

LEGAL FRAMEWORK FOR THE ACTIVITY OF PROSUMERS IN THE RENEWABLE ENERGY SECTOR: PROBLEMS AND PROSPECTS FOR THE DEVELOPMENT OF LEGISLATION IN THE REPUBLIC OF UZBEKISTAN

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Abstract: This thesis examines the legal framework governing the activity of prosumers — persons who simultaneously produce and consume electricity from renewable sources — in the Republic of Uzbekistan. It analyses the concept and civil-law nature of prosumer activity, the current regulatory framework (the Law “On the Use of Renewable Energy Sources”, the “Solar Home” programme, and the Civil Code provisions on the energy supply contract), and compares it with the legal regimes of the European Union (Directive (EU) 2018/2001) and the United States (PURPA, net metering). The study identifies key regulatory gaps — the absence of a distinct legal status of the prosumer and of a dedicated contractual model for two-way energy exchange — and outlines prospects for the development of national legislation.

Keywords: prosumer; renewable energy sources; energy supply contract; net metering; self-consumption; civil-law regulation; “Solar Home”; distributed generation.

Аннотация: В тезисе рассматривается правовое обеспечение деятельности просьюмеров — лиц, одновременно производящих и потребляющих электроэнергию из возобновляемых источников — в Республике Узбекистан. Анализируются понятие и гражданско-правовая природа просьюминга, действующая нормативная база (Закон «Об использовании возобновляемых источников энергии», программа «Солнечный дом», нормы Гражданского кодекса о договоре энергоснабжения), а также зарубежный опыт Европейского союза и США. Выявляются ключевые пробелы регулирования — отсутствие самостоятельного правового статуса просьюмера и специальной договорной модели двустороннего обмена энергией — и обозначаются перспективы развития национального законодательства.

Ключевые слова: просьюмер; возобновляемые источники энергии; договор энергоснабжения; нет-метеринг; самопотребление; гражданско-правовое регулирование; «Солнечный дом»; распределённая генерация.

Annotatsiya: Mazkur tezisda O'zbekiston Respublikasida pros'yumerlar — qayta tiklanuvchi energiya manbalaridan bir vaqtning o'zida elektr energiyasini ishlab chiqaruvchi va iste'mol qiluvchi shaxslar faoliyatini huquqiy ta'minlash ko'rib chiqiladi. Pros'yumingning tushunchasi va fuqarolik-huquqiy tabiati, amaldagi me'yoriy baza («Qayta tiklanuvchi energiya manbalaridan foydalanish to'g'risida»gi qonun, «Quyoshli uy» dasturi, Fuqarolik kodeksining energiya bilan ta'minlash shartnomasiga oid normalari), shuningdek, Yevropa Ittifoqi va AQSh tajribasi tahlil qilinadi. Tartibga solishdagi asosiy bo'shliqlar aniqlanib, milliy qonunchilikni rivojlantirish istiqbollari belgilanadi.

Kalit so'zlar: pros'yumer; qayta tiklanuvchi energiya manbalari; energiya bilan ta'minlash shartnomasi; net-metering; o'zini-o'zi ta'minlash; fuqarolik-huquqiy tartibga solish; «Quyoshli uy»; taqsimlangan generatsiya.

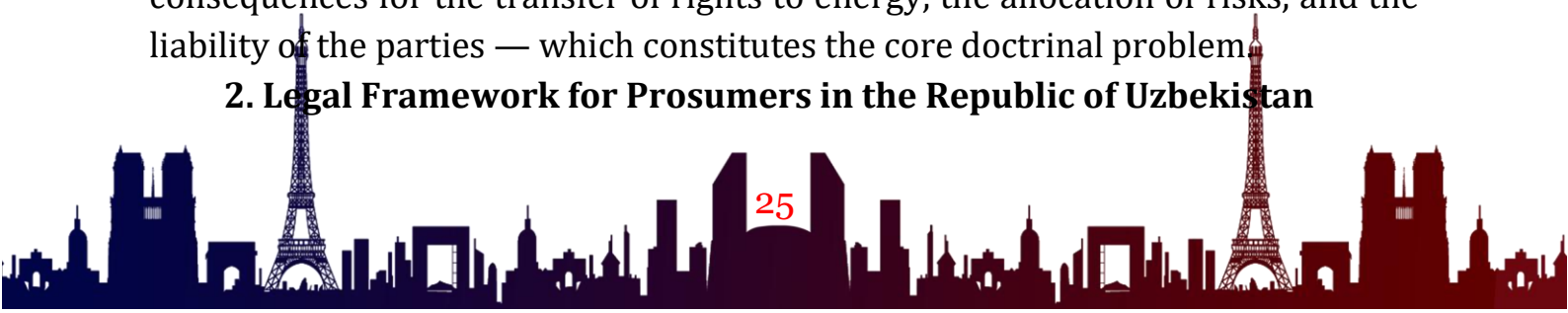
Introduction

The transition to renewable energy is transforming the traditional model of electricity supply, in which the consumer plays a passive role. A prosumer (a blend of “producer” and “consumer”) is an end-user who both consumes electricity from the grid and generates it from renewable sources — typically rooftop solar panels — feeding surplus output back into the network. In the Republic of Uzbekistan, the large-scale promotion of household solar generation has turned prosumer activity from an isolated practice into a mass phenomenon, creating a new type of relationship that does not fully fit the classical one-directional energy supply contract. This thesis examines the legal framework for prosumer activity, identifies its key problems, and outlines prospects for the development of national legislation.

1. The Concept and Civil-Law Nature of Prosumer Activity

The prosumer is a hybrid figure of civil-law relations, combining the statuses of consumer and producer of energy. Unlike the classical model, in which the consumer passively receives energy through a connected network, the prosumer enters a two-way relationship: simultaneously purchasing deficit energy from the grid and transferring surplus self-generated energy to the supplying (grid) organisation. This dual role determines the mixed nature of the resulting obligation, which may be qualified as: (a) a sale of surplus energy; (b) a mixed contract combining elements of energy supply and sale; or (c) a contract of adhesion using a net-metering mechanism. Each qualification entails different consequences for the transfer of rights to energy, the allocation of risks, and the liability of the parties — which constitutes the core doctrinal problem.

2. Legal Framework for Prosumers in the Republic of Uzbekistan



The principal special act is the Law “On the Use of Renewable Energy Sources” No. ZRU-539 of 21 May 2019 (as amended through 24 December 2024), which establishes the legal regime for using renewable sources and the system of incentives. Specific mechanisms are set out in subordinate acts, including Presidential Resolution No. PP-57 of 16 February 2023. Under the “Solar Home” programme, individuals may sell surplus electricity through the “Soliq” mobile application, and where the volume fed into the grid exceeds the volume consumed during a month, no payment is charged for that month (the netting principle); the corresponding payments to households are not included in taxable income. Initially the buy-back took the form of a fixed subsidy of 1,000 soums per kilowatt-hour fed into the grid; since 1 April 2025, however, “green tariffs” apply to electricity generated from renewable sources, so that the remuneration of households is increasingly tied to the regulated tariff rather than to a flat rate.

Additional incentives include compensation of part of the installation cost from the Energy Saving Fund (up to 20 base calculation units for solar panels) and exemption from land and property tax for three years for individuals (ten years for business entities). The transfer of energy is formalised by a contract with the electricity company, the content of which is largely predetermined by mandatory rules, bringing it close to a contract of adhesion. The general framework for the energy supply contract is contained in the Civil Code of the Republic of Uzbekistan (Part Two, as a type of sale), while the sector is now governed by the new Law “On the Electric Power Industry” No. ZRU-939 of 7 August 2024 (in force from 9 November 2024).

3. Comparative International Experience

In EU law, the prosumer’s status is established by the recast Renewable Energy Directive (EU) 2018/2001 (RED II), which introduces the figure of the “renewables self-consumer” and guarantees the right to self-consume renewable energy and feed in surplus without disproportionate charges or procedures. RED II (Article 22) also provides for “renewable energy communities”, whereas the related “citizen energy communities” are established by a separate act — Directive (EU) 2019/944 (Article 16). The amending Directive (EU) 2023/2413 (“Fit for 55”) reinforced this regime and raised the binding renewables target to 42.5% by 2030. In the United States, the federal Public Utility Regulatory Policies Act of 1978 (PURPA) obliges utilities to purchase energy from qualifying small producers at avoided cost, while net metering is regulated mainly at the state level; the Energy Policy Act of 2005 added net metering to the standards that

states must consider. These models demonstrate a more developed and explicit legal status of the prosumer than under current Uzbek law.

4. Problems and Prospects for Legislative Development

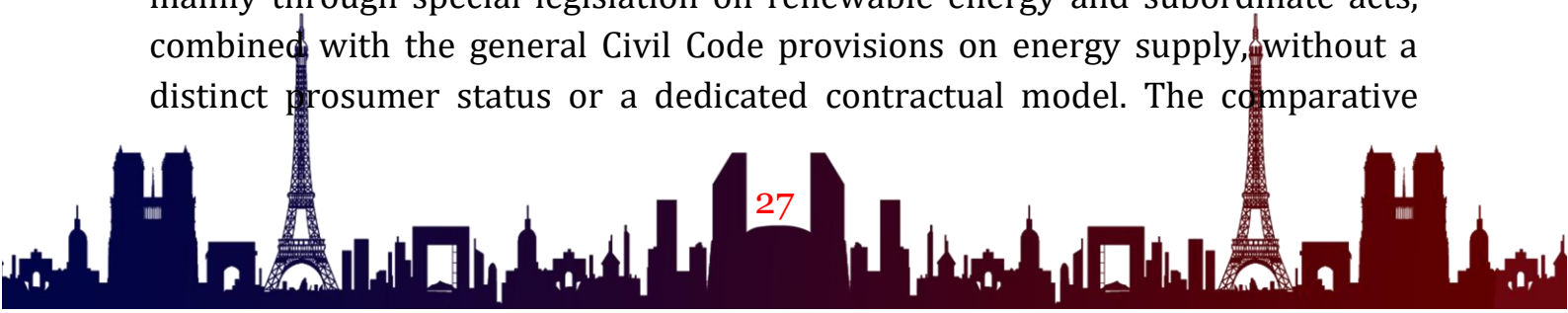
Despite the developed system of incentives, the civil-law regulation of prosumer activity in Uzbekistan reveals several problems:

- the absence of a distinct legal category of the “prosumer”;
- the lack of a dedicated contractual model for two-way energy exchange, since the energy supply contract assumes one-directional supply;
- unclear rules on the transfer of rights to generated energy, the allocation of risks, and liability;
- limited contractual freedom, as buy-back conditions are imperatively predetermined by subordinate acts;
- gaps in regulating the digital metering and settlement of energy via the “Soliq” platform.

The dynamic nature of regulation is confirmed by the ongoing tariff reform: “green tariffs” for renewable electricity have applied since April 2025, and household electricity tariffs were revised by Resolution of the Cabinet of Ministers No. 243 of 15 May 2026 (in force from 1 June 2026) on a stepped scale (ranging from about 325 soums per kilowatt-hour on the lowest tier to roughly 1,000 soums at high consumption), subject to mandatory annual indexation. As a result, the remuneration of prosumers is increasingly linked to the regulated tariff rather than to a flat subsidy, which makes a clear contractual model all the more necessary. Prospects for development include: legislative recognition of the prosumer’s status (by analogy with the EU “self-consumer”); the introduction of a special contract for the transfer of surplus energy; protection of the prosumer as the economically weaker party; regulation of digital metering; and the introduction of collective forms of participation (energy communities).

Conclusion

Prosumer activity in the Republic of Uzbekistan has already become widespread owing to an effective system of state incentives, yet its civil-law formalisation lags behind its actual development. The relationship is regulated mainly through special legislation on renewable energy and subordinate acts, combined with the general Civil Code provisions on energy supply, without a distinct prosumer status or a dedicated contractual model. The comparative



experience of the EU and the US shows the value of recognising the prosumer's legal status and developing a balanced two-way exchange model. Improving and harmonising civil-law regulation will ensure legal certainty, protect the interests of participants, and support the sustainable expansion of distributed generation in line with the goals of the energy transition.

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