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PORTUGUESE ELECTRICITY GRID

NEW DEADLINES TO MODIFY ACCESS RIGHTS

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SUMMARY

Holders of grid capacity access rights (*títulos de reserva de capacidade* — "**TRC**") in the Portuguese electricity grid can now apply to use the flexibility mechanisms enacted by Decree-Law No. 100/2026, of 22 May ("**DL 100/2026**"). The procedures are set out in Ministerial Order No. 433-A/2026/1, of 21 September (the "**Ministerial Order**"), in force since 22 September.

The Ministerial Order covers waivers, splits, consolidations, swaps, capacity transfers, changes of technology, hybridisation, partial capacity reductions and changes of connection point, depending on how the TRC was allocated, and sets out the platform, forms, documents and deadlines for each application.

It also reopens the filing deadlines, which under DL 100/2026 had expired before these rules were in place. Most applications can now be filed until 20 November 2026, and waivers with a full refund of the guarantee until 22 October 2026.

Grid operators must also publish up-to-date information on the capacity available and already allocated at each connection point

1. What DL 100/2026 changed

DL 100/2026 made grid capacity rights on the Portuguese Public Electricity Grid (*Rede Elétrica de Serviço Público* — "**RESP**") more flexible after a TRC has been granted, through temporary rules that supplement Decree-Law No. 15/2022 (the main law governing the electricity sector) and apply until 30 June 2027.

Before DL 100/2026, TRC holders could not restructure their projects, move capacity between projects or give up capacity they did not need. DL 100/2026 created nine mechanisms for this purpose:

- Splitting or merging TRCs (split and consolidation);
- Releasing or transferring capacity (waiver, swap and capacity transfer); and
- Changing the project (change of technology, hybridisation, partial capacity reduction and change of connection point).

Which mechanisms a holder can use depends on how its TRC was allocated:

Allocation route	Available mechanisms
General access	Consolidation, waiver, change of technology and hybridisation.
Agreement with the RESP operator	Split, consolidation, swap, capacity transfer, hybridisation, partial capacity reduction and change of connection point
Competitive procedure	Hybridisation and, for the projects awarded under the 2021 floating solar auction, the onshore installation of the project.

Putting these mechanisms into practice depended on implementing rules, which the Ministerial Order now provides.

2. How to apply

Applications are filed on the online platform of the Directorate-General for Energy and Geology ("**DGEG**"), the Portuguese Government body responsible for energy licensing. Until the platform is available, they can be sent by email to eletricos@dgeg.gov.pt.

Every application must include:

- The applicant's details and, where applicable, the access code to its online commercial registry certificate (*certidão permanente*);
- Evidence of powers of representation;
- Details of the TRCs (number, date, capacity, connection point and allocation route); and
- The type of application.

Each mechanism also requires specific supporting documents. For a split, the holder must specify how the capacity will be divided between the new TRCs.

Related applications, such as splitting a TRC and changing the connection point of one of the resulting TRCs, can be combined in a single filing. DGEG takes one decision on the filing but may approve only part of it. Holders cannot file back-up applications that only take effect if another one is refused."

Before deciding, DGEG consults the grid operator. If grid reinforcements or other costs are required, DGEG informs the applicant of the grid operator's position and its likely decision. The applicant then has 10 days to accept the costs or withdraw the application.

3. A new application window

DL 100/2026 gave TRC holders 60 days to submit their applications, until 22 July 2026, and 30 days to waive their TRC and obtain a full refund of the guarantee, until 22 June 2026. Both deadlines expired before the forms and rules required to submit the applications were available.

The Ministerial Order addresses this issue by restarting the relevant deadlines from the date of its publication or entry into force, as applicable:

Application	Filing period	Deadline
Waiver with full refund of the guarantee	30 days from entry into force	22 October 2026
Waiver with 80% refund of the guarantee	60 days from publication	20 November 2026
Split, consolidation, swap and capacity transfer	60 days from publication	20 November 2026
Allocation of transferred capacity	60 days from publication	20 November 2026
Change of technology, hybridisation, partial capacity reduction and change of connection point	60 days from publication	20 November 2026

4. How applications are processed

When the filing period closes, DGEG sends all complete applications to the grid operators at once. The procedure then runs as follows:

Step	Entity	Deadline
Review of applications	DGEG	10 days
Answering requests for clarification	Applicant	10 days
Forwarding requests to grid operators	DGEG	5 days
Binding Opinion	Grid Operator	90 days
Decision	DGEG	10 days
Withdrawal (if reinforcement or costs are required)	Applicant	10 days
Drafting amendments or new TRCs	Grid Operator	45 days
Sending for signature	Grid Operator	10 days
Returning signed documents	Applicant	30 days

Requests for the waiver of a TRC follow a simpler route: DGEG decides within 30 days, without consulting the grid operator, and reimburses the guarantee within the following 10 days.

5. Capacity transfer

Capacity transfer (*cedência*) allows the TRC holder to release part of the allocated capacity that it does not intend to use, enabling its reallocation to other applicants with pending grid connection requests. This mechanism is available only to TRCs originally granted through an agreement with the RESP operator, and it is mandatory where the holder applies for the split of a TRC.

The procedure is as follows:

Step	Who	What happens	Deadline
Declaration of Availability	Transferor	The holder notifies DGEG of the TRC and the capacity to be transferred, expressed in MVA. DGEG registers the available capacity and publishes it on a specific list.	Until 20 November 2026
Allocation request	Interested Party	Applies to DGEG for the capacity, at the same connection point and up to the amount of its pending agreement request.	Until 20 November 2026
Technical assessment	Grid Operator	Reviews all requests together, prepares the draft agreements and calculates the costs already paid by the transferor.	90 days
Approval	DGEG	Approves the drafts and notifies the interested parties of the associated costs.	10 days
Acceptance	Transferee	Returns the signed agreement. Otherwise, the agreement request will lapse.	30 days
Payment to the Transferor	Transferee	Pays the transferor's costs. The agreement only takes effect after payment.	30 days after returning the agreement
Reduction of the guarantees	DGEG and Grid Operator	Reduce the transferor's guarantees in line with the capacity transferred.	10 days

If there is no interest in the capacity, if the capacity is not fully allocated, or if the transferee fails to make the required payment, the capacity will remain with the transferor. The TRC will remain unchanged and continue to be subject to the same conditions, including in respect of guarantees and associated costs. The declaration of availability does not, in itself, affect the TRC.

6. More transparency on grid capacity

Since 2025, DGEG has published a quarterly table of the injection capacity available on the transmission and distribution grids. Grid operators are now legally required to publish and keep up to date on the DGEG platform the following information for each connection point:

- The connection point, substation, voltage level, grid and grid operator;
- The capacity available for new allocation, expressed in MVA; and
- The capacity already allocated, distinguishing between capacity in operation and capacity not yet in operation.

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