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Quick Guide to the Polish Auction System for Renewables

Onshore wind energy 2026

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Introduction

Dear Readers,

The auction system for RES in Poland was introduced by the RES Act and began to function effectively in 2016, when the first auctions were held. The above means that this system has been operating in Poland for 10 years, which makes it one of the longest-running auction systems in Europe. According to the data published by the Energy Regulatory Office, "as a result of the auctions conducted by the Energy Regulatory Office so far (in the years 2016–2025), almost 307 TWh of electricity worth nearly PLN 77 billion have been contracted. The support covered over 4.9 thousand renewable energy installations. The vast majority of support – worth over PLN 75 billion – is contracts for newly developed installations". Taking a closer look at the data on the technological structure of the winning bids, it is clear that only two RES technologies dominate – photovoltaics (PV) and wind energy. Out of nearly 16,270 MW of installed capacity of the sources that won the auctions, 10,600 MW were PV sources, 5,539 MW were wind sources and only 130 MW were all other sources (of which nearly 47 MW were existing sources that won the so-called migration auctions). This means that these 2 technologies - solar energy and wind energy – accounted for over 99% of all capacities that won auctions in the years 2016–2025 (based on Energy Regulatory Office data).

Therefore, it can be said that the auction mechanism has fulfilled its role well, enabling the deployment of RES on a large scale, bringing Poland closer to meeting the EU's obligations in the field of energy transition.

There are less than 2 years of operation of the current system, under which the last auction may be carried out by the end of 2027. Nevertheless, in the years 2026–2027, new requirements should appear related to the implementation of the so-called non-price criteria in accordance with Regulation (EU) 2024/1735 of the European Parliament and of the Council of 13 June 2024 establishing a framework of measures for strengthening the European ecosystem of net-zerotechnology manufacturing and amending Regulation (EU) 2018/1724 (NZIA).

This year, a public debate on the future of the RES support mechanism should also begin – will it still be needed, and if so, in what form? It seems that there is a consensus in the RES industry on the need to continue the support mechanism, but a broad discussion will certainly be needed on its form.

In 2026, the Council of Ministers should also adopt the final draft of the National Energy and Climate Plan (KPEiK), which will define the strategic directions for the development of the energy sector in Poland, including the shape of the energy mix. A strategic document of this nature is of key importance in the context of the Government's subsequent legislative and non-legislative activities and investment decisions in the area of RES sector development.

Either way, we are facing a year of breakthrough, and the decisions made in the coming months will shape a new framework in which both investors and public administration will operate. May these decisions be conducive to building Poland's energy independence, which in today's times full of international tensions is simply the interest of the state.

It is also worth mentioning that many positive events took place in the offshore wind energy sector.

Firstly, in 2025, the construction of the first offshore wind farm in history (the Baltic Power project) began, and the other projects implemented as part of the so-called Phase I are also being implemented according to schedules. Secondly, it was possible to amend the Act on the Promotion of Electricity Generation in Offshore Wind Farms, thanks to which it became possible to conduct the first offshore auction. And thirdly, and perhaps most importantly, on 17 December 2025, the first, historic auction was successfully conducted, where four manufacturers participated, from which three winners were selected. As a result of the decision, offshore wind farms with a total installed electrical capacity of nearly 3.5 GW will be built.

We are delighted to present this guide on the auction system for renewables as a compendium of knowledge prepared by the Polish Wind Energy Association and DWF.

We trust that you will find the guide both interesting and useful.

Janusz Gajowiecki
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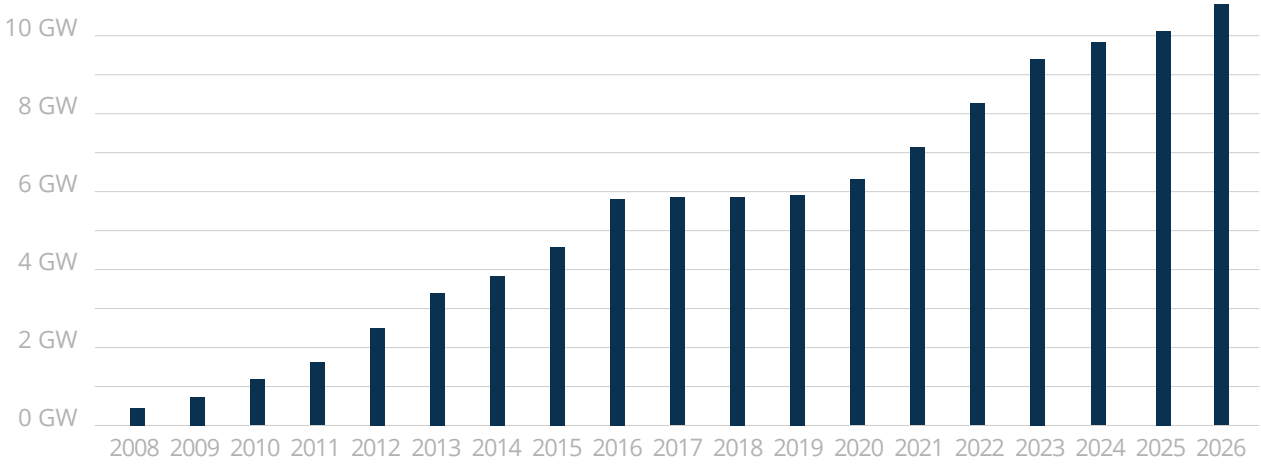
The state of wind energy in Poland

Wind energy is an increasingly important element of the Polish energy mix. There are many indications that its role will continue to grow in the coming decades. This is due not only to the fact that the first electricity from an offshore wind farm is to be generated from 2026 (and from 2027 from the next ones implemented in the Baltic Sea), but also to the fact that a large number of onshore projects, which will systematically enter the Polish power system, are being implemented. Fully exploiting the onshore and offshore potential of wind energy will help in the full transformation of the power sector towards zero emissions.

For the first time in history, the National Power System in Poland, with a total installed capacity exceeding 76.5 GW, is based less on conventional thermal power plants (36.2 GW) than on renewable sources, which had a capacity of 38.9 GW (at the end of February 2026). Due to the nature of the operation of RES sources, the fact that we have more power from these sources in the system does not mean, of course, that the amount of energy from these sources has overtaken that from conventional sources.

In 2025, the total share of conventional sources in electricity generation was about 68%, and the share of renewable sources was nearly 32% (wind energy alone generated nearly 14% of electricity in this period). In the coming years, the oldest power units will be decommissioned. According to the scenario of cumulative decommissioning of existing generating units presented by the transmission system operator, by 2035 it will be necessary to shut down more than 20 GW of generation sources. This is due to their

Diagram No. 1 | Wind energy development in Poland since the introduction of the support scheme



Source: Energy Regulatory Office and "Statistical Information on Electricity", ARE Monthly Bulletin, March 2026, Ministry of Climate and Environment, Agencja Rynku Energii S.A. https://www.are.waw.pl/badania-statystyczne/wynikowe-informacje-statystyczne#2023-rok

age and level of exploitation, as well as the planned implementation of the conclusions introducing the new BAT emission standards.

The resulting gaps in the power system can be filled by renewable energy sources, whose dynamic development began in 2005 with the introduction of the RES support scheme – the so-called green certificate system.

Over the past 10 years, the renewable energy sector has seen the highest rates of installed capacity growth. The installed capacity in RES currently amounts to over 38.9 GW, of which approx. 27.8%, i.e. approx. 10.8 GW in installations using wind energy (ARE data for February 2026).

2016 was the last year in which installations built under the green certificate system were commissioned. The introduction of the new auction-based support system coincided with unfavourable changes in the regulatory environment for wind energy, which slowed down its dynamic development. The changes introduced – the so-called 10H rule and the increased tax base for wind turbines – have in fact made it impossible to implement new projects. The situation for existing installations was further aggravated by the oversupply of green certificates, which caused a radical drop in their market prices, significantly reducing the profitability of investments.

In mid-2018, the industry managed to partially break the existing deadlock. The amendment to the RES Act has restored the existing taxation rules and paved the way for conducting significant RES auctions for new installations. In the meantime, the prices of green certificates have also increased, which has improved the financial situation of investments in wind energy.

The year 2023 was also crucial, when the so-called Distance Act was amended, which made it possible to start new wind investments. There are still many barriers and the permitting process is one of the longest in Europe, but nevertheless, the announcements of the representatives of the Polish government indicate a desire to accelerate the implementation of these investments.

The 2025 auctions took place in July, which was a departure from the previous practice of holding auctions at the end of the year. The above was due to the fact that the Energy Regulatory Office was preparing for the first offshore auction in December and space was left to prepare well for it.

75.9 TWh of electricity with a maximum value of over PLN 31 billion was intended for sale at auction in 2025. Nevertheless, only two auctions were successfully resolved, in which more than 16 TWh (21% of the planned volume) worth less than PLN 5 billion (16% of the total amount envisaged) were contracted. The results concerned only PV and wind sources, however, among the 129 winning bids, PV sources dominated – 126 units, while wind sources accounted for only 3 installations.

According to the Energy Regulatory Office in a press release after the auction, “the auction for photovoltaic and wind installations with a capacity of more than 1 MW (marked as AZ/7/2025) was the most popular,

as in 2024. 73 manufacturers joined the auction and submitted 98 bids. The vast majority (95) of bids were submitted by entrepreneurs investing in photovoltaic installations. As part of this basket, almost 8.9 billion zlotys were allocated for the purchase of 32.25 TWh of energy. As a result of the auction, approx. 49% of the energy volume (approx. 15.8 TWh) was sold as part of 76 bids submitted by 57 producers, with a total value of almost 4.8 billion zlotys (which is approx. 54% of the value of energy intended for sale). As a consequence, photovoltaic installations with a total installed electrical capacity of just over 1,623 MW and offshore wind farms with a total installed electrical capacity of 82.7 MW may be built. The reference price in this basket is PLN 389/MWh for solar power plants and PLN 324/MWh for wind power plants. The minimum price at which energy was sold was 100 zł/MWh for onshore wind farms and PLN 216.90/MWh for photovoltaic power plants. The maximum price at which energy was sold was 320.00 PLN/MWh and 329.68 PLN/MWh, respectively. In the second auction decided this year (AZ/6/2025), intended for wind and photovoltaic technology projects with a capacity of no more than 1 MW, the winning bids included installations with a total installed capacity of approx. 47.7 MW. 33 manufacturers joined the auction, who submitted a total of 83 bids covering only photovoltaic installations. As part of this basket, approx. PLN 3.82 billion was allocated for the purchase of 11.25 TWh of energy. As a result of the auction settlement, slightly more than 0.48 TWh of electricity (4.3% of the amount of energy to be sold) was sold as part of 53 offers submitted by 20 producers with a total value of less than 0.17 billion zlotys (4.4% of the value of energy intended for sale). The reference price for photovoltaic projects in this basket was 414 PLN/MWh. The minimum price at which the energy was sold was 314.77 zł/MWh. On the other hand, the maximum price at which the energy was sold was 374.77 zł/MWh[1]."

By the decision of the European Commission of 30 November 2021, the operation of the auction support system for producers of energy from renewable sources has been extended until 30 June 2047, which means that auctions will be able to be conducted until 31 December 2027. The first of them will probably take place in the autumn of this year. The end of the auction mechanism's period of operation at the end of 2027 means that an urgent discussion is needed on the future of support for the development of RES after this date. The continuation or creation of a new mechanism seems to be necessary to reduce investment uncertainty and reduce the costs of financing RES investments, which in the long term will mean lower electricity costs for the Polish economy.

A separate thread in the discussion about changes in the area of the support mechanism is the issue of the implementation of the provisions of the NZIA in the field of non-price criteria. Investors are afraid of the new criteria, currently treating them as "regulatory uncertainty" – this is particularly important given that they must start operating from 2026, i.e. they should cover the next auction. At the moment, no details are known as to the direction and scale of their implementation into the national legal system, which, given the long-term process of development of RES projects in Poland, generates a huge regulatory risk and potential costs of adapting advanced projects to new requirements. It is therefore likely that the Polish government will use solutions that will allow it to waive the application of the criteria in 2026. However, the question of auctions in 2027 remains open.

When analyzing the possibilities of developing renewable energy sources in Poland in the coming years, special attention should be paid to the fate of wind energy regulations, which significantly determine the pace and scale of new investments in this sector. The draft act amending the Act on Investments in Wind Power Plants and Certain Other Acts (UD89), presented in autumn 2024, after public consultations, was submitted to the Sejm at the beginning of May 2025. One of the key and most anticipated changes was the departure from the 10H rule and the introduction of a minimum distance of 500 meters between wind farms and residential buildings, which was a long-awaited step towards unlocking the development of onshore wind energy in Poland. Despite extensive public debate and numerous modifications to the draft in the course of legislative work, the act was eventually vetoed by the President. This slowed down the process of liberalization of distance regulations.

On 31 December 2025, another draft appeared in the legislative process – UD332, i.e. a bill amending the Act on Renewable Energy Sources and Certain Other Acts, which also refers directly to regulations on wind energy. Currently, (May 2026), the draft is at the stage of work of the Standing Committee of the Council of Ministers. It assumes, among others, maintaining a minimum distance of 700 meters, while introducing solutions to improve the investment process, including regulating the issue of the location of wind farms on the basis of an integrated investment plan (the so-called ZPI), unifying the rules of public consultation with general planning regulations, expanding the mechanisms of benefits for local communities by introducing a participatory

[1] https://www.ure.gov.pl/pl/urzad/informacje-ogolne/aktualnosci/12772,Aukcje-OZE-2025-slonce-znow-dominuje-nad-wiatrem.html

fund and introducing the possibility of conducting the environmental and planning procedure in parallel. The proposed changes are an attempt to gradually improve the process of wind energy development in the current regulatory reality. The proposed act partially addresses the most important restrictions on the development of onshore wind energy, in particular administrative barriers. However, according to information from late May 2026, draft UD332 is to be modified - the provisions concerning wind energy will be removed from it and transferred to a separate draft. At the same time, work on draft UD332 itself will continue, with an emphasis placed on solutions dedicated to the biogas and biomethane sector.

Not without significance for the development process is the attempt to solve the existing problem limiting the development of RES, which was insufficient grid capacity and the scale of refusals to issue connection conditions. After more than a year of legislative work on the draft act amending the Energy Law and certain other acts, the amendment entered into force in the spring of 2026 (the so-called Network Act) – its aim is to organize and streamline the process of connecting to the grid.

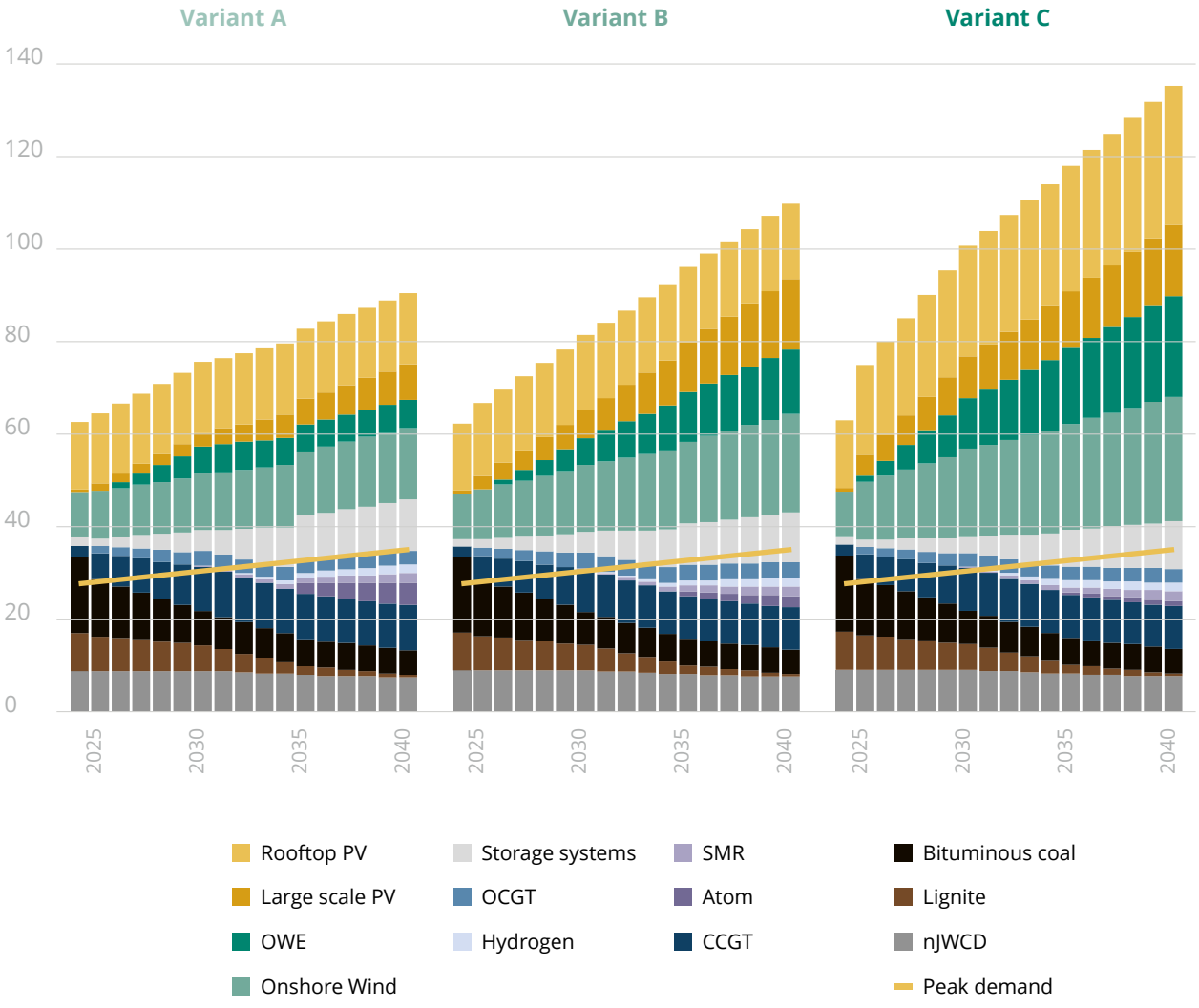
The introduced regulations came into force on 30 April 2026 and introduce stricter rules for new projects based on the so-called milestones. Investors are obliged to implement certain stages of the investment (e.g. obtaining a building permit within 24 or 36 months, depending on the technology) under pain of the expiry of the connection agreement. The amendment also provides for a system of competitions for connection capacities (in the years 2026-2028 for no more than 2 stations, as a pilot project), which is to enable the selection of the best-prepared projects in conditions of limited network capacity. The amounts of advance payments towards network connection fees have also increased,

the mechanism of securing the performance of obligations arising from the connection agreement has been regulated, and a new fee for submitting an application for determining the conditions of connection has been added. Such changed financial mechanisms are intended to reduce the blocking of capacity by low-level projects or unreliable entities. Significant changes have also been made to transitional provisions for ongoing projects, which additionally affects the situation of investors already involved in the connection process. These elements can optimize the connection process, but at the same time they raise the barrier to entry, especially for smaller entities, which can lead to a reduction in competition.

That said, it should be emphasised that, while the new regulations are undoubtedly an important step towards streamlining the grid connection process, they do not address all grid-related challenges. The continued deployment of solutions that improve the use of existing infrastructure — notably cable pooling and energy storage — remains essential.

Currently, wind farms operating in Poland are exclusively onshore installations. However, according to the government's assumptions, by 2030 up to 5.9 GW of offshore wind farms will be commissioned in the Polish part of the Baltic Sea, and by 2040 the development of offshore wind energy will gradually increase to about 18 GW.[2]

Diagram No. 2 | Modelled development variants of the power generation-storage mix in Poland (GW)



Notes: nJWCDs are a cumulative item that includes coal, gas, biomass and hydro nJWCDs. Storage facilities include ESPs and battery energy storage systems. Lignite, bituminous coal and CCGT include only JWCD units. Hydrogen refers to hydrogen turbines.

Source: Modelling and in-house analysis

[2] KPEiK, project of the Ministry of Climate and Environment of July 2025

The implementation of projects in the offshore sector is proceeding according to schedule – the first offshore wind farm is expected to start operating this year, and the next two in 2027. From the sector's perspective, a key milestone was the first auction in history, which took place on the fifth anniversary of the adoption of the Act on the Promotion of Electricity Generation in Offshore Wind Farms.

The auction was successful - four bidders joined it, from which three winners were selected (the total volume of installed electricity capacity covered by the winning bids amounted to 3.435 GW, and the total estimated amount of electricity that the investors who won the auction plan to generate and feed into the grid amounted to over 330 TWh). As part of the winning bids, the minimum price offered was 476.88 PLN/MWh, and the highest was 492.32 per MWh.[3]

However, before the auction could take place, it was necessary to amend the offshore law. And so, in October 2025, the Act amending the Act on the Promotion of Electricity Generation in Offshore Wind Farms and Certain Other Acts was passed, which brought a number of necessary decisions to the industry. Some of them concerned the conditions of participation and organization of the auction, and their acceptance was necessary to ensure the possibility of holding the first auction for offshore wind. In this regard, the possibility of conditional pre-qualification for the auction has been introduced, i.e. the possibility of obtaining a preliminary certificate of admission to the auction while still in the ongoing administrative proceedings for obtaining a decision on environmental conditions for the offshore wind farm (with the condition of its completion and delivery of the decision before the auction date), postponement of the deadline for verifying the number of issued certificates of admission to the auction and applications for the issuance of certificates of admission to the auction, enabling the organization of an intervention auction in 2026 in the event that the auction in 2025 is not conducted or resolved, allowing areas from the first phase to participate in the auctions in relation to unused capacity (up to a maximum of 200 MW), or allowing the submission of two separate auction offers for two offshore wind farms located within the boundaries of the same area indicated in Annex 2 to the Act on the Promotion of Electricity Generation in Offshore Wind Farms, provided that they have a separate extraction with the proviso that it is not in a single auction. The rules for announcing and settling auctions have also been changed (the President of the Energy Regulatory Office is to inform about the date of the auction at least 3 months in advance, and to publish the announcement at least 30 days before the auction; the obligation to show the available capacity for individual connection

[3] https://www.ure.gov.pl/pl/urzad/informacje-ogolne/aktualnosci/13009,Offshore-Pierwsza-aukcja-dla-morskich-farm-wiatrowych-rozstrzygnieta.htm

points and a mechanism blocking the analysis of new connection applications during the auction period have also been introduced). The remaining points in the amendment are largely of a technical nature, but they may facilitate the implementation of investments and later increase their profitability. These include the right to sell energy during the technological start-up of the farm, enabling small shifts of turbines or power stations without the need to change the issued permits and decisions, ensuring the immediate enforceability of decisions approving geological works projects for farms and a set of equipment, as well as sharing one station by several sources. It also clarifies the rules for settling state aid for common infrastructure (if the investment aid concerns a common station or a common power outage, its value is to be settled proportionally between farms using this infrastructure), as well as new rules for connections after losing or not joining the auction. The amendment also clarifies the safety zones around turbines and offshore power stations, with a ban on the entry of ships except for the indicated exceptions, as well as the necessary definition of industrial personnel, qualification requirements in accordance with SOLAS/IP Code and permits for ships of foreign nationality not subject to SOLAS, if they regularly operate installations in Polish maritime areas. To sum up, the act made it possible to organize and positively settle auctions, as well as introduced a number of provisions clarifying and regulating technical issues that were needed by the industry.

From the perspective of the future of the RES sector, the government's strategy regarding the pace and direction of Poland's energy transition is crucial. The realization of this vision is the strategies and other documents of a similar nature published by the Polish government. In this context, it should be noted that at the beginning of March 2024 Poland submitted a preliminary version of the update of the National Energy and Climate Plan (KPEiK) to the European Commission. The working document declares an increase in the share of RES in gross final energy consumption to 29.8% by 2030. According to preliminary assumptions, in the 2030 perspective, onshore wind farms with an installed capacity of approximately 15.8 GW and solar power plants with an installed capacity of approximately 29.3 GW will contribute the most to the increase in electricity production from RES. However, we are still waiting for a full update of the KPEiK – in 2025 two new iterations of this document appeared (one prepared by the Ministry of Climate and Environment and the other prepared by the Ministry of Energy – due to the divisions that occurred at the level of the Council of Ministers). According to the current announcements of the Ministry of Energy, the final version of the document should be known in mid-2026, i.e. certainly after the publication of this guide.

The second, equally important strategic document in this area is "Polish Energy Policy until 2040". (PEP2040), adopted by the government in February 2021. In March 2022, the Polish government adopted the assumptions for the PEP2040 update, which assumes that by 2040, about half of electricity production is to come from renewable sources. However, the document has not been changed to date, despite the fact that the Ministry of Climate and Environment announced that the PEP2040 update would take place in 2024. Currently, it can be assumed that a more realistic scenario is 2027 due to the fact that a full update of the KPEiK is still expected before the PEP2040 is updated (perhaps the time perspective of the document will also be changed, i.e. it will be extended to 2050, which would be consistent with the EU horizon of such strategic documents).

The wind energy industry has high hopes for the announced update of strategic government documents (PEP2040, KPEiK), hoping that the proposed scenarios will be adapted to the scale of the challenges faced by Poland, the expectations of the industry and the capabilities of the RES sector.

Auctions in 2025

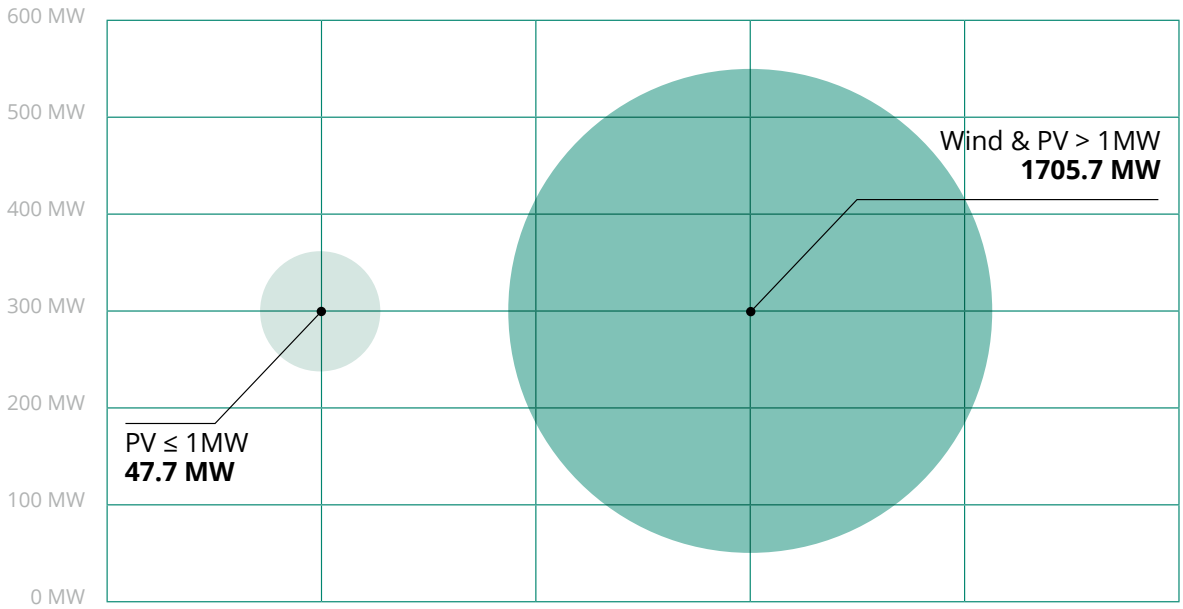
Last RES auctions were held on July 2025. The auction for the photovoltaic and wind installations up to 1 MW was held on 8 July 2025, while on 9 July 2025 was held on auction for installations above 1 MW.

The auctions were carried out on the basis of the Regulation of the Council of Ministers of 27 September 2022 regarding the maximum volumes and values of electricity from renewable energy sources that might be auctioned in particular consecutive calendar years of 2022–2027 (Journal of Laws 2022, item 2085). According to this regulation 11.25 TWh of energy worth PLN 3.825 billion has been allocated for auctions in 2025 for photovoltaic and wind installations up to 1 MW. These values are the same as in the years 2022–2024.

Meanwhile, for the photovoltaic and wind installations above 1 MW, according to aforementioned regulation, 32.25 TWh worth PLN 8.85 billion was allocated for sale. In 2023–2024, the volume for this category amounted to 21.75 TWh, with a value of PLN 6.225 billion. In 2022, these figures were 11.25 TWh and PLN 3.6 billion, respectively. According to a summary of the auctions held in July 2025, the President of the Energy Regulatory Office estimates that the auctions will contribute to nearly 1754 MW of new generation capacity, including:

- 1670.7 MW in photovoltaic installations (around 47.7 in installations with an installed capacity up to 1 MW and around 1623 MW in installations with an installed capacity of more than 1 MW),
- 82.7 MW in wind installations (above 1 MW).

Diagram No. 3 | 2025 Auctions. New installed capacity as a result of auctions held in 2025



Last year's auctions allocated around 75.9 TWh of electricity from renewable energy sources with a total value of around PLN 31 billion for sale, but as a result of the auctions, a total of nearly 16 TWh (21%) of electricity worth approx. PLN 5 billion (16%) was contracted.

Table No. 1 | Auction budgets 2025 description for each RES technology and comparison to year 2024

Technology	Cap.	2025 budget		2024 budget		Change	
		(TWh)	(PLN bn)	(TWh)	(PLN bn)	(%vol.)	(%vol.)
Wind & PV	≤ 1 MW	11,25	3,83	11,25	3,83	0%	0%
	> 1 MW	32,25	8,85	21,75	6,23	48.28%	42.05%
Non-agricultural biogas, biomass, thermal waste treatment installations	≤ 1 MW	1,11	0,61	1,10	0,61	0.91%	–0.16%
	> 1 MW	22,50	12,35	1,69	0,93	1231.36%	1228.28%
Agricultural biogas	≤ 1 MW	–	–	–	–	–	–
	> 1 MW	5,78	3,87	5,78	3,87	–0.09%	0%
Hydropower, bioliquids, geothermal energy	≤ 1 MW	0,98	0,51	0,98	0,51	–0.51%	–0.20%
	> 1 MW	2,04	1,04	2,04	1,04	0%	–0.19%
Hybrid installations	≤ 1 MW	–	–	–	–	–	–
	> 1 MW	–	–	–	–	–	–
Total		**75,90**	**31,06**	**44,59**	**17,02**	**70.22%**	**82,49%**

Source: own study, pursuant to the Regulation of the Council of Ministers of 27 September 2022 regarding the maximum volumes and values of electricity from renewable energy sources that might be auctioned in particular consecutive calendar years of 2022–2027 (Journal of Laws of 2022, item 2085).

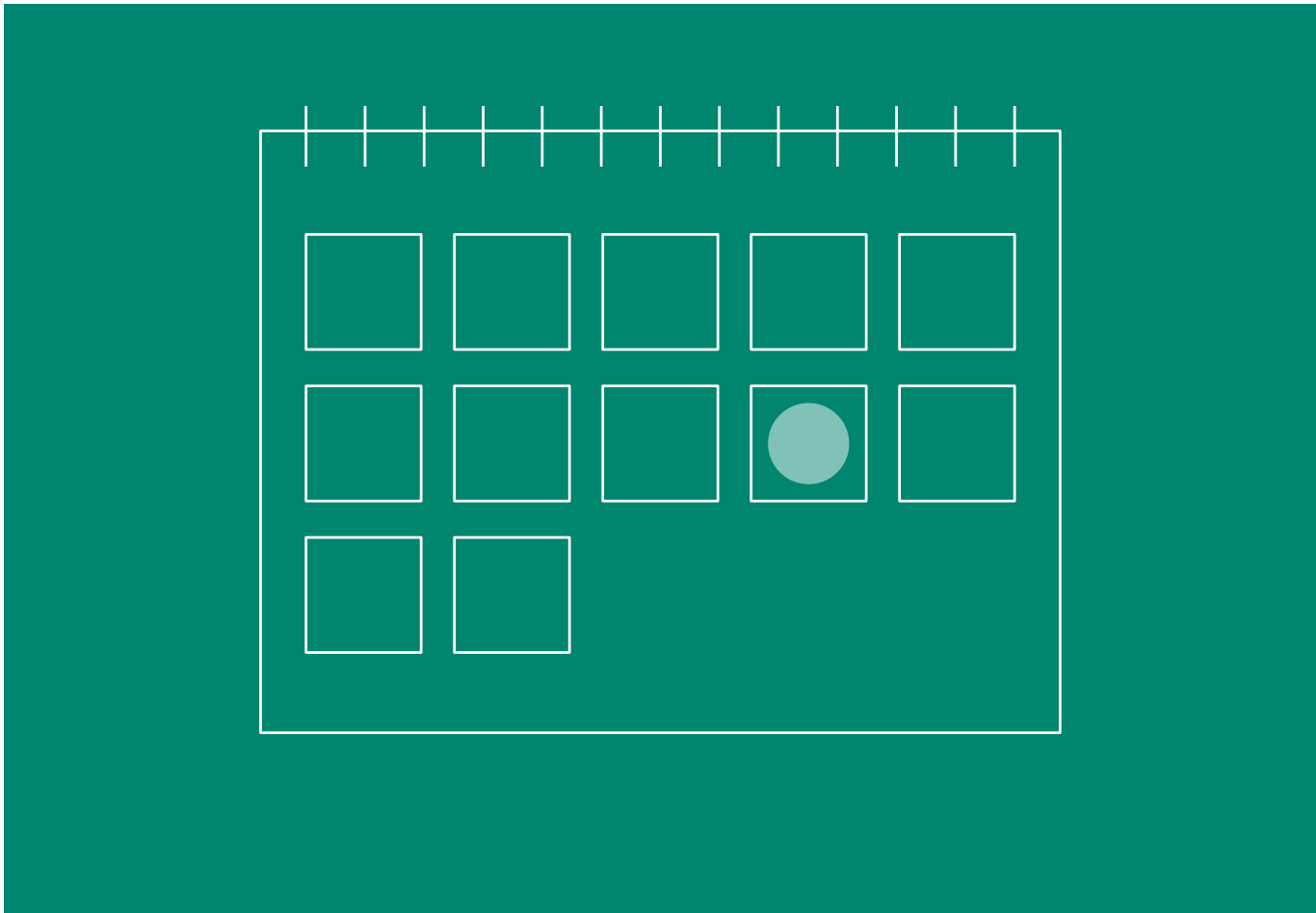
When did the last auctions take place?

The most recent auctions for onshore wind and PV took place on 8 and 9 July 2025 (respectively for installations up to and above 1 MW capacity).

The auction system is currently the basic support mechanism for RES installations. It was intended to replace the system of certificates of origin, hence as a rule all RES installations in which the first generation of electricity took place (or is to take place) after 1 July 2016 can only benefit from the auction system.

The RES auction system was intended to remain in force until 2021, but in connection with the Act of 17 September 2021 amending the RES Act and certain other acts (Journal of Laws, item 1873) the auction support system has been extended until 30 June 2047. It means that auctions can be held until 31 December 2027. The above was approved by a decision of the European Commission of 30 November 2021.

According to preliminary estimates, the extension of the auction system will enable the creation of approximately 9 GW of new capacity in renewable energy technologies. The maximum value of state support during the entire programme period may amount up to PLN 43.85 billion.



When will the next auctions take place?

As of the date of this guide, the President of the Energy Regulatory Office has not yet published the auction schedule for 2026.

According to the Regulation of the Council of Ministers of 27 September 2022 regarding the maximum volumes and values of electricity from renewable energy sources that might be auctioned in particular consecutive calendar years of 2022–2027 (Journal of Laws of 2022, item 2085), in 2026 auction for installations up to 1 MW, the maximum amount of energy that can be sold is 11.25 TWh and its value is PLN 3.825 billion while in auctions for installations above 1 MW, the maximum amount of energy to be sold is 53.25 TWh and its value is PLN 14.1 billion.

How does a project qualify for participation in an auction?

Ready-to-build RES projects using onshore wind, solar energy and biogas, agricultural biogas, biomass, bioliquids, hydropower and geothermal energy to generate electricity, as well as a thermal waste treatment installations or dedicated multi-fuel combustion installations projects can participate in an auction if they:

- hold a certificate of admission to an auction, and
- pay a deposit of PLN 60 (ca. EUR 14) per 1 kW, or provide an equivalent bank guarantee.

Obtaining a certificate of admission to an auction is preceded by a prequalification procedure carried out by the President of the Energy Regulatory Office. Investors need to evidence that they possess ready-to-build installations, i.e. that the following criteria are met:

- grid connection conditions or a grid connection agreement is in place (valid for at least six months),
- the project has a final and non-appealable building permit (valid for at least 6 months),
- an installation scheme is provided,
- a schedule of works and expenditures for the completion of construction is presented.

Once the prequalification criteria are fulfilled, a certificate of admission to an auction is issued within 30 days from the date of submission of a complete application for that certificate by the President of the Energy Regulatory Office. The certificate remains valid for 12 months from the date of its issuance, but no longer than the validity period of the grid connection conditions or the grid connection agreement and the building permit.

Non-price criteria in auctions

Member States were required to introduce non-price criteria into their auction systems by 30 December 2025. This obligation arises from the Net-Zero Industry Act, i.e., Regulation (EU) 2024/1735 of the European Parliament and of the Council of 13 June 2024 on establishing a framework of measures for strengthening Europe's net-zero technology manufacturing ecosystem and amending Regulation (EU) 2018/1724 (NZIA). This deadline could not be extended or modified. Therefore, auctions organised from 30 December 2025 must include non-price criteria.

The obligation to apply non-price criteria covers renewable energy technologies, including onshore wind.

The NZIA divides non-price criteria into two groups, depending on the stage at which they are applied. The first group consists of mandatory criteria at the pre-qualification stage, including responsible business conduct, cybersecurity and data security, along with the ability to deliver projects in a complete and timely manner. The second group includes criteria that may be applied either at the pre-qualification stage or at the award stage, depending on the Member State's choice, and are used to assess the contribution of the auction to sustainability and resilience. These criteria must be objective, transparent and non-discriminatory.

The second group of criteria is applied at the award stage, the NZIA sets their weightage. Both sustainability and resilience must account for at least 5% each, and together they must represent between 15% and 30% of the award criteria. These are minimum thresholds, and Member States may assign higher weights.

In assessing the contribution to sustainability, auctions should support at least one of the following objectives: environmental sustainability beyond minimum legal requirements, innovation through new or improved solutions, or energy system integration.

Non-price criteria must be applied to auctions covering at least 30% of the total auction volume or, alternatively, at least 6 GW per year. These requirements may only be waived if their application would lead to disproportionate costs for the Member State. As a rule, cost differences exceeding 15% per auction, based on objective and verifiable data, are considered disproportionate.

Commission Implementing Regulation (EU) 2025/1176 of 23 May 2025 specifies pre-qualification and award criteria for renewable energy auctions and provides further details on the requirements that bidders must meet under the non-price criteria.

Member States may also introduce additional non-price criteria beyond those listed above. This means that the framework set out in the NZIA establishes only minimum requirements.

The application of non-price criteria in RES auctions requires the adoption of appropriate national legislation. As of the date of this report, no such regulations have yet been drafted in Poland.

How does winning an auction impact grid connection?

Grid connection conditions or a concluded grid connection agreement are required to participate in an auction. Grid connection conditions are valid for one year from the date of their delivery (before the amendment of 13 March 2026 to the Energy Law, this period was two years). During their validity period, grid connection conditions constitute a conditional obligation of the grid operator to conclude a grid connection agreement.

Before the amendment of 13 March 2026 (which also amended certain provisions of the RES Act), the RES Act provided a mechanism to extend the deadline for the first delivery of electricity to the grid for projects that won an auction. Grid operators were required to adjust the deadlines in grid connection agreements for successful projects so that they aligned with the auction timelines (e.g., for onshore wind – 33 months for the first sale of electricity within the auction system from the auction closing date). For this purpose, annexes to grid connection agreements had to be concluded to ensure that the deadline for the first delivery of electricity to the grid (as specified in the grid connection agreement) did not fall earlier than the deadline for the first sale of electricity under the auction system. According to the amendment of 13 March 2026, these rules apply only to projects that won auctions in 2025 or earlier.

Currently, under the amendment of 13 March 2026, an additional obligation has been introduced in relation to project implementation, requiring investors to notify the grid operator once a final building permit has been obtained.

In the case of wind turbines, this obligation must be fulfilled within 36 months from the date of the grid connection agreement, and the building permit must cover at least 80% of the installed capacity specified in that agreement. Similarly in the case of transformers and electrical substations covered by the grid connection agreement, the deadline is 36 months from the date of its conclusion.

Failure to meet this obligation within the deadline results in the automatic termination of the grid connection agreement by operation of law. At the same time, the investor may apply for an extension of these deadlines for a period not exceeding 24 months in the event of circumstances beyond their control or upon request, provided that additional security is established in the amount of PLN 60 per kW of connection capacity, but not more than PLN 12,000,000.

In addition, separate rules and deadlines apply to grid connection agreements concluded before the entry into force of the above amendment. Due to the lack of clarity of the transitional provisions, each such agreement requires individual analysis.

What is the course of an auction and who wins?

The date of an auction is announced by the President of the Energy Regulatory Office at least 30 days in advance before the auction.

A bidder – a prospective producer – submits an offer specifying the amount of electricity (in MWh) and the price (in PLN per 1 MWh) at which it agrees to sell electricity under a contract for difference.

So far, support has been granted to producers offering the lowest price. However, the NZIA introduces an obligation to include non-price criteria in auctions, which should apply from 2026. This requires the adoption of relevant national legislation. As of the date of this report, such provisions have not yet been adopted or publicly presented in draft form. The current rules for conducting auctions are described below.

The auction continues until the volume and value of electricity specified in an announcement of an auction is fully depleted or the closing of the auction session. The auction is settled if no less than three valid bids meeting the requirements set out in the RES Act have been submitted. When several bidders offer the same lowest selling price, and the volume of electricity declared to be produced exceeds the volume referred to in the announcement of the auction, the order of the submitted bids is decisive. Winning producers' offers may not jointly exceed 100% of the value of electricity specified in the announcement of the auction and 80% of the volume of electricity covered by all bids. This second cap is aimed at guaranteeing sufficiently competitive auctions.

Within 21 days from an auction closure date, the President of the Energy Regulatory Office publicly announces, on its website, information about:

- the results of the auction (i.e. the producers who won the auction, the minimum and maximum price at which electricity was sold in the auction, as well as the total volume of electricity sold and its value), or
- invalidation of an auction, if that happens.

An auction may be invalidated only if all offers have been rejected (an offer shall be rejected, inter alia, if the electricity sales price stated in the offer exceeds the reference price) or if it could not be carried out for technical reasons. If the results of an auction have already been published, the auction is settled and final.

What is the period of support?

The period of support lasts for 15 years from the date of sale of electricity for the first time after the date of winning a given auction, but no longer than until 30 June 2047. Under previous regulations, the deadline was 30 June 2039, but the amendment to the Act on Renewable Energy Sources of 17 September 2021 extended the deadline to 30 June 2047.

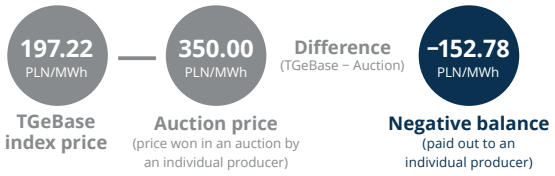
What is the mechanism of support?

Industrial-size installations (minimum 0.2 MW) that have won an auction, sell the produced electricity on the electricity market at the market price, to a chosen offtaker, after which they may apply for additional payments to reach their auction price. This is done by way of an application to cover the "negative balance". The monies are paid out by Zarządca Rozliczeń S.A., a state-owned corporation responsible for carrying out the settlements of the "negative balance". Under the RES Act, the "negative balance" is the difference between the net value of the sale of electricity in a given month (as calculated on the basis of a commodities exchange index) and the value of that electricity determined on the basis of the price contained in a producer's offer that won an auction. Please also note that the latter is indexed annually to the inflation rate in Poland.

The volume of electricity subject to the settlement is determined on the basis of actual indications of measuring devices in a given month. A producer from an installation informs Zarządca Rozliczeń S.A., within 15 days after the end of the month, of:

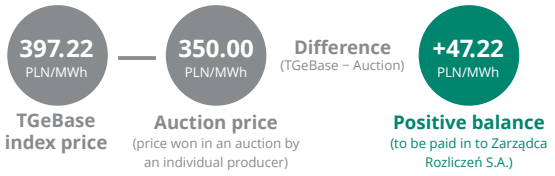
- the volumes and prices of electricity sold in the previous month,
- data on the value of the electricity (prices published by the Polish Power Exchange – TGeBase index) and
- the producer submits an application to cover the negative balance.

In consequence, the "negative balance" is the difference between the value of produced electricity calculated on the basis of the TGeBase index and the value of such electricity established pursuant to the price from a respective auction bid of an individual producer. Zarządca Rozliczeń S.A. is obliged to verify an application for covering the "negative balance" within 30 days and pay the producer in question the relevant funds, as per the example below.



Please note that in the example the balance can also be positive, especially in case of a substantial increase of wholesale electricity prices. In such a scenario, the producer could be obliged to pay back the positive balance to Zarządca Rozliczeń S.A.

Any positive balance is set off against any future negative balance on "as-we-go" monthly basis. Any positive balance that is not fully settled by the end of a period of every full three calendar years shall be refunded to the Zarządca Rozliczeń S.A. by the generator of electricity in the RES installation, within 6 months of the end of the relevant period.



There is no obligation to sell electricity produced by RES installations through a commodities exchange.

What energy producing equipment can be installed?

An investor who won an auction is restricted in terms of generating devices that can be installed. The RES Act stipulates that devices used for generating and processing electricity must be new, and produced within a certain period preceding the day of first production of electricity. This is detailed in the table below.

Table No. 2

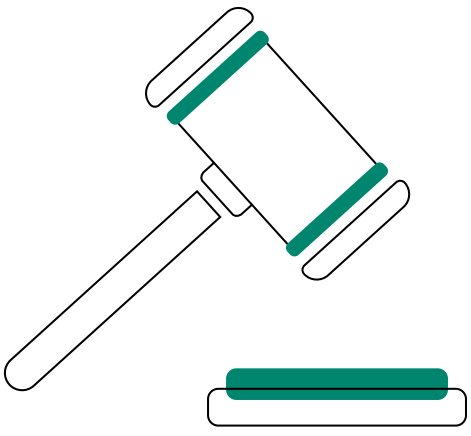
Category of renewable installation	Equipment not older than
Onshore wind	33 months
Photovoltaics	33 months
Offshore wind	72 months
Biomass	42 months

What are the responsibilities of an investor who won an auction?

The first obligation imposed on an investor is to produce electricity for the first time, while already holding a generation concession, within certain deadlines from the auction closure date. Failure to timely meet this obligation results in an exclusion from the auction system and loss of the deposit. This is detailed in the table below.

Table No. 3

Category of renewable installation	Deadline to produce electricity with a concession in place
Onshore wind	33 months from the auction closure date
Photovoltaics	33 months from the auction closure date
Offshore wind	7 years from the auction closure date
Biomass	42 months from the auction closure date



The second obligation is to produce the volume of electricity declared in the offer. However, there is an option of one update of the offer following the auction, with respect to, the planned date of commencement of the support period, the volume of electricity planned for sale in subsequent calendar years, or the installed capacity of the installation. In such case, the total volume of electricity intended for sale, the support period and the project's capacity classification under the RES Act must remain unchanged. The volume is settled after the expiry of each 3 full calendar years in which support was granted, and after the lapse of the entire period of support. If an installation fails to produce at least 85% of the volume specified in a winning offer in a relevant settlement period, the producer is subject to a fine. The fine is calculated as 50% of the product of the auction price and the difference between the electricity that was supposed to have been produced, pursuant to the auction offer and the energy actually produced. The financial penalty will not apply if the required volume of electricity was not produced as a result of:

- application of the generally binding law;
- the need to ensure security of the grid;
- a power system failure;
- force majeure, e.g., natural disasters, war, acts of terrorism, riots;
- the technical failure of an installation – violent, unpredictable and independent of the producer, damage or destruction of an installation or destruction of buildings or facilities essential for its operation.

How is the financing of the auction system secured?

Funds in the auction system are required for the payment of the "negative balance" and the functioning of the entity covering the balance Zarządca Rozliczeń S.A. They are secured via a renewables fee. The renewables fee is collected by transmission system operator (TSO) and distribution system operators (DSO). TSO and DSOs collect the renewables fee predominantly from final off-takers interconnected directly to their grid, i.e. mainly households. Therefore, financing of the auction system is not influenced by the government budget.

The rules for calculating the renewables fee are set forth in the respective statute. Renewable fee is calculated as a product of the renewables fee rate and the amount of electricity consumed. The renewables fee rate is published in the bulletin of the President of the Energy Regulatory Office until 10 November of each calendar year.

What is the risk of the state evading its responsibilities following an auction?

Although no written agreement is entered into between Zarządca Rozliczeń S.A. and the auction winner, the legal relationship between such a producer and the Polish state takes the form of a binding obligation, by statutory law. The elements of this obligation are construed on the basis of the RES Act and documents published by the President of the Energy Regulatory Office – published auction results. In consequence, if Zarządca Rozliczeń S.A. fails to pay a due amount of money, a producer can enforce its rights in a common court. It's worth mentioning, that this arrangement is deemed sufficient to bank financing on a non-recourse basis (project finance).

Is it possible to transfer the rights and obligations acquired at an auction?

Under the RES Act, it is admissible to either acquire a project which won an auction or acquire shares in a company holding such a project. In the former case, it is necessary to apply to the President of the Energy Regulatory Office for consent. Granting of such consent is dependent on a statement by a buyer, which should include a declaration by the buyer that electricity will be produced purely from renewables, in the installation related to the auction and that the buyer accepts the rights and obligations of a RES producer

Summary of the selected 2025 auctions

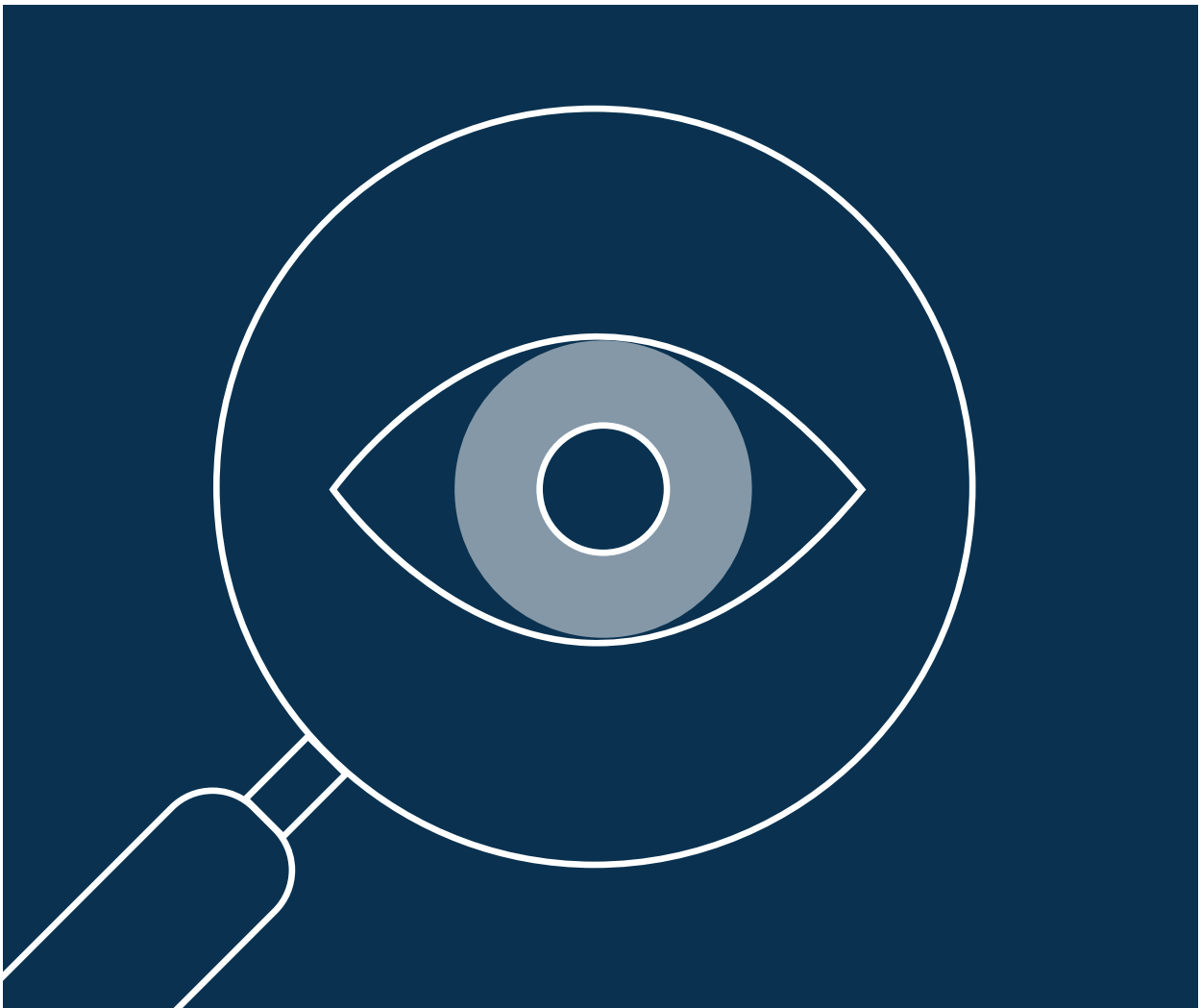
The most recent auctions for wind and photovoltaic projects were held on 8 and 9 July 2025. All auctions were dedicated to new installations. Once again, only two out of seven auctions were successfully concluded. Among the winning bids (129), the vast majority were photovoltaic installations (126), with only three wind projects.

The volume of electricity allocated for photovoltaic and wind installations with a capacity of up to 1 MW was set at 11.25 TWh, with a value of nearly PLN 3.82 billion.

Photovoltaic projects once again dominated the so-called small basket for wind and PV projects up to 1 MW. A total of 33 producers participated in the auction, submitting 83 bids. All submitted bids were from photovoltaic installations. The reference prices for electricity from wind installations of up to 1 MW amounted to PLN 378/MWh, while the reference price for electricity from small photovoltaic installations was PLN 414/MWh.

As a result of the auction, just over 4% of the available energy volume was sold through 53 winning bids submitted by 20 producers, with a total value of nearly PLN 170 million (representing 4.4% of the total value of energy allocated for sale).

The minimum price for PV installations at which electricity was sold was PLN 314.77/MWh (for comparison, back in December 2024 the minimum price at which energy was sold was PLN 297.78/MWh). On the other hand, the maximum price for PV installations at which energy was sold in this auction



was PLN 374.77/MWh (compared to PLN 388/MWh in the December 2024 auction).

As a result of the auction, approx. 0.48 TWh of energy has been contracted, and therefore PV installations with a total installed electrical capacity of approx. 47.7 MW may be built (of which only 3 concerned wind installations).

The winners included i.a. Energetyka Zagórz Sp. z o.o., Grüner Energy Sp. z o.o., Pola Energii Foto Sp. z o.o. or TELIS Sp. z o.o.

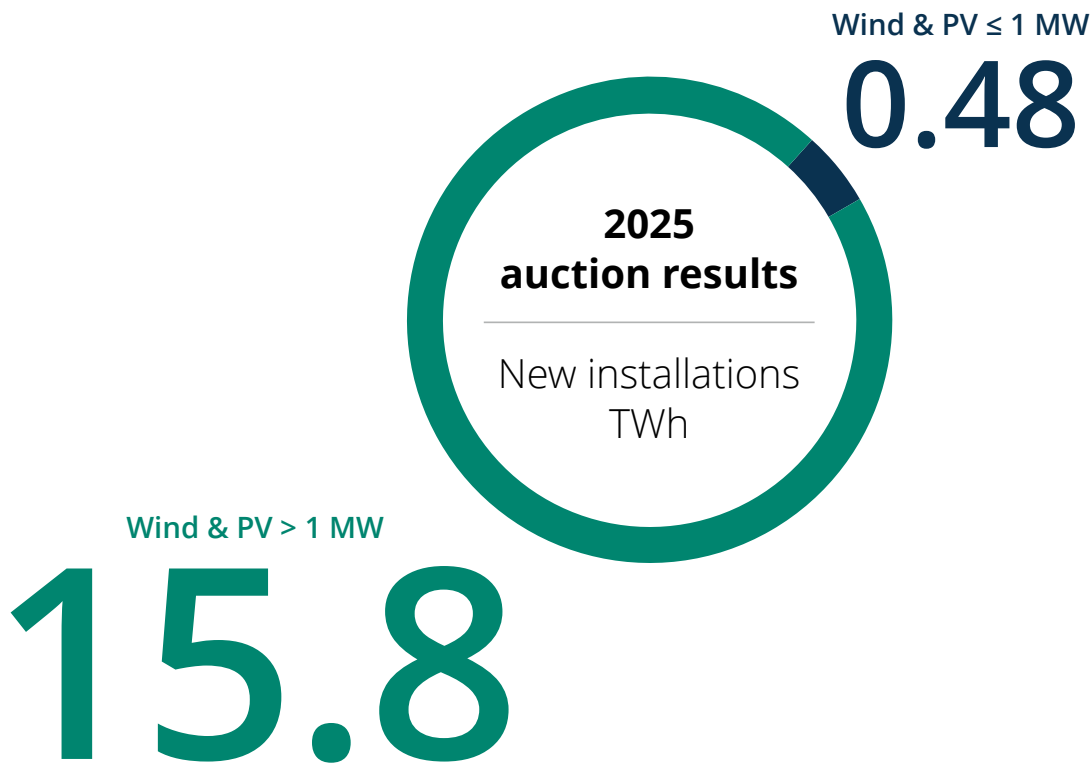
In the auction for wind and photovoltaic projects with a capacity above 1 MW, the possible amount of energy to be sold in this basket was 32.25 TWh and its value was nearly PLN 8.9 billion. The maximum price (i.e., the reference price) that could be offered for wind installations above 1 MW was PLN 324/MWh, and for PV installations – PLN 389/MWh. The auction was joined by 73 producers, who submitted a total of 98 bids (of which only 3 concerned wind installations).

As a result of the auction, approx. 15.8 TWh of energy (49% of the volume offered for sale) with a total value of nearly PLN 4.8 billion (54% of the value of energy allocated for sale) was sold.

Consequently, photovoltaic installations with a total capacity of slightly over 1,623 MW and onshore wind farms with a capacity of 82.7 MW may be developed. The minimum price at which electricity from wind power plants was sold in this auction basket was PLN 100/MWh, while the maximum price reached PLN 320/MWh (in the December 2024 auction – PLN 149/MWh and PLN 175/MWh, respectively). As for photovoltaic installations, the minimum price was PLN 216.90/MWh and the maximum price was PLN 329.68/MWh (in the December 2024 auction – PLN 244.80/MWh and PLN 334.77/MWh, respectively)

The winners included i.a. EW Kiekrz Sp. z o.o., FW LUBIEŃ 1 Sp. z o.o., OX2 Green Sp. z o.o., Siłownie Wiatrowe S.A. or PAD RES Koszalin Sp. z o.o.

Diagram No. 4 | 2025 auction. New installed capacity as a result of auctions held in July 2025



Reference prices (maximum bid prices) for different categories of renewables

Below are the reference prices resulting from the regulation of the Minister of Climate and Environment of 8 November 2023 on the reference price of electricity from renewable energy sources, the periods applicable to producers that won the auctions and the reference volumes of electricity sales (Journal of Laws, item 2247).

Table No. 4

No.	Type of renewables installations	Reference price (PLN/MWh)
1.	Installations with a capacity below 0.5 MW using only agricultural biogas	872
2.	Installations with a capacity below 0.5 MW using only agricultural biogas in high-efficiency cogeneration	1,025
3.	Installations with a capacity below 0.5 MW using only biogas obtained from landfills	812
4.	Installations with a capacity below 0.5 MW using only biogas obtained from landfills in high-efficiency cogeneration	915
5.	Installations with a capacity below 0.5 MW using only biogas obtained from sewage treatment plants	572
6.	Installations with a capacity below 0.5 MW using only biogas obtained from sewage treatment plants in high-efficiency cogeneration	714
7.	Installations with a capacity below 0.5 MW using only biogas other than obtained from agricultural biogas, landfills or sewage treatment plants	632
8.	Installations with a capacity below 0.5 MW using only biogas other than obtained from agricultural biogas, landfills or sewage treatment plants in high-efficiency cogeneration	723
9.	Installations with a capacity below 0.5 MW using only hydropower	853
10.	Installations with a capacity not below 0.5 MW and not exceeding 1 MW using only agricultural biogas	793
11.	Installations with a capacity not below 0.5 MW and not exceeding 1 MW using only agricultural biogas in high-efficiency cogeneration	941

No.	Type of renewables installations	Reference price (PLN/MWh)
12.	Large Installations (above 1 MW) using only agricultural biogas	775
13.	Large Installations (above 1 MW) using only agricultural biogas in high-efficiency cogeneration	896
14.	Installations with a capacity not below 0.5 MW using only biogas obtained from landfills	785
15.	Installations with a capacity not below 0.5 MW using only biogas obtained from landfills in high-efficiency cogeneration	895
16.	Installations with a capacity not below 0.5 MW using only biogas obtained from wastewater treatment plants	520
17.	Installations with a capacity not below 0.5 MW using only biogas obtained from wastewater treatment plants in high-efficiency cogeneration	663
18.	Installations with a capacity not below 0.5 MW using only biogas other than obtained from agricultural biogas landfills or sewage treatment plants	583
19.	Installations with a capacity not below 0.5 MW using only biogas other than obtained from agricultural biogas landfills or sewage treatment plants in high-efficiency cogeneration	677
20.	Dedicated biomass combustion installations or hybrid systems	594
21.	Thermal waste treatment installations or dedicated multi-fuel combustion installations	474
22.	Installations with a capacity not exceeding 50 MW in a dedicated biomass combustion installation or hybrid systems, in high-efficiency cogeneration	670
23.	Installations with a capacity higher than 50 MW in a dedicated biomass combustion installation or hybrid systems, in high-efficiency cogeneration	640
24.	Installations using only bio-liquids	575
25.	Installations with a capacity not exceeding 1 MW using only onshore wind energy	378
26.	Large Installations (capacity higher than 1 MW) using only onshore wind energy	324
27.	Installations with a capacity of not below 0.5 MW and not exceeding 1 MW using only hydropower	778
28.	Large Installations using only hydropower	745
29.	Installations using only geothermal energy	579
30.	Installations with a capacity not exceeding 1 MW using only solar energy	414
31.	Large Installations (capacity higher than 1 MW) using only solar energy	389

The Polish Wind Energy Association (PWEA) is a non-governmental organization, established in 1999, to support and promote the development of wind energy in Poland. PWEA is an association of around 200 leading wind energy companies active on the Polish market: investors, developers, turbine and component manufacturers. PWEA groups key industry players from abroad, as well as Polish entrepreneurs, investors,producers and service providers across the entire onshore & offshore wind supply chain.

Main areas of PWEA activity are:

- Active participation in consultations on legal acts (acts, regulations), strategies, policies and sector programs, as well as taking actions to introduce new legal solutions supporting the development of wind energy in Poland;
- Close cooperation with the ministry responsible for Economy and Environment and other ministries related directly or indirectly to energy and renewable energy sources;
- Cooperation with the European Commission's Directorate-General for Energy and Transport, Directorate-General for Environment, Directorate-General for Science and Research;
- Cooperation with MEPs and parliamentarians from Sejm and Senate committees;
- Educational activities in schools and universities aimed at promoting work in the wind energy industry Spreading knowledge about wind energy, in particular disseminating information about the benefits of using wind to produce electricity and Poland's potential for the development of wind energy;
- Building a positive image of the wind energy industry by promoting facts and debunking myths;
- Organization of events bringing together industry representatives from Poland and abroad; participation in national and international industry conferences as an expert in the field of wind energy in Poland.

PWEA is a member of the WindEurope and Polish Committee of World Energy Council.

www.psew.pl/en/

DWF in Poland currently consists of over 190 professionals. As a team, we have been providing legal services in Poland since 1991.

Our lawyers have extensive experience in providing comprehensive legal services for private companies, international corporations and state-owned entities. Our achievements are widely recognized by our clients, peers and market participants as well as leading international rankings.

The Warsaw office key practices include renewable energy, environment, mergers and acquisitions, project finance, real estate, construction and infrastructure, capital markets, banking, finance and restructuring, intellectual property, dispute resolution, tax and employment, as well as public procurement.

We are a legal business focused on complicated, precedent-setting, unique cases and transactions. This requires knowledge, experience, skills and the ability to act fast. We are proud of our participation in the biggest and most complex disputes and transactions on the Polish and European markets. We also offer our clients specialized expertise in sectors such as conventional and innovative energy, industrials, nuclear power, mining, transport, aviation, aerospace and defence, the film industry, media, TMT and outsourcing.

Our lawyers are regularly recommended by independent international rankings, such as Chambers Global, Chambers Europe, Legal 500, IFLR1000 as well as WTR100 and Managing IP. Our lawyers actively participate as speakers at key sector conferences, seminars and workshops on, inter alia, environmental, energy, construction, litigation and arbitration law issues.

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Our Warsaw Office has a distinctive, full-size, comprehensive practice devoted entirely to renewable energy. It is one of the most recognized RES practices on the Polish market, and a one-stop-shop for clients active in renewables.

We assist in all legal matters related to the RES sector, including investments (development, permitting and licences, grid connections, transactions, environmental issues, M&A), day-to-day operations, as well as disputes. We have been involved in acquisitions and development of a vast number of solar and wind projects, both onshore and offshore. The team is also renowned for advice in regulatory and legislative matters.

We assist sector chambers and organizations, as well as individual clients, in solving complex regulatory matters and building their position on sectoral issues. For example, we support clients in a number of energy regulatory disputes before the President of the Energy Regulatory Office and courts. We assist the Polish Photovoltaics Association and the Polish Wind Energy Association, strengthening the organizations' efforts with respect to issues concerning the support scheme for renewables in Poland and the EU. We are also involved in works of the Offshore Taskforce of the Polish Wind Energy Association in which we help to work out proposals for the regulatory environment for offshore wind.

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