



Pristina, 15 November 2018
ERO Code: V_1070_2018

The Board of Energy Regulatory Office

Based on:

- Provisions of Article 9, paragraph 1, sub-paragraph 1.7, Article 15, Article 26, Article 28, paragraph 2, sub-paragraph 2.1, Article 30, Article 32, paragraph 2, sub-paragraph 2.1, Article 34 and Article 38 of the Law on Energy Regulator (Law No. 05/L-084);
- Provisions of Article 6 of Law on Electricity (Law No. 05/L-085);
- Provisions of Rule on Licensing of Energy Activities in Kosovo (Rule No. 07/2017);
- Power Purchase Agreement (PPA) concluded between "Air-Energy" LLC and KOSTT JSC, and
- Application for Licensing of Electricity Generation Activity, submitted at the Regulator on 17.07.2018 from "Air-Energy" LLC, having its address at St. "Isa Boletini" n.n, 60000, Gjilan, Republic of Kosovo,

in its session held on 15 November 2018, issued the following:

DECISION

- I. Temporary license is ISSUED** for electricity generation from renewable energy sources from wind park "Kitka" of " Air-Energy" LLC, having its license number ZRRE/Li_62/18, for the period from **11.10.2018** when the generator started commercial operation, until **10.10.2019**.
- II. "Air-Energy" LLC is obliged**, within the term stipulated in item 1 of the enacting clause of this Decision, to submit to the Regulator the Integrated Environmental Permit for the generator in question, issued by Ministry of Environment and Spatial Planning.
- III.** The time-limit, mentioned in item 1 of the enacting clause of this Decision, shall be reviewed and amended, following the provision of the Integrated Environmental Permit, issued by the Ministry of Environment and Spatial Planning.

Reasoning



- Energy Regulatory Office (the Regulator), on 17.07.2018 received the Application with relevant evidence on licensing of electricity generation activity in Kosovo, from “Air-Energy” LLC, from the generator WIND PARK KITKA, with an installed capacity of 32.4 MW.
- For licensing of electricity supply activity, the Integrated Environmental Permit is required in addition to others. “Air Energy” LLC, due to the impossibility of ensuring the Integrated Environmental Permit from the Ministry of Environment and Spatial Planning (MESP), submitted to the Regulator the Request submitted at MESP on 18.09.2018 in order to be granted with the Integrated Environmental Permit, regarding which they have not been provided an answer so far.
- The Regulator, based on Article 5, paragraph 6 of Rule on Licensing of Energy Activities in Kosovo, issues the **temporary** license to the enterprise in question, for the foreseen period as in the enacting clause to this DECISION, provided that the Integrated Environmental Permit will be submitted to the Regulator within twelve (12) months from the date of entry into operation of the generator of this enterprise.
- If the licensee, within the term foreseen in item II of the enacting clause of this Decision, submits to the Regulator the Integrated Environmental Permit, the Regulator shall issue the electricity generation license, as foreseen in Article 32, paragraph 2.1 of the Law on Energy Regulator.
- According to Article 8.1 of the Rule on Licensing of Energy Activities in Kosovo, the companies that apply for Licensing at the Regulator shall notify the interested parties through the newspaper on the submission of their application for Electricity Generation License at the Regulator and that the application is in the final phase of obtaining the license. The interested parties are entitled to contradict the application, in case they can prove any irregularity in this regard.
- “Air Energy” LLC, on 26.10.2018, published a notice on the newspaper, in accordance with the above mentioned paragraph. The interested parties did not contradict this application.
- Regulator evaluated that the company in question acted in accordance with the instructions from the Regulator, the requirements foreseen in the Application for Licensing of electricity supply activity and applicable legislation, therefore following the evaluation of the application and other evidence attached to the application of “Air-Energy” LLC, and based on legal provisions mentioned in the introductory section of this Decision, decided as in the enacting clause to this Decision.

IV. The Decision is issued in official languages of the Republic of Kosovo.

V. The Decision shall enter into force on the date of approval by the Board of the Regulator and will be published on the official website of the Regulator.

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.



This Decision is sent to:

- "Air Enegyry" LLC
- Archive of Energy Regulatory Office

The Board of the Regulator

Arsim Janova, Acting Chairman

Besim Sejfiqaj, Member

Selman Hoti, Member

Izet Rushiti, Member