

## Conversion into law of the “Bills Decree”: key changes

# Energy

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Law No. 49 of 10 April 2026, converting Decree-Law No. 21/2026 (the so-called “Energy Bills Decree”), has been published in the Official Gazette No. 90 of 18 April 2026. The decree introduced a set of measures aimed at containing energy costs and strengthening the electricity market.

Set out below is an overview of the main provisions of the Bills Decree, as confirmed and, in some cases, amended during the conversion process.

## 01 *Conto energia: incentive adjustment and early exit*



With regard to photovoltaic plants with a capacity exceeding 20 kW and incentives expiring from 2029 onwards, operators may voluntarily opt for one of the following schemes:

- a **reduction of incentives** to 85% or 70%, in exchange for an extension of the relevant incentive agreements by 3 months and 6 months, respectively
- **early withdrawal from the incentive scheme** starting from 2028, within an overall cap of 10 GW

Plants opting for early exit from the incentive scheme are required to:

- undergo **full refurbishment works** carried out between 1 January 2028 and 31 December 2030
- achieve, following such intervention, **an increase in capacity** ensuring production levels at least **double** those expected over the remaining incentivised period of the existing plant
- in the case of **non-ground-mounted systems**, ensure an increase in production of at least **30%** compared to the expected output over the residual incentivised period
- for the implementation of the interventions, only **European modules listed in the ENEA** register pursuant to Article 12 of Decree-Law No. 181 of 9 December 2023 may be used
- The electricity produced and injected into the grid, attributable to the residual capacity, must be subject to **long-term contractual arrangements**, through long-term renewable electricity purchase agreements pursuant to Article 28 of Legislative Decree No. 199/2021, or through incentive mechanisms compliant with EU State aid regulations

## 02 *IRAP provisions*

The measure introduces an increase in the IRAP rate applicable to companies operating in the energy sector.

Specifically, for the 2026 and 2027 tax periods (for entities with a financial year aligned with the calendar year), the IRAP rate applicable to such companies is raised by 2 percentage points, with reference to the activities identified by the ATECO codes specified in the decree.

The provision also affects the calculation of advance payments. For the purposes of determining the IRAP advance payment due for 2026, the reference tax is not the amount actually due for 2025, but rather the amount that would have been due had the increased

rate already applied.

Accordingly, IRAP for 2025 must be recalculated using the new rate solely for advance payment purposes.

The additional revenues generated by the rate increase are allocated to reducing general system charges (ASOS component) applied to non-household electricity users, reflecting the redistributive nature of the measure between energy sector operators and energy-consuming businesses.

The provision was confirmed without amendments during the parliamentary process.

## 03 *PPA and long-term contracting*

The regulatory framework governing Power Purchase Agreements (PPAs) is strengthened through:

- the enhancement of the **GME platform**, including the introduction of dedicated sections for contracts with a minimum duration of three years and the promotion of aggregation mechanisms
- the attribution to **Acquirente Unico S.p.A.** of the role of demand aggregator
- the possibility for contracting parties to request the GSE to act as **guarantor of last resort**

## 04 *Role of ASI consortia*

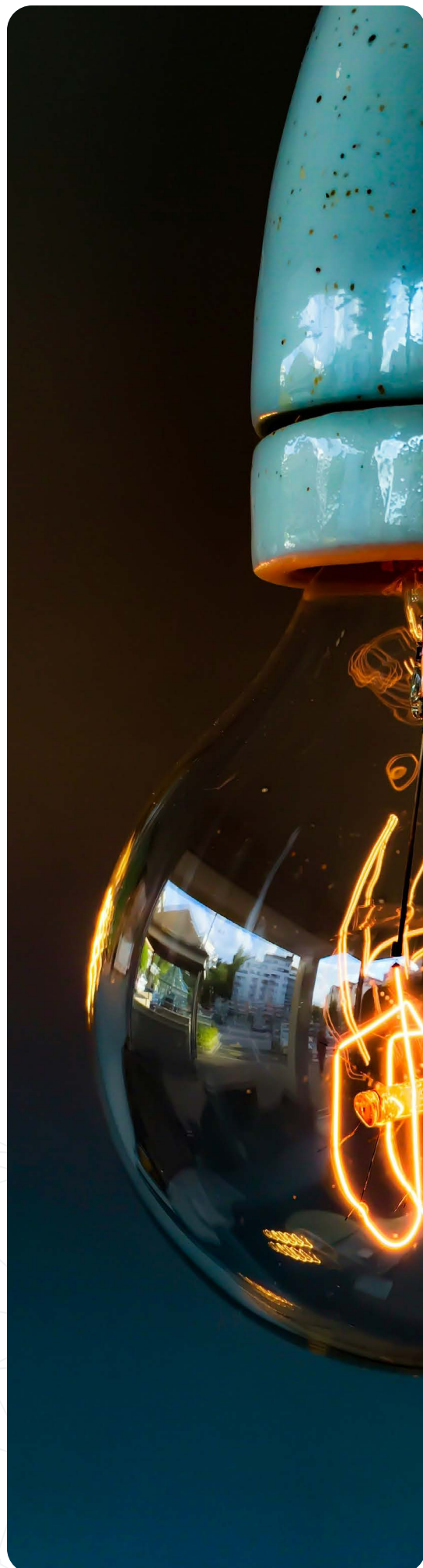
Industrial area consortia may identify areas suitable for the development of renewable energy plants and rely on the GSE for:

- mapping of available areas
- analysis of energy consumption
- assessment of self-consumption potential and participation in market mechanisms

## 05 *Two-way contracts for difference*

The Energy Bills Decree introduces changes to the regulatory framework governing contracts managed by the GSE by providing for:

- an **extension** of duration beyond five years
- an expansion of eligible costs (including maintenance costs)
- a shift in reference from electricity produced to electricity injected into the grid



## 06 *Incentive mechanism - 15% premium*

For plants exceeding 20 kW which, upon expiry of the incentive period, have benefited from support schemes — with priority access via the GME platform — within the aggregation service managed by Acquirente Unico S.p.A., an annual premium is granted.

Such premium is equal to **15%** of the positive difference between:

- a) **the weighted annual average** of spot market prices in the relevant geographical zone; and
- b) **the price recognised under the aggregation service**

## 07 *Guarantees and role of the GSE*

The GSE, with the support of SACE S.p.A., acts as **guarantor of last resort** in relation to risks associated with PPAs.

To this end, the GSE identifies mechanisms to minimize and transfer counterparties' risk, with the support of SACE S.p.A., which—only for the portion exceeding such measures and where the resources allocated to the last-resort guarantee have been exhausted—is authorized to issue guarantees in favor of the GSE at market conditions, up to a **maximum coverage of 70%**.

In particular:

- SACE S.p.A. assumes 20% of the commitments, while the State assumes the remaining 80%, without joint liability
- for each of the years 2026 and 2027, the maximum exposure of SACE S.p.A. **is capped at EUR 250 million**

The procedures and operational modalities for the issuance of guarantees and insurance coverage by SACE S.p.A. are set out in a specific agreement to be entered into between the GSE and SACE S.p.A.

## 08 *Electricity market measures and ETS cost containment*

Measures are introduced to strengthen competition in the electricity market and to reduce the impact of gas costs and EU Emissions Trading System (ETS) emission costs on energy prices.

In particular, a reimbursement mechanism is established in favour of thermoelectric producers for certain gas-related costs, including tariff components and, within defined limits, ETS-related costs.

Such reimbursements are financed through components applied to electricity consumption.

ARERA will have to regulate the reimbursement for thermal power producers and is responsible for:

- verifying that the benefits are effectively passed through to final energy prices

- requiring repayment and imposing sanctions where such pass-through does not occur

ARERA is also required to adjust the economic conditions of the capacity market framework pursuant to Legislative Decree No. 379 of 19 December 2003.

The effectiveness of these measures is subject to **approval by the European Commission**.

## 09 *Grid connection*

Terna shall publish the maximum additional capacity available from renewable energy plants and storage systems (excluding offshore installations) and update such capacity on a quarterly basis, based on:

- **authorisations issued** for the construction and operation of generation plants and related grid infrastructure
- **connection requests** and the commissioning of the relevant plants

Within 180 days from the entry into force of the decree, ARERA shall update the procedural conditions governing grid connections, providing that:

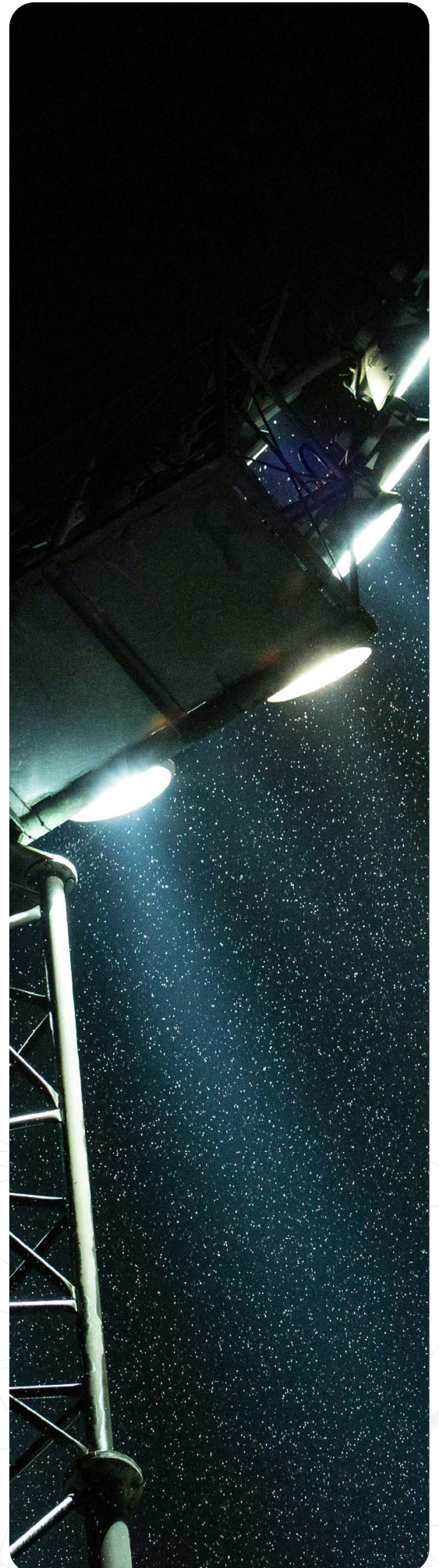
### **a. the national transmission system operator:**

- **is authorised to issue connection solutions** referring to a connection point even where exceeding the maximum admissible capacity
- **allocates available grid capacity** and grants **connection solutions** through transparent and non-discriminatory procedures
- **assigns available grid capacity** to entities awarded connection solutions and holding a PAS or Single Authorisation (AU)
- **plans connection solutions** taking into account the maximum capacity per grid section, as well as the objective of enhancing the competitiveness of the procedures

### **b. distribution system operators:**

- **may issue connection solutions** within their networks referring to a connection point even where exceeding the maximum admissible capacity
- are authorised to grant connection solutions on **low-voltage** networks also for plants commissioned prior to the completion of the necessary upgrades to high- and extra-high-voltage networks
- adopt any other measures necessary to ensure the **efficient management of grid capacity**

As from the publication of ARERA's implementing measures, connection solutions relating to projects for renewable energy plants or storage systems that are not authorised or enabled, although already issued but not validated, shall lose their effectiveness.



The national transmission system operator shall take into account, in both planning and connection procedures, renewable energy projects that have obtained either a screening **exemption from Environmental Impact Assessment (EIA) or a positive EIA decision.**

The loss of effectiveness of connection solutions does not entail the dismissal or rejection of authorisation applications already submitted, including environmental applications. Ongoing procedures shall resume from the submission of a new connection solution, while all assessments already carried out shall remain valid and ARERA shall ensure appropriate timelines for the issuance of new connection solutions.

## **10** *Amendments to the Consolidated Renewable Energy Act*

The Energy Bills Decree also introduces amendments to Legislative Decree No. 190/2024, including, inter alia:

- the **extension of the free activity regime** to the full refurbishment of photovoltaic plants located in industrial areas
- where a concession is required for the construction of the plant, the project proponent must submit the PAS within a **peremptory term of 90 days** from the date of obtaining the VinCA clearance or the relevant building permit
- the introduction of a peremptory term of 90 days from acceptance of the connection solution for the submission of the PAS application or the Single Authorisation application, **failing which the connection solution shall lapse**

## **11** *Single authorisation procedure for data centres*

A single authorisation procedure for data centres is introduced, which:

- consolidates all required permits (environmental, landscape and planning)
- provides for a maximum duration of 10 months
- includes streamlined timelines for environmental impact assessments and simplified grid connection procedures

To consult the Law Decree of February 20, 2026, no. 21, [click here](#).  
Law April 10, 2026, no. 49, [click here](#).

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