



Notice of the National Development and Reform Commission on the comprehensive liberalization of the power generation and consumption plan of operational power users

2019-06-27 20:21 Source: Development and Reform Commission website

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Notice of the National Development and Reform Commission on the Comprehensive Liberalization of Electricity Generation and Consumption Plans for Operating Power Users Development and Reform Operation [2019] No. 1105

The Development and Reform Commission, Economic and Information Technology Commission (Industry and Information Commission, Department of Industry and Information Technology, Economic and Information Technology Department, Bureau of Industry and Information Technology), Energy Bureau, Beijing Municipal Urban Management Commission, China National Nuclear Corporation Limited, State Grid Corporation Limited, China Southern Power Grid Co., Ltd., China Huaneng Group Co., Ltd., China Datang Group Co., Ltd., China Three Gorges Group Co., Ltd., State Power Investment Group Co., Ltd., China Three Gorges Group Co., Ltd., State Energy Investment Group Co., Ltd., State Development and Investment Group Co., Ltd., China Resources Group Co., Ltd., China General Nuclear Power Corporation Limited,

In order to deeply study and implement Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era and the decisions of the 19th National Congress of the Communist Party of China, conscientiously implement the deployment requirements of the Central Economic Work Conference and the Government Work Report, further fully liberalize the power generation and consumption plans of operational power users, improve the degree of marketization of electricity trading, and deepen the reform of the electricity market system, the following notice is hereby issued on the relevant requirements for the comprehensive liberalization of the power generation and consumption plans of operational power users.

1. Fully liberalize the power generation and consumption plans of operational power users

(1) All localities should make overall plans to promote the comprehensive liberalization of the power generation and consumption plans of operational power users, adhere to the principle of standardization, orderliness and soundness, adhere to the direct marketization, improve the price formation mechanism, implement the requirements for clean energy consumption, ensure the safe and stable operation of the power grid and the stable supply of power users, and strengthen the ex post facto supervision of market entities' access, transaction contracts, and transaction prices.

(2) In principle, all power generation and consumption plans for commercial power users shall be liberalized. Except for electricity users in residential, agricultural, important public utilities and public welfare services, as well as plant electricity and line losses necessary for power production and supply, all other electricity users are operational power users.

(3) Among the operational power users, power users who do not conform to the national industrial policy will not participate in market-oriented transactions for the time being, and power users whose products and processes belong to the eliminated and restricted categories in the "Catalogue for the Guidance of Industrial Structure Adjustment" shall strictly implement the existing differentiated electricity price policy. Enterprise users who comply with the tiered electricity price policy will continue to implement the electricity price policy on the basis of market-oriented electricity prices.

(4) Enterprises with coal-fired captive power plants shall, in accordance with relevant national regulations, undertake grid funds and additional and policy-based cross-subsidies, universal services and social responsibilities, pay system backup fees for grid enterprises as agreed, obtain power business licenses, meet energy efficiency and environmental protection requirements, become qualified market entities, orderly promote their participation in transactions other than self-consumption in accordance with trading rules. In order to promote and encourage the comprehensive utilization of resources, we will continue to implement relevant support policies such as system backup fee reduction and policy cross-subsidy for the construction of self-owned power plants with corresponding scales such as waste heat, residual pressure and residual gas generated in the recycling and utilization of available heat energy, pressure difference and residual gas generated in the industrial production process.

(5) Local government departments shall, in conjunction with power grid enterprises, refine the study and sort out in detail a list of users who do not participate in the market temporarily, grasp the participation of commercial power users in market-oriented transactions, gradually establish a statistical analysis system for the participation of electricity users in market-oriented transactions by industry, and timely grasp the comprehensive liberalization of operational power users.

2. Support small and medium-sized users to participate in market-oriented transactions

(6) Actively support small and medium-sized users to participate in market-oriented transactions by the agency of electricity sales companies, and small and medium-sized users need to sign agency power purchase contracts with electricity sales companies and sign power supply and consumption contracts with power grid enterprises, clarifying relevant rights and responsibilities.

(7) The main forms of fully liberalizing the participation of commercial electricity users in market-oriented transactions include direct participation, participation by the agent of electricity sales companies, and other localities studying clear market-oriented methods according to actual conditions, etc., and all localities should pay close attention to studying and reasonably formulating ways for small and medium-sized users to participate in market-oriented transactions, and small and medium-sized users choose independently according to their own actual conditions, or they can give up their right to choose and maintain the existing mode of electricity purchase. All localities may, taking into account the situation of electricity supply and demand in their area, set a transition period for a period of time for the comprehensive liberalization of the power generation and consumption plan for operational power users.

(8) For small and medium-sized users who choose to participate in market-oriented transactions but cannot reach transaction intentions with power generation enterprises, the original power purchase method will be implemented during the transition period; other market-oriented power purchase methods will be implemented after the transition period.

(9) For small and medium-sized users who withdraw from market-oriented transactions or do not choose to participate in market-oriented transactions, the power grid enterprises shall bear the responsibility for guaranteeing power supply before directly participating in market-oriented transactions again or through agents.

3. Improve the price formation mechanism after the comprehensive liberalization of the operational power generation and consumption plan

(10) Fully liberalize the price formation mechanism after the commercial power generation and consumption plan, and implement it in accordance with the relevant policies of the competent pricing departments.

(11) For electricity that has been executed in accordance with market-oriented trading rules, the price is still formed in accordance with market-oriented rules. When power users and power generation enterprises independently negotiate and sign contracts, the specific price shall be determined in a flexible and floating form, and the price fluctuation method shall be agreed upon by the two parties in advance.

4. Earnestly do a good job in ensuring the supply of electricity for public welfare

(12) All localities should further implement the relevant requirements for standardizing the management of priority power generation and power purchase, and arrange priority power purchase for users of agriculture, residents' daily life, party and government organs, schools, hospitals, public transportation, finance, communications, postal services, water supply, gas supply and other important public utilities, public welfare services, etc. In light of local conditions, strengthen categorical policies, pay close attention to studying measures to ensure the implementation of priority power generation and priority power purchase, and formulate overall plans for the standardized management of priority power generation and priority power purchase plans.

(13) All localities shall, in accordance with the principle of priority power purchase guarantee, sort out the list of priority electricity purchase users in detail, implement dynamic management and tracking guarantees, and in principle, all other electricity power users other than priority power purchase shall participate in the market.

(14) All localities should reasonably formulate orderly electricity consumption plans and adjust them on an annual basis, when there is a power shortage or major emergency, the priority power purchase users shall be guaranteed power supply, and other users shall bear the obligation of orderly electricity consumption in accordance with the orderly electricity consumption plan.

(15) Power grid enterprises shall bear relevant responsibilities in accordance with regulations, and ensure the priority electricity by power purchase users in accordance with government pricing. Priority power purchase is first guaranteed by priority power generation.

5. Effectively do a good job in ensuring the power generation of clean power sources within the plan

(十六) 研究推进保障优先发电政策执行，重点考虑核电、水电、风电、太阳能发电等清洁能源的保障性收购。核电机组发电量纳入优先发电计划按照优先发电优先购电计划管理有关工作要求做好保障消纳工作。水电在消纳条件较好地区，根据来水情况，兼顾资源条件、历史均值和综合需求，安排优先发电计划；在消纳受限地区，以近年发电量为基础，根据市场空间安排保量保价的优先发电计划，保量保价之外的优先发电量通过市场化方式确定价格。风电、太阳能发电等新能源，在国家未核定最低保障收购年利用小时数的地区按照资源条件全额安排优先发电计划；在国家核定最低保障收购年利用小时数的地区，结合当地供需形势合理安排优先发电计划，在国家核定最低保障收购年利用小时数内电量保量保价收购基础上，鼓励超最低保障收购年利用小时数的电量通过参与市场化交易方式竞争上网。

(十七) 积极推进风电、光伏发电无补贴平价上网工作，对平价上网项目和低价上网项目，要将全部电量纳入优先发电计划予以保障，在同等条件下优先上网。平价上网项目和低价上网项目如存在弃风、弃光情况，由省级政府主管部门会同电网企业将弃风、弃光电量全额核定为可转让的优先发电计划，可在全国范围内通过发电权交易转让给其他发电企业并获取收益。电力交易机构要按要求做好弃风、弃光优先发电计划的发电权交易的组织交易落实。

(十八) 电网企业、电力用户和售电公司应按要求承担相关责任，落实清洁能源消纳义务。鼓励参与跨省跨区市场化交易的市场主体消纳计划外赠送清洁能源电量。

(十九) 鼓励经营性电力用户与核电、水电、风电、太阳能发电等清洁能源开展市场化交易，消纳计划外赠送清洁能源电量。电力交易机构要做好清洁能源消纳交易组织工作，进一步降低弃水、弃风、弃光现象。

(二十) 清洁能源消纳受限地区要加快落实将优先发电计划分为“保量保价”和“保量竞价”两部分，其中“保量竞价”部分通过市场化方式形成价格，市场化交易未成交部分可执行本地区同类型机组市场化形成的平均购电价格。

六、加强电力直接交易的履约监管

(二十一) 各地要有针对性地制定和完善相关规章制度，实施守信联合激励和失信联合惩戒机制，加强电力直接交易的履约监管力度。市场交易规则应明确相应的权利义务关系、交易电量和价格等重要事项，并严格按照合同内容履约执行。

(二十二) 地方经济运行部门要会同电网企业、电力交易机构对电力直接交易合同履行情况实行分月统计，发挥电网企业及电力交易机构作用，将交易合同履行情况纳入统一管理，在一定范围内按季度通报。国家能源局派出机构对辖区内电力直接交易合同履行情况进行监管。

(二十三) 发电企业、电力用户、售电公司等市场主体要牢固树立市场意识、法律意识、契约意识和信用意识，直接交易合同签订后必须严格按照合同条款执行，需承担相应违约责任并接受相关考核惩罚。

七、保障措施

(二十四) 各地要根据实际情况，采取积极措施确保跨省跨区交易与各区域、省（区、市）电力市场协调运作。在跨省跨区市场化交易中，鼓励网对网的直接交易，对有条件的地区，有序支持点对网、点对点直接交易。各地要对跨省跨区送受端市场主体对等放开，促进资源大范围优化配置，促进清洁能源消纳。北京、广州电力交易中心和各地电力交易机构要积极创造条件，完善交易规则、加强机制建设、搭建交易平台，组织开展跨省跨区交易。

(二十五) 中国电力企业联合会、第三方信用服务机构和各电力交易机构开展电力交易信用数据采集，建立动态信用记录数据库，适时公布信用状况。对诚实守信、认真履约的企业纳入诚信记录，对履约不力甚至恶意违约的企业纳入不良信用记录并视情况公开通报，对存在违法、违规行为列入“黑名单”的严重失信企业执行联合惩戒措施。

(二十六) 各省（区、市）政府主管部门每月向国家发展改革委报送全面放开发用电计划进展情况。各电力交易机构、电网企业负责市场交易组织和落实，配合有关部门开展监管。各电力交易机构开展对市场交易的核查，按时向各地政府主管部门报告有关情况。国家能源局派出机构对辖区（区、市）全面放开发用电计划执行情况进行监督，每季度向国家发展改革委、国家能源局报送相关情况。

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