



Prishtinë, 23 February 2016

ERO Code: V\_791\_2016

### The Board of Energy Regulatory Office

#### Based on:

- Article 8 paragraph 1 sub paragraph 1.6 Article 14 paragraph 2 sub paragraph 2.16 and Article 25 of the Law on Energy Regulator (No.03/L-185);
- Article 14 paragraph 6 and 7 of the Rule on Authorization Procedure for Construction of New Capacities;
- Decision on Notification for Preliminary Authorization V-703-2015 dated on 20 February 2015 to "SOLAR GREEN ENERGY" LLC Company that it has proved its suitability for project development for construction of New Generation Capacities from solar panels/photovoltaic , in a place called Xhimarez, CA Novoselë, with an installed capacity of 3 MW, MA Kamenica, Republic of Kosovo, and
- Request on extension of validity time-limit of Decision on Notification for Preliminary Authorization for construction of New Generation Capacities for electricity generation from solar panels/photovoltaic in a place called Xhimarez, CA Novoselë, with an installed capacity of 3 MW, CA Kamenica, dated on 18 January 2016, of "SOLAR GREEN ENERGY" LLC Company, having its address at " Luan Haradinaj" no.21- Prishtinë, Republic of Kosovo,

**in its session held on 23 February 2016, issued the following:**

## DECISION

- I. The validity time limit of Decision on Notification for Preliminary Authorization V\_703\_2015 dated on 20 February 2015 , issued to "SOLAR GREEN ENERGY" LLC Company is **EXTENDED** for an additional time limit of six (6) months, namely until **20 August 2016**.

## Reasoning



- On 16 December 2015, ERO received by “SOLAR GREEN ENERGY” LLC Company the application on obtaining the authorization for construction of New Generation Capacities for electricity generation from solar panels/photovoltaic, in a place called Xhimarez, CA Novoselë, with an installed capacity of 3 MW, CA Kamenica, Republic of Kosovo.
- Following the ascertainment that the applicant has proved its compliance for construction of New Generation Capacities from solar panels/photovoltaic, on 20 February 2015, ERO issued the Decision on Notification for Preliminary Authorization V\_703\_2015, 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 until the requirements set by the Rule on Authorization Procedure for Construction of New Capacities are fulfilled.
- Notification on Decision for Preliminary Authorization determines the targets availability and the applicant’s admission to the Support Scheme and automatic guarantee of the Feed in Tariff.
- The Notification on Decision for Preliminary Authorization determines that the applicant is guaranteed the bond of Power Purchase Agreement with Public Suppliers in a twelve (12) years period, which shall be concluded at least 30 (thirty) days before the date of commencement of generating operation.
- Decision on Notification for Preliminary Authorization is issued for one (1) year time-limit and in this decision is determined that “ **SOLAR GREEN ENERGY**” LLC Company will be granted Authorization if within this time-limit it makes a written request for conversion of Decision on Preliminary Notification into Authorization meeting all terms and conditions set by Rule on Authorization Procedure for construction of New Capacities and applicable legislation.
- The applicant “ SOLAR GREEN ENERGY” LLC Company on 18 January 2016 submitted the request for extension of validity time limit of Decision on Notification for Preliminary Authorization, and in its request explained that: following the issuance of decision on Notification for Preliminary Authorization, they have undertaken all necessary steps to meet conditions set by ERO.
- The applicant explained that they are in the process of obtaining a Construction Permit by Municipality of Kamenica which has not been provided so far, despite that they were provided the utilization of municipal real estate for construction of New Generation Capacities from solar panels/photovoltaic, but they were informed by Department of Urbanism of Municipality of Kamenica that they cannot provide a Construction Permit for construction of New Generation Capacities in that area, because the construction of sports



fields was foreseen to be made in the previously mentioned area. They have explained that this represents a barrier which cannot be controlled. Meanwhile, they have explained that they have been notified by Municipality of Kamenica that they are undertaking all required legal steps on revision of Zoning map of Municipality of Kamenica.

- They have also explained that they are in the process of obtaining an electricity connection permit for connection to KEDS network, where the request along with the energetic project are being reviewed. Therefore, based on Article 16 paragraph 6 of the Rule on Authorization Procedure they required to extend the Decision on Notification for Preliminary Authorization for six (6) additional months in accordance with the applicable legislation, so that they can continue completion of evidence and implementation of the project in general.

- Following the analysis of request for extension of validity time limit of Decision on Notification for Preliminary Authorization, ERO assessed it and based on legal provisions mentioned in the introductory part of this decision, decided as in the enacting clause of this decision.

- **“SOLAR GREEN ENERGY” LLC** Company is obliged to make a written request within this time-limit for conversion of Decision on Preliminary Notification into Final Authorization for construction of New Generation Capacities for generation of electricity from solar panels/photovoltaic in a place called Xhimarez, CA Novoselë, with an installed capacity of 3MW, Municipality of Kamenica, namely until **20 August 2016** meeting all legal requirements determined by the Rule on Authorization Procedure for construction of New Generation Capacities and applicable legislation.

**III.** Following the expiry of the above-mentioned time limit, Decision V-703-2015, dated on 20 February 2015, on Notification for Preliminary Authorization shall be automatically repealed, and it shall not be reviewed by the ERO Board.

**IV.** The Decision shall be issued in Albanian language and will be translated into Serbian language. In case of any discrepancy between the versions, the Albanian version shall prevail.

**V.** This Decision shall enter into force on the date of approval by the Board and will be published in the ERO’s official website.

**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.

**ERO Board:**

Enver Halimi, Chairperson

Qemajl Mustafa, Member

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Krenar Bujupi, Member

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Arsim Janova, Member

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Besim Sejfić, Member

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**This decision is sent to:**

- The party,
- Municipality of Kamenica,
- Secretary General of MESP, and
- ERO Archive.