

NEWSLETTER ENERGY & NATURAL RESOURCES

OCTOBER 2025



The energy world is under enormous transformation. Issues such as energy transition, energy security and climate change are in the global agenda. Thanks to its natural resources endowment, Argentina has a key role to play in the energy and mining sector. This newsletter intends to inform, with an analytical approach and on a monthly basis, the most relevant events, regulations, and case law taking place in our country.

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GENERAL DEFINED TERMS

"Biofuels Law" means the Federal Law No. 27,640.

"EDENOR" means (for its acronym in Spanish *"Empresa Distribuidora y Comercializadora Norte S.A."*).

"EDESUR" means (for its acronym in Spanish *"Empresa Distribuidora y Comercializadora Sur S.A."*).

"ENARGAS" means the National Gas Regulatory Authority (for its acronym in Spanish of *Ente Nacional Regulador de Gas*).

"ENRE" means the National Electricity Regulatory Authority (for its acronym in Spanish of *Ente Nacional Regulador de la Electricidad*).

"FHL" means the Federal Hydrocarbons Law No. 17,319, as amended by Laws No. 26,197, 27,007 and 27,742.

"FSE" means the Federal Secretariat of Energy.

"Gas Law" means the Natural Gas Law No. 24,076, as amended by Law 27,742.

"ME" means Ministry of Economy.

"MEM" means the Wholesale Electricity Market (for its acronym in Spanish of *Mercado Eléctrico Mayorista*).

"MEMSTDF" means the Wholesale Electricity Market of the Province of Tierra del Fuego (for its acronym in Spanish of *Mercado Eléctrico Mayorista de Tierra del Fuego*).

"PIST" means the point of entry into the natural gas transmission system (for its acronym in Spanish of *Punto de Ingreso al Sistema de Transporte*).

"POTREF" means the Power Reference Prices (for its acronym in Spanish of *Precios de Referencia de la Potencia*).

HYDROCARBONS

ENARGAS CALLED FOR A PUBLIC HEARING ON PROVISIONAL TARIFFS FOR THE PERITO MORENO GAS PIPELINE

Following the recent expansion of the Perito Moreno Gas Pipeline, new provisional tariffs must be set to reflect increased transport capacity.

By means of Resolution No. 766/2025, published in the Official Gazette on October 16, 2025, ENARGAS announced the opening of a public hearing to discuss the establishment of provisional tariffs and an adjustment mechanism for the natural gas transportation service operated by ENARSA through the Perito Moreno Gas Pipeline (the “GPM”).

The measure responds to a request from the Secretariat of Energy to define regulated tariffs for GPM's transport service covering uncommitted capacity until definitive rates are set. ENARGAS will apply the same parameters and methodologies previously used for other non-licensed transport companies, as established in 2024 resolutions that set transitional tariff frameworks for entities such as Gasoducto Norandino, Gasandes, TGM, among others.

Institutions, organizations, and individuals may submit comments or suggestions on the proposed tariff structure within fifteen (15) calendar days from publication in the Official Gazette, through the Virtual Entry Desk available at www.enargas.gob.ar. The file and corresponding resolution will be accessible in the “Participatory Rulemaking” section of the ENARGAS website. While comments received will not be binding, they will be duly considered by the Regulatory Authority prior to issuing the final resolution.



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ENARGAS CALLED FOR A PUBLIC HEARING TO UPDATE AUTHORIZATION RULES FOR DISTRIBUTION NETWORK EXPANSIONS

ENARGAS launched a public hearing for authorizing gas distribution system expansion works.

By means of Resolution No. 778/2025, ENARGAS called for a public hearing on the “Regulation of authorizations under Article 16 of Law No. 24,076”, aiming to modernize procedures for approving natural gas distribution network expansion works and to replace Resolution No. 910/2009 and related rules. Important gas pipelines were built under this legal figure (e.g., export projects such as “Gas Andes”, “Gasoducto Mercosur”, etc.).

The new draft, issued under the participatory rulemaking process of Decree No. 1738/1992, updates the 2019 consultation and maintains key principles: when a project is not economically viable, operators may request user contributions; and when users finance the works, the operator must contribute at least the Business Value generated, including in kind. The proposal also preserves the rule that cubic-meter (m³) compensations for users connecting within two years cannot be time-limited.

Among the main updates, the draft revises the Annex V methodology by incorporating marginal, project-specific costs to better reflect real expansion expenses, limiting evaluations to a five-year horizon to avoid overlap with tariff reviews, and introducing a residual value recovery mechanism. It further allows differential treatment for infrastructure projects with uncertain demand, subject to ENARGAS approval.

Projects must include the investment amount and documentation listed in Sub-Annex I. ENARGAS may request additional economic or financial information, particularly when user contributions are involved. If an authorized work is not started within a reasonable time and another party proposes to execute it, a special treatment may apply. The draft reaffirms the obligation under Article 25 of Gas Law to meet all reasonable service demands consistent with the license and applicable law.

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ENARGAS LAUNCHED FOR A PUBLIC HEARING TO UPDATES SAFETY STANDARDS

ENARGAS launched a public hearing to update the NAG-100 safety standard, introducing a risk-based approach and new HDPE protection materials to align local regulations with international standards.

By means of Resolution No. 789/2025, ENARGAS launched a public hearing to amend Section 325 and subsections h) and i) of Appendix G-20 of Addendum No. 2 of the NAG-100 Standard “Minimum Argentine Safety Standards for the Transportation and Distribution of Natural Gas and Other Gases by Pipelines”.

The measure seeks to modernize the safety framework by introducing a risk-based approach and new high-density polyethylene (HDPE) protection materials, in line with international best practices. Following consultations with industry participants, ENARGAS incorporated a three-zone risk model (acceptable, ALARP, intolerable) and evaluated new proposals, including HDPE slabs presented by Transportadora de Gas del Norte as an alternative to reinforced concrete, offering equivalent resistance, greater visibility, and easier installation.

The proposal also clarifies that the new provisions will not apply retroactively but will require mitigation measures for existing facilities, refining the definition of “areas suitable

for human transit.” The draft amendment will remain open for 15 business days from publication in the Official Gazette for written comments, which will be reviewed though not binding. Until the new National Regulator for Gas and Electricity become operational, ENARGAS will continue exercising its current functions.



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DIGITAL MODERNIZATION IN THE GAS SECTOR

ENARGAS obliges gas carrier companies without a national license to register in the Multipurpose File Registry through the TAD platform.

Pursuant Resolution No. 796/2025, published in the Official Gazette on October 29, 2025 (“**Resolution 796**”), ENARGAS instructed natural gas carrier companies that do not have a license granted by the National Government to register into the Multipurpose File Registry, through the *Trámites a Distancia Platform (TAD)*.

The purpose of Resolution 796 is to implement notifications through TAD, in pursuit of the optimization of

resources being carried out by ENARGAS in order to achieve an organic and efficient fulfilment of the functions entrusted by Gas Law.



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POWER AND ELECTRICITY

FSE AWARDS STORAGE CONTRACTS FOR AMBA RELIABILITY PROGRAM

FSE adjudicated Generation-Storage Contracts with EDESUR and created the National Registry of Electric Energy Storage Projects (RENPALMA).

By means of Resolution No. 384/2025, published in the Official Gazette on October 6, 2025 (“**Resolution 384**”), the FSE awarded Generation-Storage Contracts with Distributors of the MEM for system reliability in the AMBA region pursuant to FSE Resolutions No. 67/2025 and No. 361/2025, and the corresponding bidding terms and conditions. The awarded projects are listed in Annex I of Resolution 384. CAMMESA is instructed to notify the respective bidders and coordinate the contract execution.

Resolution 384 further instructed EDESUR S.A., as buyer, to execute the respective Generation-Storage Contracts. Likewise, CAMMESA shall execute such contracts as last-resort payment guarantor, on behalf of and for the account of the FSE.

Additionally, Section 4 of Resolution 384 introduced a modification to the reimbursement mechanism set forth in Section 22.7 of the bidding terms and conditions. The reimbursement percentage will now vary depending on the

Commercial Operation Date, according to the following schedule: (i) projects achieving commercial operation by August 31, 2026: 100%, (ii) projects achieving commercial operation by August 31, 2027: 75%, and (iii) projects achieving commercial operation by December 31, 2028: 50% of the corresponding reimbursement.

Finally, the FSE created the National Registry of Electric Energy Storage Projects (RENPALMA), under the Undersecretariat of Electric Energy. The registry will include all energy storage projects connected to the Argentine Interconnection System (SADI). Project owners must submit the required documentation to the Undersecretariat of Electric Energy to complete their registration and, once registered, must keep their information up to date by notifying any modifications.



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EXTENSION TO JOIN THE ELECTRICITY MARKET DEBT REGULARIZATION REGIME

The Undersecretariat of Electricity extended the deadline for electricity distributors to sign the agreements under the Special Regime for the Regularization of Obligations and Credits in the MEM.

By means of Disposition No. 8/2025 (“**Disposition 8**”), the Undersecretariat of Electricity of the FSE extended for seven (7) additional business days as from October 16, 2025 the deadline established in Section 7 of Disposition No. 1/2025 and its subsequent extensions, referred to the

period granted for distributors of the MEM to adhere to the Special Regime for the Regularization of Obligations and the Special Credit Regime.

This short extension seeks to facilitate the completion and signing of the respective adherence and payment agreements under the regime.

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RULES FOR THE NORMALIZATION OF THE MEM

The FSE issued the Rules for the Normalization of the MEM and its Progressive Adaptation, establishing a binding regulatory framework that introduces hourly marginal pricing, a new capacity remuneration scheme, and gradual decentralization of fuel procurement, consolidating the Term Energy Market as the main contracting mechanism for energy and capacity.

By means of Resolution No. 400/2025, published in the Official Gazette on October 21, 2025 (“**Resolution 400**”), the FSE approved the “Rules for the Normalization of the MEM and its Progressive Adaptation” (the “**Rules**”), which move the transition process from a guideline stage to a binding regulatory framework. These Rules operationalize the price-signal system for demand, the remuneration scheme for supply, and the progressive decentralization of fuel procurement, while consolidating the Energy Term Market (“**MAT**”) as the primary instrument for contracting energy and capacity in the MEM.

I. Supply to Regulated Demand: Seasonalized Demand and Assigned Generation

The Rules define “Seasonalized Demand of Distributors” (DEDMEM), which will be supplied by assigned generation (existing MEM contracts, state hydroelectric and nuclear generation, and CAMMESA imports). Residential users retain priority. When assigned generation is insufficient, distributors will purchase the balance through the Spot Market or the MAT, backing at least 75% of their demand under MAT contracts.

II. Spot Market: Energy and Capacity Remuneration

Spot prices now separate energy (hourly production) and capacity (reliable availability). Generators receive hourly payments based on their declared Variable Production Cost (**CVP**) plus an adjusted market rent component, which grows under high-cost or constrained conditions. Access to rent depends on fuel management: units with self-procured fuel capture a larger share, while others only recover CVP.

Capacity remuneration (PPAD) compensates availability during 90 designated hours per week, with base payments of USD 12/MW and technology-specific multipliers.

Reduced factors apply to generators without fuel management, while hydro, renewables, and storage follow differentiated rules.

III. Fuel Management and CVP Declaration

Fuel management becomes central to market participation. During the transition (until end 2028, in which Plan Gas contracts expire), generators may obtain gas through Plan Gas contracts administered by CAMMESA and ENARSA or manage their own supply and transport. From January 1, 2029, own fuel management will be mandatory to operate in the Spot Market and the MAT.

IV. The Term Market

The Rules reinstate the Term Energy Market (MATE) and the Term Capacity Market (MATP) as the main platforms for bilateral contracting between generators, distributors, and large users, ensuring settlement consistency with the Spot Market.

V. Reliability Services

A new Reliability Reserve Service (SRC) is created to secure system backup during the transition. Existing units providing reserve will receive USD 1,000/MW-month (USD 2,000 for small combined cycles), while new firm capacity projects may earn up to USD 9,000/MW-month for ten years, subject to approval.

VI. Demand Interconnection Under Section 13

The Rules also establish a requirement for new MEM demand connecting directly to the High-Voltage Transmission System outside a distributor's concession area, where such demand represents an increase of at least 0.5% of the MEM's average load. In these cases, the access request must include a supply plan demonstrating that at least 80% of the energy will be sourced from new generation, and that 80% of the demand will be backed by physical capacity.

Such capacity backing provides guaranteed supply only when it corresponds to new firm capacity; if backed with existing firm capacity, that capacity is considered part of

the Spot market and will not isolate the new demand from system-wide scarcity. This requirement aligns new large demand with new firm supply, reinforcing investment signals and system adequacy.

For further information on the Rules, please refer to MHR's Client Alert – October 2025, available at the following link: <https://mhrlegal.com/cliente-alert-mhr-october2025/>



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TARIFF AND PRICE UPDATES

BIOFUELS: INCREASE IN MANDATORY PURCHASE PRICES

The FSE updated the minimum purchase prices for bioethanol and biodiesel for mandatory blending with gasoline and diesel oil.

By means of Resolutions No. 385/2025 (“**Resolution 385**”) and No. 386/2025, both published in the Official Gazette on October 6, 2025, the FSE updated the minimum purchase prices for bioethanol and biodiesel intended for mandatory blending with gasoline and diesel oil, effective for transactions during October 2025 and until further notice.

Notwithstanding the foregoing, by means of Resolution No. 422/2025, published in the Official Gazette on October 27, 2025, the FSE modified the minimum price for biodiesel intended for mandatory blending with diesel oil established by Resolution 385.

The current minimum prices after the modifications introduced by the aforementioned Resolutions are the following:^[1]

Bioethanol Minimum Purchase Prices

- Sugarcane-based bioethanol: The minimum purchase price is set at ARS 891.286 per liter (approximately, USD 0.60).^[2]

[1] Please refer to MHR's Energy Newsletter: September 2025, for a detail of the previous updates.
[2] All conversions consider the official sellers exchange rate published by Banco de la Nación Argentina on November 3, 2025, of USD 1 = ARS 1490.

- Corn-based bioethanol: The minimum purchase price is set at ARS 816.887 per liter (approximately, USD 0.55).
- Payment Terms: Purchasers must pay for bioethanol within thirty (30) calendar days from the date of the corresponding invoice.

Biodiesel Minimum Purchase Price

- Biodiesel for blending with diesel oil: The minimum purchase price is set at ARS 1,590,832 per ton (approximately, USD 1,067.67).
- Payment Terms: Payment for biodiesel must be made within seven (7) calendar days from the date of the relevant invoice.



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EDESUR AND EDENOR: ADJUSTMENT OF DISTRIBUTION COST AND TARIFF SCHEDULES

ENRE approved new distribution costs and tariff schedules for EDESUR and EDENOR to be applied as from October 1, 2025.

By means of Resolutions No. 694/2025 and No. 695/2025, published in the Official Gazette on October 1, 2025, ENRE approved new distribution costs and tariff schedules applicable to EDESUR S.A. and EDENOR S.A., respectively, effective as from October 1, 2025.^[3]

The updates follow the adjustment mechanisms established in ENRE Resolutions No. 303/2025 (EDESUR) and No. 304/2025 (EDENOR), which provide

for monthly increases of 0.36% and 0.42%, respectively, combined with a 2.70% update reflecting variations in the Wholesale Price Index (IPIM) and Consumer Price Index (IPC) published by INDEC.

As a result, the Cost of Distribution (CPD) increased by 3.07% for EDESUR and 3.13% for EDENOR compared to September 2025.

Additionally, ENRE approved new tariff schedules applicable to:

- Residential users in Levels 1, 2, and 3;

[3] Please refer to MHR's Energy Newsletter: August 2025 and MHR's Energy Newsletter: September 2025, for a detail of the previous updates.

- Neighborhood community clubs and public interest entities; and
- Feed-in tariffs for user-generators.

Finally, both distributors must highlight in users' invoices the items "Mercado Eléctrico Mayorista Cost" and "Subsidio Estado Nacional", as instructed by ENRE.



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NEW SURCHARGE APPLICABLE TO THE PIST PRICE

The ME and ENARGAS regulate the surcharge set forth in Article 75 of Law No. 25,565.

By means of Resolution No. 1448/2025, the ME set the surcharge provided for in Section 75 of Law No. 25,565 (and its amendments) at 7% on the natural gas price at the PIST, per cubic meter of 9,300 kcal, replacing the 6.80% previously established by Resolution No. 1253/2025. Complementarily, by means of Resolution No. 742/2025, ENARGAS established the procedures for implementing this new rate, detailing the methodology for its calculation and billing.

The surcharge applies both to volumes entering the transportation system and to self-consumption, and must be reflected in users' final bills. In the case of self-consumption, the amount payable is determined by (i) the volume consumed, (ii) the company's weighted average sales price, and (iii) the 7% rate. For distributors, ENARGAS determined that the calculation must be performed by subzone, considering the retention percentages associated with the mix of transportation routes included in current tariff schemes. The measure further requires distributors to apply the surcharge to all full-service users as of October 1, 2025, prorating consumption periods between the previous and new rates,

and to identify the charge on bills under the label: "Fdo. Fiduciario Art. 75 Ley 25.565. Modif. Ley 27.637". Additionally, any changes in the combination of transportation routes or in the percentages of retained gas must be approved by ENARGAS and incorporated into the applicable surcharge. Distribution licensees are also obliged to notify all authorized sub-distributors within their licensed areas of the new regime within five business days and to submit proof of compliance to ENARGAS.

Both resolutions are framed within the energy emergency declared by Decrees No. 55/2023, 70/2023, 1023/2024 and 370/2025, and respond to the policy shift from generalized subsidies to a targeted subsidy scheme, ensuring that the Trust Fund for Residential Gas Consumption Subsidies receives the necessary funding without generating gains or losses for distributors or marketers.



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NEW TRANSITIONAL TARIFF SCHEDULE FOR GAS TRANSPORTATION AND DISTRIBUTION

ENARGAS approved a new transitional tariff schedule for Licensed Carriers.

By means of Resolutions No. 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, and 741, published in the Official Gazette on October 1, 2025, ENARGAS approved new transitional tariff schedules to be applied by: Transportadora de Gas del Sur S.A., Transportadora de Gas del Norte S.A., Gasoducto Gas Andes Argentina S.A., Gasoducto Noradino Argentina S.A., Enel Generación Chile S.A., Gas Link S.A., Transportadora de Gas del Mercosur S.A., Compañía Entrerriana de Gas S.A., Refinería del Norte S.A., Energía Argentina S.A., Metrogas S.A., Naturgy Ban S.A., Naturgy NOA S.A., Litoral Gas S.A., Distribuidora de Gas del Centro S.A., Distribuidora de Gas Cuyana S.A.,

Camuzzi Gas Pampeana S.A., Camuzzi Gas del Sur S.A., Gas Nea S.A., Redengas S.A., respectively.^[4]

Subsequently, on October 31, 2025, by means of Resolutions No. 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, and 830, ENARGAS issued a new update to these transitional tariffs, again applicable to the above-mentioned companies.



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[4] Please refer to MHR's Energy Newsletter: September 2025, for a detail of the previous updates.

UPDATED PIST PRICE UNDER PLAN GAS.AR

The FSE sets the PIST gas price to be passed on to end users starting in November 2025.

By means of Resolution No. 433/2025, published in the Official Gazette on October 30, 2025 ("**Resolution 433**"), the FSE established the price of natural gas at the PIST for supplies contracted under the "Plan for Reinsurance and Strengthening of Federal Hydrocarbon Production, Domestic Supply, Exports, Import Substitution, and Expansion of the Transportation System for All Hydrocarbon Basins 2023–2028" (Plan Gas.Ar), approved by Decree No. 892/2020 and its amendments.

The new PIST prices will apply to gas consumption beginning in November 2025 and will be reflected in the tariff schedules to be published by ENARGAS.

ENARSA, producers, distribution and subdistribution companies that have executed supply contracts under Plan

Gas.Ar must update those agreements within five business days of the Resolution's publication (or the next business day) and submit them to both the FSE and ENARGAS.

ENARGAS has also been instructed to ensure that gas invoices issued nationwide by public utility distributors and subdistributors reflect the updated PIST price and, where applicable, the discounts established by Resolution No. 24/2025 of the FSE.



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ENRE ADJUSTMENT OF HOURLY RATES AND MONTHLY PENALTIES FOR ELECTRICITY TRANSPORTATION LICENSEES

ENRE updated hourly rates and penalties for major electricity transport companies.

By means of Resolutions No. 675, 676, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692 and 693, published in the Official Gazette on October 1, 2025, ENRE approved new hourly rates applicable from October 1, 2025, to the regulated equipment of: (i) TRANSENER S.A., (ii) TRANSBA S.A., (iii) TRANSNEA S.A., (iv) EPEN, (v) TRANSPA S.A., (vi) TRANSNOA S.A., (vii) DISTROCUYO S.A., (viii) TRANSCOMAHUE S.A., (ix) TRANSBA S.A., for the facilities that comprise *Transportista Independiente De Buenos Aires (TIBA)*, (x)

[5] Please refer to MHR's Energy Newsletter: September 2025, for a detail of the previous updates.



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INTESAR, (xi) INTERANDES S.A., (xii) TRANSACUE, (xiii) DPEC, (xiv) ENECOR, (xv) EDERSA, (xvi) LITSA, (xvii) LIMSA, (xviii) YACYLEC S.A., and (xix) TRANSPORTE MINERA 2 S.A.; as well as the average value of the historical monthly penalties applied to each carrier.^[5]

ENVIRONMENTAL

LA RIOJA CREATED THE PARTICIPATORY ENVIRONMENTAL AND MINING OBSERVATORY

Law No. 10,834 created an interdisciplinary body to promote transparency, research, and dialogue on mining and environmental management.

By means of Law No. 10,834, published in the Provincial Gazette on October 17, 2025, the Province of La Rioja created the Participatory Environmental and Mining Observatory within the Ministry of Production and Environment.

The observatory will include specialists, academics, and representatives from civil society organizations, with the purpose of fostering research, maintaining updated assessments of mining activity, and promoting coordination between government and social stakeholders.

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INSIGHTS ON THE ARGENTINE ENERGY INDUSTRY

EPEN AND UBA PARTNER TO ENHANCE TECHNICAL TRAINING IN NEUQUÉN'S ENERGY SECTOR

EPEN signs a framework cooperation agreement with the University of Buenos Aires to enhance technical and regulatory capacity in the provincial energy sector.

By means of a cooperation agreement executed on October 22, 2025, the Provincial Entity for Energy of Neuquén ("**EPEN**"), an organism regulated by the Ministry

of withInfrastructure of the Province of Neuquén, entered into a strategic partnership with the University of Buenos Aires ("UBA"), through its Center for the Study of Regulatory Energy Activities (CEARE). The agreement formalizes a joint program focused on training, technical advisory services, and specialized capacity-building for EPEN's professional teams.

Under the terms of the agreement, a coordination unit composed of representatives from both institutions will oversee the planning, supervision, and evaluation of the joint activities. EPEN emphasized that this cooperation will not only strengthen the regulatory and technical expertise

of its internal teams but also consolidate strategic alliances between public institutions and the academic sector, consistent with the commitments made at the most recent Energy Transition Congress.

This initiative forms part of Neuquen's government broader strategy to modernize provincial energy governance by leveraging academic excellence and promoting capacity-building in regulation, sustainability, and operational management.

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BOARD OF DIRECTORS OF THE NATIONAL REGULATORY AUTHORITY FOR GAS AND ELECTRICITY

The FSE called for an Open Public Selection Process for the appointment of the members of the Board of Directors of the National Regulatory Authority for Gas and Electricity.

By means of Resolution No. 388/2025, published in the Official Gazette on October 13, 2025 ("**Resolution 388**"), the SE called for an Open Public Selection Process to fill the positions of President, Vice President, and three (3) Directors of the new National Regulatory Authority for Gas and Electricity.

Resolution 388 sets out the conditions and requirements for submitting applications and states that applicants shall have ten business days, starting from the day after the last

publication, to submit the required background and supporting documents.

After the application period closes, the selection committee will have fifteen (15) business days to review submissions and identify preselected candidates for interviews. Within ten (10) days, it must conduct the interviews and submit shortlists of three candidates per position to the FSE. The FSE then has three days to forward its recommendations to the ME, who will elevate the final proposal to the National Executive Branch under Decree No. 452/2025.

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CASE LAW

SUPREME COURT ASSERTS JURISDICTION OVER ENVIRONMENTAL CLAIM REGARDING LITHIUM MINING IN SALINAS GRANDES BASIN

The Supreme Court of Justice of Argentina declared its original jurisdiction to hear a collective environmental lawsuit filed by several indigenous communities from the Salinas Grandes and Laguna de Guayatayoc basin against the Provinces of Salta, Jujuy, and the National Government.

By means of its decision in case "*Comunidad Aborigen de Santuario de Tres Pozos et al. v. Provinces of Jujuy and Salta and the National Government – Environmental Amparo*," the Supreme Court of Justice of Argentina (the "**Supreme Court**") held that it has original jurisdiction to hear the claim filed by several indigenous communities and the NGO "*Fundación Ambiente y Recursos Naturales*" ("**FARN**") concerning lithium and borate mining in the Salinas Grandes and Laguna de Guayatayoc basin.

The plaintiffs, fourteen indigenous communities from the Provinces of Jujuy and Salta, together with FARN, filed an amparo action against (i) the Province of Jujuy, (ii) the Province of Salta, and (iii) the National Government. They requested that the defendants suspend all administrative acts promoting or authorizing lithium and borate exploration and exploitation in the Salinas Grandes Basin and adopt measures for the joint management of the basin's water resources.

After requesting preliminary reports from the national and provincial authorities, the Supreme Court determined that the case involves the protection of an interjurisdictional natural resource, a single hydrological system spanning both provinces. Therefore, the controversy falls under Supreme Court's original jurisdiction pursuant to Sections 116 and 117 of the National Constitution and Section 7 of the General Environmental Law No. 25,675.

The Supreme Court emphasized that both provinces are necessary parties given their shared ownership and management powers over the basin and ordered the National Government and the Provinces of Salta and Jujuy to submit detailed reports on the environmental, mining, and administrative acts related to lithium and borate exploration and exploitation.

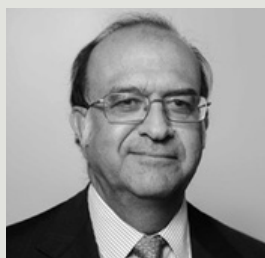
Finally, the Supreme Court deferred ruling on the plaintiffs' request for injunctive relief (*medida cautelar*) until after the defendants' reports are received.



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