



ZYRA E RREGULATORIT PËR ENERGJI
ENERGY REGULATORY OFFICE
REGULATORNI URED ZA ENERGIJU

ERO/Rule No. 12/2017

RULE ON GENERAL CONDITIONS OF ENERGY SUPPLY

Pristina, April 2017

Pursuant to the authority given under Article 26 paragraph 1, subparagraph 1.1 of the Law no. 05/L-084 on the Energy Regulator and Article 46.3, 52.1 and 55 of the Law on Electricity and Article 34 paragraph 1.5 of the Law on Thermal Energy, the Board of the Energy Regulatory Office in a session held on 13.04.2017 has adopted the:

RULE ON GENERAL CONDITIONS OF ENERGY SUPPLY

CHAPTER I GENERAL PROVISIONS

Article 1

Purpose

The purpose of this Rule is to determine general conditions of energy supply as well as duties and obligations of energy enterprises and customers. This Rule describes the general principles of connections (application for connection, connection offer, connection and supply agreements etc.), and use of the system, reading, metering, billing and collection and unauthorized use of energy.

Article 2

Scope

1. The dispositions of this Rule are applicable to the energy enterprises providing energy service and energy supply (hereinafter "energy enterprises") and to final customers using such services and energy (hereinafter "customers").

Article 3

Structure

1. This Rule includes the following:
 - 1.1. principles and elements of Connection Agreements;
 - 1.2. connection to the system;
 - 1.3. use of system;
 - 1.4. terms and conditions for Supply Contract including the Universal Service and Guaranteed Supply;
 - 1.5. access to the customer properties;
 - 1.6. reading of meters and billing;
 - 1.7. payment of bills ;
 - 1.8. unauthorized use of energy; and
 - 1.9. compensation to customers for failure to meet general conditions of supply.
2. Standardized forms of applications for connection and supply, connection offer and supply contracts prepared by the supplier shall be submitted to Energy Regulatory Office ("ERO") for approval and then published on the energy enterprise's web-site.

Article 4

Definitions

1. Terms used in this Rule have the following meanings:
 - 1.1. **"Accession Agreement"**- the document signed by all parties who agree to be bound by the

Market Rules.

- 1.2. **“Application fee”** - the fee covering the System Operator’s administrative costs for processing an application for connection, published by the System Operator after approval by ERO;
 - 1.3. **“Billing period”** – has a meaning as defined in the Metering Code;
 - 1.4. **“Connection Agreement”** - agreement between a system operator and a system user that describes procedures of and payment for connection, commencement, maintenance and termination of the connection to the system;
 - 1.5. **“Supply Agreement”** – agreement between a supplier and a final customer;
 - 1.6. **“Connection charging methodology”** - methodology developed by a system operator in accordance with Article 7 of this Rule;
 - 1.7. **“Connection charge”** - charge that shall be paid by system users for connection to the network;
 - 1.8. **“Energy”** - any form of produced or obtained energy (electricity, thermal energy) intended for supply or sale;
 - 1.9. **“Energy undertaking”** - any natural or legal person that performs one or more licensed activities in electricity generation, transmission, distribution, supply, trading, market organization and is responsible for commercial, technical or maintenance related to the stated activities, excluding the final consumer;
 - 1.10. **“Market Rules Framework Agreement”** - is the agreement signed by original parties, through which the parties have access to Market Rules which are made binding between parties (hereinafter “Framework Agreement”);
 - 1.11. **“Network”** - the infrastructure necessary for the transmission or the distribution of energy (electricity or thermal energy);
 - 1.12. **“Party Applicant”** - a party applying to sign a Connection Agreement.
 - 1.13. **“Supplier”** - an energy enterprise which carries out the supply activity;
 - 1.14. **“System”** - a system of connected equipment intended for the transmission and distribution of electricity or thermal energy;
 - 1.15. **“System operator”** - any Transmission System Operator or Distribution System Operator for electricity and any Distribution System Operator for thermal energy;
 - 1.16. **“System users”** - natural or legal persons supplying energy to, or being supplied by, a transmission and/or distribution system;
 - 1.17. **Unauthorized consumption of energy”** - means consumption of energy as set forth in Chapter VIII of this Rule;
 - 1.18. **“Uncontracted consumption”** - consumption of energy as set forth in Article 28 paragraph 1 of this Rule;
 - 1.19. **“Energy Regulatory Office”**- ERO (hereinafter “the Regulator”)- is an independent agency in energy sector, established by Law on Energy Regulator;
2. Any other terms used in this rule shall have the same meaning as the terms used in the Law on Energy, the Law on the Energy Regulator, the Law on Electricity, the Law on Thermal Energy, Law on Natural Gas and any other applicable laws in Kosovo.

CHAPTER II
GENERAL PRINCIPLES, RIGHTS AND OBLIGATIONS

Article 5
Electricity Supply

1. In accordance with the provisions of this Rule, all customers have the right and obligation to:
 - 1.1. fair and non-discriminatory treatment in the supply of energy by suppliers; and open access to information by the supplier;
 - 1.2. require connection of their energy facilities and equipment to the networks of the system operators, when such connection is technically and economically feasible, according to the provisions of the Grid or the Distribution Code or any other applicable technical code or rule;
 - 1.3. have transparent contractual relations with the supplier;
 - 1.4. submit complaints according to the provisions of the Rule on Resolution of Complaints and Disputes in the Energy Sector;
 - 1.5. pay for the energy consumed and for the use of system, according to their contract with the Energy Supplier and the system use charges approved by ERO;
 - 1.6. receive compensation from supplier for energy not supplied, or supplied at low quality energy or service, only in accordance with the supply contract and Quality Standards of Electricity Supply and Services that are provided to customers;

2. Every **Supplier** shall:
 - 2.1. sign Framework Agreement or Accession Agreement with Market Operator;
 - 2.2. sign Connection Agreement with the Distribution System Operator on behalf of customers. With respect to connections in the Transmission System, the applicant directly signs the Connection Agreement with the Transmission System Operator;
 - 2.3. comply with the provisions of this Rule and of any applicable rules, technical and commercial codes;
 - 2.4. bill and collect payments from the customers;
 - 2.5. draft the offers, contracts, bills, statements and notices addressed to the customers;
 - 2.6. establish a department responsible for protecting and providing information, support and advice to the customers;
 - 2.7. keep and update records regarding metering, billing and payment of bills, application for supply or modification, disconnection signed agreements, supply contracts or any other records necessary, as provided for in this Rule and relevant codes;
 - 2.8. handle the complaints of its customers according to the provisions of the Rule on Resolution of Complaints and Disputes in the Energy Sector;
 - 2.9. provide customers with services according to the quality standards of Electricity Supply and Services and any other rule in force;
 - 2.10. submit to ERO for review and approval, a summary of customer rights and obligations that must be made available to customers;
 - 2.11. provide customers with the written summary of their rights and responsibilities, in particular at the time of signing of Supply Contract;
 - 2.12. submit to ERO for review and approval in advance the form of the Supply Contracts offered to customers;
 - 2.13. provide information to the customers on behalf of the system operator.

3. The **System Operator** shall:
 - 3.1. comply with the provisions of this Rule, technical codes and other applicable rules;
 - 3.2. respond within thirty (30) days to any application for connection submitted by the applicants for connection to the system;
 - 3.3. develop a Connection Charging Methodology and Connection Tariffs and submit these to ERO for approval;
 - 3.4. develop standard Connection Agreements in compliance with the relevant Grid Code;
 - 3.5. connect any applicant wishing connection into system, if such connection is technically and economically feasible under the conditions set forth in the Connection Agreement and charge taxes set forth in accordance with the Connection Charging Methodology;
 - 3.6. publish on the official web site the Connection Charging Methodology approved by ERO;
 - 3.7. maintain the connections and network according to the provisions of the technical codes and relevant connection agreements;
 - 3.8. collect from system users the system charges;
 - 3.9. provide correct and regular reading of the meters;
 - 3.10. compile connection offers
 - 3.11. keep and update the data related to metering, connection and connection agreements, applications for connection and change of connection; billing towards system users, planned and unplanned outages of supply and compatibility with Rule on electricity supply quality and service and all other data pursuant to provisions of other applicable Rules;
 - 3.12. review written complaints related to meter issues;
 - 3.13. test and repair the connections and the meters;
 - 3.14. provide to suppliers information regarding the connection and use of system;
 - 3.15. avoid any discrimination when offering its services.
4. Within ninety (90) days of receiving the license, the System Operator is obliged to develop procedures related to conditions for energy supply, in accordance with this Rule. All such methodologies/procedures should be transparent and non-discriminatory and be submitted to ERO for review and approval and be published on the official website.
5. Within ninety (90) days, the System Operator is obliged to develop methodologies/procedures regarding the conditions of connection to the system in accordance with this Rule. All such methodologies/procedures should be transparent and non-discriminatory and be submitted to ERO for review and approval and be published in the official web site.

Article 6

Thermal Energy Supply

1. All final customers within an area served by a Public Supplier shall have the right, where technically and economically feasible, to enjoy a service of thermal energy supplies from the networks of heating enterprises carrying out public services at prices regulated by the Regulator in accordance with this Rule.
2. All final customers within an area served by a thermal energy distribution network where no Public Supply Obligation applies shall have the right, where technically and economically feasible, to be connected to the network in accordance with this Rule and the Distribution Code, as well as other applicable rules and codes.

3. In accordance with provisions of this Rule, all customers are entitled and obliged to:
 - 3.1 fair and non-discriminatory treatment in the supply of thermal energy by suppliers; and open access to information by the supplier;
 - 3.2 have transparent contractual relations with the supplier;
 - 3.3 submit complaints against any unlawful act, according to the provisions of the Rule on Resolution of Complaints and Disputes in the Energy Sector;
 - 3.4 pay for the thermal energy consumed and for the use of system, according to their contract with the Energy Supplier and the system use charges approved by the Regulator;
 - 3.5 receive compensation from supplier for energy not supplied, or supplied at low quality energy or service, only in accordance with the supply contract and Quality Standards of Electricity Supply and Services that are provided to customers;
4. The **Supplier** shall:
 - 4.1 sign a Connection Agreement with the Thermal Energy Distribution System Operator on behalf of the customers;
 - 4.2 comply with the provisions of this Rule and of any applicable rules, technical and commercial codes;
 - 4.3 bill and collect payments from the customers;
 - 4.4 draft the offers, contracts, bills, statements and notices addressed to the customers;
 - 4.5 establish a department responsible for protecting and providing information, support and advice to the customers;
 - 4.6 keep and update records regarding metering, billing and payment of bills, application for supply or modification, disconnection signed agreements, supply contracts or any other records necessary, as provided for in this Rule and relevant codes;
 - 4.7 handle the complaints of its customers according to the provisions of the Rule on Resolution of Complaints and Disputes in the Energy Sector;
 - 4.8 provide customers with services and supply, in accordance with respective applicable rules and standards;
 - 4.9 submit to the Regulator for review and approval, a summary of customer rights and obligations that must be made available to customers;
 - 4.10 provide customers with the written summary of their rights and responsibilities, in particular at the time of signing of Supply Contract;
 - 4.11 submit to the Regulator for review and approval in advance the form of the Supply Contracts offered to customers;
 - 4.12 provide information to the customers on behalf of the system operator.
5. The **System Operator** shall:
 - 5.1 comply with the provisions of this Rule, technical codes and other applicable rules;
 - 5.2 respond within thirty (30) days to any application for connection;
 - 5.3 develop a Connection Charging Methodology and Connection Tariffs and submit these to the Regulator for approval;
 - 5.4 develop standard Connection Agreements in compliance with the relevant Grid Code and other applicable rules;

- 5.5 connect any applicant wishing connection into system, if such connection is technically and economically feasible under the conditions set forth in a connection agreement made with a Supplier on behalf of a Customer and charged for in accordance with the Connection Charging Methodology and Connection Tariffs;
 - 5.6 publish on the official web site the Connection Charging Methodology approved by the Regulator;
 - 5.7 maintain the connections and network according to the provisions of the technical codes and relevant connection agreements;
 - 5.8 provide correct and regular reading of the meters;
 - 5.9 keep and update the data related to metering, connection and connection agreements, applications for connection and change of connection; billing towards system users, planned and unplanned outages of supply and compatibility with quality criteria and all other data pursuant to provisions of other applicable rules;
 - 5.10 review written complaints related to meter issues;
 - 5.11 test and repair the connections and the meters;
 - 5.12 provide to suppliers information regarding the connection and use of system;
 - 5.13 avoid any discrimination when offering its services.
- 6 Heating season starts from 15 October of the current year and lasts until 15 April of the next year. Depending on weather conditions, the heating season may be shortened or extended (the extraordinary heat supply).
- 7 Heating season shall be prolonged maximally from 1st of October until 30th of April, by applying extraordinary thermal energy supply according to the following conditions:
- 7.1 extraordinary heat supply shall be applied in the case when, according to the data from meteorological services or according to the data from the thermal energy undertaking, the outside temperature measured at 21:00 in the area covered by the thermal energy enterprise, for three days in a row is recorded below 12⁰C;
 - 7.2 extraordinary heat supply shall stop in the case when, according to the data from meteorological services or according to the data from the thermal energy undertaking, the outside temperature measured at 21:00 in the area covered by the thermal energy enterprise, for three days in a row is recorded above 12 °C.
8. The heating season shall be shortened with temporary thermal energy supply outage only in cases when according to the data from meteorological services or according to the data from thermal energy undertaking, the outside temperature measured at 21:00 in the area covered by thermal energy undertaking, for two days in a row is recorded 12 °C or above and when weather forecast from meteorological services predicts that the temperature for the next three days will be above 12 °C.

CHAPTER III CONNECTION TO THE SYSTEM

Article 7

General Principles of Connection Charging Methodology

1. Electricity system operators shall develop connection charging methodologies in accordance with Tariff methodologies approved by the Regulator that includes charges for:

- 1.1. Prior activities necessary in order to design, build and maintain the connection in response to an application by a system user;
 - 1.2. installation of electrical lines or heating pipes for the purposes of connection at entry or exit points to the network;
 - 1.3. installation of metering equipment for generators;
 - 1.4. activities for the purpose of connection or modification of the system;
 - 1.5. cost related to circumstances where the electrical lines or heat pipelines, energy plants to be installed are of greater size than that required for use of network;
 - 1.6. maintenance and repair (including any capitalized charge) required for connection;
 - 1.7. disconnection from the network and the removal of equipment (energy facilities, lines, meters,).
2. The Connection Charging Methodology shall make provision for appeals by applicants to the Regulator against connection offers issued by system operators.
 3. The Connection Charging Methodology shall be designed in such manner as not to discriminate between similar parties connecting to the network when charging for new connections or the replacement or alteration of existing connection.

Article 8

Application for Connection

1. Based on the Connection Charging Methodology and the relevant Grid Code, the applicant submits his application to the System Operator.

Article 9

Connection Offer

1. After registering the application for connection/or modification of existing connection, the system operator shall make necessary arrangements to study technical requirements of the connection, if necessary visit the premises subject to the application and draft and deliver a written connection offer in accordance with the Connection Charging Methodology.
2. The offer for connection to the electricity network shall contain information in relation to :
 - 2.1. those applicants as defined in the Tariff Methodology and Connection Charging Methodology, works required to connect a system user to existing transmission or distribution networks and for the obtaining of any consents necessary for such purpose; hereby termed as the “shallow connection”;
 - 2.2. those applicants as defined in the Tariff Methodology and Connection Charging Methodology, works required to connect a system user to existing transmission or distribution networks and for the obtaining of any consents necessary for such purpose in case where it is required for the extension or reinforcement of the transmission or distribution network to accommodate the expected demand or capacity requirements of the applicant; hereby defined as the “deep connection”;
 - 2.3. those applicants receiving supply at a voltage level and falling within a maximum demand and distance from the existing distribution network, as defined in the Tariff Methodology and Connection Charging Methodology, a standard connection charge;
 - 2.4. the installation of appropriate group meters, namely the required suitable meters to enable the system operator to measure electricity at the entry point or exit point;

- 2.5. the installation of such switchgear or other equipment as may be required;
- 2.6. the installation, where required, of interval meters with telemetry or data processing equipment for the purpose of enabling applicants who are required to do so to comply with the Market Rules.
3. In case of connection to the thermal energy distribution network, the connection offer shall contain:
 - 3.1 data on required work for connection of a customer/system user, as well as obtaining the required consent apropos
 - 3.2 a connection charge set out in accordance with Tariff Methodology and Connection Charging Methodology;
 - 3.3 data on installation of required proper meters which enable thermal energy metering from the distribution system operator at entry point in the distribution system (this is applicable for system users);
 - 3.4 data on installation of other required equipment for execution of connection and safe network operation;
4. In addition to requirements in paragraph 3 of this Article, the connection offer shall contain the technical conditions of connection as attachment to the offer, which shall specify:
 - 4.1. technical parameters of thermal energy system;
 - 4.2. location of the thermal sub-station, specifying point of connection and the mode of the connection to the supply pipeline;
 - 4.3. ownership limits of the installation inside the thermal substation;
 - 4.4. the projected thermal energy flow and regulation devices
 - 4.5. criteria related to thermal substation with respect to specific construction criteria for substations, specification of substation equipment and location of valves for flow control, thermal energy meter and the meter for treated water that supplies the secondary system;
 - 4.6. criteria related to the internal installation of heat.
5. In making an offer for connection agreement or in replying to an application for connection, the system operator shall set out:
 - 5.1. the date by which any works required to obtain permit to access to the network shall be completed;
 - 5.2. the respective charges to be paid in respect of the services required shall be presented in such a way to comply with connection charging methodology; and
 - 5.3. such other detailed terms in respect of each of the services required for the purpose of the agreement.
6. For the purpose of determining and charging an appropriate proportion of the connection costs in proportion to costs incurred directly or indirectly incurred in carrying out works under an agreement for providing a connection or modification of an existing connection, the system operator shall take into consideration the extent to which:
 - 6.1. benefit from the connection will be available to others, present and/or future system users / third parties, served by the system operator;
 - 6.2. a system operator can levy a proportion of such costs from present and/or future system users or third parties, based on the benefit mentioned in subparagraph 5.1;
 - 6.3. that charges of the application for connection must be fully paid prior to the commencement of the connection works.

7. No charge will be made for reinforcement of the existing electricity network if the new or increased load requirement does not exceed (3) % per cent of the existing effective capacity at the relevant points on the network;
8. Connection Offer shall be issued by System Operator and submitted to the applicant:
 - 8.1. thirty (30) calendar days from the date of delivery of the application for connection to the low and medium voltage network;
 - 8.2. ninety (90) calendar days from the date of delivery of the application for connection to the high voltage network;
 - 8.3. thirty (30) calendar days from the day of delivery of the application for connection to the thermal energy distribution network.
9. The deadline for the submission of connection offers may be extended in the event of a difficult connection, implying a prior technical study of a network extension or any similar reason according to the provisions of the grid or distribution code or other applicable codes. In such cases, the connection offer may be extended for an additional period of thirty (30) calendar days.
10. The electricity Connection Charging Methodology shall, in the event of a dispute over the terms of a connection offer, provide for the applicant to conduct their own technical study at their own cost, and for the system operator to facilitate any such study through the provision of the necessary information for which an appropriate charge may be made.

Article 10

Refusal to Connect

1. The system operator may refuse to connect an applicant temporarily only if such connection is technically non-feasible according to the provisions of the Grid or Distribution code or other applicable codes.
2. In such case a , the System Operator is obliged to issue and deliver statement identifying the reasons of refusal to the applicant within a time period not exceeding thirty (30) calendar days from the date of delivery of the application respectively within deadline set in Article 9 paragraph 8 of this Rule.
3. A System Operator will refuse to connect an applicant in case of insufficient network capacity but shall not refuse a connection for a Customer on the grounds that there is insufficient generation connected to the network.
4. The System Operator is not entitled to refuse the connection of a new power plant due to possible limitations of available network capacities, as may be the congestion in the remotest parts of the grid, but shall provide a possibility of connection to the nearest point possible.

Article 11

Connection Agreement

1. Within the period specified in the connection offer, the applicant accepts the offer by submitting a signed draft connection agreement to the supplier and pays the relevant connection charges to the benefit of system operators.
2. The connection agreement shall be concluded on the day of delivery to the system operator.
3. The connection agreement shall:

- 3.1. In the case of electricity connections include general principles on connection charges set forth in Article 7 of this Rule;
 - 3.2. contain elements related to connection offer as per Article 9 in this Rule;
 - 3.3. define terms related to the commencement, charges and conditions of payment (if appropriate), disputes settlement and conditions for the termination of agreement;
 - 3.4. contain minimum safety standards and requirements, requirements with regard to sealing of metering equipment and locking of enclosures in which switchgear and metering equipment and instrument transformers and metering circuits are installed.
4. The positions of meters shall be agreed by the representative of System Operator and the customer, according to technical standards and relevant codes.

Article 12
Connection

1. Upon conclusion of a connection agreement, the system operator shall establish the connection as specified in such agreement.
2. In the event of connection to transmission system, the Transmission System Operator shall notify the Regulator regarding the execution of connection to the system.
3. Upon establishment of a connection, the system operator shall issue a report confirming that the connection has been made according to the terms and conditions of the connection agreement, and submit it to the system users.
4. Connection of the end users established by following the above-mentioned provisions will remain valid in the case of any change of status of the supplier if the connection agreement is not terminated.
5. The connection of a customer will only be activated (switched on) on written instruction of the supplier to the System Operator that a Supply Agreement has been entered into and all supply requirements have been met.
6. The maintenance of deep connection elements shall be the responsibility of the Transmission and Distribution System Operators according to the conditions set forth in the Connection Charging Methodology.
7. With respect to maintenance of connections owned by customers, , system operators will charge the customers on an ongoing basis under the price list approved by the Regulator, and tariffs charged to such customers may be adjusted appropriately. A maintenance of the connection includes cables/wires connected to the operator network, metering devices and entering fuses (if applicable) of metering boxes. This will be carried out only by Transmission or Distribution System Operators.
8. The customers that own electricity connection points including the metering devices may transfer their assets to the system operators without compensation upon bringing in good standing as required in the technical codes issued by system operators and approved by the Regulator. From the date that such assets will be transferred by the customers, the provisions of paragraph 5 of this article will be applicable. The transferred assets will be included in the system operator asset base which is used for the purpose of maintaining the tariffs regulated by the Regulator, in accordance with principles stipulated in the Tariff Methodology.
9. The system operator in case of any intention of customers to make use of the provision in paragraph 6 of this article may significantly require tariff adjustment in accordance to the Rule on Principles of Calculation of Tariffs in the Electricity Sector. The eventual transferred assets provided in the Article 12 paragraph 7 of this Rule will be considered in accordance to the Tariff Methodologies

for the Electricity Sector approved by the Regulator.

10. In the case of thermal energy networks, a Customer may be connected even where no metering at the customer premises (location) is in place and the Supplier must provide a methodology for apportionment of costs to such customer at normative tariff based on the ground area (location) of the customers premises but the system operator will use reasonable endeavors to install metering at the premises.

CHAPTER IV

USE OF SYSTEM

Article 13

General Principles of Cost of Use of the System

Charges for use of the system are defined in Principles on Determination of System Operator Tariffs , approved by the Regulator.

Article 14

Admission to Use Transmission System

In order to enter in the use of transmission system, the Party Applicant shall either be a signatory to the Framework Agreement or sign an Accession Agreement with the Market Operator in its role as Authorized Party under the Framework Agreement (hereinafter "Authorized Party").

Article 15

Electricity Market Rules Framework Agreement

The Authorized Parties shall sign the Framework Agreement or Accession Agreement, by which the Market Rules are made binding between the parties to that agreement.

CHAPTER V

SUPPLY CONTRACTS

Article 16

Application for Supply

1. An application for supply shall be submitted by the customer to the supplier in order to conclude a supply contract..
2. An application for supply is required by the customers when they change the supplier. In the case where a customer does not comply with minimum commercial, safety and security requirement as described in Articles 8, 9, 11 and 12 of this Rule, the existing connection will be disconnected at an agreed date that will enable the customer to conduct a new alternative connection that will comply with requirements. The procedures and forms for customers wishing to change supplier are defined in the rule adopted and published by the Regulator and will be made available to customers by any supplier on request.
3. The supplier is obliged to register any application for supply.
4. The electricity supplier charged with the provision of universal service will accept the application of the applicant , which ensures that that the customer complies with minimum commercial, safety and security requirement as described in Articles 8, 9, 11 and 12 of this rule. The supplier reviews the application within three (3) weeks from the date of acceptance and gives notice in writing of its intention to accept or reject the application. This deadline may be extended by fifteen (15) calendar

days in case when additional information is required. The applicant shall be informed about such extension in writing.

5. Where the customer is a thermal energy customer and the supplier has a Public Supply Obligation with respect to the thermal energy network to which the customer wishes to be connected then the supplier will accept the application provided that the customer complies with minimum commercial, safety and security requirement as described in Articles 8, 9, 11 and 12 of this Rule. The supplier reviews the application within three (3) weeks from the date of acceptance and gives notice in writing of its intention to accept or reject the application. This deadline may be extended by fifteen (15) calendar days in case when additional information is required. The applicant shall be informed about such extension in writing.
6. The supplier shall develop and submit for approval to the Regulator the procedures regarding criteria for the applicant or customer to demonstrate satisfactory credit for new or continuing service, including any requirements or arrangements for payment, under Article 24 of this Rule.
7. An application for supply may be denied if the applicant is unable to establish acceptable credit under these rules and the policy approved by the Board of the Regulator.
8. If an applicant is denied the supply service, the applicant may initiate dispute settlement in accordance to the Rule on Resolution of Complaints and Disputes in the Energy Sector.
9. Customers can change their supplier within twenty one (21) days following the notice to their current supplier and there is no charge for this switch. Electricity customers have the right to contract more than one supplier, as set forth in Article 46 paragraph 7 of the Law on Electricity. This mode of supply is carried out through agreements between consumers and suppliers about energy sharing.
10. The change of supplier by customers shall be carried out in accordance with Rule on Supplier Switching approved by the Regulator.

Article 17

Supply Contract

1. The supply contract comes into effect and the connection is switched on by the system operator within a period of time not exceeding two (2) calendar days from the date of signature by both supplier and customer which will follow the notification of acceptance of connection by system operator who will certify compliance to connection requirements by System Operator.
2. The commencement date of the supply contract shall be communicated to the customer and the system operator in writing by the supplier. An authorized representative of the system operator shall switch on a new or upgrade existing connection upon written instruction from the supplier
3. For the modification of existing supply contracts the procedure set forth in Article 16, in relation to Article 9 of this Rule, shall apply.

Article 18

Specifics of Contractual Relation in Case of Thermal Energy Supply

1. In the thermal energy system, the customer - contracting party is considered the authorized user of facility equipped with the substation and secondary internal heat network/ internal installation of the district heating in the facility.

2. In case of multi-flat buildings consisting of several (numerous) individually owned apartments, which are the end-users of the thermal energy, depending on the design of the secondary grid, the customer - contracting party to the supplier - shall be considered any legal entity performing duties of the housing administration (e.g. administrator, housing association etc.) that will be established in the future.
3. Until the establishment of housing administration in multi flat buildings, each owner of the apartment shall be considered as the customer - contracting party to the supplier.

Article 19

Obligation to Supply

1. Each public supplier of thermal energy is obliged to supply thermal energy at a regulated tariff to any customer situated in the area covered by their supply license that is duly connected to the network in accordance with the connection agreement and on the basis of the provisions of the supply contract and subject to the requirements of Articles 8, 9, 11 and 12 of this Rule.
2. The Regulator may appoint the thermal energy Public Supplier as a Supplier of Last Resort with respect to all customers connected to thermal energy network and then the Public Supplier becomes a responsible party for all contracts concluded with the customer upon tariffs agreed by the Regulator which enable the Public Supplier to cover additional expenses of the provision of this service.
3. An electricity supplier with an obligation of Universal Supply is obliged to supply any customer entitled with Universal Supply that is duly connected to the network in accordance with the connection agreement and on the basis of the provisions of the supply contract and subject to the requirements of Articles 8, 9, 11 and 12. The tariff applicable for Universal Supply shall be set in accordance with the Law on Electricity and may be regulated for a limited period of time in accordance with a decision by the Regulator made in accordance with that Law.
4. The Supplier of Last Resort appointed by the Regulator pursuant to Article 40 of Law on Electricity is obliged to supply customers without a supplier in the following cases:
 - 4.1. their supplier has become bankrupt or is under liquidation;
 - 4.2. the license of the previous supplier has been permanently or provisionally revoked, or has expired;
 - 4.3. the consumer has failed in selecting a new supplier upon termination of the contract with the previous one.
5. Supplier unable to supply electricity to final customers, as per paragraph 4.1. of this Article, shall be obliged to inform in due time the Supplier of Last Resort, final customer, the Regulator and transmission or distribution system operators on the date of suspension of supply. In such events, the customer is immediately supplied from the Supplier of Last Resort.
6. The Regulator shall inform the Supplier of Last Resort, final customer, transmission and distribution system operators on suppliers falling under paragraph 4.2. of this Article, no later than fifteen (15) days from the date when the said license has expired, or from the date of entry into force of the decision of the Regulator to provisionally or permanently revoke the license.
7. Contracts on guaranteed supply for final customers shall be considered entered into on the date when conditions for exercising the right for guaranteed supply, as per sub-paragraph 4.1. and 4.2. of this Article, have been fulfilled.
8. Guaranteed supply in cases determined in sub-paragraph 4.3. of this Article shall commence upon termination of the contract with the previous supplier or upon commencement of supply

for the new customers, subject, however, to the contract not being signed with another supplier.

9. Guaranteed supply shall not last more than sixty (60) days.
10. In the event the final customer from sub-paragraphs 4.3 in this Article is supplied from the supplier of last resort, fails to enter into agreement with the new supplier within the term determined in paragraph 9 of this Article, the system operator shall terminate supply of electricity.
11. The Transmission System Operator and Distribution System Operator shall hand over information on the Supplier of last Resort to customers transferred to guaranteed supply, within five (5) days of the notice given according to paragraphs 5. and 6. of this Article.
12. Prices at which the Supplier of Last Resort supplies electricity are determined on the basis of the methodology drafted, approved and published by the Regulator.
13. The Supplier of Last Resort shall be obligated to notify the customer on terms and conditions of electricity supply and prices, and shall inform customers on their right to change the supplier. It shall publish such conditions and information in its official webpage.
14. The Supplier of Last Resort shall deliver the contract to final customers within eight (8) days from the commencement of supply.
15. The Supplier of Last Resort shall at least once in a year, publish on its webpage information on the number of supplied customers, total delivered energy amount, average supply period, separately for household and non-household customers who are entitled the supply within universal service.

Article 20

Obligations of Electricity Suppliers

1. The Supplier shall inform his customers:
 - 1.1. in a clear and transparent manner on applicable prices, and standard conditions and terms for the use of its services;
 - 1.2. on various payment methods, which don't discriminate among customers. Prepayment systems shall be fair and reflect at an adequate extent the possible consumption. All differences in conditions and terms shall reflect user expenditure in relation to various payment systems;
 - 1.3. on their rights to select and change the supplier, free of charge;
 - 1.4. on the possibility of using simple and cost-effective procedures for addressing appeals; moreover, every supplier shall provide that its customers are entitled to a good standard of service and treatment of appeals, with possibilities for resolving disputes in a fair manner and within reasonable timeframes, set out in Rule on Resolution of Complaints and Disputes in Energy Sector.
 - 1.5. on the current electricity consumption and expenditure in order to enable them to manage their electricity consumption. Such information shall be provided within a reasonable timeframe, which takes into account functions of the installed electrical meters, and pays due attention to the expenditure for such measures, and without charging final customers with additional expenditure for such services;
 - 1.6. on any changes in contract conditions, at least fifteen (15) days prior to their application, including their right to withdraw upon such notice. Suppliers notify their customers directly on any increase in expenditure, and on their right to withdraw from the contract in the event they do not accept the new conditions offered in the notice;

1.7. through bills and promotional materials provided to final customers in relation to:

- 1.7.1 contribution of each energy source in the overall mixture of fuel used by the supplier in the preceding year in a comprehensive manner, and at the state level, in a clearly comparable manner,
- 1.7.2 references to existing information sources, such as internet pages, in which information on environmental impact of the supply can be found, from at least the aspect of CO₂ emissions and radioactive waste that derive from electricity generated from the overall mixture of fuels used during the preceding year by the supplier,
- 1.7.3 their rights related to resolution of disputes available in the event of any disagreements;
- 1.7.4 data on their consumption, which enable them, with express consent and free of charge, to provide the registered supply enterprise access to metering data;
- 1.7.5 their obligation of final payments, by servicing to consumers the final closing account upon any change of electricity supplier, no later than forty five (45) days after such change of supplier has taken effect;
- 1.7.6 as regards sub-paragraph 1.7.1 and 1.7.2. of this Article in relation to electricity provided by the supplier through electricity exchanges or imports from enterprises located outside the Energy Community, total figures provided through the exchange of said enterprise for the preceding year may be used.

1.8. The Supplier shall also:

- 1.8.1 publish and maintain qualitative parameters of contracted electricity supply for customers, in accordance with Rules on Supply Quality, approved by the Regulator,;
- 1.8.2 supply customers with electricity, in compliance with the concluded contract;
- 1.8.3 maintain separate data in commercial registers on supply of customers at unregulated prices, and supply of customers at regulated prices, for supply under the framework of universal service and guaranteed supply;
- 1.8.4 define supplier conditions, and make them public in an appropriate manner, no later than thirty (30) days prior to the commencement of electricity supply activities;
- 1.8.5 perform energy activities of supply in a safe, reliable and efficient manner;
- 1.8.6 provide to the customer, in cooperation with the Regulator, a copy of electricity customer checklists, as established by the European Commission and adopted by the Permanent High Level Group of the Energy Community;

2. Prior to commencement of supply, each supplier is obliged to:

- 2.1 conclude balancing agreements with the Transmission System Operator or bond a membership agreement in the balancing group with the leader of this group in accordance with Market Rules;
- 2.2 conclude an electricity purchase agreement with at least one other supplier, supplier or generator as well as bond a supply agreement with the final customer and if required provide cross-border transmitting capacities.

3. Suppliers with public service obligations to supply final customers who enjoy the right of universal service shall establish mechanisms necessary to support customers in need, upon consultation with the the Regulator, in order to avoid disconnection due the non-payment of electricity bills.

4. The Regulator shall undertake all necessary steps to ensure that information provided by the supplier to its customers shall be reliable and easily comparable.

5. The Supplier may supply through a metering device for common spaces, only if a natural or

legal person executes a contract with it and accepts to pay for the entire capacity, electricity, distribution services and transmission services delivered through the metering device. The Regulator may regulate terms and conditions on the basis of which the payment shall be conducted from the person that takes over the payment on behalf of common space users, and may levy charges on other persons that benefit from the said electricity.

6. Any person connected in the distribution system and using electricity without a contract with the supplier shall be disconnected from the distribution system, in line with Rule on Disconnection, established by the Regulator.

Article 21

Obligations of Thermal Energy Public Supplier

1. The Public Supplier shall:
 - 1.1. exclusively supply consumers with thermal energy, at regulated tariffs, in accordance with license conditions and requirements set in the Law on Energy Regulator;
 - 1.2. enter into contracts with all consumers, including end-consumers, on supply of thermal energy, in accordance with rules issued by the Regulator, and in accordance with article 25 of the Law on Thermal Energy;
 - 1.3. prepare and submit bills and collect payments from its customers; establish mechanisms necessary for supporting vulnerable consumers, in consultation with the Regulator;
 - 1.4. draft, submit bills and collect payments from its customers and other energy enterprises. This billing and collection is monitored by the Regulator, according to Law on the Energy Regulator or other applicable laws, and licenses, codes or regulations as applicable;
 - 1.5. provide regular information for its customers in relation to issues regarding their supply with thermal energy, including information on fuel, environmental issues and information on the rights of customers in resolving disputes and complaints

Article 22

Contractual requirements for final customers

1. Mutual rights and obligations of electricity service providers and customers shall be stipulated in a contract signed by both parties.
2. The contract mentioned in paragraph 1. of this Article shall contain, additionally to general elements stipulated in the Law on Obligational Relationships the following elements:
 - 2.1. identity and address of the supplier;
 - 2.2. services provided, including time of initial connection and levels of quality of services provided;
 - 2.3. types of maintenance services provided;
 - 2.4. any compensation and rules of reimbursement applied in the event that contracted levels of service quality are not met, including incorrect or late billing;
 - 2.5. manners in which updated information on all tariffs and maintenance expenses may be obtained;
 - 2.6. methods for notification of price or electricity service condition changes;
 - 2.7. duration of contract, conditions for contract renewal or termination, as well as rights and obligations in the case of agreement annulment and termination, including information on potential allowance of contract withdrawal free of charge;
 - 2.8. methods for initiating dispute and complaints resolution procedures;

- 2.9. information in relation to consumer rights,;
 - 2.10. rights and obligations of the electricity service provider and customer in the event of fail in fulfilling their obligations, and in the event of provisional suspension of delivery;
 - 2.11. other elements, depending on the special character and type of electricity services provided.
3. Contract provisions shall also contain customer rights and obligations, in simple, clear and unambiguous language.
 4. Information on contract conditions shall be offered to customers as soon as possible, but no later than before the conclusion of the contract. General terms and conditions shall be fair and transparent. They shall be provided in clear and comprehensible language, and shall not contain non-contractual obstacles for the exercising of customers' rights, excessive contractual documentation. Customers shall be protected from unfair or fraudulent sales practices.
 5. In the event when contracts are signed through intermediaries, information in relation to issues stipulated herein in paragraph 4. of this Article, shall also be provided prior to entry into contract.
 6. Customers may enter into more than one contract for a given delivery point for the same supply period.
 7. Nothing in this contract shall prejudice customers' rights to change their supplier, whereas the contract shall not impose additional financial obligations for customers that exercise their rights to change the supplier.

Article 23

Protection of Electricity Customers

1. Final customers shall be entitled to protect their rights in compliance with the Law on Electricity, sub-legal acts issued based on that law, and customer protection legislation.
2. An improper and unfair behavior and/or fraudulent activities, in the sense of consumer protection, is prohibited, whereas conditions and terms offered for contract signing purposes shall be transparent and written in simple and comprehensible language.
3. While performing its activities, the supplier shall act in a manner that ensures equal treatment of electricity customers.
4. Customer is entitled to:
 - 4.1. receive all information stipulated under this Rule;
 - 4.2. receive adequate notifications on the intent to modify contract conditions, and are informed on their right to withdraw at the moment of such notice. Service providers shall notify their customers directly on any increased expenses, at an appropriate time, but no later than the thirty (30) days following the entry into force of such increase, in a transparent and comprehensive manner. Customers are entitled to withdraw from the contract if they do not admit new conditions notified to them by the electricity service provider;
 - 4.3. receive transparent information on applicable prices and tariffs and standard terms and conditions, in relation to access to and use of electricity services;
 - 4.4. receive offers for a wide range of payment methods, which shall not unjustifiably discriminate customers. Prepayment systems shall be fair and adequately reflect possible consumption. Any difference in terms or conditions shall reflect supplier's expenses in

various payment systems. General terms and conditions shall be fair and transparent. They shall be provided in a clear and comprehensible language and shall not contain any non-contractual barriers for the exercise of customer rights. Customers shall be protected from unfair or fraudulent sales methods.

- 4.5. shall not pay for changing their supplier (applicable to electricity customers);
 - 4.6. benefit from transparent, simple and inexpensive procedures for treatment of their appeals. Specifically, all customers shall be entitled to a good standard of service and treatment of appeals by electricity service providers. Such non-judicial dispute resolution procedures shall provide for a fair and prompt resolution of disagreements, preferably within three (3) months, with the provision, whenever required, of a system of reimbursement and/or compensation.
 - 4.7. shall be informed on their rights related to universal service, whenever they have access to universal services.
 - 4.8. shall have available data on their consumption and shall be able, with expressed consent and without charge, to offer the enterprise licensed for supply, access to metering data. The Regulator shall define the format of data and procedures for both suppliers and customers to have access to data. Customers shall not be subject to additional expenses for such service;
 - 4.9. shall be timely informed on actual electricity consumption and expenditure, so as to be able to regulate its own electricity consumption. Such information shall be provided in a timely manner, taking into account the capacity of customer's metering devices and relevant electricity products. The cost-efficiency of such measures shall also be taken into account. Customers shall not be subject to any additional charges for such services;
 - 4.10. shall receive final closing accounts, after changing electricity suppliers, no later than forty five (45) days upon entry into effect of the supplier change.
5. Intelligent metering systems, which enable customers' active participation in the electricity supply market, may be installed, with due consideration of the following:
- 5.1. the implementation of such metering or measurement systems may be subject to an economic assessment of all its long-term expenses and benefits for the market and individual customers, as well as of the form of intelligent metering which is economically feasible and cost-effective, and the reasonable timeframe for their distribution. Such assessments shall be conducted no later than 01 January 2020. In accordance with the said assessment, the Regulator shall prepare a timeline matrix for the implementation of intelligent metering systems, with the deadline set at no longer than within ten (10) years.
 - 5.2. in the event that the installation of intelligent meters is positively assessed, at least eighty percent (80%) of customers shall be equipped with intelligent metering systems by 2025.
6. The Regulator shall ensure interaction between metering systems implemented in its territory, and, in this aspect, shall take into consideration the utilization of relevant standards and good practices, as well as the significance of internal electricity market development.
7. The Regulator shall ensure the provision of single points of contact to provide consumers with all necessary information concerning their rights, current legislation and the means of dispute settlement available to them in the event of dispute. Such contact point may be a part of general consumer information points.
8. For efficient out-of-court dispute settlements should operate a customer body which shall respond directly to the Board of the Regulator .

Protection for Electricity Customers in Need

1. Household customers who have obtained the decision on their socially customer in need status shall have the right to special protection in accordance with Article 49, paragraph 1 and 2 of the Law on Electricity.
2. Customers in need are entitled to a supply service pursuant to this Article as long as the conditions from paragraph 1 and 2 of Law on Electricity are fulfilled, which shall be verified at least every six (6) months by the authority responsible for the social welfare. If, due to a change of circumstances a customer loses the socially customer in need status he shall be deleted from the relevant register, but his data shall remain available for a period of five (5) years after his registration into the said register. The concerned Distribution System Operator shall, in writing and within eight (8) days, notify the customer in need and his Supplier regarding the deletion of said customer in need from the concerned register.
3. A supplier under public service obligations shall be obliged to offer a supply contract to all electricity customers in need and shall begin supplying without delay after the customer in need submits a request accompanied with the evidence on meeting requirements of paragraph 1 of this Article..
4. The Distribution System Operators shall establish and keep a register of customers in need. The registers shall contain the socially customer in need's first and last name, the customer in need's personal identification number, the address at which he/she is supplied with electricity, the number under which he/she is listed, the type of special treatment to which he/she is entitled and the benefits that are granted to him/her under the status of customer in need. Data from the register may be presented only to the customer in need who has applied for registration into the relevant register and to his/her Supplier.
5. Rights and obligations linked to customers in need, set out in Article 1 and 2 of Article 49 of Law on Electricity shall be duly applied and implemented by the Distribution System Operator. In particular, the Distribution system operator shall take appropriate measures to protect final customers in remote areas who are connected to the electricity network.
6. The Supplier offering electricity to customers in need shall set up mechanisms for providing assistance to customers in need aimed at avoiding the disconnection of electricity due to unpaid bills.

CHAPTER VI ACCESS TO PROPERTY

Article 25 Access to Customer's Property

1. The customer is obliged to grant to the representatives of the system operator/supplier access to its property or premises for the purpose of reading, testing, inspecting, installing, maintaining and repairing the meters, the connections and the related equipment as provided for in Articles 28, 29 and 30 of the Law on Energy.
2. If the customer does not allow access to the metering equipment for reading even upon the receipt of a written notice, the supplied energy will be billed based on the average of the bills during the last three (3) months.
3. The unreasonable and repeated refusal of the customer to allow access to the property may lead to disconnection, according to the provisions of the Rule on Disconnection and Reconnection of Customers in Energy Sector in Kosovo.

CHAPTER VII
METERING, BILLING AND PAYMENTS

Article 26
Reading of Meters

1. System operators may outsource meter reading to suppliers or another contractor. In the case of outsourcing, the system operator remains responsible for ensuring correct and regular meter reading and shall ensure that the contractor entity for meter reading is obliged to ensure correct and regular meter reading, in accordance with the relevant Metering Code. The system operator should establish and present a procedure for meter reading of customers to the Regulator for review and approval.
2. Upon the customer's request the system operator is obliged to provide him with any information regarding the results of meter reading, free of charge.

Article 27
Testing of Meters

1. Upon request of the supplier or the customer, as the case may be, and whenever deemed necessary, the system operator is obliged to test the meters. Testing and procedure for testing of meters are stipulated in the relevant metering code.
2. The system operator will be obliged to provide any finding with regard to accuracy of tested meters to Suppliers to reclaim commercial losses where applicable, in accordance with principles of this Rule and the Metering Code.

Article 28
Billing

1. The supplier is obliged to ensure that customers are billed for the consumed energy and other charges in accordance with the appropriate tariff type agreed with customer (if applicable).
2. The billing of consumed energy for every billing period, should be based on the metering data, read and collected by the system operator, supplier as agreed in the supply contract, or with tariffs approved by the Regulator for customers entitled with the universal service and Supplier of last Resort.
3. In the case of any errors that result in inaccurate meter reading data causing incorrect billing, the supplier shall make all necessary adjustments in the following bill.
4. Bills are sent to the customer's address specified in the supply contract. If no address or an inaccurate or incomplete address has been specified, or if the customer is no longer present on the address that has been specified, the supplier shall perform the delivery to the physical location where the concerned energy consumption occurred.
5. Bills should contain the share of consumed energy costs for use of network and other costs. The supplier shall submit the standardized form and standardized content of its bills to the Board of the Regulator for review and approval prior to use with any customer.

Article 29
Payment of Bills

1. Payment of bills and guarantee deposits shall be made in cash or on bank account at the specified local collection centre of the supplier on any working day during prescribed hours, or by any other means specified in the supplycontract.
2. In case of any payment to the system operator/supplier, a receipt will be issued to the customer. .The information on payment shall be saved in a register for a period of at least five (5) years.
3. Supplier shall establish and submit the procedure for billing customers to the Regulator for review and approval.
4. The procedure shall contain the period from the date of submission of the bill to the payment due date and the period after the due date allowed before the application of interestfornon-paymentunderArticle26 of this Rule.
5. The period from the submission of the bills to the customers for all current charges to the due date shall not be less than fifteen (15) days.
6. Non-receipt of the bill shall not release the customer of his obligation of payment.
7. The submission of any complaint regarding the accuracy of a bill shall not suspend the customer's obligation to pay the bill, in which case the customer will be required to do a payment in accordance with Article 17, paragraph 3 of the Rule on Disconnection and Reconnection of Customers in Energy Sector in Kosovo.

Article 30

Consequences of Non-payment

1. In case of non-payment the supplier is entitled to adjust the arrears payable by the customer from out of the guarantee deposit at any time. In such case, the supplier may require the customer to make an additional guarantee deposit.
2. At the discretion of the Supplier monthly installments for the purpose of recovery of arrears may be agreed with the customer, without prejudice to the liability of the customer to pay interest till full clearance of the arrears.
3. Supplier may transfer data to other institutions to improve the rate of collection, or with request for submission to the authorized institutions in accordance with applicable laws. In case of transfer or submission customer's data, supplier must comply with the consumer's right to confidentiality as provided by applicable law.

Article 31

Disconnection for Non-payment

Disconnection for non-payment may only be imposed as a last resort measure according to the provisions of the Rule on Disconnection and Reconnection of Customers in Energy Sector in Kosovo.

CHAPTER VIII

UNAUTHORIZED ENERGY CONSUMPTION

Article 32

Uncontracted Consumption

1. A customer shall be deemed to have engaged in uncontracted consumption of energy where the customer:
 - 1.1. consumes energy in a way or amount other than that approved by the energy

- enterprise;
- 1.2. transmits energy after the metering site to another site, without the consent of the energy enterprise, and passes it on to another user located at a site different from the network connection site;
 - 1.3. fails to enter a contract with the energy supplier within the deadline provided and without such a contract continues consuming energy.
2. Customers shall not alter or affect the connections and the metering equipment and devices without energy enterprise's written consent, and are obliged to report to the supplier without delay any damage occurred to the connections and the metering devices and equipment they become aware of.

Article 33

Theft of electricity

1. If a customer commits one of the offences such as: tampering, electricity meter circumvention and connecting or re-connecting to electricity supply transmitted by or through a distribution system without authorization it shall be considered theft of electricity, as stipulated in Article 61 of Law on Electricity.

Article 34

Theft of Thermal Energy

1.If a customer commits one of the offences such as: tampering, thermal energy meter circumvention and connecting or re-connecting to thermal energy supply transmitted by or through a distribution system without authorization it shall be considered theft of thermal energy, as specified below:

- 1.1. direct connection to the primary heat network or to the section of thermal substation primary network;
- 1.2. connection without authorization to the secondary heat network, i.e. to the pipes of secondary network in the building;
- 1.3. removal and/or damage to valves or seals of the district heating utility;
- 1.4. damage or change of design, function and performance of installations and/or thermal energy meter for the purpose of unauthorized use; and
- 1.5. extension of heating area and installation of additional heating bodies without authorization from the thermal energy utility

Article 35

Calculation of Unauthorized Consumption of Energy

1. If the period of the unauthorized consumption may not be defined, it will be assumed that the unauthorized consumption has begun for household customer six (6) months before the day that the customer was found to have been engaged in unauthorized consumption of energy, and for other customers twelve (12) months before the day that the customer was found to have been engaged in unauthorized consumption of energy, or since the date of last inspection, during which the installation was found in good order. .
2. To calculate bills for unauthorized energy consumption, charges applicable on the date when unauthorized consumption of energy was found, i.e. the date when control team compiled records, shall be used. For household customers, charges of one-tariff group, divided into (summer, winter) seasons shall be used, whereas for other customers higher charges, divided as per seasons, shall be used.
3. Energy enterprise (Supplier/DSO) must submit for the Regulator's approval its Procedure for the identification and prevention of unauthorized energy consumption. Such procedure should specify:

- 3.1. types of abuses of meter and interferences in connections pursuant to Article 29 of this rule and actions that should be undertaken by the energy enterprise for each type of abuse with meter and interference in the connection,
 - 3.2. actions that should be undertaken by the energy enterprise in the event of uncontracted energy consumption pursuant to Article 32, paragraph 1 of this Rule ; and
 - 3.3. In calculating unauthorized energy consumption pursuant to Article 33 of this Rule, the supplier should deduct from the losses reclaim bill the amount of energy billed during that period (if any was billed).
4. When DSO authorized officials or the Calibration Center identify a case as unauthorized consumption of electricity, DSO is obliged to act in conformity with legal provisions stipulated in Article 61 of Law on Electricity and legal provisions as stipulated in Article XXVI of the Criminal Code of Republic of Kosovo.
 5. With respect to cases identified as in paragraph 4 of this Article, the DSO shall not charge the customer with unauthorized consumption of energy in the customers transactions until a decision on the caused damage is not issued by the court with a strict verdict.
 6. With respect to all issues of unauthorized consumption of electricity, the energy undertaking shall set out a manner of proceeding during these cases through the Procedure on Identification and Unauthorized Consumption of Electricity.

Article 36

Compensation of customers

- 1 In the event that a supplier fails to follow the disconnection procedure established in the Rule on Disconnection and Reconnection of Customers in Energy Sector in Kosovo, a negatively affected customer who is regular in payment of his bills is entitled to compensation from the supplier for direct and provable damages sustained as a result thereof.
- 2 The supplier shall submit the procedures for such compensation to the Regulator for approval.

Article 37

Penalties

1. In cases when a supplier does not fulfill its obligation to sign the connection agreement with the system operator on behalf a customer, or does not supply a customer in accordance with the contract for supply, the Regulator is entitled to impose to such supplier penalties prescribed in Article 57 of the Law on Energy Regulator and the Rule on Administrative Measures and Fines.
2. Derogation from certain provisions of the supply contract might be allowed in cases when the supplier submits to the Regulator justification that may prove his inability to fulfill these requirements and propose measures and actions that may remove such obstacles.

CHAPTER IX

TRANSITIONAL AND FINAL PROVISIONS

Article 38

Amendment

1. The Regulator retains the right to change or modify any provision of this Rule.
2. Procedures for amendment or modification of this rule will be the same as for its approval.

Article 39

Interpretation

If there is uncertainty about the provisions of this rule, the Board will issue explanatory information.

Article 40

Repeal

This rule repeals the Rule on General Conditions of Energy Supply, issued in accordance with Law No.03/L - 185 on Energy Regulator, and approved by the Board of the Regulator on 29.08 2011.

Article 39

Entry into force

This rule enters into force on the day of its adoption by the Board of the Regulator and will be published on the Regulator's official website.

Board of the Energy Regulatory Office:

Krenar Bujupi, Acting- Chairman

Arsim Janova, Member

Besim Sejfiqaj, Member