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Can Duas Serras use Cabril's grid capacity?

Parque Eólico de Duas Serras · PDA 287
Cabril floating solar · Lot 3 / AIA 3753
Public record as of 27 November 2026

> **The ordinary solar-to-wind technology-change route is unavailable for the Cabril auction title.** Portugal's 2026 law does allow applications to move a floating-solar project onto land and to add a complementary generation technology. Those powers give the developer an argument for a genuine reconfiguration. A stand-alone wind replacement on the same title would need a specific, reasoned legal basis. No project-specific decision establishing that basis was located. [03] [06] [08] [09] [10]

What the documents establish

1. **The auction link is explicit.** Duas Serras's own scoping report, p. 12, traces its proposed grid connection to the reservation awarded under the floating-solar auction order. The official results identify Cabril lot 3 at Penela and the original winner, Voltalia Portugal. APA names Abelha Mística as promoter in both files. [01] [02] [04] [06] [07]

2. **Cabril had a restriction that matters.** The original tender jury confirmed that lots 2 and 3 excluded hybridisation. A decision under the later, broader 2026 legislation would have to address how that condition and the original solar and water-use obligations apply to the new configuration. [03] [08] [12] [13]

3. **The exception has an important limit.** DGEG says capacity allocated to a complementary plant already operating may survive the original technology's lapse under Article 76. This is a credible continuation route for an approved hybrid. The public Duas Serras plan describes a wind farm, with neither a solar component nor an operating hybrid shown. [06] [08] [10] [11]

4. **Two December deadlines are approaching.** APA's public consultation ends on 14 December. DGEG says complete applications under the grid-amendment window will be accepted through 17 December. Neither date gives the expiry of the Cabril title. [07] [09] [10] [16]

The record that decides the question

A copy or certified extract of the live Cabril *Título de Reserva de Capacidade* (TRC), with its original issue date, current holder, precise Penela connection and current milestones, together with any DGEG decision and amendment that explicitly names Duas Serras. The Portuguese requests on pp. 6–7 ask for that evidence and preserve the issue in the APA record.

Scope of review. Earlier discussion and council material supplied leads. The findings below rely on the public tender documents, the promoter's PDA, APA decisions, legislation and regulator guidance. An application or decision held outside those public records remains possible.

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How Cabril and Duas Serras connect

Record	What it establishes
2021 auction notice	The State opened a competitive award specifically for floating photovoltaic generation on reservoirs, alongside rights to occupy public water. [01] [12] [13]
April 2022 result	Cabril was **lot 3**. Voltalia Portugal, S.A., won **33 MVA** at Penela. The programme specifies the **60 kV** connection. The jury recorded a second bidder. The award used the variable-premium model and the company described a 15-year sales arrangement. [02] [05] [13]
Cabril AIA 3753	APA's decision names Abelha Mística, Unipessoal, Lda., and records **33.3 MVA at 60 kV** at Penela and a maximum proposed water occupation right of 40 ha. The underlying solar design had **47.77 MWp** of peak panel capacity. The environmental decision was unfavourable. [04]
Duas Serras PDA 287	The public report names Abelha Mística as developer, identifies **33 MW** connection power, shows a new 60 kV line from Cercal to existing Penela, and expressly cites Despacho 11740-B/2021 as the source of the reservation in §2, p. 12. [06] [07]
Title and holder	The auction programme allows a qualifying winning bidder to use a dedicated company for the grid title and water concession. The signed TRC and related records would show whether it was issued directly to the project company or transferred later. The route and the signed TRC were unverified. [02] [04] [06] [11] [13]

Four numbers describe different things

33 MVA is the official award table's apparent-power figure. **33.3 MVA** is the figure written in APA's Cabril decision. **33 MW** is the active connection power written in the wind PDA. **47.77 MWp** is the proposed solar-panel peak capacity. The same nominal size, same substation and explicit citation establish a strong link. The actual TRC and the operator's approved figures are necessary to reconcile the 33/33.3 MVA discrepancy and confirm the precise grid bay, capacity and conditions. [02] [04] [06] [11]

The water concession and remuneration travel on separate records

The original programme contemplated an initially provisional water-use award, a signed APA concession and a separate operator-issued TRC. The water-concession tender terms link the extinction of a signed concession and loss of grid reservation. The 2025 DIA alone does not establish whether the concession was executed, whether a lapse had already occurred, or how Article 28(3) could affect those conditions for a move onto land. Any continued solar-auction remuneration for a revised project would require its own supporting record. Ask for the original payment terms and the specific act that retains, changes or terminates them. [02] [04] [05] [08] [11] [12] [13]

Public evidence of a new Penela title

DGEG's published distribution table shows 0.0 under the available-capacity fields for Penela. This is a network snapshot, without title-holder information. A fresh allocation would require proof of availability, a release and lawful reallocation, or a viable agreement involving reinforcement or a different connection. I did not locate a separate Duas Serras title or a positive licensing decision in the public records reviewed. [07] [11] [17] [21]

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Which legal routes are open?

Route	Application to Cabril lot 3
Direct technology change DL 100/2026, arts. 26–27	Article 26 limits full or partial substitution to *general-access* titles under DL 15/2022, art. 18(2)(a). Cabril was competitively awarded, corresponding to art. 18(2)(c). Article 2's general coverage of older equivalent titles does not displace the narrower rule in art. 26. Portaria art. 19 repeats the limitation. [01] [02] [08] [09] [11]
Move the original project onto land Art. 28(3)	The law names this auction and allows its title holders to request an onshore installation with a binding operator opinion. The stronger reading allows relocation of the original solar technology onto land. The text sets no express distance limit in this subsection and grants no express power to replace solar with wind. Any different interpretation needs to explain arts. 26, 28 and 30 together. [08] [09] [16]
Genuine hybrid, with wind first Arts. 28–30	Potentially available under the later law, which includes auction titles and defines hybridisation as operation of a *complementary* technology before the originally planned one. For Cabril, DGEG must reconcile the later statute with the original prohibition in clause 3(4). It must identify the underlying solar project, the capacity allocated to each technology, and the binding operator opinion. The written decision must be reflected in the TRC. [03] [08] [09] [10] [11]
Wind capacity survives a later lapse DL 15/2022, art. 76	DGEG FAQ 020 addresses a complementary plant already operating. On the original technology's failure to proceed, the original title and bond are subject to lapse and enforcement rules. DGEG says the capacity in the subsequent title can be preserved under art. 76, with a new TRC for that capacity and any remainder released. The amount, timing and water-title conditions matter. [08] [09] [10] [11]
Independent wind reservation DL 15/2022, arts. 18–22	A new or otherwise valid wind-capable title could support a standalone project. A change of corporate holder alone leaves the technology issue unresolved. The 2026 changes to the connection point and partial reduction are aimed at agreement-mode titles and do not supply a replacement route for this auction lot. [08] [09] [11] [17]

The strongest argument the promoter could make

Articles 28(2) and (3) are later legislation. The first expressly includes auction titles and the second names this exact auction. The June 2026 ministerial order expressly discusses unfavourable environmental decisions and reconfiguration. A valid title, a genuine relocated PV proposal, complementary wind, an operator opinion and a reasoned DGEG amendment would give that argument substance. A later failure of the solar element would then require a separate Art. 76 analysis. [03] [08] [10] [11] [16]

Where a wind-only approval would be vulnerable

The published configuration contains wind turbines and their electrical works. It supplies no solar site, solar programme or allocation between technologies. Reading the land-relocation exception as an unlimited substitution would give a solar auction winner the technology-change power that Article 26 confines to general access. A rationale would also have to address the express lot exclusion, the water concession and equal treatment for a scarce grid allocation. No published Cabril/Duas Serras decision or closely matching ruling was found. [01] [02] [03] [06] [08] [09] [12]

Alto Rabagão, a different lot from the same auction, received a conditionally favourable DIA in November 2025 for a project that included actual floating solar, wind and storage components. Its design and earlier decision show how a genuine hybrid was described and assessed under different terms. [02] [22]

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Timeline from the original award

Date	Event and significance
16 / 26 Nov 2021	DL 98/2021 creates the combined grid and water-use procedure. Despacho 11740-B/2021 opens the floating-solar auction. [01] [12]
4–20 Apr 2022	Cabril lot auctioned 4 April. Voltalia announces the win on 6 April and targets commissioning by 2026. Jury table signed 19 April, published by DGEG on 20 April. Grid-title issue and notification dates remain unverified. [02] [05] [13]
31 Dec 2023	Indicative grid-point availability in the auction programme for Cabril. This is the published network milestone. Obtain the operator's actual availability notice and its effect on the clocks. [03] [13]
22–23 Feb 2024	Joint order adds **10 months** to the relevant floating-solar milestones. The corrected text covers clause 7(4)(a) and (c), with (b) covered separately. [14]
24 Sep 2024	APA records the start of Cabril's AIA, 888 calendar days after publication of the auction result. [02] [04]
7 Mar–17 Apr 2025	Cabril's full AIA public consultation runs for 30 working days. [04]
May–Sep 2025	Despacho 170/MAEN/2025 adds **12 months** to the auction milestones covered by the 2024 order. The September order extends the treatment to other cases outside its coverage. [14] [15]
2 Jul 2025	APA issues Cabril's unfavourable DIA, 281 calendar days after formal AIA start. This is the official environmental refusal of the submitted project. [04]
23 May 2026	DL 100/2026 enters into force, creating the one-off capacity-management regime. The original 60-day window ran before the implementing regulation was available. [08] [10]
22 Jun 2026	DGEG publicises Despacho 126/MAEN/2026. It adds **14 months** to clause 7(4)(a)–(c), with effect from 2 May 2026. The order states that lapse rules operate at the end of the extensions. [16]
Jun–Oct 2026	Duas Serras PDA shows a first version dated 30 June, a revised layout on 23 September and a 12 October report cover. Portaria 433-A/2026/1 is published on 21 September and takes effect the next day. [06] [09]
20 Nov–14 Dec 2026	Duas Serras PDA public consultation. The APA case page shows a scoping file and no associated AIA number as of the cutoff. [07]
17 Dec 2026	DGEG's operational deadline for complete Article 5 applications under its FAQ and the implementing regulation. [08] [09] [10]

By 27 November 2026, **4 years and 7 months** had passed since the public award result and **16 months and 25 days** since Cabril's refusal. The earlier "by 2026" commissioning date was a promoter forecast. The signed title and licensing milestones determine the reservation's remaining legal life.

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How long could they have left?

1. The original title's deadlines

The tender materials point to **24 months** for project approval and the production licence in the AIA case and cite **48/42 months** for the operating licence under different cases. The water-use terms separately set **24 months** for project approval where AIA or ecological assessment is required, measured from TRC issue, and 18 months otherwise. If all three extensions stack on a live title, they add **36 months** to covered milestones. With a hypothetical mid-2022 start, an original 24-month clock would run to mid-2027 and a 48-month clock to mid-2029. The actual expiry depends on the issued title, the applicable starting dates and any individual acts. The April award and the May 2026 effective date alone cannot establish it. [03] [13] [14] [15] [16]

2. The grid-amendment clock

At the close of the 17 December 2026 window, complete submissions go to the network operator together. Portaria art. 23 provides a **90-day** period for a binding opinion from referral, then **10 days** for DGEG to decide after receipt. The regulation counts working days. If referred in late December and the full periods are used without interruption, a decision would land **roughly in May 2027**. An earlier opinion is possible. Missing documents, hearings, or network works affect the timing. The 30 June 2027 sunset of DL 100/2026 is distinct from the filing deadline and Cabril's individual validity. Portaria art. 27(2) preserves proceedings pending at the sunset. [08] [09] [10]

3. The wind project has its own environmental clock

Scoping with public consultation ordinarily allows 40 days for the assessment committee's opinion and five further days for the authority's decision, counted from receipt under Article 12. Obtain the receipt and any procedural adjustment before assigning a date. A scoping decision ordinarily binds the EIA's content for two years. The ordinary DIA period is **150 days from formal submission**, subject to different tracks and statutory suspensions. The promoter states that the wind scheme will enter AIA at preliminary design. After a favourable or conditionally favourable DIA it plans a RECAPE and environmental conformity decision on the detailed design. The statutory conformity period is normally **50 days from receipt**. Engineering and preparation time falls outside those individual decision clocks. [06] [07] [18]

4. Production licence, construction and operation

The licensing authority needs the applicable grid title and environmental outcome. For procedures to which the August 2026 reform applies, the general production-licence decision period is one year from the application, or six months in a designated acceleration zone. The general onshore prior-control framework has a two-year limit from recognition of completeness of the first relevant request, subject to the statutory qualifications and possible extension. The new provisions apply to procedures initiated after entry into force. The statute excludes AIA projects from the new tacit production-licence rule. An operating licence and network readiness are further steps. [11] [18] [19]

> The promoter's estimate is **about 12 months of construction**, 25–30 years of operation and about six months for decommissioning. If works began late in 2027, that estimate would place physical completion late in 2028, before any remaining commissioning steps. This is a scenario, with no fixed start or commissioning date established. The time pressures are whether the original solar milestones can still be met, and whether any wind unit could enter lawful operation in time to use DGEG's FAQ 020 route. [06] [10] [11]

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Primary records and guidance

[01] Despacho 11740-B/2021, 26 November 2021 · Opening notice for the floating PV auction and its scope.

[02] DGEG, 2022 auction results · Final jury report, p. 8, and signed final table, lot 3. Results posted 20 April.

[03] APA, final auction jury clarifications · Replies 142, 143, 187, 213, 226 and 249. See in particular the lot 3 hybridisation exclusion.

[04] APA, Cabril AIA 3753 · Decision of 2 July 2025. Open TUA+DIA, PDF pp. 5–7 for the grid point, power and procedural dates.

[05] Voltalia, release of 6 April 2022 · Original capacity, commissioning expectation and stated 15-year commercial arrangement.

[06] Duas Serras PDA, revision V01 · Promoter filing, pp. 8–12, 16–17, 29. The title identification is missing from the cited project history.

[07] APA, Duas Serras PDA 287 and consultation notice · Scoping status in SIAIA. The signed edital, linked below, gives the public-consultation dates.

[08] Decreto-Lei 100/2026, 22 May · Arts. 2–5 and 26–38 on scope, applications, technology, hybridisation, amendments and duration.

[09] Portaria 433-A/2026/1, 21 September · Arts. 4, 19–20, 23–25 and 27. Portaria 499-A/2026/1 later removed art. 20(1)(e) concerning storage.

[10] DGEG, November 2026 TRC FAQ · FAQ 001 and 004–007 for submission and processing, FAQ 020–021 for lapse and FAQ 028 for deadline.

[11] Decreto-Lei 15/2022, 14 January · Arts. 11, 13–15, 18, 22, 74 and 76–77. Read with subsequent amendments, including source 19.

[12] Decreto-Lei 98/2021, 16 November · Rules for the combined award of floating-solar grid capacity and private use of public water.

[13] APA, floating-solar auction programme · Amended programme, arts. 6 and 21–25 and Annex I. See also the APA water-concession terms linked below.

[14] Joint order of 22 February 2024 · Ten-month extension. The rectification corrected (a) and (d) to (a) and (c) in point 1(iii).

[15] Despacho 170/MAEN/2025 · Twelve-month extension. The September follow-up, linked below, defines its relationship to other cases.

[16] Despacho 126/MAEN/2026 · Fourteen-month extension, operative pts. 1–3. DGEG publicised the signed order on 22 June.

[17] DGEG, distribution network capacity table · Penela entry, p. 2, in the table linked from the regulator's DL 100/2026 page.

[18] Decreto-Lei 151-B/2013, AIA regime · Consolidated arts. 12, 15, 19–22. See also the 30 July 2025 APA/DGEG joint order linked below.

[19] Decreto-Lei 130/2026, 29 June · Revised SEN art. 14 and new arts. 14-A/B, commencement and application in time in arts. 9–10.

[20] Lei 26/2016, administrative and environmental records · Arts. 5–6 and 12–16. DGEG's records-access procedure is linked below.

[21] DGEG, published licensing decisions · Public project licensing page checked alongside SIAIA and targeted searches.

[22] APA, Alto Rabagão AIA 3791 · A different auction lot with an actual floating solar, wind and storage design. Conditionally favourable DIA, 6 November 2025.

Supporting official documents

Signed APA public notice for PDA 287

APA water-concession tender terms, clauses 3, 4 and 23

Joint order correction, 23 February 2024

Despacho 71/SEAEn/2025, September follow-up

Joint APA/DGEG order on grid evidence in AIA, 30 July 2025

DGEG administrative records access procedure and contact