

NOTE: Unofficial translation - for information only

Reg. No. 1421 of 17 December 2001: Regulations governing the planning and implementation of requisitioning of power and enforced reductions in supply in connection with electricity rationing.

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Regulations governing the planning and implementation of requisitioning of power and enforced reductions in supply in connection with electricity rationing.

Chapter 1. Introductory provisions

Section 1. Purpose

These regulations shall ensure that electricity rationing is implemented in a socially efficient manner, so that the energy is utilised in the best manner possible, taking both public and private interests into consideration.

Section 2. Scope

These regulations shall apply to the party that pursuant to section 5A-2 of the Energy Act has been designated as the rationing authority. The regulations shall also apply to anyone who fully or partly owns or operates a network or an installation for power generation, who operates an organised marketplace pursuant to section 4-5 of the Energy Act, as well as trading companies and end users.

Section 3. Definitions

In these regulations we use the following definitions:

Value of loss of use: the economic value of the nuisance an electricity consumer suffers from being subject to rationing.

Energy: electrical energy and thermal energy produced in district heating plants.

Producer: the party responsible for the generation of energy licensed pursuant to the Energy Act.

Rationing authority: the party that pursuant to section 5A-2, paragraph two, of the Energy Act has been designated as the rationing authority.

Requisitioning of power: enforced surrender of energy from a producer.

System operator: the party that pursuant to section 5A-1, paragraph two, of the Energy Act has been granted authority to exercise responsibility for system operation.

Curtailments in supply: enforced reductions in energy supplied through a disconnection of consumption that do not already derive from agreements entered into.

Chapter 2. Implementation and termination of rationing. Procedures for implementation

Section 4. *Implementation and termination of rationing.*

When the rationing authority considers there to be a real risk that a rationing situation will occur, it shall inform the Ministry of this. Correspondingly, it shall inform the Ministry when it regards that the conditions for rationing no longer exist. The implementation and termination of rationing shall be decided by the Ministry pursuant to section 5A-2, paragraph one, of the Energy Act.

When public considerations so warrant, the rationing authority shall, in consultation with the Ministry, inform the general public about circumstances relating to the situation in question. The rationing authority shall at all times have plans to provide such information.

Section 5. *Plans and procedures for implementation of rationing*

The rationing authority shall at all times be informed about conditions that are important for the assessment of the power balance.

The rationing authority shall make sure that the necessary plans and procedures have been prepared at all times for reliable and efficient notification and reporting of the initiation, implementation and termination of rationing

Chapter 3. Instruments and priorities related to allocation of available energy during rationing

Section 6. *Curtailement in supply:*

To advance the purposes stated in section 1, the rationing authority or the party to whom the rationing authority delegates authority may impose curtailment in supply. These authorities shall seek to implement such reductions in supply according to objective and verifiable criteria and causing the least possible inconvenience to those affected.

The rationing authority shall make sure that plans exist at all times for the implementation of curtailment in supply.

Section 7. Requisitioning

To facilitate the purposes stated in section 1, the rationing authority or the party to whom the rationing authority delegates authority may demand that one or more producers surrender energy.

Anyone subject to the requirement for surrendering power pursuant to paragraph one is obliged to assist in the surrender.

Anyone obliged to surrender energy pursuant to this section is entitled to compensation in accordance with general rules of expropriation law and the law of damages.

Section 8. Principles for implementation of measures pursuant to these regulations

Insofar as it is possible, the rationing authority shall facilitate the use of market instruments prior to, during and following the implementation of electricity rationing.

Section 9. Allocation of energy according to priority uses

During rationing, available energy shall be allocated in accordance with the following overarching considerations:

- a) life and health,
- b) vital societal interests in the civil service and government administration, information, safety, infrastructure, supplies etc., and
- c) business and industry and affected economic interests.

When setting priorities for consumption pursuant to paragraph one, the value of loss of use should be accorded weight.

The rationing authority shall make sure that plans exist at all times for allocating electrical energy to priority uses pursuant to paragraph one. These plans are to be prepared in collaboration with affected government agencies and representatives of affected private interests.

Chapter 4. Other provisions

Section 10. Monitoring and control

The Norwegian Water Resources and Energy Directorate, or the party authorised by the Norwegian Water Resources and Energy Directorate, shall monitor compliance with the provisions of these regulations.

The rationing authority shall, in collaboration with the other administrative agencies and other affected parties, see to it that the preparation of plans, procedures, notification and reporting systems, training programmes etc. pursuant to these regulations are implemented in an expedient way.

Those subject to these regulations shall assist in carrying out monitoring activities according to the first paragraph. Among other things, this includes obtaining information and documentation that is necessary in order to conduct monitoring activities.

Those subject to these regulations may bring any disagreement on the interpretation and implementation of provisions of the regulation before the Ministry for a decision.

Section 11. *Assistance and co-operation*

Those subject to these regulations shall co-operate and provide assistance so that the rationing authority can perform its tasks in a way that efficiently promotes the interests of society.

Section 12. *Obligation to follow the orders of the rationing authority*

Those subject to these regulations are required to comply with the orders issued by the rationing authority or the party authorised by the rationing authority to issue orders.

Section 13. *Orders*

The rationing authority or the party to whom the rationing authority delegates authority may issue the orders that are necessary to the implementation of these regulations.

Pursuant to section 7-3 of the Energy Act, the Norwegian Water Resources and Energy Directorate may stipulate coercive fines for contravening orders issued pursuant to the first paragraph.

Section 13a. *Violation fines*

For violation of the provisions of section 9, section 10, section 11 and section 12, a violation fine may be imposed.

0 Added by Regulation no. 1502 of 12 December 2003 (effective 1 January 2004)

Section 14. *Exemption*

The Norwegian Water Resources and Energy Directorate may in special circumstances grant exemptions from these regulations.

Section 15. *Entry into force*

These regulations shall enter into force on 1 January 2002.