Mexico Energy Alert: Legal Terms and Deadlines of the Energy Regulatory Commission are Resumed

By Carlos Alva | March 3, 2023

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The Energy Regulatory Commission ("CRE") published, on February 28, 2023, Resolution A/004/2023 (the "Resolution"), by which it resumes, as of March 1, 2023, the procedures previously suspended by CRE during the COVID-19 pandemic.

The Resolution provides the following:

- Procedures pending prior to the effective date of the Resolution will be resolved according to the following schedule, as published on the CRE's official website:

  a) Procedures related to Hydrocarbons and Power:

  i. For filings made in 2019 – March/September, 2023.
  ii. For filings made in 2020 – Fourth quarter of 2023.
  iii. For filings made in 2021 – First semester of 2024.
  iv. For filings made in 2022 – Second semester of 2024.
  v. For filings made in January and February 2023 – Fourth quarter of 2024.

  b) Procedures related to pre-registration before CRE:

  i. For filings made in 2019 and 2020 – March/April, 2023.
  ii. For filings made in 2021 – May/July, 2023.
  iii. For filings made in 2022 – August/November, 2023.
  iv. For filings made in 2023 – November/December, 2023.

- Procedures filed after the effective date of the Resolution will be processed according to the application number assigned to each procedure by CRE's Electronic Reception Office ("OPE"). There is a limit to the total number of monthly filings, as follows:

  a) 50 per month for procedures related to Hydrocarbons.
  b) 15 per month for procedures related to Power.
  c) 20 per month for pre-registrations.

As of the date of the Resolution, there were 9,963 pending procedures, of which 7,887 relate to hydrocarbons, 858 to power, and 1,218 to pre-registration.

The Resolution intends to address the three-year delay and meet the needs of the regulated market. With this, CRE expects to respond to all the pending procedures. However, the Resolution fails to explain why the power sector is given such few monthly slots for new filings, compared to the other two sectors.

For more information, please contact any of the attorneys listed below.

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