

Main changes introduced by RDL 7/2025 regarding electricity storage projects

On 25 June, Royal Decree-law 7/2025, of 24 June, approving urgent measures to strengthen the electricity system ('RDL 7/2025') was published in the Official Journal of Spain ('BOE'). Although it generally came into force therewith, this Royal Decree-law, which provides for significant changes in the regulation of the electricity sector, needs to be ratified by the Lower House of Parliament within 30 days of its publication.

ENERGY TEAM

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This paper focuses exclusively on the main regulatory developments introduced by RDL 7/2025 in relation to the processing and deployment of electricity storage projects.

1. Public convenience statement

RDL 7/2025 amends Article 54(1) of the Electricity Sector Act ('LSE') in order to declare the public convenience of storage facilities that inject energy into electricity transmission and distribution networks with respect to the compulsory purchase of the properties and property rights required for the establishment of said facilities and the imposition and exercise of rights of way.

2. Simplification of the processing of electrochemical storage facilities for which the National General Government is responsible.

RDL 7/2025 includes a new administrative regime that streamlines the processing that falls to the National General Government, in such a way that:

- The processing of hybrid storage projects is declared urgent for reasons of public interest, provided that such projects do not require an ordinary environmental impact statement or a public convenience statement.
- Hybridisations with electrochemical storage modules are exempted

from the simplified environmental assessment procedure, provided that such storage is located within the space defined for the original generation project and the latter holds a favourable environmental impact statement.

- Regarding the administrative procedure:
 - The processing and resolution of the administrative prior authorisation (“AAP”) and the administrative construction authorization (“AAC”) will be done in concert;
 - The developer must submit a request for simplified processing accompanied by a simplified environmental impact statement or a reasoned exemption from it;
 - The formalities of Articles 127 (for the AAP) and 131 (for the AAC) of RD 1955/2000¹ - relating to the stage of consultation with the different levels of general government, bodies or, where appropriate, affected public (benefit) service companies - are unified, reducing time limits by half;
 - The public consultation procedure regulated in Articles 125 and 126 of RD 1955/2000 will be carried out simultaneously with that described above, with the time

limits also being reduced by half; and

- Once the above procedures have concluded, the competent Industry and Energy body shall send, within fifteen days, the complete case file accompanied by its report, to the Directorate-General for Energy Policy and Mines for its resolution.

3. Connection of storage facilities

RDL 7/2015 also amends the LSE in the following terms with respect to storage facilities’ access and connection permits:

- A subarticle 13 is added to Article 33 to determine that storage facilities’ access and connection permits will be considered flexible from the point of view of energy demand.
- A final paragraph is added to Article 39(3) to exclude from the concept of consumer those a) electricity production facilities hybridised with storage facilities that, in accordance with their access permit, may consume electricity from the grid, and b) isolated storage facilities that consume and inject electricity from the grid.

4. Expiration of demand-side access and connection permits for storage facilities

RDL 7/2025 introduces a new subarticle 6 in Article 26 of RD 1183/2020² so that, for

¹ Royal Decree 1955/2000, of 1 December, regulating transmission, distribution, commercialisation and supply activities and electric facility permit procedures.

² Royal Decree 1183/2020, of 29 December, on access and connection to electricity transmission and distribution networks.

This piece of legislation seeks to promote and facilitate the storage of electricity

storage facilities that inject electricity into the transmission and distribution networks, their demand-side access permit will expire if their generation-side access permit has expired.

5. Exemption from obtaining an AAP and AAC for certain storage facilities

RDL 7/2025 amends Article 51(3) LSE and Article 115(5) of RD 1955/2000 to exempt storage facilities with an installed capacity of up to 500 kW from obtaining an AAP and AAC.

6. Modification of the system of financial guarantees required for processing of demand-side access and connection permits for storage facilities

Article 23 bis of RD 1183/2020 is also amended by RDL 7/2025 to include the following changes with regard to the system of financial guarantees required for processing of demand-side access and connection permits for this type of facility, the main changes being as follows:

- It is clarified that storage facilities that absorb energy from the grid must submit a guarantee prior to applying for an access permit in the amount of €20/kW requested.
- It will no longer be necessary to include a standard industrial classification code ('CNAE') on the guarantee receipt.
- The following requirements are included in order to not consider a facility the same in the event of requesting a modification of the access and connection permits (additional to the displacement of its geometric centre to a distance of more than 10 kilometres):
a) change of CNAE, provided that the change affects its second level, and b) reduction of the demand-side access capacity, provided that this entails a reduction of more than 50% of the access capacity originally requested and granted.
- The financial guarantee shall be cancelled at the same time as the financial guarantee deposited for the processing of the generation-side access and connection permits is cancelled.