



Republika e Kosovës
Republika Kosova - Republic of Kosovo

ZYRA E RREGULLATORIT PËR ENERGIJË
REGULATORNI URED ZA ENERGIJU
ENERGY REGULATORY OFFICE



Pristina, 15 July 2016
ERO Code: V_832_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 paragraphs 6 and 7 of the Rule on Authorization Procedure for Construction of New Capacities;
- Decision on Notification for Preliminary Authorization V-741-2015, dated on 16 July 2015, to N.T.SH. "Eling" for proving its compliance regarding project development for construction of new generation capacities for electricity generation from solar panels/photovoltaic in a place called Kuke CA Livagjë, with an installed capacity of 0.4 MW, in Municipality of Graçanica, 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 Kuke CA Livagjë, with an installed capacity of 0.4 MW, in Municipality of Graçanica, dated on 24.06.2016 of N.T.SH. "Eling" Company, having its address at: "Dardania" SU 1/1 Ent.2 No. I-b, 10000, Municipality of Prishtina, Republic of Kosovo

In its session held on 15 July 2016, issued the following:

DECISION

- I. The validity time-limit of Decision on Notification for Preliminary Authorization V_741_2015 issued to N.T.SH. "Eling" company, dated on 16 July 2015, is hereby **EXTENDED** for an additional time-limit of 6 months, namely until **16 January 2017**.
- II. **N.T.SH. "Eling"** is obliged to make a written request within this time-limit for conversion of Decision on Notification for Preliminary Authorization into Final Authorization for construction of new generation capacities for electricity generation from solar panels/photovoltaic in a place called Kuke CA Livagjë, with an installed capacity of 0.4 MW, in Municipality of Graçanica, namely until **16 January 2017**, 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limit, Decision on Notification for Preliminary Authorization V-741-2015, dated on 16 July 2015, shall be automatically repealed and it shall not be reviewed by ERO Board.



Reasoning

- On 26.01.2015, ERO received from N.T.SH. “Eling” Company the application on obtaining the authorization for construction of new generation capacities for electricity generation from solar panels/photovoltaic, in a place called Kuke, CA Livagjë, with an installed capacity of 0.4 MW, Municipality of Graçanica, Republic of Kosovo.
- Following the ascertainment that the applicant has proved its compliance for construction of new generation capacities from solar panels/photovoltaic , on 16 July 2015 ,ERO issued the Decision on Notification for Preliminary Authorization V_741_2015, and instructed the applicant to meet 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 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 this decision determines that N.T.SH. “Eling” 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 N.T.SH. “Eling” Company submitted the request for extension of validity time-limit of Decision on Notification for Preliminary Authorization on 24.06 2016 ,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 on the phase of completion of remaining evidence, an environmental impact project study is compiled and following the public hearing they shall be issued an Environmental Consent by MESP, they are also in the process of obtaining a Construction Permit from Municipality of Graçanica and an Electricity Connection Consent from KEDS JSC. Therefore, based on legal provisions of Rule on Authorization Procedure, they required a time-limit extension of Decision on Notification for Preliminary Authorization in accordance with applicable legislation, in order to continue the completion of evidences and execution of the project in general.
- Following the analysis of the request for extension of validity time limit of Decision on Notification for Preliminary Authorization, ERO evaluated it and based on legal provisions mentioned in the introductory part of this decision decided as in the enacting clause of this decision.



IV. The Decision shall be issued in Albanian language and shall 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 shall be published on 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 on ERO's website, whichever occurs last.

ERO Board

Enver Halimi, Chairman

Krenar Bujupi, Member

Arsim Janova, Member

Qemajl Mustafa, Member

Besim Sejfijaj, Member

This Decision is sent to:

- The party
- Municipality of Graçanica
- Secretary Permanent of MESP and
- ERO Archive