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# NEW METHODOLOGY FOR ELECTRICITY TRANSMISSION SERVICE CHARGES APPLICABLE TO SELF-SUPPLY AND COGENERATION

On October 19, 2026, the *Resolution of the National Energy Commission issuing the methodology for determining the charge applicable to the electricity transmission service provided by the CFE to Permit Holders with electricity generation facilities that have entered into an interconnection agreement and an agreement for electricity transmission service pursuant to the Public Electricity Service Law* (the "**Resolution**")[1] will enter into force.

Through the Resolution, the National Energy Commission ("**CNE**") established a new methodology for determining transmission service charges applicable to holders of self-supply and cogeneration permits granted under the Public Electricity Service Law (the "**LSPEE**") (the "**Permit Holders**").

As a general rule, the new methodology will apply to Permit Holders as of October 19, 2026. Its economic effects may ultimately be passed through to offtakers that consume electricity under self-supply or cogeneration arrangements (the "**Offtakers**"), to the extent that the relevant agreements provide for the pass-through of transmission charges.

However, the Resolution provides for differentiated transitional treatment for Permit Holders that meet certain conditions and participate in the voluntary migration procedure (the "**Voluntary Migration Procedure**") established under the *Guidelines for the Voluntary and Expedited Migration of Electricity Self-Supply and Cogeneration Schemes to the Structures Provided for under the Electricity Sector Law* (the "**Guidelines**")[2].

Permit Holders that meet the conditions set forth in the Resolution and timely initiate the Voluntary Migration Procedure will remain subject to the existing regime during the applicable transitional period. To qualify, they must comply with the timetable established in the Guidelines, including registration of an expression of interest by September 18, 2026, and submission of the formal migration application by October 16, 2026. All subsequent stages and deadlines must be completed in accordance with the applicable migration modality.

We summarize below certain key considerations regarding the Resolution for Offtakers and Permit Holders.

## I. Impact on Offtakers

Although the obligations under the Resolution are imposed on Permit Holders, which are responsible for paying CFE the charges determined under the new methodology, the resulting economic impact may ultimately be passed through, in whole or in part, to the relevant Offtakers.

Such pass-through does not arise directly from the Resolution and does not operate automatically. Rather, it will depend on the allocation of costs and risks under the agreements entered into between the Permit Holders and the corresponding Offtakers. Accordingly, the relevant self-supply or cogeneration agreements should be carefully reviewed.

An increase in the amount invoiced to a Permit Holder does not, by itself, mean that the corresponding Offtaker is required to bear such increase in full. The applicability, scope, timing, and mechanism of any pass-through must

1. Official Gazette of the Federation, June 18, 2026.
2. View note Guidelines for the Voluntary Migration of Legacy Permits to the Current Electricity Regulatory Framework

be analyzed on a case-by-case basis, taking into account the wording of the relevant agreement, the traceability of the amounts determined by CENACE, and the relationship between the charge invoiced and the operations of the relevant Offtaker.

## II. New Methodology for Determining Transmission Service Charges

The Resolution does more than update the amounts payable for transmission service. It replaces the existing framework for determining such charges and fundamentally changes the economic structure under which they are calculated. The following are the key aspects of the Resolution:

- **Effective date and general rule.** As a general rule, the new methodology will apply to Permit Holders as of October 19, 2026. The "postage stamp" methodology applicable to renewable and efficient cogeneration facilities will cease to apply.

- **Temporary continuation of the previous methodology.** The new methodology will not temporarily apply to Permit Holders that jointly meet the following conditions: **(i)** their *Interconnection Agreements and Transmission Agreements* remain in effect beyond October 6, 2028; and **(ii)** they timely initiate the Voluntary Migration Procedure.

- **Termination of the temporary treatment.** The previous methodology (currently in effect) will cease to apply upon the occurrence of any of the following: **(i)** it is determined that the Permit Holder did not complete the stages applicable to the Voluntary Migration Procedure; **(ii)** its physical assets obtain "Enabled" status; or **(iii)** it begins operations in the Wholesale Electricity Market. In any event, the temporary treatment will terminate no later than October 6, 2028.

- **Regulatory substitution by reference.** Any references to the transmission methodology contained in existing *Interconnection Agreements and Transmission Agreements* shall be deemed to refer to the new methodology established under the Resolution.

- **Uniform calculation mechanism.** As a general rule, the Resolution establishes a single mechanism for determining the charges applicable to Permit Holders, regardless of the technology or type of legacy generation. This does not mean that the charges will be identical, as the amounts will be determined individually through the Market Settlements.

At **Von Wobeser y Sierra**, we have extensive experience in the operation and transition of legacy schemes in the electricity sector, including the review of self-supply and cogeneration agreements, interconnection agreements and transmission agreements, as well as the structuring and negotiation of qualified supply agreements. Our team can advise both Permit Holders on their migration to the Wholesale Electricity Market and Offtakers on the comprehensive assessment of the regulatory, legal, and contractual implications of the new methodology, the review of the relevant agreements, and the strategy for a potential challenge to the Resolution.

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