

# ENERGY TRANSITION

JAN & FEB 26

## EDITORIAL

In the electricity sector, the Brazilian Electric Energy Agency (“ANEEL”) has concluded the first ESG Materiality process. In parallel, ANEEL has launched a public consultation on the “Energias da Floresta” Project to inform the drafting of a Normative Resolution that will establish guidelines for the development of pilot projects within a regulatory innovation framework.

Regarding the development of new technologies, the Brazilian Nuclear Programme Development Committee (“CDPNB”) established a Technical Group to assess the feasibility of Small Modular Reactors and Micro-reactors. In the context of emerging technologies, the state of Rio de Janeiro has established the State Policy to Support the Offshore Energy Transition and, in the same context, the state of Rio Grande do Norte has published a resolution setting out procedures and criteria for the environmental licensing of green hydrogen production projects.

During the same period, institutional and regulatory advances for the development of renewable fuels were observed. The National Oil, Natural Gas and Biofuels Agency (“ANP”) has granted the first authorizations for the production and commercialization of Bio-GLP in Brazil. In addition, the Energy Research Office (“EPE”) published a study on the potential of Bio-GLP in the Brazilian market. Also, the state of Minas Gerais has regulated its policy on biogas, biomethane and low-carbon hydrogen.

Internationally, Brazil and Panama have signed a partnership to create a green maritime corridor aimed at encouraging the use of sustainable fuels in shipping. Finally, the ANP has finalized the regulation of the National Programme for the Decarbonization of Natural Gas Producers and Importers and for the Promotion of Biomethane, and plans to update the regulations on marine and aviation fuels.



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# ELECTRICITY REGULATION

## **ANEEL LAUNCHES PUBLIC CONSULTATION ON THE “ENERGIAS DA FLORESTA” PROJECT**

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ANEEL has launched Public Consultation No. 002/2026 to receive contributions on the proposed regulation for the Energias da Floresta Project, an initiative aimed at expanding access to electricity in remote areas of the Legal Amazon Area through sustainable energy solutions and new service models.

The proposal envisages the creation of an experimental regulatory environment (sandbox), under ANEEL’s supervision, to facilitate pilot projects focused on energy supply in isolated communities. The initiative may involve companies from the electricity sector, research institutions, and public and private entities, with the aim of testing decentralized solutions adapted to the region’s logistical and socio-environmental conditions.

The project also seeks to foster the development of new technologies and operational arrangements for the electrification of isolated areas, as well as to evaluate regulatory alternatives applicable to this context. In this regard, the programme may spark relevant discussions on aspects such as remuneration for initiatives, operational responsibilities, contractual structuring and financing mechanisms.

Furthermore, Technical Note 718/2025-STE/ANEEL, which forms the basis for the public consultation, also highlights the importance of considering socio-environmental aspects associated with the implementation of energy solutions in the Amazon, including the need to adopt socio-environmental safeguards, the assessment of impacts arising from the deployment of generation and off-grid supply systems, and the proper management of technological waste, such as batteries and photovoltaic equipment.

The submissions received will serve as input for the drafting of the regulatory resolution that will establish the guidelines for the project’s implementation.

Cescon Barrieu had the opportunity to contribute to the discussion on energy solutions for the Legal Amazon, which can be viewed via the [link](#).

## **ANEEL PUBLISHES RESULTS OF ITS FIRST ESG MATERIALITY PROCESS**

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ANEEL has released the results of its first process to identify priority issues related to ESG (Environmental, Social and Governance) factors. The initiative sought to map the issues considered most relevant to the Agency's institutional activities and to stakeholders in the electricity sector.

The process involved 44 focal points and 14 ANEEL leaders, as well as contributions from 158 representatives of the electricity sector and civil society. As a result, 13 priority themes were defined, which are set to guide the Agency's activities in the 2026–2027 period, including themes such as the energy transition, the quality and security of energy supply, affordable tariffs, innovation and institutional governance.

ANEEL has also published an infographic with the results of the process, presenting the prioritized themes and how they were classified in the materiality matrix, based on institutional relevance and the importance attributed by stakeholders.

The identified themes cover various aspects related to ANEEL's regulatory activities, including energy security, energy efficiency, regulatory stability, institutional governance, climate change, the socio-environmental impacts of the electricity sector, energy poverty, innovation and information security, among other aspects associated with the regulation and sustainable development of the sector.



# NUCLEAR ENERGY

## **GOVERNMENT ESTABLISHES TECHNICAL GROUP TO STUDY SMALL MODULAR REACTORS AND MICRO-REACTORS**

On January 7, the Brazilian Nuclear Programme Development Committee (“CDPNB”) established, through CDPNB Resolution No. 43, a Technical Group (“TG”) with the aim of studying the national infrastructure for nuclear power reactors, with a view to accommodating Small and Modular Reactors.

The technical group comprises representatives from various Brazilian government bodies and entities, as well as institutions from the nuclear and energy sectors. The work will be coordinated by the Ministry of Mines and Energy (“MME”) and is to be completed within 180 days, with the possibility of a single extension of up to 90 days. At the end of this period, a technical document will be submitted to the CDPNB outlining the main challenges and opportunities related to the national infrastructure for nuclear power reactors, taking into account technological, institutional, regulatory and environmental aspects.

The MME, with support from the EPE, has identified prospects for the implementation of small modular reactors with a capacity of between 10 and 300 MW. Among the main advantages highlighted are:

- i. the modular design of the units, which has the potential to reduce costs and speed up the construction of developments;
- ii. the possibility of use in remote locations, including in off-grid systems; and
- iii. the potential for installation in industrial areas, reducing investment in power transmission.

The agency also highlights that Brazil occupies a prominent position in the global ranking of uranium reserves, a factor that contributes to the assessment of the feasibility and safety of using small modular reactors within the context of national energy policy.

For further information on the introduction of Small Modular Reactors, energy transition and regulatory challenges, see the article prepared by the firm’s professionals: [SMRs no Brasil: Transição Energética e desafios regulatórios - CanalEnergia.](#)



# OFFSHORE

## **RIO DE JANEIRO ESTABLISHES STATE POLICY TO SUPPORT THE OFFSHORE ENERGY TRANSITION**

On January 8, Law No. 11,095/2026 established, in the state of Rio de Janeiro, the State Policy to Support the Offshore Energy Transition and Marine Spatial Planning, setting out guidelines for government action regarding the use of maritime space and the development of offshore energy projects.

Among its key objectives are:

- i. improving technical support for national planning of areas designated for offshore energy generation;
- ii. the systematic provision of socio-environmental data and assessments;
- iii. consolidating spatial planning in the coastal zone;
- iv. promoting workforce training; and
- v. strengthening local production chains linked to offshore energy.

The legislation structures state participation in a manner compatible with federal instruments, stipulating that its actions must be aligned with the National Energy Plan, the Ecological and Economic Zoning Plan, the Marine Spatial Plan and existing coastal management plans.

The legislation authorizes the State to enter into agreements and arrangements with the Federal Government, municipalities, and public or private institutions to improve technical cooperation, the exchange of information, and the coordinated implementation of coastal and environmental monitoring and planning activities. It also provides for the possibility of creating a non-binding State Register for Monitoring Offshore Energy Projects, aimed at increasing transparency, informing spatial planning and supporting public consultation processes.

The text strengthens mechanisms for public participation by providing for the holding of public hearings and consultations, particularly in coastal regions directly impacted by offshore projects. Furthermore, the legislation authorizes the State to provide technical support to the Federal Government in licensing and environmental monitoring processes relating to offshore projects,

through agreements, while respecting federal ownership of assets and the current regulatory framework.

In this way, Rio de Janeiro stands out by taking a leading national role, becoming the first state to establish its own legal framework for the development of offshore energy, in line with the guidelines set out in Federal Law No. 15,097/2025.



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# GREEN HYDROGEN

## **CONEMA APPROVES RESOLUTION ON ENVIRONMENTAL LICENSING FOR GREEN HYDROGEN IN RIO GRANDE DO NORTE**

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On December 23, 2025, the State Environmental Council (“CONEMA”) approved Resolution No. 2/2025, which establishes procedures, criteria and parameters for the environmental licensing of green hydrogen production projects in the state of Rio Grande do Norte.

The regulation defines the scale and pollution potential of the projects and stipulates that licensing may take the form of a preliminary license, installation license, operating license, modification license or operational regularization license, depending on the applicable technical classification. Projects with electrolyzers of up to 10 MW may be exempt from licensing, except when located in environmentally sensitive areas, such as conservation units, permanent preservation areas or zones with recognized socio-environmental vulnerabilities.

The resolution stipulates that the environmental study required during the preliminary license application phase must be proportionate to the project’s scale, namely:

- Environmental assessment report: micro and small projects;
- Simplified environmental report: medium and large projects; and
- Environmental impact study and environmental impact report: exceptionally large projects, i.e., large-scale projects with greater potential for socio-environmental impact.

Regardless of size, all projects must submit a Risk Analysis Study, a Risk Management Plan and an Emergency Action Plan. Thus, the resolution establishes a significant regulatory framework for the viability and advancement of green hydrogen projects in the state, by setting out clear licensing criteria and creating favorable conditions for the development of innovative projects in the sector.



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# MINERALS AND THE ENERGY TRANSITION

## **MME PUBLISHES GUIDE TO INVESTMENT IN STRATEGIC MINERALS FOR THE ENERGY TRANSITION**

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The MME has published a guide aimed at investors interested in strategic minerals for the energy transition, with the aim of presenting the institutional and regulatory environment applicable to activities related to these resources in Brazil. Among the minerals highlighted are lithium, copper, nickel, graphite and rare earth elements, used in the production of batteries, wind turbines, solar panels, electric motors and energy storage systems.

The material brings together information on Brazil's potential in these resources, the institutional framework applicable to research and development activities for these minerals, and the public institutions involved in the development of this production chain.

The guide also provides an overview of the investment environment in the country and highlights the role of these minerals in the production chains associated with renewable energy generation, electrification and low-carbon technologies, which require specific inputs for the manufacture of equipment and the expansion of energy infrastructure.

In this context, the document provides information aimed at investors interested in projects associated with the supply chain for energy technologies used in the energy transition. The material compiles institutional and regulatory data related to this sector in Brazil.



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# BIOFUELS

## **ANP AMENDS THE TIMETABLE FOR REGULATORY ACTION ON MARINE FUELS**

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On January 8, 2026, the ANP published the new timetable for the review of regulations on marine fuels, covering marine diesel and bunker fuel. Regulatory Action 4.2 of the 2025–2026 Agenda aims to establish new specifications for synthetic fuels and biofuels in the water transport sector, in order to encourage the decarbonization of the sector and promote the energy transition. In this regard, the review is in line with ISO 8217, which sets out the rules and procedures for blending biofuels with marine fuels.

The new timetable provides for the draft of the regulatory act to be made available in March 2026, for public consultation and hearings in June, with the publication of the final standard in August.

## **BRAZIL AND PANAMA SIGN AGREEMENT FOR GREEN MARITIME CORRIDOR**

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On January 28, 2026, Brazil and Panama signed a bilateral partnership providing for cooperation between the countries to create a green maritime corridor, to be established between Brazil and the Panama Canal. The aim is to encourage the use of sustainable fuels in maritime shipping through four main pillars: (i) increased competitiveness through the creation of new routes; (ii) decarbonization; (iii) technological modernization; and (iv) professional training.

The partnership provides for studies to be carried out within the scope of these four areas, with a view to identifying opportunities for logistical and technological improvement and development. The aim is to establish a hub for sustainable marine fuels, with the preparation of ports and strategic routes to facilitate the operation.

## **ANP AMENDS RESOLUTION NO. 856/2021 AND UPDATES AVIATION KEROSENE SPECIFICATIONS**

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On March 13, 2026, the ANP approved the revision of ANP Resolution No. 856/2021, which regulates the specifications for aviation kerosene and establishes quality control obligations. It approaches the standard by updating the terminology applicable to blends of fossil aviation kerosene (JET A or JET A-1) with synthetic blending components (SBCs). The designation previously used (JET C) has been discontinued in order to align Brazilian legislation with international aviation standards.

The approved text also provides for the inclusion of SBC producers in the list of agents authorized to blend with fossil aviation kerosene, thereby simplifying the production chain. Furthermore, the standard reinforces the quality control procedures applicable to fuels, including requirements relating to the issuance of quality certificates, conformity reports and quality analysis records. Compliance with these procedures is essential to ensure the integrity of the fuel throughout the logistics chain and to prevent contamination risks.

The draft resolution can be accessed via the following [link](#).

## **MINAS GERAIS DECREE REGULATES BIOGAS IN THE STATE**

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On February 9, 2026, the Government of Minas Gerais published [Decree No. 49,172/2026](#), which regulates state policies on biogas, biomethane and low-carbon hydrogen, as well as establishing guidelines for the sharing and integration of piped gas infrastructure in the state. The decree details the instruments for implementing State Law No. 24,940/2024, which deals with the state policy on low-carbon hydrogen, and State Law No. 24,396/2023, which covers biogas and biomethane.

The Decree divides institutional responsibilities, establishes incentive mechanisms, marketing rules, environmental requirements and safety parameters for the development of these energy chains. The policy will be coordinated by the Minas Gerais State Secretariat for Economic Development, with the aim of expanding investment, strengthening renewable energy production and promoting greater regulatory predictability for sector stakeholders.

Regulation of the gas distribution infrastructure will be carried out by the Minas Gerais Sanitation and Energy Regulatory Agency, with the aim of consolidating a consistent regulatory framework for investment in the energy transition.

## **ANP GRANTS AUTHORIZATION FOR THE PRODUCTION AND SALE OF BIO-GLP**

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On January 26, 2026, the ANP granted the first authorizations for the production and marketing of Bio-GLP in Brazil. The authorizations were granted to Refinaria de Petróleo Riograndense S.A. The permission covers the processing of 100% renewable raw materials at a refinery and the ongoing marketing of the fuel equivalent to LPG.

The authorization was made possible through an amendment to the refinery's operating license, pursuant to ANP Resolution No. 852/2021, in addition to the authorization for the marketing of Bio-GLP. It should be noted that the regulatory process had been under consideration by the ANP since 2024, with a view to regulatory improvement and the establishment of the country's first biorefinery.

With the Board's favorable decision, Bio-GLP is now treated in the same way as LPG for regulatory purposes, with the existing rules for the marketing and handling of the product applying to it. This represents a significant step forward in establishing the regulatory framework for renewable fuels in the country, thereby strengthening the legal certainty required for investment in the sector.

## **ANP FINALIZES REGULATIONS FOR THE NATIONAL PROGRAMME FOR THE DECARBONIZATION OF NATURAL GAS PRODUCERS AND IMPORTERS AND FOR THE PROMOTION OF BIOMETHANE**

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On February 27, 2026, the ANP Board of Directors approved two resolutions regulating provisions of Law No. 14,993/2024 and Decree No. 12,614/2025. [Resolution No. 995/2026](#) establishes criteria for the individualization of mandatory annual GHG emission reduction targets in the natural gas market, within the framework of the National Decarbonization Programme established by Law No. 14,993/2024.

In turn, [Resolution No. 996/2026](#) regulates the certification of biomethane producers and importers for the purposes of issuing the Biomethane Guarantee of Origin Certificate (CJOB), the procedures for generating the necessary credits for the initial issuance of the CJOB, and the accreditation of Origin Certification Agents (ACO). Participation in the programme is voluntary for biomethane producers and importers.

For further information, please follow the [link](#) to our specific information sheet.

## **EPE PUBLISHES FACT SHEET ON THE POTENTIAL OF BIOGLP IN BRAZIL**

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On January 19, 2026, EPE released a Fact Sheet on BioGLP and its application in the Brazilian fuel sector. The document highlights the main characteristics of this low-carbon fuel and its production process. It highlights the wide availability of BioGLP feedstocks in Brazil, such as vegetable oils, animal fats, and agro-industrial and urban waste.

EPE then presents an overview of the Brazilian BioGLP market, identifying growing opportunities due to the high demand for low-carbon energy, driven by new incentive policies. The FCC (fluidized catalytic cracking) route has the most developed infrastructure and is capable of producing large volumes of biomass. However, the realization of this market on a large scale depends on regulatory improvements and the development of production routes, in order to reduce production costs and increase the fuel's competitiveness.

The Fact Sheet can be accessed on the EPE website via the following [link](#).

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# CONTACT US

This newsletter is intended to keep our clients informed of the latest developments and regulatory updates in the Energy Transition sector. For tailored legal advice, please contact our specialized team:

## ENERGY TRANSITION TEAM

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