

**Measure on Supervision of Power-Grid Enterprise
Purchase of the Full Amount of Renewable Energy Power**

电网企业全额收购可再生能源电量监管办法
(SERC, issued July, 17, 2007; effective Sept. 1, 2007)

[Unofficial Translation]

Table of Contents

第一章 Chap. 1	总则	General Principles
第二章 Chap. 2	监管职责	Supervisory Duties
第三章 Chap. 3	监管措施	Supervisory Measures
第四章 Chap. 4	法律责任	Legal Liability
第五章 Chap. 5	附则	Supplementary Provisions

第一章 Chap. 1 总则 General Principles

第一条 Art. 1

为了促进可再生能源并网发电，规范电网企业全额收购可再生能源电量行为，根据《中华人民共和国可再生能源法》、《电力监管条例》和国家有关规定，制定本办法。

To hasten renewable energy grid-connected power generation, standardize the conduct of power-grid enterprises in the purchase of the full amount of renewable energy power; and, based on the *Renewable Energy Law*, *Electric Power Supervision Regulation*, and related national rules, this *Measure* is hereby established.

第二条 Art. 2

本办法所称可再生能源发电是指水力发电、风力发电、生物质发电、太阳能发电、海洋能发电和地热能发电。

This *Measure's* use of the term "renewable energy" refers to hydropower, wind power, bio-energy, solar power, ocean power and geothermal power.

前款所称生物质发电包括农林废弃物直接燃烧发电、农林废弃物气化发电、垃圾焚烧发电、垃圾填埋气发电、沼气发电。

The term "bio-mass power generation" in the previous paragraph includes power generation from direct combustion of agricultural and forestry waste, the gasification of agricultural and forestry waste, waste incineration, landfill gas, and methane.

第三条 Art. 3

国家电力监管委员会及其派出机构（以下简称电力监管机构）依照本办法对电网企业全额收购其电网覆盖范围内可再生能源并网发电项目上网电量的情况实施监管。

The State Electricity Regulatory Commission and its related bodies (hereinafter referred to as electricity regulatory authorities), pursuant to this *Measure*, put into effect supervision of the

circumstances of power-grid enterprises' full receipt and purchase of on-grid electricity from grid-connected renewable energy projects within their power-grid coverage scope.

第四条 Art. 4

电力企业应当依照法律、行政法规和规章的有关规定，从事可再生能源电力的建设、生产和交易，并依法接受电力监管机构的监管。

Electric power enterprises shall, according to the relevant provisions of law, administrative rules and regulations, engage in the construction, production and trading of renewable energy power generation and, in accordance with law, be supervised by electricity regulatory authorities.

电网企业全额收购其电网覆盖范围内可再生能源并网发电项目上网电量，可再生能源发电企业应当协助、配合。

Power-grid enterprises purchase the full amount, within the coverage area of their power grid, of grid-connected electricity from renewable energy power generation projects, and the renewable energy power generation enterprise shall provide support and cooperation.

第二章 Chap. 2 监管职责 Supervisory Duties

第五条 Art. 5

电力监管机构对电网企业建设可再生能源发电项目接入工程的情况实施监管。

Electricity regulatory authorities shall supervise grid-connection projects constructed by power-grid enterprises for renewable energy power generation projects.

省级以上电网企业应当制订可再生能源发电配套电网设施建设规划，经省级人民政府和国务院有关部门批准后，报电力监管机构备案。

Power-grid enterprises above the provincial-level shall formulate a plan for the construction of supporting power-grid facilities for renewable energy, and after approval by the relevant provincial-level People's government and the State Council, submit a report to the electricity regulatory authorities.

电网企业应当按照规划建设或者改造可再生能源发电配套电网设施，按期完成可再生能源发电项目接入工程的建设、调试、验收和投入使用，保证可再生能源并网发电机组电力送出的必要网络条件。

Power-grid enterprises shall, according to planning, construct or convert supporting power-grid facilities for renewable energy power generation, and timely complete the construction, testing, examination and putting into operation of grid-connection for renewable energy power generation projects, ensuring the necessary grid conditions required for the power transmission of renewable energy grid-connected power generation.

第六条 Art. 6

电力监管机构对可再生能源发电机组与电网并网的情况实施监管。

Electricity regulatory authorities implement monitoring of the circumstances of renewable energy power generators and power-grid connection.

可再生能源发电机组并网应当符合国家规定的可再生能源电力并网技术标准，并通过电力监管机构组织的并网安全性评价。

The connection between renewable energy power generators and the power-grid shall be in accordance with national technical standards for the grid connection of renewable energy power generation, and shall pass a grid-connection security evaluation organized by electricity regulatory authorities.

电网企业应当与可再生能源发电企业签订购售电合同和并网调度协议。国家电力监管委员会根据可再生能源发电的特点，制定并发布可再生能源发电的购售电合同和并网调度协议的示范文本。

Power-grid enterprises shall execute purchase and sales contracts and grid-connection scheduling agreements with renewable energy power generation enterprises. The State Electricity Regulatory Commission shall, on the basis of the unique characteristics of renewable energy power generation, formulate and issue sample language for purchase and sales contracts related to renewable energy power generation as well as for grid-connection scheduling agreements.

第七条 Art. 7

电力监管机构对电网企业为可再生能源发电及时提供上网服务的情况实施监管。

Electricity regulatory authorities conduct supervision on the circumstances of power grid enterprises providing timely grid-connection services for renewable energy power generation.

第八条 Art. 8

电力监管机构对电力调度机构优先调度可再生能源发电的情况实施监管。

Electricity regulatory authorities conduct supervision on the circumstances of prioritizing the dispatching of renewable energy power generation by power dispatching entities.

电力调度机构应当按照国家有关规定和保证可再生能源发电全额上网的要求，编制发电调度计划并组织实施。电力调度机构进行日计划方式安排和实时调度，除因不可抗力或者有危及电网安全稳定的情形外，不得限制可再生能源发电出力。本办法所称危及电网安全稳定的情形，由电力监管机构组织认定。

Power dispatching entities must, based on relevant State regulations and the requirements of the full grid-connection of renewable energy power, draft and formulate power generation dispatching plans and organize implementation. Power dispatching entities carry out daily planned arrangements and real-time dispatching, and shall not limit the power generation of renewable energy except in cases of force majeure or threats to power-grid security and

stability. Instances of threats to power-grid security and stability, as referred to in this *Measure*, shall be defined by electricity regulatory authorities.

电力调度机构应当根据国家有关规定，制定符合可再生能源发电机组特性、保证可再生能源发电全额上网的具体操作规则，报电力监管机构备案。跨省跨区电力调度的具体操作规则，应当充分发挥跨流域调节和水火补偿错峰效益，跨省跨区实现可再生能源发电全额上网。

Power dispatching entities shall, based on the relevant national regulations, set detailed operational rules which accord with the features of renewable energy power generators and ensure the full connection of renewable energy to the power grid, and file records of such with electricity regulatory authorities. The detailed operating rules for power dispatching across provinces or districts shall fully develop the benefits of cross-flow domain and peak load compensation, thereby realizing full grid connection of renewable energy power across provinces and districts.

第九条 Art. 9

电力监管机构对可再生能源并网发电安全运行的情况实施监管。

Electricity regulatory authorities implement monitoring for the circumstances of the secure operation of renewable energy grid-connected power generation.

电网企业应当加强输电设备和技术支持系统的维护，加强电力可靠性管理，保障设备安全，避免或者减少因设备原因导致可再生能源发电不能全额上网。

Power-grid enterprises shall strengthen the maintenance of power transmission equipment and technical support systems, enhance power reliability management, ensure the safety of equipment, to avoid or reduce equipment-related reasons leading to the inability of renewable energy power generation to achieve full grid connection.

电网企业和可再生能源发电企业设备维护和保障设备安全的责任分界点，按照国家有关规定执行；国家有关规定未明确的，由双方协商确定。

The demarcation point of shared responsibility between power-grid enterprises and renewable energy power generation enterprises, in maintaining equipment and ensuring equipment safety, shall be exercised according to relevant national regulations. Duties not clarified by State regulations shall be negotiated and determined by the parties.

第十条 Art. 10

电力监管机构对电网企业全额收购可再生能源发电上网电量的情况实施监管。

Electricity regulatory authorities conduct supervision on the circumstances of power-grid enterprises' purchase of the full amount of grid-connected power generated by renewable energy.

电网企业应当全额收购其电网覆盖范围内可再生能源并网发电项目的上网电量。因不可抗力或者有危及电网安全稳定的情形，可再生能源发电未能全额上网的，电网企业应当及时将未能全额上网的持续时间、估计电量、具体原因等书面通知可再生能源发电企业。电网企业应当将可再生能源发电未能全额上网的情况、原因、改进措施等报电力监管机构，电力监管机构应当监督电网企业落实改进措施。

Power-grid enterprises shall purchase the full amount, within their power-grid coverage areas, of grid-connected electricity from renewable energy power generation projects. Should for reasons of force majeure or threats to the security and stability of the power grid, renewable energy power generation cannot fully connect to the grid, power-grid enterprises shall timely inform, through written notice, renewable energy power generation enterprises of the duration of the inability to fully grid connect, the estimated electric power volume, and the exact reason for the disruption. Power-grid enterprises shall report, to electricity regulatory authorities, the renewable energy power generation failure to fully connection to the grid as well as its reason and corrective measures, and electric power regulatory authorities shall supervise the power-grid enterprises in carrying out improvement measures.

第十一条 Art. 11

电力监管机构对可再生能源发电电费结算的情况实施监管。

Electricity regulatory authorities implement supervision on the circumstances regarding the settlement of accounts for renewable energy power generation electricity fees.

电网企业应当严格按照国家核定的可再生能源发电上网电价、补贴标准和购售电合同，及时、足额结算电费和补贴。可再生能源发电机组上网电价、电费结算按照国家有关规定执行。

Power-grid enterprises shall, in strict accordance to State-approved renewable energy power prices, subsidy standards, and power purchase agreements, fully and in a timely manner settle accounts for power fees and subsidies. Account settlement for renewable energy power generator on-grid power prices and electricity fees are enforced in accordance with relevant national rules.

第十二条 Art. 12

电力监管机构对电力企业记载和保存可再生能源发电有关资料的情况实施监管。

Electricity regulatory authorities implement supervision on circumstances regarding power-grid enterprises' recording and storage of information related to renewable energy power generation.

电力企业应当真实、完整地记载和保存可再生能源发电的有关资料。

Power-grid enterprises shall fully and accurately record and store information related to renewable energy power generation.

第三章 Chap. 3 监管措施 Supervisory Measures

第十三条 Art. 13

省级电网企业和可再生能源发电企业应当于每月 20 日前向所在地电力监管机构报送上一月度可再生能源发电上网电量、上网电价和电费结算情况，省级电网企业应当同时报送可再生能源电价附加收支情况和配额交易情况。

Provincial-level power-grid enterprises and renewable energy power generation enterprises shall, before the 20th day of each month, report, to local electricity regulatory authorities the previous month's renewable energy on-grid power levels, on-grid power prices and electricity fee account settlement, and at the same time report on circumstance regarding renewable energy power price surcharge income and expenditures as well as quota transactions.

电力监管机构按照有关规定整理、使用电力企业报送的信息。

Electricity regulatory authorities, in accordance with relevant rules, file and use information submitted by electric power enterprises.

第十四条 Art. 14

电网企业应当及时向可再生能源发电企业披露下列信息：

Power-grid enterprises shall in a timely fashion disclose the following information to renewable energy power generation enterprises:

（一）可再生能源发电上网电量、电价；

1. On-grid levels of renewable energy power generation, power prices;

（二）可再生能源发电未能全额上网的持续时间、估计电量、具体原因和电网企业的改进措施。

2. Duration, estimated amount, and specific reasons when the full amount of renewable energy power generation is unable to enter the grid, and power-grid enterprise corrective measures.

第十五条 Art. 15

电力监管机构对常规能源混合可再生能源发电项目的燃料比例进行检查、认定，常规能源混合可再生能源发电企业和燃料供应等相关企业应当予以配合。

Electricity regulatory authorities conduct inspection and verification of the fuel ratio for hybrid conventional energy and renewable energy power generation projects; and hybrid conventional energy and renewable energy power generation enterprises and fuel supply enterprises shall cooperate.

常规能源混合可再生能源发电企业应当做好常规能源混合可再生能源发电相关数据的计量和统计工作。

Hybrid conventional energy and renewable energy power generation enterprises shall complete relevant data measurements and statistical work regarding hybrid conventional energy and renewable energy power generation.

第十六条 Art. 16

电力监管机构依法对电网企业、可再生能源发电企业、电力调度机构进行现场检查，被检查单位应当予以配合，提供与检查事项有关的文件、资料，并如实回答有关问题。

Electricity regulatory authorities, in accordance with law, conduct on-site inspections of power-grid enterprises, renewable energy power generation enterprises, power dispatching organizations; and the unit being inspected shall cooperate and provide documents and information related to the inspection, and truthfully answer relevant questions.

电力监管机构对电网企业、可再生能源发电企业、电力调度机构报送的统计数据 and 文件资料可以依法进行核查，对核查中发现的问题，应当责令限期改正。

Electricity regulatory authorities may, in accordance with law, inspect and verify statistical data and documentary materials submitted by power-grid enterprises, renewable energy power generation enterprises, and power dispatching enterprises, and, if during inspection issues are discovered, shall order correction within a limited time period.

第十七条 Art. 17

可再生能源发电机组与电网并网，并网双方达不成协议，影响可再生能源电力交易正常进行的，电力监管机构应当进行协调；经协调仍不能达成协议的，由电力监管机构按照有关规定予以裁决。

For renewable energy power generators' power grid connection, should both parties to grid connection fail to reach agreement, impacting renewable energy electricity trading, the electricity regulatory authorities shall coordinate with the parties; if through coordination agreement is still not reached, the electricity regulatory authorities shall adjudicate the matter in accordance with relevant rules.

电网企业和可再生能源发电企业因履行合同发生争议，可以向电力监管机构申请调解。

Power-grid enterprises and renewable energy power generation enterprises, when disputes arise in the carrying out of a contract, may apply to electricity regulatory authorities for mediation.

第十八条 Art. 18

电力监管机构对电力企业、电力调度机构违反国家有关全额收购可再生能源电量规定的行为及其处理情况，可以向社会公布。

Electricity regulatory authorities may make public the handling of the conduct of power enterprises and power dispatchers that violate State rules regarding the full receipt and purchase of renewable energy power.

第四章 Chap. 4 法律责任 Legal Liability

第十九条 Art. 19

电力监管机构工作人员未依照本办法履行监管职责的，依法追究其责任。

Staff employed by electricity regulatory authorities who do not perform supervision duties as provided in this *Measure* shall be held responsible according to law.

第二十条 Art. 20

电网企业、电力调度机构有下列行为之一，造成可再生能源发电企业经济损失的，电网企业应当承担赔偿责任，并由电力监管机构责令限期改正；拒不改正的，电力监管机构可以处以可再生能源发电企业经济损失额一倍以下的罚款：

For power-grid enterprises or power dispatching entities involved in any of the following acts, creating economic loss for renewable energy power generation enterprises, power-grid enterprise shall be liable for compensation and shall be ordered by electricity regulatory authorities to make correction within a set time limit; in case of refusal to make corrections, the electric power regulatory authorities may further impose a fine in an amount not to exceed the original economic loss of the renewable energy power generation enterprise:

（一）违反规定未建设或者未及时建设可再生能源发电项目接入工程的；

1. Unlawfully failing to construct or to timely construct grid-connection projects for renewable energy power generation projects;

（二）拒绝或者阻碍与可再生能源发电企业签订购售电合同、并网调度协议的；

2. Refusing or hindering the execution of power purchase and sales contracts as well as grid connection dispatching agreements with renewable energy power generation enterprises;

（三）未提供或者未及时提供可再生能源发电上网服务的；

3. Failing to provide or timely provide grid-connection services for renewable energy power generation;

（四）未优先调度可再生能源发电的；

4. Failing to dispatch in priority power generated by renewable energy;

（五）其它因电网企业或者电力调度机构原因造成未能全额收购可再生能源电量的情形。

5. For other reasons, power grid enterprises or power dispatching entities create circumstances leading to the inability to purchase the full amount of renewable energy power generated.

电网企业应当自电力监管机构认定可再生能源发电企业经济损失之日起 15 日内予以赔偿。

Power-grid enterprises shall, within 15 days from the date electricity regulatory authorities confirm economic loss, compensate renewable energy power generation enterprises.

第二十一条 Art. 21

电力企业未按照国家有关规定进行电费结算、记载和保存可再生能源发电资料的，依法追究其责任。

Power-grid enterprises, in cases of not calculating electricity fees and not recording and keeping renewable energy power generation materials according to relevant national regulations, shall be held responsible according to law.

第五章 Chap. 5 附则 Supplementary Provisions

第二十二条 Art. 22

除大中型水力发电外，可再生能源发电机组不参与上网竞价。电量全额上网的水力发电机组参与电力市场相关交易，执行国家电力监管委员会有关规定。

Except for medium- or large-scale hydro-power, renewable energy generators do not participate in competitive bidding. Fully on-grid hydroelectric power generators participate in power market related trading, implementing relevant rules of the State Electricity Regulatory Commission.

第二十三条 Art. 23

发电消耗热量中常规能源超过规定比例的常规能源混合可再生能源发电项目，视同常规能源发电项目，不适用本办法。

Hybrid conventional energy and renewable energy power projects that exceed legal provisions on the ratio of conventional energy units in power generation and consumption, will be regarded as conventional energy power generation projects, and will not apply this *Measure*.

第二十四条 Art. 24

本办法自 2007 年 9 月 1 日起施行。

This *Measure* will take effect starting on September 1, 2007.

[end of text]