

Official Letter No. CENACE/DOPS/079/2020

Official Letter whereby certain instructions derived from various Amparo Proceedings are delivered



MAY 21ST, 2020

INSTRUCTIONS DERIVED FROM VARIOUS AMPARO PROCEEDINGS NATIONAL ENERGY CONTROL CENTER

- As previously informed, on April 29th, the National Energy Control Center (*Centro Nacional de Control de Energía*) ("CENACE") issued a certain resolution titled "*Resolution to secure the efficiency, quality, reliability, continuity and safety of the National Electric System, as a result of the SARS-CoV2 (COVID-19) virus epidemic*" (*Acuerdo para garantizar la Eficiencia, Calidad, Confiabilidad, Continuidad y Seguridad del Sistema Eléctrico Nacional, con motivo del reconocimiento de la epidemia de enfermedad por el virus SARS-CoV2 (COVID-19)*) which was later published in the public domain of the Market Information System (*Sistema de Información del Mercado*) (SIM) on May 1st (the "Resolution"). Among other provisions, the Resolution declared the immediate suspension of preoperational tests for wind and solar power plants.
- As expected, several generators, in defense of their interests, filed *amparo* proceedings against the Resolution, requesting the suspension of its effects.
- On May 19th, CENACE received notifications of the several *amparo* proceedings filed and of the judicial decision to temporarily suspend the Resolution. As a result of such provisional suspension, on May 19th CENACE, through the System's Operation and Planning Department (*Dirección de Operación y Planeación del Sistema*), instructed the Operation Sub- Department (*Subdirección de Operación*), the Management of the National Center (*Gerencia del Centro Nacional*), the Management of the Alternative Center (*Gerencia del Centro Nacional*) and the Regional Control Managers, all of which fall within CENACE's organization not to enforce the Resolution, establishing that the generators that filed the *amparo* may:
 - Resume the preoperational testing that was being conducted before the Resolution came into effect; and
 - Obtain new licenses for future preoperational tests.
- In the latter case, it is important to highlight that CENACE conditions granting new licenses and the performance of the applicable tests "*to a prior reliability analysis of the National Electric System*" without going into further detail, which could imply additional requirements as provided in the Resolution.
- Finally, CENACE requires the generators who obtained the provisional suspension of the Resolution to deliver, by no later than 9:00 am on May 20th, the scheduled test program for May 21st and subsequent days.



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