

NEW GUIDELINES FOR THE VOLUNTARY MIGRATION OF LEGACY PERMITS TO THE CURRENT ELECTRICITY REGULATORY FRAMEWORK ENTER INTO FORCE

On June 18, 2026, the *Guidelines for the Voluntary and Expedited Migration of Self-Supply and Cogeneration of Electricity to the figures provided under the Electric Sector Law* ("**Guidelines**"), issued by the Ministry of Energy ("**SENER**"), entered into force. The purpose of the Guidelines is to regulate the expedited and voluntary migration procedure for self-supply and cogeneration permits granted under the Electric Power Public Service Law ("**LSPEE**"), as well as the contracts, agreements and Load Centers associated with such permits.

Since this is a voluntary procedure, the holders of such permits, members of self-supply companies, establishments associated with cogeneration and, as applicable, End Users with Load Centers associated with those figures ("**Associated Load Centers**"), may express their interest in participating in the migration procedure established under the Guidelines ("**Migration Procedure**") through the Migration Window. Once such interest has been registered and the corresponding application has been filed, those persons will be deemed applicants for purposes of the Migration Procedure ("**Applicants**").

The expression of interest is the starting point to access a regulated, temporary and exceptional procedure designed under criteria of administrative simplification and technical efficiency.

1. Conditions applicable to the expedited processing of the Migration Procedure

- **Expedited processing.** The Guidelines establish rules for the Migration Procedure to be processed under criteria of administrative simplification and technical efficiency, without allowing the technical conditions of the Power Plants or Load Centers subject to migration to be freely modified.
- **Operational continuity.** Activities carried out under existing Legacy Arrangements may continue without interruption during the Migration Procedure and until its conclusion, provided that such continuity is supported by a valid interconnection agreement.
- **Binding planning.** The binding planning criteria applicable to generation activities will not apply to the granting of generation permits derived from the Migration Procedure, since such procedure concerns the migration of previously granted and existing permits. However, all other acts related to the relevant Power Plant will remain subject, as applicable, to the binding planning of the electricity sector and to the applicable planning instruments.
- **Administrative simplification.** SENER, the National Energy Commission ("**CNE**"), the National Energy Control Center ("**CENACE**"), the Federal Electricity Commission ("**CFE**") and its affiliates ("**Responsible Institutions**") may not require additional information or additional filings, except in the cases expressly provided for or duly justified under the Guidelines.
- **Additional studies.** For the execution of the corresponding interconnection agreements, no additional studies, additional reinforcement works or payments associated with such works will be required, provided that the Legacy Arrangement to be migrated includes a Legacy Agreement. The Migration Procedure should not trigger the payment of governmental fees or charges.

- **Technical and operational conditions.** Depending on the applicable migration modality, the Migration Procedure will be subject to compliance with technical and operational requirements regarding metering, Dispatchable status and Minimum Operational Tests.
- **Limits on technical modifications.** The Migration Procedure may not include increases to the Installed Capacity of the Power Plants. During such procedure, technical modifications will not be authorized either, except for those necessary to comply with metering requirements, Dispatchable status, Minimum Operational Tests, the integration of an Electricity Storage System (“**SAEE**”) or, as applicable, the Modernization Program assessed by the CNE.
- **Integration of storage.** In the case of renewable energy Power Plants, the Applicant may request the integration of a SAEE as part of the migration application, provided that the Installed Capacity of the Power Plant is not increased and the capacity set forth in its Interconnection Agreement is not modified.
- **Notices and deadlines.** Notices under the Migration Procedure will be made through the Migration Window and the email addresses authorized by the Applicant and will become effective on the same day on which they are delivered.
- **Institutional coordination.** SENER is responsible for administratively interpreting the Guidelines, promoting the Migration Procedure and instructing the other Responsible Institutions to implement the Migration Window in a coordinated manner.

2. **Migration Modalities**

- **Surrender of the legacy permit and termination of related agreements.** The granting of a permit under the LSE as a result of the Migration Procedure entails the surrender and termination of the permit associated with the relevant Legacy Arrangement. Likewise, completion of the Migration Procedure entails the early termination of the contracts and agreements linked to such Legacy Arrangement.
- **Migration of capacity under a single generation permit.** Where an Applicant holds two or more permit titles associated with the same Power Plant, the total capacity covered by such permits must be migrated into a single generation permit under the LSE.
- **Generation and supply options.** The available migration options are summarized below:

Generation	Load
✓ Generation for the Wholesale Electric Market (“MEM”) ✓ Self-consumption (isolated or interconnected)	✓ Basic Supply ✓ Qualified Supply

Table 1. Generation and Supply options

- **Migration Procedure modalities.** The Applicant may elect any of the following modalities:

Migration modalities	
I.	Power Plant only → Single Generation Permit
II.	Joint migration → Single Generation Permit, coordinated jointly with Load Centers
III.	End Users with Associated Load Centers → Qualified Users
IV.	End Users with Associated Load Centers → Basic Supply
V.	Power Plant plus local loads → Interconnected Self-Consumption
VI.	Power Plant plus local loads → Isolated Self-Consumption

Table 2. Migration modalities

3. Stages and timeline

- **Stages of the Migration Procedure.** The Migration Procedure must be resolved and completed in accordance with the stages, activities and deadlines set forth in the Guidelines, based on the applicable migration modality. Completion of each stage, in due time and form, will be a necessary condition to begin the following stage.
- **Procedure applicable to Power Plants and joint migrations.** For migration modalities involving Power Plants, including joint migrations (Table 2, items I, II, V and VI), the Migration Procedure generally consists of the following stages, and the following dates must be observed:

General Procedure for Power Plants and Joint Migrations and Timeline	
Stage	Dates
1. Registration of the expression of interest.	June 19 to September 18, 2026
2. Filing of the migration application.	September 21 to October 16, 2026
3. Deficiency notice, admission or dismissal of the application.	October 19 to December 24, 2026
4. CNE resolution and, as applicable, granting of the permit, exclusion of Load Centers and registration as Qualified Users, if applicable.	December 28, 2026 to February 12, 2027
5. Review of Metering Functionality.	October 19, 2026 to February 12, 2027
6. Preliminary registration of physical assets.	February 15 to March 5, 2027
7. Compliance with the applicable technical conditions.	Compliance with conditions: February 15, 2027 to August 15, 2028.
	Minimum Operational Tests: February 15 to April 30, 2027, and October 1, 2027 to April 28, 2028.
8. CENACE's instruction to CFE for the formalization of the interconnection or connection agreements, the early termination of the Legacy Agreements and the exclusion of Load Centers.	August 16 to August 31, 2028. Legacy Arrangements with no evidence of commercial operation commencement: February 15 to March 5, 2027.
9. Enablement of physical assets and commencement of operation in the MEM.	October 6, 2028

In certain cases, such as migration to isolated self-consumption or the migration of Power Plants that are not in operation, the Migration Procedure is limited to the initial stages of registration, application, admission and CNE resolution, without prejudice to any contractual formalization that may apply.

- **Procedure applicable to Associated Load Centers.** For the migration of Associated Load Centers (Table 2, items III and IV), the Migration Procedure generally consists of the following stages, and the following dates must be observed:

General Procedure Applicable to Associated Load Centers and Timeline	
Stage	Dates
1. Registration of the expression of interest.	June 19 to September 18, 2026
2. Filing of the migration application.	September 21 to October 16, 2026
3. Deficiency notice, admission or dismissal of the application.	October 19 to December 24, 2026
4. CNE resolution on the exclusion of the Load Centers from the Legacy Arrangements and, as applicable, their registration as Qualified Users by the CNE.	December 28, 2026 to February 12, 2027
5. Review of the Metering Functionality of the Load Centers and confirmation of compliance.	October 19, 2026 to February 12, 2027
6. Formalization of the connection agreement, as applicable, as well as the exclusion of the Load Centers from the Legacy Agreements and the agreements linked thereto.	CENACE's instruction to formalize the new connection agreement: February 15 to March 5, 2027. Formalization of the new connection agreement: March 8 to April 2, 2027.
7. Registration of physical assets with "Enabled" status by the Market Participant acting as Supplier and representing the Load Centers upon migration and notice thereof to the Transporter or Distributor.	September 5 to September 23, 2027
8. Compliance with the requirements applicable to Metering Systems.	February 15, 2027 to August 15, 2028
<i>In the case of Associated Load Centers that migrate to Basic Supply, stages five, seven and eight of the Migration Procedure will not apply, as they relate to the review of Metering Functionality, the registration of physical assets and compliance with the Metering System requirements. In this scenario, the Migration Procedure concludes at the sixth stage, with the exclusion of the Load Centers from the applicable Legacy Agreement and the agreements linked thereto.</i>	

4. Operational Considerations for the Implementation of the Migration Procedure

In addition to the applicable stages and timelines, the Guidelines set forth operational rules that must be observed to properly implement the Migration Procedure. In general terms, the following should be highlighted:

- **Representation and authorized persons.** Applicants may act directly or through legal representatives, attorneys-in-fact, authorized persons or, depending on the applicable modality, Market Participants. In joint migrations, the holders of Legacy Arrangements may represent End Users with Associated Load Centers, provided that the corresponding legal instrument is in place.
- **Migration Window and Unified Docket.** The Migration Window will be the mandatory channel to file the expression of interest, submit the migration application, receive notices and integrate the Unified Docket of the Migration Procedure.
- **Contents of the application.** The migration application must include, among other items, the selected migration modality, the permits, contracts and agreements subject to migration, the capacity to be migrated, the Market Participant that will represent the Applicant, where applicable, and the type of supply selected for the Associated Load Centers, as the case may be.
- **Exclusion of Associated Load Centers.** The Guidelines regulate the exclusion of Associated Load Centers from Legacy Arrangements and the corresponding Legacy Agreements. When such exclusion is requested by the relevant End Users, the holders of Legacy Arrangements must facilitate it, and the CNE must resolve, as applicable, on their exclusion, registration as Qualified Users or exclusion in order to receive Basic Supply.
- **Request for cure, inactivity and conclusion of the procedure.** The Responsible Institutions may issue a single request for cure for the Applicant to correct omissions or satisfy missing requirements. Inactivity, omission or failure to comply with the applicable requirements within the relevant deadlines may result in the conclusion of the Migration Procedure, without prejudice to the validity of administrative acts already formalized and to any rights that may remain available under the Guidelines.

- **Metering, physical assets and operational effectiveness.** The competent authorities and entities must coordinate, as applicable, the review of the Metering Functionality, the registration of physical assets, compliance with technical conditions and the transition to operation under the LSE. Where applicable, the migration becomes operationally effective when CENACE assigns “Enabled” status to the physical asset registration, at which point the Power Plant begins commercial operation under the LSE and the Associated Load Centers begin receiving Qualified Supply or Basic Supply, as applicable.
- **Execution of connection and interconnection agreements.** The closing of the Migration Procedure requires the execution of the applicable interconnection or connection agreements, as well as the early termination of the Legacy Agreements and the exclusion of the Associated Load Centers. Accordingly, implementation of the migration requires technical, regulatory and contractual coordination to avoid interruptions in operation or electricity supply.

Von Wobeser y Sierra has experience advising companies in migration processes to the MEM, as well as in the implementation of regulatory, contractual and operational strategies related to such transition. Accordingly, we have the technical and legal capabilities required to assist you in the assessment, preparation and implementation of the Migration Procedure applicable to your specific case.

Should you require assistance, please do not hesitate to contact our experts:

Edmond Grieger, Partner

52 (55) 5258-1048 | egrieger@vwys.com.mx

Ariel Garfio, Partner

+52 (55) 5258-1007 | agarfio@vwys.com.mx

Edmundo Berumen, Associate

+52 (55) 5258-1007 | eberumen@vwys.com.mx

Roberto Flores, Associate

+52 (55) 5258-1048 | rflores@vwys.com.mx

Héctor Sánchez, Associate

+52 (55) 5258-1048 | hsanchez@vwys.com.mx

Mauricio Puebla, Associate

+52 (55) 5258-1007 | mpuebla@vwys.com.mx

Regina González, Associate

+52 (55) 5258-1007 | rgonzalez@vwys.com.mx

S I N C E R E L Y

VON WOBESER Y SIERRA, S.C.

Mexico City, June 22, 2026.

The information contained in this note does not constitute, nor is it intended to constitute, nor shall be construed as legal advice on the topic or subject matter covered herein. This note is intended for general informational purposes only. To obtain legal advice on a particular matter in connection with this topic, please contact one of our attorneys referred to herein.