

Residential Prosumers in the European Energy Union

EAHC/2013/CP/04

Mapping the legal and regulatory framework in the 28 Member States, Iceland and Norway

Slovenia



This study is part of the mapping of the legal and regulatory framework for residential prosumers in the 28 Member States, Iceland and Norway, within the project on Residential Prosumers in the European Energy Union EAH/2013/CP/04, and carried out by Milieu Ltd (Belgium), Chaussée de Charleroi, 112, B-1060 Brussels, tel: +32 (0)2 506 1000; web address: www.milieu.be

This study presents the legal and regulatory framework for residential prosumers in Slovenia. It has been prepared by Borut Šantej as the author and reviewed by the managers of the project Marta Ballesteros (Marta.Ballesteros@milieu.be) and Marta Santos Silva (Marta.Santos.Silva@milieu.be). The study has been completed in June 2017.

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National report on the regulatory framework for residential prosumers: Slovenia

General Description of the national legal and regulatory framework

General

Slovenia is a democratic republic with a parliamentary system. It is a unitary State, organised in a two-tiered system: a national level and a local (municipal) level. **The National Assembly** is the supreme representative institution exercising legislative powers and it has adopted the Energy Act¹, which is a framework act providing framework for the regulation of residential prosumers in Slovenia.

The Government of the Republic of Slovenia is the executive body and also the supreme body of the State administration. It has the power to issue decrees as the highest type of implementing regulations. Regarding energy prosumers, it adopted the Decree on self-supply of electricity from the renewable energy sources (hereinafter: Decree on self-supply).² The **Ministry of Infrastructure**³ is responsible for the energy sector and is thus also responsible for policy which relates to residential prosumers in Slovenia.

The **Energy Agency**⁴ is the energy market regulator. Among other, it is an appellate instance in disputes between final consumers and distribution system operators.

For the adjudication of lawsuits related to consents issued by system providers to energy prosumers, the administrative courts are responsible. For adjudication of lawsuits regarding the contracts between the prosumers and electricity providers or system providers, the civil courts are responsible.

1. What types of residential prosumers are there in your country on the basis of type of RES used and size of the installation?

Answer:

The Slovenian legislation regulates only one type of residential prosumers. These are household customers and small business customers who produce their own electric energy with their own on-site devices,⁵ which do not exceed 11kVA and must not exceed the connection power which is allowed for the building in question. They must produce their electricity with renewable sources, such as solar, wind, or water power,⁶ with the same rules applying to prosumers irrespective of the type of renewable source they are using.

Slovenian legislation regulates residential prosumers in separate legislation from that which regulates other types of prosumers (industrial prosumers etc.). Therefore, the analysis in this report is relevant only to residential prosumers and does not concern other types of prosumers.

¹ Hereinafter: EZ-1. [The Energy Act](http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6665), *Energetski zakon*. Adopted on 24 February 2014, published in the Official Gazette, No. 17/2014 and 81/2015. Accessible at <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6665>.

² *Uredba o samooskrbi z električno energijo iz obnovljivih virov energije*, Official Gazette No 97/2015. Accessible at <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED7050>.

³ Ministry of Infrastructure (*Ministrstvo za infrastrukturo* – available at <http://www.mzi.gov.si/>).

⁴ *Energy agency* (*Agencija za energijo*). Available at <https://www.agen-rs.si/>.

⁵ Article 2(1) a) of the Decree on self-supply.

⁶ Article 3(2) of the Decree on self-supply.

2. What is the institutional framework & division of competences regarding residential prosumers in your country?

Answer:

As referred to in the answer to question 1, in Slovenia, the Ministry of Infrastructure⁷ is responsible for the energy sector. The Ministry has three directorates, one of which is the **Energy Directorate**. This Directorate is responsible, *inter alia*, for the efficient use of energy and to the provision of renewable sources of energy and for energy supply. It prepares and implements national energy policy, which includes energy generation and processing, production, distribution and supply of energy, and the efficient use and renewable sources of energy for heating and transport. It also implements measures to achieve a reliable energy supply at competitive prices, in particular through encouraging the use of renewable energy sources and measures for higher energy efficiency. The Energy Directorate is therefore responsible for policy which relates to residential prosumers in Slovenia.

The **Energy Agency** is the energy market regulator. It is an independent public agency, which determines network charges (that is to say, costs of distribution system operators), supervises the energy market, its operation and competitiveness, and is responsible for ensuring a continuous and steady supply of electricity. The Energy Agency is also an appellate instance in disputes between final consumers and distribution system operators.

The **electricity network** onto which final customers are connected is a public infrastructure. Its management is a public utility service. For its provision, the Government of the Republic of Slovenia established a public company 'SODO - System Operator of Distribution System', which operates the national distribution system through five regional distribution system operators as subcontractors.

Unlike the distribution of electricity, the supply of electricity to final consumers is a market-based activity provided by electricity retail companies.

Specific Questions on the regulatory framework for residential prosumers

3. What is the regulatory framework for residential prosumers in your country?

General

The most important legal act which regulates energy efficiency and which provides the framework for the regulation of residential prosumers in Slovenia is the Energy Act.⁸ All of the implementing legal acts (decrees, regulations) mentioned in this report have been adopted on the basis of Energy Act. Energy prosumers are regulated in two legal acts:

- in the Decree on self-supply
- and in the Rules on the technical requirements of installations for the self-supply of electricity from renewable energy sources (hereinafter: Rules on technical requirements).⁹ These regulate, as their name suggests, the technical requirements for energy prosumers.

⁷ Ministry of Infrastructure (*Ministrstvo za infrastrukturo* – available at <http://www.mzi.gov.si/>).

⁸ *The Energy Act, Energetski zakon*. Adopted on 24 February 2014, published in the Official Gazette, No. 17/2014 and 81/2015. Accessible at <http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO6665>.

⁹ *Pravilnik o tehničnih zahtevah naprav za samooskrbo z električno energijo iz obnovljivih virov energije*, Official Gazette, No. 1/2016. Accessible at <http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV12545>.

3.1. What is the existing legislative framework regulating Renewable Energy Projects in your country?

The most important act regulating renewable energy projects in Slovenia is the EZ-1. EZ-1 is a framework energy act which regulates all types of energy and their production, distribution, and consumption and the organisation and responsibilities of national authorities in the field. EZ-1 is a fairly new law, which came into effect on 22 March 2014. EZ- also specifically addresses energy efficiency¹⁰.

On the basis of EZ-1, the Government of the Republic of Slovenia adopted the Decree on self-supply. The Decree was adopted on the basis of Articles 314 and 315 of EZ-1, which regulate the promotion of measures to improve energy efficiency and the use of energy from renewable sources. The Decree on self-supply was adopted specifically to allow and enable residents and small businesses to become energy prosumers.¹¹ The Decree regulates the definitions of self-supply, prosumers etc., relationship and obligations of prosumers and electricity retail companies and administrative requirements for the prosumers.

On the basis of the Decree on self-supply the Minister of Infrastructure adopted the Rules on the technical requirements of installations for the self-supply of electricity from renewable energy sources. These regulate, as their name suggests, the technical requirements for energy prosumers.

3.2. Does the Renewables National Action Plan include any objectives for residential prosumers (if so, please specify)

The National Renewable Energy Action Plan 2010 – 2020 (NREAP),¹² which was adopted in 2010, does not set any objectives with regard to residential prosumers.

3.3. Is there a definition (legal or regulatory) of residential prosumers (or self-consumption) in your country? If so, state it and describe the elements of this definition?

The Decree on self-supply uses the term ‘owner of a device for self-supply with electric energy from renewable sources of energy’ for residential prosumers. It rather complicatedly defines such owner as a household customer or a small business customer, who owns the electricity meter within the building which is self-supplied with electric energy, and on which in-house low-voltage electric grid the device for self-supply with electric energy from renewable sources is connected (Art. 2).

‘Household customers’ are customers purchasing electricity for their own household consumption, excluding consumption for performing commercial or professional activities. ‘Small business customers’ are customers at low voltage electric connection that are not household customers and whose maximum connection power¹³ is less than 41 kW. Both categories of customers are treated in the same way in the Decree on self-supply.

The device for self-supply with electric energy from renewable sources of energy’, to which the definition of prosumer in the Decree on self-supply refers to, must produce electricity from

¹⁰ Part V: ‘Energy Efficiency and Renewable Sources of Energy’.

¹¹ See the legislative materials accompanying the draft Decree on the self-supply No. 007-207/2015-46-00921306 from 9 November 2015 (hereinafter: Legislative materials) (p. 2). Accessible at <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED7050>.

¹² *Akcijski načrt za obnovljivo energijo 2010 – 2020*, Ljubljana, July 2010 (English version). Accessible at http://www.energetika-portal.si/fileadmin/dokumenti/publikacije/an_ove/an-ove_eng.pdf.

¹³ Connection power is the maximum electrical power which can be used in the building at a given time.

renewable sources, such as solar power, wind or water power. As referred to above¹⁴, the maximum rated power of the generating device must not exceed 11 kVA and must not exceed the connection power allowed for the building which it supplies with electricity (Decree, Art. 3).

4. What are the permitting requirements for each type of residential prosumer?

General

The Decree on self-supply provides that to become an energy prosumer, the building owner has to obtain the consent to connect the device to in-house grid from the electricity system operator and sign a contract with the electricity provider on self-supply of electricity.¹⁵ The owner also has to obtain consent to connect the device to in-house grid.

4.1. Does your country recognize certain forms of self-consumption and subject prosumers to certain

- requirements,
- application fees and
- one-off costs

in order to give them a **permit or licence to generate energy**?

Decree on self-supply does not differentiate between different forms of self-consumption.

The requirements, fees and costs for self-consumption are the same as for any household owner who wishes to connect his/her house to the public electricity grid and arrange for the supply of electricity. There are no application fees or one off-costs which would only apply to self-consumption. The requirements to connect a household to the public grid are the following:

a) Firstly, the household owner has to obtain a **connection consent** from the electricity system operator responsible for the operation of public electricity network. The consent is free of charge.
b) After the connection consent has been obtained, the owner signs a **contract on the connection of the household to public grid** with the electricity system operator. After the contract has been signed, the owner has to pay a network charge and connection costs:

- A network charge is a one-off charge which is paid for the connection of the household to the public grid and which is prescribed by SODO.¹⁶ For an average household the network charge is either EUR 590 (for 14 kW connection households) or EUR 717 (for 17 kW connection households).
- The connection costs for average households are in the range from EUR 37 – 155. Again, these one-off costs are the same irrespective if the household has a generating device or not.

c) The owner has sign a **contract on supply** of electricity with the electricity retail company. The contract is free of charge.

d) During the construction of the household connection to the grid, the works are monitored by the electricity system operator. The monitoring is free of charge.

e) Once a) to c) have been obtained and the connection has been constructed, the owner has to file a request for the actual **connection of the meter to the public grid**. The connection is free of charge.

As said, the above requirements have to be fulfilled by all households connected to the public electricity network, irrespective if they also provide self-consumption or not. In case of self-consumption, the connection consent from point a), the contract from b) and the supply contract from c) are adapted so as to allow for self-consumption. There are no application fees which

¹⁴ See Section 1.

¹⁵ Article 3(5) of the Decree on self-supply.

¹⁶ At http://www.elektro-ljubljana.si/Portals/0/Content/Dokumenti/Prikljucevanje/ELJ_Cenik-omreznine-za-prikljucno-moc-2016.pdf.

would only be applicable to self-consumption.¹⁷

If the owner of an existing household, which is already connected to the public grid, would like to engage in self-consumption, he/she has to apply for the change of the consent from a) and enter into a new agreement on self-consumption with the retail company (c). No connection fees or network taxes are due in such case. If the house is equipped with a one-way meter, it has to be replaced with a new two-way meter, the cost of which is ca. EUR 140 – 180.

4.2. Does the national legal/regulatory framework determine the contractual conditions under which prosumers are allowed to feed or sell their surplus back into the grid or to other consumers?

The contractual obligations are regulated in the Decree on self-supply. Prosumers have to sign a contract on self-supply with the electricity retail company (Art. 3(5) of the Decree). The contract specifies that the surplus of self-produced electricity will be offset with the electricity provided by the retail company. The self-supply system used is a variation of a net metering system. The prosumer and the retail company do not buy or sell electricity to/from each other but rather exchange it: when the prosumer produces more electricity than needed for his/her own use, s/he feeds it into the public grid and can use the same amount when his/her self-supply does not meet his/her demand. If at the end of the billing period (calendar year) the net balance shows that the prosumer consumed more energy than s/he produced, s/he is billed by the retail company at the retail rate for the net difference. If, on the other hand, the prosumer produced more energy than s/he consumed, s/he is not remunerated for the excess production sent to the public grid.

Because prosumers do not get remunerated for the excess production, they are technically only producing electricity for their own consumption and are not selling it. This means that they do not have to establish as commercial company or register as independent entrepreneurs and will not need to pay social security fees and health care fees for their activity.¹⁸

5. What are the rules applicable to the access to the grid?

General

The rules applicable to the access to the grid are provided in Article 3 and 6 of Decree on self-supply and in Article 6 of the Rules on technical requirements. The charges that have to be paid in relation to the consumption of electricity or rated power are regulated in various decrees adopted on the basis of the Energy Act. No exceptions are in place with regard to prosumers.

5.1. What is the inter-connection configuration used for each type of residential prosumer?

The generating device has to be connected to the in-house low-voltage grid. As referred to above¹⁹, the maximum rated power of generating device must not exceed 11 kVA. It also must not exceed the connection power which is allowed for the building (Decree on self-supply, Art. 3).

According to the Legislative materials, this is enough to cover annual electricity consumption of a single household.²⁰ The metering point must be equipped with two-way meter, which records

¹⁷ The actual connection procedure and costs were verified in telephone conversations with Mr. Darko Movrin, the head of consents department at Elektro Ljubljana, d.d. (Tel nr. +386 (0)1 2304190 and Ms. Darja Hostnik from the customer service at Elektro Ljubljana d.d. (Tel. Nr. +386 (0)1 2304387). Elektro Ljubljana is a regional electricity distribution company in charge of distribution network in the Ljubljana region.

¹⁸ This rationale is given in the legislative materials (p. 15).

¹⁹ See Sections 1, 3 and 4.1.

²⁰ Legislative materials, p. 11.

the dynamics of consumption and delivery at quarter-hour intervals and which has the function of remote reading. For the sake of simplicity of calculation of the net balance, a single-tariff system is used.

5.2. Does the competence to determine the inter-connection configuration lie at State level or at a regional/lander level?

The inter-connection requirements are determined by the electricity system operator of public network (State level) in its connection consent. The determination of connection configuration is thus in the competence of the electricity system operator.

5.3. Are there any rules to ensure that prosumers are inter-connected to the distribution network/the grid?

The metering point must be equipped with a two-way meter, which enables recording the dynamics of consumption and delivery at quarter-hour intervals and has the function of remote reading.²¹

Also, if the system operator establishes that the annual quota of all newly connected prosumers is already reached, it does not consider new applications until the beginning of new calendar year.

5.4. What are the grid access and grid use principles and rules for the energy generated by each type of residential prosumer?

As mentioned, only one type of residential prosumers exists in Slovenia. The generating device has to be connected to the in-house low-voltage grid. The maximum rated power of generating device must not exceed 11 kVA. It also must not exceed the connection power which is allowed for the building (Decree on self-supply, Art. 3). The metering point must be equipped with two-way meter, which records the dynamics of consumption and delivery at quarter-hour intervals and which has the function of remote reading. For the sake of simplicity of calculation of the net balance, a single-tariff system is used.

The Decree on self-supply prescribes that the maximum rated power of all new Slovenian self-suppliers must not exceed 11 MVA per year. Within this quota, maximum rated power for household customers is 7 MVA and 3 MVA for small business customers (Art. 6). If the annual quota of 11 MVA is not reached by 1st October of a given year, both groups can apply for the unused part of the total quota without regard to 7 MVA and 3 MVA limits.

The annual quota is put in place to allow gradual introduction of new prosumers into the network and stability and quality of electricity supply. The annual quota may be enlarged in the future, when the system allows and if the demand will exist.²²

To become a prosumer, the owner of the building, which is already connected to the public electricity grid, has:

- a) to amend the consent to connect the household to the public grid, which is issued by the electricity system operator responsible for the operation of public electricity network; The request for the consent has to be accompanied with the design plan for the connection of the household;
- b) sign a contract on self-supply of electricity with the electricity retail company;
- c) sign a contract on the connection of the device to public grid with the electricity system operator;

²¹ As regulated in Article 6 of the Rules on technical requirements.

²² Legislative materials, p. 16.

Once the consent from a) has been obtained and contracts from points b) and c) have been signed and the device has been constructed, the owner has to file a request for the actual connection of the device to the grid to the electricity system operator. The request for the consent must be accompanied by:

- the statement that the in-house grid is correctly prepared for the connection of the device;
- manufacturer's certificate that the device's safety systems are set in accordance with the standard SIST EN 50438;
- the instruction manual for the device (for new devices);
- the Energy Agency's certificate that the device is not included the financial scheme for renewable energy subsidies (for existing devices);
- the contract with the electricity retail company from point a).²³

In Slovenia, a permit is required for the production of electricity with production facilities with a rated power greater than 1 MW. Since according to the Decree on self-supply the generation devices must not exceed 11 kVA rated power, prosumers do not have to obtain such permits.

5.5. What are the network costs and charges for each type of residential prosumer?

There are no network costs or charges aimed specifically at residential prosumers. They are liable to pay the same network charges as every final customer. The network charge is prescribed by the Energy agency. For 2017, the network tax for households is the following (in EUR):

a) a fixed part, which depends on connection power²⁴: 0.77490 per 1 kW of connection power per month (which in case of average household with 10 kW connection power amounts to EUR 7.749 / month);

b) variable part (in relation to electricity consumption): 0.03889 / per kWh.

Prosumers do not pay network tax on the self-produced electricity. This means that if a prosumer covers all of his/her demand with self-supplied electricity, s/he would only have to pay the fixed part of the network tax: the connection power tax. If his/her annual net balance is negative and had to buy electricity from public network to cover his/her excess demand, s/he also has to pay the variable part of network tax for purchased electricity.

The same principle applies to other charges that final customer has to pay with its electricity bill: they are only paid in relation to the net difference bought from the electricity retail company to cover for the excess consumption. These charges are (in EUR):

- the charge for operation of energy market: 0.00013 / kWh; ²⁵
- energy efficiency charge: 0.0008 / kWh; ²⁶
- sales tax: 0.00305 / kWh.

Every final customer, prosumers including, also has to also pay a charge for the support of electricity produced from renewable sources and in cogeneration. For households, the charge is

²³ See more details in the Instructions for the connection of devices according to the Decree on self-supply with electrical energy (SODO document No 25/16-MM from 12. January 2016. Accessible at https://www.sodo.si/_files/3371/Navodilo%20za%20prikljucevanje%20proizvodnih%20%20naprav.pdf. In the previous procedure to connect the device to the network under the EZ-1 and the Decree on energy infrastructure, prosumers' devices were lumped together with power plants with maximum 1 MW rated power for solar plants and maximum 50 kW rated power for wind power plants (Legislative materials, p. 13 -14). Since prosumers' devices are only 10 kW maximum, it was concluded that simpler procedures would suffice. Ever since the Decree on self-supply has been adopted, the connection procedure for prosumers is now much simpler than for bigger solar plants.

²⁴ Connection power is the maximum electrical power which can be used in the building at a given time. It is determined at the time of connection to the grid.

²⁵ The charge is determined by the Government.

²⁶ For 2017. The charge is prescribed and determined by governmental Decree on energy savings requirements (Official Gazette No 96/2014). Accessible at <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED6636>.

EUR 0.73896 per kW of connection power per month.²⁷ Since, like the network tax, this is a fixed charge depending on connection power of the building, it does not depend on the actual consumption of electricity and is paid monthly by the prosumers.

6. What are the incentives (e.g through taxes or tariffs) for each type of residential prosumers?

General

Prosumers do not pay network charges and other charges for electricity that they produce themselves. Other than that, at the moment there are no incentives for residential prosumers. However, in the Climate Change Fund plan for 2016, the subsidies for the investments in self-supply installations are envisioned for 2016.²⁸ The subsidies should cover up to 20 % of a particular investment.

6.1. Does your country apply specific tariffs to prosumers

- to charge them for the electricity they draw from the grid for consumption?
- or to compensate them for the electricity they feed back into the grid?

No specific tariffs are applied to prosumers in Slovenia. Prosumers buy energy from suppliers under the same retail prices as other final customers. Prosumers do not pay network taxes and other charges for electricity that they produce themselves, but only for the net difference that they buy from the electricity retail company. They are not paid for the electricity they sent back into the grid.

6.2. Does your country

- tax prosumers in a specific way?
- allocate to them a certain part of the cost to upgrade the grid to accommodate the extra generation they feed into the grid?

Prosumers do not pay network tax and other charges for electricity that they produce themselves, but only for the net difference that they buy from the electricity retail company. In Slovenia prosumers are also not allocated part of the cost to upgrade the grid to accommodate the extra generation they feed into the grid.

7. What are the conditions that may encourage or act as barriers for residential prosumers (to entry into activity or during functioning)?

General

For owners of individual households, the conditions which are in place to become prosumers are fairly simple. However, no rules are facilitating energy cooperatives or other type of schemes exist in Slovenia for prosumers, quite the contrary. Although the Decree on self-supply does not prohibit aggregation of households, energy cooperatives or similar legal persons to act as energy prosumers, they mostly cannot be implemented in practice in multi-apartment buildings (also due to property rights issues). At the moment, the system only fits single households.

²⁷ For 2016. The charge is prescribed and determined by governmental [Decree on the method of determining and calculating the contribution for ensuring support for the production of electricity from high-efficiency cogeneration and renewable energy sources \(Official Gazette No 46/2015\)](http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED6902). Accessible at <http://www.pisrs.si/Pis.web/pregledPredpisa?id=URED6902>.

²⁸ Climate Change Fund 2015 – 2016 Expenditures Plan, pp. 9 and 28.

7.1. What are the metering systems for each type of residential prosumer? Do these systems provide adequate conditions for prosumers integration in the market?

Answer:

The metering point must be equipped with two-way meter, which enables recording the dynamics of consumption and delivery at quarter-hour intervals and has the function of remote reading. This system provides adequate conditions for prosumers integration in the market.

7.2. What are the billing conditions for each type of residential prosumer?

As explained above²⁹, residential prosumers get billed for the net difference between the total consumed electricity and the total self-supplied electricity in a calendar year. They receive the bill once a year after the annual net difference is established. They pay this difference according to the same tariff system as other final customers with one difference: they cannot choose a two-tariff metering system (high – low), but only a single tariff system. If they produce more electricity than they use, they send the surplus into the public network without being compensated for it by the retail company.

7.3. Are there measures to encourage the creation of energy communities at municipal level, or other schemes to encourage inclusive development of the market?

No such measures exist on the state or local level.³⁰

7.4. Are there rules facilitating the creation of energy cooperatives to provide a legal entity to energy communities? Are there measures facilitating other type of schemes and if so which ones?

No rules facilitating energy cooperatives or other type of schemes exist in Slovenia for prosumers. According to an electricity retail company³¹, the Decree on self-supply should be amended to allow aggregation of households, energy cooperatives or similar legal persons to act as energy prosumers. This would enable multi-residential buildings to become prosumers – at the moment, the system only fits single households.

7.5. What are the procedures/provisions for establishing cooperatives for prosumers? Are they more simple/less costly than those for other schemes?

The legislation does not yet regulate cooperatives for prosumers³².

8. Other questions on the regulatory framework

8.1. What are the complaint handling procedures for each type of residential prosumer?

As stated above, the final household customer, who wishes to become a prosumer, has to get consent from the electricity system operator and then also sign a contract on self-supply with the electricity retail company.

²⁹ See Sections 4.2 and 5.5.

³⁰ See, further, answer to question 7 above.

³¹ Interview with Robert Golob, CEO of retail electricity company GEN-I. Daily newspaper 'Finance', 6 December 2016.

³² See Section 7.4. above.

Neither the Decree on self-supply nor any other legislation prescribes a specific procedure for issuing consents by the system operator. This means that the general rules of administrative procedure have to be used in the consent procedure. The operator has to decide on the application for consent within one month after having received the complete application. The consent is issued free of charge.

The applicant can appeal of the decision of non-consent to the Energy Agency which, as referred to above³³, is the appellate instance in the disputes between final consumers and the distribution system operators concerning access to the system, amount charged for the use of the system and violations of the system operating instructions. It also decides on complaints against connection consents or refusal to connect a building to the public network issued by the distribution system operator.

A lawsuit before the Administrative court against appellate decisions by the Energy Agency is also possible.

The contract on self-supply, which is signed between the retail company and prosumer, is a civil-law contract and can be enforced before the courts of law in civil procedures.

8.2. Are there any specific redress procedures available only to residential prosumers?

No specific redress procedures are in place for residential prosumers.

³³ See Section 2 above.

Country fiche (Summary and ranking)

The **country fiche** below summarises the information from the report and ranks the **level of favourable impact** of measures in relation to its favourable impact to the take up of residential prosumers.

Country fiche	Ranking Low/Medium/High
General Description of the national regulatory framework Types of residential prosumers The Slovenian legislation regulates only one type of residential prosumers. These are household customers and small business customers. According to some opinions in the energy supply sector, energy cooperatives and similar aggregations of producers should also be able to become prosumers.	Medium
Institutional framework In Slovenia, the Ministry of Infrastructure is responsible for the energy sector and is in charge of legislative and policy issues related to renewable energy and prosumers in particular. The Energy Agency is the energy market regulator. It determines network charges, it is the appellate instance in the disputes between final consumers and system operators and it decides on appeals against connection consents. The electricity network onto which final customers are connected is a public infrastructure. Its management is provided by the public company 'SODO - System Operator of Distribution System', and by its five regional distribution system operators as subcontractors. Unlike the distribution of electricity, the supply of electricity to final consumers is a market-based activity provided by electricity retail companies.	High
Applicable legislation, plans and objectives The prosumers are regulated in the Decree on self-supply, which regulates the definitions of self-supply, prosumers etc., relationship and obligations of prosumers and electricity retail companies and administrative requirements for the prosumers. On the basis of the Decree on self-supply the rules on the technical requirements of installations for the self-supply of electricity from renewable energy sources were adopted. The rules regulate the technical requirements for energy prosumers. The national energy action plan does not set objectives for prosumers.	Medium
Definition of residential prosumers Energy prosumer is a household customer or a small business customer, who is the owner of electricity meter within the building which is self-supplied with electric energy, and on which in-house low-voltage electric grid the device for self-supply with electric energy from renewable sources is connected. In practice, this only covers individual households. The definition (and the system) could perhaps be adapted to reach other groups of producers (multi-residential buildings, public institutions).	Medium

Specific Questions on the regulatory framework for residential prosumers	
Permitting requirements for each type of residential prosumer To become a prosumer, the owner of the building has to obtain a connection consent, which is issued by the electricity system operator, and sign a contract on self-supply of electricity with the electricity retail company and a contract with the electricity system operator.	Medium
Rules applicable to the access to the grid The generating device has to be connected to the in-house low-voltage grid. The maximum rated power of generating device must not exceed 11 kVA. It also must not exceed the connection power which is allowed for the building. The metering point must be equipped with two-way meter, which records the dynamics of consumption and delivery at quarter-hour intervals and which has the function of remote reading.	High
Incentives (e.g taxes and tariffs) for each type of residential prosumers Prosumers do not pay network tax and other charges for electricity that they produce themselves. Other than that, at the moment there are no incentives for residential prosumers. However, in the Climate Change Fund plan for 2016, the subsidies for the investments in self-supply installations are envisioned for 2016. ³⁴ The subsidies should cover up to 20 % of a particular investment	Medium
Conditions encouraging or acting as barriers for residential prosumers Metering systems for each type of residential prosumer A net metering system is used for all prosumers. The metering point must be equipped with two-way meter, which enables recording the dynamics of consumption and delivery at quarter-hour intervals and has the function of remote reading. This system provides adequate conditions for prosumers integration in the market.	High
Billing conditions for each type of residential prosumer The prosumer and the retail company do not buy or sell electricity to/from each other but rather exchange it. If at the end of the billing period (calendar year) the net balance shows that the prosumer consumed more energy than s/he produced, s/he is billed by the retail company at the retail rate for the net difference. If the prosumer produced more energy than he consumed, s/he is not remunerated for the excess production sent to the public grid. The billing conditions are therefore quite simple and straightforward	High
What are the measures to encourage the creation of energy communities at municipal level? No such measures exist in Slovenia.	Low
Rules facilitating the creation of energy cooperatives? Are they more simple/less costly than those for other schemes? Are cooperatives the most common legal status for energy communities	Low

³⁴ Climate Change Fund 2015 – 2016 Expenditures Plan, pp. 9 and 28.

No such rules exist in Slovenia.	
Other questions on the regulatory framework Complaint handling procedures for residential prosumer The connection consents are issued free of charge in one month. The applicant can appeal the consent to the Energy Agency. Against appellate decisions by the Energy Agency, a lawsuit before the Administrative court is possible. The contract on self-supply, which is signed between the retail company and prosumer, is a civil-law contract and can be enforced before the courts of law in civil procedures.	High
Redress procedures available only to residential prosumers There are no redress procedures available only to residential prosumers.	Medium

Executive Summary

In Slovenia, energy prosumers are regulated under Decree on self-supply of electricity from renewable energy sources. This decree covers only residential prosumers: household customers and small business customers who produce their own electric energy with their own on-site devices, which do not exceed 11kVA. **‘Household customers’** are customers purchasing electricity for their own household consumption, excluding consumption for performing commercial or professional activities. **‘Small business customers’** are customers at low voltage electric connection that are not household customers and whose maximum connection power is less than 41 kW. Both categories of customers are treated in the same way in the Decree on self-supply. They must produce their electricity with renewable sources, such as solar, wind, or water power, with the same rules applying irrespective of the type of renewable source used.

Residential prosumers **get billed for the net difference** between the total consumed electricity and the total self-supplied electricity in a calendar year. They pay this difference according to the same tariff system as other final customers. If they produce more electricity than they use, they send the surplus into the public network without being compensated for it by the retail company. Because prosumers do not get remunerated for the excess production, they do not have to establish as commercial company and do not need to pay social security fees and health care fees for their activity. Prosumers also do not pay network taxes and other charges for electricity that they produce themselves, but only for the net difference that they buy from the electricity retail company.

For owners of individual households, the **conditions** which are in place to become prosumers are fairly simple: to become a prosumer, the owner of the building has to obtain a connection consent, which is issued by the electricity system operator, and sign a contract on self-supply of electricity with the electricity retail company and a contract with the electricity system operator. However, the existing rules are not facilitating energy cooperatives or other type of schemes. Although the legislation does not prohibit aggregation of households, energy cooperatives or similar legal persons to act as energy prosumers, they mostly cannot be implemented in practice in multi-apartment buildings (also due to property rights issues). At the moment, the system only fits individual households/residential prosumers.