

## SPANISH RDL 7/2025: "ANTI-BLACKOUT" AND PRO-RENEWABLES.

Government approves Royal Decree-Law 7/2025, of 24 June, to reinforce the power grid ("**RDL 7/2025**") and facilitate the deployment of renewables and battery storage.

Some of the most significant measures adopted in relation to renewables and storage are as follows:

- **Introduction of the obligation to obtain a provisional operating licence for testing, prior to obtaining a final licence, for production and storage facilities:** the deadline for obtaining this licence will be five years. This five-year deadline replaces the deadline applicable to the final operating licence. There is thus no longer any requirement to obtain the final operating licence within the five-year deadline, which is replaced by the requirement to obtain a provisional operating licence.
- **Exceptional extension of the fifth milestone (obtaining a provisional administrative operating licence) for facilities with access and connection permits until the entry into force of the RDL. This extension is also applicable to facilities that have already obtained an extension of this period under Royal Decree-Law 8/2023, which may request that the date they originally chose be brought forward or pushed back.**

The holders of access and connection permits obtained after 27 December 2013 but before the entry into force of the RDL may, once they have obtained the administrative construction licence ("ACL"), request the extension of the five-year deadline for obtaining the provisional administrative operating licence, though under no circumstances may this deadline exceed eight years. The eight-year deadline will be counted from:

- 25 June 2020 for facilities that obtained an access permit between 27 December 2013 and 25 June 2020.
- The date the access permit was obtained for those that obtained it between 25 June 2020 and the entry into force of the RDL.

Therefore, facilities that have already obtained an extension of this deadline under Royal Decree-Law 8/2023 may apply for a further extension within the aforementioned eight-year deadline. Extensions granted under said Royal Decree-Law will be understood to refer to obtaining the provisional operating licence for testing.

The deadline for submitting applications is two months as from 25 June 2025 or the date on which an ACL is obtained.

### Key issues

- The fifth milestone is redesigned and extended to September 2025, with a possible extension of up to eight years.
- Injunctions suspending permits will also suspend milestone deadlines.
- Equivalent minimum operating hours and the threshold for 2025 are reduced by 25%.
- Facilitation of the development of electrochemical storage facilities, especially through hybridisation.

As with the mechanism established in Royal Decree-Law 8/2023, applications must indicate the six-month period of the calendar year in which the provisional administrative operating licence for testing will be obtained and a commitment to accept that licences cannot be obtained prior to the start of such six-month period.

- **Automatic extension of the deadline for meeting the fifth milestone for facilities obliged to meet it by 25 June 2025**

The RDL includes an automatic extension to 25 September 2025 of the deadline for meeting the fifth milestone in the case of facilities obliged to do so by 25 June 2025. Such facilities may also benefit from the extension mechanism described in the previous section.

- **Express regulation of the mechanism for obtaining provisional and final operating licences when several facilities share common infrastructure and one of the developers wants to commence operations at its facility before the facility processing such infrastructure**

In such cases, a partial provisional / final operating licence may be granted for the shared transmission infrastructure in the name of its owner. This licence will allow the provisional / final licence for the generation facilities to be granted, provided that it is expressly stated that the facility allows all energy generated to be transmitted.

The provisional / final licence for the facility must include both the generator farm and its transmission infrastructure up to connection with the grid for transmission or distribution, and where appropriate, the transformation of electrical energy.

Where grid managers have not obtained a final operating licence for the connection points, the provisional operating licence need only include the generator farm and transmission infrastructure up to at least the last 100 metres to the connection point.

- **Final administrative operating licences will be obtained upon completion of the operating licence tests and will require obtaining the final operational notification (FON) where necessary.**
- **Suspension of milestone deadlines where injunctions are ordered rendering the administrative licences granted temporarily ineffective**

The calculation of milestone deadlines, including any extensions obtained on such deadlines, may be suspended when it is shown that the ordering of an injunction—in administrative or contentious proceedings—has suspended the force and effect of the licences obtained.

For this purpose, the injunction order must be filed with the grid manager who granted the access and connection permits and the authority responsible for licensing the project.

The developer must report the lifting of the injunction within three months of receiving notice of lifting. Failure to report this within such deadline will result in the automatic expiry of the access and connection permits.

- **Declaration of public utility of storage facilities for expropriation purposes:**

Article 54.1 of Electricity Sector Act 24/2013, of 26 December ("LSE"), is amended to include storage facilities that feed power into the grid for transmission or distribution amongst facilities declared as having public utility recognised for the purposes of expropriation proceedings.

- **Simplified processing of hybridisation by means of hybridised electrochemical storage facilities under state jurisdiction:**

- The RDL declares urgent for reasons of public interest those licensing procedures for hybridisation by means of electrochemical storage facilities under state jurisdiction and which do not require (i) an ordinary environmental impact statement ("EIS"); or (ii) a declaration of public utility ("DPU"). This will reduce permit processing times by half.
- These facilities are exempted from the environmental review process when they are to be located in the original boundary lines of the hybrid generation facility and said facility has a favourable EIS.
- Prior administrative licences ("PAL") and administrative construction licences ("ACL") will be processed jointly.

- **Priority redispatch to avoid penalising hybridisation through storage:**

Section 3 of Annex XV to Royal Decree 413/2014 is amended to establish the following order of priority for the transmission of energy produced (ordered from highest to lowest priority) when using non-market-based downward redispatch:

1. Facilities using renewable energy sources, including those that incorporate storage technology that does not consume directly from the grid and those that incorporate storage that consumes directly from the grid and have an installed capacity equal to or less than the installed capacity of the generation module.
2. High-efficiency cogeneration facilities.
3. Other technology.

This order of priority will apply provided that the power grid supply quality and safety conditions are safeguarded, under equal economic conditions and with the limitations established by the operator of the grid or, as the case may be, the distribution network operator in accordance with regulation.

Generators whose technology contributes most to ensuring the power grid supply quality and safety conditions will also be given priority.

This new order of priority will enter into force no later than one month as from 25 June 2025.

- **Article 39.3 LSE is amended to exclude storage facilities from the definition of consumer for the purposes of the limitations of more than one consumer per facility:**

In accordance with article 39.3 LSE, all facilities intended to supply more than one consumer will be considered a distribution network and will be assigned to the distribution company for the area. Such facilities will be open for use by third parties.

A new paragraph is now added to said article to exclude from the definition of consumer those hybridised storage facilities that can consume power

directly from the grid, as well as autonomous storage facilities that consume and feed electricity from the grid.

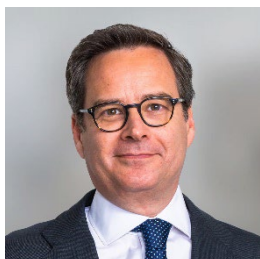
- **Promotion of the repowering of production facilities in service:**

- A legal definition of repowering is included, to mean the renovation of such facilities. Renovation may include the total or partial replacement of the facilities, operating systems or equipment, with the aim of replacing machinery, improving efficiency, or increasing power or installed capacity.
- Processing times for repowering are halved, provided that repowering is carried out for less than 25% over the original installed capacity.
- The environmental assessment of the repowering, where necessary, will be limited to the impact of the amendment of the original project. This will also apply to the hybridisation of facilities.

- **Reduction in the number of minimum equivalent operating hours and operating threshold for 2025**

As an exception, the current number of equivalent minimum operating hours and operating threshold for 2025 applicable to standard facilities are reduced by 25%.

## CONTACTS



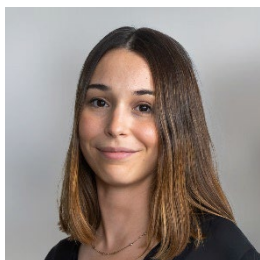
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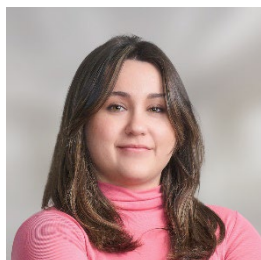
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