



Technical support for RES policy development and implementation – Simplification of permission and administrative procedures for RES installations (RES Simplify)



Cyprus

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Executive summary

This report covers three RES-E technologies: onshore wind, and ground-mounted and rooftop PV.

The main barrier for the deployment of renewable energy sources in Cyprus, especially for ground-mounted PV and onshore wind, is the environmental permitting procedure. Despite the fact that the process is part of the planning permission, approval of the Environmental Impact Assessment (EIA) study is the most time-consuming step in the project implementation. On the one hand, a large number of authorities are involved in the environmental permitting process and have to express their opinion on the project. On the other hand, many applications for an environmental permit have gaps and must be returned to the project developers for revisions. In addition, the process is more cumbersome for larger projects as then an Environmental Committee is obliged to hold a meeting, which requires a very extensive preparation by the authorities. In addition, there is a lack of a coherent spatial planning for renewable energy projects. The existing regulatory framework contains only a number of restrictions and suggestions for the installation of renewable energy technologies, in particular restrictions on the installation of wind turbines. Therefore, a more concise and integrated approach is needed that would define where installation of renewable energy projects is allowed. In that way, the project developers would be aware of the sites where deployment of renewables is allowed beforehand.

A further significant barrier is encountered in the grid connection procedure. In the preliminary grid connection offer issued by the grid operator, it is sometimes provided that a grid reinforcement is required for the connection of a renewable energy installation. However, the grid connection costs per project are decided on a case-by-case basis, and are therefore not known in advance. As a result, project developers cannot fully integrate their grid connection costs in their initial techno-economic study. The lack of a methodology, based on which grid connection costs could be estimated, creates uncertainty and higher risk for project developers.

Table 1 contains a traffic light assessment of the relevant process steps for the installation of ground-mounted and rooftop PV and onshore wind in Cyprus.

Table 1: Traffic light assessment of the relevant process steps

Process step	Site selection	Electricity production license	Application preparation process	Administrative authorisation	Grid connection permit	Corporate legal-fiscal	Other
PV ground-mounted	Yellow	Green	Grey	Red	Red	Grey	Grey
PV rooftop	Green	Green	Grey	Yellow	Yellow	Grey	Grey
Onshore wind	Yellow	Green	Grey	Red	Red	Grey	Grey

■ No barriers identified	■ Moderate barriers identified
■ Minor barriers identified	■ Not relevant for target country
■ Severe barriers identified	■ No projects implemented

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1. National RES targets and relevant RES technologies

Cyprus published its National Energy and Climate Plan (NECP) in January 2020. According to the NECP, Cyprus is planning to increase the overall share of renewable energy sources (RES) in its gross final energy consumption to 22.9% by 2030 (NECP Cyprus, 2020).

The electricity sector is expected to play the most pivotal role in meeting the 2030 RES target of 22.9%. Based on the latest SHARES data for 2019 (Eurostat, 2020), the RES share in the electricity sector was only 9.8%. However, the share of renewables in the electricity sector is expected to reach 30.3% by 2030, according to the NECP. Both ground-mounted and rooftop PV will be the key technologies to achieve this target. According to the 'Planned Policies and Measures Scenario' (PPM scenario) in the NECP, the installed PV capacity in Cyprus amounted to 149.5 MW in 2019 and is expected to reach 288 MW in 2020 and 804 MW in 2030. Alongside PV, onshore wind will be the second most important renewable energy technology in the Cypriot electricity sector. In the PPM scenario, the installed onshore wind capacity should have reached 158 MW by 2020 and is expected to increase to 198 MW by 2025 and then remain stable until 2030 (NECP Cyprus, 2020).

Figure 1 displays the annual deployment of PV and onshore wind between 2010 and 2019. While the wind power deployment mainly took place in the early 2010's, PV was constantly installed over the last ten years, however not with an increasing trend.

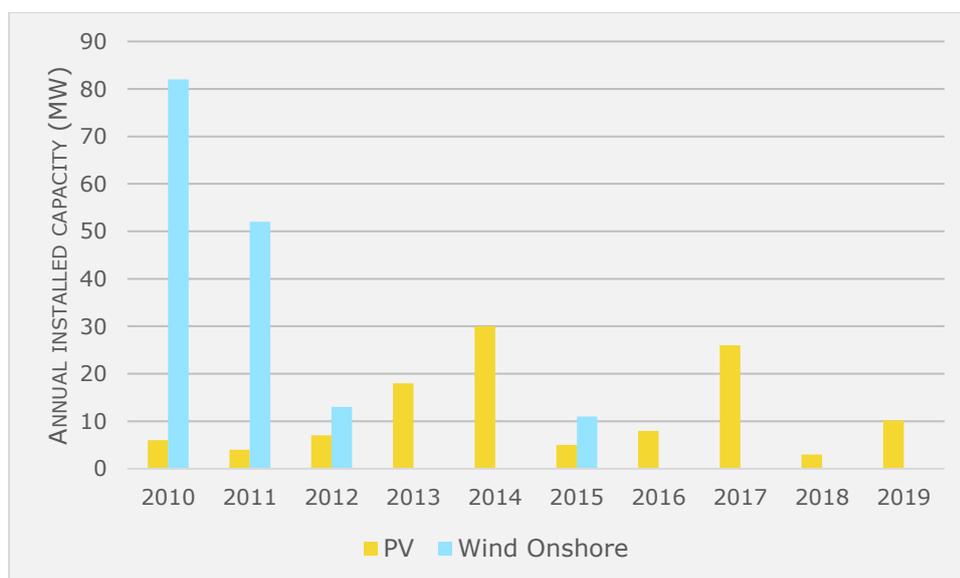


Figure 1: Annual installed capacity of PV and Wind onshore 2010-2019 (source: EurObserv'ER)

For the heating and cooling sector, the NECP expects that the share of renewable energy sources will increase to 39.4% (NECP Cyprus, 2020). This increase is based on two main technologies. On the one hand, solar thermal will continue to be the main renewable energy technology in this sector. However, the technology is already well established in Cyprus and the expected growth potential is rather detrimental according to the PPM scenario in the NECP (from 3 PJ in 2021 to 3.75 PJ in 2030). On the other hand, heat pumps are expected to play an important role in the Cypriot heating and cooling sector. However, as heat pumps are powered by electricity, then more actions towards "the electrification of heating and cooling sector" are needed (NECP Cyprus, 2020).

As a result, this report focuses on the permitting procedures for rooftop and ground-mounted PV and onshore wind in Cyprus.

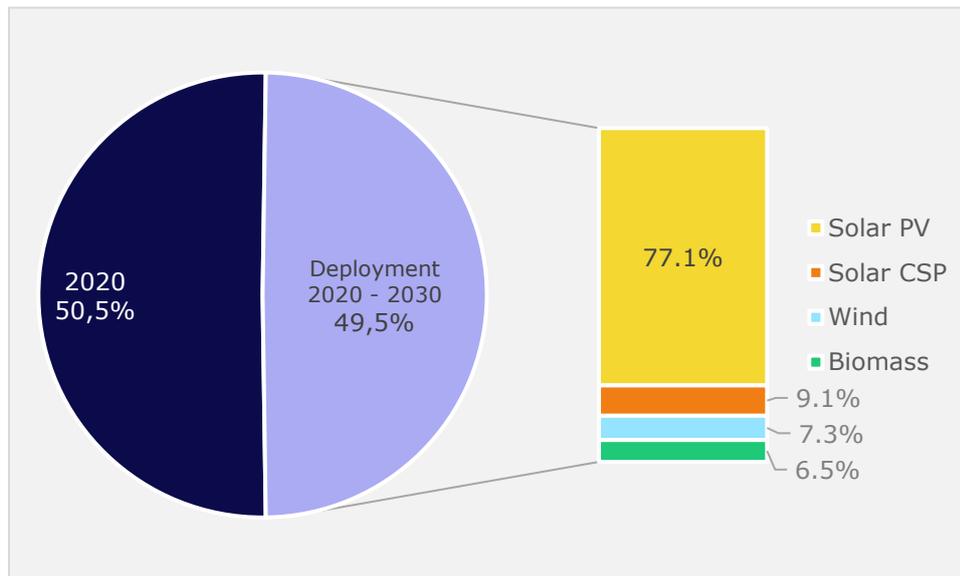


Figure 2: Planned deployment of RES-E 2020-2030 in relation to past deployment (source: NECP)

2. Administrative and grid connection procedure

2.1. Relevant process steps

In Cyprus, the following process steps are relevant for the approval of a renewable energy installation in the electricity sector:

In the site selection stage, the developers of onshore wind and ground-mounted PV projects should take certain planning restrictions into consideration. The decision on the location is crucial as it can ease the further administrative process.

Concerning electricity production, the project developer should submit an application for an installation license to the Cyprus Energy Regulatory Authority. Onshore wind power plants and ground-mounted PV installations below 5MW can apply for an exemption from the installation license.

The administrative authorisation procedure covers the issuing of the planning permission and the building permit, which are relevant for both onshore wind and ground-mounted PV. First, the project developer should apply for a planning permission from the Planning Authority. The EIA approval, i.e., the positive decision of the Environmental Committee, is part for the issue of this permit. After receiving the planning permission, the project developer must obtain a building permit, also from the Planning Authority.

Before starting the grid connection procedure, the project developer should apply for an operation license from the Cyprus Energy Regulatory Authority (CERA). Developers of onshore wind and ground-mounted PV below 5MW can apply for an exemption from this license.

The grid connection procedure follows on the one hand the general steps in the Transmission and Distribution Rules (TDR), which concern technical issues. However, the specific grid connection procedure is described in detail in the relevant support schemes that are issued on an occasional basis by the Ministry of Energy, Commerce and Industry (MECI). In general, onshore wind and ground-mounted PV developers should submit an application for a preliminary grid connection offer to the Transmission System Operator of Cyprus (TSOC) or the Electricity Authority of Cyprus (EAC - the Distribution System Operator) for plants below 8MW. Once the grid connection offer has been agreed and an advance payment has been made, the TSOC or EAC issues the final grid connection offer to the project developer. After the signing, the grid connection work will be realised. Finally, the project developer signs a Power Purchase Agreement (PPA) and the installation is connected to the grid.

2.1.1. Site selection

Process flow

When selecting the location for the construction of an onshore wind or ground-mounted PV installation, the project developer needs to take certain specific planning restrictions into account. For example, Order 2/2006 aims to integrate new renewable energy technologies into the natural landscape and thus lays down certain conditions to limit their negative impact on the wider environment and neighbouring land uses. Accordingly, onshore wind or ground-mounted PV installations cannot be constructed (art. 4.1 Order 2/2006):

- within the limits of a Development Area (there are several categories of Development Areas such as commercial, touristic and residential land use zones)
- in specific archaeological areas
- in a public forest
- in Natura 2000 sites and Environmental Conservation Areas
- in Special Protected areas in accordance with art. 4 of the EC Birds Directive and within 500m from the flyways of migratory bird species

Order 2/2006 (art. 4.2) also regulates the distances of renewable energy installations to certain neighbouring land uses. In particular, onshore wind projects should be located 850m from the boundaries of a defined Development Land Use Zone, at least 300m further from Environmental Conservation Areas (Natura 2000 sites, Special Protected Areas), and at least 500m further from migratory flyways and archaeological sites.

Stand-alone wind turbines may be installed outside of the boundaries of the Development Land Use Zone defined in local development plans if the wind turbine is at a distance of at least 1.5* its maximum height from the property boundaries. This applies to wind turbines up to 30 kW and with a maximum height of 36m (art. 4.2 Order 2/2006).

In addition, Circular 2019 regulates certain issues regarding the construction of ground-mounted PV. Accordingly, ground-mounted PV can be installed at a safe distance from the boundaries of the land uses defined in the Local Development Plans. However, a *safe distance* is not defined more precisely. Ground-mounted PV installations are prohibited on irrigated lands, land reclamation areas or high-yield agricultural fields.

Finally, Circular 3/2008 contains technical requirements for rooftop PV systems, such as size and slope of the system. Such parameters are considered when examining the

application for the planning permission. For that reason, Circular 3/2008 contains graphical sketches for installing rooftop PV systems on buildings. Regulatory Administrative Act 376/2019 also defines specific parameters on the installation of ground-mounted and roof-mounted PV.

All parameters described above are examined in the planning permission.

According to the Ministry of Agriculture Rural Development and the Environment (MOA)-Department of Environment, Local Development Plans¹ could be helpful in efficiently implementing new renewable energy projects, especially ground-mounted PV. Local Development Plans are basically Urban Spatial Plans that define land use within a specific administrative area. All cities in Cyprus are subject to adopting a Local Development Plan, which has to be revised every five years. These Plans could also define areas where the installation of ground-mounted PV would be permitted. This could be an additional step towards simplifying the licensing procedure (MOA Department of Environment, 2020).

Deadlines

No deadlines related to this process step were identified.

Detected barriers

No barriers related to this process step were identified.

Identified good practice

No good practice related to this process was identified.

2.1.2. Electricity production licence

Process flow

Before entering the administrative authorisation process, RES developers (natural and legal persons) should apply for an installation license from the Cyprus Regulatory Energy Committee (CERA) (art. 31 par. 1 Law Regulating the Electricity Market).

The installation license is obligatory for all renewable energy projects (ibid.) However, developers of renewable energy projects below 5 MW and autoproducers below 1 MW can apply to CERA for an exemption to the installation license (art. 35 par. 2 Law on Regulating the Electricity Market).

For the installation license and the exemption to the license, standard application forms are available on the website of the CERA². In any case, the project developer is requested to provide certain information on the project (e.g., preferred start date, preferred duration, capacity of the project, techno-economic study). The level of detail depends on the type of licence, i.e., less information is requested for the exemption from the license. The CERA Committee holds a meeting and issues an approval or rejection

¹ Local Development Plans are basically Urban Spatial Plans that define the permitted land uses within a specific administrative area. All cities in Cyprus are subject to adopting a Local Development Plan, which should be revised every five years.

² Available at: <https://www.cera.org.cy/Templates/00001/data/hlektrismos/adeiodotisi/entipo-adeias.pdf> (in Greek)

decision, which is made available on CERA's website³ (art. 38 par. 3 Laws on Regulation of Electricity Markets).

The duration of the installation license is examined and determined on a case-by-case basis (art. 10 Regulatory Administrative Act 538/2004).

Deadlines

Within 2 months of submitting the application, CERA can request additional documents or data from the project developer (art. 4 Regulatory Administrative Act 538/2004). If CERA does not request any further information within 1 month, the application is considered complete.

Within 5 days from the submission of the application, the project developer should publish the application and any accompanying documents (e.g., topographical plan of the proposed planed construction) to make it available for public comments (art. 5 Regulatory Administrative Act 538/2004).

The deadline for public comments cannot be shorter than 15 days from the date the application is considered complete (art. 5 Regulatory Administrative Act 538/2004).

CERA's decision to grant or reject the license is due within 3 months from the date the application is considered complete (art. 8 Regulatory Administrative Act 538/2004).

The decision should be made public no later than within 45 days (art. 9 Regulatory Administrative Act 538/2004).

Detected barriers

No barriers related to this process were identified. This is due to the fact that CERA almost never rejects the applications (OEB, 2020b).

Identified good practice

No good practice related to this process was identified.

2.1.3. Administrative authorisation

Process flow

The administrative authorisation process basically includes the issue of the planning permission by the Planning Authority⁴. The basic prerequisite for granting this permission is the EIA approval. Furthermore, project developers need to apply for a building permit from the Local Authority.

Law on Urban and Spatial Planning foresees that developers of renewable energy projects should submit to the Planning Authorities⁵ an application for a 'Preliminary Decision' (art. 25 par. 8 Law on Urban and Spatial Planning). With the application, the project developer should submit certain supporting documents, such as a letter describing the type and scale of the proposed development (signed by the owner of the property), an official

³ Available at: <https://www.cera.org.cy/el-gr/apofasis-adeiodotisis> (in Greek)

⁴ Planning Authority is defined as the Minister of Interior or the Ministerial Council (art.4 Law on Urban and Spatial Planning). However, powers of the Minister also exercised by the the Spatial Planning and Housing Department of the Ministry of Interior and the Local Planning Authorities.

⁵ According to Circular 3/2008, there are 5 Municipal Planning Departments in Cyprus.

spatial map for the property in question, or a copy of real estate registration certificate, etc. (Circular 3/2008).

When submitting an application, the project developer must pay an application fee, which varies per technology. For rooftop PV systems, the fee is set at EUR 125, while for ground-mounted PV installations and onshore wind power plants the fee amounts to EUR 125/ 100 m² (max. fee EUR 1,250) (Regulatory Administrative Act 28/2013).

As described in Section 2.1.1., ground-mounted PV can be installed at a safe distance from the boundaries of the land uses defined in the Local Development Plans. In addition, there are restrictions concerning the installation on agricultural land. In case of uncertainty, the project developer can request an opinion from the Ministry of Agriculture, Rural Development and Environment- Department of Agriculture (Circular 2019).

Environmental Impact Assessment (EIA)

The approved EIA of a project is an indispensable part for applying for the planning permission. The Law on Environmental Impact Assessment from Certain Plans and/ or Programs Law of 2018 (EIA Law) distinguishes between two categories of projects:

- Projects required to provide preliminary EIA information (preliminary EIA). This category includes onshore wind projects below 10 MW and ground-mounted PV below 500 kW in the environmental protection zone or in the agricultural zone (Annex II EIA Law).
- Projects required to submit an EIA study. This category includes onshore wind projects above 10 MW, ground-mounted PV above 1MW and ground-mounted PV between 500 kW and 1 MW in the environmental protection zone or in the agricultural zone (Annex I EIA Law).

The authority responsible for the EIA, both preliminary EIA and EIA study, is the environmental authority, i.e., the Director of the Environment Department of the Ministry of Agriculture, Rural Development and Environment (MOA) (art. 23 EIA Law). In the event of uncertainty, the project developer can contact the environmental authority and inquire whether the project is subject to a preliminary EIA or an EIA study (art. 22, 25 EIA Law).

The preliminary EIA

The preliminary EIA contains basic information about the project and possible environmental impacts as specified in Annex IV of the EIA Law (art. 24 EIA Law).

After evaluating the preliminary EIA information, the environmental authority formulates its opinion and forwards it to the Planning Authority (art. 24 EIA Law). In certain cases, the environmental authority may require the project developer to submit:

- an EIA study
- a Special Ecological Assessment (see below)
- specific terms and conditions to be included in the planning permission (art. 24 EIA Law).

The EIA study

The EIA study must include detailed information about the project and its possible environmental impacts, as well as the investigation of measures to mitigate and prevent environmental damage (art. 26 EIA Law).

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Prior to the submission of the EIA study to the environmental authority, the project developer is obliged to make the EIA study available to public and to carry out at least one public hearing (art. 26 par. 7 EIA Law). In addition, the project developer is obliged to publish the EIA submission in two Cypriot newspapers so as the public can be informed and have access to it, if interested (art. 27 EIA Law).

The environmental authority examines the submission and forwards it to the EIA Committee (art. 28 EIA Law), which consists of (art.10 EIA Law) the Directors of all relevant government departments such as the Environment Department of the Ministry of Agriculture, Rural Development and Environment (MOA), the Spatial Planning and Housing Department of the Ministry of Interior, the Forest Development Department, the President of Cyprus Federation of Environmental and Ecological Organisations and one NGO representative.

The EIA Committee holds a meeting and formulates an opinion on the EIA study, which forms the basis for the opinion of the environmental authority (art. 29 EIA Law). The environmental authority may sometimes request specific terms and conditions from the project developer that should be included in the planning permission (art. 30 EIA Law). The environmental authority then forwards its opinion to the Planning Authority (art. 29 EIA Law). After the Planning Authority has made its decision concerning the planning permission, it then informs the environmental authority of its decision, which in turn informs the project developer and all related stakeholders about it (art. 31-32 EIA Law).

In both cases (EIA study and preliminary EIA), a Special Ecological Assessment, which can be part of the EIA study and preliminary EIA is required (art.33 EIA in conjunction with art.16 Law on Environmental Protection and art.7 Law on Protection of Wild Birds and Prey).

Planning permission

In parallel with the EIA approval process (i.e., the positive opinion by the Environmental Committee), the project developer should submit an application for a planning permission to the Planning Authority (art. 21 Law on Urban and Spatial Planning in conjunction with Regulatory Administrative Act 62/2016). The developer is, again, obliged to publish the submission of the application for a planning permission in two Cypriot newspapers. Before the Planning Authority decides on the planning permission, it consults any local or central authority that may have an opinion and a legal interest in the realisation of the RES project (art.7 Regulatory Administrative Act 62/2016). After an extensive consultation, the Planning Authority can issue its planning decision, taking into consideration the positive or negative opinion of the Environmental Committee on the EIA study, i.e., EIA approval (art. 7 Regulatory Administrative Act 62/2016).

To accelerate the rate of planning approvals, from 1 August 2019, developers of ground-mounted PV projects are obliged to ensure that the competent Departments / Services⁶ have provided their opinions within the public consultation procedure before submitting an application for planning permission, (art.7 Regulatory Administrative Act 62/2016 in conjunction with the Circular 2019). An exception is the EIA approval, which according to the relevant legislation is provided at the stage of examination of the planning permission (Circular 2019).

In addition, non-compulsory expert opinions can be requested from authorities such as the Archaeological Service, the Forest Department, the Water Development Department, the Ministry of Defence or the Civil Aviation Agency.

⁶ This includes the Local Planning Authority, CERA, MECIT and the Electricity Authority of Cyprus (EAC).

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When deciding on the planning permission, the Planning Authority must observe the guidelines set out in Order 2/2006, which are especially relevant for onshore wind projects. According to these guidelines, two wind energy projects with a total of more than 15 wind turbines at a distance of less than 2 km are not permitted. For wind projects with a smaller number of wind turbines, the Planning Authority can accept a distance of up to 1.5 km between them.

Certain PV systems in Cyprus are exempt from the obligation to obtain a planning permission. This concern:

- all rooftop PV systems (Circular 3/2008)
- ground-mounted PV installations built in the industrial zone
- ground-mounted PV installation with the total installed capacity up to 150 kW (Regulatory Administrative Act 376/2019).

Building permit

Apart from the planning permission, the project developer should apply to the Planning Authority for a building permit (chapter 86 Law on Regulation of Streets and Buildings). The Planning Authority examines the application and issues or rejects the building permit.

The building permit has a duration of 3 years (art. 5 Law on Regulation of Streets and Buildings).

PV systems with the installed capacity of up to 20 kW are exempt from the obligation of obtaining a building permit (Regulatory Administrative Act 281/2013). For those PV systems a signed certification by the installer is sufficient.

Deadlines

For preliminary decision on ground-mounted PV

Circular 2/2008 clarifies that the Preliminary Decision should be issued within one month from the receipt of the submission. However, according to Circular 2019, if the project developer requests the Department of Agriculture at the Ministry of Agriculture, Rural Development and Environment for its opinion on the construction of ground-mounted PV installation on agricultural land, the Department should send the response with the opinion within 5 days from the receipt of the application.

The preliminary EIA

For the preliminary EIA, the environmental authority should formulate its opinion within 30 days from the date of submission (art. 24 EIA Law).

The EIA study

All interested parties may submit their comments and objections on the EIA study with 30 days of the publication of the EIA study (art. 27 EIA Law).

The environmental authority submits its opinion to the EIA Committee with 20 days after the EIA study submission by the project developer (art. 28 EIA Law).

The environmental authority publishes and informs all related stakeholders on the Planning Authority's decision within 15 days from the decision (art. 32 EIA Law).

Planning permission

Authorities such as the Archaeological Service, the Forest Department, the Water Development Department, the Ministry of Defence or the Civil Aviation Agency should submit their non-compulsory expert opinions within 10 days from the day the Planning Authority has informed them accordingly (Circular 2019).

The Planning Authority should inform the project developer about its decision with 3 months from the date of submission (art. 6 Regulatory Administrative Act 62/2016).

According to the stakeholders surveyed for this report, the deadlines set for the administrative authorisation procedure cannot be kept by the competent authorities. In practice, there are delays of approximately 1-2 months. The process per se is very complicated, especially when it comes to the evaluation of and decision on the EIA study (not the preliminary EIA), in which the Environmental Committee is involved. This necessitates a detailed preparatory work by the environmental authority (MOA Department of Environment, 2020). In addition, some of the employees of the Planning Authorities lack expertise (OEB, 2020b).

Detected barriers

High degree of bureaucracy. The length of the administrative authorisation process has been a significant barrier for the developers of renewable energy projects in Cyprus for many years. The administrative process involves many different authorities and the duration of the process varies depending on the technologies. The administrative authorisation procedure may take 18 months for ground-mounted PV installations (up to 15 months for a 100 kW PV system) and 20 or more months for onshore wind projects. During the approval process, the renewable energy investor cannot be sure that the project will be approved, which adds uncertainty and increases the total project cost (OEB, 2020a).

Environmental protection concerns hinder the development of renewable energy. In Cyprus, environmental organisations have concerns related to the negative environmental impacts of renewable energy technologies, especially ground-mounted PV and onshore wind. This is an obstacle for the further development of the renewable energy sector. The main reason behind this barrier is the outdated spatial planning framework that does not take renewable energy sources into account. Also, the Environmental Committee consist of various stakeholders that reject the realisation of new renewable energy projects.

From 2020, Order 2/2006 and Circular 2019 contain provisions on the recommended sites for the installation of renewable energy technologies. However, there is no explicit prohibition to install these technologies on other sites than those recommended. Nevertheless, there are cases when the environmental and planning authorities 'a posteriori' do not allow the installation of renewable energy technologies on those sites, which creates additional difficulties in the realisation of those projects (OEB, 2020a).

Need for coherent and specific RES Spatial Planning Framework. The existing planning framework for renewable energy technologies can be characterised as old and not concrete. Order 2/2006 (see Sections 2.1.1. and 2.1.3.) on RES spatial planning was introduced based on the 2006 assumptions with regard to renewable energy deployment. However, the competent authorities are currently facing new projects with a substantially increased capacity. Order 2/2006 is not scientifically founded and provides only some general guidelines regarding the installation of renewable technologies. Thus, if, for example, an onshore wind power plant or a ground-mounted PV are projected on the

high-yield land, Order 2/2006 contains no provisions in this respect and therefore other regulations have to be considered by the MOA Department of the Environment and the Environmental Committee (i.e., agriculture Circular 2019). As a result, the approval may be rejected due to environmental reasons, e.g., installation near a Natura 2000 site or on a high-yield field. As the NECP foresees the installation of additional 700 MW of renewable energy by 2030, an update of the existing RES Spatial Framework is needed. This new framework should clearly define where and which renewable energy projects and which capacities can be implemented (i.e., permitted). This would allow the environmental authority to streamline its approval process, as it would base its decisions on a reliable Spatial Planning Framework. In addition, the framework would allow project developers to adequately prepare an EIA study for their project based on predefined restrictions (MOA Department of Environment, 2020).

Due to the lack of a coherent framework, it is uncertain whether projects can be fully approved and installed, as every administrative body (e.g., Environmental Committee, Planning Authority) may stop the realisation of the project. As a result, the MOA Department of Environment has currently suspended the EIA authorisation process for renewable energy projects until a coherent RES spatial framework is in place (OEB, 2020b).

It is also argued that due to a complete lack of a comprehensive framework, the decision for the installation of a ground-mounted PV plant is based on pure economic criteria (available land, low prices) and not on environmental criteria, thus creating clientelism. It is common that the project developer is also the one that prepares the EIA study. Alternatively, a technical consultant is contracted but this is based on other criteria (lowest price and not on the quality of the expected EIA). This leads to the preparation of EIA studies of very low quality that do not take into consideration environmental implications (proximity to Natura 2000 sites, installation of agricultural land). The Environmental Committee or several of its members can express their objections but the project may finally obtain the Planning Permission. This is also aggravated by the fact that Planning Authority considers RES as an 'infrastructure development' and infrastructure developments are permitted to be located everywhere on the island. As a consequence, the Environmental Committee is confronted with a bulk of EIA studies of low quality that need to be re-examined on a case-to-case basis, thus creating unnecessary delays (Terra Cypria & Birdlife Cyprus, 2021).

According to environmental NGOs, it would be advisable to create a transparent RES spatial framework. Based on traffic-light system (green, orange, red) the sites and on a catalogue of pre-defined criteria, the potential locations for ground-mounted PV installations could be permitted. This would substantially ease the Environmental Committee's work (Terra Cypria & Birdlife Cyprus, 2021).

Apart from that, and so as to avoid clientelism the establishment of a State Fund supported by project developers is proposed. In that way, the clientelism between project developer and technical consultant will be avoided. The Fund that can be administered by the MOA Department of Environment may contract a technical consultant for the EIA study based on a register. In that way, the selection of technical consultants will be based on objective criteria and can lead to the composition of higher quality EIA studies (Terra Cypria & Birdlife Cyprus, 2020).

Identified good practice

No good practice related to this process was identified.

2.1.4. Grid connection permit

Process flow

Depending on the production capacity of the renewable energy installation, the application for the grid connection has to be submitted either to the distribution system operator (DSO) or the transmission system operator (TSO). DSO (Electricity Authority of Cyprus-EAC) is responsible for connecting installations with the total installed capacity of less than 8 MW. TSO (Transmission System Operator of Cyprus - TSOC) is the competent body for the connection of renewable power installations exceeding 8 MW (art. 84 Law on Regulation of Electricity Markets; sec. T 2.4.3 TDR 4.0). A technical study must be attached to the application that proves that all related technical requirements have been met (T 16.8.3 TDR 4.0).

After the grid operator has received and examined the application, it shall send a connection offer to the project developer within 90 working days (sec. T 2.4.5.1, T 2.4.6, D 1.4.1 TDR 4.0). The project developer must accept the terms for connection within the period specified in the connection offer (sec. T 2.4.5.2 TDR 4.0).

In practice, the grid connection procedure according to the provisions in the Transmission and Distribution Rules, as defined above, is explicitly described in the support schemes announcements that are issued on an occasional basis (once every year or every two years) by the Ministry of Energy, Commerce and Industry (art. 6 RES Law).

For ground-mounted PV and onshore wind, the latest support scheme ("Support Scheme for the Production of Electricity from Renewable Energy Sources in the framework of the Transitional Regulation of the Electricity Market with the final conclusion of the integration of the Projects in the Competitive Electricity Market") foresaw the following grid connection procedure (EAC, 2019a): Firstly, the project developer applies for a preliminary grid connection offer. In parallel, the project waits for the initial inclusion of the project in the support scheme. Then, the preliminary grid connection offer is issued and is accepted by the project developer. For that reason, the payment of 5% of the cost foreseen in the preliminary grid connection offer is necessary. Additionally, the project should submit a guarantee letter by the project developer (EUR 20/KW, max. EUR 10,000) and all related permissions and licences (planning permission, building permit). Then, the final connection offer is issued and accepted by the project developer. This signals the start of the realisation of grid connection works. The project developer also submits an Operation License Exemption (see Section 2.1.5.). Finally, a Power Purchase Agreement between the TSO or DSO and the project developer is signed and project is included in the Transitional/ Competitive Electricity Market.

Small-scale devices

Roof-mounted PV up to 10 kW for domestic consumers can be operate under a net-metering scheme (SSRES, 2018). For the grid connection permit, operators of these systems shall submit their applications with the necessary supporting documents to the distribution grid operator (EAC) and pay an administrative fee of EUR 250 plus Value Added Tax (VAT). The application is examined and if it is approved, a net-metering agreement is signed.

As of 2020, only a net-metering scheme for rooftop PV up to 10 kW for domestic consumers is available. The application as well as the grid connection process is carried out electronically (SSRES 2020).

Deadlines

The following deadlines have been established under the latest support scheme for connecting the ground-mounted PV and onshore wind to the electricity grid (EAC, 2019a):

- within 30 days from the submission of the application, the project developer must accept the preliminary grid connection offer and pay the 5% of the preliminary grid connection cost as well as the guarantee letter;
- within 30 days from the issue of the final grid offer, the project developer must accept the final grid connection offer;
- within 30 days after the conclusion of the PPA, the project developer must submit an application to EAC for the plant's inclusion in the Transitional/ Competitive Electricity Market.

The grid operator must assess applications for residential rooftop PV systems up to 10 kW within 7 days. The installation of the PV system should be completed and connected to the grid within 3 months from the receipt of application. For new residences that are connected to the electricity grid, the grid connection timeframe is 6 months, and 12 months if grid expansion work is needed. EAC, i.e., the DSO is responsible for controlling the PV system within 25 days after the notification by the project developer that works are completed. (SSRES, 2018)

Detected barriers

Reinforcement works carried out by the grid operator. The preliminary grid connection offer issued by the grid operator can foresee that the grid reinforcement work is required for the grid connection. However, the grid connection costs⁷ cannot be calculated beforehand as they are decided on a case-by-case basis. As a result, project developers cannot fully integrate the grid connection costs in their initial techno-economic study. Therefore, the study does not reflect the actual total investment cost. In many cases, the grid operator carries out the necessary grid expansion work and passes the cost on the project developer. The grid reinforcement work may reach EUR 0.5 million and even exceed the acquisition cost for the ground-mounted PV installation. In addition, there have been cases where grid access has not been granted by the grid operator due to the fact that the grid is congested in that area (OEB, 2020b).

Identified good practice

No good practice related to this process was identified.

2.1.5. Other

Process flow

Operation license is obligatory for all renewable energy projects. Every legal or natural person that wants to generate electricity should apply for it from the Cyprus Regulatory Energy Committee (CERA) (art. 31 par. 1 Law Regulating the Electricity Market).

⁷ Here the unit cost (per km or per kW) is implied.

However, RES projects below 5 MW and autoproducers below 1 MW can apply to CERA for an exemption from operation license (art. 35 par. 2 Law Regulating the Electricity Market).

The application for the operation license is submitted after the administrative authorisation procedure.

Similarly to the installation license, a standard application form is used for both the operation license and the exemption from the license (see section 2.1.2.)⁸. The project developer should also provide information on the project (e.g., preferred start date, duration of the license, capacity). For renewable energy projects above 5MW, the license application includes questions on the consumer categories, the expected number of consumers to be supplied as well as their expected maximum demand. The CERA Committee holds a meeting and makes a decision to approve or reject the application. The decision is made available on CERA's website⁹ (art. 38 par. 3 Law on Regulation of Electricity Markets).

The duration of the operation license is examined on a case-by-case basis (art. 10 Regulatory Administrative Act 538/2004).

Deadlines

Within 2 months of submitting the application, CERA can request additional documents or data from the project developer (art. 4 Regulatory Administrative Act 538/2004). If CERA does not request any further information within 1 month, the application is considered complete.

Within 5 days from the submission of the application, the project developer should publish the application and any accompanying documents (e.g., topographical plan of the proposed planned construction) to make it available for public comments (art. 5 Regulatory Administrative Act 538/2004).

The deadline for public comments cannot be shorter than 15 days from the date the application is considered complete (art. 5 Regulatory Administrative Act 538/2004).

CERA's decision to grant or reject the license is due within 3 months from the date the application is considered complete (art. 8 Regulatory Administrative Act 538/2004).

The decision should be made public no later than within 45 days (art. 9 Regulatory Administrative Act 538/2004).

Detected barriers

No barrier related to this process step was identified.

Identified good practice

No good practice related to this process was identified.

⁸ Available at: <https://www.cera.org.cy/Templates/00001/data/hlektrismos/adeiodotisi/entipo-adeias.pdf> (in Greek)

⁹ Available at: <https://www.cera.org.cy/el-gr/apofasis-adeiodotisis> (in Greek)

3. Use of IT systems

MOA keeps an online record of all EIA submissions as well as their relevant documents (art. 40 EIA Law). However, the project developer is obliged to submit the EIA study in 6 written copies and 25 CD copies (Charalambous, 2020).

For residential rooftop PV systems up to 10 kW that will operate under a net-metering scheme, the whole approval and grid connection process is done electronically¹⁰. The COVID-19 crisis has prompted authorities such as EAC to carry out licensing procedure electronically (OEB, 2020b).

4. Complaint procedure

EIA and planning permission

Interested third parties (legal persons), whose main mission is environmental protection, may submit an appeal against the Environmental Authority's opinion to the Ministerial Council. If it is approved, the Environmental Authority is obliged to re-examine the EIA submission (art. 48 EIA Law). Alternatively, any interested third party can submit an appeal to the Supreme Court (MOA Environment Department, 2020).

Planning Permission

Interested third parties can submit an appeal against the positive or negative decision of the Planning Authority on the planning permission. The appeal is submitted to the Ministerial Council. The Ministerial Council should examine the Planning Authority's decision and decides whether it should be re-examined by the Planning Authority (art. 8-10 Regulatory Administrative Act 62/2016; art. 31 Law on Urban and Spatial Planning of 1972). Alternatively, the interested third party has the right to appeal to the Supreme Court¹¹ (art. 45 Law on Urban and Spatial Planning of 1972).

Building permit

With regard to the building permit, an appeal against the approval or rejection of the permit can be submitted by any interested third party to the Minister of Interior and, if needed, to the Supreme Court (art. 18 Law on Regulation of Streets and Buildings).

In practice, very few cases have been initiated so far (MOA Environment Department, 2020). Nevertheless, according to the Cyprus Employers and Industrialists Federation (OEB, 2020b), many projects were already rejected before the EIA was submitted. The rejection could basically come from the local councils or the MOA Department of Agriculture (e.g., installation of power plants on 'high-yield' agricultural land). However, it is also noted by environmental NGOs that even if a case reaches the court, the decision on the appeal is based on technical criteria and not on environmental criteria. Therefore, the appeal is based on the question whether the administrative criteria and process are followed and respected (Terra Cypria & Birdlife Cyprus, 2020)

5. Specific features to ease administrative procedure

Table 2 below provides information on the existing specific features to ease administrative procedures in Cyprus.

¹⁰ <https://resecfund.org.cy/>

¹¹ http://www.supremecourt.gov.cy/judicial/sc.nsf/home_el/home_el?opendocument

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Table 2: Specific features to ease administrative procedures

Specific feature	Existing	Short description
Simultaneous procedures	no	
National contact points and one-stop-shops	no	
Application of 2+1 and 1+1 rules	no	
Simple notification procedure	no	
Pre-planning	no	
Pre-application consultation	yes	<p>Prior to the submission of the EIA study, the project developer is obliged to make the EIA study available to public and to carry out at least one public hearing (art. 26 par. 7 EIA Law). In practice, this public hearing may take several forms. There can be a presentation of the project, information leaflets to the local community, SMS sent by the local authority. In addition, the project developer can send a copy of the EIA study to the local authority administration and all interested citizens may go there and examine the EIA study. In any case, the public consultation comments should be included in the EIA study (MOA Department of Environment, 2020).</p> <p>In practice, only in very few cases comments on renewable energy projects were submitted (MOA Department of Environment, 2020). Thus, the process exists but not many use it (OEB, 2020).</p> <p>According to environmental NGOs, public consultation has many flaws. Firstly, the MOA Department of Environment has issued a guide on how this public consultation can be carried out¹², but it is not followed. Secondly, any objections and comments raised during public consultation are recorded but the project developer is not obliged to take them into account. Thirdly, the place and time of public presentation is inconvenient and hinders stakeholders from participating. However, it should be noted that the situation is considerably better than 5-10 ago (Terra Cypria & Birdlife Cyprus, 2020).</p>
Project acceptance measures	yes	2% of the total revenues of the onshore wind park are given to local communities of the municipal territory where the plant is built. For 2019, this sum was estimated at EUR 786,709 (RESEC Fund, 2020).
Measures to streamline litigation by third parties	no	
Other	no	

¹² <https://cutt.ly/PkzvoCl>

6. Indicators to measure the performance of the overall process

Table 3 below provides information on the indicators to measure the performance of the overall administrative and grid connection process in Cyprus.

Table 3: Performance indicators to assess administrative and grid connection processes

Performance indicator	Description
Average response time by the competent authorities and TSO/DSO for grid connection procedures	The response time depends on the individual projects and no average value can be provided (OEB, 2020).
Process duration	For onshore wind, the entire permitting process (including grid connection) may take up to 24 months. In the case of ground-mounted PV, the process can have a duration of 15- 18 months (OEB, 2020).
Project approval rates	No information on the approval rates available, except that under the 'Support Scheme for the Production of Electricity from Renewable Energy Sources in the framework of the Transitional Regulation of the Electricity Market with the final conclusion of the integration of the Projects in the Competitive Electricity Market' installation of 361 MW in total is planned. The first 100 MW (basically ground-mounted PV) approved during the first phase of the scheme will be fully realised. However, it is unclear whether the rest of the approved capacity (150 MW) can be realised. In any case, projects totalling approx. 50 MW were urged to change their location (installation on high yield field objected by local planning authorities) (OEB, 2020).
Costs of administrative processes	For the installation and operation license processing a fee of 8.5430 EUR ct/kW is charged (Regulatory Administrative Act 365/2007). With regard to the preliminary decision in the administrative authorisation step, project developer should also pay an application fee, which varies per technology. For roof-top PV systems, the fee is set at EUR 125, while for ground-mounted PV installations and onshore wind power plants the respective fee amounts to EUR 125/100 m ² (max. fee EUR 1,250) (Regulatory Administrative Act 28/2013). The grid connection cost for a ground-mounted PV installation up to 8 MW (i.e., connected to the distribution grid) may reach EUR 0.5 million (EAC, 2019b).
Share of permits that are legally challenged	Very few (3 appeals in 3 years out of 250 MW of submission) (MOA Department of Environment, 2020).
Share of legal challenges that are overruled	Almost no legal challenge has been overruled.
Stakeholder interests	A public consultation procedure is to be carried out within the frame of administrative authorisation procedure (EIA approval and planning permission, see Section 2.1.4.). The procedure in the administrative authorisation procedure provides all interested third parties with the possibility to express their views and objections with regard to the planned renewable energy projects (see Section 2.1.4.). The process exists, but not many use it (OEB, 2020). In many cases, stakeholders' interests are rarely taken into consideration. As the objections are rare, due to the legal system (s. Barriers 4.1), the only way that stakeholders can make their voices heard is through the publication of newspaper articles.

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	However, this has led, at least in one case, a project developer to sue environmental organisations for libel and loss economic gains (Terra Cypria & Birdlife Cyprus, 2020).
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