

Energy Industry Group Newsletter October 30, 2019

SENER publishes modification to the Criteria for granting CEL and the requirements for its acquisition.

On October 28, the Ministry of Energy (SENER) published in the Official Gazette of the Federation the Document amending the Guidelines that establish the criteria for the granting of Clean Energy Certificates (CEL) and the requirements for their acquisition, published on October 31, 2014 (the Guidelines), which will take effect the day after its publication.

SENER considered that, derived from the commercial speculation of the CEL, there have been increases in the price of the electricity produced by Clean Energies and as a consequence there has been an increase in the electricity tariffs that affect the economy of end users. Likewise, SENER considered it necessary that among the participants of the electric industry equal and equitable treatment be given to obtain CEL.

Based on the foregoing, SENER carried out a modification to the Guidelines to establish that, for a period of up to 20 years, the Clean Generators representing the Legacy Power Plants (being electricity power plants owned by State organizations, entities or companies), established in the Electricity Industry Law, which generate electricity from Clean Energy sources, will be entitled to receive CEL.

Prior to this modification, the Guidelines established that the right to receive CEL for a period of 20 years corresponded to the Clean Generators representing the Legacy Power Plants that generated electricity from Clean Energies with the condition that they had entered into operation before August 11, 2014, as long as they had carried out a project to increase their Clean Energy production. With the modification, such condition was removed.

To know if the modification to the Guidelines can generate any impact on the CEL market, as well as its side effects, or simply if you require more information on the matter, please contact us. It would be a pleasure to provide you advice.

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lawyers from several practice areas at the firm who specialize in the energy sector. As a multidisciplinary group, we are in a unique position to provide comprehensive and diverse legal advice on matters relevant to energy businesses, including in particular the Mexican energy reform, its implications, and the multiple business opportunities it brings.

Our Energy Industry Group provides full-service advice, including corporate, transactional, and M&A; public bidding; contractual; tax; regulatory; international trade; labor; dispute resolution; and corporate governance and regulatory compliance matters.

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