

Energy Regulatory Commission's legal deadlines and terms resume

On February 28, 2023, "Resolution No. A/004/2023 of the Energy Regulatory Commission ("**CRE**"), resuming legal deadlines and terms in an orderly and staggered manner, which modifies Resolution A/001/2021 establishing the suspension of legal deadlines and terms, as a measure to prevent and combat the spread of the coronavirus COVID-19" (the "**Resolution**"), was published in the Federal Official Gazette ("**DOF**"), thereby establishing that the deadlines and legal terms regarding the acts and procedures before the CRE that were suspended will resume as of March 1, 2023.

The Resolution states that the procedures will be attended in a staggered and orderly manner; therefore, the pending procedures filled before March 1, 2023 to the CRE and in order of priority of their date of entry will be attended first. In this regard, the CRE will publish on its official website the order of priority in which the procedures filled before the entry into force of the Resolution will be attended.

Likewise, the Resolution establishes that the CRE will attend the procedures that have been entered after March 1, 2023, according to the folio number that will be assigned through the Electronic Filing Office ("**OPE**"). The entry of petitions submitted through the OPE will be restricted to a maximum of one petition per month per legal or natural person.

The folios that will be assigned will be available 5 business days prior to the corresponding month, except for the month of March, where they will be available the first 5 business days of that month. These folios will be assigned according to the following:

- 50 per month for hydrocarbons;
- 15 per month for electricity;
- 120 per month for pre-Registrations.

These maximum numbers of folios may be increased by the CRE once it has fully resolved the matters entered before March 1, 2023. If the number of monthly procedures is increased, the CRE will publish it on its official website.

It is important to note that the various limitations established by the CRE with respect to the maximum number of folios and order of priority are intended to avoid workload saturation and, therefore, be able to attend as soon as possible the procedures that have been filled before the entry into force of the Resolution.

On the other hand, the Resolution does not address the process for filling other procedures in person before the Official Filing Office and the possibility of having an appointment with the staff of the CRE. In this regard, the Resolution only establishes that the form of entry and its particularities will be announced on its website.

Finally, the Resolution is in accordance with the resumption of the deadlines and terms of the agencies and bodies of the energy sector, as occurred with the Ministry of Energy, through the resolution published in the DOF on February 17, 2023 and with the National Center for Energy Control, through the resolution published in the DOF on November 14, 2022, which our firm previously informed you about through the respective notes.

We hope this note will be useful and for more information or clarification of any issue, you may contact our experts below:

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S I N C E R E L Y

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