



Republika e Kosovës
Republika Kosova - Republic of Kosovo

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



Pristina, 18 January 2017
ERO Code: V_880_2017

The Board of Energy Regulatory Office,

Based on:

- Article 9, paragraph 1, subparagraph 1.7, Article 15, paragraph 1, subparagraph 1.15, Article 25, Article 26, paragraph 1, subparagraph 1.2 and Article 43, paragraph 1 of Law on Energy Regulator (Nr. 05/L-184);
- Article 4, Article 5, Article 13, paragraph 1, subparagraph 1.2, Article 14, Article 15, paragraph 1 and Article 16 of Rule on Authorization Procedure for Construction of New Generation Capacities;
- Article 4, Article 8, Article 11 and Article 12 of Rule on Support Scheme;
- Administrative Instruction No. 01/2013 on Targets of Renewable Energy Sources;
- Decision no. V-810-2016, dated on 19 May 2016, on determination of Feed-in Tariff for electricity generation from Renewable Energy Sources;
- Application for Authorization for construction of new generation capacities for electricity generation from WATER, in Lepenc River, HPP Soponica, with an installed capacity of 1.3 MW, CA Doganaj, Municipality of Kaçanik, Republic of Kosovo, dated on 11.11.2014, of "2 Korriku" LLC, having its address at: Soponicë village, Municipality of Kaçanik;
- Decision no. 766-2016, dated on 28 January 2016, on issuance of Decision on Notification for Preliminary Authorization to "2 Korriku" LLC., for development of the project for construction of new generation capacities for electricity generation from WATER, in Lepenc River, HPP Soponica, with an installed capacity of 1.3 MW CA Doganaj, Municipality of Kaçanik;
- Request/application for conversion of Decision on Notification for Preliminary Authorization into Final Authorization for construction of new generation capacities for electricity generation from WATER, in Lepenc River, HPP Soponica, with an installed capacity of 1.3 MW, CA Doganaj, Municipality of Kaçanik, prot. No. 007/17, dated on 11.01.2017, of "2 Korriku" LLC., having its address at: Soponicë village, 71000, Municipality of Kaçanik, Republic of Kosovo, and
- Contracts, permits, consents and decisions issued by relevant institutions, as in Appendix II. to this Decision,

in its session held on 18 January 2017, issued the following:

DECISION



ON ISSUANCE OF FINAL AUTHORIZATION

- I. FINAL AUTHORIZATION is issued to “2 Korriku” LLC, on construction of new generation capacities for electricity generation from Water, in Lepenc River, HPP Soponica, with an installed capacity of 1.3 MW, at the cadastral area no. P-7091702-00266-0 CA Doganaj, in accordance with the CONSTRUCTION PERMIT -06 no. 351-41368/16, dated on 29.12.2016, issued by Directorate for Urbanization, Cadastre and Environmental Protection, Municipality of Kaçanik.
- II. Decision on Final Authorization is issued to “2 Korriku” LLC. for two (2) years and the later is obliged, within this period, to construct new generation plants for electricity generation from the hydro power plant.
- III. ERO shall consider the project as finalized from the date of issuance of Certificate of Occupancy , issued by competent body, pursuant to the Law on Construction.
- IV. Following the finalization of the project, according to enacting clause under item III. of this Decision, “2 Korriku” LLC shall bond a Power Purchase Agreement with the Public Supplier with a duration of ten (10) years, which shall be concluded at least thirty (30) days prior to the commencement of generating operation, with the feed-in tariff stipulated with Decision no. V-810-2016 dated on 19 May 2016, issued by ERO Board.
- V. Prior to starting operation, “2 Korriku” LLC, is obliged to own an Environmental (Ecological) Permit issued by MESP.

Reasoning

- On 11.11.2014, ERO received from “2 Korriku” LLC the application for obtaining the authorization for construction of new generation capacities for electricity generation from Water, in Lepenc River, HPP Soponica, with an installed capacity of 1.3 MW, CA Doganaj, Municipality of Kaçanik, Republic of Kosovo.
- Following the ascertainment that the applicant has demonstrated its suitability for construction of new generation capacities for electricity generation from water, ERO, on 28 January 2016, issued Decision on Notification for Preliminary Authorization V-766-2016 and instructed the applicant to fulfil other legal requirements required by applicable legislation in Kosovo.
- Decision on Notification for Preliminary Authorization has not implied granting an authorization for construction, until the requirements set by Rule on Authorization Procedure for Construction of New Capacities are fulfilled.



- Decision on Notification for Preliminary Authorization is issued for one (1) year and it determines that “2 Korriku” LLC. Company shall be granted the Authorization for Construction, if within this period it makes a written request to convert the Decision on Preliminary Notification into Authorization, fulfilling all requirements set by the Rule on Authorization Procedure for Construction of New Generation Capacities and applicable legislation.
 - On 11.01.2017, ERO received from “2 Korriku” LLC. the request for conversion of Decision on Notification for Preliminary Authorization into FINAL Authorization for construction of new generation capacities for electricity generation from water, in Lepenc River, HPP Soponica, with an installed capacity of 1.3 MW, CA Doganaj, Municipality of Kaçanik, attaching evidence issued by relevant authorities on fulfilment of all environmental and water requirements, the right on the use of land, the right on the use of water, Construction Permit issued by the Municipality and other legal requirements related to the nature of the project, in accordance with applicable legislation.
 - Following the evaluation of attached evidence, permits, approvals and decisions issued by relevant institutions and based on legal provisions mentioned in the introductory section of this decision, ERO decided as in the enacting clause of this Decision.
- II. The Decision is issued in Albanian Language and translated into Serbian. In case of any discrepancy between the versions, the Albanian version shall prevail.
- III. This Decision shall enter into force on the date of approval by the Board, and shall be published on ERO’s official website

Legal Advice: The party dissatisfied with this Decision may initiate an administrative dispute at the Competent Court, within thirty (30) days from the date of receipt of this Decision or the date of its publication on ERO’s website, whichever occurs last.

Enclosed to the Decision: Appendix I and Appendix II.

ERO Board:

Krenar Bujupi, Acting Chairman

Arsim Janova, Member

Besim Sejfiqaj, Member

This Decision is sent to:



- The party,
- Municipality of Kaçanik,
- Secretary Permanent of MESP,
- Secretary Permanent of MAFRD, and
- ERO Archive

APPENDIX I

Energy Regulatory Office (ERO) exerting its powers entrusted to it under Article 43 of the Law on Energy Regulator and in accordance with Article 16 of Rule on Authorization Procedure for Construction of new generation capacities, to **“2 Korriku” LLC**, having its address at: Soponicë Village, 71000, Municipality of Kaçanik, Republic of Kosovo, on 18 January 2017, **issued the following:**

AUTHORIZATION

1. For construction of new generation capacities for electricity generation from hydro power plant in Lepenc River, HPP Soponica, with an installed capacity of 1.3 MW, in the cadastral area no. P-7091702-00266-0 CA Doganaj, in accordance with the CONSTRUCTION PERMIT 06 no. 351-41368/16 dated on 29.12.2016, issued by Directorate for Urbanization, Cadastre and Environmental Protection, Municipality of Kaçanik.
2. Hereby, N.N “2 Korriku” LLC. Company is authorized to construct generation capacities in the abovementioned location, in accordance with terms and conditions determined within this Authorization.
3. This Authorization is issued for two (2) years, starting from the day of its issuance. ERO, at the request of the party, may extend the validity of Authorization, pursuant to applicable legislation.
4. Authorized Party, during the entire validity period of this Authorization, must fulfill the following:
 - 4.1. All conditions set out under this Authorization, and
 - 4.2. All conditions set out under applicable legislation in Kosovo, including those on environment.
5. Energy Regulatory Office can modify this Authorization in accordance with provisions of Article 19 of Rule on Authorization Procedure for Construction of New Capacities
6. In case the Authorized party violates any of the conditions of this Authorization and applicable legal provisions, ERO shall suspend the Authorization in accordance with provisions of Rule on Authorization Procedure for Construction of New Capacities. From the date this Authorization is suspended, the entire further works for constructing the generating plant are to be stopped. In case of noncompliance, administrative measures and fines set out under the applicable legislation may be undertaken against the Authorized party.
7. The validity of this Authorization shall automatically expire upon the expiration of the period set out under item II. of the present Decision or upon the expiration of other terms set out by ERO in accordance with item 3 Appendix I of this Authorization.



8. In case the Authorized party violates any of the conditions of this Authorization and applicable legal provisions, ERO shall suspend the Authorization in accordance with provisions of the Rule on Authorization Procedure for Construction of New Capacities. From the date this Authorization is suspended, the entire further works for constructing the generating plant are to be stopped. In case of noncompliance, administrative measures and fines set out under applicable legislation may be undertaken against the Authorized party.
9. The authorized party shall inform ERO in writing and ask for prior consent for any changes to the existing elements of generators or any addition of new elements, which are not included in the project being part of the application.

APPENDIX II

List of documents (permits, consents, decisions, contracts etc.) issued by institutions of the Republic of Kosovo, related to granting **Authorization for Construction** to “2 Korriku” LLC. for construction of new generation capacities for electricity generation from WATER, in Lepenc River, HPP Soponica-CA Doganaj, with an installed capacity of **1.3 MW**, Municipality of Kaçanik:

- **Decision 01 no. 06-350-9420/2015 dated on 28.04.2015 on granting the Consent-** to “2 Korriku” LLC, from Soponica, for construction of the hydro power plant HPP Soponica, with an installed capacity of 1.3 MW, in Lepenc River issued by Municipal Assembly of Kaçanik;
- **Energy Approval** no. 6611, dated on 12.08.2015, issued by KEDS JSC;
- **Consent** on utilization of private land for construction of the hydro power plant in Lepenc River, no. 136-03 dated on 02.07.2013, issued by Archaeological Institute of Kosovo;
- **Prior Consent 01 Nr. 16-350-35363/16 dated on 28.10.2016, on changing the destination of land**, issued by Municipal Assembly of Kaçanik;
- **Consent on change of destination of agricultural land to non-agricultural land**, with the aim of constructing the hydro power plant Soponica, with a capacity of 1.3 MW, in Lepenc River, no. 3353/5 dated on 20.12.2016, issued by Office of Secretary Permanent, Ministry of Agriculture, Forestry and Rural Development;
- **Decision on Change of Destination of Agricultural Land** 08 No. 350-35363/16, dated on 21.12.2016, issued by Directorate of Agriculture, Rural Development and Forestry, Municipality of Kaçanik;
- **Environmental Consent** - no. 15/2584/1-285/DMM, dated on 05.11.2015, issued by Ministry of Environment and Spatial Planning (MESP)- Office of Secretary Permanent (OSP);
- **Water Consent** – no. 1167-2/16 ZSP 579/2016, dated on 25.05.2016, issued by Ministry of Environment and Spatial Planning (MESP)- Office of Secretary Permanent (OSP);



- **CONSTRUCTION PERMIT – 06 no. 351-41368/16, dated on 29.12.2016**, on allowing the construction of the hydro power plant in Lepenc River HPP Soponica, with an installed capacity of 1.3 MW, in the cadastral area no. P-7091702-00266-0 CA Doganaj, issued by Directorate for Urbanization, Cadastre and Environmental Protection, Municipality of Kaçanik;
- **Certificate of Cadastral Unit;**
- **Technical, Environmental and Financial Feasibility Study;**
- **Business Plan;**
- **Main Project.**