

“Anti-blackout” package - update of the so-called Network Act (UC84 – connection changes)

On 24 March 2025, a draft amendment UC84 to the Polish Energy Law Act was published, also referred to as the Network Act (**Draft**). The planned changes aim to modify the grid connection procedure, unlock the grid connection capacity which is now blocked by the project not intended to be developed, ensure better use of grid infrastructure, and improve transparency in the connection process. On 12 November 2025 the third update to the Draft has been released, further amending previous changes.

The Draft is to be a part of the broader modifications within the so-called “Anti-blackout” package – initiative of numerous regulatory changes to improve the resistance level of National Electricity System for disruptions and breakdown. This document presents an overview of the most important changes included in the Draft (after updating) regarding connection to the grid.

Changes in the grid connection procedure

Application for grid connection conditions

Under the Draft, applications to determine grid connection conditions (**GCC**) for grids with a rated voltage above 1 kV can be also 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 System Operator (**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 (status available in a dedicated IT system).

New fee for submitting the GCC applications

Entities applying for a grid connection above 1 kV will be 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 System Operator and is intended to cover the costs of processing the application (also when it is ultimately left without consideration) and will amount to PLN 1 per kW of requested connection capacity, capped at PLN 100,000. In case of offshore wind projects, the fee is paid for the first application for preliminary connection conditions.

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 (provided that the GCC for a given connection point have already been issued), as well as in the case of change in the technical parameters of the installation.

Security for the execution of the GCC

Applicants for a grid connection above 1 kV will be required to provide a performance security not later than 30 days prior to conclusion of the GCA (in previous version of the Draft – 60 days after delivery of GCC). The amount will be PLN 30/kW (with respect to 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) surety from a company within the same capital group, together with a 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 security is refundable within 30 days of a written notification to the SO that:

- a) the applicant has withdrawn from the GCC within 30 days of its delivery (which renders the GCC void), or
- b) all obligations under the grid connection agreement (**GCA**) have been fulfilled, or
- c) refusal to issue a GCC or conclude a GCA due to the lack of technical or economic conditions for connection, or
- d) termination or withdrawal from the GCA agreement if the obligations of the connected entity have not been fulfilled for reasons attributable to the SO.



In other cases—when no GCA is concluded or GCA was terminated due to reasons other than attributable to the SO — the security will not be refunded.

The above instruments, i.e. the application fee, the increased advance payment, and performance security, are expected to encourage more cautious submissions of GCC applications and to counteract the blocking of grid capacity by projects that are not intended for actual implementation.

Declarations instead of legal title and planning documents

Currently, GCC applications for generation units must include documents confirming legal title to the land and relevant planning documents (e.g. a local zoning plan extract or a zoning decision). The Draft proposes that these documents shall not be submitted with the GCC application. Under the new regulations, the applicants will make declaration on holding legal title to the property and on compliance with the zoning plan or holding other planning permission. The SO may request submitting these documents within the designated deadline but no shorter than 21 days.

This requirement will be extended to installations and equipment other than generation units, which means that it will also apply to receiving installations and storage facilities.

Shortened validity period of the GCC

Currently, GCCs are valid for two years from the date of delivery. The Draft reduces this period to one year with an exception to offshore wind farm projects.

Modification of issued GCC and re-verification of GCC

Issued GCC during its validity constitute the conditional obligation to conclude 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 GCC's validity, the SO at the request of the connected entity can modify the already issued GCC in the scope of location of the planned installation (except for the electricity distribution network), but only to the area of the municipality or municipality directly bordering the planned investment site. The possibility of changing the location does not apply to the location of the substation forming part of the connected installation.

The SO will also be able to re-verify the technical and economic conditions for connection and to refuse to conclude the GCA, if the SO will identify the lack of technical or economic conditions.

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

It is assumed that a 6-month deadline will be introduced 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 (applies to all types of installations and networks).



Grid connection agreement and Milestone for necessary permitting pozwolen

The proposed changes introduce binding **project milestone for 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 conclusion of the GCA - for photovoltaic modules, converters, energy storage facilities, and consumption installations, or
- b) **36 months** from the date of conclusion of the GCA - for onshore wind energy installations and biogas-based electricity generation installations as well as transformer foundations and electrical switchgear;
- c) **60 months** from the date of conclusion of the GCA - for installations necessary for powering the railway traction network, installations and buildings for railway traffic control.

The connecting entity is required to notify the SO of the obtaining of all permits prior to the respective deadlines. Subsequently, within 60 days, the SO must inform the connecting entity whether the milestone has been met or not and, consequently, that the GCA is being terminated

Under the Draft, the connected entity can apply for one-time prolongation of above deadlines of no more than 24 month. The application must include justification of 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).

If the failure to meet the above deadlines is the result of an event of force majeure, the connected entity must inform the SO of each such event attaching the documents confirming the occurrence of the force majeure event and indicating the time required for the development of the installation, considering the delays due to force majeure.

Flexible GCA

The Draft introduces a new type of GCA, the “**flexible grid connection agreement**” in case the connection to the grid without import/export curtailments requires the 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 use permit, if necessary.

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, 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;
- d) level of reserves available in the system.

Curtailments can apply for the indefinite period of time.

Areas of no connection

(previously as preferable locations for new RES)

The SO may specify in the network development plan 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 connection and the conditions necessary to change the status of these areas.

It should be noted that the previously proposed wording of the Draft envisaged the introduction of four categories of areas depending on the timeframe for connection and the connection contest for the preliminary GCC issued for specified areas. The current (third) text of the Draft diverges from this model as it does not require the SO to indicate areas of preferred locations for new RES sources, conduct a connection contest or conclude a GCA for the winning bids.

TSO's contest for new connection capacities

According to the current version of the Draft, 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 organising the contests and the qualification procedures after public consultation and approval by the President of ERO.

Throughout the qualification process, preliminary GCCs will be issued, entitling the holder to participate in the TSO's contest. No grid connection impact assessment after the contest is prepared, and no security is established for the purposes of issuing the preliminary GCC. It seems that this procedure is designed to verify feasibility of the connection contest procedures (and impact on regulated revenue).

Cable pooling not only for RES installations

The Draft also introduces long-awaited changes regarding the connection of multiple installations to a single connection point, known as cable pooling.

Under the current regulations, cable pooling is expressly permitted only for RES installations. The removal of this restriction will allow connection at the same point of installations using different technologies. 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).

It is also intended to clarify on lack of the obligation to pay an advance payment for the connection fee for installations connected as part of cable pooling, and the scope of the grid connection impact assessment has been limited (no flow analysis). The Draft excludes applicability of cable pooling rules to end-user's power supply points.

Publication of connection information by TSOs and DSOs

Besides changes to the connection procedure, the Draft introduces new obligations for the SO, in particular TSOs and DSOs serving more than 100,000 customers, to develop publicly accessible IT systems displaying grid connection information currently required under Article 7(81) of the Energy Law. The scope of information is to be expanded by:

- names of entities applying for 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, or networks, dates of issue of connection conditions, conclusion of agreements for connection to the power grid, and 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 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 data must be updated at least monthly.

The information is to be updated at least once a month by the TSO and every 3 months by the DSO, taking into account the expansion and modernization of the network as well as completed and ongoing connections, and published on its website or IT system.

Transitional provision

If enacted as currently drafted, the amendments will significantly affect the practices of both applicants and SOs. The transitional provisions foresee the application of the new rules to:

- a) GCCs expiring later than six months after the new regulations come into force but for which no GCA has been signed — it will be required to supplement the advance payment and submission of security (respectively, 6 months from the date of entry into force of the Draft in respect of the advance payment and 60 days from the date of entry into force of the Draft in respect of the security, unless the validity period of the GGC expires earlier than 6 months after the entry into force of the Draft, or the GCA is concluded with a connection date later than 3 years from the date of entry into force of the Draft, in which cases the security is supplemented within 6 months from the entry into force of the Draft);
- b) GCC submitted within processing not completed before the date of entry into force of the Draft – the applicant must pay a submission fee, supplement the advance payment to the new amount, and provide the performance security;
- c) in case of concluded GCA, where the connection deadline exceeds 3 years – the security must be supplemented within 6 months from the date of entry into force of the Draft.

If the advance payment or security deposit is not supplemented, the GCC or GCA shall respectively expire or become terminated.



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