

Turkey Updates Conditions of Obtaining Electricity Generation Licenses

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Electricity production license holders in Turkey can now sell, transfer or lease electricity production plants by simply obtaining permission from the Energy Market Regulatory Authority. Under the new approach, once approval is received, the transferee will be granted a license constituting a continuation of the former production license. The transferee is no longer required to obtain an entirely new production license for the plant. A number of changes are also made to requirements for pre-licenses and all electricity license holders are now required to only use data processing centres located within Turkey, or receive such services from domestic data processing centres.

The Regulation Amending the Electricity Market License Regulation ("**Amendment Regulation**") was published in Official Gazette number 29865 on 22 October 2016. The Amendment Regulation makes changes to the Electricity Market License Regulation ("**Regulation**") published in Official Gazette number 28809 on 2 November 2013.

A number of changes are also made to requirements for pre-licenses.

- The maximum pre-licence period determined by the Energy Market Regulatory Board ("**Board**") has now been extended from 24 months to 36 months, depending on the generation resource type and installed capacity. The Amendment Regulation also allows this period to be differentiated between Energy Resource Utilization Areas.
- Pre-licence applications require 12 months' worth of solar or wind measurements. These can now be taken from within the previous five years. Previously, the measurements were required from within the last three years. This requirement will not apply to generation facilities applying for a pre-licence within an Energy Resource Utilization Area.
- Pre-licence applications regarding peat, oil shale, bituminous shale, coccolith and sapropel are no longer required to include an Environmental Impact Assessment approval decision.
- The following are added as grounds for the Board to refuse a pre- licence application:
- It is impossible to build the production plant in the area stated in the application.
- Legal entities which have not applied for a pre-licence after winning the tender within the scope of the Tender Regulation for the Pre License Applications regarding Construction of Wind and Sun Power Plants (published in Official Gazette number 28843 on 6 December 2013).
- The legal entities have not submitted the required information and documents, or the submitted documents do not meet the standards set in related legislation.

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

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