



**On approval of the Rules for participation of the consumers included in the Register of groups of persons in creation of electric power for a covering of the predicted deficiency**

***Unofficial translation***

Order of the Minister of Energy of the Republic of Kazakhstan dated December 19, 2018 No. 515. Registered with the Ministry of Justice of the Republic of Kazakhstan on December 22, 2018 No. 18004.

**Unofficial translation**

In compliance with Subparagraph 70-33) of Article 5 of the Law of the Republic of Kazakhstan of July 9, 2004 "On Electric Power Industry" **I hereby ORDER:**

1. To approve the enclosed Rules for participation of the consumers included in the Register of groups of persons, in creation of electric power for a covering of the predicted deficiency.

2. The Department of Implementation of State Policy in the field of electric power industry of the Ministry of Energy of the Republic of Kazakhstan in the manner prescribed by the legislation of the Republic of Kazakhstan shall:

1) ensure the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) within ten calendar days from the date of the state registration of this order, direct its copy both in the Kazakh and Russian languages to the Republican State Enterprise on the Right of Economic Management "Republican Center of Legal Information of the Ministry of Justice of the Republic of Kazakhstan" for official publication and inclusion in Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan;

3) place of this order on the Internet resource of the Ministry of Energy of the Republic of Kazakhstan;

4) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan, submit to Department of Legal Service of the Ministry of Energy of the Republic of Kazakhstan the data on implementation of activities provided by Subparagraphs 1), 2) and 3) of this item.

3. The control over execution of this order shall be imposed on the supervising Vice-Minister of Energy of the Republic of Kazakhstan.

4. This order shall become effective after ten calendar days after the day of its first official publication.

*Minister of Energy  
of the Republic of Kazakhstan*

*K. Bozumbayev*

Approved by order No. 515  
of the Minister of Energy

## **Rules**

**for participation of consumers included in the Register of groups of persons in creation of electric power to cover the anticipated deficiency**

**Footnote. Rules - as amended by order No. 154 of the acting Minister of Energy of the Republic of Kazakhstan dated 30.04.2021 (shall be enforced ten calendar days after the date of its first official publication).**

### **Chapter 1. General Provisions**

1. These Rules for participation of consumers included in the Register of groups of persons in creation of electric power to cover the anticipated deficiency (hereinafter referred to as the Rules) have been developed in accordance with subparagraph 70-33) of Article 5 of the Law of the Republic of Kazakhstan “On Electric power Industry” (hereinafter referred to as the Law) and define the procedure for participation of consumers included in the Register of groups of persons in creation of electric power to cover the anticipated deficiency.

2. The following basic concepts shall be used in these Rules:

1) market council - a non-profit organization that monitors the functioning of the electricity and capacity market, as well as other functions provided for by the Law;

2) register of groups of persons (hereinafter referred to as the Register) - a list of energy producing organizations and consumers included in one group of persons, formed and posted on the official Internet resource by the authorized body, subject to control in accordance with parts two and three of paragraphs 1-1 of Article 9 Law;

3) the authorized body - a state body exercising management in the electric power industry.

Other concepts and definitions used in these Rules are applied in accordance with the legislation of the Republic of Kazakhstan in the electric power industry.

### **Chapter 2.**

**Procedure for participation of consumers included in the Register of groups of persons in creation of electric power to cover the anticipated deficiency**

3. Pursuant to paragraph 8 of Article 15-1 of the Law, if in the approved forecast balance of electric power and capacity for the upcoming seven years, the forecast uncovered electric power deficiency in the unified electric power system of the Republic of Kazakhstan or in any of its zones during the first five years of the forecast exceeds 100 megawatts, the authorized body within thirty calendar days shall send notifications to the Market Council, consumers included in the Register, about the occurrence of forecasted uncovered shortage of electric capacity.

The zone of the unified electric power system of the Republic of Kazakhstan is a part of the unified electric power system of the Republic of Kazakhstan, in which there are no technical restrictions that prevent the transfer of electric energy produced by generating sources, defined in accordance with the procedure for developing predictive balances of electric power and capacity.

The uncovered shortage of electric power shall be calculated taking into account the capacity of power transmission lines connecting energy-deficient zones with other zones of the unified electric power system of the Republic of Kazakhstan.

4. Pursuant to paragraph 6 of Article 15-5 of the Law, consumers included in the Register of the relevant group of persons shall participate in the creation of electric power in the amount calculated by the Market Council according to the following formula:

$M_{\text{роп}} = D_{\text{эм}} * (ПН_{\text{пр}} / ПН_{\text{ЕЭС}})$ , where:

$M_{\text{роп}}$  is the estimated volume of obligations of consumers included in the Register of the relevant group of persons in the creation of electric power;

$D_{\text{эм}}$  - the volume of the anticipated shortage of electric power in the unified electric power system of the Republic of Kazakhstan or in any of its zones;

$ПН_{\text{пр}}$  - peak load of consumers included in the Register of the relevant group of persons at the time of approval of the anticipated balance of electric power and capacity for the upcoming seven-year term;

$ПН_{\text{ЕЭС}}$  - the total peak load in the unified electric power system of the Republic of Kazakhstan at the time of approval of the anticipated balance of electric energy and capacity for the next seven-year period.

5. In accordance with paragraph 8 of Article 15-5 of the Law, the obligations of consumers included in the Register of electric power creation, provided for in paragraph 6 of Article 15-5 of the Law, are reduced by the amount of electric power created by wholesale market entities included in the Register of the corresponding group of persons calculated by the Market Council according to the following formula:

$M_{\text{оп}} = (D_{\text{эм}} + CM_{\text{пр}}) * (ПН_{\text{пр}} / ПН_{\text{ЕЭС}}) - CM_{\text{пр}}$ , where

$M_{\text{оп}}$  is the volume of obligations of consumers included in the Register of the relevant group of persons in creation of electric power;

$D_{\text{эм}}$  is the volume of anticipated electric power shortage in the unified electric power system of the Republic of Kazakhstan or in any of its zones;

$CM_{\text{пр}}$  - the volume of electric power created by wholesale market entities included in the Register of the relevant group of persons, subject to the conditions specified in paragraph 8 of Article 15-5 of the Law;

$ПН_{\text{пр}}$  - peak load of consumers included in the Register of the relevant group of persons at the time of approval of the anticipated balance of electric power and capacity for the upcoming seven-year period;

ПНЭЭС - the total peak load in the unified electric power system of the Republic of Kazakhstan at the time of approval of the anticipated balance of electric power and capacity for the next seven-year period.

If  $M_{оп}$  is equal to zero or negative, the obligations of consumers included in the Register of the relevant group of persons are equal to zero.

6. If the volume of electric power created by the wholesale market entities included in the Register of the relevant group of persons, in accordance with subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law is equal to or more than  $M_{оп}$ , the remaining consumers of the relevant group of persons included in the Register, shall be exempted from participation in the creation of electric power.

7. If the volume of electric power created by wholesale market entities included in the Register of the relevant group of persons, in accordance with subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law is less than  $M_{оп}$ , the consumers included in the Register of the relevant group of persons shall participate in creation of electric power in accordance with subparagraph 4) of paragraph 6 of Article 15-5 of the Law, in the amount calculated by the Market Council, based on the notification of the authorized body, according to the following formula:

$M_{е3} = M_{оп} - C_{M_{оп}}$ , where

$M_{е3}$  is the volume of purchase of services to ensure the readiness of electric power to carry the load from a single purchaser by consumers included in the Register, in accordance with subparagraph 4) of paragraph 6 of Article 15-5 of the Law;

$M_{оп}$  – is the volume of obligations of consumers included in the Register of the relevant group of persons in the creation of electric power;

$C_{M_{оп}}$  – is the volume of electric power created by wholesale market entities included in the Register of the relevant group of persons, in accordance with subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law.

8. The volume of procurement of services to ensure the readiness of electric power to bear the load from a single purchaser shall be distributed by the Market Council among consumers included in the Register, according to the following formula:

$M_{е31} = M_{е3} * (ПН_{пр1} / ПН_{пр})$ , where

$M_{е3 1}$  – is the volume of procurement of services to ensure the readiness of electric power to carry the load from a single purchaser by a consumer included in the Register, in accordance with subparagraph 4) of paragraph 6 of Article 15-5 of the Law;

$M_{е3}$  - the volume of procurement of services to ensure the readiness of electric power to carry the load from a single purchaser by consumers included in the Register, in accordance with subparagraph 4) of paragraph 6 of Article 15-5 of the Law;

$ПН_{пр1}$  – is the peak load of the consumer included in the Register of the relevant group of persons at the time of approval of the anticipated balance of electric energy and capacity for the upcoming seven-year period;

ПНп - peak load of consumers included in the Register of the relevant group of persons at the time of approval of the anticipated balance of electric energy and capacity for the upcoming seven-year term.

9. When fulfilling the obligations provided for in paragraph 6 of Article 15-5 of the Law, by performing the actions referred to in subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law, the location (site), type and kind of fuel for generating installations, put into operation by wholesale market entities included in the Register shall be coordinated with the authorized body in accordance with paragraphs 13 and 14 of these Rules.

10. Interaction of wholesale market entities included in the Register with a single purchaser and an authorized body for decision-making on participation in the creation of electric power, sending notifications and information, concluding contracts for the creation of electric power and for procurement of the service to maintain the electric power readiness, shall be in accordance with paragraphs 10-12 of Article 15-5 of the Law.

11. When deciding to participate in the creation of electric power by performing the action referred to in subparagraph 4) of paragraph 6 of Article 15-5 of the Law, consumers included in the Register of the relevant group of persons shall buy from the single purchaser the services to ensure the readiness of electric power to bear the load in the amount calculated by the Market Council using the following formula:

$M_{\text{сз}} = M_{\text{оп}} - C M_{\text{оп}}$ , where

$M_{\text{сз}}$  - is the volume of purchase of services to ensure the readiness of electric power to carry the load from a single purchaser by consumers included in the Register, in accordance with subparagraph 4) of paragraph 6 of Article 15-5 of the Law;

$M_{\text{оп}}$  - is the volume of obligations of consumers included in the Register of the relevant group of persons in the electric power creation;

$C M_{\text{оп}}$  – is the electric power volume created by wholesale market entities included in the Register of the relevant group of persons, in accordance with subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law.

Distribution of the volume of procurement of services to ensure the readiness of electric power to carry the load from a single purchaser in accordance with subparagraph 4) of paragraph 6 of Article 15-5 of the Law between consumers included in the Register shall be carried out in accordance with paragraph 8 of these Rules.

12. Groups of persons formed after the tender for construction of newly commissioned generating plants and (or) after the tender, shall participate in the electric power creation in accordance with subparagraph 4) of paragraph 6 of Article 15-5 of the Law.

The volume of procurement of services to ensure the readiness of electric power to carry the load from the single purchaser shall be calculated by the Market Council in accordance with paragraphs 8, 21 of these Rules.

### **Chapter 3. The procedure for participation of consumers included in the Register of groups of persons in creation of regulating electric power to cover the anticipated deficiency**

13. Pursuant to paragraph 9 of Article 15-1 of the Law, if in the approved anticipated electric power and capacity balance for the upcoming seven-year term, the anticipated uncovered shortage of regulating electric capacity in the unified electric power system of the Republic of Kazakhstan or in any of its zones during the last three years of the forecast exceeds 100 megawatts, the authorized body shall determine the volumes, terms of commissioning of regulating generating installations with a flexible generation mode and send notifications to the Market Council, consumers included in the Register, about the occurrence of anticipated uncovered shortage of regulating electric capacity.

14. Pursuant to paragraph 6 of Article 15-5 of the Law, consumers included in the Register of the relevant group of persons shall participate in the creation of regulating electric capacity in the amount calculated by the Market Council on the basis of the notification from the authorized body, according to the following formula:

$M_{\text{регпр}} = D_{\text{регэм}} * (ПН_{\text{пр}} / ПН_{\text{ЕЭС}})$ , where

$M_{\text{регпр}}$  – is the estimated volume of obligations of consumers included in the Register of the relevant group of persons in the creation of regulating electric power;

$D_{\text{регэм}}$  - the volume of the anticipated shortage of regulating electric capacity in the unified electric power system of the Republic of Kazakhstan or in any of its zones;

$ПН_{\text{пр}}$  – the peak load of consumers included in the Register of the relevant group of persons at the time of approval of the anticipated electric power and capacity balance for the upcoming seven-year term;

$ПН_{\text{ЕЭС}}$  - the total peak load in the unified electric power system of the Republic of Kazakhstan at the time of approval of the anticipated balance of electric energy and capacity for the next seven-year period.

15. Pursuant to paragraph 8 of Article 15-5 of the Law, the obligations of consumers included in the Register on creation of regulating electric power, provided for in paragraph 6 of Article 15-5 of the Law, are reduced by the amount of regulating electric power created by wholesale market entities included in the Register of relevant group of persons, calculated by the Market Council according to the following formula:

$M_{\text{опрег}} =$

$(D_{\text{регэм}} + C M_{\text{регпр}}) * (ПН_{\text{пр}} / ПН_{\text{ЕЭС}}) - C M_{\text{регпр}}$ , where

$M_{\text{опрег}}$  is the volume of obligations of consumers included in the Register of the relevant group of persons in the creation of regulating electric power;

$D_{\text{регэм}}$  - the volume of the anticipated deficit of regulating electric capacity in the unified electric power system of the Republic of Kazakhstan or in any of its zones;

CMперп - the volume of regulating electric capacity created by wholesale market entities included in the Register of the relevant group of persons, subject to the conditions referred to in paragraph 8 of Article 15-5 of the Law;

ПНп - the peak load of consumers included in the Register of the relevant group of persons at the time of approval of the anticipated balance of electric power and capacity for the upcoming seven-year period;

ПНЭС - the total peak load in the unified electric power system of the Republic of Kazakhstan at the time of approval of the anticipated balance of electric power and capacity for the next seven-year period.

If Монер is equal to zero or negative, the obligations of consumers included in the Register of the relevant group of persons are equal to zero.

16. If the volume of regulating electric power created by wholesale market entities included in the Register of the relevant group of persons, pursuant to subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law is equal to or more than Монер, the remaining consumers of the relevant group of persons included in the Register, shall be exempted from participation in the creation of regulating electric power.

17. If the volume of regulating electric capacity created by wholesale market entities included in the Register of the relevant group of persons, in accordance with subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law is less than Монер, the consumers included in the Register of the relevant group of persons shall participate in creation of regulating electric capacity in accordance with subparagraph 4) of paragraph 6 of Article 15-5 of the Law, in the amount calculated by the Market Council according to the following formula:

$Me_3 = Монер - CMперп$ , where

$Me_3$  - is the volume of procurement of services to ensure the readiness of electric power to carry the load from the single purchaser by consumers included in the Register, in accordance with subparagraph 4) of paragraph 6 of Article 15-5 of the Law;

Монер - the volume of obligations of consumers included in the Register of the relevant group of persons in the creation of regulating electric power;

CMперп - the volume of regulating electric capacity created by the wholesale market entities included in the Register of the relevant group of persons, pursuant to subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law.

18. The volume of procurement of services to ensure the readiness of electric power to bear the load from the single purchaser shall be distributed by the Market Council among consumers included in the Register, according to the following formula:

$Me_{31} = Me_3 * (ПНп1 / ПНп)$ , where

$Me_{31}$  is the volume of procurement of services to ensure the readiness of electric power to carry the load from the single purchaser by a consumer included in the Register, pursuant to subparagraph 4) of paragraph 6 of Article 15-5 of the Law;

Me<sub>3</sub> - the volume of procurement of services to ensure the readiness of electric power to carry the load from the single purchaser by consumers included in the Register, pursuant to subparagraph 4) of paragraph 6 of Article 15-5 of the Law;

ПН<sub>п1</sub> - peak load of the consumer included in the Register of the relevant group of persons at the time of approval of the anticipated balance of electric power and capacity for the upcoming seven-year period;

ПН<sub>п</sub> - peak load of consumers included in the Register of the relevant group of persons at the time of approval of the anticipated balance of electric power and capacity for the upcoming seven-year period.

19. When fulfilling the obligations provided for in paragraph 6 of Article 15-5 of the Law, by performing the actions specified in subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law, the location (site), type and kind of fuel for generating installations, launched by wholesale market entities included in the Register shall be coordinated with the authorized body pursuant to paragraphs 22 and 23 of these Rules.

20. Interaction of wholesale market entities included in the Register with the single purchaser and the authorized body for decision-making on participation in the creation of regulating electric power, sending notifications and information, concluding contracts for the creation of regulating electric power and on procurement of services to maintain the readiness of electric power, shall be carried out pursuant to paragraphs 10-12 of Article 15-5 of the Law

21. When deciding to participate in the creation of regulating electric power by performing the action specified in subparagraph 4) of paragraph 6 of Article 15-5 of the Law, the consumers included in the Register of the relevant group of persons shall buy from the single purchaser the service to ensure the readiness of electric power for carrying the load in the amount calculated by the Market Council using the following formula:

$Me_3 = M_{опер} - CM_{пероп}$ , where

Me<sub>3</sub> – is the volume of procurement of services to ensure the readiness of electric power to carry the load from the single purchaser by consumers included in the Register, pursuant to subparagraph 4) of paragraph 6 of Article 15-5 of the Law;

M<sub>опер</sub> - the volume of obligations of consumers included in the Register of the relevant group of persons in the creation of regulating electric power;

CM<sub>пероп</sub> - the volume of regulating electric capacity created by the wholesale market entities included in the Register of the relevant group of persons, pursuant to subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law.

Distribution of the volume of procurement of services to ensure the readiness of electric power to carry the load from the single purchaser pursuant to subparagraph 4) of paragraph 6 of Article 15-5 of the Law between consumers included in the Register shall be carried out in accordance with paragraph 18 of these Rules.



## Chapter 4. The approval procedure on the location (site), type and kind of fuel for generating installations put into operation

22. The wholesale market entities included in the Register shall file to the authorized body a paper and electronic application for approval of the location (site), type and kind of fuel of the generating installations put into operation, along with information on the main parameters of the generating installations in accordance with the form of the appendix to these Rules.

23. The authorized body shall agree on the location (site), type and kind of fuel for generating installations put into operation by wholesale market entities included in the Register, provided that electric power and (or) regulating electric power will be created in the single electric power system of the Republic of Kazakhstan or in any of its zones, in which an uncovered shortage of electric power is anticipated.

Appendix  
to the Rules for participation  
of the consumers, included in the  
Register of groups of persons  
in creation of electric power  
to cover the anticipated deficiency

The form

### Information about the main parameters of generating installations

1. The name of the power plant, which covers the activities, planned as part of the obligations provided for in paragraph 4 of these Rules, by performing the actions specified in subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law.

2. General information about the activities, planned as part of fulfillment of the obligations provided for in paragraph 6 of Article 15-5 of the Law, by performing the actions specified in subparagraphs 1) and 2) of paragraph 6 of Article 15-5 of the Law\*.

№	Name of the activity	Date of the activity start (month, year)	Date of the activity end (month, year)	Technical specifications of the commissioned main generating equipment	
				Installed electric power, including regulating electric power, (MW)	Installed thermal power, (Gcal/h)
1	2	3	4	5	6
Construction of new electric power and (or) regulating electric power, including reconstruction of put out electric power and (or) regulating electric power, not taken into account in the approved anticipated balance of electric power and capacity for the upcoming seven-year term					
1.					
2.					
...					
Expansion of own existing electric capacity and (or) regulating electric capacity					
1.					

2.					
...					

Note:

\* – numeric values of the table parameters shall be reflected with an accuracy of tenths.

3. Information on the power plant operation parameters before and after implementation of the measures specified in subparagraph 2) of paragraph 6 of Article 15-5 of the Law \*.

№	Installed capacity, including regulating capacity		Average annual available power, including regulating power		specific reference fuel consumption for output **	
	Electric (MW)	Thermal (Gcal/h)	Electric (MW)	Thermal (Gcal/h)	Electric power (gut/kWh)	Thermal power (gut/kWh)
1	2	3	4	5	6	7
Before implementation of the measures						
1.						
After implementation of the measures						
2.						

Note:

\* – numeric values of the table parameters shall be reflected with an accuracy of tenths.

\*\* – in the nominal operating mode of the power plant.