

**The methodology for setting tariffs for the service of electricity transmission, text updated by
Ordinance 87/2015**

CHAPTER I

General provisions

Section 1. Objective

- Art. 1.** The present methodology establishes the determination of the regulated income and the calculation of tariffs for electricity transmission.
- Art. 2.** The regulated income for the transmission service is determined using a revenue cap type method.
- Art. 3.** This type of incentive regulation provides:
- a) an equitable allocation of gains resulting from efficiency increase in the transmission activity above the targets set by the competent authority, between the transmission system operator, and the transmission service customers;
 - b) the framework for the efficient functioning of the transmission company;
 - c) preventing the transmission system operator to obtain any possible advantages resulting from the monopoly position;
 - d) promoting efficient investment in the electricity transmission network;
 - e) promoting efficient maintenance and operation practices;
 - f) efficient use of the existing infrastructure;
 - g) continuous quality improvement of the transmission service;
 - h) the financial viability of the transmission company;
 - i) public and transparent information on the regulatory process.

Section 2. Scope

- Art. 4.** The methodology used by the transmission system operator to calculate the regulated income and transmission tariffs within a regulatory period.
- Art. 5.** The transmission tariffs apply to all the customers of the transmission service.

Section 3. Definitions and abbreviations

- Art. 6.** The terms of this methodology have the following meanings:

Competent Authority	The Romanian Energy Regulatory Authority
Regulated asset base (BAR)	The net book value of fixed assets, tangible and intangible, recognized by the competent authority, which contributes to the

	transmission service
Transmission service customers	Producers, end customers, distribution operators and suppliers, connected to the public electricity networks
Transmission capacity in a section of the transmission grid	Maximum value of the active power that can be circulated through a section of the transmission network under safe and stable operating conditions, and observing the norms of technical quality parameters
Financial contributions	Cash contribution of the transmission service customers or of a third party (free contributions, connecting new customers of the transmission service etc.)
Regulated cost of the transmission service	Total costs justified and recognized by the competent authority, distributed to the active electricity transmission service, of the total cost of the transmission system operator
Operating and maintenance costs	Justified costs recognized by the competent authority relating to: the cost of raw materials and consumables; the costs of water, electricity and other utilities; other material costs; costs of maintenance and repair works; costs with fees, costs with tenancy and rental; costs of insurance premiums; studies and research costs; costs of services provided by third parties; wage costs; compensation costs
Weighted average cost of capital	The weighted average cost of capital used Note: The capital structure consists of long-term bank loans and equity. The weighted average cost of the capital is calculated as the sum of cost of capital employed, taking into account their share in the total capital. The cost of equity reflects the net gains that will be accrued by the shareholders after covering all the costs related to the activity. The Competent Authority may consider different methods in determining an appropriate cost of equity
Regulated costs representing special expenses	Costs generated by extraordinary causes or random events that can be deferred and amortized over the period that this expenditure takes effect
Regulated cost of congestions	Cost of removing the congestion recognized by the competent authority in the calculation of transmission tariffs
Own regulated technological consumption	Own technological consumption considered by the competent authority in calculating the transmission tariffs linked to the investment plan and with the management of maintenance and repairs works: - cpt - expressed as a percentage of the amount of the electricity transported (%), - CPT – expressed in MWh
Static stability criterion	Sizing and verification criteria consisting of compliance with the maximum output admitted in the national power grid sections, so as to ensure a standardized static stability reserve
Active energy transmitted	Electricity for which the transmission service is provided
ENTSO-E	European Network of Transmission System Operators
Performance indicators for the transmission service	Indicators set according to the performance standard of the transmission service to maintain a minimum level of quality of the transmission service
K_{RET}	Coefficient of use of the electricity transmission network (RET), calculated as a ratio between the transmitted electricity and the

	electricity extracted from network
Law	Law on electricity and natural gas no. 123/2013
Regulatory period (p)	Period of time in which a regulatory method of cap type income is applied; typically this is for 5 years.
Tariff period (t)	Determined period of time in which tariffs approved by the competent authority are applied; it is one year and begins on 1st July each year
Regulated rate of return (RRR)	BAR regulated return, expressed as a percentage established by the competent authority based on the weighted average cost of capital
Rate of government securities (RTS)	Interest rate of the government securities, in real terms, with a maturity of one year, at their first issue in each tariff period, expressed as a percentage. Where no securities were issued with maturity of one year, the competent authority shall establish and communicate the transmission system operator (TSO), based on the data provided by the authorities, the rate used in calculations
Regulation (EC) No. 714/2009	Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003
Regulation (EU) no. 838/2010	Commission Regulation (EU) No 838/2010 of 23 September 2010 on laying down guidelines relating to the inter-transmission system operator compensation mechanism and a common regulatory approach to transmission charging.
Regulation (EU) no. 347/2013	Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009
Power grid characteristic operating modes (r)	Operating modes of power grid projected for a determined period of time (characteristic), which are used to determine the marginal cost related to its own technical consumption and of the congestion
Cap type income regulatory	Stimulating regulatory method applied during the regulatory period, through which the competent authority sets the cap value of the income necessary for carrying out the transmission activity
Return on regulated asset base (RBAR)	Value recognized by the competent authority of the regulated return on the regulated asset base, expressed in monetary units; RBAR is determined by multiplying the regulated rate of return on the regulated asset base
Transmission of electricity between transmission system operators (TI)	Transport compensation mechanism under the effects of using electricity transmission networks for electricity transits between the transmission system operators
SEN Section	Assembly of the lines connecting two areas of SEN for which the fulfillment of the criterion of static stability is verified
Local tariff for electricity transmission (T_G , T_L)	System of locally regulated prices for the electricity transmission service based on marginal costs, variable on nodes (areas) of introduction / extraction from the electricity grid
The average tariff of electricity	Tariff approved by the competent authority for the electricity transmission service, calculated as a ratio between the regulated

transmission (T_T)	income for the transmission service and the ratio of the amount of electricity transmitted and coefficient of utilization of the RET
Reference income	Income expressed in real terms, calculated based on the regulated cost of the transmission service for the tariff period preceding the commencement of each regulatory period
Initial target income	Income expressed in real terms, calculated based on the regulated costs of the transmission service for each tariff period of the regulatory period
Linearized income	Income expressed in real terms, through which the competent authority determines the net present equivalent value of the initial target income, linearized by applying the same linearization factor $X_{final,linear}$ to the reference income for each tariff period of the regulation period
Regulated income	Linearized income expressed in nominal terms, for each tariff period of the regulatory period, plus the appropriate corrections of the regulated income in the previous tariff periods, taking into account the inflation rates for each tariff period
$X_{initial, efficiency}$	Percent reduction from one tariff period to the next of the controllable operating and maintenance costs, established to increase the efficiency of electricity transmission service
$X_{Final, linear}$	Percent reduction from one tariff period to the next of the linearized income
Tariff area	Significant part of a power system, defined by a set of network nodes grouped according to an established criteria (administrative, geographic, operational, tariff etc.) for which the tariffs are unique.

CHAPTER II

Rules and principles

- Art. 7.** (1) The income for the transmission service for each tariff period of a regulatory period is determined prior to the commencement of this period.
- (2) Corrections of the linearized income for each tariff period are carried on within a regulatory period.
- Art. 8.** (1) All necessary data for determining the incomes are transmitted by OTS, in real terms, respectively monetary values for the tariff period prior to the commencement of the regulatory period.
- (2) The effect of inflation on costs is covered through the annual inflation rate applied to the linearized income.
- Art. 9.** In determining the regulated income, the competent authority considers the incomes required by OTS for the regulatory period p , taking into account:
- performance standard imposed by OTS and the system under the laws in force in Romania;
 - evolution of the transmitted electricity quantity, forecasted and justified at the beginning of the OTS regulatory period;
 - development of the own technical consumption regulated in the electricity transmission network;

- d) the transmission network investment and development plan;
- e) regulated rate of return applied to the regulated asset base of the transmission network;
- f) the evolution of tariffs, expressed as a linear trend over a regulatory period;
- g) the charges set by the central or local authorities;
- h) ensuring the financial viability of OTS.

Art. 10. OTS keeps separate records of all financial contributions received annually. The value of these contributions is submitted annually to the competent authority according to the monitoring models for the OTS activity.

Art. 11. OTS is required to organize:

- a) separate accounts for each regulated activity;
- b) separate accounting for the unregulated activities.

Art. 12. (1) OTS allocates the common costs between the regulated transmission service and other regulated / unregulated services, using a method of cost allocation which respects the principles of economic causality.

(2) The costs allocated under paragraph (1) are used to calculate the income proposed by OTS for the transmission service.

Art. 13. (1) OTS provides detailed explanations on:

- a) the mode of allocation of costs;
- b) the reason of choosing the method used;
- c) quantification of the factors used in allocation.

(2) The Competent Authority controls the adequacy of allocating costs to avoid crossed subsidies between the regulated transmission services and other services provided by OTS.

Art. 14. In order to approve the transmission tariffs, OTS classifies and allocates the required incomes between the regulatory transmission service and other services provided by the OTS, using allocation keys determined similar to section 12 relating to costs.

Art. 15. (1) When calculating the transmission tariffs, any cost / income associated to the transmission activity is counted only once.

(2) If it is found that a cost was paid several times, it will be recovered by deduction from the regulated tariff period following the finding.

Art. 16. The transmission tariffs are approved annually by the competent authority for OTS and enter into force at the beginning of each tariff period.

Art. 17. (1) Setting new tariffs during a tariff period of the regulatory period is possible only in exceptional cases proven by OTS with justifying documents.

(2) In the situation related in paragraph (1) the competent authority may consider a factor that corrects the differences in income recorded for the period of delay; the correction factor is included in the rates approved by the competent authority within a defined period.

Art. 18. If the inflation rate (RI) exceeds 5% quarterly, OTS may require quarterly increase of the tariffs.

Art. 19. The process of determining the tariffs for the tariff periods t of a regulatory period p , comprises of the following stages:

- a) Stage I – establishing the reference income under Article 20.
- b) Stage II – establishing the initial target income for the tariff periods t , under Article 21 and Article 22, considering:
 - prognosis of the justified costs determined in accordance with Article 23-Article 27, Article 33 – Article 35;
 - prognosis of the regulated asset base, determined in accordance with Article 36-Article 39;
 - prognosis of the amortization costs determined in accordance with Article 29-Article 32;
 - prognosis of the regulated rate of return determined in accordance with Article 51, the same for all tariff periods t ;
 - return on the regulated asset base, determined in accordance with Article 50;
 - the efficiency factor ($X_{initial,efficiency}$) determined in accordance with Article 22;
- c) Stage III – profiling the income, determining the linearity factor ($X_{final\ linear}$) and the linearized income in accordance with Article 60 and Article 61;
- d) Stage IV – determining the regulated income in accordance with Article 62;
- e) Stage V – setting the average transmission tariff in accordance with Article 80, the allocation of the electric network nodes of the transmission service costs and setting regional transmission tariffs in accordance with the provisions of ANNEX 1.

CHAPTER III

The calculation of the regulated income and the average transmission tariff

Section 1. Establishing the reference income

Art. 20. The reference income ($V_{reference}$) of the regulation period p represents the income determined for the last tariff period $p-1$, used to determine the linearized income in accordance with Article 61.

Section 2. Establishing the initial target income and of the efficiency factor $X_{initial,efficiency}$

Art. 21. The initial target income of the transmission activity for the tariff period t includes the return on the regulated asset base and the following justified costs of the OTS recognized by the competent authority:

- a) operating and maintenance costs, controllable and uncontrollable;
- b) depreciation costs of existing regulated asset and the assets put into / out of service, registered into accounting in the tariff period t , in accordance with Art. 30 paragraph (2) and (3);
- c) Acquisition costs of electricity related to own technical consumption;
- d) costs required to eliminate congestion by re-dispatching;
- e) costs due to electricity transmission between OTSs.

Art. 22. (1) The initial target income $V_{target\ initial,t}$ for any tariff period t a of the regulatory period p is calculated with the formula:

$$V_{target\ initial,t} = CC_{reference} \times (1 - X_{initial\ efficiency})^t + CNC_t + AM_t + CPT_t + CON_t + TI_t + KV_p + RBAR_t - V_t(AA)$$

(lei) (1)
where:

$CC_{reference}$ - controllable operating and maintenance costs considered as a reference to the regulatory period p , in accordance with Article 25 and Article 26;

CNC_t – uncontrollable operating and maintenance costs of the electricity transmission network, recognized by the competent authority for the tariff period t ;

AM_t – the amount of annual regulated depreciation related to assets that comprise BAR_{t-1} and the one related to the assets expected to be put into / out of service midterm of the tariff period t , calculated using the straight line method, by applying the legal amortization periods;

CPT_t – Acquisition costs of electricity related to own technical consumption recognized by the competent authority for the tariff period t ;

CON_t – costs needed to eliminate congestion, regulated by the competent authority for the tariff period t ;

TI_t – costs due to electricity transmission between OTSs, recognized by the competent authority for tariff period t ;

KV_p – correction of the initial target income of the first tariff period of regulation period p , due to prognosis errors of the assets entered in / out of the BAR in the regulatory period $p-1/p-2$ as well as the efficiency gains over the targets set for the previous regulatory period;

$RBAR_t$ – return on regulated asset base, in real terms, applicable to the tariff period t , calculated before tax (defined at section 10);

$X_{initial,efficiency}$ – efficiency factor applicable to the controllable costs, established by the competent authority on the basis of international comparisons with similar transmission companies. The factor $X_{initial,efficiency}$ has a unique value for all tariff periods t ;

$V_t(AA)$ – income from other activities that use recognized resources to carry out the transfer activity for the tariff period t .

(2) The correction factor of the initial target income KV_p of the first tariff period of the regulatory period p , associated to the investment plan I_{p-1} and I_{p-2} (related fixed assets) forecasted by the OTS and approved by the competent authority for the regulatory period $p-1/p-2$ and efficiency gains is calculated with the formula:

$$KV_p = \pm \Delta V_p(I_{p-1}) - \Delta V_p(E_{p-1}) \pm \Delta V_p(\Delta KV_{p-2}) \quad (\text{lei}) (2)$$

where:

$\Delta V_p(I_{p-1})$ - correction to be applied in the first tariff period of the regulation period p , due to the difference between the approved investment plan and the one estimated to be achieved during the regulation period $p-1$. To determine the income correction factor KV_p for the last tariff period for the regulatory period $p-1$, the volume of fixed assets put into operation is estimated on the achievements of the first 8 months and the estimates for the next 4 months; is calculated according to the provisions of Article 74;

$\Delta V_p(E_{p-1})$ - correction to be applied in the first tariff period of the regulation period p , due to efficiency gains over the targets set for the regulatory period $p-1$; is calculated according to the provisions of Article 25;

$\Delta V_p(\Delta KV_{p-2})$ – correction of income applicable in the first tariff period of the regulation period p , due to the difference between the estimated investment plan and the one achieved in the last 4 months of the last tariff period of the regulatory period $p-2$, as well as the efficiency gains over the targets set for the regulatory period $p-2$;

(3) The incomes from other activities that use recognized resources to carry out the transmission activity for the tariff period t - $V_t(AA)$ comprise of: income from allocation of transmission capacity on the interconnection lines in terms of paragraph (4), (5) and (6), income from transits of perimeter countries according to Article 35 para. (2), incomes from reactive electricity, income from other benefits, other operating revenues (excluding income from undeveloped dismantling, those recorded in accounting at the level of depreciation of fixed assets made in financial contributions, those from

exploitation of assets belonging to the public domain of the state, and those resulting from the cancellation of provisions for claims received and losses on receivables).

(4) Income made from the allocation of transmission capacity on the interconnection lines are used primarily in accordance with Article 16 para. (6) of Regulation (EC) no. 714/2009.

This income are the source of financing the investment to increase the interconnection capacity with neighboring systems, which are part of the investment plan approved by the competent authority for the regulatory period p .

(5) The income not used for the purposes mentioned in para. (4) are included in the income from other activities that use recognized resources to carry out the transmission for the tariff period $t - V_t(AA)$, up to a maximum amount approved by the competent authority. This amount is determined as the difference between income from allocation of interconnection capacity expected to be achieved and the planned amount of the investments to increase the interconnection capacity with the neighboring systems in the investment plan approved by the competent authority, in respect of each tariff period t of the regulation period p .

(6) Income remaining after applying paragraph (5) are placed by the OTS in a separate internal account thereof, until they can be spent in accordance with paragraph. (4).

Section 3. Operation and maintenance costs

Art. 23. *The operation and maintenance costs* represent fixed costs, differentiated in controllable costs (CC) and uncontrollable costs (CNC).

Art. 24. The controllable operating and maintenance costs include:

- a) cost of raw materials and consumables;
- b) other costs with materials;
- c) costs of utilities - water, electricity (except expenses needed for CPT), heating, telecommunications etc.;
- d) costs of maintenance and repairs by third parties;
- e) cost with rent and lease;
- f) insurance premium costs;
- g) studies and research costs;
- h) Cost of other services performed by third parties (including courses for staff training, collaborators and commissions and fees, protocol, advertising and publicity, travel, secondment and transfers, postage and telecommunications fees);
- i) costs with staff salaries and other expenses related to personnel (salaries, daily allowances, bonuses, meal vouchers);
- j) compensation costs paid by OTS to third parties for carrying out maintenance work, established by mutual agreement in accordance with Article 12 para. (9) of the Law.

Art. 25. (1) In the last tariff period of a regulatory period $p-1$, the competent authority shall analyze the level of the controllable operating and maintenance costs achieved in each tariff period of the regulatory period.

(2) When calculating the regulated income for the first tariff period of a regulatory period p , the competent authority determines the amount of the efficiency gains over the targets set for the regulatory period $p-1$ and allocates 50% of the surplus to the transmission service customers (earnings sharing mechanism). This amount is subtracted from the initial target revenue for the first tariff period of the regulation period.

- (3) As provided in paragraph (2) the efficiency gain resulting from the reduction of the controllable operation and maintenance costs in a tariff period t against the controllable operation and maintenance costs previously established by the competent authority for the tariff period t due to lowering the electricity consumption by more than 3% against the consumption prognosis, is reduced proportionately with the reduction of the electricity consumption.
- (4) In order to implement the provisions of paragraph (3) OTS brings in advance, to the knowledge of the competent authority, the reduction of controllable operation and maintenance costs due to lowering the electricity consumption by more than 3% against the consumption prognosis.

- Art. 26.** (1) the controllable operation and maintenance costs considered as a reference to the regulatory period p shall be equal to the average of the annual operation and maintenance costs incurred during the regulation period $p-1$, expressed in real terms of the last tariff period of regulation period $p-1$, plus half the difference between:
- a) the controllable operation and maintenance costs previously established by the competent authority for the last tariff period of the regulation period $p-1$; and
 - b) the average annual operation and maintenance costs incurred during the regulation period $p-1$.
- (2) The provisions of paragraph (1) shall not apply where the average annual operation and maintenance costs incurred during the regulation period $p-1$ is bigger than the controllable operation and maintenance costs previously established by the competent authority for the last tariff period of the regulation period $p-1$. In this case, as a reference point of the regulatory period p , is considered the controllable operation and maintenance costs previously established by the competent authority for the last tariff period of the regulation period $p-1$.

- Art. 27.** The following operation and maintenance costs are considered uncontrollable:
- a) costs resulting from the payment of fees, royalties, taxes and the equated payments established under applicable law or regulations by local authorities;
 - b) regulated costs regarding specific charges;
 - c) contributions to the health fund, special funds, other of similar nature, related to the wage, excluding the systems / alternative pension or health funds, within the limit of the values set by the legislation in force;
 - d) extraordinary costs caused by force majeure;
 - e) costs of severance payments, according to the legislation in force;
 - f) costs with compensation paid by OTS to third parties for carrying out maintenance work, established by court, if the parties do not agree;
 - g) costs with losses on debt established by court.

- Art. 28.** The following costs are not included when determining the initial target income:
- a) costs related to free contributions;
 - b) costs related to connecting new customers of the transmission service;
 - c) costs with fines and penalties imposed to OTS;
 - d) share in the costs of other activities developed by the transmission operator, which is used for the electricity transmission network and / or the employees involved in the transmission service;
 - e) compensation costs paid to the customers for non-compliance with the deadlines set through the performance standard for the electricity transmission service or for damaging the electrical receivers by fault of OTS.

Section 4. Depreciation costs

- Art. 29.** All fixed assets are depreciated, save for the on-operational tangible assets.

Art. 30. (1) Annual depreciation costs of the assets contained in the initial target income under Article 22 should be identical to the annual depreciation costs considered in determining the regulated asset base as predicted under Article 38.

(2) The annual depreciation costs of the assets existing at the beginning of the first regulatory period are set considering a linear method of depreciation over a lifetime of 25 years; the amount so determined shall be taken into account in determining BAR in each tariff period during the 25 years.

(3) The annual depreciation costs of new assets accounted for as fixed assets within a tariff periods is calculated using the linear method, applying the normal regulated duration of life, established under a procedure developed by the OTS and approved by the competent authority.

Art. 31. Depreciation on assets received for free, purchased from grants, including those obtained from the application of tariffs for connection of new users, and the one related to the assets made from the incomes obtained by OTS from the allocation of interconnection capacity, in accordance with Article 22 para. (4), is not included in the justified costs at the basis for determining the transmission tariff.

Art. 32. The special expenses determined by extraordinary cases or random events (that are not made repetitively) can be deferred and depreciated over the period that these expenses take effect.

Section 5. Acquisition costs of electricity related to own technological consumption

Art. 33. (1) For each regulatory period, the amount of electricity regulated for its own technological consumption and the average purchase price of electricity from the producers, namely the cost of electricity for its own technological consumption (*CPT*), is estimated by the OTS and approved by the competent authority.

Section 6. Costs required to eliminate congestion through re-dispatching

Art. 34. (1) The amount of electricity needed to eliminate congestion by re-dispatching, the number of hours where there is congestion on various sections of the grid and the transmission capacity corresponding to the sections of the SEN network are determined by OTS for the characteristic regimes of operation and are transmitted to the competent authority, on April 1, in the last tariff period of the regulatory period $p-1$ for each tariff period t of the regulation period p and on 1 May in each tariff period $t-1$ for each tariff period t .

(2) Determining the characteristic operating regimes for each tariff period shall be based on a procedure developed by OTS using the following:

- a) the annual electricity projected to being produced in each power plant based on the information received from manufacturers and / or statistical records of the previous periods;
- b) various running scenarios of the existing and new power plants compared to the results of simulation of the operation of power plants, taking into account various assumptions such as, but not limited to:
 - restrictions in fueling the power plants;
 - the hydrological regime, reduction of the flows on the Danube and the interior rivers;
 - drought, high temperatures for periods longer than two weeks etc.

When setting these scenarios are also considered the operating situations on the electricity market that existed in the previous regulatory period and that led to network congestions;

- c) development of the pattern of electricity transmission networks in accordance with the SEN planning studies prepared by OTS and submitted to the competent authority. In determining the characteristic operating regimes for each tariff periods are not taken into account the withdrawals from operation of the electricity transmission network elements; OTS takes the necessary measures so as to avoid the emergence of network congestion during refurbishment or operation and maintenance;
- d) setting annual program of withdrawal from operation and the periods for which are considered the respective withdrawals of the electricity transmission networks takes into account the stops program of the generating units and of the distribution networks, agreed with the producers and with the distribution operators.

(3) For the second regulatory period and the following, the regulated costs required to eliminate congestion by re-dispatching (CON) arising as a consequence of the operation of the electricity market is estimated for each tariff period by OTS, taking into account the provisions of paragraph (1) and (2) and the average unit cost of eliminating the congestion, resulting in the balancing market during the tariff period previous to the regulation period p .

(4) On 20 December of each tariff period, OTS transmits the annual withdrawals of operations program for the next tariff period to the competent authority, together with the work required to avoid network congestions due to refurbishment or maintenance of the electricity transmission networks. If during the tariff period circumstances arise that necessitate modification of the annual program of withdrawal from service, OTS transmits to the competent authority within two weeks from the occurrence of the change, its cause and the market participant that determined the change. The Competent Authority analyzes and may approve the inclusion of additional costs to the regulated ones, to cover the congestion.

Section 7. Costs and incomes for electricity transmission between the OTSs

Art. 35. (1) The OTS costs due to electricity transmission between OTSs (TI) for tariff period t , are proposed by the OTS in accordance with the Mechanism to compensate the effects of using electricity transmission networks for transits of electricity between the Transmission system operators and are approved by the competent authority.

(2) Income from transits from perimeter countries are obtained by charging the regulated transit tariff for the service of electricity transit from / to perimeter countries by the SEN, according to the compensation mechanism mentioned in para. (1) in accordance with Article 13 of the *Regulation (EC) no. 714/2009 and Regulation (EU) no. 838/2010*.

(3) The regulated tariff for transit to / from perimeter countries mentioned in paragraph. (2) is determined by ENTSO-E and justified by OTS.

Section 8. Regulated asset base

Art. 36. (1) The regulated asset base (BAR) includes the net value of tangible and intangible assets corresponding to the private assets of the Company and the value of the net

assets belonging to the public domain entirely financed from own sources, resulting from efficient investments.

(2) The assets included in the BAR must be used by OTSs in supplying the transmission service. For the assets common for the transmission service and the system service or other services, OTS presents the allocation key between them, based on justification, using and allocation key determined similarly to the provisions of Article 12 concerning the costs. If the assets used in supplying the transmission service are also used for other activities, the value included in the BAR is adjusted with the degree of use of the assets for the transmission service.

(3) The Competent Authority controls the volume of the assets included in BAR, so that there are no costs determined by incorrect decisions or an asset structure that no longer corresponds to the economic conditions, but also to ensure the financial viability of OTS.

(4) The regulated asset base does not include: the value of financial investments in other activities outside the transmission service, the value of investments made in financial contributions, the value of the investments having as source of financing the income from the allocation of interconnection capacity, in accordance with Article 22 para. (4), and the corresponding depreciation.

Art. 37. (1) To calculate the regulated asset base of the related existing transmission activity at the beginning of the regulatory period p , the competent authority shall consider the following:

a) depreciable tangible and intangible assets value corresponding to the private property of the transmission company and the value of the assets belonging to the public domain of the state entirely financed from own sources, of the balance sheet as of 30 June of the last tariff period of the regulation period $p-1$;

b) The annual depreciation related to assets referred to by letter a).

(2) In the last tariff period of each regulatory period, OTS may request the competent authority to recognize the revaluation of the assets based on the revaluation studies carried out under primary legislation.

(3) The accepted value of the private property assets of OTS and of the property belonging to the public domain of the state fully financed from own OTS sources, at the end of a regulation period p , including the one determined by the revaluation of some groups of assets, will not exceed the cumulative inflation rate over that period of regulation, applied to the value BAR_p on 1 July of the first tariff period of the regulation period p , according to the provisions of Article 39.

Art. 38. The average regulated asset base ($BAR_{med,t}$) for all the tariff periods t is established with the formula:

$$BAR_{med,t} = (BAR_{t-1} + BAR_t) / 2 \quad (lei) (3)$$

where:

BAR_{t-1} represents the regulated asset base at the end of the tariff period $t-1$;

BAR_t – regulated asset base at the end of the tariff period t :

$$BAR_t = BAR_{t-1} + IA_t - EA_t - AM_t \quad (lei) (4)$$

where:

IA_t – inflows of assets placed in service and recognized by the competent authority during the tariff period t ;

EA_t – outflows of assets decommissioned or the remaining depreciated value of assets that are scrapped, sold, transferred during the tariff period t ;

AM_t – the amount between the annual depreciation related to the assets that compose BAR_{t-1} and the one related to the assets put into / out of service in the tariff period t :

- Mid-term of the tariff period t , for the predicted values,

- in the month of tariff period t in which the fixed assets were recorded / removed to / from accounting for the achieved values, calculated using the linear method, applying the regulated depreciation times.

Art. 39. When switching from a regulatory period to another, the value BAR_p considered at Art. 37 paragraph (3), estimated to be achieved on 30 June of the last tariff period of the regulation period $p-1$, is established with the formula (5) (where k represents the number of years of the regulatory period) and includes:

a) The value BAR_{p-1} on 1 July of the first tariff period of the regulation period $p-1$;

b) the values of incoming, outgoings of assets achieved during the tariff period of the regulation period $p-1$ and of the appropriate depreciation, considering the inflation rate relating to tariff periods prior to the end of the regulatory period;

c) the achieved percentage value of the inflation rate for the achieved tariff periods, respectively estimated for the last tariff period of the regulatory period $p-1$.

$$BAR_p = BAR_{p-1} \times \prod_{t=1}^k (1 + RI_t) + \sum_{t=1}^{k-1} \left[(IA_t - EA_t - AM_t) \times \prod_{i=t+1}^k (1 + RI_i) \right] + IA_k - EA_k - AM_k \quad (lei) \quad (5)$$

Section 9. Investments

Art. 40. (1) OTS has the obligation to submit to the competent authority for approval on 1 October of the last tariff period of the regulation period $p-1$, the annual investment plan by source of funding for each tariff period of the regulatory period p .

(2) The investment plan must meet the following conditions:

a) at least 80% of the planned investment objectives are those contained in the RET development plan for 10 years approved by the competent authority,

b) the average duration of depreciation corresponding to the fixed assets to be put into service expected in a year t , determined as the ratio between the total value of inventory and the annual depreciation aggregate value to exceed 20 years,

c) the cumulative annual depreciation of fixed assets with the normal life span of less than 10 years, should not exceed 20% of the annual cumulative depreciation value of fixed assets expected to be put into operation in year t .

(3) The investment plan on paragraph (1) is grounded at least through:

- transmission network development plan for 10 years approved by the competent authority,

- the feasibility studies for projects scheduled to be performed during the first 3 years of the regulation period and
- substantiation of the project accomplished within the company, for projects scheduled to be achieved during the last 2 years of the regulatory period.

(4) The substantiation of the investment plan contains the evaluation of each project, based on the specific costs of relevant network elements.

(5) Each investment project and its value is justified by the aim pursued such as:

- replacing worn fixed assets, with exceeded service life;
- reducing its own technological consumption;
- improving the quality of the transmission service;
- increasing the transmission capacity of the grid;
- increasing the interconnection capacities etc.;

with ranking the projects according to the estimated result.

(6) Works planned to be completed during the regulatory period *p-1* that have not been fully implemented shall be included in the investment plan for the regulatory period *p*.

(7) Elaboration of the development plan for the RET for 10 years, and the investment plan is made based on an internal planning and investment management procedure, proposed by the OTS and approved by the competent authority taking into account the provisions of paragraph (2), (3), (4) and (5).

Art. 41. (1) The Competent Authority may limit the value of the investment plan and the costs of depreciation, so that the limits of tariff increase provided for in Article 94 are not exceeded.

(2) For a complete documentation submitted by the OTS, if the competent authority does not notify the OTS until 1 February of the same tariff period, that it rejects the plan mentioned in paragraph (1), it shall be deemed to have been approved and included in BAR.

(3) Competent Authority has the right not to approve the investments proposed by OTS for approval, if this cannot be proved as effective.

Art. 42. For the purpose of this methodology by *achieved investment* is understood a completed investment and included in the list of fixed assets of the company, for which depreciation is recorded.

Art. 43. (1) The Competent Authority has the right to examine at any time any previously approved investment, in terms of timeliness and effectiveness and to not include BAR in the fixed assets resulting from investments made cannot be proved as effective.

(2) Approving and monitoring investments in the electricity transmission network is performed by the competent authority based on objective and transparent criteria.

Art. 44. (1) The Competent Authority verifies whether the failure of the investments is a result of overrated investments projects or of deliberate renunciation to achieve some of these.

(2) For deliberate cancellation, the competent authority reduces the regulated incomes related to the first tariff period of the regulatory period following the finding by the amount of capital expenditures made in an incorrect / venture way.

Art. 45. (1) Allowing further investments from those included in the investment plan approved by the competent authority for the regulatory period $p-1$ or investments to a higher value than the one approved in the plan, and failure to meet investment objectives must be justified by OTS and approved in advance by the competent authority.

(2) Any increase of the planned value of an investment work to the value approved in the investment plan is substantiated by OTS in accordance with the provisions of Article 40 paragraph (3), (4) and (5) and represents additional work to the approved plan.

(3) The assets recorded as fixed assets as a result of additional investments made with the approval of the competent authority, due to exceptional conditions to the approved plan within a regulatory period $p-1$ are introduced in BAR during the regulatory period $p-1$ if during the regulatory period $p-1$ was recorded a value saving (representing the difference between the plan value and the value of achieving an investment objective) and only within its limit, or are introduced in BAR in the beginning of the regulatory period p , with the remaining depreciated value, if within the regulatory period $p-1$ a savings value was not achieved.

Art. 46. (1) Work carried out in addition to the investment plan for the regulatory period $p-1$, with the prior approval of the competent authority, shall be entered in the investment plan for the regulatory period p and are substantiated in accordance with the provisions of Article 40 paragraph (3), (4) and 0.

(2) The works performed in addition to the investment plan for the regulatory period $p-1$, for which the prior approval under Article 45 was not sought, or were rejected by the competent authority are not paid.

Art. 47. (1) By August 1 of each tariff period t , OTS submits the annual investment plan for the tariff period t , detailed on investment works / fixed assets, PFI date, funding source, without exceeding the annual approved amount.

(2) Any proposal to amend the plan referred to in paragraph (1) shall be submitted for approval to the competent authority until January 1 of each tariff period t , while respecting the total amount previously approved.

Art. 48. (1) The investment plan is broken down by OTS in the 3 categories specified in paragraph (2).

(2) OTS ranks the investment projects as follows:

a) **essential projects**, meaning investment projects aimed at creating essential fixed assets, destined to ensure operational safety of the transmission network and SEN, eliminating the systematic congestions and ensuring the capacity of the transmission network to cope, in the medium term, with the energy flows to be transmitted through SEN or neighboring systems, in compliance with the safety and continuity provisions established by technical norms in force. The following may be essential projects:

1. new interconnection lines or internal elements of electricity transmission network which contributes significantly to the increase of the interconnection capacity with the neighboring systems
2. new lines or stations that contribute essentially to achieving the goals stated above

3. increasing the capacity of the existing lines / stations that are overloaded or no longer ensure safety / continuity conditions due to the evolution or involution of the production / consumption in the area.
4. installations for power factor correction
5. investments that are part of the projects included in the list of projects of common interest, established under Regulation (EU) no. 347/2013
6. critical infrastructure protection with high degree of criticality - only projects destined to prevent the imminent occurrence of events that may have implications for the safety of the SEN ensemble, catastrophic consequences or that can lead to casualties.

b) **necessary projects** meaning investment projects aimed at the creation of necessary fixed assets, for the modernization of the transmission grid, reducing its own technological consumption, quality assurance and performance of the transmission service according to the applicable norms and standards. The following may be necessary projects:

1. projects aimed or leading to upgrading the transmission capacity without including the making of new lines or power stations.
2. retrofitting and upgrading the existing lines / stations that have non-compliant technical parameters in accordance with the rules in force (for example: switches that have obsolete short-circuit ratings due to the development of the transmission grid, replacing depreciated existing equipment whose technical parameters no longer correspond to the regulations in force and can no longer ensure compliance with performance indicators and quality of the transmission service);
3. replacement of equipment for environmental compliance;
4. critical infrastructure protection with high degree of criticality and environment - projects to prevent the occurrence of events that show no imminent risk, but may have significant consequences.

c) **Justifiable projects** meaning investment projects aimed at creating long-term fixed assets that can be justified by the costs incurred in relation to the benefit they bring to customers. The following may be justifiable projects:

1. replacement the existing destroyed, damaged or obsoleted equipment, for which there are no spare parts and for which corresponding maintenance works can no longer be executed;
2. modifying power lines by increasing the voltage level;
3. replacing the conductors / transformers to reduce CPT;
4. doubling the circuits or transformers to improve operational safety or to reduce CPT.
5. critical infrastructure protection with low degree of criticality.

Art. 49. If certain existing assets are used for several activities of OTS, then it specifies distinctly the annual incomes from the use of these assets and the annual costs related to activities outside the transmission one.

Section 10. Return on regulated asset base

Art. 50. Return on regulated asset base ($RBAR_t$) for each tariff period t of the regulatory period p is obtained by applying the regulated rate of return on the average regulated asset base, adequate to the tariff period in question, according to the formula:

$$RBAR_t = RRR \times BAR_{med,t} \quad (lei) (6)$$

where:

RRR represents the regulated rate of return, in real terms, before tax;

BAR_{med,t} – The average regulated asset base for the tariff *t*.

Art. 51. Regulated rate of return (RRR), in real values, is obtained based on the weighted average cost of capital before tax, according to the formula:

$$RRR = CCP \times Kp / (1 - T) + CCI \times Ki \quad (\%) \quad (7)$$

where:

CCP is the cost of equity in real terms, calculated after tax, recognized by the competent authority. Calculating the cost of equity is carried out according to the formula:

$$CCP = Rf + \beta_e \times (Rm - Rf) \quad (\%) \quad (8)$$

where:

R_f represents the rate of return on investments considered risk-free (e.g. interest on state bonds / treasury bills);

β_e – value of the risk of an investment;

R_m – the expected return value of a portfolio of shares on the capital market;

(*R_m* - *R_f*) – market risk premium;

β_e (*R_m* - *R_f*) - market risk premium in percentage value;

CCI – cost of the borrowed capital to the actual values, calculated before tax, recognized by the competent authority (%);

Kp – Total equity share capital, estimated by the competent authority at the end of the tariff period;

Ki – the share of borrowed capital in total capital estimated by the competent authority at the end of the tariff period;

T – corporate tax rate.

Art. 52. The capital structure is based on the liability of the balance of the OTS from the regulatory period *p-1*. OTS is allowed to propose and the competent authority has the right to approve a capital structure for the regulatory period *p*, determined by a prognosis process and related to the investment plan, so as to yield a reasonable return of the regulated asset base.

Art. 53. The long-term cost of borrowed capital is based on the current interest on an efficient and well managed loan, from a relevant national and / or international capital market.

Art. 54. If the actual cost of the borrowed capital exceeds the current interest on a domestic or foreign capital market, the competent authority requests further information on reasons for the emergence of this difference. If OTS provides incomplete or insufficient documentation, the competent authority determines the cost of borrowed capital.

Art. 55. The Competent Authority may decide to calculate the cost of borrowed capital, amounting to the risk free investment rate with company specific risk premium (loans risk premium or loans extent).

Art. 56. The structure of the borrowed capital used in the transmission activity is reported to the competent authority.

Art. 57. (1) The RRR value is proposed by OTS, reviewed and approved by the competent authority for each regulatory period.

(2) During the last tariff period of a regulation period, the competent authority shall initiate a consultation process for setting the capital structure that is taken into account when calculating the regulated rate of return. OTS is allowed to propose and the competent authority may decide a capital structure, also taking into account the standard structure of some international companies with similar activities as well as the conditions and the risk of the domestic electricity market.

(3) For fixed assets resulting from investments in the category specified in Annex II, Section 1 of Regulation (EU) no. 347/2013, under Article 13 of the same regulation, the competent authority may consider a 0.5% increase in the regulated rate of return compared to the amount approved under paragraph (1).

Section 11. Profiling the income - determining the linearizing factor $X_{final, linear}$ and the linearized income

Art. 58. Between tariff periods t of a regulatory period p may appear large differences between the initial target income values, due to large differences between the annual investment plans. These differences are diminished using an income linearization method by taking into consideration a single factor $X_{final, linear}$ for the entire regulation period, applicable to the reference income.

Art. 59. In order to determine the factor $X_{final, linear}$, the competent authority takes into consideration:

- the expected improvement in productivity OTS ($X_{initial, efficiency}$);
- annual costs prognosis;
- the investment plan (relevant fixed assets) approved by the competent authority, and the regulated asset base;
- the requirement for linearization of incomes.

Art. 60. The unique value of the linearization factor ($X_{final, linear}$) shall be determined so that the net present value of the linearized income flow ($V_{linearizat, t}$) on the entire regulatory period is equal to the present value of the initial target income ($V_{initial target, t}$) over the same regulatory period.

Calculation of the net updated value of the linearized income flow uses the regulated rate of return (RRR) as an updating factor:

$$\sum_{t=1}^k \left[\frac{1}{(1 + RRR)^t} \times (1 - X_{final, linear})^t \times V_{referinta} \right] = \sum_{t=1}^k \left[\frac{1}{(1 + RRR)^t} \times V_{\text{țintă initial, } t} \right]$$

(lei) (9)

where:

k - the number of tariff periods t of regulatory period p .

Art. 61. The linearization factor $X_{final, linear}$ determined based on formula (9) is used to calculate the linearized income, in real terms, according to the formula:

$$V_{linearizat, t} = V_{referinta} \times (1 - X_{final, linear})^t \quad (\text{lei}) (10)$$

Section 12. Calculating the regulated income. Regulatory formula for cap type income

Art. 62. The regulated income ($V_{regulated,t}$) of the transmission service for each tariff period t is calculated with the following formula:

$$V_{reglementat,t} = (1 - X_{final,liniar})^t \times V_{referint\tilde{a}} \times \prod_1^t (1 + RI_t) + KV_{t,c} + KV_{t,s} \quad (lei) \quad (11)$$

where:

t – tariff period within the regulatory period p

RI_t - the percentage value of inflation - made for tariff periods prior to tariff period t and estimated in tariff period $t-1$ for tariff period t ; inflation rate values are provided by the authorized institutions;

$X_{final,liniar}$ - percentage variation from one tariff period to the next of the linearized income;

$V_{reference}$ - income determined for the tariff period previous to the regulatory period p , as defined in section 3;

$(1 - X_{final,liniar}/100)^t \times V_{referint\tilde{a}}$ - linearized income for tariff period t ;

$KV_{t,c}$ - algebraic sum of the corrections of the linearized income in any tariff period t of the regulatory period p , resulting from prognosis errors for the quantities of transmitted electricity, of K_{RET} , CPT acquisition costs, costs necessary for eliminating congestion, costs due for electricity transmission between OTSs, uncontrollable operating and maintenance costs, and the income from other activities, compared to the values achieved/estimated in the tariff periods $t-2$ and $t-1$;

$KV_{t,s}$ - linearized income correction of any tariff period t , of the regulatory period p , representing the bonuses / penalties for achievement / failure to achieve the performance indicators of the transmission service over / under those approved by the competent authority for the tariff periods $t-2$ and $t-1$; in determining this correction the provisions Article 95 letters b) and c) are taken into consideration.

Section 13. Income correction factors

Art. 63. For the calculation linearized income of the regulatory period p and for the annual approving of tariffs corresponding to the tariff period t of the regulatory period p , the OTS provides the competent authority, at the latest on:

- a) 1 August of each tariff period t of the regulatory period $p-1$, the data needed for the calculation of the linearized income of the regulatory period p , related to the value of the investments made in the last tariff period of the regulatory period $p-2$, namely at tariff period $t-1$,
- b) 1 April of the last tariff period of the regulation period $p-1$, data expected to be achieved on the investments (fixed assets) for this tariff period (8 months achieved values and 4 months estimated values) needed for the calculation of the linearized income of the regulatory period p ,
- c) 1 August of the tariff period $t-1$ of the regulatory period p , data necessary for the correction of the linearized income of the tariff period t , corresponding to the values achieved during tariff period $t-2$,

- d) 1 April of each tariff period $t-1$ of the regulatory period p , data necessary for the correction of the linearized income of the tariff period t , corresponding to the values achieved during tariff period $t-1$.

Art. 64. (1) The correction factor a linearized income ($KV_{t,c}$) din tariff period t , regulatory period p , resulted from estimation / prognosis errors of the values for tariff period $t-2/t-1$ compared to the values achieved/estimated in tariff period $t-2/t-1$ and proposed by OTS under Art. 63, is calculated with the formula:

$$KV_{t,c} = \pm \Delta V_t(Q_{t-1}) \pm \Delta V_t(CPT_{t-1}) \pm \Delta V_t(CON_{t-1}) \pm \Delta V_t(CNC_{t-1}) \pm \Delta V_t(TI_{t-1}) \pm \Delta V_t(AA_{t-1}) \pm \Delta V_t(\Delta KV_{t-2})$$

(lei) (12)

where:

$\Delta V_t(Q_{t-1})$ – the correction factor of the income, applied in tariff period t , due to the difference between the amount of electricity transmitted and estimated K_{RET} and those estimated to be completed in tariff period $t-1$; is calculated according to the provisions of Article 65;

$\Delta V_t(CPT_{t-1})$ – the correction factor of the income, applied in tariff period t , due to the difference between the estimated values for the amount of electricity and the average purchase price of electricity for its own technological consumption in view of the regulated CPR and likely to be achieved in tariff period $t-1$; is calculated according to the provisions of Article 66;

$\Delta V_t(CON_{t-1})$ – correction factor of the income, applied in tariff period t , due to the difference between the regulated values and the values estimated to be achieved on the balancing market in tariff period $t-1$ of the cost for eliminating congestions; the cost for eliminating the congestions is calculated according to the provisions of Article 67;

$\Delta V_t(CNC_{t-1})$ – correction factor of the income, applied in tariff period t , due to the difference between the estimated values of the uncontrollable costs of operation and maintenance and those estimated to be achieved in tariff period $t-1$; is calculated according to the provisions of Article 68;

$\Delta V_t(TI_{t-1})$ – correction factor of the income, applied in tariff period t , due to the difference between the predicted values and those estimated be achieved of the payment obligations resulting from the transmission of electricity between OTSs (TI) in tariff period $t-1$; is calculated according to the provisions of Article 69;

$\Delta V_t(AA_{t-1})$ – correction factor of the income, applied in tariff period t , due to the difference between the predicted values and those estimated be achieved of the income from other activities that use recognized resources to carry out the transmission activity for the tariff period $t-1$; is calculated according to the provisions of Article 70;

$\Delta V_t(\Delta KV_{t-2})$ – correction factor of the income, applied in tariff period t , due to the difference between the predicted values and those estimated be achieved of the elements composing KV_{t-2} ; is calculated according to the provisions of Article 71.

(2) Where the value per semester of $KV_{t,c}$ exceeds $\pm 10\%$ of the income corresponding to a tariff period t , OTS informs based on supporting documents, the competent authority, which examines and decides the correction of the transmission tariff during the tariff period $t-1$. The related data is transmitted to the competent authority until 31 January of the tariff period $t-1$.

(3) Application of the correction factors of the income takes into account the percentage value of the RI and of the RTS.

(4) Changing the annual values of the linearized income due to application of correction factors does not involve recalculation of the factor $X_{final,linear}$.

Art. 65. (1) For calculating the correction factor $\Delta V_t(Q_{t-1})$ of the income and of the tariff applied in any tariff period t , are used:

- a) Data achieved for the first 8 months of tariff period $t-1$;
- b) Data estimated for the last 4 months of tariff period $t-1$, considering the coefficient of increasing the amount of electricity achieved in accordance with letter a) compared to the amount of electricity achieved in the first 8 months of tariff period $t-2$;
- c) transmission tariff achieved in the first 8 months of tariff period $t-1$ and the transmission tariff regulated for the last 4 months of tariff period $t-1$.

(2) Correction of the income for tariff period t , due to changes in the quantity of electricity transmitted $\Delta V_t(Q_{t-1})$ in tariff period $t-1$, is made according to formula (13).

(3) The amount differences ΔQ_{t-1} are transformed into income differences $\Delta V_t(Q_{t-1})$, taking into consideration the tariffs TT_{t-1} corresponding to tariff period $t-1$ in which these differences have been achieved. These differences are corrected with RTS for tariff period $t-1$, according to the formula:

$$\Delta V_t(Q_{t-1}) = (\Delta Q_{t-1} \times TT_{t-1}) \times (1 + RTS_{t-1}) \quad (\text{lei}) (13)$$

where:

$$\Delta Q_{t-1} = Q_{\text{predicted},t-1} / K_{\text{RET predicted}, t-1} - Q_{\text{estimated to be achieved}, t-1} / K_{\text{RET estimated to be achieved}, t-1}$$

TT_{t-1} – the average transmission tariff estimated to be achieved in tariff period $t-1$, determined based on the values achieved in the first 8 months of the regulated values for the next 4 months tariff period $t-1$.

(4) The differences in income obtained under the aforementioned provisions shall be used to change the regulated income for tariff period t , thus:

- $Q_{\text{predicted},t-1} < Q_{\text{estimated to be achieved},t-1}$ determines an adjustment in minus of the regulated income for tariff period t ;
- $Q_{\text{predicted},t-1} > Q_{\text{estimated to be achieved},t-1}$ determines an adjustment in plus of the regulated income for tariff period t .

(5) Correction of the income for tariff period t , due to changes in the quantity of transmitted electricity $\Delta V_t(Q_{t-1})$ is performed only in case of a variation in the quantity of electricity transmitted with less than $\pm 3\%$ compared to the predicted transmitted electricity.

(6) To determine the correction referred to in paragraph (5) the reduction of operating and maintenance costs is taken into account in accordance with the provisions of Article 25 paragraph (3).

Art. 66. (1) The income correction component $\Delta V_t(CPT_{t-1})$ due to prognosis errors of the CPT cost, namely the quantity and the average purchase price of electricity to cover CPT and CPT imbalances from tariff period $t-1$, is applied in tariff period t and is calculated with the formula:

$$\Delta V_t(CPT_{t-1}) = \Delta(CPT_{t-1}) \times (1 + RTS_{t-1}) \quad (\text{lei}) (14)$$

where:

$\Delta(CPT_{t-1}) = (CPT_{\text{predicted},t-1}) - (CPT_{\text{estimated to be achieved},t-1})$ represents the difference between the cost predicted at the beginning of the regulatory period and the one estimated to be achieved in tariff period $t-1$, considered the regulated CPT.

(2) The annual correction factor of the linearized income $\Delta V_t(CPT_{t-1})$ takes into consideration:

- a) the differences in CPT achieved due to the change of the quantities of electricity transmitted, within the regulated cpt limit compared to those approved at the beginning of the regulatory period;
- b) the differences between the average purchase price of the achieved CPT and the one approved by the competent authority at the beginning of the regulatory period; when determining the average purchase price of the achieved CPT, the CPT imbalances are recognized within $\pm 10\%$ of the annual electricity amount to cover CPT.

(3) Starting with the second regulatory period, the achieved value of the *CPT* (MWh) recognized by the competent authority is the minimum between:

- the product between the amount of electricity transmitted Q achieved and *cpt* (%) regulated;
- the product between the amount of electricity transmitted Q achieved and *cpt* (%) achieved in tariff period $t-1$;
- *CPT* made by OTS, taking into consideration the provisions of paragraph (4).

(4) Starting with the second regulatory period, the gains resulting from reducing by more than 10% of the regulated cpt are left to the OTS. The extra costs resulted from increasing the CPT amount owed for exceeding the regulated cpt or the value achieved in the previous tariff period are not recognized within the income corrections.

(5) The average purchase price of electricity to ensure CPT recognized by the competent authority for tariff period t is the one made under paragraph (2) letter b), without exceeding the weighted average price calculated by taking into account the average price established on the Centralized Market of Bilateral Contracts by 80% and the one set on the Next Day Market by 20%, achieved in tariff period t ;

(6) If the average purchase price of electricity to ensure CPT achieved in tariff period t under the provisions of paragraph (2) letter b) is lower than the weighted average price calculated in accordance with paragraph (5), the efficiency values gain resulting from the difference in price is allocated to the customers in a rate of 50%, only if in the range of the regulated cpt.

Art. 67. The correction of the income component $\Delta V_t(CON_{t-1})$ due to prognosis errors of the cost needed to eliminate congestions from tariff period $t-1$ is applied in tariff period t and is calculated with the formula:

$$\Delta V_t(CON_{t-1}) = \Delta(CON_{t-1}) \times (1 + RTS_{t-1}) \quad (\text{lei}) \quad (15)$$

where:

$\Delta(CON_{t-1}) = (CON_{regulated,predicted,t-1}) - (CON_{estimated\ to\ be\ achieved,t-1})$ represents the difference between the regulated cost of the congestions approved by the competent authority at the beginning of the regulatory period and the one estimated to be achieved by taking into consideration Art. 34 paragraph (4).

Art. 68. The income correction component $\Delta V_t(CNC_{t-1})$ due to the difference between the predicted values of the uncontrollable operation and maintenance costs, and those estimated to be achieved in tariff period $t-1$ are applied in tariff period t and are calculated with the formula:

$$\Delta V_t(CNC_{t-1}) = \Delta(CNC_{t-1}) \times (1 + RTS_{t-1}) \quad (\text{lei}) \quad (16)$$

where:

$\Delta(CNC_{t-1}) = (CNC_{\text{predicted},t-1}) - (CNC_{\text{estimated to be achieved},t-1})$ represents the difference between the cost predicted at the beginning of the regulatory period and the one estimated to be achieved in tariff period $t-1$.

Art. 69. The income correction component $\Delta V_t(TI_{t-1})$ due to errors of prognosis for the cost due for electricity transmission between OTSs, including the one due to transits from perimeter countries in tariff period $t-1$, is applied in tariff period t and are calculated with the formula:

$$\Delta V_t(TI_{t-1}) = \Delta(TI_{t-1}) \times (1+RTS_{t-1}) \quad (\text{lei}) (17)$$

where:

$\Delta(TI_{t-1}) = (TI_{\text{predicted},t-1}) - (TI_{\text{estimated to be achieved},t-1})$ represents the difference between the cost predicted at the beginning of the regulatory period and the one estimated to be achieved, due for electricity transmission between OTSs, including the one due to transits from perimeter countries in tariff period $t-1$.

Art. 70. (1) The income correction component $\Delta V_t(AA_{t-1})$ due to the difference between the values predicted and the ones estimated to be achieved of income obtained from other activities, in tariff period $t-1$, is applied in tariff period t and are calculated with the formula:

$$\Delta V_t(AA_{t-1}) = \Delta(AA_{t-1}) \times (1+RTS_{t-1}) \quad (\text{lei}) (18)$$

where:

$\Delta(AA_{t-1}) = (AA_{\text{predicted},t-1}) - (AA_{\text{estimated to be achieved},t-1})$ represents the difference between the income predicted at the beginning of the regulatory period and the one estimated to be achieved, due to income from other activities, in tariff period $t-1$.

(2) The income correction component $\Delta V_t(AA_{t-1})$ does not include the difference between the income from the allocation of interconnection capacity and the value of investments made to increase the interconnection capacity with the neighboring systems in tariff period $t-1$.

Art. 71. The income correction component $\Delta V_t(\Delta KV_{t-2})$ due to the difference between the values estimated to be achieved and the actual values of the elements that compose KV_{t-2} , in tariff period $t-2$, are applied in tariff period t and are calculated with the formula:

$$\Delta V_t(\Delta KV_{t-2}) = \Delta(KV_{t-2}) \times (1+RTS_{t-2}) \times (1+RTS_{t-1}) \quad (\text{lei}) (19)$$

where:

$\Delta(KV_{t-2}) = (KV_{\text{estimated to be achieved},t-2}) - (KV_{\text{realizat},t-2})$ represents the difference between the estimated correction factor for tariff period $t-2$ and the one achieved, applied in tariff period t .

Art. 72. Corrections income due to change in the quantity of transmitted electricity, of the cost of its own technological consumption, of the cost needed to eliminate congestions, the cost due to electricity transmission between OTSs, of the uncontrollable operating and maintenance costs, of the income from other activities, and the elements that compose KV_{t-2} , are taken into account in determining the regulated income according to the formula from Article 62.

Art. 73. (1) The differences of income $\Delta V_p(I_{p-1})$, $\Delta V_p(E_{p-1})$ and $\Delta V_p(\Delta KV_{p-2})$ resulting from the shortfall in the regulatory periods $p-1$ and $p-2$ of the fixed asset corresponding to the commissioning of the investment approved / estimated by the competent authority, as well of the shortfall in the regulatory periods $p-1$ and $p-2$ of the efficiency gains over the

targets set by the competent authority, is applied to the initial target income of the first tariff period of the regulatory period p .

(2) Determining the differences in income from paragraph (1) shall take into account the achieved percentage value of RTS for the achieved tariff periods, respectively predicted for the last tariff period of the regulatory period $p-1$.

Art. 74. (1) The income correction value $\Delta V_p(I_{p-1})$ is calculated according to the formula:

$$\Delta V_p(I_{p-1}) = \sum_{t=1}^k RRR_{p-1} \times (BAR_{med, prognozatap-1,t} - BAR_{med, estimat a fi realizat, p-1,t}) \times \prod_{i=t}^k (1 + RTS_{p-1,i}) +$$

(lei) (20)

$$+ \sum_{t=1}^k (AM_{prognozatap-1,t} - AM_{estimat a fi realizat, p-1,t}) \times \prod_{i=t}^k (1 + RTS_{p-1,i})$$

where:

k - number of years of the regulatory period $p-1$;

RRR_{p-1} - regulated rate of return;

$BAR_{med, prognozatap-1,t} - BAR_{med, estimat a fi realizat, p-1,t}$ - the difference in value between the predicted regulated asset base containing the predicted commissioning at the beginning of the regulatory period $p-1$ to be achieved in tariff period t and the regulated asset base achieved / estimated to be achieved containing fixed assets recorded as a result of the commissioning of investments achieved / estimated to be achieved in tariff period t of the regulatory period $p-1$;

$AM_{prognozatap-1,t} - AM_{estimat a fi realizat, p-1,t}$ - the difference between the regulated value of depreciation predicted at the beginning of the regulatory period $p-1$ for tariff period t and the regulated depreciation value achieved / estimated to be achieved in tariff period t , of the regulatory period $p-1$.

Art. 75. The correction of the initial target income $\Delta V_p(\Delta KV_{p-2})$ being applied in the regulatory period p , due to the difference between the commissioning program and the corresponding depreciation of the estimated fixed assets and to ones achieved in the last 4 months from the last tariff period l of the regulatory period $p-2$, is calculated according to the formula:

$$\Delta V_p(\Delta KV_{p-2}) = RRR_{p-2} \times (BAR_{med, estimat, p-2,l} - BAR_{med, realiz, p-2,l}) \times (1 + RTS_{p-2,l}) \times \prod_{t=1}^k (1 + RTS_{p-1,t}) +$$

$$+ (AM_{estimat, p-2,l} - AM_{realiz, p-2,l}) \times (1 + RTS_{p-2,l}) \times \prod_{t=1}^k (1 + RTS_{p-1,t}) \quad \text{(lei) (21)}$$

Art. 76. The correction related to the difference between the income from the allocation of interconnection capacity and the value of investments made in accordance with the provisions of Article 22 paragraph (4) to increase interconnection capacity with neighboring systems in regulatory period $p-1$ is being determined in the last tariff period of the regulatory period $p-1$ and is applied to the initial target income for the first tariff period of the regulatory period p .

Art. 77. When calculating the regulated income or the correction of the linearized income, the income / costs caused by financial investment in activities outside the transmission service are not recognized.

Art. 78. If the correction of the income is negative, OTS takes the necessary steps for the normal development of the activity regarding the transmission service; any costs caused by these measures are not recognized in calculating the regulated income.

Art. 79. (1) The Competent Authority corrects the regulated income, with prior notice to OTS, only if it finds that:

- a) The determination of the regulated income was carried out based on false or misleading information provided by OTS;
- b) There is an error in determining the regulated income;
- c) there is a substantial change in the structure of ownership of assets of OTS which, in the opinion of the competent authority, may lead to a significant change in the income requirements of OTS.

(2) For the correction in paragraph (1), the competent authority shall calculate a new regulated income, which is applied to the remaining regulatory period, including the necessary corrections for tariff periods prior to the situations in paragraph (1).

Section 14. Calculation of average transmission tariff

Art. 80. The average tariff for electricity transmission TT_t for tariff period t is calculated with the formula:

$$TT_t = V_{regulated,t} / (Q_t / K_{RET,t}) \quad (\text{lei/MWh}) \quad (22)$$

where:

$V_{regulated,t}$ - is regulated revenue in tariff period t ;

Q_t - The amount of electricity transmitted predicted at the beginning of the regulatory period p for tariff period t ;

$K_{RET,t}$ - the rate of utilization of the transmission grid, predicted at the beginning of the regulatory period p for tariff period t .

Art. 81. OTS is responsible for cost allocation and calculation of regional transmission tariffs.

Art. 82. The allocation on nodes of the electricity network of the transmission service costs, and establishment of the regional transmission tariffs is performed in accordance with the provisions of Annex 1 that is integral part of this methodology.

Art. 83. The Competent Authority is responsible for controlling the cost allocation and calculating the regional transmission tariffs, in accordance with the provisions of this methodology.

Section 15. Data transmission requirements

Art. 84. The information submitted by OTS with the competent authority is based on internal procedures for recording and keeping the data, and will be accompanied by the development of the hypothesis underlying the procurement of the transmitted data.

These information are in accordance with:

- a) accounting legislation in force in Romania;
- b) internal accounting rules and practices of OTS;
- c) any regulatory instruction that the competent authority makes in order to implement the regulations, and that are priorities in OTS reports to the competent authority.

Art. 85. OTS submits to the competent authority until 1 April of the tariff period previous to the start of a regulatory period, the following information:

a) For each tariff period of the regulatory period, the information contained in the Annexes forming an integral part of this methodology:

- 1) General data - annex 2;
- 2) Balance sheet – annex 3;
- 3) prognosis of the operating and maintenance costs, including reducing of costs due to the increase imposed by efficiency - annex 4 and 11;
- 4) estimating and justifying the evolution of income, including those resulting from the allocation of transmission capacity, other benefits, other operating income, rents etc. - annexes 4 and 4.1;
- 5) prognosis of financial expenses - annex 4;
- 6) prognosis of quantities and costs for: CPT, congestions, CPT imbalances etc. - annexes 4 and 9;
- 7) status of tangible and intangible assets (net value on 1 July of the first year of the regulatory period and the remaining service life) - annex 5;
- 8) annual investment plan on funding sources detailing the estimated cost of funding sources and investment scheduling chart - annexes 6 and 6.1;
- 9) regulated depreciation of existing and new assets - annexes 7, 7.1 and 7.2;
- 10) technical data related to the transmission grid infrastructure - annex 8;
- 11) prognosis of transmitted electricity and delivered electricity in the electricity networks from the power plants - annex 9;
- 12) allocation on nodes of the transmission tariff for the first tariff period of the regulatory period - annex 10; by exception these data are transmitted on May 1.
- 13) description and justification of the methods used to allocate costs between OTS activities;

b) For the tariff period previous to the regulatory period:

- 1) available accounting financial statements, prepared separately for each of licensed activity, so as to yield income, expenses, assets, liabilities, related reserves and provisions, divided on activities;
- 2) Financial expenses made during the previous regulatory period;
- 3) the income and expenditure budget and its corrections;
- 4) operating and maintenance costs (8 months achieved and 4 months estimated);
- 5) regulated profit, taxable profit, and cash flow in the last 12 calendar months;
- 6) auditor's report;
- 7) configuration of the relevant technical installations (network configuration);
- 8) a letter of consent signed by the head of the transmission company on the possible publication of sent data or specification of the data that constitute work secret as required by law;
- 9) request for approval of tariffs for the first year of the regulatory period;
- 10) performance and quality indicators of the transmission system services, in accordance with the technical code of the electricity transmission network and the performance standard developed by the competent authority.

Art. 86. The Competent Authority may request or independently perform verification and / or auditing for any of the information they have requested, or which have been provided under Article 85.

Art. 87. The Competent Authority may require OTS to submit additional information to enable it to fulfill its obligations in a manner and to such period as the competent authority deems consistent with the provisions of this methodology.

Art. 88. The Competent Authority updates the monthly monitoring layouts of the activity of OTS, whenever necessary due to new regulations on market developments or for reasons of transparency.

- Art. 89.** If OTS does not fulfill its obligations to provide information to the competent authority, or if the competent authority finds a lack of documents or evidence and / or a mismatch between the information provided, it shall notify OTS in writing, no later than 30 days. OTS has the obligation to resolve the complaints specified by the competent authority within 30 days of receiving the notice.
- Art. 90.** If OTS does not fulfill its obligations to provide the information necessary for approval of tariffs to the competent authority, it must provide a justification, including the reasons for non-compliance. Transmission delay cannot exceed 30 days of receipt of the initial of notification.
- Art. 91.** The actual amounts of transmission tariffs are set by the competent authority for each tariff period. After each regulatory period, the competent authority shall initiate a public consultation process on OTS' achievements, and the proposals for the next period.
- Art. 92.** (1) For annual approval of tariffs corresponding to tariff period t , OTS provides the competent authority the data requested in Article 63, including until 1 May of tariff period $t - 1$, allocation on nodes of the electric network of the transmission service cost, of the marginal components of CPT and the congestions.
-
- (2) Between 15 - 30 May of each year the competent authority shall submit OTS the revision proposal for the regulated income and establishing the transmission tariffs for tariff period t , and OTS transmits the competent authority, in writing, their views on the proposal within 5 working days from receipt.
- Art. 93.** Transmission service tariffs for the next tariff period shall be published in the Official Gazette of Romania, Part I, annually, until June 30.

Section 16. Transitional and final provisions

- Art. 94.** (1) By applying the provisions of this methodology, the increase of the transmission tariffs from one year to another is limited, in real terms, to 7% for the average tariff and to 10% for regional tariffs.

(1¹) The limitation of the zonal tariff increase from year to year under paragraph (1) shall not apply to the year in which the method of setting the regional tariffs is modified.

(2) If the limitation of tariff increase under paragraph (1) does not allow OTS to fully obtain full the regulated income, the difference is recovered in the following year / years, within the cap limit set by the income growth, under a specific procedure issued by competent authority.

- Art. 95.** Starting with the second regulatory period, the characteristics of a regulatory period are:

- a) consideration by the regulator, for calculating factor $X_{initial, efficiency}$ of either an efficiency increase equal to 80% of the arithmetic average of the achieved / estimated values in real terms for tariff periods of the previous regulation period, but less than 1%, or an increase of greater efficiency, established by the competent authority on based on an international comparison with similar transmission companies, in which case the comparison will be notified to the OTS;
- b) introduction in the annual income evaluation formula of a correction factor $kV_{t,s}$ on the compliance with the minimum required quality level; The competent authority shall define an incentive mechanism regarding the quality of the

transmission activity and of determining of the factor $kV_{t,s}$ within the third regulatory period;

- c) the annual volume of incomes, respectively the bonuses / penalties associated with the exceeded / inobservance of the performance and quality of the transmission service indicators, shall not exceed 2,5% of the value of the regulated income, including the income corrections corresponding to a tariff period;
- d) the competent authority shall analyze and decide the opportunity of the modification of the transmission tariff and the allocation per node of the cost components of the transmission service and introducing the metering service as separate activity from the transmission one.

Art. 96. OTS is obliged to submit to the competent authority for approval the procedures laid down in Article 30 paragraph (3), Article 34 paragraph (2) and Article 40 paragraph (7), within 90 days from the entry into force of this methodology.

Setting the regional transmission tariffs

Section 1. Allocation on nodes of the electricity transmission network of the transmission service costs and setting the regional transmission tariffs

1. (1) The transmission tariffs are different on different tariff zones, depending on the impact of the introduction or extraction of electricity in /from the node grid. This impact is expressed by the nodal marginal cost of transmission.

(2) In any node of the grid, the marginal cost in the short-term is the sum between the marginal cost due to own technical consumption CM_{CPT} from the electricity transmission network and the marginal cost due to congestion in the electricity transmission network CM_{CON} .

(3) The amount of the marginal costs from paragraph (2) does not fully recover the total cost of transmission. This cost is obtained by taking into consideration an average cost component calculated as the difference between the regulated income, determined in accordance with Article 62, and the income assured through the marginal costs CM_{CPT} and CM_{CON} . The average cost is allocated evenly on the consumer nodes of power grid.

2. (1) The marginal costs and quantities of electricity introduced into or extracted from the transmission grid nodes in a calendar year is determined based on a number of 24 - 48 characteristic operating regimes of the SEN.

(2) The characteristic regimes and the corresponding periods of time are determined on the basis of an operational procedure developed by the OTS and approved by the competent authority, taking into account the following elements predicted at the beginning of the regulatory period:

- a) The annual electricity predicted to being produced in each power plant based on the information received from manufacturers and / or statistical records of previous periods, in accordance with the development plans of the electricity transmission network and operational planning of SEN;
- b) periods of planned repair of the nuclear power plant;
- c) periods of operation of the thermal plants;
- d) CHE operation on seasons with different hydraulicity;
- e) the characteristic levels of the load curve (peak load and empty load) on weekdays and holidays;
- f) the power factors recorded in the year previous to the reporting year, in the power stations of 110 kV in the electrical distribution network;
- g) energy and active and reactive electric power consumption in the stations of 110 kV of the electrical distribution network;
- h) import, export and transit of electricity.

(3) Starting with the second regulatory period, the competent authority may amend the criteria for determining the characteristic regimes, following a transparent consultation process.

3. (1) In every characteristic regime is identified:

- a) *producer nodes* (G) are the power grid nodes into which the electricity is introduced (the production-consumption balance is positive);
- b) *consumer nodes* (L) are the power grid nodes from which the electricity is extracted (the production-consumption balance is negative).

(2) The character producer or consumer node can change from one characteristic regime to another, any of grid nodes can be both producer and consumer.

(3) The electricity transmission network nodes are grouped by price areas, as follows:

- a) *The areas of introducing electricity in the network* represent producer nodes groups;
- b) *The areas of extracting electricity from the network* represent consumer nodes group.

(4) The criteria for grouping the nodes into zones of introduction / extraction of electricity in / from the network are the following:

- a) the level of the marginal costs due to own technological consumption of electricity is in a deviation margin of 20% from the average incremental area cost related to CPT, for a minimum of 70% of the number of nodes in the tariff area;
- b) the characteristic sections of network fully include one or more tariff areas.

(5) The criterion for grouping the nodes into zones of extraction of electricity from the grid takes into account the relevant boundaries (e.g. counties) of the distribution networks.

4.(1) The hourly marginal cost (CM'_{CPTi}) / (CM'_{CPTj}) of its own technological consumption from the producer node (i) / the consumer node (j), in the characteristic regime (r), is determined as the product of the incremental variation of the technical consumption of electricity compared to the electricity introduced into the node (i) / extracted from the node (j) and the marginal cost of purchase electricity from the producers.

(2) The nodal marginal cost related to its own technical consumption is determined by using an appropriate software, developed by a third party and submitted to the competent authority for information.

5.(1) The hourly marginal cost (CM'_{CONi}) / (CM'_{CONj}) of eliminating the congestions from the producer node (i) / the consumer node (j), in the characteristic regime (r), is determined as the ratio between the incremental variation of the cost of production and the incremental variation of the electricity introduced in the node (i) / extracted from node (j).

(2) The nodal marginal cost for the elimination of congestions is determined by using an appropriate software, developed by a third party and submitted to the competent authority for information.

(3) Within each area delimited by the restricted network section (s), the marginal cost for the incremental variation of electricity introduced in the node (i) is considered equal in absolute value but of opposite sign, to the marginal cost of the incremental variation of electricity extracted from node (j).

Section 2. Calculation of the regional transmission tariffs

1. Based on nodal marginal costs (CM'_{CPTi}) / (CM'_{CPTj}) related to its own technical consumption from the electricity transmission network, corresponding for each characteristic regime (r), are determined the annual average incremental costs (CM_{CPTi}), (CM_{CPTj}) for the producer nodes (areas) (i) and for the consumer nodes (areas) (j) of the network according to the formulas:

$$CM_{CPTi} = \frac{\sum_r CM_{CPTi}^r \times E_{Gi}^r \times (1 - y_i)}{\sum_r E_{Gi}^r \times (1 - y_i)} \quad (\text{lei/MWh}) \quad (1)$$

$$CM_{CPTj} = \frac{\sum_r CM_{CPTj}^r \times E_{Lj}^r}{\sum_r E_{Lj}^r} \quad (\text{lei/MWh}) \quad (2)$$

where:

CM_{CPTi} and CM_{CPTj} represent the average annual marginal cost of CPT from the producer node (i), respectively the consumer node (j);

E_{Gi}^r – Electricity introduced in the producer node (i) in the characteristic regime (r);

E_{Lj}^r – Electricity extracted from the consumer node (j) in the characteristic regime (r);

y_i – Energy reduction rate introduced in the producer node (i) with the electricity purchased for its own technological consumption from the electricity transmission network.

2.(1) Based on nodal marginal costs (CM_{CONi}^r) / (CM_{CONj}^r) related to the elimination, on the network section (s), delimiting areas (l) and (m), of the congestions corresponding to each characteristic regime (r), are determined the annual average incremental costs ($CM_{CON,i}$), ($CM_{CON,j}$) for the producer nodes (areas) (i) and for the consumer nodes (areas) (j) of the network, according to the formulas:

$$CM_{CON,j}^l = \frac{\sum_r CM_{CONj}^r \times E_{Lj}^r}{\sum_r E_{Lj}^r} \quad j \in \text{zona } (l) \quad (\text{lei/MWh}) \quad (3)$$

$$CM_{CON,j}^m = \frac{\sum_r CM_{CONj}^r \times E_{Lj}^r}{\sum_r E_{Lj}^r} \quad j \in \text{zona } (m) \quad (\text{lei/MWh}) \quad (4)$$

$$CM_{CON,i}^m = \frac{\sum_r CM_{CONi}^r \times E_{Gi}^r \times (1 - y_i)}{\sum_r E_{Gi}^r \times (1 - y_i)} \quad i \in \text{zona } (m) \quad (\text{lei/MWh}) \quad (5)$$

$$CM_{CON,i}^l = \frac{\sum_r CM_{CONi}^r \times E_{Gi}^r \times (1 - y_i)}{\sum_r E_{Gi}^r \times (1 - y_i)} \quad i \in \text{zona } (l) \quad (\text{lei/MWh}) \quad (6)$$

where:

$CM_{CON,i}^l$, $CM_{CON,i}^m$, $CM_{CON,j}^l$, $CM_{CON,j}^m$ represents the annual average marginal cost of eliminating the congestions, from the producer node (i) or consumer node (j) belonging to areas (l) / (m) defined by section (s);

i – producer nodes from area (l) or (m);

j – consumer nodes from area (l) or (m);

(l) and (m) – pairs of areas delimited by each section of network (s).

(2) The average annual nodal marginal cost (CM_{CONi}), (CM_{CONj}) related to congestions is determined as the sum of annual average marginal nodal costs on all sections of the network (s).

3.(1) The total nodal marginal cost of transmission (CM_{Total}) is the sum between the marginal cost of its own technological consumption CM_{CPT} and the marginal cost of congestions CM_{CON} for the producer nodes (areas) (i) and the consumer nodes (areas) (j) of the transmission network according to the formula:

$$CM_{Total,i} = CM_{CPT,i} + CM_{CON,i} \quad ; \quad CM_{Total,j} = CM_{CPT,j} + CM_{CON,j} \quad (\text{lei/MWh}) \quad (7)$$

(2) The transportation cost for the total nodal marginal costs ($C_{CM,Total}$) is determined as the sum of the products between the total nodal marginal costs ($CM_{Total,i}$), ($CM_{Total,j}$) and the energies E_{Gi} , E_{Lj} introduced in/ extracted from the producer nodes (areas) (i) / consumer nodes (areas) (j) of the network, according to the formula:

$$C_{CM,Total} = \sum_i CM_{Total,i} \times E_{Gi}(1 - y_i) + \sum_j CM_{Total,j} \times E_{Lj} \quad (\text{lei}) \quad (8)$$

4. The average cost nodal tariff component (C_{med}) is defined as follows:

$$C_{med} = \frac{V_{reglementat} - C_{CM,Total}}{\sum_j E_{Lj}^*} \quad (\text{lei/MWh}) \quad (9)$$

where:

$V_{regulated}$ represents the calculated regulated income in accordance with Article 62 of the methodology

E_{Lj}^* represents the energy extracted from the consumer nodes (areas) (j) of the network, except for the import / export.

(1) The zonal transmission tariff (t_{Gi}) for introducing electricity in the producer node (i) is determined as the marginal cost CM_{CPTi} și CM_{CONi} from the producer node (i)

(2) In case the zonal transmission tariff (t_{Gi}) for introducing electricity in the producer node (i) determined in accordance with paragraph (1) is negative, The total nodal marginal cost of transmission (CM_{Total}) for the producer area (i) is allocated proportionally to the consumer areas (j).

6. The zonal transmission tariff (t_{Lj}) for extracting electricity from the consumer node (j) is determined as the sum of marginal cost CM_{CPTj} and CM_{CONj} of the consumer node (j) and the average cost component C_{med} :

$$t_{Lj} = CM_{CPTj} + CM_{CONj} + C_{med} \quad (\text{lei/MWh}) \quad (11)$$

Annex 2. GENERAL DATA

Deadline for submission
Submitted on

1 April [YYYY
= year of the
reference
period]
[DD/MM/YYYY]

DETAILS ABOUT THE COMPANY

Name of the Company
Contact person
Telephone
Fax
Email

Anexa 3. BILANTUL CONTABIL

Data limită de transmitere	1 Aprilie [AAAA = anul perioadei de referință]
Transmis la data	[ZZ/LL/AAAA]

DATELE NU INCLUD INFLATIA		PERIOADA DE REFERINTA				PERIOADA TARIFARA t = 1 ÷ 5				
		UM	SERVICIUL DE TRANSPORT		SERVICII FUNCTIONALE DE SISTEM		SERVICIUL DE TRANSPORT		SERVICII FUNCTIONALE DE SISTEM	
Active Imobilizate										
	Imobilizari necorporale	Lei								
	Imobilizari corporale	Lei								
	Imobilizari financiare	Lei								
	<i>Total Active Imobilizate, din care:</i>	Lei		-		-		-		-
	<i>Active din subventii</i>	Lei								
Active Circulante										
	Stocuri	Lei								
	Creante	Lei								
	Titluri de plasament	Lei								
	Casa si conturi la banci	Lei								
	Acreditiv	Lei								
	Alte valori	Lei								
	<i>Total Active Circulante</i>	Lei		-		-		-		-
Conturi de regularizare si asimilate		Lei								
Prime privind rambursarea obligatiunilor		Lei								
TOTAL ACTIV		Lei		-		-		-		-
Capital Propriu										
	Actiuni	Lei								
	Rezerve legale	Lei								
	Rezultate retinute: Profit / pierdere	Lei								
	Altele	Lei								
	Patrimoniu public	Lei								
	<i>Total Capital</i>	Lei		-		-		-		-
Capital Imprumutat (Credite)										
	Imprumuturi pe termen lung	Lei								
	Imprumuturi pe termen scurt	Lei								
	Alte imprumuturi	Lei								
	<i>Total Capital Imprumutat</i>	Lei		-		-		-		-
Alte obligatii										
	Obligatii pe termen scurt - de platit furnizorilor	Lei								
	Obligatii pe termen scurt - alte plati	Lei								
	Alte obligatii	Lei								
	<i>Total Alte obligatii</i>	Lei		-		-		-		-
TOTAL PASIV		Lei		-		-		-		-

Anexa 4.1 VENITURI DIN ALTE ACTIVITATI

	Data limită de transmitere	1 Aprilie [AAAA = anul perioadei de referinta]	
	Transmis la data	[ZZ/LL/AAAA]	
DATELE NU INCLUD INFLATIA			
			[Lei]
	ACTIVITATEA	PERIOADA DE REFERINTA	PERIOADA TARIFARA t = 1 ÷ 5
	Alocarea capacitatii de interconexiune		
	Schimburi transfrontaliere de energie electrica		
	Alte prestatii		
	Alte venituri de exploatare, din care:		
	Venituri aferente amortizarii mijloacelor fixe din contributii financiare		

Anexa 5. VALOAREA ACTIVELOR

Anexa 5. VALOAREA ACTIVELOR								
		Data limită de transmitere		1 Aprilie [AAAA = anul perioadei de referință]				
		Transmis la data		[ZZ/LL/AAAA]				
DATELE NU INCLUD INFLAȚIA								
		TRANSPORT			SERVICII FUNCȚIONALE DE SISTEM			ALTELE
	UM	Total	Patrimoniu public	Patrimoniu privat	Total	Patrimoniu public	Patrimoniu privat	
BAR inițial determinat de ANRE la 01 iulie - Perioada de referință înainte de perioada de reglementare p	Lei							
BAR inițial determinat de ANRE la 30 iunie - Perioada de referință înainte de perioada de reglementare p	Lei							
Amortizarea BAR inițial din 2004 și pentru fiecare din următoarele 25 perioade tarifare	Lei							

Anexa6.1 PUNERILE IN FUNCTIUNE ANUALE ALE LUCRARILOR DE INVESTITII PE SURSE DE FINANTARE - PE PROIECTE

Data limită de transmitere 1 Aprilie [AAAA = anul perioadei de referinta]
 Transmis la data [ZZ/LL/AAAA]

Nr. Crt.	Denumire proiect	Anul PIF - Lucrari executate inainte de perioada de reglementare			Anul PIF in cadrul perioadei de reglementare	Stadiul de execuție al lucrărilor	Documen- tația de fundamen- tare	Categoria investiției	Valoarea totală a investiției (Lei)	Valoare în perioada de reglementare (Lei)						Descrierea lucrării	Surse de finantare (Lei)			Observatii
		Initial	Dupa Retehno- logizare (modernizare)	Dupa Reabilitare						Total	Perioada tarifara 1	Perioada tarifara 2	Perioada tarifara 3	Perioada tarifara 4	Perioada tarifara 5		Capital propriu	Capital imprumutat	Contributii financiare	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21

**Anexa 7. AMORTIZAREA ANUALA REGLEMENTATA A ACTIVELOR EXISTENTE SI NOI -
CENTRALIZATOR**

DATELE NU INCLUD INFLATIA		PERIOADA DE REFERINTA (8 luni realizat + 4 luni estimat)					PERIOADA TARIFARA t = 1 ÷ 5						
		TRANSPORT			SERVICII FUNCTIONALE DE SISTEM	PIATA	ALTELE	TRANSPORT			SERVICII FUNCTIONALE DE SISTEM	PIATA	ALTELE
UM		Total	Patrimoniu public	Patrimoniu privat				Total	Patrimoniu public	Patrimoniu privat			
Amortizarea BAR stabilită la 30 iunie perioada de referinta		-	-	-	-	-	-	-	-	-	-	-	
Amortizarea investițiilor din perioada tarifara 1													
Amortizarea investițiilor din perioada tarifara 2													
Amortizarea investițiilor din perioada tarifara 3													
Amortizarea investițiilor din perioada tarifara 4													
Amortizarea investițiilor din perioada tarifara 5													
Amortizarea totală		-	-	-	-	-	-	-	-	-	-	-	

Anexa 7.1 - AMORTIZAREA ANUALA REGLEMENTATA A ACTIVELOR NOI - PE PROIECTE

DATELE NU INCLUD INFLATIA		Data limită de transmitere	1 Aprilie [AAAA = anul perioadei de referinta]
		Transmis la data	[ZZ/LL/AAAA]

Nr. crt.	Denumirea investitiei	Tipul investitiei conf. Art.48 din Metodologie	Valoarea investitiei (PIF) / amortizarii reglementate conform PIF prognozate la inceputul perioadei de reglementare p (Lei):												Valoarea investitiei, conf. SF aprobat, studii de oportunitate, alte documente (Lei)	Sursele de finantare ale investitiilor (Lei)								
			Total general PIF	Total PIF in cadrul perioadei de reglementare p	Perioada tarifara 1		Perioada tarifara 2		Perioada tarifara 3		Perioada tarifara 4		Perioada tarifara 5			Capital propriu		Capital imprumutat	Contributii financiare					
					PIF	Amortizare anuala	PIF	Amortizare anuala	PIF	Amortizare anuala	PIF	Amortizare anuala	PIF	Amortizare anuala		Total, din care:	Rezerve cu destinatie speciala		Total din care:	Tarif de racordare				
					PIF	Amortizare anuala	PIF	Amortizare anuala	PIF	Amortizare anuala	PIF	Amortizare anuala	PIF	Amortizare anuala		Total, din care:	Rezerve cu destinatie speciala	Capital imprumutat		Total din care:	Perioada tarifara 1	Perioada tarifara 2	Perioada tarifara 3	Perioada tarifara 4
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25

TRANSPORT																								
1																								
2																								

SERVICII FUNCTIONALE DE SISTEM																								
1																								
2																								

TOTAL																								
-------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

NOTA: Raportarea se efectueaza la nivel de proiect si cu defalcare pe categorii de mijloace fixe dupa durata normala de viata, ca de exemplu 50, 25, 12, 4 ani. Aceste durate se actualizeaza in conformitate cu legislatia in vigoare

Anexa 7.2 IESIRILE DIN FUNCTIUNE ANUALE ALE ACTIVELOR PUSE IN FUNCTIUNE INCEPAND CU PRIMA PERIOADA DE REGLEMENTARE

DATELE NU INCLUD INFLATIA													
						Data limită de transmitere	1 Aprilie [AAAA = anul perioadei de referinta]						
						Transmis la data	[ZZ/LL/AAAA]						
						(Lei)							(Lei)
PERIOADA DE REFERINTA (8 luni realizat + 4 luni estimat)						PERIOADA TARIFARA t = 1 ÷ 5							
Nr. Crt.	Denumirea investitiei	Categoria mijloacelor fixe	Valoarea de inventar	Amortizarea cumulata	Valoarea ramasa neamortizata	Motivul scoaterii din functiune	Nr. Crt.	Denumirea investitiei	Categoria mijloacelor fixe	Valoarea de inventar	Amortizarea cumulata	Valoarea ramasa neamortizata	Motivul scoaterii din functiune
TRANSPORT							TRANSPORT						
1							1						
		Total							Total				
2							2						
		Total							Total				
SERVICII FUNCTIONALE DE SISTEM							SERVICII FUNCTIONALE DE SISTEM						
1							1						
		Total							Total				
2							2						
		Total							Total				
Total							Total						

Anexa 8. DATELE TEHNICE REFERITOARE LA INFRASTRUCTURA REZEI EI ELECTRIC E DE TRANSPORT

		Data limită de transmitere		1 Aprilie[AAAA = anul perioadei de referinta]														
		Transmis la data		[ZZ/LL/AAAA]														
		PERIOADA DE REFERINTA							PERIOADA TARIFARA t = 1 + 5									
		TRANSPORT						SERVICII DE SISTEM	ALTELE	TRANSPORT						SERVICII DE SISTEM	NEREGLEMENTATE	
		Total	750kV	400kV	220kV	110kV	STATII	ALTELE	Total	750kV	400kV	220kV	110kV	STATII	ALTELE	Total	NEREGLEMENTATE	
Numarul angajatilor	nr.																	
Lungimea rezei: Total, din care:	km																	
Linii aeriene	km																	
Cabluri subterane	km																	
Numarul intreruperilor accidentale	nr./an																	
Numarul transformatoarelor	buc																	
Capacitatea transformatoarelor	MVA																	
Puterea maxima absorbita la varf de sarcina	MW																	

Anexa9. ENERGIA ELECTRICA TRANSPORTATA, K_{RET}, CPT SI TARIFUL MEDIU DE TRANSPORT

		PERIODA DE REFERINTA		PERIODA TARIFARA 1					
		TRANSPORT		TRANSPORT					
		Data limită de transmitere		1 Aprilie [AAAA = anul perioadei de referinta]					
		Transmis la data		[ZZ/LL/AAAA]					
DATELE NU INCLUD INFLATIA									
	UM								
Consum intern de energie electrica	MWh								
Import	MWh								
Export	MWh								
Cantitate de energia electrica livrata de centrale in retele	MWh								
K _{RET}	%								
Cantitate de energia electrica transportata	MWh								
CPT	%								
CPT	MWh								
Pret mediu de achizitie a energiei electrice pentru CPT	Lei / MWh								
Costuri cu CPT	Lei								
Cantitatea de energie electrica pentru acoperirea dezechilibrelor negative CPT (-3% din cantitatea CPT)	MWh								
Pret mediu de achizitie a energiei electrice pentru acoperirea dezechilibrelor negative CPT	Lei / MWh								
Costuri pentru acoperirea dezechilibrelor negative CPT	Lei								
Cantitatea de energie electrica pentru acoperirea dezechilibrelor pozitive CPT (+3% din cantitatea CPT)	MWh								
Pret mediu de achizitie a energiei electrice pentru acoperirea dezechilibrelor pozitive CPT	Lei / MWh								
Costuri pentru acoperirea dezechilibrelor pozitive CPT	Lei								
Costuri totale pentru acoperirea dezechilibrelor CPT	Lei								
		PERIODA DE REFERINTA			PERIODA TARIFARA t = 1 ÷ 5				
		TRANSPORT	SERVICII SISTEM		TRANSPORT	SERVICII SISTEM			
			Tehnologice	Functionale	Piata		Tehnologice	Functionale	Piata
Tarif zonal în vigoare pentru introducerea energiei în RET									
TG1-pentru introducerea de energie în retea ZONA 1	Lei / MWh								
TG2-pentru introducerea de energie în retea ZONA 2	Lei / MWh								
TG3-pentru introducerea de energie în retea ZONA 3	Lei / MWh								
TG4-pentru introducerea de energie în retea ZONA 4	Lei / MWh								
TG5-pentru introducerea de energie în retea ZONA 5	Lei / MWh								
TG6-pentru introducerea de energie în retea ZONA 6	Lei / MWh								
TL1-pentru extragerea de energie din retea ZONA 1	Lei / MWh								
TL2-pentru extragerea de energie din retea ZONA 2	Lei / MWh								
TL3-pentru extragerea de energie din retea ZONA 3	Lei / MWh								
TL4-pentru extragerea de energie din retea ZONA 4	Lei / MWh								
TL5-pentru extragerea de energie din retea ZONA 5	Lei / MWh								
TL6-pentru extragerea de energie din retea ZONA 6	Lei / MWh								
TL7-pentru extragerea de energie din retea ZONA 7	Lei / MWh								
TL8-pentru extragerea de energie din retea ZONA 8	Lei / MWh								
TARIF MEDIU	Lei / MWh								
Energie									
ZONA 1 DE INTRODUCERE a ENERGIEI în RETEA	MWh								
ZONA 2 DE INTRODUCERE a ENERGIEI în RETEA	MWh								
ZONA 3 DE INTRODUCERE a ENERGIEI în RETEA	MWh								
ZONA 4 DE INTRODUCERE a ENERGIEI în RETEA	MWh								
ZONA 5 DE INTRODUCERE a ENERGIEI în RETEA	MWh								
ZONA 6 DE INTRODUCERE a ENERGIEI în RETEA	MWh								
ZONA 1 DE EXTRAGERE a ENERGIEI din RETEA	MWh								
ZONA 2 DE EXTRAGERE a ENERGIEI din RETEA	MWh								
ZONA 3 DE EXTRAGERE a ENERGIEI din RETEA	MWh								
ZONA 4 DE EXTRAGERE a ENERGIEI din RETEA	MWh								
ZONA 5 DE EXTRAGERE a ENERGIEI din RETEA	MWh								
ZONA 6 DE EXTRAGERE a ENERGIEI din RETEA	MWh								
ZONA 7 DE EXTRAGERE a ENERGIEI din RETEA	MWh								
ZONA 8 DE EXTRAGERE a ENERGIEI din RETEA	MWh								
TOTAL	MWh								
Venituri									
ZONA 1 DE INTRODUCERE a ENERGIEI în RETEA	Lei								
ZONA 2 DE INTRODUCERE a ENERGIEI în RETEA	Lei								
ZONA 3 DE INTRODUCERE a ENERGIEI în RETEA	Lei								
ZONA 4 DE INTRODUCERE a ENERGIEI în RETEA	Lei								
ZONA 5 DE INTRODUCERE a ENERGIEI în RETEA	Lei								
ZONA 6 DE INTRODUCERE a ENERGIEI în RETEA	Lei								
ZONA 1 DE EXTRAGERE a ENERGIEI din RETEA	Lei								
ZONA 2 DE EXTRAGERE a ENERGIEI din RETEA	Lei								
ZONA 3 DE EXTRAGERE a ENERGIEI din RETEA	Lei								
ZONA 4 DE EXTRAGERE a ENERGIEI din RETEA	Lei								
ZONA 5 DE EXTRAGERE a ENERGIEI din RETEA	Lei								
ZONA 6 DE EXTRAGERE a ENERGIEI din RETEA	Lei								
ZONA 7 DE EXTRAGERE a ENERGIEI din RETEA	Lei								
ZONA 8 DE EXTRAGERE a ENERGIEI din RETEA	Lei								
TOTAL	Lei								

Anexa 11. REABILITARI DIN CADRUL PLANULUI DE MENTENANTA ANUAL - PE PROIECTE

Data limită de transmitere	1 Aprilie [AAAA = anul perioadei de referinta]						
Transmis la data	[ZZ/LL/AAAA]						
DATELE NU INCLUD INFLATIA							
Nr. crt.	Denumirea obiectivului	Valoarea mentenantei prognozate la inceputul perioadei de reglementare p (Lei):					
		Total	Perioada tarifara 1 PIF	Perioada tarifara 2 PIF	Perioada tarifara 3 PIF	Perioada tarifara 4 PIF	Perioada tarifara 5 PIF
1	2	3	4	5	6	7	8
TRANSPORT - LINII							
1 2							
TRANSPORT - STATII							
1 2							
TRANSPORT - TOTAL							
SERVICII FUNCTIONALE DE SISTEM							
1 2							
SERVICII FUNCTIONALE DE SISTEM - TOTAL							