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Royal Decree 997/2025: urgent measures to strengthen Spanish electricity system

New developments in processing renewable projects, storage, repowering and grid access

KEY ASPECTS

- It strengthens (i) supervision and verification of compliance with obligations by all agents in the electricity sector, and (ii) data transparency.
- It reformulates the definition of installed capacity for the purposes of obtaining administrative authorizations for both storage and generation facilities.
- It includes specific measures to boost hybrid storage in renewable projects, orienting storage facilities toward spaces already occupied by infrastructure.
- It establishes the Spanish government's commitment to developing a national roadmap to promote repowering.
- It regulates the phases of operating authorizations—provisional and final—enabling partial authorizations to be granted for projects that share common infrastructure.
- It concludes the regulation of the access conditions for demand facilities.
- It temporarily relaxes the requirements for obtaining the administrative operating authorization ("**AAE**").

Introduction

The approval of Royal Decree 977/2025 ("**RD 977/2025**") justifies the urgent need to strengthen the resilience, robustness and stability of the Spanish electricity system, which is necessary following the blackout on April 28, 2025.

This urgent situation is further enhanced by the failure to ratify Royal Decree-Law 7/2025 ("**RDL 7/2025"**). From this perspective, RD 997/2025 promotes some of the measures introduced by RDL 7/2025, which seek to establish express mandates for the system operator and the Spanish National Markets and Competition Commission ("**CNMC**") in relation to the mentioned blackout, as well as urgent measures aimed at implementing renewable generation and storage.

Also, in its additional and final provisions, it introduces the obligation to promote repowering alongside important amendments to Royal Decree 1955/2000 ("**RD 1955/2000**") (regime on operating authorizations) and Royal Decree 1183/2020 ("**RD 1183/2020**") (regime on access and connection).

Supervision and inspection measures and other amendments

The analysis committee of the electricity crisis of April 28, 2025, has proposed different measures to ensure the electricity system's robustness, so as to correct information asymmetry, strengthen operational traceability and facilitate an homogeneous performance evaluation of the system.

Article 3 strengthens the supervision and verification of compliance with obligations by all agents in the sector, particularly focusing on data transparency. It establishes two specific mandates for the CNMC to report and inspect matters relating to voltage control and service restoration, carrying out a complete analysis in line with current regulations. It also provides for *ex ante* and *ex post* verification, remediation plans for non-compliance, and greater inter-administrative coordination, together with the standardization and accessibility of operational data.

Article 4 mandates the system operator to review various highly technical aspects and, within three to six months, submit proposals for regulatory modifications to strengthen the electricity system's resilience. Aspects to address include the damping of the system against oscillations, voltage variation speed, the quality of active power injection into the grid by production facilities, and the functioning of adjustment services.

Measures on defining and calculating installed capacity

Article 5 regulates the definition of installed capacity for the purpose of administrative authorizations. First, the installed capacity of the modules in a facility is calculated, followed by calculation of the installed capacity of the facility itself. It also regulates the power applicable in bifacial modules, storage systems and hybrid projects.

Installed capacity of a generation module

This is the maximum active power that this module can sustainably deliver.

It is determined by taking the most limiting component connected in series within the module. Therefore, if the module is made up of components like a motor, turbine, alternator, photovoltaic panel, inverter, converter or transformer, the installed capacity of the module will be the lowest of the maximum capacities of these components connected in series (according to the nameplates).

In relation to the above, there are two clarifications:

- A component is duplicated or multiplied in parallel[1]: the powers of that component's units in parallel are added together, then the criteria above regarding the most limiting component in series within the module is re-applied.
- The nominal power of a component is not indicated in terms of active power: article 5 simplifies this and a unity power factor is applied. In any case, for transformers, a unity power factor is expressly set to determine the active power.

In practical terms, the installed capacity of a generation module is equivalent to the power that can actually be output by the module, depending on the component that limits it, e.g., if an inverter has a lower capacity than a photovoltaic field.

Special regime applicable to bifacial panels

A clear and single rule is introduced for bifacial photovoltaic panels: the installed capacity is 1.15 times the power of the front side measured in standards conditions.

Installed capacity of electrochemical storage modules

For storage modules, the installed capacity is defined as the lowest of three values: (a) the sum of the maximum unit active powers of the individual cells that make up the module; (b) the maximum active power of the inverter or the sum of the powers if there are several inverters; and (c) the maximum active power of the transformer, or the sum of the powers if the transformers are connected in parallel.

Once again, article 5 imposes a unity power factor for the transformer, so that the calculation is consistent and the administrative power reflects the usable active power. In practice, the storage module's installed capacity is determined by the effective bottleneck: chemical available, inverters, or transformation capacity.

Installed capacity of a facility (with common components)

A facility's installed capacity is determined as the lowest of two large blocks:

- **First block.** The sum of the installed capacity of each of the generation and storage modules that comprise it, with two adjustment rules if they share common equipment:

  (a) If several modules share the same inverter—or common set of inverters—the installed capacity is the lesser of (i) the sum of the installed capacity of the modules connected to the common inverter, and (ii) the sum of the installed capacity of their common inverters.

  (b) If several modules share the same transformer—or common set of transformers in parallel—the installed capacity of the set is the lesser of (i) the sum of the modules' installed capacity, (ii) the sum of the common inverters' installed capacity, and (iii) the maximum active power of the common transformer[2].

- **Second block.** The maximum active power of the facility's common transformer, or the sum of the maximum active powers of the common transformers in parallel, when the evacuation of electricity from the entire facility is carried out through this common transformer.

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1 Examples: several photovoltaic panels, several alternators or several multiple inverters.

2 With a unity power factor.

Maximum power of inverters and converters: calculation rules

Article 5 clarifies how to measure the maximum power of inverters and converters to avoid nominal oversizing that does not translate into effective power. The maximum power is the active power that the inverters or converters can produce in continuous operation[3].

When the maximum power varies with temperature, the value at 40 ºC is the reference taken. If the manufacturer does not provide data at 40 ºC, the reference will be the known value at the next lower temperature. This criterion introduces technical prudence, reflecting the actual sustained power under representative operating conditions.

Transitional regime

The new definition of "installed capacity" will apply to facilities that have already begun the authorization process but have not yet obtained the final operating authorization. For these facilities, if applying the new definition involves changing the competent authority, the file will continue to be processed by the authority where the processing began, until they obtain the operating authorization and registration, provided that:

- there are no changes in the installed capacity, in accordance with the previous definition; and
- the administration is not notified of a withdrawal in the three months from entry into force of RD 997/2025.

If a developer decides to withdraw to restart the process with another competent authority, it will be exempt from the enforcement of financial guarantees, without prejudice to the possible loss of access and connection permits.

Boosting storage

The regulation's preamble cites various EU directives that require Member States to design simplified procedures for the administrative processing of storage facilities. This, together with the ability of storage technology to provide resilience to the system and efficiently integrate non-manageable renewable energy, serves as motivation for including the following measures applicable to electrochemical storage systems in article 6:

Urgent procedures

The deadlines for authorization procedures defined in article 53, Act 24/2013, are reduced by half for projects under the competence of the General State Administration that do not require an environmental impact assessment.

Main aspects of urgent procedures

- Prior administrative and construction authorizations are processed together and issued at the same time.
- The developer submits an application for a simplified procedure, in which it must prove its exemption from the environmental assessment.

  It should be noted that the second final provision amends annex II of Act 21/2013 in such a way that it exempts hybrid storage modules from undergoing an environmental impact assessment ("EIA") procedure provided that (i) these are located in the environmentally

[3] Limitations configured by firmware or other programmable controls are not considered, unless the limitation is of manufacturer origin and is accredited by a signed document identifying the equipment (model, manufacturer, and serial number or project). In this case, the certified limited power prevails.

assessed polygon of the original generation project; and (ii) the original project has passed an ordinary or simplified EIA.

- Information procedures and referrals of technical documents to administrations and public service or general interest service companies are unified, as defined in articles 127 (for prior administrative authorizations) and 131 (for construction administrative authorizations), RD 1955/2000.

  The procedure above must coincide with the public information under article 125 RD 1955/2000, whose deadlines will be reduced by half (15 days).

- Once the deadlines have expired, the governing body must forward the authorization application to the Directorate General for Energy Policy and Mining[4] within 15 days for review.

Transitional regime

Article 6's new procedure only applies to authorization procedures starting after RD 997/2025 came into force. However, if a project had already started the environmental procedure and is now exempt (by being located in the already assessed polygon), it can:

- continue with the normal procedure; or
- amend its application to invoke article 6 (providing necessary documents).

Measures on operating authorizations, access, and connection for generation and demand facilities

In this section, we review the latest developments applicable to commissioning and access and connection to the grid.

Operating authorizations

The regulation aligns the operating regime with industry practice, expressly amending RD 1955/2000 to clarify the two authorization phases and to address the specific case of shared evacuation infrastructure.

- First. It establishes the two-phase process for generation and storage facilities by incorporating the new article 132 bis into RD 1955/2000, which recognizes the provisional operating authorization for testing and the final operating authorization, enabling registration in the Register of Electricity Production Facilities ("**RAIPEE**") at each phase in the case of production facilities[5].

- Second. The new article 132b RD 1955/2000[6] specifies the requirements and deadlines for the provisional authorization for testing.

  The new provision requires submission of a certificate of completion of works, justification for any modifications carried out under article 115.3, and sets a one-month resolution deadline.

  It also regulates the granting of partial provisional authorizations for testing the common evacuation infrastructure when several facilities share connection points, and one wants to commission their service. In such cases, the partial authorization granted to the owner of

[4] ("**DGEPM**").

[5] *Cf*. second section of first final provision.

[6] Introduced in the third section of the first final provision.

facility "B" enables, by reference, the granting of the provisional authorization for testing facility "A" provided that (i) the evacuation of all its energy is guaranteed; and (ii) the provisional authorization covers both the generating plant and the evacuation infrastructure up to the connection point with the transmission or distribution grid, in line with the definition of "facility" in article 21.5, Act 24/2013.

- Third. It specifies the final operating authorization in the new article 132c RD 1955/2000[7].

  This provision requires, where applicable, the submission of the Final Operational Notification ("**FON**") and maintains the one-month deadline for resolution after the appropriate technical checks have been carried out.

  It reiterates that, in the case of shared evacuation infrastructure, the final operating authorization must be granted to the production facility, including the generator plant and its evacuation infrastructure up to the connection point, which may be done by: (a) directly granting the production facility's owner the final operating authorization up to the connection point; or (b) granting the final operating authorization and referring to the operating authorization (partial for testing or final) for the infrastructure in the projects of other producers that enable completion of the evacuation.

Transitional regime for obtaining the operating authorization

General regime. For 36 months from when RD 997/2025 came into force, to obtain a final operating authorization for generation or storage facilities, the FON can be replaced by:

- the Provisional Notification ("**ION**"); and
- prior registration in the RAIPEE.

Special regime for projects close to the expiry date of the fifth administrative milestone Royal Decree-Law 23/2020:. During the same period, the final authorization can be obtained by providing:

- the provisional operating authorization for testing;
- the Energization Operational Notification; and
- a responsible declaration to not discharge energy until submission of the ION, RAIPEE or the FON.

Access and connection permits

RD 997/2025 amends the regime of guarantees and clarifies the minimum content of the receipts and the expiration rules, by modifying specific articles of RD 1183/2020 and introducing transitional provisions.

- **Aspects associated with the generation guarantee regime**

  The third final provision of RD 997/2025 amends article 23.3, RD 1183/2020. The amendment affects the content that must be included in the request for a ruling on the proper constitution of the guarantee. It now includes the requirement to specify the node and voltage of the transmission or distribution network, to which access and connection is to be requested. This does not include cases set out in article 10, RD 1183/2020, i.e., generation facilities with an access capacity equal to or less than 100 kW.

- Demand and storage facilities that absorb energy from the grid.

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[7] Introduced in the fourth section of the first final provision.

The same third final provision amends article 23 bis, RD 1183/2020 to include the following developments:

Objective scope of application. The provision's scope of application is expressly extended to include storage systems that absorb energy from the grid, in addition to electricity demand facilities that were the sole focus until now.

Exception for including the Spanish National Classification of Economic Activities ("**CNAE**") code. The guarantee receipt for a storage system does not need to include the CNAE code.

Criteria to consider whether the amendments to a facility affect its previous access and connection permits. Rules are established for when a demand or storage facility ceases to be considered the same for the purposes of access and connection, when the facility undergoes any of the following changes:

- Its geometric center moves over 10 km (this applied before approval of RD 997/2025).
- There is a change to the CNAE that affects the division or group, in line with RD 10/2025 (CNAE-2025).
- There is a reduction in demand access capacity of over 50% of the access capacity originally requested and granted.

Cancellation of access and connection guarantee. The guarantee will be canceled when the applicant formalizes the access contract for a contracted power in any of the periods of at least 50% of the access capacity granted (previously, this power had to be contracted for the "P1 period"). For storage systems, this guarantee will also be canceled when the other guarantee established for access and connection to the energy discharge is canceled (*cf.* article 23, RD 1183/2020).

- Expiry of access and connection permits for demand facilities.

The requirement to sign an access contract within five years of obtaining the permit is extended to all facilities whose connection point is at a voltage equal to or greater than 1 kV.

This contract must be in force for at least three years, at the same capacity or higher; if this is not so, the access and connection permits will automatically expire.

If, after the three years of maintaining the access contract—for a contracted power in any of the periods of at least 50% of the access capacity granted in the access permit—the maximum contracted power is lower than the access capacity of the permit in force, the permit will be partially revoked for the difference if this situation continues for a period of:

- five years in high-voltage connected facilities; and
- three years in low-voltage connected facilities.

This mechanism allows the permit to be adjusted to the power actually used in the medium term, preventing capacity "hoarding" without sufficient contracts.

Transitional regime applicable to the expiry of access and connection permits for demand facilities already granted, whose voltage is between 1 kV and 36 kV

Existing access permits for demand facilities with voltages between 1 kV and 36 kV are subject to the general rule of article 26.5, RD 1183/2020 (they will expire if at least 50% of the access capacity granted is not contracted in any of the periods during three years), but the five-year period for formalizing that access contract starts from the date of the entry into force of RD 997/2025.

Transitional regime applicable to access and connection guarantees for demand facilities

If, due to the new data requirements for guarantees (article 23 bis.4 RD 1183/2020), the guarantee must be reconstituted, there is a period of six months to do so, with the possibility of waiving the permit without enforcing the guarantee within the same period.

Repowering measures

Definition of repowering

With reference to Directive (EU) 2018/2001, repowering is defined as the total or partial replacement or modification of generation facilities or operating systems, and of equipment and components, carried out with one of the following objectives: to replace machines, improve their efficiency, increase the energy produced by the facility or increase the installed capacity.

Roadmap to repowering

Within a maximum term of nine months from entry into force of RD 997/2025, the government must prepare a national roadmap to promote repowering that includes technical, regulatory and financial measures to facilitate it.

For additional information, please contact our Knowledge and Innovation Group lawyers or your regular contact person at Cuatrecasas.