

Alert | Energy & Natural Resources



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Mexico's Energy Regulatory Commission Agreement to Comply with Decree Amending 13th Transitory Article of the Hydrocarbons Law

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On May 21, 2021, Mexico's Energy Regulatory Commission (**CRE**) published in the Federal Official Gazette (**DOF**) Agreement number A/015/2021 by which the CRE complies with the Third Transitory of the "Decree amending the Thirteenth Transitory Article of the Hydrocarbons Law published in the Federal Official Gazette on August 11, 2014," published in the DOF May 19, 2021 (**Agreement**). The most relevant content is as follows:

• On May 19, 2021, the Decree amending the Thirteenth Transitory Article of the Hydrocarbons Law, published Aug. 11, 2014, in the DOF (**Decree**) was published, to remain as:

Thirteenth. As a greater participation of economic agents that favor an efficient and competitive development of the markets has been achieved, the power granted to the Energy Regulatory Commission to subject to asymmetric regulation principles the first-hand sales of Hydrocarbons, Petroleum or Petrochemicals, as well as the commercialization carried out by persons controlled by Petróleos Mexicanos or its subsidiary companies, is no longer in effect.



The sale carried out by Petróleos Mexicanos, its subsidiary production companies, or a Legal Entity, on behalf and order of the State, will be considered commercialization in terms of the provisions of this Law and its Regulations, for which reason the principles of generality and no undue discrimination provided therein must be observed.

- The Third Transitory Article of the Decree states that, within 30 calendar days from the date of entry into force of the Decree, the CRE must cancel the agreements, general administrative provisions, resolutions and guidelines related to the imposition of asymmetric regulation principles on *Petróleos Mexicanos* and its subsidiaries.
- As a consequence, and in order to comply with the Decree's provisions, the Agreement establishes that the agreements and resolutions related to the imposition of asymmetric regulation principles on *Petróleos Mexicanos* and its subsidiaries will no longer be in effect.

The following chart includes the agreements that are no longer in effect, as a consequence of the Decree:

No.	Instrument	Foreword	Product	Action
1	A/021/2017	CRE AGREEMENT ISSUING THE NOTICE IN COMPLIANCE WITH THE SECOND RESOLUTION OF RESOLUTION RES/996/2015, FOR THE PURPOSES OF THE ENTRY INTO FORCE OF THE CAPACITY RESERVE SCHEME AND THE GENERAL TERMS AND CONDITIONS FOR FIRST-HAND SALES OF NATURAL GAS.	Natural Gas	Derogate
2	A/026/2017	CRE AGREEMENT THAT LEAVES THE METHODOLOGY FOR DETERMINING THE MAXIMUM PRICES OF NATURAL GAS FOR FIRST-HAND SALE, APPROVED BY RESOLUTION RES/998/2015, AND ELIMINATES THE MAXIMUM PRICE OF NATURAL GAS SOLD FIRST-HAND FOR DETERMINATION UNDER FREE MARKET CONDITIONS.	Natural Gas	Derogate
3	RES/2641/2018	CRE RESOLUTION ISSUING AMENDMENTS TO THE GENERAL TERMS AND CONDITIONS FOR FIRST-HAND SALES OF NATURAL GAS, APPROVED AND ISSUED BY RESOLUTION RES/101/2017, AND AMENDED BY RESOLUTIONS RES/1205/2017 AND RES/1400/2018.	Natural Gas	Derogate Resolutions First, Fourth, Sixth, Seventh. Modify the established in the Sixth, Seventh, Eleventh, Twelfth, Thirteenth, and Fourteenth recitals.

No.	Instrument	Foreword	Product	Action
4	RES/120/2019	CRE RESOLUTION APPROVING PEMEX EXPLORATION AND PRODUCTION THE GENERAL TERMS AND CONDITIONS FOR FIRST-HAND SALES OF NATURAL GAS.	Natural Gas	Derogate Resolutions Sixth, Seventh, Eighth, Ninth, and Tenth.
5	RES/389/2014	RESOLUTION ESTABLISHING, ON A TRANSITIONAL BASIS, THE TERMS AND CONDITIONS TO WHICH FIRST-HAND SALES OF HYDROCARBONS, PETROLEUM AND PETROCHEMICALS SHOULD BE SUBJECT, AND METHODOLOGIES FOR DETERMINING THEIR PRICES; AS WELL AS THE TERMS AND CONDITIONS TO WHICH THE PROVISION OF TRANSPORT, STORAGE, DISTRIBUTION AND PUBLIC TRANSPORT, OIL AND PETROCHEMICAL SERVICES, AND METHODOLOGIES FOR THE CALCULATION OF CONSIDERATIONS OF SUCH SERVICES REFERRED TO IN THE HYDROCARBONS ACT, PUBLISHED IN THE DOF 11 AUGUST 2014, SHALL BE SUBJECT	Hydrocarbon without processing	Derogate
6	RES/1008/2019	RESOLUTION OF CRE WHICH LEAVES WITHOUT EFFECT AGREEMENT A/060/2016 LAYING DOWN THE CRITERION TO BE APPLIED FOR THE DETERMINATION OF FIRST-HAND SALES PRICES AND THE MARKETING OF LIQUEFIED PETROLEUM GAS, AND SUSPENDING THE APPLICATION OF THE A/046/2018 AGREEMENT THAT DETERMINES THE CRITERIA TO BE OBSERVED BY MEXICAN OILS AND ITS SUBSIDIARY PRODUCTION COMPANIES OR DIVISIONS OR ANY OTHER PERSON CONTROLLED BY THESE PERSONS IN THE DETERMINATION OF DISCOUNTS ON MAXIMUM PRICES OF FIRST-HAND SALE AND MARKETING OF LIQUEFIED PETROLEUM GAS.	Liquefied Gas from Petroleum	Derogate Resolutions Seventh, Eighth and Tenth.
7	RES/1519/2017.	RESOLUTION OF CRE APPROVING THE MODEL OF AGREEMENT FOR THE SALE OF LIQUEFIED PETROLEUM GAS FIRST-HAND SUBMITTED BY PEMEX INDUSTRIAL TRANSFORMATION.	Liquefied Gas from Petroleum	Derogate

No.	Instrument	Foreword	Product	Action
8	RES/1790/2017.	CRE RESOLUTION APPROVING MGC MEXICO, S.A. DE C.V. THE MODEL AGREEMENT FOR THE MARKETING OF LIQUEFIED PETROLEUM GAS.	Liquefied Gas from Petroleum	Derogate
9	RES/2420/2017.	CRE RESOLUTION APPROVING PEMEX EXPLORATION AND PRODUCTION OF THE MODEL AGREEMENT FOR THE MARKETING OF LIQUEFIED PETROLEUM GAS.	Liquefied Gas from Petroleum	Derogate
10	RES/1755/2019.	CRE RESOLUTION APPROVING THE AMENDMENT TO THE MODEL AGREEMENT FOR THE MARKETING OF LIQUEFIED PETROLEUM GAS APPROVED TO PEMEX INDUSTRIAL TRANSFORMATION BY RESOLUTION RES/1520/2017 AND AMENDED BY RESOLUTION RES/2447/2017.	Liquefied Gas from Petroleum	Derogate
11	RES/1756/2019.	CRE RESOLUTION APPROVING THE AMENDMENT TO THE MODEL OF FIRST-HAND SALE OF LIQUEFIED PETROLEUM GAS APPROVED TO PEMEX EXPLORATION AND PRODUCTION BY RESOLUTION RES/2829/2017.	Liquefied Gas from Petroleum	Derogate
12	RES/2551/2018	RESOLUTION AUTHORIZING PEMEX INDUSTRIAL PROCESSING OF THE COST OF INTERNMENT REFERRED TO IN THE DIRECTIVE ON THE DETERMINATION OF THE UPPER LIMIT PRICE OF LIQUEFIED PETROLEUM GAS FOR SALE FIRST-HAND DIR-GLP-001-2008, FOR THE POINT CALLED TUXPAN.	Liquefied Gas from Petroleum	Derogate

No.	Instrument	Foreword	Product	Action
13	RES/2552/2018	RESOLUTION UPDATING TO PEMEX INDUSTRIAL TRANSFORMATION THE INTERNMENT COSTS REFERRED TO IN THE DIRECTIVE ON THE DETERMINATION OF THE UPPER LIMIT PRICE OF LIQUEFIED PETROLEUM GAS FOR FIRST-HAND SALE DIR-GLP-001-2008, FOR INLAND INTERNMENT POINTS CALLED CDS. JUAREZ DUCTO, BLACK STONES, MATAMOROS, MEXICALI AND TIJUANA, AND THE POINTS OF INTERNMENT BY SEA CALLED PAJARITOS AND TOPOLOBAMPO.	Liquefied Gas from Petroleum	Derogate
14	RES/1258/2016	CRE RESOLUTION WHICH, IN APPLICATION OF RESOLUTION SIXTH OF RESOLUTION RES/156/2016, ADJUSTS TO PEMEX INDUSTRIAL TRANSFORMATION THE MODEL OF AGREEMENT FOR THE MARKETING OF PETROL AND DIESEL	Oil	Derogate
15	RES/1440/2017	CRE RESOLUTION APPROVING PEMEX INDUSTRIAL TRANSFORMATION THE ADJUSTMENT TO THE COMBUSTOLEO, TURBOSINE AND GASAVION AND DIESEL AND IFO 180 MARKETING AGREEMENT MODELS SUBMITTED IN TERMS OF RESOLUTION RES/071/2016	Oil	Derogate
16	RES/2552/2017	CRE RESOLUTION BY WHICH IT ADJUST TO PEMEX INDUSTRIAL TRANSFORMATION THE COMBUSTÓLEO, TURBOSINE AND GASAVION AND DIESEL AND IFO 180 MARKETING AGREEMENT MODELS APPROVED BY RESOLUTION RES/1440/2017.	Oil	Derogate
17	RES/2826/2017	CRE RESOLUTION ADJUSTING THE MODEL MARKETING AGREEMENT FOR ETHANOL, LIGHT NAFTA AND HEAVY NAPHTHA SUBMITTED BY PEMEX INDUSTRIAL TRANSFORMATION UNDER RESOLUTION RES/071/2016	Oil	Derogate

No.	Instrument	Foreword	Product	Action
18	RES/2827/2017	CRE RESOLUTION ADJUSTING TO PEMEX INDUSTRIAL TRANSFORMATION THE MODEL OF PETROL AND DIESEL MARKETING AGREEMENT APPROVED BY RESOLUTION RES/1258/2016	Oil	Derogate
19	RES/950/2018	CRE RESOLUTION AMENDING THE MODEL PETROL AND DIESEL MARKETING AGREEMENT APPROVED TO PEMEX INDUSTRIAL TRANSFORMATION BY RESOLUTIONS RES/1258/2016 AND RES/2827/2017.	Oil	Derogate
20	RES/1496/2018	CRE RESOLUTION APPROVING THE MODEL MARKETING AGREEMENT FOR LIGHT NAFTA, HEAVY NAFTA AND ETHANOL, SUBMITTED BY MGC MEXICO, S.A. DE C.V., IN TERMS OF RESOLUTION RES/071/2016.	Oil	Derogate
21	RES/1684/2018	CRE RESOLUTION APPROVING THE MODEL AGREEMENT FOR THE MARKETING OF GASOLINE AND DIESEL, SUBMITTED BY MGC MEXICO, S.A. DE C.V., IN TERMS OF RESOLUTION RES/156/2016.	Oil	Derogate
22	RES/071/2016	RESOLUTION ISSUING THE GENERAL ADMINISTRATIVE PROVISIONS APPLICABLE TO FIRST-HAND SALES AND MARKETING OF PETROLEUM AND PETROCHEMICALS, WITH THE EXCEPTION OF PETROL, DIESEL AND LIQUEFIED PETROLEUM GAS, WITH CONDITIONS OF ASYMMETRIC REGULATION TO MEXICAN OILS, ITS SUBSIDIARY BODIES, ITS SUBSIDIARIES AND DIVISIONS AND ANY OTHER ENTITY CONTROLLED BY THOSE PERSONS	Oil	Derogate

No.	Instrument	Foreword	Product	Action
23	RES/156/2016	RESOLUTION ISSUING THE GENERAL ADMINISTRATIVE PROVISIONS APPLICABLE TO FIRST-HAND SALES AND MARKETING OF GASOLINE AND DIESEL, WITH CONDITIONS OF ASYMMETRIC REGULATION TO MEXICAN OILS, ITS SUBSIDIARY BODIES, ITS SUBSIDIARIES AND DIVISIONS AND ANY OTHER ENTITY CONTROLLED BY THOSE PERSONS	Oil	Derogate
24	RES/622/2016	RESOLUTION EXTENDING THE DEADLINES FOR UPDATING AGREEMENTS FOR THE MARKETING OF PETROLEUM AND PETROCHEMICALS OTHER THAN PETROL AND DIESEL, AS WELL AS FOR THE IMPLEMENTATION OF METHODOLOGIES FOR DETERMINING FIRST-HAND SALES PRICES FOR THESE PRODUCTS	Oil	Derogate
25	A/075/2017	CRE AGREEMENT THAT DETERMINES THE CRITERIA TO BE OBSERVED BY MEXICAN OILS AND THEIR SUBSIDIARY PRODUCTION COMPANIES OR DIVISIONS FOR THE PUBLICATION OF INFORMATION RELATED TO DISCOUNTS AND CONVENTIONAL PRICES OF LIQUEFIED PETROLEUM AND PETROLEUM GAS, AS PART OF THE ASYMMETRIC REGULATION REFERRED TO BY THE TRANSITIONAL THIRD OF THE HYDROCARBONS ACT	Oil	Derogate
26	RES/047/2016	RESOLUTION ISSUING METHODOLOGIES FOR DETERMINING FIRST-HAND SALES PRICES FOR PETROCHEMICALS AND PETROLEUM PRODUCTS OTHER THAN GASOLINE AND DIESEL, SUBJECT TO REGULATION	Oil	Derogate
27	RES/1383/2016	RESOLUTION OF CRE THAT ADJUSTS AND VALIDATES TO PEMEX INDUSTRIAL TRANSFORMATION THE MODEL OF AGREEMENT FOR THE SALE OF FIRSTHAND GASOLINE AND DIESEL	Oil	Derogate

No.	Instrument	Foreword	Product	Action
28	RES/1438/2017	CRE RESOLUTION ADJUSTING THE MODELS OF FIRST-HAND SALES AGREEMENT FOR COMBUSTOLEO AND TURBOSINE AND GASAVION SUBMITTED BY PEMEX INDUSTRIAL TRANSFORMATION UNDER RESOLUTION RES/071/2016.	Oil	Derogate
29	RES/2828/2017	CRE RESOLUTION ADJUSTING THE MODEL OF FIRST-HAND SALES AGREEMENT FOR ETHANOL, LIGHT NAFTA AND HEAVY NAPHTHA SUBMITTED BY PEMEX INDUSTRIAL TRANSFORMATION UNDER RESOLUTION RES/071/2016	Oil	Derogate
30	RES/717/2015	CRE RESOLUTION ON WHICH OIL AND PETROCHEMICALS WILL CONTINUE TO BE SUBJECT TO FIRST-HAND SALES REGULATION	Oil	Derogate
31	A/055/2016	CRE AGREEMENT OF AMENDING AGREEMENT A/023/2015 INTERPRETING DEFINITIONS OF PETROCHEMICALS AND PETROLEUM, ARTICLE 4, FRACTIONS XXVIII AND XXIX OF THE HYDROCARBONS ACT AND RESOLUTION RES/717/2015 REGARDING WHICH OIL AND PETROCHEMICALS WILL CONTINUE TO BE SUBJECT TO FIRST-HAND SALES REGULATION, PUBLISHED IN THE DOF ON 9 JUNE 2015 AND 16 DECEMBER 2015, RESPECTIVELY	Oil	Derogate
32	RES/3065/2017	NATURAL GASOLINE MARKETING AGREEMENT MODEL	Oil	Derogate

No.	Instrument	Foreword	Product	Action
33	RES/3066/2017	NATURAL GASOLINE VPM AGREEMENT MODEL	Oil	Derogate
34	RES/1283/2020	MODIFICATION OF THE ETHANOL, LIGHT NAFTA AND HEAVY NAFTA VPM AGREEMENT MODEL SUBMITTED BY PEMEX TRI UNDER RES/071/2016 AND ADJUSTED BY RES/2828/2017	Oil	Derogate
35	A/043/2019	AGREEMENT OF CRE WHICH LEAVES WITHOUT EFFECTS AGREEMENT A/057/2018 WHICH ESTABLISHES TO PEMEX INDUSTRIAL TRANSFORMATION THE METHODOLOGY FOR DETERMINING FIRST-HAND SALES PRICES AND STORAGE TERMINALS	Oil	Derogate the Second Agreement
36	RES/929/2017	RESOLUTION AUTHORIZING PEMEX INDUSTRIAL TRANSFORMATION TO UPDATE THE INTERNMENT COSTS REFERRED TO IN THE DIRECTIVE ON DETERMINING THE UPPER LIMIT PRICE OF LIQUEFIED PETROLEUM GAS FOR SALE FIRST-HAND DIR-GLP-001-2008	Liquefied Gas from Petroleum	Derogate
37	RES/1518/2017	RESOLUTION AUTHORIZING PEMEX INDUSTRIAL TRANSFORMATION OF THE INTERNMENT COSTS REFERRED TO IN THE DIRECTIVE ON THE DETERMINATION OF THE UPPER LIMIT PRICE OF LIQUEFIED PETROLEUM GAS SOLD FIRST- HAND DIR-GLP-001-2008, FOR TIJUANA AND MEXICALI POINTS	Liquefied Gas from Petroleum	Derogate

No.	Instrument	Foreword	Product	Action
38	RES/1520/2017	CRE RESOLUTION APPROVING THE MODEL OF THE AGREEMENT FOR THE MARKETING OF LIQUEFIED PETROLEUM GAS SUBMITTED BY PEMEX INDUSTRIAL TRANSFORMATION	Liquefied Gas from Petroleum	Derogate
39	RES/2447/2017	CRE RESOLUTION AMENDING THE MODEL OF AGREEMENT FOR THE MARKETING OF LIQUEFIED PETROLEUM GAS APPROVED TO PEMEX INDUSTRIAL TRANSFORMATION BY RESOLUTION RES/1520/2017	Liquefied Gas from Petroleum	Derogate
40	RES/1038/2020	CRE RESOLUTION SPECIFYING THE OBLIGATIONS IN THE AREA OF FIRST- HAND SALES AND MARKETING OF LIQUEFIED PETROLEUM, WHICH APPLY TO MEXICAN OIL AND SUBSIDIARY PRODUCTION COMPANIES, ITS SUBSIDIARIES AND DIVISIONS AND ANY OTHER PERSON CONTROLLED BY THESE PERSONS	Liquefied Gas from Petroleum	Derogate Resolution "Second"
41	RES/996/2015	CRE RESOLUTION BY WHICH CRE APPROVES AND ISSUES THE GENERAL TERMS AND CONDITIONS FOR FIRST- HAND SALES OF NATURAL GAS	Natural Gas	Derogate
42	RES/101/2017	CRE RESOLUTION APPROVING PEMEX INDUSTRIAL TRANSFORMATION THE AMENDMENT TO THE GENERAL TERMS AND CONDITIONS FOR FIRST-HAND SALES OF NATURAL GAS, APPROVED AND ISSUED BY RESOLUTION RES/996/2015	Natural Gas	Derogate

No.	Instrument	Foreword	Product	Action
43	RES/1205/2017	CRE RESOLUTION APPROVING PEMEX INDUSTRIAL TRANSFORMATION THE AMENDMENT TO THE GENERAL TERMS AND CONDITIONS FOR FIRST-HAND SALES OF NATURAL GAS, APPROVED AND ISSUED BY RESOLUTION RES/101/2017	Natural Gas	Derogate
44	A/036/2017	CRE AGREEMENT THAT DETERMINES THE CRITERIA TO BE OBSERVED BY MEXICAN OILS AND THEIR SUBSIDIARY PRODUCTION COMPANIES OR DIVISIONS FOR THE PUBLICATION OF NATURAL GAS PRICES AS PART OF THE ASYMMETRIC REGULATION REFERRED TO IN ARTICLE EIGHTEEN THIRD TRANSITIONAL OF THE HYDROCARBONS LAW	Natural Gas	Derogate
45	RES/1400/2018	CRE RESOLUTION APPROVING PEMEX INDUSTRIAL TRANSFORMATION THE AMENDMENT TO THE GENERAL TERMS AND CONDITIONS FOR FIRST-HAND SALES OF NATURAL GAS, APPROVED AND ISSUED BY RESOLUTION RES/101/2017, AND AMENDED BY RESOLUTION RES/1205/2017	Natural Gas	Derogate
46	RES/996/2020	CRE RESOLUTION THAT LEAVES WITHOUT EFFECT AGREEMENT NUMBER A/036/2017, WHICH DETERMINES THE CRITERIA TO BE OBSERVED BY MEXICAN OILS AND THEIR SUBSIDIARY PRODUCTION COMPANIES OR DIVISIONS FOR THE PUBLICATION OF NATURAL GAS PRICES, AS PART OF THE ASYMMETRIC REGULATION REFERRED TO IN THE TENTH TRANSITIONAL THIRD ARTICLE OF THE HYDROCARBONS LAW	Natural Gas	Derogate, except for Resolution "First"
47	RES/320/2017	CRE RESOLUTION APPROVING TO MGC MEXICO, S.A. DE C.V. THE MODEL OF NATURAL GAS MARKETING AGREEMENT REFERRED TO IN THE SIXTH RESOLUTION OF RESOLUTION RES/997/2015.	Natural Gas	Derogate

No.	Instrument	Foreword	Product	Action
48	RES/1089/2017	CRE RESOLUTION APPROVING MGC MEXICO, S.A. DE C.V. MODIFICATIONS TO THE MODEL NATURAL GAS MARKETING AGREEMENT APPROVED AND ISSUED BY RESOLUTION RES/320/2017	Natural Gas	Derogate
49	RES/2829/2017	CRE RESOLUTION APPROVING THE MODEL OF AGREEMENT FOR THE SALE OF LIQUEFIED PETROLEUM GAS FIRST-HAND SUBMITTED BY PEMEX EXPLORATION AND PRODUCTION	Liquefied Gas from Petroleum	Derogate

^{*} This GT Alert is limited to non-U.S. matters and law.

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