

Content

Title :	Regulations Governing the Assessment of Energy Development and Utilization <b>Ch</b>
Date :	2015.11.24
Legislative :	1.Promulgated on November 24, 2015
Content :	<p><b>Article 1</b> These regulations are promulgated pursuant to Article 15-1 of the Energy Administration Act (hereinafter referred to as the Act).</p> <p><b>Article 2</b> The terms applied in these regulations are defined as follows: 1. Volume: in circumstances of electricity generation or cogeneration systems, refers to installed capacity of power generation equipment; in circumstances of petroleum refineries and massive energy-consumption users, refers to chartered capacity of electricity consumption and installed capacity of self-usage power generation equipment. 2. Category: refers to coal (metric ton), petroleum (kiloliters of oil equivalent), natural gas (kilo cubic meter) and electricity (megawatt). 3. Location: north district, refers to areas located north of Feng-Shan River and north of He-Ping River; central district, refers to areas located south of Feng-Shan River, north of Cho-Shui River, and Hualien County; south district, refers to areas located south of Cho-Shui River not belonging to north and central district as well as Taitung County; offshore islands, refer to islands where no transmission lines connecting to the grid of the main island of Taiwan. 4. Massive energy-consumption users: manufacture listed in the Standard Industrial Classification System of the Republic of China, excluding petroleum refineries listed in Petroleum Administration Act. 5. Application Period: identified by the planned years of the business operation on the energy utilization manual. 6. Estimated Percent Reserve Margin: refers to the estimated value of percent reserve margin calculated by the following formula and announced by the central competent authority for each of the following 6 years. Estimated Percent Reserve Margin = (aggregated value of net peaking capability of nationwide power systems) + (aggregated value of net peaking capability of projects which have obtained the preparation approval for electricity enterprise establishment - estimated value of peak load of the electricity systems) / estimated value of peak load of the electricity systems 7. Baseline Value of Percent Reserve Margin: refers to the value of percent reserve margin submitted by electricity enterprises and approved and announced by the central competent authority in accordance with the Electricity Act. 8. Letter of Approval for Electricity Consumption Plan: refers to the letter for the approval of applications of electricity consumption plans issued to the electricity enterprises.</p> <p><b>Article 3</b> These regulations apply to the energy users of massive investment and production plan of electricity generation, cogeneration systems, petroleum refineries and massive energy-consumption users (hereinafter referred to as energy users), and the Scope of Applied Energy Users is promulgated in accordance with Article 16, Section 4 of the Act.</p> <p><b>Article 4</b> Energy users shall submit the energy utilization manual for central competent authorities' approval through authorities which accept such application before the energy consumption facilities are established or expanded. The applicants shall state the reasons and apply directly to a central competent authority if no local authorities accept the application. The preceding section applies mutatis mutandis when one of the following circumstances occur in content of the approved energy utilization manual:</p>

1. Alteration of the energy use category.
2. Alteration of the location of energy consumption facilities.
3. Increase of the energy consumption volume.
4. Alteration of energy consumption efficiency.

#### **Article 5**

Power generating plant energy users' consumption volume, category, and location of application shall be calculated on the basis of nationwide staging and zoning installed capacity prescribed by the Energy Development Policy, and the following rules shall be met:

1. The applicable installed capacity of the category of energy in the applied period shall not be exceeded.
2. The applicable installed capacity of the location in the applied period shall not be exceeded. The location shall be identified by the parallel connection point between the power transmission lines of established or expanded energy consumption facilities applied by the energy users and the grid.

#### **Article 6**

In order to ensure the stability and security of nationwide power supply, power generating plant energy users are not constrained by the preceding article in the following circumstances:

1. Being located on offshore islands, and the installed capacity being not included in the nationwide staging and zoning installed capacity.
2. The estimated percent reserve margin for the years of business operation listed on the energy utilization manual being lower than the baseline value of percent reserve margin.

#### **Article 7**

Electricity generation or cogeneration systems energy users' efficiency shall meet the following rules of best available techniques:

1. Utility systems and equipment (as table 1).
2. Processing techniques for electricity generation or cogeneration systems (as table 2).

The preceding section is not applicable in circumstances of being restricted by laws and regulations, patent right protection, international trade barriers, or other factors not attributable to the applicants, given evidence are submitted by the applicants.

#### **Article 8**

The applied volume category, and location of petroleum refineries or massive energy- consumption users shall meet the following rules:

1. Supplying capacity of electricity enterprise listed on the energy utilization manual shall be provided with letter of approval for Electricity Consumption Plan issued by an electricity enterprise and not exceed the approved supplying capacity.
2. Supplying capacity of self-usage power generation equipment listed on the energy utilization manual shall be provided with supporting evidence to explain there is no concern for blackout in the self-usage power generation equipment.

#### **Article 9**

Petroleum refineries or massive energy-consumption users' efficiency shall meet the following rules of Best available techniques:

1. Utility systems and equipment (as table 1).
2. Processing techniques:
  - (1) Petroleum refineries or energy users' processing techniques (as table 3).
  - (2) Semi-conductor or panel industrial processing techniques (as table 4).

The preceding section is not applicable in circumstances of being restricted by laws and regulations, patent right protection, international trade barriers, or other factors not attributable to the applicants, given supporting evidence are submitted by the applicants.

#### **Article 10**

For the energy utilization manuals which do not comply with the format and essential particulars listed in the Article 16, Section 4 of the Act, or is incomplete, wrongful or omitted in the application documents, shall be asked to take corrective actions within the time prescribed in central competent authorities' order. Applications shall be rejected if the corrective action is not made in time or fails to comply with the rules.

When the application documents have been found to comply with all requirements, the applicants

shall pay the fee of review or revision within 15 days after receiving the notice. The preceding section applies *mutatis mutandis* if the applicants do not pay in accordance with the regulations.

#### **Article 11**

The central competent authorities shall make one of the following decisions according to Article 16, Section 2 of the Act after receiving the application according to Article 4 or the preceding article:

1. Approval.
2. Approval with incidental provisions.
3. Rejection.

#### **Article 12**

For the following circumstances where no corrective action is made or the correction is incomplete within the time prescribed in central competent authorities' order, the central competent authorities may reject the application:

1. The consumption volume, category, or location listed on the energy utilization manual does not comply with rules set in Article 5 or Article 8.
2. The efficiency listed on the energy utilization manual does not comply with Article 7 or Article 9.

#### **Article 13**

The central competent authorities shall revoke the approval decision if the years of planned business operation listed in the approved energy utilization manual end, and one of the following circumstances exists:

1. Electricity generation:
  - (1) Not obtain the preparation approval for electricity enterprise establishment and registration in accordance with electricity enterprise relevant laws and regulations.
  - (2) The preparation approval for electricity enterprise establishment and registration has been withdrawn, revoked, or voided for other circumstances.
  - (3) The working permit of electricity enterprise has been withdrawn, revoked, or voided for other circumstances.
2. Cogeneration systems:
  - (1) Not obtain the working permit for self-usage power generation equipment in accordance with electricity enterprise relevant laws and regulations.
  - (2) The working permit for self-usage power generation equipment has been withdrawn, revoked, or voided for other circumstances.
3. Petroleum refineries:
  - (1) The approval for electricity consumption plan issued by an electricity enterprise provided with the energy utilization manual has been voided.
  - (2) Not obtain the permit to establish a petroleum refinery in accordance with Petroleum Administration Act.
  - (3) The permit to establish a petroleum refinery has been withdrawn, revoked, or voided for other circumstances.
4. Massive energy-consumption users:
  - (1) Letter of approval for Electricity Consumption Plan issued by an electricity enterprise provided with the energy utilization manual has been voided.
  - (2) Not obtain permit or approval in accordance with relevant enterprise administration laws or regulations.
  - (3) The permit or approval mentioned in the preceding sub-sub-section has been withdrawn, revoked, or voided for other circumstances.

#### **Article 14**

These regulations shall come into force after the promulgation date. Notwithstanding the foregoing, the enforcement date of article 4, section 2, sub-section 1 to 3, article 5, article 6, article 8, article 12, sub-section 1, article 13, sub-section 3, sub-sub-section 1, and sub-section 4, sub-sub-section 1 in the same article shall be promulgated by the central competent authorities separately.

Attachments : Table 1.pdf  
Table 2.pdf  
Table 3.pdf  
Table 4.pdf

---

Data Source : Ministry of Economic Affairs R.O.C.(Taiwan) Laws and Regulations Retrieving System