

Ministerial Draft

of the Federal Government

Regulation on Technical Requirements for Energy Installations

(Energy Installation Requirements Regulation – EAAV [Energieanlagen-Anforderungen-Verordnung])

A. Problem and objective

The German government has set itself the goal of covering 80 per cent of Germany's gross electricity demand from renewable energies by 2030, which is forecast to be around 660 terawatt hours at that time. This goal can only be achieved if renewable energy installations can be commissioned quickly and their connection to the respective grid interconnection points of the distribution grid operators can take place without delay.

In recent years, however, there have been delays in some cases in the connection of electricity generating plants in the 135 kilowatt to 950 kilowatt power class that were to be connected to the medium-voltage grid. This was due, among other things, to delays that occurred in the certification procedures (without necessarily being due to deficiencies in these procedures). Through various measures, this so-called 'certification backlog' has since been cleared. However, there is still a need for optimisation, especially for generating plants up to 500 kilowatts, among other things with regard to the requirements for these installations and the evidence to be provided in the operating permit procedure.

The aim of this Regulation is to supplement the 'Regulation on the Amendment of the Electrotechnical Properties Verification Ordinance' with minor material technical requirements in the best possible way. The interaction of both regulations is intended to accelerate the verification procedure for generation and storage installations in the power class up to 500 kilowatts as a significant part of the operating permit procedure for grid connection. At the same time, system safety aspects will be taken into account. This will make the procedure suitable for the masses. Photovoltaic installations in particular, and here again especially rooftop installations, are likely to benefit from the regulations that have been adopted. In this way, the present Regulation also contributes to achieving Goal 7 of the UN 2030 Agenda for Sustainable Development.

B. Solution

In view of the expected and, in order to achieve the goals of the federal government, also necessary expansion of renewable energy installations, especially in the power class up to 500 kilowatts, a new and long-term solution is being created in the Electrotechnical Properties Verification Regulation (Elektrotechnische-Eigenschaften-Nachweis-Verordnung (NELEV)). This provides that the exemption from the certification obligation regulated in the NELEV for generating plants that are to be directly connected to a low-voltage grid of the general supply will be significantly adapted. This exemption is transferred to such generation and storage installations that have a maximum total installed capacity of up to 500 kilowatts and a maximum feed-in capacity of 270 kilowatts behind a connection point with a general supply grid, regardless of the voltage level.

At the same time, the present Regulation amends the technical requirements applicable to generation and storage installations in the power segment from 135 to 500 kilowatts to en-

able the facilitations provided for in the Regulation amending the Electrotechnical Properties Verification Regulation, which enters into force in parallel, to come into force immediately. Thus, it is not necessary to wait until the Technical Connection Rules (TCR) have been revised by the Forum Netztechnik/Netzbetrieb in the VDE Verband der Elektrotechnik Elektronik Informationstechnik e.V. (VDE-FNN). In order to facilitate future mass business, the same requirements will then apply in principle to the installations concerned as to installations connected to a low-voltage general supply network. In the process, the requirements will be expanded to include system safety aspects in order to take into account the system stability of the electricity supply grids. In the transitional phase until the TCR is adapted by the VDE-FNN, this will be regulated in a simplified form based on a few additional requirements for the generation and storage installations concerned.

C. Alternatives

The obligation to comply with the minor technical requirements regulated in this Regulation is absolutely necessary to ensure the system stability of the electricity supply networks. In principle, this could also be achieved by adapting the TCR for the grid connection of generating plants to a low-voltage general supply grid of the VDE-FNN. However, the adaptation of the TCR will take some time. However, since a speedy entry into force of the Regulation amending the Electrotechnical Properties Verification Regulation is necessary for the simplification and acceleration of grid connection procedures, the present Regulation must be applied at the same time. It is envisaged that the present Regulation will be repealed after the TCRs have been adapted accordingly by the VDE-FNN within the framework of technical self-administration.

D. Budgetary expenditure exclusive of compliance costs

Public finances will not be affected.

E. Compliance costs

E.1 Compliance costs for citizens

The provisions have no effect on the compliance costs for citizens.

E.2 Compliance costs for businesses

This Regulation, in conjunction with the Regulation amending the Electrotechnical Properties Verification Regulation, reduces the current requirements for the operating permit procedure for the connection of generating installations to a medium-voltage grid or a higher-voltage level of the general supply with a cumulative installed capacity of up to 500 kilowatts. This eliminates the obligation to provide an accredited certification body with evidence of compliance with the technical requirements for the entire installation. Consequently, there is no compliance burden for operators of generation and storage installations, but rather a considerable, annually effective relief.

Although this Regulation imposes technical requirements on generation and storage installations with a cumulative installed capacity of up to 500 kilowatts, these are significantly lower than the requirements otherwise to be met by the technical rules for generating plants connected to a medium-voltage grid (in particular VDE-AR-N 4110 Application Rule:2018-11 Technical requirements for the connection and operation of customer instal-

lations to the medium-voltage network (TCR medium voltage)) or the corresponding technical rules applicable at a higher-voltage level. There is therefore no additional compliance burden for installation operators, but rather a relief totalling around EUR 236,000 per year.

It should be noted that this Regulation will only be applied temporarily, as it is only intended to bridge the period until the relevant TCRs for generating installations are adapted or supplemented with system safety requirements.

Of which administrative costs arising from obligations to provide information

None.

E.3 Compliance costs for the authorities

This Regulation does not affect the compliance burden of the administration.

F. Further costs

No further costs can be assumed.

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Regulation on Technical Requirements for Energy Installations

(Energy Installation Requirements Regulation – EAAV [Energieanlagen-Anforderungen-Verordnung])

Dated ...

On the basis of Section 12(3a) of the Energy Industry Act of 7 July 2005 (Federal Law Gazette I p. 1970, 3621), which was last amended by article XX Number YY Letter ZZ of the law of XX December 2023 (Federal Law Gazette I p. XXXX) has been amended, decreed by the Federal Ministry for Economic Affairs and Climate Protection¹:

Section 1

Purpose and objectives of the Regulation

This Regulation aims to ensure the technical security and system stability of the electricity supply networks.

Section 2

Scope

This Regulation shall apply to:

1. generating installations and
2. installations for the storage of electrical energy

with a cumulative installed capacity of 135 kilowatts up to and including 500 kilowatts downstream of the same connection point to a general supply network.

Section 3

Technical requirements for installations

(2) Installations within the meaning of Section 2 with a maximum feed-in capacity of 270 kilowatts whose point of connection to the general supply grid is at medium voltage or a higher-voltage level shall, at the time of connection to the grid and during the entire period of operation, comply with the technical regulations of the association for generation installations with connection to a low-voltage grid referred to in Section 49(2) first sentence point 1 of the Energy Industry Act of 7 July 2005 (Federal Law Gazette I p. 1970; 3621), as amended, for generating installations connected to a low-voltage grid and to comply with the following additional requirements:

1. Compliance with the setting values for frequency capability and frequency protection in accordance with the technical rules for generating installations connected to a

¹)Notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).

medium-voltage grid of the association specified in Section 49(2) first sentence point 1 of the Energy Industry Act and

2. deactivation of islanding detection.

(3) For installations within the meaning of Section 2 which have a cumulative installed capacity of more than 270 kilowatts downstream of the same connection point with a general supply network, the following shall apply in addition to the requirements specified in (1) at the time of connection to the grid and throughout the period of operation:

1. higher-level decoupling protection devices shall be professionally installed and commissioned in accordance with the technical rules of the association referred to in Section 49(2) first sentence point 1 of the Energy Industry Act for generating installations connected to the respective voltage level,
2. a minimum value of 54 per cent of the installed active power of all generating installations operated downstream of the same connection point with the general supply grid shall be applied for monitoring the connected active power for feed-in contractually agreed with the grid operator; falling below this value is permitted insofar as the technical rules of the association specified in Section 49(2) first sentence point 1 of the Energy Industry Act for generating installations connected to a medium-voltage grid are complied with for monitoring the effective connected load contractually agreed with the grid operator.

Instead of a higher-level disconnection protection device pursuant to the first sentence point 1, an alternative device may also be used which is recognised in the technical rules for generating installations of the association specified in Section 49(2) first sentence point 1 of the Energy Industry Act as being equivalent to the disconnection protection device with regard to the protective function.

Section 4

Relationship to other legal provisions

(4) Section 49 of the Energy Industry Act shall remain unaffected.

(5) The provisions of the Electrotechnical Properties Verification Regulation of 12 June 2017 (Federal Law Gazette I p. 1651), as last amended by ... [insert: Date and reference of the Regulation amending the Electrotechnical Properties Verification Regulation] shall remain unaffected.

Section 5

Entry into force

This Regulation shall enter into force on the day following its promulgation.

Explanatory notes

A. General part

I. Objective of and need for the provisions

The German government has set itself the goal of covering 80 per cent of Germany's gross electricity demand from renewable energies by 2030, which is forecast to be around 660 terawatt hours at that time. This goal can only be achieved if renewable energy installations can be commissioned quickly and their connection to the respective grid interconnection points of the distribution grid operators can take place without delay. Against this background, there is a need to make the grid connection processes suitable for mass use, i.e. to speed them up and at the same time take system safety aspects into account.

In recent years, however, there have been delays in some cases in the connection of electricity generating plants in the 135 kilowatt to 950 kilowatt power class that were to be connected to the medium-voltage grid. The delayed grid connection in this installation segment was due, among other things, to delays that occurred in the certification procedures (without necessarily being due to deficiencies in these procedures). Through various measures, this so-called 'certification backlog' has since been cleared. However, there is still a need for optimisation, especially for installations up to 500 kilowatts, among other things with regard to the requirements for these installations and the evidence to be provided in the operating permit procedure.

The aim of this Regulation is to supplement the 'Regulation on the Amendment of the Electrotechnical Properties Verification Ordinance' (NELEV) with minor material technical requirements in the best possible way. The interaction of both regulations is intended to accelerate the verification procedure for generation and storage installations in the power class up to 500 kilowatts as a significant part of the operating permit procedure for grid connection. The technical requirements for generation and storage installations according to the Technical Connection Rules (TCR) of the Forum Netztechnik/Netzbetrieb im Verband der Elektrotechnik Elektronik Informationstechnik e. V. (VDE-FNN) are supplemented by this Regulation in such a way that the technical safety and system stability of the electricity supply networks are maintained despite the simplification of the verification process. In this way, the Regulation is also intended to contribute to the timely achievement of Goal 7 of the UN 2030 Agenda for Sustainable Development, i.e. "to ensure access to affordable, reliable, sustainable and modern energy for all".

II. Main content of the draft

Numerous measures have already been taken by the industry to avoid the delays and to overcome the challenges of connecting electricity generating plants, for example, training courses are offered and guides are made available. In addition, further simplifications are currently being discussed within the framework of technical self-governance.

Furthermore, the NELEV was not amended until mid-2022 in order to resolve the so-called 'certification backlog' at that time. For this purpose, it was made possible that within a transitional period until the end of 2025, electricity generating plants may be provisionally connected to the grid and put into operation, even if not all necessary proof of technical conformity has been provided for the respective installation. Installation operators can receive an installation certificate for these electricity generating plants under the condition that the necessary, missing verifications must be submitted within 18 months. The condi-

tional installation certificate thus merely enables earlier commissioning of the generating installation, but does not exempt it from the verification obligation. The purpose was to spread out the certification effort over time in such a way that the 'certification backlog' is resolved.

In view of the expected and, in order to achieve the federal government's goals, necessary expansion of renewable energy installations, especially in the power class up to 500 kilowatts, a new and longer-term solution is now being created.

This provides that the exemption from the certification obligation for electricity generating plants that are to be directly connected to a low-voltage grid of the general supply, which was previously regulated in Section 2(4) of the NELEV, will be significantly adjusted. This exemption will then apply to generating installations that have a maximum total installed capacity of up to 500 kilowatts and a maximum feed-in capacity of 270 kilowatts downstream of a connection point with a general supply grid, regardless of the voltage level. These limits ensure that the actual feed-in of the installations is comparable to the feed-in of installations that are directly connected to the low-voltage grid of the general supply.

At the same time, the present Regulation amends the technical requirements for these generating installations in order to allow the facilitations to enter into force immediately under the Amendment Regulation to the NELEV, which enters into force in parallel with this Regulation, i.e. even before the relevant TCRs of the VDE-FNN have been revised. For these installations, in order to facilitate future bulk business, the requirements for installations connected to a low-voltage general supply network will then apply. In doing so, the requirements are expanded to include system safety aspects. This takes into account the system stability of the electricity supply grids. In the transitional phase until the TCR is adapted by the VDE-FNN, this is regulated in a simplified form on the basis of a few additional requirements for the generation and storage installations concerned. Thus, the installations to which this Regulation applies must comply with the setting values for frequency capability and frequency protection according to the TCR of the VDE-FNN and deactivate islanding detection.

Furthermore, in the case of installations connected to a medium-voltage general supply grid or a higher-voltage level with a cumulative installed capacity of more than 270 kilowatts, a higher-level disconnection protection device or, as soon as such a device is available, also an alternative device recognised as technically equivalent to the disconnection protection device with regard to the protective function must be installed and put into operation. This higher-level disconnection protection device sits as a kind of 'fuse' at the grid interconnection point, and ensures that all installations downstream of the grid interconnection point are disconnected from the grid at the correct time in the event of a fault in the public grid. In this way, it makes another important contribution to system stability. As a further technical requirement, it must be ensured that the effective connected load contractually agreed with the grid operator is monitored and maintained at all times by technical devices.

III. Alternatives

The obligation to comply with the technical requirements regulated in this Regulation is absolutely necessary to ensure the system stability of the electricity supply network. In principle, this obligation could also be achieved by adapting the TCR for the grid connection of generating plants to a low-voltage general supply grid of the VDE-FNN. However, the adaptation of the TCR will take some time. However, since a speedy entry into force of the NELEV-ÄndV is necessary for the simplification and acceleration of grid connection procedures, the present Regulation must be applied at the same time. At present, the adaptation of the TCR for the grid connection of generating plants to a low-voltage general supply grid of the VDE-FNN is therefore not an alternative. It is intended that this Regulation will be repealed after the above-mentioned adaptation of the TCR.

IV. Regulatory Power

The Federal Ministry of Economics and Climate Protection is authorised under Section 12(3a) of the Energy Industry Act to prescribe by regulation technical requirements for energy installations and energy installation components, in particular for installations under the Renewable Energy Sources Act and the Combined Heat and Power Act, in order to ensure technical safety and system stability. This Regulation sets out technical requirements for energy installations that serve to ensure system stability.

V. Compatibility with European Union law and international treaties

This Ordinance is compatible with the laws of the European Union. It has been notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241 of 17.9.2015, p. 1).

The Ordinance does not contravene international treaties.

VI. Consequences of the legislation

This Regulation establishes technical requirements for energy installations with a cumulative installed capacity of up to 500 kW. These are significantly lower than the requirements otherwise to be met by the technical rules for generating installations connected to a medium-voltage grid or a higher-voltage level of the association specified in Section 49(2) first sentence point 1 of the Energy Industry Act. Thus, overall lower technical requirements are standardised than those currently to be complied with.

1. Legislative and administrative simplification

In conjunction with the NELEV Amendment Regulation, the Regulation reduces the requirement previously imposed on operators of type B generating installations with an installed capacity of up to 500 kilowatts requesting grid connection to provide all evidence of compliance with the general minimum technical requirements to an accredited certification body in the operating permit procedure.

2. Sustainability aspects

This Regulation is in line with the Federal Government's guiding principles on sustainable development as defined in the German Sustainability Strategy, which serves to implement the UN 2030 Agenda for Sustainable Development. This Regulation represents an impor-

tant building block for achieving the Federal Government's goal of covering 80 percent of Germany's electricity demand from renewable energies by 2030, and is therefore in line with the Federal Government's guiding principles on sustainable development in the sense of the German Sustainability Strategy, which serves to implement the UN 2030 Agenda for Sustainable Development. By enabling the immediate entry into force of facilitations for the verification of electrotechnical characteristics of energy installations and thus accelerating the grid connection and commissioning of renewable energy installations, the Regulation contributes to the timely achievement of Sustainable Development Goal 7, which calls for "[ensuring] access to affordable, reliable, sustainable and modern energy for all".

In this way, the draft also contributes to the timely achievement of SDG 9, which calls for "[building] resilient infrastructure, [promoting] sustainable industrialisation and [fostering] innovation". This is because this SDG requires in its target 9.4 to "[b]y 2030, modernise infrastructure and retrofit industries to make them sustainable, with more efficient use of resources and increased use of clean and environmentally sound technologies and industrial processes [...]".

The draft thus follows the principles of the German Sustainability Strategy "(1.) Consistently apply sustainable development as a guiding principle in all areas and in all decisions" and "(4.) Strengthening sustainable management", "(5.) Preserving and improving social cohesion in an open society" and "(6.) Use education, science and innovation as drivers of sustainable development."

3. Budgetary expenditures exclusive of compliance costs

There will be no additional financial costs for the public finances.

4. Compliance costs

The provisions have no effect on the compliance costs for citizens. There is also no compliance burden for the administration.

In conjunction with the Regulation amending the NELEV, this Regulation reduces the currently applicable requirements for the operating permit procedure for the grid connection of generation and storage installations connected to a medium-voltage grid or a higher-voltage level of the general supply with an installed capacity of up to 500 kilowatts. As a result, the obligation to provide evidence of compliance with the technical requirements in relation to the entire installation does not apply to an accredited certification body. Consequently, there is no compliance burden for operators of generation or storage installations, but a considerable relief.

Although this Regulation establishes technical requirements for generating installations with an installed capacity of up to 500 kilowatts, these are significantly lower than the requirements otherwise to be complied with in the technical rules for generating installations connected to a medium-voltage grid or a higher-voltage level of the association specified in Section 49(2) first sentence point 1 of the Energy Industry Act. Thus, overall lower technical requirements are standardised than those currently to be complied with. There is no additional compliance burden for installation operators, but rather a relief totalling around EUR 236,000 per year.

In detail, this results in the following compliance costs or the following relief for the economy (negative figures mean the elimination of costs). There is no one-off compliance cost.

	Ongoing compliance costs
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	Number of cases	Total staff costs	Total material costs	Total expenditure
		(EUR thousands)	(EUR thousands)	(EUR thousands)
Section 3(1): Omission of requirements for installations 135-500 kW and maximum feed-in capacity of 270 kW, as only low-voltage requirements + few additional requirements	-13,600	-13,230	-204,000	-217,230
Section 3(2): Omission of requirements for installations 135-500 kW and maximum feed-in capacity of over 270 kW, as only low-voltage requirements + few additional requirements	-3,400	-1,654	-17,000	-18,654
The case numbers were estimated on the basis of the expected annual addition of new installations due to the Federal Government's expansion targets for renewable energies. It is assumed that 20 % of the installations up to 500 kW have a maximum feed-in capacity of more than 270 kW due to the higher requirements.				

Further assumptions on staff and material expenditure can be found in the following table:

	Staff expenditure			Material expenditure		
	Use of different staff qualifications					
	Low	Medium	High	continuous per case	one-time per case	Description
	h	h	h	(EUR thousands)	(EUR thousands)	
Section 3(1): Omission of requirements for installations 135-500 kW and maximum feed-in capacity of 270 kW, as only low-voltage requirements + few additional requirements	2	4	8	15,000	-	Cost difference Units with lower properties, as well as costs Omission of higher-level decoupling protection
Section 3(2): Omission of requirements for installations 135-500 kW and maximum feed-in capacity of over 270 kW, as only low-voltage requirements + few additional requirements	1	2	4	5,000	-	Cost difference Units with lower properties

The wage costs were based on the industry-specific wage rates determined by the Federal Statistical Office (85.30 euros/hour for high qualification levels, 54.70 euros/hour for medium qualification levels and 35.80 euros/hour for low qualification levels). Assumptions were made for the expected elimination of effort in the figures for the number of hours and material expenses.

5. Additional costs

No further costs can be assumed.

6. Other Consequences of the Legislation

There are no further legal consequences, in particular no effects on equality policy and demographics and no effects on the preservation and promotion of equal living conditions are to be expected.

VII. Time limit; evaluation

The Regulation is not time-limited. However, it is intended to be repealed as soon as the TCRs of the VDE-FNN have been adapted accordingly. An evaluation is not envisaged.

B. Specific part

Re Section 1 (Purpose and objectives of the Regulation)

Section 1 contains the purposes and objectives of this Regulation to ensure the technical security and system stability of the electricity supply networks.

Re Section 2 (Scope of application)

Section 2 stipulates that the technical requirements of this Regulation apply to generating installations and storage facilities with a cumulative installed capacity of 135 kilowatts up to and including 500 kilowatts downstream of the same connection point to a general supply network.

The Regulation amending the Ordinance on the Verification of Electrotechnical Characteristics of Energy Installations (NELEV-ÄndV), which enters into force parallel to the present Regulation, simplifies the verification requirements within the framework of the certification of generating installations for the important installation segment with a cumulative installed capacity of 135 to 500 kilowatts and a maximum feed-in capacity of 270 kilowatts and makes them suitable for mass use.

However, these simplifications must not endanger the safety and stability of the public supply grid. Among other things, the VDE-FNN is currently revising the application rule VDE-AR-N 4105 'Generators connected to the low-voltage distribution network: Minimum technical requirements for connection and parallel operation of generating installations on the low-voltage grid' to reflect the changed framework conditions and requirements also for the installation segment affected by this Regulation. However, this adaptation will take some time. Since, in view of the goals of the federal government and the energy and climate policy challenges, a speedy entry into force of the NELEV Amendment Ordinance is absolutely necessary for simplification and acceleration, the specific technical requirements identified as indispensable must be recorded in the present Regulation. This will bridge the period between the entry into force of the second NELEV Amendment Ordinance and the adaptation of VDE-AR-N 4105 and ensure seamless application.

Re Section 3 (Technical requirements for installations)

Re (1)

Section 3(1) stipulates that installations within the meaning of Section 2 with a maximum feed-in capacity of 270 kilowatts must in principle only comply with the technical rules for generating installations connected to a low-voltage grid of the association specified in Section 49(2) first sentence point 1 of the Energy Industry Act when they are connected, even if the customer-side installation in which they are installed is connected to the medium-voltage grid or to a higher-voltage level. Previously, such installations had to comply with the requirements of the technical rules for generating installations connected to a medium-voltage grid or a higher-voltage level. In the interests of simplifying connection processes and making them suitable for mass use, the technical requirements for generation and storage installations in certain segments should in future be independent of the voltage level to which they are connected.

In addition, in order not to jeopardise the safety and stability of the public supply grid at the same time, special requirements that were previously only intended for generating installations connected directly or indirectly to the medium-voltage grid or a higher-voltage level must now also be fulfilled by installations connected to the low-voltage grid. In return, however, installations that are connected to the medium-voltage grid or a higher-voltage level no longer have to provide verification in accordance with the application rule VDE-AR-N 4110. The resulting administrative simplification for all parties involved and the associated acceleration of connection processes is considered essential and more than compensates for the slight increase in material requirements for installations connected in the low-voltage.

Section 3(1) point 1 and 2 set out the supplementary technical requirements that must be met by all affected installations. Accordingly, both the setting values for frequency capability and frequency protection according to the technical rules for generating installations connected to a medium-voltage grid of the association referred to in Section 49(2) first sentence point 1 of the Energy Industry Act must be fulfilled and the islanding detection must be deactivated. With the setting values for according to the application rule VDE-AR-N 4110 for frequency capability and protection, the necessary system-serving behaviour of the installations in the event of overfrequency and underfrequency in the grid is ensured. Deactivating islanding detection avoids possible problems due to controller interactions at voltage levels above the low-voltage. Furthermore, islanding detection is only necessary in the low-voltage.

Re (2)

Section 3(2) lays down additional requirements for installations according to Section 2 that have a cumulative installed capacity of more than 270 kilowatts downstream of the same connection point with a general supply network. The 270 kilowatt limit has been chosen analogously to the application rule VDE-AR-N 4110, which already allows simplifications to the protective devices of the generating installation for installations with a cumulative active power of less than 270 kilowatts.

Re Point 1

Pursuant to Section 3(2) point 1, higher-level decoupling protection devices shall be professionally installed and commissioned in accordance with the technical rules for generating installations connected to the respective voltage level of the association referred to in Section 49(2) first sentence point 1 of the Energy Industry Act. This primarily serves to ensure grid security and grid stability, but also to protect the generation or storage installation itself. However, pursuant to Section 3(2) second sentence, an alternative device may be used instead of a higher-level decoupling protection device if (and as soon as) it is

recognised in the technical rules for generating installations of the association referred to in Section 49(2) first sentence point 1 of the Energy Industry Act as being equivalent to the decoupling protection device with regard to the protective function. This openness to technology avoids costly adaptation processes. In addition, a possibility for cost savings is created through the use of more favourable devices compared to the decoupling protection device. However, a technical device that would already fulfil the above-mentioned requirements does not yet exist. However, the corresponding technical development is already foreseeable.

Re Point 2

Section 3(2) first sentence point 2 stipulates that when monitoring the effective connected load contractually agreed with the grid operator ($P_{AV,E}$; feed-in limitation), in deviation from the technical rules for generating installations connected to a low-voltage grid of the association specified in section 49(2) first sentence point 1 of the Energy Industry Act, a minimum value of 0.54 must be complied with for the contractually agreed effective connected load ($P_{AV,E} \geq 0.54 P_{inst}$). Deviating from this, under Section 3(2) first sentence point 2, second sub-sentence, it is also possible to fall below this value if the feed-in limitation complies with the rules for generating installations connected to a medium-voltage grid of the association referred to in Section 49(2) first sentence point 1 of the Energy Industry Act. This makes it possible for there to be additional leeway for operating concepts for these installations, while at the same time taking grid security aspects into account.

Re Section 4 (Relationship to other legal provisions)

Section 4 clarifies that both Section 49 of the Energy Industry Act and the provisions of the NELEV remain unaffected by the provisions of this Regulation. In the event of any conflicts, these shall take precedence over this Regulation.

Re Section 5 (Entry into force)

Section 5 regulates the entry into force of the Regulation on the day after promulgation. In order to achieve the expansion targets for renewable energies, it is necessary to accelerate grid connections as soon as possible, among other things by simplifying the system certification process. For this reason, the earliest date of entry into force should be chosen.