

Electronic Application Requirement for Energy Markets Pre-license and Licenses has been Introduced

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Turkey's Energy Market Regulatory Authority (the "**EMRA**") has updated the Procedures and Principles Regarding Applications for Pre-License and License Proceedings with its decision published in the Official Gazette dated 6 July 2019 and numbered 30823 (the "**Decision**") entered into force as of the date of publication. In line with the Decision, the electronic application procedure has been introduced for pre-license and license applications. The documents required for pre-license and license applications have also been updated.

According to the new procedures, the following applications shall be made electronically via the EMRA Application System by electronic application authorized persons:

- Pre-license applications, amendments, merger or spin-offs and termination requests,
- Production license applications, amendments, merger or spin-offs and termination requests,
- Supply license applications, amendments, merger or spin-offs and termination requests,
- Facility/ project transfer applications,
- Renewable Energy Resources Support Mechanism (YEKDEM) applications.

On the other hand, applications for licenses concerning (i) transmission, (ii) distribution, (iii) Organized Industrial Zone (OSB) distribution, (iv) OSB production, (v) market operation and (vi) nuclear energy-based pre-license and licenses, as well as applications regarding their amendment and termination shall continue to be made in writing.

In order to make the applications in an electronic environment, the legal entity which will apply must notify EMRA of the authorized person to make electronic applications, in writing with a petition and certificate of authorization attached to the Decision. The authorized person who will apply on behalf of the legal entity will be granted access to the EMRA Application System within five working days following the submission of the authorization document.

Third parties who are not authorized to represent and bind the legal entity may also be authorized for an electronic application. In such a case, a specific power of attorney will be granted to such third person. The powers which must be included in the power of attorney to be submitted to EMRA are also specified in the Decision.

EMRA Application System will be accessed through an e-government password, an electronic signature or a mobile signature.

EMRA has also foreseen a transition period for electronic applications. Accordingly, applications required to be made in the electronic environment can continue to be made in writing until 30 November 2019.

In addition to the electronic application procedure, the documents which need to be submitted to EMRA for applications regarding pre-license and licenses have also been updated under the Decision.

Please see this [link](#) for the full text of the Decision (only available in Turkish).

Related Attorneys

- [BENAN ARSEVEN](#)

- BURCU TUZCU ERS?N, LL.M.
- C. HAZAL BAYDAR, LL.M.