



**Republika e Kosovës**  
**Republika Kosova - Republic of Kosovo**

**ZYRA E RREGULLATORIT PËR ENERGJI**  
**REGULATORNI URED ZA ENERGIJU**  
**ENERGY REGULATORY OFFICE**



**ERO/Rule No. 10/2017**

## **RULE ON SUPPORT SCHEME FOR RENEWABLE ENERGY SOURCES GENERATORS**

27 April 2017



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The Board of the Energy Regulatory Office, pursuant to the authority given and in accordance with Article 9, paragraph 1, subparagraph 1.7, Article 26 of the Law on Energy Regulator No. 05/L-084, and in compliance with Article 15 of the Law on Energy No. 05/L-081, in the session held on [day] [month] 2017, adopted the following:

## Rule on Support Scheme for Renewable Energy Sources Generators (Rule on Support Scheme)

### CHAPTER I

#### GENERAL PROVISIONS

##### Article 1

###### Purpose and scope

- 1 The Rule on Support Scheme for RES generating facilities defines the regulated mechanisms for supporting electricity generated from renewable energy sources.
- 2 This Rule sets:
  - 2.1 The principles of supporting RES Generating Facilities admitted to the Support Scheme;
  - 2.2 The eligibility criteria for admission to the RES Support Scheme;
  - 2.3 The application procedure for admission to the RES Support Scheme;
  - 2.4 The procedure for funding the RES Support Scheme;
  - 2.5 The principles of supporting RES Generating Facilities, in accordance with the Regulated Framework;
  - 2.6 The principles of supporting RES self-consumption generators.

##### Article 2

###### Definitions and Interpretations

- 1 The following terms are used in this Rule and have the following meanings:



- 1.1 **Billing Period** - is the monthly period of time between two meter readings at the Prosumer's site on the basis of which the invoice for that period is generated by the supplier;
- 1.2 **Directive 2009/28/EC** - Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the Promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC;
- 1.3 **DSO** –means the holder of the Distribution System Operator License;
- 1.4 **Energy Regulatory Office**- (hereinafter: the Regulator) is an independent agency in the energy sector, established by Law on Energy Regulator;
- 1.5 **Guarantee** – is the unconditional financial guarantee posted by the RES Generating Facility and held by the Market Operator in line with the provisions of Article 12 of this Rule;
- 1.6 **Large RES Generating Facility** – means a Generating Facility connected to the network with a capacity above 100 kW (> 100 kW);
- 1.7 **Micro RES Generating Facility** – means a Generating Facility connected to the network with a capacity up to 100 kW ( $\leq 100$  kW);
- 1.8 **MO** – means the holder of the Market Operator License;
- 1.9 **Prosumer** - is an electricity customer who is at same time and at the same site the owner of a Micro RES generating facility, connected to the grid and having right to self-consume the generated electricity as well as to deliver the excess of generated electricity to the supplier;
- 1.10 **Prosumer Agreement** – A template agreement, developed and approved by ERO, which is signed by a Supplier and a Prosumer and which specifies, among others, the terms and conditions of electricity offtake by the Supplier and electricity consumption by the Prosumer and their rights and obligations;
- 1.11 **Prosumer Balance** - is the difference between electricity production and electricity consumption, expressed in kWh, within a Billing Period;
- 1.12 **Reference Price** – means, for every year, the price that is equivalent to the average market price as determined annually by the Regulator;
- 1.13 **Regulated Framework** – means the regulated framework applicable to RES Generating Facilities not admitted to the Support Scheme who do not wish to operate on the open market;
- 1.14 **Renewable Energy Sources (RES)** – renewable non-fossil energy sources, such as: hydro, wind, solar, geothermal, wave, bio-energy, biomass, and biogases;



- 1.15 **Renewable Energy Fund** – means the fund as defined in Article 13 of this Rule.
  - 1.16 **RES Generating Facility** – means a Generating Facility producing energy from Renewable Energy Sources and for which a Certificate of Origin is issued;
  - 1.17 **RES Targets** – Targets for Renewable Energy Sources, as defined by the Ministry responsible for the Energy sector through a sub-legal act;
  - 1.18 **Self-consumption Generators** - are the Prosumers who are able to feed excess electricity generation to the grid for future consumption or pay to the supplier the electricity consumed in case of a negative Balance;
  - 1.19 **TSO** – means the holder of the Transmission System Operator License.
- 2 The other terms in this Rule shall have the meaning as specified in the Law on the Energy Regulator, in the Law on Electricity, or in the Law on Energy.



## CHAPTER II

### RES GENERATING FACILITIES ADMITTED TO THE SUPPORT SCHEME

#### Article 3

##### Eligibility Criteria for the Support Scheme

- 1 A RES Generating Facility is eligible for admission to the Support Scheme if:
  - 1.1 It is a Small or Large RES Generating Facility producing energy from one or more of the primary renewable energy sources identified in the RES Targets;
  - 1.2 It is located in the territory of the Republic of Kosovo;
  - 1.3 It produces electricity using generating capacities with new equipment (with zero operation).

#### Article 4

##### Limitation of the capacity for admission to the Support Scheme

- 1 Only applicants who apply to obtain the authorization for constructing new generating capacities for electricity generation by the the Regulator, pursuant to the Rule on Authorization Procedure, shall be admitted to the Support Scheme.
- 2 Planned capacity in MW of the applications that shall be admitted to the Support Scheme for the electricity generation by photovoltaic energy shall be up, and equal, to 3 MW ( $\leq 3$  MW).
- 3 Planned capacity in MW of the applications that shall be admitted to the Support Scheme for the electricity generation by solid biomass, shall be up, and equal, to 14 MW ( $\leq 14$  MW).
- 4 Planned capacity in MW of the applications that shall be admitted to the Support Scheme for the electricity generation by Wind, shall be up, and equal, to 35 MW ( $\leq 35$  MW).
- 5 Planned capacity in MW for hydro power plants that shall be admitted to the Support Scheme for the electricity generation shall be up, and equal, to 10 MW ( $\leq 10$  MW).



## **Article 5**

### **Request for Admission to the Support Scheme**

- 1 The written request for admission to the Support Scheme shall be submitted to the Regulator in line with Annex 1 of this Rule.
- 2 The request for admission to the Support Scheme must be filed when applying for the issuance of the Authorization pursuant to the Rule on Authorization Procedure.
- 3 All the applications for obtaining the Authorization, which do not contain the request for admission to the Support Scheme, or further continue to seek authorization for construction, withdrawing from the request for admission to the support scheme, shall not be admitted to the Support Scheme in the future, pursuant to this Rule.

## **Article 6**

### **Admission to the Support Scheme**

- 1 By the Notice for Decision on Preliminary Authorization, within the relevant decision, the Regulator shall define whether the targets are available for the applicant to be automatically qualified for admission to the Support Scheme.
- 2 In case the Applicant applies directly to obtain the final authorization and submits a request for admission to the Support Scheme, the Regulator, within the relevant decision shall define the available targets, and the applicant shall be qualified by default to be admitted to the Support Scheme if the RES Target is available.
- 3 The Notice for Decision on Preliminary Authorization or the Decision on Final authorization issued by the Regulator and which determines the admission of the Applicant to the Support Scheme, shall by default guarantee them the Feed-in Tariff.
- 4 When ERO issues a Notice for Decision on Preliminary and Final Authorization, in compliance with the Rule on Authorization Procedure, whereby the available targets are met, it shall notify all the other applicants for the meeting of targets, as well as the impossibility to guarantee a Feed-in Tariff in accordance with the present Rule.
- 5 The Regulator shall consider the RES Targets as fulfilled when the Notices for the Decision on Preliminary and Final Authorization on the installed capacity are issued pursuant to the relevant Administrative Instruction on achieving the RES Targets, as issued by the Ministry responsible for the energy sector. Regardless of annual targets as set by the Ministry responsible for energy sector, new capacities may be commissioned into operation for all RES until 2020.
- 6 In case the Applicant proceeds with the procedures for obtaining the Notice for the Decision on Preliminary and Final Authorization without applying to the Support Scheme, the Regulator





shall specify in its decision whether the Applicant is no longer eligible to enter the Support Scheme.

- 7 Starting from the moment the available target have been met, by issuing Notices for the Decisions on Preliminary and Final Authorizations upon the request of the RES Generating Facility to enter the Support Scheme, the Regulator shall specify in the relevant decisions that the process of admission to the Support Scheme shall be suspended until the available targets are free, pursuant to the relevant Administrative Instruction for setting targets as issued by the Ministry responsible for energy sector. The Regulator shall consider these Applications as “pending” Applications for admission to the Support Scheme.
- 8 The Applicant to whom the Notice for the Decision on Preliminary Authorization or Decision on Final Authorization is issued with a note by ERO, pursuant to paragraph 8 of the Article 6 of this Rule, the time limits set out by the Rule on Authorization Procedure shall start to run, not starting from the date of the issuance of the relevant decision, but from the date of written notice by the Regulator for admission to the Support Scheme.
- 9 Starting from the moment the available RES Targets are free, the Applicant shall be notified in writing by the Regulator. In case the Applicant has the Notice for the Decision on Preliminary Authorization for a higher capacity than the freed ones, the Applicant shall be entitled to request that the Notice for Decision on Preliminary Authorization be split/modified so that the right to the freed targets be guaranteed, while the remaining capacity may continue to be “pending”, upon the Applicant’s request.
- 10 Starting from the moment when the available targets are free, the Applicant shall be notified in writing by the Regulator. In case the applicant has a Final Authorization for a capacity higher than the freed available targets, the Applicant shall wait until the available targets are free or request the amendment of the Final Authorization. The remaining part of the capacity shall not continue to be “pending” as it is set out in the Notice for the Decision on Preliminary Authorization, defined in this Article.

## **Article 7**

### **Support Scheme Application Review**

- 1 The Regulator shall review the content of the Application for admission to the Support Scheme, as well as the Application for Authorization.
- 2 Any change or modification required by the the Regulator for admission to the Support Scheme shall be requested when assessing the Application for Authorization, pursuant to the Rule on Authorization Procedure.
- 3 The Regulator shall inform the Applicant about the granting or rejection of the admission to the Support Scheme, by a decision on authorization. In case the Application is rejected, the Regulator shall provide an explanation for the reasons which have led it to this rejection.



## **Article 8**

### **Register of the Support Scheme**

- 1 The Regulator shall create and continuously update the register of Support Scheme for electricity generated by the Renewable Energy Sources.
- 2 The Regulator shall create a register which shall contain the applications admitted to the Support Scheme and the RES Generating Facilities which are pending to be admitted to the Support Scheme.
- 3 The applications considered as “pending applications” shall be registered in the waitlist according to the date of issuance of the Notice for the Decision on Preliminary or Final Authorization.
- 4 The ERO, when creating the register and applying the procedures for “pending applications” for admission to the Support Scheme, shall equally treat the possessors of the Notices on the Decision on Preliminary or Final Authorization and shall act in compliance with the chronological order in the register.
- 5 The ERO shall notify the Applicants which have been registered in the waitlist according to the order of their Applications, when the available targets become free.
- 6 The Register of Support Scheme shall be published in the internet website of the Regulator and shall be updated according to the new applications.

## **Article 9**

### **Tariffs under the Support Scheme**

- 1 The Regulator shall define the tariffs which are applicable separately to the electricity generated by the RES Generating Facilities admitted to the Support Scheme, which can be Feed-in Tariffs ( Feed-in Tariff or Feed-in Premium and other support means) and separately for Generators under Regulated Framework.
- 2 By a relevant decision, the Tariffs referred to in paragraph 1 of this article, shall be adapted to inflation on a yearly basis, after the first year of operation. The exact dates for the correct manner for applying the inflation shall be determined by a Power Purchase Agreement (PPA). The inflation rate shall be determined by the rate of change over the previous 12 months, at the level of “Prices of the domestic industrial product – capital goods NACE Rev2”, Index for 15 countries of Eurozone (ea15), published by Eurostat.



## **Article 10**

### **Exclusion and withdrawal from the Support Scheme**

- 1 The RES Generating Facilities shall be excluded from the Support Scheme if:
  - 1.1 The RES Generating Facility fails to obtain a Final Authorization for construction of generation capacities , pursuant to the Rule on Authorization Procedure;
  - 1.2 The RES Generating Facility fails to enter into operation within 6 months from the execution of the Guarantee referred to in Article 12 of this Rule.
- 2 A RES Generating Facility admitted to the Support Scheme may withdraw from the Scheme by a written request addressed to the Regulator by the generation operator.
- 3 The ERO shall confirm the withdrawal of the generating operators from the Support Scheme within thirty (30) days from the receipt of the request, and shall delete the generating unit from the Register of the units admitted to the Support Scheme.
- 4 A generating operator, which is excluded or withdrawn from the Support Scheme, shall not be eligible to apply for re-admission to the Support Scheme on a later date.

## **Article 11**

### **Rights and obligations of RES generators admitted to the Support Scheme**

- 1 RES Generating Facilities admitted to the Support Scheme shall:
  - 1.1 be entitled to sell their electricity output to the Market Operator through a Power Purchase Agreement for a period of 10 to 12 years, depending on the technology, and with a Feed-in Tariff price;
  - 1.2 be liable for 25% of their total imbalance costs;
  - 1.3 Priority in examining the application for connection to the relevant system;
  - 1.4 be entitled to priority dispatch.
- 2 The sale of electricity to the MO shall be covered by a Power Purchase Agreement, which shall be concluded between the RES Generating Facility and the Market Operator.
- 3 Power Purchase Agreements (hydropower, solid biomass) shall have a duration of 10 years, while the Power Purchase Agreements for the electricity generated by photovoltaic panels and wind generators shall have a duration of 12 years, with prices (Feed-in Tariffs) applicable in the Support Scheme;



- 4 PPA is guaranteed for all the generating units which have been admitted to the Support Scheme and, in accordance with this Rule, the Power Purchase Agreements with MO shall be concluded within thirty (30) days following the admission to the Support Scheme, entitled the commercial operation, in accordance with paragraph 7 of this Article.
- 5 The Feed-in Tariff price of the RES Generating Facility shall be the price applicable at the time of admission to the RES Support Scheme. Any future changes of the Feed-in Tariff shall not affect the RES operators already admitted to the Support Scheme.
- 6 Within 30 Business Days of admission to the Support Scheme, the RES Generating Facility shall post a guarantee in accordance with Article 12 of this Rule. Admission to the Support Scheme will be effective from the day the Guarantee is posted.
- 7 The RES Generating Facility must enter into operation within thirty [30] days following the technical admission and issuance of Certificate of Occupancy, issued by competent body.

## **Article 12**

### **Guarantees**

- 1 The Guarantee referred to in Article 11 paragraph 6 of this Rule, shall have the same validity period as the Final Authorization, issued in accordance with Rule on Authorization Procedure, in favour of Market Operator, if not executed, released or resumed to RES Generating Facility.
- 2 The level of the Guarantee shall be calculated as the turnover that the RES Generating Facility admitted to the Support Scheme would be expected to obtain in a three month period, taking into account:
  - 2.1 The unit prices relevant to the primary energy source used by the RES Generating Facility admitted to the Support Scheme;
  - 2.2 The Installed capacity of the RES Generating Facility;
  - 2.3 The expected average capacity factor of the primary energy source as determined by a relevant institution in Kosovo.
- 3 The level of the Guarantee shall be confirmed by ERO prior to submission.
- 4 The Guarantee submitted by the RES Generating Facility admitted to the Support Scheme is held by the Market Operator.
- 5 If the RES Generating Facility admitted to the Support Scheme fails to enter into operation prior to the date set by the Regulator in accordance with Article 11 paragraph 7 of this Rule, then the Guarantee referred to in Article 11 paragraph 6 of this Rule shall be executed in the account of Market Operator.



- 6 If the RES Generating Facility requests exclusion from the RES Support Scheme in accordance with Article 10 paragraph 2 of this Rule, the Guarantee posted by the RES Generating Facility shall be released and returned to the RES Generating Facility.

### Article 13

#### Funding of the RES Support Scheme

- 1 The additional costs incurred support the development of RES projects admitted to the Support Scheme is compensated through the Renewable Energy Fund, managed by the MO. The MO reports to the Regulator on the operation of the Renewable Energy Fund on a quarterly basis.
- 2 The Renewable Energy Fund finances the costs associated with:
- 2.1 The difference between the Reference Price and the Feed-in Tariff;
  - 2.2 The compensation for the imbalance costs to reflect the provisions in Article 11 paragraph 1.2 of this Rule;
  - 2.3 Costs incurred by the MO in managing and operating the fund and any other costs necessary for the implementation of this Rule, if so decided by ERO.
- 3 Funding of the Renewable Energy Fund is provided through a Renewable Energy Charge applicable at transmission level to all suppliers of electricity in Kosovo calculated via the following formula:

$$REC_t = ((FIT_t - RP_t) \cdot Q_t + I_t + MO_t - G_{t-1} \pm \Delta CF_{t-1}) / NP_t$$

#### WHERE

<i>RECT</i>	<i>Renewable Energy Charge</i>
<i>FITT</i>	<i>Feed-in Tariff applied to each relevant technology in year t</i>
<i>RP<sub>t</sub></i>	<i>reference price for year t equivalent to the average market price as determined annually by the Regulator</i>
<i>Q<sub>t</sub></i>	<i>Forecast electricity delivered from each relevant technology in year t</i>
<i>I<sub>t</sub></i>	<i>Forecast Imbalance cost allowed by the Regulator in year t</i>
<i>G<sub>t-1</sub></i>	<i>Financial value of guarantees executed in year t-1</i>
<i>ΔCF<sub>t-1</sub></i>	<i>Correction factor between the allowed and actual values in year t</i>
<i>NP<sub>t</sub></i>	<i>Forecast Net consumption of the energy in year t</i>



$MO_t$  *Forecast cost incurred by the MO in managing and operating the fund in year t, including the costs of working capital and any retroactively imposed additional policy costs*

$t$  *Relevant Year*

- 4 The MO allocates all RES production to suppliers proportionally to their individual demand in Kosovo's total electricity consumption.
- 5 The base costs of RES electricity, which are not recovered through the Renewable Energy Charge and which are equivalent to the product of the Reference Price and the volume of electricity allocated to each supplier, shall be recovered through a separate invoices issued by the MO to each supplier under the terms stipulated in the Power Purchase Agreement.

### **CHAPTER III**

#### **RES GENERATING FACILITIES UNDER REGULATED FRAMEWORK**

##### **Article 14**

###### **The Regulated Framework**

- 1 Small and Large RES Generating Facilities which are not part of the Support Scheme may sell their electricity output under a Regulated Framework or under market-based unregulated conditions.
- 2 RES Generating Facilities who wish to operate under the Regulated Framework shall submit a written request to the Regulator, in accordance with Annex 2 of this Rule.
- 3 The Regulator shall inform the RES Generating Facility whether the request for admission to the Regulated Framework is granted. In case the Application is rejected, the Regulator shall provide reasons which have led it to this rejection.
- 4 A RES Generating Facility admitted to the Regulated Framework may withdraw from the Regulated Framework by a written request of its addressed to the Regulator.
- 5 The RES Generating Facility which is excluded or withdrawn from the Regulated Framework upon its written request, shall not be allowed to apply for re-admission to the Regulated Framework on a later date.



## **Article 15**

### **Rights and Obligations of RES Generating Facilities under the Regulated Framework**

- 1 RES Generating Facilities not admitted to the support scheme who choose to sell their electricity output under a Regulated Framework shall:
  - 1.1 be entitled to sell their electricity output to the Market Operator through a Power Purchase Agreement at the relevant price (referent) set annually by ERO;
  - 1.2 be liable for all of their imbalance costs except RES Generating Facilities with an installed capacity lower than 500 kW;
  - 1.3 priority in examining the application for connection to the relevant system;
  - 1.4 be entitled to priority dispatch.
- 2 The sale of electricity to the MO shall be covered by a Power Purchase Agreement, which shall be concluded between the RES Generating Facility, in accordance with the Regulated Framework and the Market Operator.
- 3 According to the Regulated Framework, Power Purchase Agreements for RES Generating Facilities shall have a minimum duration of one [1] year and may last up to the validity period of the RES Operators generation license issued by the Regulator. Should the RES Operator not be required to obtain a Generation License, the duration of the Power Purchase Agreement shall be limited to a maximum of fifteen [15] years.

## **CHAPTER IV**

### **INTEGRATION OF RES GENERATING FACILITIES**

## **Article 16**

### **Integration of Electricity generated from RES**

- 1 The TSO grants dispatching priority to electricity produced by renewable energy sources with respect to which Certificates of Origin shall be issued and among it, to electricity produced from generating units admitted to the Support Scheme.
- 2 Generating units producing electricity generated from RES are subject to the provisions of the Grid Code, the Metering Code, the Electrical Equipment Code, the Distribution Code, the Market Rules and any other applicable code and rule, except if explicitly otherwise stated in this Rule.



- 3 The TSO and the DSO give priority in examining the application for connection submitted by generating units producing electricity from RES, in order to reduce, as much as possible, the time required to conclude the connection agreement and complete the connection.

## **Article 17**

### **Power Purchase Agreements**

- 1 The MO shall draft the Power Purchase Agreements for electricity generated by RES Generating Facilities admitted to the Support Scheme or are under the Regulated Framework.
- 2 The MO shall draft the Power Purchase Agreements for sale of electricity generated from RES and admitted to the Support Scheme or are under the Regulated Framework with suppliers.
- 3 The Power Purchase Agreements should include provisions on the grounds of which the RES Generating Facility admitted to the Support Scheme or are under the Regulated Framework pledges to comply with the obligations set throughout the duration of the agreement.
- 4 The Power Purchase Agreements prepared under paragraphs 1 and 2 of this Article shall be approved by the Regulator, upon a consultation with third parties. The ERO may instruct the MO in any moment before signing the Power Purchase Agreements, in order for it to make the changes in the draft-models as it deems necessary.
- 5 The RES Generating Facility and the MO shall sign the Power Purchase Agreement within thirty (30) Days from the admission to the Support Scheme or to the Regulated Framework.
- 6 Within fifteen (15) days prior to commencement of commercial operation of the generator, in accordance with Article 11, paragraph 7 of this Rule, the MO shall inform the TSO, the Regulator and, when necessary, the DSO, about the date on which the Power Purchase Agreement shall enter into force, in order to initiate the procedure of the collection and verification of meter (measurement) data.
- 7 Termination of the Power Purchase Agreement by any of the contracting parties, pursuant to the applicable law, causes the exclusion of the generating operator from the Support Scheme and deletion of it from the Register of the Support Scheme.
- 8 The MO notifies the Supplier of the obligatory level of the Guarantee which has to be posted at a bank in Kosovo in the form of a cash or a letter of credit and which shall be calculated to 11.5% of the total annual payments.





## CHAPTER V

### SUPPORT SCHEME FOR RES SELF-CONSUMPTION GENERATORS

#### Article 18

##### **The Principles of Generators for Self-consumption of Electricity from Renewable Energy Sources**

- 1 Electricity customers who construct RES self-consumption Generating Facilities may choose to obtain a Prosumer status through a Self-consumption Support Scheme specified in this Rule.
- 2 The Self-consumption Support Scheme envisages that:
  - 2.1 Suppliers offtake all electricity produced and deliver all electricity consumed by Prosumers within a Billing Period;
  - 2.2 Suppliers account for the Prosumer Balance of the Billing Period, based on which the monthly invoice is prepared;
  - 2.3 If the Prosumer Balance is positive then the Prosumer is credited in energy (kWh) in the next Billing Period;
  - 2.4 Any outstanding positive Balance on the last Billing Period of a Calendar Year is reset to zero (0 kWh) without compensation from the Supplier;
  - 2.5 If the Prosumer Balance is negative, then the Supplier invoices the Prosumer for the value of the Prosumer Balance.
- 3 Suppliers are obliged to enter into a Prosumer Agreement with any Prosumer with whom they have an electricity supply contract, under the terms and conditions specified in this Rule.
- 4 The Prosumer Agreement sets, among others, the obligation for the supplier to offtake all electricity generated by the Prosumer.

#### Article 19

##### **Calculation Methodology**

- 1 Within each Billing Period, negative Balances are invoiced by the Supplier to the Prosumer;
- 2 The total negative Balance will be allocated between peak and off-peak time in proportion to the actual monthly allocation of the total electricity consumed within the same Billing Period.



- 3 Within each Billing Period, positive Balances are credited to the Prosumer, in energy, to the next Billing Period's Balance.
- 4 Any outstanding positive Balance on the last Billing Period of a Calendar Year is reset to zero (0 kWh) without compensation from the Supplier.

## **Article 20**

### **Application of Self-consumption Generators and Connection Procedure**

- 1 Any electricity customer connected to the low voltage distribution network can apply to its Supplier to obtain the status of a Prosumer, in line with Article 27 of Rule on Authorization Procedure and in accordance with the application form in Annex 3 and shall submit the same application form to the Regulator.
- 2 The Supplier informs the DSO, within ten [10] Business Days of receiving the application referred to in Paragraph 1 of this Article.
- 3 Within ten [10] Business Days of receiving the notification, the DSO issues the terms of connection, including necessary metering requirements with which the Prosumer must comply in order to implement this Rule.
- 4 Upon confirming the technical acceptance of the connection, the Supplier submits the Prosumer with a copy of the Prosumer Agreement, which is signed no later than five [5] Business Days after its submission.
- 5 Within three [3] months of the adoption of this Rule, the DSO transposes any necessary amendments any relevant legislation necessary for the implementation of this Rule.

## **CHAPTER VI**

### **FINAL AND TRANSITIONAL PROVISIONS**

## **Article 21**

### **Transitional Provisions**

- 1 Within sixty (60) days, starting from the date this Rule enters into force, the Applicants which possess Notices for Decision on Preliminary Authorization or Final Authorizations, which have been issued pursuant to the Rule on Authorization Procedure before this Rule entered into force, shall submit a written request to MO to bond Power Purchase Agreements, except for Article 12 of this Rule.



- 2 Existing Power Purchase Agreements, which are concluded between the supplier KESCO JSC, and RES Generating Facilities, constructed through Rule on Authorization Procedure, which are admitted to the Support Scheme, shall be transferred from KESCO JSC. to MO, by 31 December 2017 at the latest. MO and existing RES Generating Facilities will bond the approved PPA in accordance with the Rule, which shall be valid for the remaining period.
- 3 Within ninety (90) days of the adoption of this Rule, the Regulator shall regulate the transfer of funding of the RES Generating Facilities who have an existing Power Purchase Agreement with an incumbent supplier.
- 4 Within ninety (90) days from the entry into force of this Rule, TSO and DSO shall submit to the Regulator the proposals for required amendments in the Grid Code and other technical codes for implementation of provisions included in this Rule.
- 5 Within ninety days of the date of entry into force of this Rule the TSO submits to the Regulator proposals for the necessary amendments to the Grid Code and other technical codes to implement the provisions contained in this Rule.
- 6 Within ninety days of the date of entry into force of this Rule the MO submits to the Regulator the proposals for the necessary amendments to the relevant codes for adopting the principles of the Renewable Energy Fund.
- 7 Within ninety days of the date of entry into force of this Rule the DSO submits to the Regulator, the proposals for the necessary amendments to the Distribution Code to implement the provisions contained in this Rule.

## **Article 22**

### **Amendment**

- 1 The Regulator may amend or modify and provisions of this Rule.
- 2 The procedures for modification or amendment of this Rule will be the same as for its approval.

## **Article 23**

### **Interpretation**

In case of any uncertainty regarding the provisions of this Rule, the Board will issue explanatory information.

## **Article 24**

### **Repeal**



This Rule repeals the Rule on Support Scheme (on support of electricity generation from Renewable Energy Sources), issued in line with Law on Energy Regulator 03/L-185, approved by the Board of Energy Regulatory Office on 23 December 2014.

## **Article 25**

### **Entry into force**

This Rule enters into force on the day of approval by the Board of the Regulator and will be published on the official website of the Regulator.

### **Board of the Regulator**

\_\_\_\_\_  
Krenar Bujupi, Acting Chairman

\_\_\_\_\_  
Arsim Janova, Member

\_\_\_\_\_  
Besim Sejfiqaj, Member



**ANNEX 1: RES SUPPORT SCHEME APPLICATION FORM:**

Applicant's details						
Name						
Address						
Contact person			Position			
Tel. no.		Fax no.		E-mail address		
Generating Facility details						
Name			Location			
Installed Capacity (MW)				Expected Annual Production (MWh)		
In case of combined generation with conventional fuels, only the capacity RES shall be presented						
Primary Renewable Energy Sources						
Source	Technology	Tick		Additional Notes		
Wind	Wind turbine	<input type="checkbox"/>				
Solar	Photovoltaic	<input type="checkbox"/>				
Water	Accumulation	<input type="checkbox"/>				
	Run-of-river	<input type="checkbox"/>				
Biomass	Energy crops	<input type="checkbox"/>				
	Forestry and agricultural by-products and waste	<input type="checkbox"/>				
	Biogas	Landfill gas	<input type="checkbox"/>			
		Sewage gas	<input type="checkbox"/>			
	Other	<input type="checkbox"/>				
	Municipal solid waste	<input type="checkbox"/>				
	Energy from by-products and waste	<input type="checkbox"/>				
	Industrial by-products and commercial waste					



Place and date		Signature
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**ANNEX 2: RES REGULATED FRAMEWORK APPLICATION FORM**

Applicant's details				
Name				
Address				
Contact person		Position		
Tel. no.	Fax no.	E-mail address		
Generating Facility details				
Name		Location		
Installed Capacity (MW)		Expected Annual Production (MWh)		
In case of combined generation with conventional fuels, only the capacity RES shall be presented				
Primary Renewable Energy Sources				
Source	Technology	Tick	Additional Notes	
Wind	Wind turbine	<input type="checkbox"/>		
Solar	Photovoltaic	<input type="checkbox"/>		
Water	Accumulation	<input type="checkbox"/>		
	Run-of-river	<input type="checkbox"/>		
Biomass	Energy crops	<input type="checkbox"/>		
	Forestry and agricultural by-products and waste	<input type="checkbox"/>		
	Biogas	Landfill gas	<input type="checkbox"/>	
		Sewage gas	<input type="checkbox"/>	
		Other	<input type="checkbox"/>	
	Energy from by-products and waste	Municipal solid waste	<input type="checkbox"/>	
Industrial by-products and commercial waste		<input type="checkbox"/>		



Place and date	Signature
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**ANNEX 3: PROSUMER STATUS APPLICATION FORM**

Applicant's details			
Name			
Address			
Contact person		Meter reference number	
Tel. no.	Fax no.	E-mail address	
Generating Facility details			
Name		Location	
Installed Capacity (kW)		Expected Annual Production (kWh)	
In case of combined generation with conventional fuels, only the capacity RES shall be presented			
Primary Renewable Energy Source			
Source	Technology	Tick	Additional Notes
Solar	Photovoltaic	<input type="checkbox"/>	
Other	Specify technology	<input type="checkbox"/>	
Place and date		Signature	