



## Decree determining the fixing of the final electricity tariff for basic supply services as a consequence of COVID-19

On April 17th, in the evening edition of the "Mexican Official Gazette" (Diario Oficial de la Federación) the "Decree determining the mechanism for fixing the final electricity tariffs for the basic supply domestic users [...] as a result of the health emergency due to force majeure resulting from the SARS-CoV2 (COVID-19)" (hereinafter, the "**Decree**") was published, same which entered into force the day.

The purpose of the Decree is that, during the period in which the declaration of the health emergency due to force majeure (i.e., commencing on March 30, 2020), through the 7th calendar day following the day

in which such declaration expires, **the electricity supply for domestic users, will not be considered under the High-Consumption Domestic Tariff ("HCD Tariff").**

The foregoing also implies that during the term of this Decree:

- i. CFE Suministrador de Servicios Básicos, E.P.S (a state-owned subsidiary supply company), should not reclassify to the HCD Tariff those users of domestic electricity services that may exceed the limits

established for low-consumption as provided by the Energy Regulatory Commission ("**CRE**"); on the understanding that such reclassification would imply the consequent increase in their billing ; and

- ii. the supplier will allow these users to remain at the low-consumption tariff that corresponds to each of them in accordance with the tariffs established by CRE for each geographic zone (i.e., Tariffs 1, 1A, 1B, 1C, 1D, 1E and 1F).

## Tax and Legal Services

Legal Alert 22/2020 | April 23rd, 2020

The Decree signifies the first time in which the Federal Executive (acting through the Ministry of Finance and Public Credit) (Secretaría de Hacienda y Crédito Público), exercises the authority set forth in Article 139 of the Electric Industry Law (Ley de la Industria Eléctrica), by implementing a tariff-setting mechanism diverse from the one determined by CRE.

The Ministry of Finance and Public Credit has been empowered to interpret the provisions of the Decree for any and all administrative purposes therein.

## Contact:

### Legal Services

#### Ramón Bravo

Legal Services Partner  
[rambravo@deloittemx.com](mailto:rambravo@deloittemx.com)  
Tel. 55 5080 6478

#### Héctor Cuevas González

Legal Services Manager  
[hcuevas@deloittemx.com](mailto:hcuevas@deloittemx.com)  
Tel. 55 5080 7214

#### Martín Cortina Camargo

Legal Services Manager  
[mcortina@deloittemx.com](mailto:mcortina@deloittemx.com)  
Tel. 55 5900 1160

#### Ana Paula Gavaldón Alva

Legal Services Manager  
[agavaldon@deloittemx.com](mailto:agavaldon@deloittemx.com)  
Tel. 55 5900 3231

#### Valeria Vázquez

Legal Services Partner  
[vavazquez@deloittemx.com](mailto:vavazquez@deloittemx.com)  
Tel. 55 5080 7548

[www.deloitte.com/mx](http://www.deloitte.com/mx)  
[www.deloitte.com/mx/legales](http://www.deloitte.com/mx/legales)



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For: IOS and Android



Contact:

**Legal Services**

**Pablo Arellano**

[paarellano@deloittemx.com](mailto:paarellano@deloittemx.com)

**Oliver Galindo**

[mcortina@deloittemx.com](mailto:mcortina@deloittemx.com)

**Luis Lavalle**

[llavalle@deloittemx.com](mailto:llavalle@deloittemx.com)

**César Morales**

[cesmorales@deloittemx.com](mailto:cesmorales@deloittemx.com)

**Mauricio Oropeza**

[morepeza@deloittemx.com](mailto:morepeza@deloittemx.com)

**Erika Rodríguez**

[erodriguez@deloittemx.com](mailto:erodriguez@deloittemx.com)

**Diego Valdés**

[dvaldes@deloittemx.com](mailto:dvaldes@deloittemx.com)

**Aguascalientes**

Universidad 1001, piso 12-1  
Bosques del Prado  
20127, Aguascalientes, Ags.  
Tel: +52 (449) 910 8600  
Fax: +52 (449) 910 8601

**Cancún**

Avenida Bonampak SM 6, M 1, lote 1,  
piso 10, 77500, Cancún, Q. Roo  
Tel: +52 (998) 872 9230  
Fax: +52 (998) 892 3677

**Chihuahua**

Av. Valle Escondido 5500  
Fracc. Des. El Saucito E-2, piso 1,  
31125, Chihuahua, Chih.  
Tel: +52 (614) 180 1100  
Fax: +52 (614) 180 1110

**Ciudad Juárez**

Baudelio Pelayo No. 8450  
Parque Industrial Antonio J. Bermúdez  
32400, Ciudad Juárez, Chih.  
Tel: +52 (656) 688 6500  
Fax: +52 (656) 688 6536

**Culiacán**

Insurgentes 847 Sur, Local 103  
Colonia Centro Sinaloa  
80128, Culiacán, Sin.  
Tel: +52 (33) 1454 2000

**Guadalajara**

Avenida López Mateos Norte 2405  
piso 29  
Colonia Italia Providencia  
44648, Guadalajara, Jalisco.  
Tel: +52 (33) 3669 0404  
Fax: +52 (33) 3669 0469

**Hermosillo**

Blvd. Eusebio Francisco Kino No. 315  
Piso 8, Suite 804, Colonia Lomas del Pitic  
83010, Hermosillo, Son.  
Tel: +52 (662) 109 1400  
Fax: +52 (662) 109 1414

**León**

Paseo de los Insurgentes 303, piso 1  
Colonia Los Paraísos  
37320, León, Gto.  
Tel: +52 (477) 214 1400  
Fax: +52 (477) 214 1405 y 1407

**Mazatlán**

Avenida Camarón Sábalo 133  
Fracc. Lomas de Mazatlán  
82110, Mazatlán, Sin.  
Tel: +52 (669) 989 2100  
Fax: +52 (669) 989 2120

**Mérida**

Calle 56 B 485 Prol. Montejo Piso 2  
Colonia Itzimna  
97100, Mérida, Yuc.  
Tel: +52 (999) 913 4032  
Fax: +52 (999) 913 4052

**Mexicali**

Calzada Francisco López Montejano 1342  
Piso 7 Torre Sur  
Fracc. Esteban Cantú  
21320, Mexicali, B.C.  
Tel: +52 (686) 905 5200  
Fax: +52 (686) 905 5231 y 5232

**Ciudad de México**

Paseo de la Reforma 505, piso 28  
Colonia Cuauhtémoc  
06500, México, D.F.  
Tel: +52 (55) 5080 6000

**Monclova**

Bldv. Ejército Nacional 505  
Colonia Los Pinos  
25720, Monclova, Coah.  
Tel: +52 (866) 190 9550  
Fax: +52 (866) 190 9553

**Monterrey**

Av. Juárez 1102, piso 40  
Centro  
64000, Monterrey, N.L.  
Tel: +52 (81) 8133 7300

**Monterrey - La Rioja**

Carr. Nacional 85, 5000, local S-6  
Colonia La Rioja  
64988, Monterrey, N.L.  
Tel: +52 (81) 8155 5757  
Fax: +52 (81) 8155 5758

**Puebla**

Edificio Deloitte, Vía Atlixcayotl 5506, piso 5  
Zona Angelópolis  
72190, Puebla, Pue.  
Tel: +52 (222) 303 1000  
Fax: +52 (222) 303 1001

**Querétaro**

Avenida Tecnológico 100-901  
Colonia San Ángel  
76030, Querétaro, Qro.  
Tel: +52 (442) 238 2900  
Fax: +52 (442) 238 2975 y 2968

**Reynosa**

Carr. Monterrey-Reynosa 210-B, PA  
Fracc. Portal San Miguel  
88730, Reynosa, Tamps.  
Tel: +52 (899) 921 2460  
Fax: +52 (899) 921 2462

**San Luis Potosí**

Av. Salvador Nava Martínez 3125, 3-A  
Fracc. Colinas del Parque  
78294, San Luis Potosí, S.L.P.  
Tel: +52 (444) 102 5300  
Fax: +52 (444) 102 5301

**Tijuana**

Misión de San Javier 10643, Piso 8  
Zona Urbana Río Tijuana.  
22010, Tijuana B.C.,  
Tel: +52 (664) 622 7878  
Fax: +52 (664) 681 7813

**Torreón**

Independencia 1819-B Oriente  
Colonia San Isidro  
27100, Torreón, Coah.  
Tel: +52 (871) 747 4400  
Fax: +52 (871) 747 4409

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