November 2025

The Network Act – new rules for grid connection

On 5 March 2026, the Senate voted on the Act of 27 February 2026, amending the Energy Law and certain other acts (UC84), also known as the **Network Act**. After the Sejm has decided on the Senate's amendments, the act will be sent to President Karol Nawrocki for signature.

The amendment is intended to significantly reform the connection procedure, limit the practice of blocking connection capacity becasue of projects that are not implemented, and improve the transparency of connections. These solutions, largely modeled on British solutions, have met with numerous objections from the renewable energy industry, which accuses the government of tightening requirements for investors at the stage of applying for connections. The Ministry of Climate argues that the changes will release connection capacity occupied by so-called “zombie projects”, i.e., investments for which connection conditions have been issued but which have not been implemented for years. This will create opportunities for new RES investments and energy-intensive consumers, such as data centers.

The Network Act marks the first step in the so-called “anti-blackout package” i.e. a broader initiative of regulatory changes aimed at increasing the resilience of the National Power System to disruptions and breakdowns.

Below, we present the new rules for connecting to the grid based on the Network Act.

Changes in the grid connection procedure

Application for grid connection conditions

The applications for grid connection conditions (**GCC**) with a rated voltage above 1 kV may also be submitted in an electronic form or via a dedicated IT system - if the application is addressed to a Transmission System Operator (**TSO**) or a Distribution System Operator (**DSO**) serving at least 100,000 customers. The SOs should launch a dedicated system within 24 months of the Network Act coming into force.

The SO will notify the applicant on the completeness of the application or on any identified lacks within 60 days from the date of receipt of the application. The SO will be obligated to inform about the application's status at least every 3 months (the status will be available in a dedicated IT system).

New fee for submitting the GCC application

Entities applying for a grid connection above 1 kV are required to pay a new, non-refundable fee in addition to the standard advance payment. This so-called „application fee" will be paid to the SO and is intended to cover the costs of processing the application (also when it is ultimately left unrecognized) and will amount to PLN 1 per kW of requested connection capacity, capped at PLN 100,000. The application fee is charged separately for each connection point specified in the GCC application.

Increase in the advance payment for the connection fee

The advance payment for a grid connection above 1 kV will increase from the current rate of PLN 30/kW of requested capacity to PLN 60/kW of requested capacity. The maximum cap on this advance payment will be raised from PLN 3,000,000 to PLN 6,000,000.

The advance payment will not be required in cases, when the application pertains to another installation to be connected at the same coupling point without increasing the connection capacity (if the GCC for a given connection point have already been issued), as well as in the case of a change in the technical parameters of the installation.

Security for the execution of the GCC

Applicants for a grid connection above 1 kV (including the consumption installation) will be required to provide a performance security not later than 14 days after the concluding the GCA under penalty of the GCA's expiration by law.

The security amount will be PLN 30/kW (with respect to a connection capacity of up to 100 MW), or PLN 60/kW (in respect of capacity above 100 MW), with a cap of PLN 12,000,000.

Accepted forms of security include: (i) a cash deposit into a designated bank account, (ii) an insurance or bank guarantee, or (iii) a surety from a company within the same capital group, together with aa declaration of submission to enforcement, meeting the requirements specified in the Draft (including the financial institution's registered office in an EEA country and a minimum credit rating of BBB/Baa2).

The performance security will be refunded within 30 days after the connected entity notified the SO in writing of its resignation from the issued GCC (resignation results in the simultaneous expiration of the GCC); or in case of:

1. all obligations under the grid connection agreement (**GCA**) having been fulfilled,
2. refusal to issue the GCC or conclude a GCA due to the lack of technical or economic conditions for connection, or
3. termination or withdrawal termination or withdrawal from the GCA at the request of the connected entity submitted within:
    a. up to 6 months from the date of conclusion – the SO retains or executes 10% of the security,
    b. up to 12 months from the date of conclusion – the SO retains or executes 25% of the security,
    c. from 12 to 24 months from the date of conclusion – the SO retains or executes 50% of the security,
    d. from 24 to 36 months from the date of conclusion – the SO retains or executes 75% of the security deposit.

Along with the return of the security provided in the form of a deposit, interest is paid on the amount of the security provided at a rate equal to the interest rate on the account to which the deposit was paid. The security provided in the form of a deposit may be credited in whole or in part towards the fee for connection to the grid.

Otherwise, i.e. if GCA is not concluded or if the GCA is terminated/withdrawn after 36 months from the date of conclusion, the security will not be refunded.

Declarations instead of legal title and planning documents

Until now, applications for the GCC for generation sources had to include documents confirming legal title to the real estate on which the connected unit is to be located, as well as planning documents (e.g., an extract from the local zoning plan or a decision on building conditions). Under the Network Act's provisions, the applicant will submit a declaration that the planned investment complies with the local zoning plan/zoning decision and that they have legal title to use the property.

The SO may request that the GCC application be supplemented with the above documents, setting a deadline of no less than 21 days for this purpose. This requirement also applies to installations and equipment other than generation sources (including receiving installations, storage facilities, and networks).

Shortened validity period of the GCC

The validity period of the GCC issued for the power grid has been reduced to one year, with exceptions including offshore wind farm investments and investments in nuclear power facilities.

The deadline for requesting dispute resolution by the ERO regarding a refusal to issue the GCC

Under the Network Act, the deadline for submitting a request to the President of ERO for dispute resolution concerning the refusal of connection to a grid with voltage above 1 kV will be reduced to a 6-month deadline (applies to all types of installations and networks).

Modification of the issued GCC and re-verification of GCC

The issued GCC during their validity, constitute the conditional obligation to conclude a GCA (applies to connection to the electricity or heating network; no such obligation applies to the gas network). Under the new regulations, during the time of the GCC's validity, the SO, at the request of the connected entity can modify the already issued GCC, in particular in the scope of location of the planned installation (in such case, only to the area of the municipality or municipality directly bordering the planned investment site).

At the stage of concluding the GCA, the SO will be able to re-verify the technical and economic conditions for connecting the consumption installation to a network with a voltage higher than 1 kV, and if these conditions are not met, refuse to conclude the GCA; this may be important for energy-intensive data centers.

Uniform set of connection rules

The SOs serving at least 100,000 customers will develop a uniform set of rules describing at least the procedures, deadlines, and criteria used when considering applications for connection to the power grid and will publish them on their websites or in an IT system. The first uniform set of connection rules is to be published by the SOs by 31 August 2026.

Grid connection agreement and Milestone

Under the Network Act, the connected entity will be required to reach a project milestone by obtaining the permits necessary to achieve at least 80% of the installed capacity of the generation or storage unit (50% for the consumption installation) within the specific deadlines:

a) **24 months** from the date of concluding the GCA - for photovoltaic modules, converters, energy storage facilities, and consumption installations,

b) **36 months** from the date of concluding the GCA - for onshore wind energy installations and biogas-based electricity generation installations as well as transformer foundations and electrical switchgear, or

c) **60 months** from the date of concluding the GCA - for installations necessary for powering the railway traction network, and installations and buildings for railway traffic control.

The connected entity must notify the OS of obtaining permits, and the SO must notify the connected entity within 60 days of the fulfillment or non-fulfillment of the requirements, which results in the expiry of the UP by operation of law.

The connected entity can apply for a one-time prolongation of the above deadlines for no more than 24 months. The application must include a justification for the prolongation and relevant documentation confirming the progress of the installation's development. The prolongation will require additional security (PLN 60 / kW, up to a maximum of PLN 12,000,000.00).

The GCA will not expire by law if the connected entity has failed to meet the Milestone due to circumstances beyond its control, understood as:

1. the occurrence of a natural disaster or act of war, terrorist act, civil unrest, or other political or social event disrupting the functioning of the energy infrastructure or public administration bodies,
2. the introduction of export or import restrictions, embargoes,
3. the establishment of a closed area protection zone determined by the Ministry of National Defense;
4. disruptions in global or local supply chains of components and technologies necessary to implement of the investment, which are not the fault of the connected entity, or
5. protracted administrative proceedings, including delays in issuing decisions, permits, agreements, or opinions by public administration bodies, if the connected entity exercised due diligence in submitting applications and supplements in a timely manner.

Flexible GCA

The Network Act introduces a new type of GCA, "the **flexible grid connection agreement**" in case the connection to the grid without import/export curtailments requires network development and it is not possible using the existing infrastructure. Flexible GCAs will specify the necessary scope of network development. Curtailments should be binding within the period of the network development, but no longer than 3 years since the date of completion of the connected installation and obtaining the use permit, if necessary.

The SO will notify the entity that has concluded a flexible UP of the completed network expansion no later than 30 days after the date of completion of the expansion.

Configurable GCA

Under the Draft, if connection without import/export curtailments is not feasible despite the planned network development, the configurable GCA can be concluded. The curtailments specified in the GCC, the configurable GCA or distribution services agreement concluded based on the above documents, may vary over the time and may refer to defined events or parameters related to network operation, such as:

a) time slots,

b) network congestion conditions at the connection point,

c) operating parameters of third-party installations, or

d) the level of reserves available in the system.

Curtailments can apply for an undefined term. The SO that has concluded a configurable UP is not obliged to take action to remove such restrictions. In addition, the parties to a configurable GCA may agree on a connection fee covering the actual costs of the connection and other costs necessary to perform this agreement.

Areas of no connection

In the network development plan, the SO may specify the areas where it is not possible to connect new installations to the grid above 1 kV. In such cases, the SO must indicate the reasons for the unavailability of the connection and the conditions necessary to change the status of these areas.

TSO's contest for new connection capacities

Under the Network Act, the TSO may allocate new connection capacity for PV installations, onshore wind farms, or electricity storage facilities at no more than two substations for the period 2026–2028, by way of contests.

The TSO will determine the rules for organizing the contests and the qualification procedures after public consultation and approval by the President of ERO.

Cable pooling not only for RES installations

The Network Act removes the limitation for cable pooling to RES sources. This change opens up the possibility of sharing connections for installations using different technologies although this will be particularly beneficial for energy storage facilities (financed separately from the co-located RES installation).

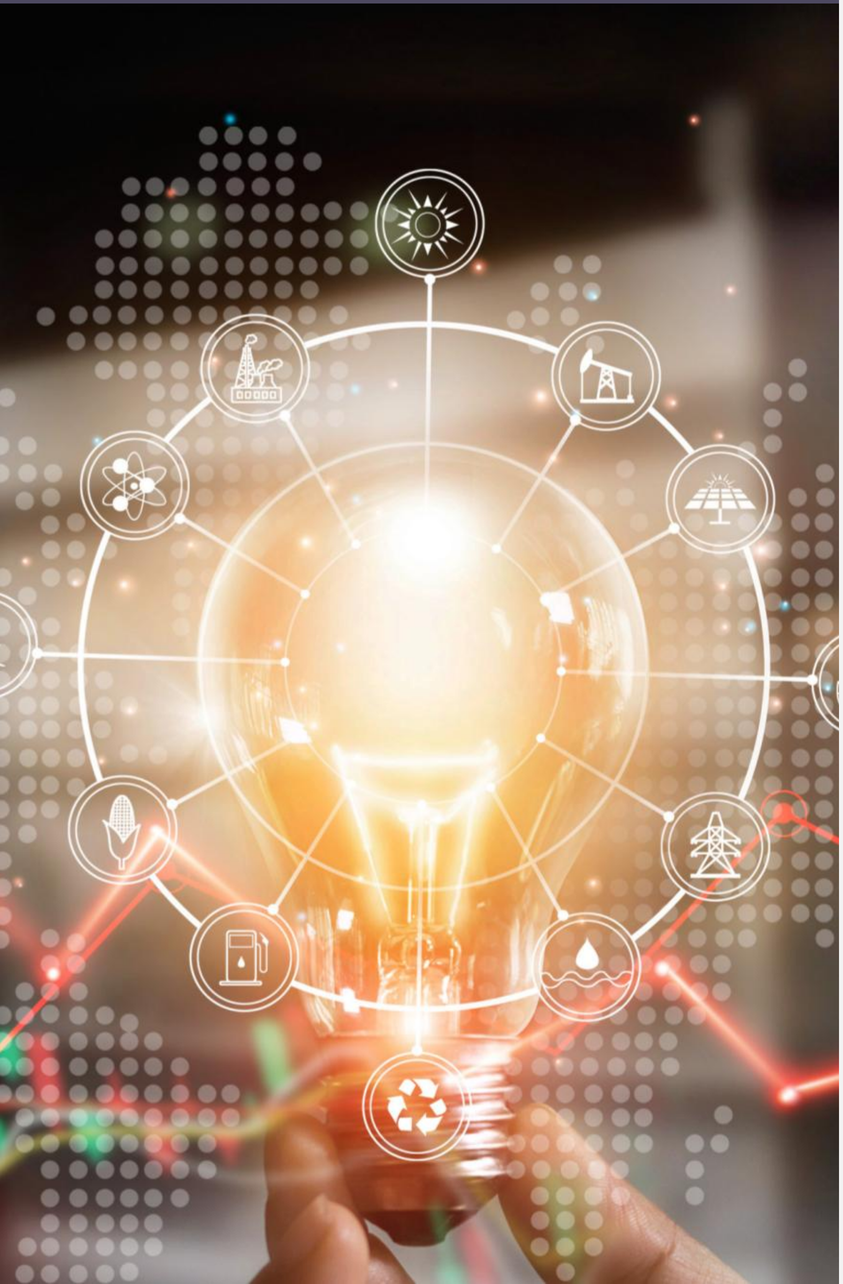
When applying for cable pooling, there is no obligation to pay an advance payment for the connection fee and the scope of the grid connection impact assessment has been limited (no flow analysis).

Publication of connection information by TSOs and DSOs

Besides changes to the connection procedure, TSOs and DSOs serving more than 100,000 customers, must develop publicly accessible IT systems displaying grid connection information currently required under Article 7(8l) of the Energy Law. The scope of information is to be expanded by:

- the names of entities applying for the connection of installations, devices, or networks to the power grid with a rated voltage higher than 1 kV, locations of connection points, connection capacity, type of installation, devices, networks, dates of issue of connection conditions, the conclusion of agreements for connection to the power grid, and the commencement of electricity supply;
- the total available connection capacity for installations, as well as planned changes to these values over the next 5 years from the date of their publication, for the entire network;
- the issued GCC refusals for voltage higher than 1 kV, together with the reasons for refusal, connection points, connection capacity, type of installation, equipment or network, date of application for a connection permit, and date of advance payment, and
- the criteria used to calculate the capacity of the power grid available for new connections and the possibility of flexible connection in areas where transmission constraints exist.

The information is to be updated by the TSO at least once a month, and by the DSO at least once every three months, taking into account the expansion and modernization of the network as well as completed and ongoing connections, and be published on their website or IT system.



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Transitional provision

The amendments will significantly affect the practices of both entities applying for the connection and SOs.

The new connection rules will also apply:

a) to issued GCCs expiring later than six months after the Network Act enters into force but for which no GCA has been signed — it will be required to supplement the advance payment and submission of the security (respectively, 6 months from the date of entry into force of the Network Act) and to produce a performance security in the amount of ¼ of the security value calculated according to general principles;

b) the GCC submitted but not completed before the date the Network Act enters into force of– the applicant must pay a submission fee within 60 days of the Network Act coming into force), supplement the advance payment to the new amount within 30 days of receiving the GCC or within 60 days of the Network Act coming into force for entities that were not previously required to make an advance payment (e.g., concumption installations connected to a network with a voltage above 1 kV) and submit security, and

c) for concluded GCA, where the connection deadline exceeds 3 years – the security must be supplemented within 6 months from the date of Network Act enters into force of the in the amount of ¼ of the security value calculated according to general principles.

Failing to supplement the advance payment or security deposit will result in the GCC or GCA becoming invalid or expiring, and the applications will be left unrecognized.

The security submitted by the entity applying for connection to the network before the date of entry into force of the Network Act based on the GCA's provisions will be credited towards the security for the performance of the GCC.

The GCAs concluded no earlier than 48 months before the date of entry into force of the Network Act will expire by law if the entity fails to notify the SO of obtaining the necessary consents and permits within:

- 30 months (for PV installations, storage facilities, and consumption installations) or
- 42 months (for wind farms and biogas installations),

counted from the Network Act's date of entry into force.

For GCAs concluded earlier than 48 months before the Network Act;s entry into force, the connected entity must notify the SO of obtaining the necessary consents and permits within: (i) 3 months for PV installations, storage facilities, and biogas installations, and (ii) 6 months for wind farms, from the Network Act's date of entry into force.

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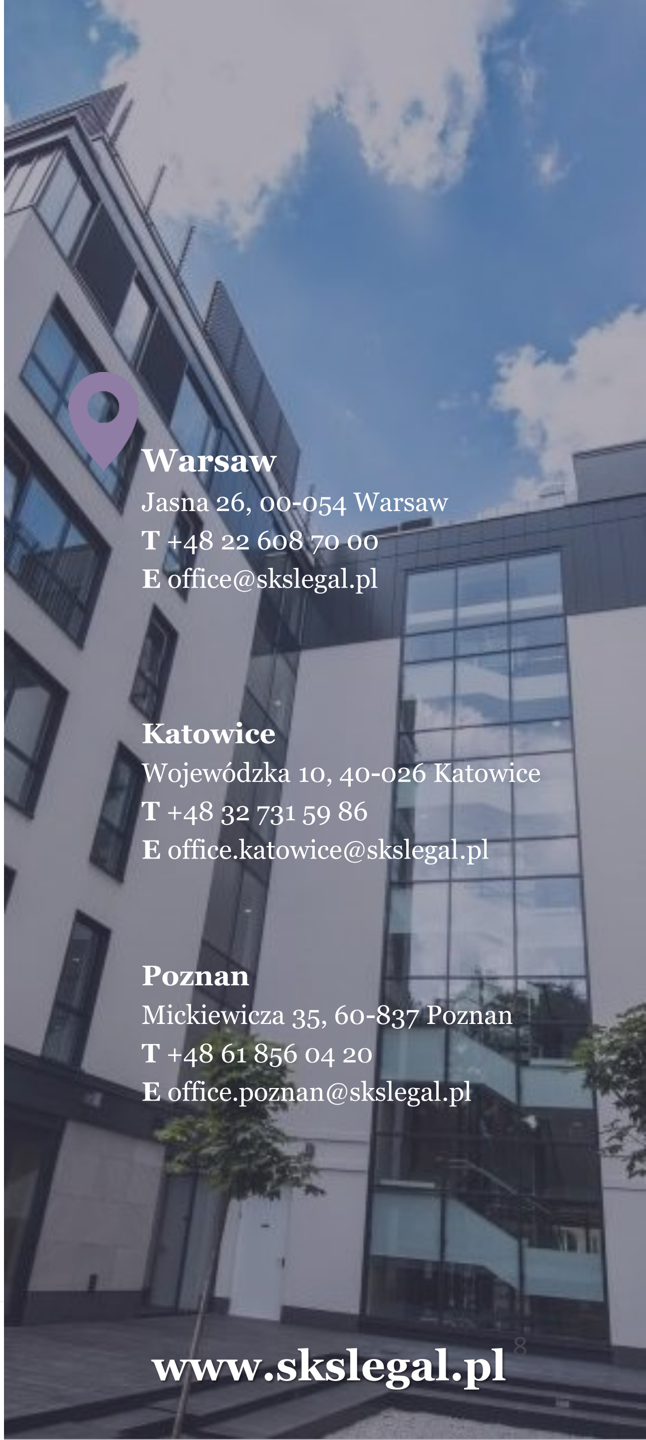

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