



Prishtinë, 28 January 2016

ERO Code: V_757_2016

Board of the Energy Regulatory Office

Based on:

- Article 8 paragraph 1 sub paragraph 1.6, Article 14 paragraph 2 sub paragraph 2.7 and Article 25 of the Law on Energy Regulator (No. 03/L- 185);
- Article 4, 5 and 13 paragraph 1 sub paragraph 1.2, Article 14, Article 15 paragraph 1 and Article 16 of the Regulation on Authorization Procedure for construction of New Capacities;
- Decision no. V-673-2014 dated on 23 December 2014 for determination of the Feed in tariff for electricity generation from Renewable Energy Sources;
- Request/ Application on granting authorization for construction of New Generation Capacities for electricity generation from Water, in Bistrica River, HP Albaniku 2, with an installed capacity of 9.85 MW, located in "Batahir", ZK Batahir, Municipality of Mitrovica, dated on 03 May 2013, of "Hydro- Line" LLC Company, having its address at "Mbretëresha Teutë", nn- Mitrovicë, Republic of Kosovo;
- Decision no. V-537-2013 dated on 28 June 2013 for granting of Decision on Notification for Preliminary Authorization for: "Hydro- Line" LLC, for construction of New Generation Capacities for electricity generation from Water, in Bistrica River, HP Albaniku 2, with an installed capacity of 9.85 MW, located in "Batahir", ZK ZK Batahir, Municipality of Mitrovica;
- Decision V-691-2015 dated on 20 February 2015 for Admission to the Support Scheme;
- Decision V-735-2015 dated on 15 June 2015 for extension of Decision on Notification for Preliminary Authorization validity time-limit V-537-2013 dated on 28 June 2013, for six (6) more months, respectively up to 28 December 2015;
- Request for Conversion of Decision on Notification for Preliminary Authorization into Authorization for construction of New Generation Capacities for electricity generation from Water, HP Albaniku 2, with an installed capacity of 3.556 MW, located in "Batahir", ZK Batahir, Municipality of Mitrovica, dated on 09.10.2015 of "Hydro-Line" LLC Company , having its address at "Mbretëresha Teutë", nn- Mitrovicë, Republic of Kosovo.
- Request on conversion of installed capacity parameters of 9.98 MW in the total power installed 3.556 MW, in accordance with engineering assessment carried out abroad and presented in the engineering project; and
- Contracts, permits, consents and decisions issued by the relevant institutions, as in Appendix II of this Decision,

in its session held on 28 January 2016 issued the following:



DECISION

ON GRANTING AUTHORIZATION

Hereby, **“Hydro- Line” LLC Company is granted Authorization** for construction of New Capacities for electricity generation from Water, HP Albaniku 2 with an installed capacity of **3.556 MW**, located in “Batahir”, in the cadastral parcel 144-0 ZK Batahir, in accordance with the Construction Permit No. 08-351-86288 dated on 08.10.2015 issued by Municipality of Mitrovica.

Reasoning

- On 03 May 2015, ERO received from **“Hydro-Line”** LLC Company request/application for construction of new generation capacities for electricity generation from Water, in Bistrica River, HP Albaniku 2, with an installed capacity of 9.85 MW, located in “Batahir”, ZK Batahir, Municipality of Mitrovica.
- Following the ascertainment that the applicant demonstrated its suitability for construction of new generation capacities from Water, ERO, on 28 June 2013, issued the Decision on Announcement for Preliminary Authorization no. V_537_2013 and instructed the applicant to fulfill other legal requirements required by the applicable legislation in Kosovo.
- The Decision on Notification for Preliminary Authorization has not implied granting Authorization for Construction, until the requirements set by the Rule on Authorization Procedure for Construction of New Capacities are fulfilled.
- The Decision on Notification for Preliminary Authorization, was issued for two (2) years and in this decision is determined that the “Hydro-Line” LLC Company will be granted the Authorization for Construction, if it will make a written request within this time-limit, to convert the decision on Preliminary Notification into Authorization, fulfilling all requirements set by the Rule On Authorization Procedure for construction of New Generation Capacities and the applicable legislation.
- On 15 July 2015, ERO received from “Hydro-Line” LLC Company a request for extension of the validity time-limit of the Decision on Notification for Preliminary Authorization for construction of New Generation Capacities for electricity generation from Water, in Bistrica River, HP Albaniku 2, with an installed capacity of 9.85 MW, located in “Batahir”, ZK Batahir, Municipality of Mitrovica, for completing the application on granting the Final Authorization.
- On 15 June 2015, ERO issued the Decision V-735-2015 for extension of the Decision on Notification for Preliminary Authorization validity time-limit V-537-2013, dated on 28 June 2013, for six (6) other months, respectively up to 28 December 2015 in order that within this period the application according to the applicable law shall be completed.
- On 09 October 2015, ERO received from the “Hydro-Line” LLC Company the request for conversion of Decision on Notification for Preliminary Authorization into FINAL Authorization for construction of new generation capacities for electricity generation from Water, in Bistrica & Selac Rivers, HP



Albaniku 2, with an installed capacity of 3.556 MW, located in “Batahir”, ZK Batahir, Municipality of Mitrovica, attaching evidence issued by the relevant authorities for meeting all environmental requirements, the right on the use of land, the right on the use of water, Construction Permit and other legal requirements related to the project in accordance with the applicable legislation.

•Following the evaluation of the attached evidence and receipt of additional evidence required by ERO and based on legal provisions mentioned in the introductory part of this decision, ERO decided as in the enacting clause of this decision.

II. Decision on Authorization is granted to the “Hydro-Line” LLC Company for two (2) years, and the latter is obliged to build, within this period, new Generation Plant for electricity generation from Water.

III. Decision shall be issued in Albanian Language and translated into Serbian. In case of any discrepancy between the versions, the Albanian version shall prevail.

IV. This Decision shall enter into force on the date of approval by the Board, and will be published in the EROs official website of ERO.

Legal Advice: The party dissatisfied with this Decision may initiate an administrative dispute with the Competent Court, within thirty (30) days from the date of receipt of this Decision or the date of its publication in the ERO website, whichever occurs last.

Enclosed to the Decision: Appendix I and Appendix II.

ERO Board:

Enver Halimi, Chairman

Krenar Bujupi, Member

Arsim Janova, Member

Qemajl Mustafa, Member

Besim Sejfijaj, Member



APPENDIX 1

Energy Regulatory Office (ERO), exercising its powers entrusted to it under Article 38 of the Law on Energy Regulator and in accordance with Article 16 of the Rule on Authorization Procedure for Construction of New Capacities, to the “Hydro-Line” LLC Company, having its address at: St. “Mbretëresha Teutë” nn. Mitrivicë, Republic of Kosovo, dated on **28 January 2016**, grants the following:

AUTHORIZATION

- 1. For construction of new generation capacities for electricity generation from Water, for HP Albaniku 2, with an installed capacity of 3.556 MW, located in “Batahir”, in the cadastral parcel 144-0 ZK Batahir, in accordance with Construction Permit No. 08-351-86288, dated on 08 October 2015, issued by the Municipality of Mitrovica.**
2. With this authorization , the “Hydro-Line” LLC Company is authorized to construct New Generation Capacities in the above-mentioned location, in accordance with terms and conditions set herein.
3. This Authorization is issued for two (2) years, starting from the day of issue. ERO, at the request of the party, may extend the validity of Authorization, pursuant to the applicable legislation.
4. The Authorized Party, during the entire validity period of this Authorization , must fulfill the following:
 - 4.1** All conditions set out under this Authorization, and
 - 4.2.** All conditions set out under the applicable legislation in Kosovo, including those on environment.
5. Energy Regulatory Office may modify this Authorization in accordance with provisions of Article 19 of the Rule on Authorization Procedure for Construction of New Capacities.
6. In case the Authorized party goes bankrupt prior to the authorized generation establishment will have been constructed, then this Authorization shall be suspended and shall remain as such until ERO has established that the conditions for withdrawal of suspension have been achieved. As long as this Authorization is suspended, the entire further works for constructing the generation plant are to be stopped. Otherwise, administrative measures and fines set out under the applicable legislation can be undertaken against the Authorized party.
7. The validity of this Authorization shall automatically expire upon the expiration of the time-limit set out under item II of the present Decision or upon the expiration of other time-limits set out by ERO in accordance with item 3 Appendix I of the present Authorization.



8. In case the Authorized party violates any of the conditions of the present Authorization, and the applicable legal provisions, ERO will suspend the Authorization in accordance with provisions of the Rule on Authorization Procedure for Construction of New Capacities. From the date this Authorization is suspended, the entire further works for constructing the generating establishment are to be stopped. In case of noncompliance, administrative measures and fines set out under the applicable legislation may be undertaken against the Authorized party.

9. The authorized party shall inform ERO in writing and ask for prior consent for any changes to the existing elements of generators or any addition of new elements, which are not included in the project being part of the application.

APPENDIX 2

List of documents (permits, consents, decisions, contracts, etj.), issued by the Institutions of the Republic of Kosovo related to granting the **Authorization** to "Hydro-Line" LLC Company, for construction of new generation capacities from water, HP Albaniku 2 with an installed capacity of 3.556 MW, located in "Batahir" in the cadastral parcel 144-0 ZK Batahir, Municipality of Mitrovica:

-**Decision on Proclamation with Special Priority**- no.02/06-9536 dated on 25.04.2013 MA Mitrovica;

-**Consent on temporary destination change of Forest Land**- no.ref. KE 496/14 dated on 14.05.2014 for the temporary utilization of rented Forest Land, issued by the Kosovo Forestry Agency;

-**Contract on temporary utilization of Forest Land**- no.ref. KE 496/14 dated on 14 May 2014 on the utilization of the rented Forest Land, for placement of water pipes to furnish four (4) mini hydro power plants, with a total surface of: 01.60.62 hectares or 16.162.00 m² which is managed by Kosovo Forestry Agency;

-**Decision on Environmental Consent**- no. 13/1284/2-164/DMM dated on 18 August 2013 issued by Ministry of Environment and Spatial Planning (MESP)- Office of Secretary Permanent (OSP);

-**Decision on Water Permit**- no.1326/13-ZSO-939/2013, dated on 02.10.2013 to "Hydro-Line" LLC Company on water utilization for HP Albaniku 2, located in "Batahir" ZK Batahir, Municipality of Mitrovica, issued by the Ministry of Environment and Spatial Planning (MESP)- Office of Secretary Permanent (OSP);

- **Electricity Connection Consent**- no.4341 dated on 03.06.2015 issued by KEDS

-**Construction Permit**- no.08-351-86288 dated on 08 October 2015 for constructing the construction object HP Albaniku 2, with an installed capacity of 3.556 MW located in "Batahir" cadastral parcel 144-0 according to the estate certificate P-71208007-00144-0, ZK Batahir, in a place called "Shullon", Municipality of Mitrovica, issued by Department of Urbanism, Planning and Environment of Municipality of Mitrovica.

Project of Hydro Power Development- (Placement Plan of HP Albaniku 2),

Order Confirmation on the type of turbines issued by WASSERKRQFT GmbH & CO kg, Austria



(Stamped with the random stamp of ERO, on): _____

(Signature (on behalf of the ERO Board): _____