



Prishtina, 27 February 2017  
ERO Code: V\_892\_2017

## The Board of Energy Regulatory Office

### Based on:

- Article 9, paragraph 1, sub paragraph 1.7, Article 15, paragraph 1, sub paragraph 1.15, Article 25, Article 26, paragraph 1, sub-paragraph 1.2 and Article 43, paragraph 1 of the Law on Energy Regulator (No. 05/L-184);
- Article 19 of the Rule on Authorization Procedure for Construction of New Capacities;
- Decision on Issuance of Decision on Notification for Preliminary Authorization V-671-2014, dated on 23 December 2014;
- Decision on admission to the Support Scheme V-700-2015, dated on 20 February 2015;
- Decision on issuance of Final Authorization V-737-2015, dated on 15 June 2015, on modification of the generation capacity of the hydro power plant in Morava e Binçës River, HPP Binça, from the installed capacity of **0.6 MW** to the installed capacity of **1 MW** CA Binça, Municipality of Viti, dated on 25.01.2016, of “EKO-ENERGJI” LLC. Company, having its address at St. “Pozhoran” n.n. Viti, Republic of Kosovo;
- Decision no. 11-016/48235, dated on 19.01.2017 on allowing the modification of decision no. 11-351-11573, dated on 01.04.2015, only for increase of generation capacity for construction permit for the facility of the hydro power plant from 0.6 MW to 1 MW, issued by Directorate for Urbanization, Planning and Environment, Municipality of Viti; and
- Decision no. 2881-2/16-ZSP-45/16 on modification of Decision on Water Consent no. 382/15-ZSP-496, dated on 20.10.2016, issued by MESP,

in its session held on 27 February 2017 issued the following:

## DECISION ON MODIFICATION OF FINAL AUTHORIZATION

- I. **DECISION ON MODIFICATION OF FINAL AUTHORIZATION V-737-2015, dated on 15 June 2015, is issued to “EKO-ENERGJI” L.L.C Company** for hydro power plant in Morava e Binçës River, HPP “Binça”, from the installed capacity of **0.6 MW** to the installed capacity of **1 MW**, in accordance with Decision no. 11-016/48235, dated on 19.01.2017, on allowing the modification of decision no. 11-351-11573, dated on 01.04.2015, only for the increase of the generation capacity for the Construction Permit for the facility of the hydro power plant, issued by Directorate of Urbanization, Planning and Environment, Municipality of Viti and Decision no. 2881-2/16-ZSP-45/16 on modification of Decision for Water Consent with no. 382/15-ZSP-496, dated on 20.10.2016, issued by MESP.



- ii. Following the technical admission of HPP “Binça”, “EKO-ENERGJI” LLC. **is obliged** to submit the Certificate of Occupancy, issued by the competent body of Municipality of Viti and Water Permit issued by MESP.
- III. Following the finalization of the project under item II. of this Decision, “EKO ENERGI” LL. 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 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.
- IV. Prior to commencement of operation (generation), “EKO-ENERGJI” LLC. is obliged to own an Environmental (Ecological) Permit issued by MESP.

### Reasoning

- On 13.08.2014, ERO received from “EKO-ENERGJI” LLC. the request/application for construction of new generation capacities for electricity generation from the hydro power plant, in Morava e Binçës River for HPP “Binça”, with an installed capacity of 0.6 MW, CA Binça, Municipality of Viti.
- Following the ascertainment that the applicant has demonstrated its suitability for construction of new generation capacities from the hydro power plant, ERO, on 21 December 2014, issued the Decision on Notification for Preliminary Authorization V\_671\_2014, and instructed the applicant to fulfill other legal requirements which are required by the applicable legislation in Kosovo.
- On 20.05.2015, ERO received from “EKO-ENERGJI” LLC. the request for conversion of Decision on Notification for Preliminary into Authorization for construction of new generation capacities for electricity generation from the hydro power plant, in Morava e Binçës River, HPP “Binça”, with an installed capacity of 0.6 M, CA Binça, Municipality of Viti, attaching evidence issued by relevant authorities for fulfillment of all environmental requests, the right on the use of land, the right on the use of water, Construction Permits and other legal requirements related to the nature of the project in accordance with the applicable legislation.
- On 15 June 2015, ERO issued the Decision on Final Authorization V-737-2015 to “EKO-ENERGJI” LLC. for construction of new generation capacities for electricity generation from the hydro power plant, in Morava e Binçës River, for HPP “Binça”, with an installed capacity of 0.6 MW, CA Binça, Municipality of Viti.
- On 25.01.2017, ERO received from “EKO-ENERGJI” LLC. the request for Modification of Final Authorization for modification of generation capacity the hydro power plant in Morava e Binçës River, HPP Binça, from the installed capacity of **0.6 MW** to the installed capacity of **1 MW**, CA Binça, Municipality of Viti.
- Along with the request for Modification of Final Authorization, ERO also received : Decision no. 11-016/48235, dated on 19.01.2017, for allowing the modification of Decision no. 11-351-11573, dated on 01.04.2015, only for the increase of the generation capacity for the construction permit for the facility of the hydro power plant, from 0.6 MW to 1 MW, issued by



Directorate of Urbanization, Planning and Environment, Municipality of Viti, Decision no. 2881-2/16-ZSP-45/16 on modification of Decision on Water Consent with no. 382/15-ZSP-496, dated on 20.10.2016, from the capacity of N=0.6 to N=1.0 MW, issued by MESP, Environmental Consent no. 16/2467/1-413/DMM, issued by MESP and Energy Approval no. 112, dated on 10.01.2017, issued by KEDS JSC.

- Following the evaluation of the request for Modification of Authorization and attached evidence, as well as 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 shall be issued in Albanian and will be translated into Serbian language. In case of any discrepancy between the versions the Albanian version shall prevail.
- III. The decision shall enter into force on the date of approval by the ERO Board and shall be published on the official website of ERO.

**Legal advice:** The party dissatisfied with this decision can initiate an administrative dispute in the Competent Court, within thirty (30) days from the date of receipt of this Decision or from the date of its publication in the ERO's website, whichever occurs last.

**ERO Board:**

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Krenar Bujupi, Acting Chairman

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Arsim Janova, member,

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Besim Sejfijaj, member

**This Decision is sent to:**

- The party
- Municipality of Viti
- General Secretary of MESP, and
- ERO Archive.