Prishtinë, 23 June 2016
ERO Code: V_ 825_2016

The Board of Energy Regulatory Office

Based on:

- Article 8, paragraph 1 sub-paragraph 1.6, Article 14 paragraph 2 sub paragraph 1.7 and Article 25 of the Law on Energy Regulator (No. 03/L-185);

- Article 4, 5 and 13 paragraph 1 and 14 of the Rule on Authorization Procedure for Construction of New Capacities;

- Administrative Instruction No. 01/2013 on Renewable Energy Targets;

- Article 4 paragraph 9,10 and 11 of the Rule on Support Scheme;

- Decision No. V-810-2016, dated on 19 May 2016 on determination of Feed-in Tariff for generation of electricity from Renewable Energy Sources;

- Application/Request on Authorization for construction of new generation capacities for electricity generation from solar panels/photovoltaic, located in Madanaj, CA Kusar, with an installed capacity of 3 MW, Municipality of Gjakova, dated on 11.02.2016, of "VITA ENERGY" LLC Company, having its address in "Marigona Rezidence"area, Preoc, Municipality of Graqanica, Republic of Kosovo, and

- Application for admission to the Support Scheme;

In its session held on 23 June 2016, issued the following:

DECISION

On Notification for Preliminary Authorization

I. Energy Regulatory Office (ERO) hereby concludes that "VITA ENERGY" LLC Company has proved its compliance in regarding the project development for construction of new generation capacities for electricity generation from solar panels/photovoltaic, in Madanaj, CA Kusar, with an installed capacity of 3 MW, in Municipality of Gjakova, Republic of Kosovo.

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II. The applicant "VITA ENERGY" LLC Company shall be granted the AUTHORIZATION for construction of new generation capacities from solar panels/photovoltaic, after it meets the requirements deriving from Articles 14 and 15 of the Rule on Authorization Procedure and other requirements of other applicable legislation related to construction of new generation plants.

III. The Decision on Notification for Preliminary Authorization does not entitle the holder to start construction of New Generation Plants before it meets all the conditions and requirements set forth in item II herein.

IV. Decision on Notification for Preliminary Authorization stipulates that the process for admission to the Support Scheme shall be suspended, until the available targets are released, according to Administrative Instruction no.01/2013 issued by Ministry of Economic Development of the Republic of Kosovo.

V. Upon Decision on Notification for Preliminary Authorization , it is stipulated that the application of "VITA ENERGY" LLC Company, shall be considered as **"pending",** for admission to the Support Scheme.

VI. The Decision on Notification for Preliminary Authorization is issued for one (1) year period, and within this period the applicant is obliged to meet the requirements under item II of the enacting clause of this Decision, and shall request in writing granting of Authorization for construction of new generation plants.

VII. The term of Decision on Notification for Preliminary Authorization, stipulated under item IV of the enacting clause of this decision, shall not start from the date of issuance of this decision, but from the date of the written notice from ERO, for inclusion to the Support Scheme.

REASONING

- On 11.02.2016, ERO received from "VITA ENERGY" LLC Company the application for granting authorization for construction of new generation capacities for electricity generation from solar panels/photovoltaic, in Madanaj, CA Kusar, with an installed capacity of 3 MW, in Municipality of Gjakova, Republic of Kosovo.

- On 14.02.2016, ERO received from "VITA ENERGY" LLC Company the application for admission to the Support Scheme.

- On 11.02.2016, ERO issued a notice to "VITA ENERGY" LLC Company, which emphasized that: ERO has received/highlighted some applications for construction of solar panels and their capacity met the targets for utilization and support of electricity generation from RES, stipulated under Administrative Instruction no.01/2013 issued

by Ministry of Economic Development. It also announced that the Rule on Support Scheme guarantees the Feed-in Tariff only to the applicants that are granted with Preliminary or Final Authorization, which are within the targets stipulated under Administrative Instruction no.01/2013.

- In the relevant decision, ERO stated that: If the applicant wants to proceed further with the procedures for obtaining the Decision on Notification for Preliminary Authorization or Final Authorization, it will be specified in the relevant decision that the process for admission to the Support Scheme shall be suspended until the available targets are released, according to Administrative Instruction no.01/2013, issued by MED, and explained that ERO shall notify the applicant by order of applications, upon the release of available targets.

- Following the evaluation of the relevant evidence and requests attached to the application, and other additional supplementing evidence requested by ERO, and assessment of application's content for admission to the Support Scheme and also based on legal provisions mentioned in the introductory section of this decision, ERO decided as in the enacting clause of this decision.

VIII. 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.

IX. The 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 at 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, chairman

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Krenar Bujupi, member

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Arsim Janova, member

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Qemajl Mustafa, member

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Besim Sejfijaj, member

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This Decision is sent to:

- The party,
- Municipality of Gjakova,
- MESP Permanent Secretary,and
- ERO Archive.