Decree on the National Policy for Access to the Transmission System is published

On December 8, 2025, Decree No. 12,772/2025 (the "Decree") was published, establishing the National Transmission System Access Policy ("Política Nacional de Acesso ao Sistema de Transmissão" or "PNAST"), marking a change in the procedures for access to the Basic Transmission Grid in Brazil.

WHO IS AFFECTED?

Generators, Self-Producers and Free Consumers who seek permanent access to, or an increase in the use of the transmission grid.

Attention: The PNAST **does not** apply to electricity distribution concessionaires or permissionaires, which remain subject to their own specific rules for grid acess.

HOW THE "ACCESS WINDOWS" WORK

Access ceases to be a continuous "queue" and becomes specific timeframes (the "Access Windows") organized by by the National Electric System Operator ("ONS").

» **Will there always be an auction/competitive process? No.**

Competitive processes will only take place if the power demand exceeds the available capacity at the connection point:

Scenario A (Sufficient Capacity):
If there is sufficient margin for all applicants, all requests submitted to ONS **will be jointly assessed**.

Scenario B (Capacity Constraint)
If demand exceeds available capacity in a specific connection point, a **competitive process will be carried out**.

TIMELINE AND DEADLINES

As of 2027
Subsequent Access Windows:
At least **two per year**.

October, 2026
1st Access Window

Disclosure:
ONS shall publish the schedule for each access window at least **90 days in advance**.

TRANSITIONAL RULES

Agent's Situation	Procedure
Requests submitted to ONS before the Decree	They follow the original chronological order. Access opinions must be issued before the 1st Access Season. Mechanisms to guarantee access-priority for future margins are prohibited, and there is no possibility to revalidate the opinion.
Consumer requests under review at the Ministry of Mines and Energy (pursuant to Decree No. 5,597/2005)	Automatically migrated to ONS, with prior authorization from MME waived. A **45-day** deadline (until 22/01/2026) to submit a financial guarantee for the analysis to continue.
New Requests (between December 8, 2025 and the registration date for the 1st Access Season)	Accepted only if there is available capacity and if submitted with lead time exceeding the regulatory review period required by ONS (25 days or 85 days, depending on the need for reinforcements, expansions, or improvements). Mechanisms to guarantee access-priority are prohibited, and there is no possibility to revalidate the opinion.

OTHER RELEVANT MEASURES

In addition to organizing the queue, the Decree introduces measures to unlock investments:

End of the "Minimum Global Cost" Analysis: consumer access requests will no longer be assessed based on this criterion. The measure aims to eliminate bottlenecks and accelerate direct access via ONS.

Transmission grid expansion: The MME may determine extraordinary expansions of the transmission grid through revisions to the Electric Power Transmission Concessions Plan – POTEE, a document issued regularly by EPE.
Such consumers must submit a financial guarantee within 45 days (i.e., until 22/01/2026). This measure will enable access and connection for major projects, such as data centers and hydrogen plants.

REGULATION

Despite of the fact that the Decree addresses certain matters that would require regulation by ANEEL, such as the allocation of the amounts collected in the procedure to tariff moderation, the Decree provides that the absence of specific regulation will not prevent the Access Windows from being carried out by ONS, provided that the MME guidelines and the PNAST are observed.

Veirano's Energy and Infrastructure team is available to assess the impacts of the PNAST on your projects and to monitor the development of the detailed regulation to be issued by ANEEL.

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