

The impact of Shield 2.0 on licenses

Information for energy companies

9 April 2020



During the state of epidemic, collecting the documents that should be submitted to the President of the Energy Regulatory Office during the concession procedure may be very time-consuming. The Shield 2.0 draft responds to the applicants' needs and extends the deadline for supplementing the license application. This should prevent a situation where applications not completed on time are left unprocessed.

Pending procedure—extension of deadline for curing formal defects

The proposed set of rules for mitigating the impact of the coronavirus epidemic, known as Shield 2.0, extends the deadline for supplementing the application in the procedure for obtaining a license. According to the applicable regulations, the President of the Energy Regulatory Office should request the applicant to cure formal defects within a specified deadline, which cannot be longer than 30 days from receipt of the request. If the applicant fails to meet the deadline, the application is left unexamined.

The Shield 2.0 draft stipulates that in cases of pending administrative proceedings not completed before or during the state of epidemic emergency or the state of epidemic, the deadline for supplementing the application to cure formal defects will be 60 days after cancellation of the state of epidemic emergency or state of epidemic.

For proceedings initiated between the date of entry into force of Shield 2.0 and 31 December 2020, the deadline for curing formal defects is set at 60 days.

The extension of these deadlines also applies to proceedings for issuance of a promise to issue a license.

Extension of the validity of the license

The validity of licenses expiring during the state of epidemic emergency or state of epidemic may be extended until 31 December 2020. To do so, the energy company should apply for an extension of validity of the license no later than 30 days prior to its expiration. The elements of the application are indicated in Art. 35(1)–(1c) of the Energy Law of 10 April 1997.

We can help

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