

**EXECUTIVE COUNCIL RESOLUTION NO. (46) OF 2014
CONCERNING THE CONNECTIONS OF GENERATORS OF ELECTRICITY
FROM SOLAR ENERGY TO THE POWER DISTRIBUTION SYSTEM IN THE
EMIRATE OF DUBAI.**

We Hamdan bin Mohammed Bin Rashid Al Maktoum, the Crown Prince of Dubai and the Chairman of the Executive Council of Dubai,

After perusal of:

- (i) *Act No. (2) of 1994 Concerning Protection of General Network of Electricity and Water Services;*
- (ii) *Law No. 3 of 2003, concerning the establishment of the Executive Council,*
- (iii) *Law No. (19) of 2009 Establishing the Supreme Council of Energy;*
- (iv) *Law No. (6) of 2011 Regulating the Participation of the Private Sector in Electricity and Water Production in the Emirate of Dubai; and*
- (v) *Decree No. (1) of 1992 Establishing the Dubai Electricity and Water Authority and its amendments;*
- (vi) *Decree No. (22) of 2009 concerning Special Development Zones in the Emirate of Dubai.*
- (vii) *Executive Council Resolution No. (2) of 2010 on the Establishment of a Regulatory and Supervisory Bureau for the Electricity and Water Sectors in Dubai;*

and the legislations regulating the Free Zones in Dubai;

Resolved the following:

Definitions

Article (1)

The following words and expressions in this decree shall have the meaning indicated opposite each of them, unless the context implies otherwise:

Emirate:	The Emirate of Dubai.
Council:	The Supreme Council of Energy.
Authority:	Dubai Electricity and Water Authority.
CEO:	The Managing Director and Chief Executive Officer of Dubai Electricity & Water Authority
Transmission System:	The system belonging to the Authority which entirely or mainly comprises the High-voltage electricity cables, lines and electricity installations and facilities owned and/or operated by the Authority and used to transmit electricity

Connection	from a power unit to a power substation or other electricity generation unit The connection of the production unit with the Distribution System.
Generator of Electricity:	A generating unit or units that generate electricity exclusively from Solar Energy connected under one Consumption Account.
Distribution System:	The electrical network at 33kV and below, and its components which are owned and operated by the Authority with the main purpose of delivering electricity to consumers from the Power Transmission System, including but not limited to all associated equipment such as lines and cables, electrical substations, pole mounted transformers, analogue electrical elements such as resistors, inductors, capacitors, and switches.
Solar Energy:	The radiant light energy emitted by the Sun.
Person:	Natural or legal person whether public or private
Producer:	Any person that generates electricity from solar energy and connects it to the Distribution System as per terms and conditions of this Resolution, excluding the Authority.
Consumption Account:	The account of specific premise for metering the electricity imported from distribution system by a Meter dedicated for such purpose.
Import Electricity:	Electricity that is drawn from the Power Distribution System and consumed by the Producer under one or more Consumption Accounts held by the Producer within the Plot.
Export Electricity:	Electricity that is generated by the Producer and injected into the Power Distribution System by Generator of Electricity.
Surplus Electricity:	The excess of Export Electricity over Import Electricity in an applicable billing period.
Connection Agreement:	The agreement between the Authority and a Producer, which stipulates the terms and conditions for the operation of a Generator of Electricity and its connection into the Power Distribution System.
Annual Connection Cap:	The maximum electricity generation capacity from Solar Energy that may be connected to the Power Distribution System in a calendar year, as determined by the Authority.
Connection Conditions:	The requirements and standards of the Authority, including health, safety and environmental quality standards to be fulfilled by the Producers in order to connect the Generator of Electricity with the Distribution System.

Applicability of this Resolution
Article (2)

- (1) The provisions of this Resolution shall apply to all Producers who have any Consumption Account in the Emirate, including free zones and special development zones including Dubai International Financial Centre.
- (2) The provisions of this Resolution do not apply on the projects or contracts subject to aforementioned Law No 6 of 2011.

Objective of this Resolution
Article (3)

The objectives of this Resolution are to:

- (1) Establish a clear legislative framework regulating the connection of Generators of Electricity to the Power Distribution System.
- (2) Contribute to fulfilling Dubai vision to become a smart city.
- (3) Encourage community members and entities to generate electricity from solar energy.
- (4) Contribute to diversifying energy sources, increasing the share of renewables in the electricity mix.
- (5) Contribute to environment protection, reducing the Emirate carbon emissions footprint.
- (6) Promote the growth of the Green Economy for Sustainable Development.

Powers of the Authority
Article (4)

For realising the objectives of this Resolution, the Authority shall have the following powers and duties:

1. To set the general policy of generating electricity from solar energy in the Emirate and submit it to the Council for approval.
2. To determine the Annual Connection Cap.
3. To approve the Connection Conditions and review them regularly.
4. To approve Connection Agreement formats, review them regularly and entering into Connection Agreements with Producers.
5. To set the maximum generation capacity that can be exported by the Producer to Distribution System.
6. To determine the mechanism of carryover of Surplus Electricity which is being exported to the Distribution System
7. To monitor and ensure compliance of the Producer with the provisions of this Resolution and Connection Agreement and to take appropriate action and measures against violating Producer.
8. To maintain and establish a register including all data and information related to the Producers in the Emirate.
9. Any other powers and duties for achieving the objectives of this Resolution.

Connection to the Distribution System
Article (5)

It is forbidden for any person to connect his Generator of Electricity with the Distribution System without obtaining prior consent of the Authority and such consent shall be granted in accordance with Connection Agreement and the provisions of this Resolution.

Connection Agreement
Article (6)

- A. Any person who desires to connect his Generator of Electricity to the Distribution System shall submit an application, in a format prepared by the Authority, to enter into Connection Agreement with the Authority, attached with all the documents specified by the Authority.
- B. The Producer may not transfer his rights or obligations in the Connection Agreement to third parties unless having obtained prior consent of the Authority.

Costs
Article (7)

All costs associated with the connection of a Generator of Electricity to the Power Distribution System shall be estimated by the Authority and considered as final and to be borne by the Producer.

Obligations of the Producer
Article (8)

- A- The Producer shall comply with the following:
1. Obtain the approval of competent authorities in the Emirate for issuing buildings' permits and classifying the usage of plots prior to the installation of the Production Units and to connecting them to the Distribution System.
 2. Provide all necessary requirements and systems to install Generators of Electricity and connect it to the Distribution System including compliance with security and safety requirements, and providing electricity meters and necessary equipment required by the Authority.
 3. Terms and conditions of the Connection Agreement, Connection Conditions, and any other relevant requirement adopted by the Authority.
 4. Not to exceed the maximum generation capacity authorised by the Authority for exporting to the Distribution System.
 5. Not to conduct any action impacting the safety and efficiency of the Distribution System.

6. Cooperate with the Authority staff in all matters related to the provisions of this Resolution including metering the electricity exported to the Distribution System.

Consumption and export of Electricity

Article (9)

The following clauses shall be applied on the consumption and export of the electricity generated by the Generators of Electricity:

- (1) The electricity generated by the Generator of Electricity in the premise is to be consumed within the premises associated to one Consumption Account; in case the Producer holds more than one Consumption Account, it is to be consumed within any premises associated to the Consumption Accounts within the Plot.
- (2) Any excess electricity generated by the Generator of Electricity above the electricity consumed in the premise shall be exported to the Power Distribution System of the Authority in accordance with the provisions of this Resolution and the Connection Agreement.
- (3) Offset against the units of the Import Electricity and the units of the Export Electricity within the same billing cycle associated with Consumption Account shall be processed, and such Consumption Account shall be cleared based on the same offset.
- (4) If the units of the Export Electricity are in excess of the units of the Import Electricity within any billing cycle, the excess units of the Export electricity to the Authority shall be credited in the name of the Producer. In the subsequent consumption billing, the offset between credited Export Electricity and the Import Electricity shall be processed.
- (5) No payment may be disbursed to the Producer against any Surplus Electricity, and an offset shall be processed against the surplus Electricity and the Import Electricity subject to the provisions of this article and any regulation to set by the Authority in this regard.

Amending the Conditions and Annual Connection Cap

Article (10)

- a- The Authority may amend the Connection Conditions at its discretion and announce such amendments in any manner it considers appropriate, and such amendment shall be enforceable 30 days after the announcement date, unless the Authority specifies another date for such amendment to be enforceable.
- b- The Authority may increase or reduce the Annual Connection Cap in some conditions to secure efficiency and safety of the Distribution System.

Protection of the Distribution System

Article (11)

If there is a risk for the safety or the security of the Distribution System and the public electricity network of the Emirate, the Authority is entitled to disconnect the Generator of Electricity from the Distribution System, including all reasonable safeguard measures as stipulated in the provisions of Act No (2) of 1994.

Compliance Notice

Article (12)

The Authority shall serve a compliance notice, where it is found that a Producer has violated any of the provisions of this Resolution or Connection Agreement or the Conditions, containing the following information:

- (i) The violation and its nature shall be described;
- (ii) A time limit for remedying the violation shall be indicated; and
- (iii) The measures and penalties to be imposed by the Authority in case the violation is not remedied within the specified time limit shall be specified.

Penalties and remedies

Article (13)

A. Without prejudice to any other stronger penalty set forth by any other resolutions, any one committing any of the acts set forth in the table attached with this Resolution shall be subject to the penalty attributed to each violation in the event he did not comply with the content of the notice served by the Authority in the manner prescribed in Article (12) of this Resolution.

B. The amount of the penalty to be imposed on the violating party shall be determined as per terms and conditions by a committee formed for this purpose by the CEO which amount shall be within the minimum and maximum penalty amount.

C. The penalties set forth in clause A of this article shall be doubled if it is recurrent within the same year of the former violation in amount not exceeding AED 150,000/-.

D. In addition to the complementary charges, the Authority may take any of the following measures against the violating Producer:

- (i) Suspension of the Connection Agreement for a period not exceeding three (3) months; or
- (ii) Cancellation of the Connection Agreement.

E. The measures and penalties provided for in this Article shall not prevent the Authority from claiming compensation from the violating Party for the damage sustained to the Distribution System resulting from the violation it committed.

Judicial Officers

Article (14)

Employees and Inspectors of the Authority who are appointed pursuant to decision of the CEO shall function as a judicial officer in identifying violations of the provisions of this Resolution and the by-laws issued thereunder . Those judicial officers shall have the right to draft violation reports.

**Grievance
Article (15)**

Any concerned Producer may submit to the CEO a written **grievance** to the action or measures imposed on the concerned Producer within 30 (thirty) Days from the date of said notice, and decision on the objection shall be taken with maximum period of 30 days by a committee formed by the CEO for such purpose. The decision of the committee shall be final.

**Accrual of Penalties and Costs
Article (16)**

Penalties and costs paid under the provisions of this Resolution shall be accrue to the account of the Authority

**Transitory Provision
Article (17)**

All Producers at the time this Resolution enters into force shall reconcile their statuses to comply with the provisions of this Resolution within maximum period of six months.

**Issuance of Executing Decisions
Article (18)**

The CEO shall issue the necessary decisions to execute the provisions of this Resolution.

Repeal Article (19)

To the extent it contradicts with the provisions of this Resolution, any provision in any other resolutions shall be repealed.

**Publication and Entry into Force
Article (20)**

This Resolution shall be published in the Official Gazette and shall come into force on the day on which it is published.

**Hamdan bin Mohammed Bin Rashid Al Maktoum,
Crown Prince of Dubai
Chairman of the Executive Council**

Issue on 7 December 2014
Corresponding to 15 Safar 1436 H.J.

Table of Violation and Penalties of the Producer

S	Description of violation	Minimum penalty	Maximum penalty
1	Violating the Connection Agreement	AED 3000/-	AED 30,000/-
2	Not complying with the Connection Conditions or any other conditions set by the Authority in the same regard.	AED 3000/-	AED 30,000/-
3	Exceeding the maximum generation capacity allowed to be imported to the distribution system.	AED 6000/-	AED 60,000/-
4	Any other act may impact safety and efficiency of Distribution System.	AED 7500/-	AED 75,000/-
5	Not cooperating with the Authority staff or hindering their work.	AED 1500/-	AED 15,000/-