

# Small Wind in Italy: Challenges and Potentials



*“MINIWIND”*

ANALYSIS OF THE GENERAL REGULATORY  
AND AUTHORIZATION PROCESS FOR THE  
DEVELOPMENT OF MINIWIND IN ITALY

A low-angle, close-up shot of a wind turbine's nacelle and blades against a clear blue sky. The turbine is positioned on the left side of the frame, with its blades extending towards the top and right. The background is a solid blue color, which is part of the slide's design.

# REGULATORY REFERENCES:

- Decreto Legislativo del 29 dicembre 2003 n. 387 (emanato ai sensi direttiva 2001/77/CE).
- Linee guida nazionali 2010 approvate in Conferenza Stato-Regioni in attuazione del decreto legislativo n. 387/2003.
- Decreto Legislativo del 3 marzo 2011 n. 28.
- D.M. del 6 luglio 2012
- D.M. del 23 giugno 2016
- Decreto Legislativo del 25 novembre 2016 n. 222.
- D.M. del 4 luglio 2019

# REGULATORY REFERENCES:

## ❖ Decreto Legislativo del 29 dicembre 2003 n. 387 (emanato ai sensi direttiva 2001/77/CE)

- Promotion of the renewable energy
- Definition of the criteria
- Art.6 - Instructions for power plants not exceeding 20 kW
- Art.12 – Simplification of the authorization procedures

## ❖ Linee guida nazionali 2010 approvate in Conferenza Stato-Regioni in attuazione del decreto legislativo n. 387/2003

- Method of issue of the regulation of the technical-economic conditions of electricity produced by plants powered by renewable sources
- Outlines the authorization procedure that must comply with the regulations on the protection of the environment, the landscape and the artistic heritage
- It provides for the issuance, by the Region, of the Single Authorization following a procedure (ordinary procedure), in which all the Administrations concerned participate

On 3 October 2010, the D.M. 10 SEPTEMBER 2010 in implementation of Article 12 of Legislative Decree 387/2003 which establishes the rules throughout the national territory, of the single procedure for the authorization of plants

# D.M. 10 SETTEMBRE 2010 and the A.U. as authorization tool

According to D.M. 10 SETTEMBRE 2010 the individual interventions, depending on the size and installed power, can be subjected to:

1. Notification of Start of Business (D.I.A.) for wind generators with power between 20 and 60 KW (art. 11 and 12);
2. Single Authorization (A.U.), in application of art. 12 co. 5 of Legislative Decree no. 387/2003.



The instance for the release of the A.U. must contain following documentation:

1. A project design
2. A statement that shows the availability of the land area
3. A technical description
4. The CDU certification and a statement of the absence of environmental impact of the project

# From the A.U. to the PAS: Art.6 del

## D.LGS 28/2011

The A.U. process provides that the competent Administration communicates to the applicant Within 15 days from the presentation of the application:

1. the initiation of the procedure pursuant to law 241/1990
2. the impossibility of processing the application due to lack of the required documentation
3. after this term has elapsed without the Administration having communicated the impossibility of proceeding, the procedure is considered to have been started (silent consent).
4. Within 30 days of receipt of the request, the Administration convenes the Services Conference, in which the operator of the network to which it is planned to connect the plant participates, without the right to vote
5. The deadline for the conclusion of the Single Procedure cannot in any case exceed 180 days (deadline now modified by decree no. 28/2011 in 90 days) starting from the date of receipt of the application.



The introduction of the PAS (simplified authorization procedure) aims at simplifying the authorization procedure, at the municipal services conference and at the certification by the qualified technician.



# The building authorization rules

According to the DECRETO 3 MARZO 2011 N. 28 (Decreto Romani), the building authorization procedure introduces a series of simplifications with immediate effect, including a new Simplified Authorization Procedure (P.A.S.) for small-scale plants to replace the D.I.A. as a promotion of renewable sources (in implementation of Directive 2009/28 / EC).

The effects are listed below:

- the competent Administration for the P.A.S. is the Municipality (Article 6)
- the owner submits to the Municipality a declaration certifying the compatibility of the project with urban planning instruments as well as compliance with safety and sanitation regulations.
- the technical documents for the connection drawn up by the network manager are attached to the declaration.
- if the Administration does not contest the request within thirty days from the date of receipt of the declaration, the installation activity must be considered assent (principle of silent consent)
- the P.A.S. in fact, it maintains some of the basic principles that governed the D.I.A.
- the implementation of the intervention must be completed within three years and the interested party is required to communicate to the Municipality the date of completion of the works.

➡ When the power is between 60 and 200 KW, the wind generators are installed following P.A.S. o A.U. (Single Authorization).

A low-angle, close-up photograph of a wind turbine's hub and blades against a clear blue sky. The turbine is positioned on the left side of the frame, with its blades extending towards the right. The background is a solid blue color, which is part of the slide's design.

# The all-inclusive rate

Plants with a power exceeding and not exceeding 1 MW may request the GSE, pursuant to Article 7, paragraph 4 of the Decree, the provision of a specific All-inclusive Tariff on the net production fed into the network. How does it work?

## 1. ACCESS TO DIRECT INCENTIVES (Article 4 paragraph 3)

In the case of power plants not exceeding 60 kW, registration in the Large Plant Register is not necessary. The resulting advantage is a large economic and administrative relief.

## 2. REGISTRATION IN THE REGISTER OF LARGE PLANTS (art. 9 c.4)

In the case of power plants between 60 Kw and 200 Kw. Article 10 regulates the requirements for the request for registration in the register, which is formulated to the GSE, which forms the rankings of the plants registered in each register and publishes them on its website within sixty days from the closing date of the same registers, according to the following priority criteria, to be applied in hierarchical order.

## 3. COMPETITIVE REDUCTION AUCTION PROCEDURE

For wind farms of higher power, access to incentive mechanisms is subject to the award of incentives by participating in competitive tender procedures which are managed by the GSE exclusively electronically.

A blue-tinted photograph of a wind turbine's nacelle and blades against a clear sky, positioned on the left side of the slide.

## D.M. 23 giugno 2016 and D.M. 4 luglio 2019

- The D.M. of 23 June 2016 extended until 31.12.2016 (and for plants that have direct access to the incentive mechanism until 31.12.2017) the provisions of the Ministerial Decree 6.7.2012.

*This extension provided for a decrease in the applicable tariffs starting from one year from the approval of the new decree and therefore until 30.6.2017*

- The D.M. of 4 July 2019 introduced the registration system to access the incentive mechanism, thus eliminating direct access, allowed by the previous Ministerial Decree of 23 June 2016.

*This mechanism provides for the issue of a bank guarantee to guarantee the construction of the plant.*



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The background of the slide features a low-angle photograph of a white wind turbine against a clear blue sky. The image is partially obscured by large, semi-transparent geometric shapes: a white trapezoid on the right side and a dark blue trapezoid below it. The overall design is modern and professional.

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report by

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