"Anti-blackout" reform of the electricity system

Royal Decree 997/2025 aims to "establish urgent measures that contribute to a more resilient and decarbonised electricity system" and amends several statutory instruments that govern the electricity system. This paper details the main areas of change.

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The *Official Journal of Spain* of 6 November published Royal Decree 997/2025, of 5 November, approving urgent measures to strengthen the electricity system. This new royal decree rescues for the legal system some of the measures contained in the failed Royal Decree-law 7/2025, of 24 June, approving urgent measures to strengthen the electricity system (the "anti-blackout" decree), which was repealed after failing to be validated by the lower house of parliament, and which had been approved in response to the blackout on 28 April 2025 (Lower House Decision, of 22 July 2025, ordering the publication of the Resolution repealing Royal Decree-law 7/2025, of 24 June, approving urgent measures to strengthen the electricity system).

The new royal decree, which aims to "establish urgent measures that contribute to a more resilient and decarbonised electricity system", amends several pieces of legislation regulating the electricity system. The main changes revolve around the areas specified below.

1. Strengthening of control and inspection functions regarding compliance with obligations and increased transparency

New control and supervision obligations are imposed on both the Spanish Markets and Competition Authority and the system operator (Red Eléctrica) (Articles 3 and 4, respectively).

Before 7 February 2026, the Spanish Markets and Competition Authority must publish a report monitoring compliance with voltage control obligations by all obligated parties in the sector. This report will be updated quarterly and made public.

Furthermore, within nine months of the entry into force of the royal decree (before 7 August 2026), the Spanish Markets and Competition Authority must also complete an extraordinary inspection plan of the replacement capacity of all agents participating in the replacement process; special attention will be paid to autonomous start-up generation facilities, combined cycles and distribution grids, including all their components from one kilovolt (1 kV) upwards. This inspection plan will be carried out every three years.

New control and supervision obligations for the Spanish Markets and Competition Authority and for the system operator

For its part, the system operator must undertake a process of analysis and review that may include proposals for regulatory changes to various aspects of system operation (damping and stabilisation against oscillations, speed of voltage changes in the system, quality of active power injection by production facilities, operation of adjustment services, monitoring and data reporting requirements for system incident analysis). This process will be carried out within three to six months, depending on the elements analysed.

2. Incentives for storage and flexibility in the authorisation system for renewable energy facilities

1st *Acceleration of the processing of storage facilities*

Having noted that the participation of storage in the electricity system is insufficient to achieve the objectives set out in the Integrated National Energy and Climate Plan (PNIEC) of strengthening energy security, increasing the penetration of renewable energies and decarbonising the economy, and with the aim of streamlining the procedures for processing authorisations for storage facilities with stand-alone electrochemical technology or hybridised in renewable facilities, two changes are being introduced in the regulation of storage to achieve the storage capacity levels set out in the PNIEC 2023-2030 (22.5 GW in 2030):

a) Exemption from the need for environmental assessment in hybrid facilities where the new storage

module is located on previously used land where the original facility has obtained an environmental impact statement. The second final provision of the new royal decree introduces a new paragraph in Schedule II to the Environmental Assessment Act 21/2013 of 9 December, which exempts hybrid storage in already assessed spaces from simplified environmental assessment.

b) Simplification and halving of the processing times for authorisations provided for in Title VII of Royal Decree 1955/2000, of 1 December, regulating the activities of transmission, distribution, marketing, supply and authorisation procedures for electric power facilities. To this end, the authorisation procedures for hybrid storage projects which, in accordance with Article 3 of Act 24/2013, fall within the purview of the National General Government, are declared urgent for reasons of public interest, provided that such projects do not require an environmental impact assessment (Article 6).

2nd *Definition of* installed capacity *for obtaining authorisations*

The definition of *installed capacity* is reformulated for the purposes of obtaining administrative authorisations for both storage and production facilities (Article 5). Considering that a production facility may consist of one or more wind farm modules, one or more electricity generation modules and one or more storage modules, the *power of a module* is defined as the maximum active power of the most limiting element connected in series and the *installed power of a facility* as the sum of the installed powers of its modules. In addition, a series of specific features are established to identify when there is a common limiting element for all of them.

Regarding the entry into force of this new definition, the provisions of the fifth final provision must be taken into account, which provides that it will not be generally applicable until the Government approves its express entry into force by royal decree. However, the definition will apply from the entry into force of the royal decree exclusively for the following purposes: *a*) administrative authorisations regulated in Title IX on authorisations for transmission, distribution, production and direct lines, expropriation and easements under Act 24/2013; and *b*) registration in the administrative register of electricity production facilities.

3rd *Repowering of electricity production and storage facilities*

Based on the benefits of repowering (it can ensure the continued and more efficient use of sites already used for renewable energy projects, minimising environmental impact and social opposition), a definition of the concept of *repowering a production or storage facility* is formulated in the context of Directive (EU) 2018/2001 of the Euro-

pean Parliament and of the Council of 11 December 2011 on the promotion of the use of energy from renewable sources (Art. 2.10). *Repowering of a production or storage facility* shall mean "renewing such facilities" (Art. 7). This renovation may include the total or partial replacement or modification of the production facilities or operating systems and equipment and components, and shall be carried out with all or some of the following objectives: "to replace the machines, improve their efficiency, increase the energy produced by the facility or increase the installed capacity". Likewise, the expansion of the aforementioned facilities may be classified as *repowering*, without prejudice to the appropriate environmental assessment procedure, if applicable.

Within nine months of the entry into force of the aforementioned royal decree, the Government will draw up a national roadmap for the promotion of repowering and comply with the provisions of Directive (EU) 2023/2413 of the European Parliament and of the Council of 18 October 2023 on improving the efficiency and capacity of energy production and storage facilities (first additional provision). The aim is to promote and accelerate the repowering of energy production and storage facilities, including the applicable procedures and, where appropriate, the simplification of the granting of grid access permits when repowering results in a limited increase in total capacity compared to the original project.

4th *Review of the operating authorisation regime*

The authorisation regime for facilities provided for in Royal Decree 1955/2000, which covers operating authorisations, is harmonised with that of Royal Decree 413/2014, which regulates the production of electricity from renewable energy sources, cogeneration and waste, and distinguishes between provisional operating authorisations for testing and definitive operating authorisations. Thus, Royal Decree 1955/2000 is amended to reflect the existing differentiation between the two phases of operating authorisation (the first final provision of Royal Decree 997/2025 rewords Article 132 and introduces new Articles 132 *bis*, 132 *ter* and 132 *quater* into Royal Decree 1955/2000).

Incentives are offered for storage and flexibility is introduced in the authorisation system for renewable energy facilities

5th *Review of the authorisation regime for R&D&I projects*

Article 53(3) of Act 24/2013 of 26 December, relating to the authorisation required for standard generation projects on R&D&I platforms (Art. 8), is implemented. Platforms

used to connect R&D&I generation or storage facilities may obtain prior administrative authorisation and administrative authorisation for the construction of standard projects. Once these standard projects have obtained a favourable environmental impact statement, prior administrative authorisation and construction authorisation, only an operating authorisation will be required to disconnect one prototype and connect a new one, provided that the new prototype connected is within the technical parameters established in the prior administrative and construction authorisation and is installed in an area that has already been environmentally assessed.

3. Reduced time limits for the installation of electrical infrastructure

In general, the various deadlines that distribution companies must meet in order to implement the grid extensions required to meet new low or high voltage supplies are regulated, and these deadlines are specified when the new grid extension is carried out by an installation company hired by the applicant and not by the distribution company itself (second additional provision).

In summary, for low-voltage facilities on developed land with the facilities and services required by urban planning regulations, companies will have a period of five days if the grid does not need to be expanded, thirty days if expansion is required, sixty days if a transformer station needs to be built, and a maximum of eighty days if several stations need to be built. This clarification of the grid extension regime for new supplies and the reduction in deadlines is intended to accelerate the electrification of the economy and, in particular, to promote the installation of electric vehicle charging points on the road, as it has been detected that they are not being developed at the pace expected to meet the objectives of Regulation (EU) 2023/1804 of the European Parliament and of the Council of 13 September 2023 on the deployment of alternative fuels infrastructure and repealing Directive 2014/94/EU.

4. Regime for access to and connection to transmission and distribution grids

The third final provision of the aforementioned royal decree amends Royal Decree 1183/2020 of 29 December on access and connection to electricity transmission and distribution grids, as follows:

— It establishes new requirements for applications for access and connection to transmission and distribution grids, and regarding the justification for the provision of the financial guarantees necessary for the carrying on of access and connection procedures for electricity generation facilities (Article 23), as well as for demand-side and storage facilities (Article 23 *bis*). The presentation of proof of the creation of the respective guarantees shall be an essential requirement for the initiation of access and connection procedures by the transmission grid operator or, where applicable, the distribution grid operator. To this end, the competent body shall send the applicant confirmation of the proper submission of the guarantee by the applicant within a

maximum period of three months from the date of submission of the application or, where applicable, from the date on which it has been corrected. Any modification of the guarantees submitted at any time prior to the access contract, if this modification means that the facility cannot be considered the same for the purposes of access and connection (as defined in Article 23 *bis* (4)), shall result in the automatic loss of the access or connection permits granted or the lapse of the access or connection permits requested. The financial guarantee shall be cancelled when the applicant formalises the access contract for a contracted power in any of the periods of at least 50% of the access capacity granted.

— It clarifies the treatment of storage facilities in access and connection procedures (Article 23 *bis*).

— It regulates the criteria for a facility to continue to be considered the same for the purposes of maintaining demand-side access permits, something that was already being done for generation permits (Art. 23 *bis* (4)).

— It clarifies the rules on expiry of access and connection permits for different types of facilities and extends to all consumers connected to voltages equal to or greater than one kilovolt (1 kV) the expiry of access permits within five years if at least 50% of the access capacity granted in the access permit is not used (Art. 26).