



Prishtina, 12 July 2018
ERO Code: V_1005_2018

Board of Energy Regulatory Office,

Pursuant to:

- 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-084);
- Article 4, Article 5, Article 13, paragraph 1 and Article 14 of the Rule No. 11/2017 on Authorization Procedure for Construction of New Generation Capacities from RES;
- Administrative Instruction No. 05/2017 on Renewable Energy Source Targets;
- Article 4, Article 5, Article 6 paragraph 7, 8, 9 and 10, Article 8 paragraph 3 and 4, Article 9, Article 11 and Article 12 of the Rule No. 10/2017 on Support Scheme for RES Generators;
- Decision No. V-810-2016 dated on 19 May 2016 on determination of Feed-in Tariff for electricity generation from Renewable Energy Sources;
- Application/Request for Authorization for construction of new generation capacities for electricity generation from solar/photovoltaic panels, Project "MERKURI" at the place called Madanaj, CZ Kusar, with an installed capacity of 3 MW, Municipality of Gjakova, dated 15.05.2017, prot. no. 187/17 of the Company "JAHA SOLAR" L.L.C., with address "Sllatine" n.n., Fushe Kosove, Republic of Kosovo, and
- Application for admission to the Support Scheme;

in the session held on 12 July 2018, issued the following:

DECISION

for Issuance of Preliminary Authorization

- I.** Energy Regulatory Office (ERO) hereby concludes that "JAHA SOLAR" L.L.C. has proved its eligibility for developing the project for constructing new generation capacities for electricity generation from solar/photovoltaic panels, Project "MERKURI", at the place called Madanaj, CZ Kusar, with installed capacity of 3 MW, in the Municipality of Gjakova, Republic of Kosovo.
- II.** The applicant "JAHA SOLAR" L.L.C. will be granted the AUTHORIZATION for constructing new generation capacities from solar/photovoltaic panels after meeting all the requirements deriving from Articles 14 and 15 of the Rule on Authorization Procedure and other applicable legal requirements related to construction of new generation plants.
- III.** Decision for Preliminary Authorization does not entitle the holder to start construction of new generation plant before it meets all the conditions and requirements set forth in item II herein and be granted with the Final Authorization in compliance with the Rule on Authorization.



- IV. Decision for Preliminary Authorization determines that the process for admission to Support Scheme shall be suspended until the available targets according to Administrative Instruction No. 05/2017 issued by Ministry of Economic Development of Republic of Kosovo are released.
- V. Decision for Preliminary Authorization determines that the application of the Company “JAHA SOLAR” L.L.C. is considered as “**pending**” for admission to the Support Scheme.
- VI. Decision for Preliminary Authorization is issued for a twelve (12) month period, within which period the applicant is obliged to meet the requirements under item II of the enacting clause of this Decision, and shall request in writing the granting of authorization for construction of new generation plants.
- VII. The term of the Decision for Preliminary Authorization set in the enacting clause under item VI of this Decision shall not run from the date of issuance of this Decision, but from the date of written notification from ERO for inclusion in the support scheme.

Reasoning

- On 15.05.2017, ERO received from the Company “**JAHA SOLAR**” L.L.C. the application for obtaining the authorization for construction of new generation capacities for electricity generation from solar/photovoltaic panels, Project “MERKURI” at the place called Madanaj, CZ Kusar, with installed capacity of 3 MW, Municipality of Gjakova, Republic of Kosovo.
- On 15.05.2017, ERO received from the Company “**JAHA SOLAR**” L.L.C. the application for admission to the Support Scheme.
- On 20.06.2017, ERO informed the Company “**JAHA SOLAR**” L.L.C., stating that ERO has received/evidenced some applications for construction of solar panels and their capacity MET the targets for utilization and support of electricity generation from RES, stipulated under Administrative Instruction No. 05/2017 issued by Ministry of Economic Development. It also announced that the Rule on Support Scheme guarantees the “Feed-in Tariff” only to the applicants who are granted with Preliminary or Final Authorization, which are within the targets stipulated under Administrative Instruction No. 05/2017.
- ERO informed the applicant that if the applicant wants to proceed further with the procedures for obtaining the Decision for Preliminary Authorization or Final Authorization, it shall be specified in the relevant decision that the process for admission to the Support Scheme shall be suspended until the available targets are released, according to Administrative Instruction No. 05/2017, and explained that ERO shall notify the applicant according to chronological order of applications, upon release of available targets.
- ERO, following the evaluation of requests and evidence attached to the application and receipt of other additional supplementary evidence, as requested from ERO, and evaluation of the content of application for admission to the support scheme, based on the legal provisions mentioned in the introductory part of this Decision, decided as in the enacting clause of this decision.



VIII. The Decision shall be issued and published in the official languages in the Republic of Kosovo.

IX. The Decision shall enter into force on the date of its approval by the Board, and shall be published in the official website of ERO.

Legal advice: The party unsatisfied with this Decision may initiate an administrative conflict before the competent court within thirty (30) days from the date the Decision is accepted or published in the website of ERO, whichever occurs last.

Board of ERO:

Arsim Janova, Acting Chairman

Besim Sejfijaj, Member

Selman Hoti, Member

Izet Rushiti, Member

The Decision is submitted to:

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