Galicia

Energy Update

SENER Extends Deadlines and Adjusts Certain Requirements for the Migration of Legacy Self-Supply and Cogeneration Schemes

Mexico City, September 9, 2026

On September 8, 2026, the Ministry of Energy ("SENER") published certain amendments to the "Guidelines for the Voluntary and Expedited Migration of Electricity Self-Supply and Cogeneration Schemes to the Frameworks Provided for under the Electricity Sector Law" (the "Guidelines")[1].

The amendments extend the deadlines for participating in the migration procedure and adjust certain technical, operational, and documentary requirements applicable to the process. According to SENER, the extension responds, among other factors, to requests from industry participants for additional time to complete the corporate and contractual steps required to implement the migration.

The amendment does not expressly change the effective date of the new methodology for transmission service charges published on June 18, 2026, nor does it modify its transitional regime. In other words, the transmission rate for legacy self-supply and cogeneration projects under the new methodology will become effective on October 19, 2026. Therefore, the extended migration deadlines should be analyzed together with the regime under the new transmission methodology, particularly by permit holders seeking to benefit from the transitional treatment contemplated under the transmission methodology.

1. Deadlines to initiate the migration procedure are extended

The two most relevant initial deadlines change as follows:

- the deadline to register the **statement of interest** is extended from **September 18 to December 18, 2026**; and
- the deadline to file the **migration application** is extended from **October 16, 2026 to January 15, 2027**.

[1] *Acuerdo por el que se modifican, eliminan y adicionan diversas disposiciones de los Lineamientos para la migración voluntaria y expedita de autoabastecimiento y cogeneración de energía eléctrica a las figuras previstas en la Ley del Sector Eléctrico* (https://dof.gob.mx/nota_detalle.php?codigo=5798117&fecha=08/09/2026#gsc.tab=0).

Certain subsequent stages of the procedure are also modified. However, the final date of the Joint Migration Procedure for Power Plants and Load Points (*Procedimiento de Migración conjunta de Centrales Eléctricas y Centros de Carga*) remains **October 6, 2028**. Moreover, for the independent migration of Load Points, the deadline for obtaining "enabled" (*habilitado*) status in the Wholesale Electricity Market ("MEM") is brought forward from September 23, 2027, to July 23 of the same year.

2. Certain technical and operational requirements are adjusted

In addition to modifying the schedule, the Resolution introduces changes to various aspects of the procedure. The most relevant are the following:

- **Market Participant**. When the migration application is filed, it is no longer necessary for the agreement with the Market Participant that will represent the Power Plant or the Load Points to have been executed. In certain cases, a letter of intent may be submitted, or the intended Market Participant may be identified while the corresponding relationship is formalized. This is particularly important for Load Points in the process of appointing a Qualified Supplier.
- **Minimum Operation Tests**. Mechanisms are introduced to request that the tests be performed before the dates established in the general schedule, subject to CENACE's assessment.
- **Electrical Energy Storage Systems**. Where an Energy Storage System (*Sistema de Almacenamiento de Energía Eléctrica* or "SAEE") is intended to be integrated as part of the migration, the corresponding studies may be processed in parallel with the application, provided that CENACE issues the document confirming the feasibility of integrating the SAEE before the permit under the Electricity Sector Law is granted.
- **Metering**. The conditions under which certain Load Points may continue using existing metering equipment and systems, during and after the migration, as well as the obligations applicable in the event of failure or future regulatory changes are clarified. This is particularly important because Load Point owners are not required to acquire ownership of new metering equipment and systems; rather, CFE may retain ownership of the existing equipment and systems, provided that they comply with the Minimum Required Metering Functionality (for Load Points with demand below 1 MW) or the Market Rules (for Load Points with demand equal to or greater than 1 MW).
- **Continuity of supply**. It is clarified that certain Load Points that do not migrate or complete the procedure may continue receiving Basic Supply pursuant to their existing contracts. Clarifications are also introduced for certain self-consumption schemes.

- **Shared substations**. Specific rules are introduced for Load Points that share the same substation, including provisions concerning metering, access, transfer of records, and supply by one or more Suppliers.

These changes should be reviewed on a case-by-case basis, as not all of them apply to every migration modality.

3. Treatment of parties that have already initiated the procedure

The amendment becomes effective today, **September 9, 2026**.

Parties that registered a statement of interest before publication have **10 business days** from the amendments' effective date to confirm, through the Migration Portal (*Ventanilla de Migraciones*), their intention to remain subject to the deadlines in effect when they completed their filing.

If they do not provide such confirmation, their procedure will become subject to the new extended schedule. Permit Holders and End Users with Load Points that have already initiated the procedure should therefore assess whether there is any reason to retain the original schedule or whether it would be preferable to become subject to the new deadlines. The Guidelines expressly contemplate the participation of Permit Holders and End Users with Load Points in the different migration modalities.

4. The new transmission methodology remains scheduled to become effective on October 19

The amendment to the Guidelines does not modify the new methodology for determining transmission service charges published on June 18, 2026.

The methodology remains scheduled to become effective on **October 19, 2026**, as of which date it will replace the prior methodologies applicable to the permit holders subject thereto.

The methodology, however, provides transitional treatment for certain permit holders that participate in the expedited migration procedure.

Among other requirements, the permit holder must:

- have an interconnection agreement and a transmission agreement executed under the Public Electricity Service Law (*Ley del Servicio Público de Energía Eléctrica*) whose terms extend beyond December 18, 2026; and
- initiate the migration procedure by registering the expression of interest and filing the corresponding migration application.

During the period in which such transitional treatment applies, those permit holders will continue operating under their legacy instruments and paying transmission charges in accordance with the methodology applicable before the new methodology takes effect.

5. The extension of the timeline may have relevant implications for the transitional treatment of transmission charges

The interaction between the two instruments has important implications.

The Guidelines contemplate the filing of the statement of interest as the initial stage of the Migration Procedure. Activities carried out under the Legacy Scheme may continue from that point and throughout the remainder of the Migration Procedure, and the Single File is created precisely upon submission of such statement. The migration application constitutes a subsequent step.

If the Applicant fails to timely complete any required action within the deadlines established in the Guidelines, the procedure must be deemed concluded and the authority must issue and notify the corresponding certificate.

The transitional regime under the transmission methodology, in turn, provides as follows:

a. The new (increased) tariff will not apply to holders of a legacy interconnection agreement with an expiration date after October 6, 2028, that "initiate the migration procedure (…) through the filing of the statement of interest (…) and the submission of the migration application (…) ***in accordance with the [Guidelines]***."

b. Accordingly, the benefit of remaining subject to the prior methodology (and the original tariff) ceases to apply, among other circumstances, where the permit holder **fails to complete all stages of the migration procedure**. In such case, the new charges become applicable as of the billing period immediately following the relevant notice from the authority.

Prior to the amendment to the timeline under the Guidelines, the deadline to file the statement of interest was **September 18, 2026**, while the deadline to submit the migration application was **October 16, 2026**. This timeline was aligned with the effective date of the new tariff beginning on **October 19, 2026**. However, following the amendment to the migration timeline, the statement of interest may now be filed through **December 18, 2026**, and the migration application may be submitted through **January 15, 2027**, notwithstanding that the new transmission methodology would become effective as of **October 19, 2026**.

Based on a combined reading of both instruments —the Guidelines, as amended on September 8, and the new transmission methodology— we believe it is reasonable to interpret that a permit holder that has timely filed its statement of interest may remain within the Migration Procedure and continue paying transmission charges under the prior methodology while the deadline to complete the corresponding subsequent stage remains open, including the submission of the migration application.

Under this interpretation, it would not be necessary to have submitted the migration application before October 19, 2026, provided that the statement of interest had been filed before such date, the application is timely submitted in accordance with the applicable timeline, and the subsequent stages of the procedure are duly completed. Accordingly, for a permit holder subject to the revised timeline, the migration application could be submitted as late as January 15, 2027, without the entry into force of the new methodology on October 19, in and of itself, resulting in the loss of the transitional treatment.

This effect is not expressly provided for in either the amendment to the Guidelines or the new transmission methodology. Rather, it derives from a combined reading of both instruments, including the structure and timing of the Migration Procedure and SENER's stated purpose in extending the timeline to allow additional time to complete the corporate and contractual actions necessary for the migration. Accordingly, this interpretation should be assessed considering the particular circumstances of each permit holder.

6. What should generators and offtakers review now?

In light of the amendments to the Guidelines, generators and offtakers involved in Legacy Schemes that are considering a migration should review, among other matters:

- whether to take advantage of the extended schedule or, in the case of parties that have already initiated the procedure, retain the original schedule;
- for permit holders, the interaction between the new schedule and the transitional treatment contemplated under the transmission methodology;

- the contractual, corporate, regulatory and financial implications of filing the migration application and proceeding with the subsequent stages;
- whether the adjustments concerning representation in the MEM, testing, metering, storage, supply, or shared substations affect the practical implementation of the migration; and
- the term of the permits, interconnection agreements, transmission agreements, and other instruments relevant to each case, as well as, for offtakers, the supply agreements and other instruments applicable to their Load Points.

The extended schedule provides additional time to prepare for a potential migration and may also be relevant to the transitional treatment of transmission charges. However, the advisability of relying on the new deadlines should be assessed on a case-by-case basis, considering the regulatory, contractual, technical, and economic characteristics of each generator or offtaker and the specific structure of the contemplated migration.

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