to as an "applicant") shall file an application to this effect and provide the following to the administrator:

a) information on the category of wholesale market agent (electricity supplier, power selling organisation, power supply organisation, guaranteeing supplier of electricity, consumer of electricity etc.) under which the applicant qualifies, in accordance with the rules of the wholesale electrical energy (power) market of the transitional period;

b) an applicant's questionnaire completed in the established form;

c) a notary-attested copy of the constitutive documents;

d) a notary-attested copy of the certificate of state registration of the legal entity;

e) a notary-attested copy of the certificate of the applicant's registration with tax bodies of the Russian Federation;

f) documents confirming the powers of the persons who represent the interests of the applicant;

g) a document confirming that the status of guaranteeing supplier has been conferred on the applicant, in the procedure and in the cases established by the legislation of the Russian Federation;

h) a line diagram of connection to an external power grid approved by the owner or other legal possessor of the grid facilities to which the applicant or the third persons whose interests the applicant represents is/are technologically connected, including the names and voltage of external substation busbars, would-be points of delivery, points of connection of commercial metering and recording instruments, metering voltage transformers and balance boundaries as attested by representatives of the adjacent possessors of power grids;

i) certificates of delineation of balances and operational responsibilities approved by the owners or other legal possessors of the grid facilities to which the applicant or the third persons whose interests the applicant is going to represent is/are technologically connected;

j) documents confirming the existence of a contract for the provision of electricity transmission services concluded in the established procedure (if the supplier (buyer) of electricity under the legislation of the Russian Federation is a payer under such contract);

k) for consumers of electricity that buy a portion of electricity in a retail electricity market (the persons representing the interests of such consumers in the wholesale electrical energy (power) market): a notary-attested copy of a contract concluded by an organisation entitled to sell electricity in a retail electricity market and the said consumer of electricity containing a clause on the transmission to the consumer of electricity of the whole amount of electrical energy actually consumed by the consumer or a clause on the said organisation's duty to conclude a contract for the provision of electricity transmission services in the interests of the consumer of electricity;

l) documents confirming that power industry agents have a contract for the provision of the services of operative dispatch control (if under the legislation of the Russian Federation the supplier (buyer) of electricity is a payer under such contract) concluded in the established procedure;

m) the certified technological characteristics of the generating and power receiving equipment in respect of which the applicant is planning its participation in the wholesale electrical energy (power) market;

n) documents confirming the availability of a communications system, including a data transmission system, for communicating with the system operator of the Unified Energy System of Russia and with the administrator.

7. For the purpose of obtaining balanced data on the actual electrical energy output (consumption) in the wholesale electrical energy (power) market with account taken of losses, and also carrying out financial settlements of accounts in the wholesale electrical energy (power) market the applicant shall also file documents with the administrator drawn up according to the forms approved by the administrator to confirm:

a) that a record is kept for commercial purposes of the electrical energy (power) produced (consumed) in the wholesale electrical energy (power) market;

b) that a list of metering facilities for the purposes of keeping a commercial record of electrical energy (power) approved by the adjacent wholesale market agents exists, and that the method of operative information production has been approved by the system operator.

8. An applicant representing the interests of third persons in a wholesale electrical energy (power) market under contracts for the provision of services, contracts of agency, commission, purchase/sale, delivery or other contracts concluded by them shall provide the administrator with information on the technological characteristics of the generating equipment of the suppliers whose interests he represents and/or of the technological characteristics of the power-receiving equipment of the consumers whose interests he represents as well as notary-attested copies of the contracts under which the applicant represents the interests of the third persons in the wholesale electrical energy (power) market.

An applicant pursuing the activity of electricity transmission and buying electrical energy in the wholesale electrical energy (power) market shall provide the following to the administrator for the purpose of compensating losses in power grids: the characteristics of the power grid and of grid facilities for each group of points of delivery (grid facility).

For the purpose of obtaining information on the actual energy output and consumption, and also carrying out settlements of accounts in the wholesale electrical energy (power) market the applicant shall file documents testifying that the commercial record-keeping system complies with compulsory technical requirements and with the terms of the contract for connection to the trading system of the wholesale market, in the procedure established by the administrator.

The administrator is not entitled to ask the applicant to provide the information for which there is no provision in the present Rules, except as otherwise established by the legislation of the Russian Federation.

For the purpose of ensuring equal access to the administrator's services the owner or other legal possessor of the grid facilities to which the applicant or the third persons whose interests the applicant represents is/are technologically connected shall within 30 days after the receipt of the said documents arrange for approval of the line diagram of connection to the external power grid and prepare certificates of delineation of balances and responsibilities.

The wholesale market agents adjacent to the applicant shall within 30 days after the receipt of said documents arrange for reaching agreement with the applicant on the documents confirming that a system exists for keeping a record for commercial purposes of the electrical energy (power) produced (consumed) in the wholesale electrical energy (power) market, the procedure for information exchange and the procedure for using commercial record-keeping metering and recording instruments for assessing the amounts of electrical energy (power) produced (consumed) at the balance boundaries of the wholesale market agents.

9. The administrator is entitled to refuse to provide an applicant with access to the administrator's services if the applicant:

a) has not provided the documents and information described in Item 6 of the present Rules;

b) has provided unreliable information;

c) does not qualify under any of the requirements applicable to wholesale market agents as established by the legislation of the Russian Federation;



d) has failed to comply with the requirements established by the contract for the connection to the trading system of the wholesale market.

10. When the grounds for refusal to grant access to the administrator's services for an applicant have been eliminated the applicant is entitled to file an application with the administrator asking for access to his services.

11. A decision on refusing to grant access to the administrator's services may be appealed against in the procedure established by the legislation of the Russian Federation.

12. The administrator shall provide services to wholesale market agents under a contract for connection to the trading system of the wholesale market.

A signed copy of the contract for connection to the trading system of the wholesale market shall be sent by the administrator to the wholesale market agent.

13. The administrator's services shall be paid for by the wholesale market agent at the tariffs confirmed by the federal executive governmental body charged with the state regulation of tariffs.

14. If no payment has been made for the administrator's services by a wholesale market agent the administrator is entitled to suspend acceptance of applications of the wholesale market agent for participation in a competitive procedure for selecting price bids in the wholesale market or to implement the other measures envisaged by the contract for connection to the trading system of the wholesale market until the debt is fully repaid.

15. The administrator is entitled to stop providing services to a wholesale market agent if:

a) the legal entity does not qualify under the criteria applicable to a wholesale market agent;

b) the legal entity has lost its status of wholesale market agent;

c) the wholesale market agent several times defaulted on (improperly performed) its obligations to make payment for the administrator's services;

d) the contract for connection to the trading system of the wholesale market is terminated;

e) the activity of the wholesale market agent is terminated on grounds set out in the legislation of the Russian Federation.

16. The taking of a decision by the administrator in accordance with the rules of the wholesale electrical energy (power) market and a contract for connection to the trading system of the wholesale market on deeming unaccomplished the sale (purchase) of electrical energy in the wholesale market on a limited territory shall not be deemed a default on, or improper performance of, obligations to provide the administrator's services.";

d) the Rules for Technological Connection of Power Receiving Apparatus (Power Installation) of Legal Entities and Natural Persons to Power Grids endorsed by the said decision shall be set out as follows:

**"Rules  
for Technological Connection of Power-Receiving Apparatus  
(Power Installations) of Legal Entities  
and Natural Persons to Power Grids  
(endorsed by **Decision of the Government**  
of the Russian Federation No. **861** of December 27, 2004)  
(in the wording of Decision of the Government  
of the Russian Federation No. 168 of March 21, 2007)**

**I. General Provisions**

1. The present Rules define the procedure for technological connection of power-receiving apparatus (power installations) of legal entities and natural persons (hereinafter referred to as "power-receiving apparatus") to power grids, govern the procedure for connecting power-receiving apparatus to the power grids of a grid organisation (hereinafter referred to as "technological connection"), define the significant terms of a contract for technological connection to power grids (hereinafter referred to as a "contract"), establish requirements

applicable to the issuance of specifications (individual specifications) for connection to power grids (hereinafter referred to as "specifications") and the criteria of (lack of) technical viability of a technological connection.

2. The present Rules extend to cases of the connection of power-receiving apparatus which are commissioned for the first time or which have been earlier connected and are being reconstructed with their connected power being increased, and also cases when the following is changed in respect of power-receiving apparatus which have been connected earlier: power supply reliability category, points of connection, types of production activity not causing a connected power review but causing a change in the external power supply circuit of such power-receiving apparatus.

3. A grid organisation shall implement technological connection measures for any person that has applied thereto, provided that the person observes the present Rules and that a technological connection is technically viable.

4. Any person has a right to have a technological connection of electricity transmission lines the person has built to power grids in accordance with the present Rules.

5. When power-receiving apparatus is connected to the distribution apparatus of a power station the latter shall carry out the functions of grid organisation in as much as it concerns assessing the technical viability of technological connection, reaching agreement on specifications with operative dispatch control agents and adjacent grid organisations and also performing under the necessary contractual terms.

When grid facilities of one grid organisation (owner or other legal possessor of grid facilities included in the unified national (all-Russia) power grid) are connected to grid facilities of another grid organisation an application for technological connection shall be filed with the grid organisation whose power grids at the given point of connection have a higher voltage class.

When a grid organisation (owner or other legal possessor of grid facilities incorporated in a territorial distribution grid) is connected to an adjacent grid organisation having the same voltage class an application for technological connection shall be filed by the grid organisation which is in need of an increase in power flow.

6. A technological connection shall be made under a contract concluded between a grid organisation and a legal entity or natural person within the term set by the present Rules. The conclusion of a contract is compulsory for the grid organisation. If the grid organisation refuses or declines to conclude a contract without good reason the person concerned is entitled to apply to court claiming enforcement of conclusion of a contract and compensation of the damage inflicted by such groundless refusal or decline.

7. The present Rules establish the following procedure for making a technological connection:

a) the filing of a technological connection application (hereinafter referred to as "application") by a legal entity or natural person intending to accomplish a technological connection, re-construction and power upgrade of power-receiving apparatus, and also to change the power supply reliability category, points of connection, types of production activity not involving a review (increase) of connected power but changing the external power supply circuit of the applicant's power-receiving apparatus;

b) concluding a contract;

c) the parties to the contract implementing the measures envisaged by the contract;

d) securing permission from the empowered federal executive governmental body charged with technological supervision for the commissioning of the applicant's facilities;

e) drawing up a certificate of technological connection and a certificate of delineation of balances and of operational responsibilities.

## **II. Procedure for Concluding and Performing a Contract**

8. For the purpose of concluding a contract an applicant shall send an application to the grid organisation with whose power grids a technological connection is sought.

9. The application sent by the applicant (except for the persons specified in Items 12 and 14 of the present Rules) shall comprise the following details depending on specific conditions:

a) the particulars of the applicant;

- b) a description and location of the power-receiving apparatus that has to be connected to the grid organisation's power grids;
- c) the location of the applicant;
- d) the maximum power rating of the power-receiving apparatus and the technical characteristics thereof, the number and power rating of generating facilities and of the transformers connected to the grid;
- e) the number of points of connection including an indication of the technical parameters of elements of the power-receiving apparatus;
- f) the declared reliability level of the power-receiving apparatus;
- g) the declared character of load (for generating facilities the possible speed of load increase or decrease) and the existence of loads distorting the electric current curve and causing a voltage asymmetry at points of connection;
- h) the value of, and calculations substantiating the value of, technological minimum (for generating facilities), technological and emergency reservation demand (for consumers of electricity);
- i) the term for designing and step-by-step commissioning of the power-receiving apparatus (for instance, stage-by-stage and phase-by-phase);
- j) the step-by-step distribution of power, of commissioning dates and information on the category of power supply reliability at the commissioning of the power-receiving apparatus by state and phase.

**10.** The following documents shall be attached to the application:

- a) a layout showing the location of the power-receiving apparatus that has to be connected to the grid organisation's power grids;
- b) a line diagram of the applicant's power grids connected to the grid organisation's power grids including an indication of a redundancy arrangement from own power supply sources (including redundancy for own needs) and the possibility of switching loads (generation) in the applicant's internal grids;
- c) a list of, and the power ratings of, the power-receiving apparatus that can be connected to automatic emergency protection apparatus.

**11.** The grid organisation is not entitled to ask for the provision of information not mentioned in the present Rules.

**12.** The following shall be indicated in an application sent by an applicant that is a legal entity or individual entrepreneur whose aggregate connected power of power-receiving apparatus does not exceed 750 kVA:

- a) the details specified in Subitems "a" - "c", "e", "f", "i" and "j" of Item 9 of the present Rules;
- b) the maximum power rating of the applicant's power-receiving apparatus;
- c) the character of load (type of production activity).

**13.** The application specified in Item 12 of the present Rules shall be filed together with a line diagram of the input apparatus of power-receiving installations.

**14.** The following shall be indicated in an application sent by an applicant that is a natural person for the purposes of connecting household power-receiving apparatus:

- a) the applicant's surname, first name and patronymic;
- b) the applicant's whereabouts;
- c) the details specified in Subitems "b" and "i" of Item 9 of the present Rules;
- d) the maximum power rating of the power-receiving apparatus.

**15.** Within 15 working days after the receipt of the application the grid organisation shall send a draft contract to the applicant (except for the persons specified in Items 12 and 14 of the present Rules) for approval. If the character of the technological connection is complicated the said term may be extended to 40 working days for the organisation responsible for the administration of the unified national (all-Russia) power grid or for other possessors of grid facilities. The applicant shall be notified of the extension of the term and of the reasons for it.

If there is no information specified in Item 9 of the present Rules the grid organisation shall within six working days after the receipt of the application notify the applicant accordingly and shall send a draft contract and specifications thereto for approval within 15 working days of the receipt of the information lacking.

**16.** The contract shall contain the following significant terms:

a) technical connection measures and the parties' obligations to implement them;  
b) the term for completing the technical connection measures, not exceeding:  
one year for applicants whose power-receiving apparatus has an aggregate connected power not exceeding 750 kVA, except as otherwise envisaged by a relevant investment programme or agreement of the parties;

two years for applicants whose power-receiving apparatus has an aggregate connected power exceeding 750 kVA, except as otherwise envisaged by a relevant investment programme or agreement of the parties.

**17.** The rate of payment for a technological connection shall be set by the empowered body charged with the state regulation of tariffs.

**18.** Technical connection measures shall include the following:

a) the preparation of specifications by the grid organisation and the securing of approval thereof from the system operator, and when specifications are issued by a power station, the securing of approval thereof from the system operator and from adjacent grid organisations;

b) the elaboration of design documentation by the grid organisation in compliance with the obligations set out in the specifications;

c) the elaboration of design documentation by the applicant within the boundaries of the applicant's land plot according to the obligations set out in the specifications;

d) the implementation of the specifications by the applicant and the grid organisation including the implementation of measures by the grid organisation for connecting power-receiving apparatus under automatic emergency and regime-maintaining protective apparatus in compliance with the specifications;

e) the verification by the grid organisation of the applicant's observance of the specifications;

f) an inspection (examination) of the connected power-receiving apparatus by an official of the federal executive governmental body charged with technological supervision with the participation of the grid organisation and the owner of this apparatus if under the present Rules the specifications are subject to approval by such operative dispatch control agent;

g) the physical action of connecting the power-receiving apparatus and ensuring its operation in a power grid.

**19.** Upon the completion of technological connection measures the parties shall draw up a certificate of delineation of balances of power grids, a certificate of delineation of operational responsibilities of the parties and a certificate of completion of the technological connection.

It is hereby prohibited to make the applicant accept services not envisaged by the present Rules.

**20.** Within 15 working days after the conclusion of the contract, or in the case specified in Paragraph 3 of Item 15 of the present Rules within 30 working days, the grid organisation shall prepare and provide specifications to the applicant. Copies of specifications shall be sent by the grid organisation to the system operator.

**21.** For the purposes of preparing the specifications the grid organisation shall:

send a copy thereof to the system operator for consideration within five working days of the receipt of the application;

send information to the higher grid organisation within ten working days after the receipt of the application on the would-be technological connection including an indication of connected and maximum power, the character of load and the power supply reliability category.

Within 15 days after the receipt of the draft specifications from the grid organisation the system operator shall consider applications and approve the specifications for the technological connection in respect of generating facilities having an installed power of over 5 MW and power-receiving apparatus having a connected power of over 750 kVA.

**22.** For applicants that are legal entities and individual entrepreneurs having power-receiving apparatus with the aggregate connected power not exceeding 750 kVA and also for natural persons the grid organisation shall send a draft contract and specifications within 15 working days of the receipt of the application.

If the application does not contain the information specified in Item 12 of the present Rules the grid organisation shall notify the applicant accordingly within six working days after the receipt of the application and within 15 working days of the receipt of the missing information it shall send a draft contract and specifications for approval.

**23.** If in the course of design the applicant has a need for a partial deviation from the specifications such deviation shall be approved by the grid organisation that issued the specifications, with the specifications being adjusted accordingly thereafter. In this case the grid organisation, within ten working days of receipt of the applicant's application, shall grant its approval to said specification amendment.

**24.** The effective term of specifications shall not be less than two and more than five years.

In the cases mentioned in Subitem "d" of Item 18 of the present Rules the grid organisation shall seek approval from the system operator for the draft documentation relating to compliance with specifications that has been filed by an applicant for approval of the grid organisation, and also for a deviation from the specifications issued to the applicant.

**25.** The following shall be indicated in specifications:

a) power release or receipt circuits and points of connection (input distribution apparatus, electricity transmission lines, base substations, generating facilities);

b) substantiated requirements for a build-up of the existing power grid due to the connection of new facilities (constructing new electricity transmission lines, substations, increasing the crosssection of wires and cables, replacing or raising the power rating of transformers, expanding distribution apparatus, installing voltage regulation apparatus for the purpose of ensuring the reliability and quality of electricity) which are binding on the grid organisation;

c) requirements applicable to relay protection, reactive power regulation, automatic emergency protection and regime-maintaining apparatus, remote control, communication, insulation and overvoltage apparatus, and also to electrical energy and power (active and reactive) meters;

d) requirements applicable to the connection of power-receiving apparatus to automatic emergency protection and regime-maintaining apparatus, requirements applicable to the connection of the whole connected power of power-receiving apparatus but not below the level of emergency or technological reservation demand, automatic load cut-off apparatus of power-receiving apparatus for cases when electrical current frequency or voltage is falling in an adjacent power grid, and requirements applicable to the characteristics of generating facilities;

e) requirements applicable to the provision of relay protection apparatus, automatic emergency protection and regime-maintaining apparatus for power-receiving apparatus, including the installation of apparatus ensuring the remote engagement of temporary consumption disconnection schedules from dispatch centres in compliance with the requirements of the relevant operative dispatch control agent.

**26.** The requirements set out in Subitems "c" - "e" of Item 25 of the present Rules are compulsory both for the applicant and the grid organisation. Here, the delineation of obligations to comply with these requirements shall be defined in the contract and it shall be taken into account in the calculation of technological connection charges respectively.

For applicants whose aggregate connected power of power-receiving apparatus does not exceed 750 kVA indication shall be made of the details set out in Subitems "a" - "c" and "e" of Item 25 of the present Rules.

**27.** If the applicant fails to comply with the specifications within the term agreed upon and if as of the date of the end of their effective term there exists the possibility of a technological connection the grid organisation shall be entitled, if the applicant applies, to extend the effective term of the specifications issued earlier. In this case no additional charge shall be made.

If the conditions of a technological connection have been changed after the expiry of the effective term of specifications the grid organisation shall be entitled to issue new specifications to the applicant taking into account the measures that have been implemented under the specifications issued earlier. In this case the issuance of the new specifications shall not cause the invalidity of the contract, provided the term for completion of implementation of technological connection measures has been approved by the parties.

The issuance of new specifications within the framework of effective contracts to applicants who are natural persons shall be carried out without additional charges.



### **III. The Criteria of Existence (Lack) of the Technical Possibility of a Technological Connection**

**28.** Below are the criteria of existence of the technical possibility of a technological connection:

a) the preservation of power supply conditions (of the established power supply reliability category and the preservation of the quality of electricity) for other consumers whose power-receiving apparatus as of the time of filing of the applicant's application has been connected to the power grids of the grid organisation or of adjacent grid organisations;

b) the lack of limitations on connected power in the power grid facilities to which the technological connection is to be made;

c) the lack of a need for reconstruction or extension (new construction) of power grid facilities of adjacent grid organisations or for the construction of generating facilities for the purpose of meeting the applicant's needs.

**29.** If any of the criteria specified in Item 28 of the present Rules is not observed the technical possibility of a technological connection shall be deemed non-existent.

**30.** The inclusion of power grid facilities into investment programmes of natural monopoly entities in accordance with the legislation of the Russian Federation or in the investment programmes confirmed by representative local self-government bodies aimed at implementing a programme of complex development of communal infrastructure systems means that a technological connection is technically viable and it shall be deemed ground for concluding a contract, irrespective of compliance with the criteria specified in Subitems "a", "b" and "c" of Item 28 of the present Rules.

If the connection of power-receiving apparatus requires that a power grid facility be constructed (re-constructed) which has not been included in the said investment programmes for the next regulation period the grid organisation shall within 30 days after receipt of the application apply to the empowered executive governmental body charged with the state regulation of tariffs for a calculation of the charge for the technological connection according to an individual design. If the applicant expresses his agreement to the technological connection calculation being carried out according to the individual design in the amount determined by said empowered body the grid organisation shall not be entitled to refuse to conclude the contract.

In this case the grid organisation shall issue individual specifications to the applicant for the technological connection to power grids. The implementation of the measures specified in the specifications or of a part thereof may be carried out either by the grid organisation or by the applicant as the latter chooses. In the confirmation of payment for the technological connection under the individual design the empowered governmental body charged with the state regulation of tariffs shall take into account the grid organisation's expenses towards the implementation of the technological connection of the applicant.

**31.** For the purpose of verifying the existence of grounds for the grid organisation's establishing the fact that there is no technical possibility according to the criteria specified in Subitems "a" - "c" of Item 28 of the present Rules the applicant is entitled to apply to the federal executive governmental body charged with technological supervision for a statement on the existence (lack) of technical possibility for a technological connection by the grid organisation.

**32.** Limitations on the technological connection of an additional facility come into being if the full use of consumed (generating) power of all the applicant's power-receiving apparatus connected earlier and being connected anew (with account taken of the specifications issued before and still remaining in effect) can lead to loading power grid facilities in excess of the values set in technical regulations or other compulsory requirements.

**33.** If there is a limit on the technological connection of an additional facility it is admissible to connect power-receiving apparatus to power grids within the amount of power not causing limitations on the use of consumed (generated) power of all the consumers of electric energy that have been connected earlier or within the declared amount by agreement with the said consumers."