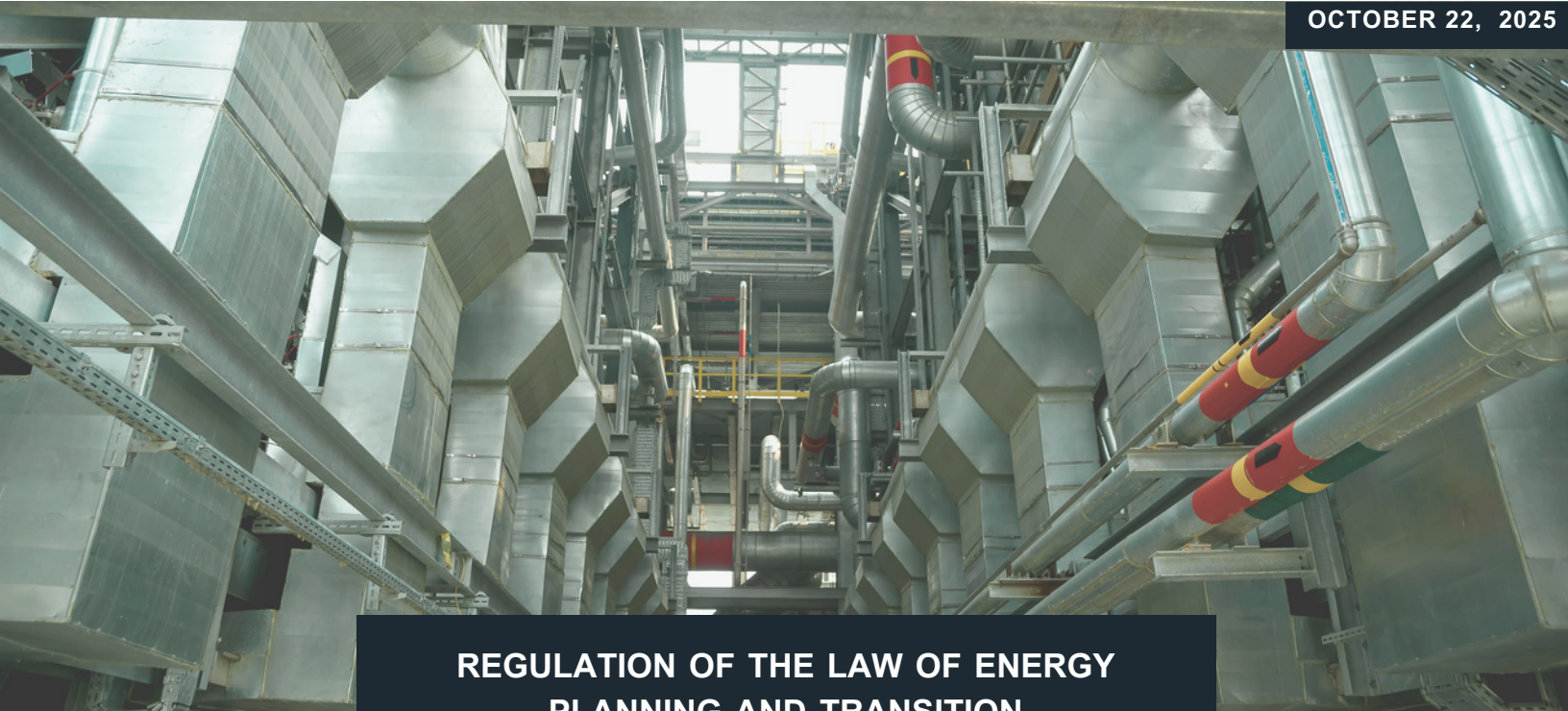


OCTOBER 22, 2025



REGULATION OF THE LAW OF ENERGY PLANNING AND TRANSITION

On October 3, 2025, among others, the Regulation of the Law of Energy Planning and Transition (the “Regulation”) in the hydrocarbons and electricity sectors were published in the Official Gazette of the Federation, entering into force on the day following their publication. Below please find a summary of some aspects of the Regulation which we consider particularly relevant to our clients.

Purpose and Scope

The Regulation governs the planning of the Energy Sector with the purpose of strengthening the energy transition and promoting the sustainable use of energy. It establishes obligations relating to clean energy and sets forth guidelines for the reduction of pollutant emissions, all of which, as stated therein, contribute to energetic sovereignty, justice, and self-sufficiency.

The Ministry of Energy (*Secretaría de Energía*) (“SENER”) is responsible for implementing the binding planning of the Energy Sector through the Energy Sector Planning Instruments (*Instrumentos de Planeación del Sector Energético*), with the support of the Energy Planning Council (*Consejo de Planeación Energética*).

Governance and Coordination

Energy Planning Council

The Energy Planning Council (*Consejo de Planeación Energética*) is established as a permanent collegiate body chaired by SENER, responsible for supporting the coordination and monitoring of binding energy planning, issuing opinions on the Energy Sector Planning Instruments, and proposing improvements to sectoral information. The Council is supported by a Technical Secretariat (*Secretaría Técnica*) and by specialized committees.

Specialized Technical Committees

The Energy Sector Planning Committee (*Comité de Planeación del Sector Energético*) and the Energy Sector Information Committee (*Comité de Información del Sector Energético*) are established as permanent bodies.

Their functions include the preparation of diagnostics, analysis, methodologies, forecasts, and recommendations for the implementation of binding energy planning and for the improvement of energy-related information.

Authority

SENER, the National Commission for the Efficient Use of Energy (*Comisión Nacional para el Uso Eficiente de la Energía*) ("CONUEE"), the National Energy Commission ("CNE"), the National Center for Energy Control (Centro Nacional de Control de Energía) ("CENACE"), the National Center for Natural Gas Control (*Centro Nacional de Control del Gas Natural*) ("CENAGAS"), as well as empresas productivas del Estado and system operators, may issue agreements, guidelines, administrative provisions, and official standards applicable to activities within the energy sector.

The CNE and SENER shall take into consideration the Energy Sector Planning Instruments when granting concessions (*asignaciones*), contracts, permits, and authorizations relating to electricity, hydrocarbons, biofuels, and geothermal energy.



Planning instruments and time horizons

The goals set forth in the Energy Sector Planning Instruments must represent the ultimate objectives of binding planning, which include the sustainable development of the Energy Sector, the non-prevalence (*no prevalencia*) of private entities in the generation of electricity, the energy transition, the sustainable use of energy, the development and modernization of hydrocarbons sector infrastructure, energetic justice, and the reduction of pollutant emissions.

Planning

Energy planning is binding and structured into short-term (six years), medium-term (fifteen years), and long-term (thirty years or more) planning.

The planning instruments must be prepared at the beginning of each federal administration and correspond to its term in office, ensuring coherence, consistency, and coordination.

National Energy Transition Strategy

The National Energy Transition Strategy serves as the governing instrument for the medium- and long-term strategies. It includes diagnosis, scenarios, objectives, strategies, lines of action, indicators, and quantitative goals. It must be published during the first year of each administration, and its medium-term component must be updated every three years.

The Strategy must be aligned and coordinated with the Energy Sector Program (*Programa Sectorial de Energía*) ("PROSENER"), the Plan for Energy Transition and Sustainable Use of Energy (*Plan de Desarrollo del Sector Eléctrico*) ("PLATEASE"), the Electricity Sector Development Plan (*Plan de Desarrollo del Sector Eléctrico*) ("PLADESE"), and the Hydrocarbons Sector Development Plan (*Plan de Desarrollo del Sector Hidrocarburos*) ("PLADESHi"), described below.

PROSENER

PROSENER is the short-term guiding instrument aimed at achieving the objectives of the National Development Plan (Plan Nacional de Desarrollo) in the energy field, integrating specific lines of action and goals applicable during the government administration's term

PLATEASE

EPLATEASE includes diagnosis, medium-term scenarios, actions and programs for the sustainable use of energy, the reduction of energy poverty and the promotion of energy efficiency. The goals may be updated annually, maintaining traceability and consistency with the Strategy and PROSENER.

PLADESE

The PLADESE must contain a regulatory framework, diagnosis with minimum historical series of fifteen years, medium-term scenarios, and investment programs and plans for transmission, distribution, and generation. It must also contain technical exhibits, a catalog of technologies, and a list of capacity requirements by region and by type of technology, **which will serve as the basis for permits, authorizations, and public tenders.**

PLADESHI

The PLADESHi must include sectoral diagnosis, medium-term scenarios, the portfolio of projects of PEMEX, CENAGAS and system operators, as well as the capacity or infrastructure requirements to be developed through public and private investment, and must guide the granting of assignments, contracts, permits and authorizations..

Minimum Content and Sectoral Targets

Diagnostics, Scenarios and Traceability

The aforementioned instruments must incorporate diagnostics supported by at least fifteen years of historical data, as well as consistent scenarios, objectives, and coordinated lines of action between horizons. SENER, with the support of the Energy Planning Council, shall verify the comprehensiveness, coherence, and consistency of such lines of action and their contribution to the ultimate objectives of binding planning.

Quantitative targets and international alignment

The goals may be expressed in percentages, rates or indicators related to the participation of clean and renewable energies in generation and firm capacity, electrification of end uses, incorporation of biofuels, reduction of energy poverty, energy intensity, greenhouse gas emissions and methane leakage/venting.

These goals should refer to and align with Mexico's international commitments on climate change, the Sustainable Development Goals, and other multilateral initiatives.

Binding Planning Procedures by Sector

Binding Planning of the Electricity Sector

The annual cycle of the electricity sector begins in June.

CENACE, in coordination with CFE, must submit to SENER the proposal for the Verification Program for the Installation and Removal of Power Plants (*Programa de Verificación de Instalación y Retiro de Centrales Eléctricas*) ("PVIRCE") and the (*Programas de Ampliación y Modernización*) Expansion and Modernization Programs ("PAM") for transmission and distribution, with a fifteen-year horizon.

SENER must submit these documents to the Energy Planning Council for its opinion, which may require adjustments, and subsequently publishes the PLADESE and authorizes the PAMs.

The CNE must consider the projects included in the PLADESE when granting permits, and SENER may issue calls for generation permits required in accordance with the expansion objectives, without affecting schemes excluded by law.

Binding Planning of the Hydrocarbons Sector

The annual planning cycle for the hydrocarbons sector also begins in June.

System operators, CENAGAS, and PEMEX must submit to SENER their five-year plans and programs, including the Five-Year Expansion Plan of SISTRANGAS (*Plan Quinquenal de Expansión del SISTRANGAS*), the Five-Year Plan for the Expansion and Optimization of Petroleum Transport and Storage Infrastructure, PROPEMEX, and, where applicable, PSPEMEX.

SENER must submit these instruments for review by the Energy Planning Council and the CNE, may require adjustments, and subsequently publishes the PLADESHi.

SENER and the CNE shall consider public projects and capacity requirements for private investment when granting allocations, contracts, permits, and authorizations.



National Energy Information System (*Sistema Nacional de Información Energética*) (“SNIE”)

Purpose and Scope

The SNIE shall compile, integrate, organize, update, and, as applicable, disseminate information records regarding inventories and renewable resource potentials, hydrocarbon reserves and prospective resources, energy system statistics, the National Electric System and the Wholesale Electricity Market, project progress and goal achievement, distributed generation and isolated applications, energy efficiency, clean energy certificates, technology catalogs, energy scenarios, geospatial records, and greenhouse gas emissions.

SENER shall define the levels of data disaggregation and update frequency, based on recommendations from the Energy Planning Council.

Energy Transition, Efficiency and Financing

Financing and Capacity Development

SENER may promote financings with development banks, commercial banks, and multilateral organizations for projects focused on the sustainable use of energy. It shall define the applicable frameworks, terms, and conditions, and may employ guarantee mechanisms to facilitate access to financing.

With the support of academic institutions and certification bodies, SENER shall also promote capacity development and professional competency standards, including the reconversion of skills in the hydrocarbons sector toward renewable and clean energy activities.

Clean Energy Certificates (“CELs”)

The issuance of CELs shall consider binding planning instruments and the traceability of renewable and clean energy generation, with the possibility of standardization with other instruments in the market using certain criteria.

High Energy Consumption Users (*Usuarios de Patrón de Alto Consumo*) (“UPACs”) and Voluntary Agreements

UPAC Registration

The CONUEE shall issue administrative provisions governing the UPAC Registry, which shall include criteria for inclusion by economic activity, registration requirements, mandatory information, and the implementation of energy management systems in accordance with international standards.

Suppliers and marketers shall annually report to CONUEE the users that meet the UPAC criteria.

Voluntary Agreements on Efficiency and Decarbonization

The CONUEE may enter into voluntary agreements with productive sectors aimed at reducing energy intensity, establishing goals, indicators, and verification mechanisms, in accordance with legal provisions issued following SENER’s opinion.

Technical Methodologies and Verification

Methodologies Subject to Opinion of the Council

SENER, CNE, and CONUEE, in coordination with other competent authorities, shall submit to the Energy Planning Council for its opinion the methodologies related to the quantification of emissions and avoided emissions derived from transition and efficiency measures, the emission factor of the National Electric System, the quantification of energy and economic benefits from efficiency programs, the valuation of externalities in electricity generation, the use of backup systems and ancillary services necessary for clean energy operation, and the calculation of efficiency and criteria for efficient cogeneration.

Inspection, Verification and Sanctions

SENER, CNE, and CONUEE may carry out verification visits, requests for information, submission of documentation, and in-person or remote hearings to ensure compliance with the applicable obligations.

All procedures must be duly documented through official records, resolved within the prescribed timeframes, and properly substantiated and justified. In cases of recurrence, penalties may be doubled.

SENER, with the support of CONUEE, shall make public the UPAC registry, voluntary agreements, and recognitions of excellence in energy efficiency.

Relevant Transitional Provisions

SENER must implement the SNIE within the established timeframe and ensure the interoperability of its subsystems.

As a one-time measure, SENER shall issue the obligations and requirements for CELs corresponding to the years set forth in the transitional calendar.

CONUEE shall issue, within the prescribed deadlines, the provisions governing the UPAC Registry and the guidelines for the recognition of excellence in energy efficiency.

SENER shall also publish the technical methodologies referred to in Sixth Title of the Regulation within the applicable timeframe.

During the first annual cycle, there may be flexibility regarding the sequence and procedures for the preparation and publication of the planning instruments; however, as of the second cycle, the established order and timelines must be strictly observed.

We invite you to contact your usual Ritch Mueller contacts should you wish to discuss any of the matters addressed in this note.

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