



Pristina, 15 November 2018  
ERO Code: V\_1074\_2018

**The Board of Energy Regulatory Office,  
based on:**

- Provisions of Article 15, paragraph 1, sub-paragraph 1.5, Article 26, paragraph 1, sub-paragraph 1.2 and Article 51 of Law on Energy Regulator (Law No. 05/L-084);
- Provisions of Article 3, paragraph 1, sub-paragraph 1.19 and 1.51, Article 5, Article 33, paragraph 4, Articles 39 and 40 of the Law on Electricity ( Law No. 05/L-085);
- Provisions of Rule on Supplier of Last Resort;
- Provisions of Article 19 of Electricity Supply License, granted to “KESC” J.S.C;
- Decision of ERO V\_976\_2018, dated on 13.04.2018, on Opening the Bidding Procedure for Appointment of the Supplier of Last Resort;
- Decision of ERO V\_977\_2018, dated on 13 June 2018, on (temporary) Appointment of the Supplier of Last Resort;

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

## **DECISION ON APPOINTMENT OF THE SUPPLIER OF LAST RESORT**

- I.** “KOSOVO ELECTRICITY SUPPLY COMPANY” (KESC) J.S.C is **appointed** to carry out the obligations of the Supplier of Last Resort (Guaranteed Supplier).
- II.** The obligation appointed in paragraph I of this Decision will be exercised for a period of three (3) years, and shall be implemented from 14 December 2018 until 13 December 2021.
- III.** The Supplier of Last Resort is obliged to ensure all supply services, stipulated by Law on Electricity, Rule on General Conditions of Energy Supply and Electricity Supply License, issued by ERO.
- IV.** The Supplier of Last Resort is obliged to supply customers who remain without Supplier in the following cases:
  - their supplier has bankrupted or is in liquidation;
  - the license of the previous supplier has been temporarily or permanently revoked, or has expired;

-the customer failed in selecting a new supplier following the termination of the contract with the previous supplier;

- V. According to point IV, the guaranteed supply cannot be provided for more than **sixty (60) days**.
- VI. The costs of the Supplier of Last Resort shall be set in accordance with Article 6 of the Rule on Supplier of Last Resort.

## **REASONING**

1. Energy Regulatory Office (ERO), in accordance with Provisions of Article 40 of Law on Electricity, by Decision V\_910\_2017, on 13 April 2017, announced the Bidding Procedure on Appointment of the Supplier who shall be charged the obligation of the Supplier of Last Resort.
  2. None of the current suppliers applied in the tender announced by ERO, namely, ERO did not receive any application from the current licensed Suppliers to carry out these obligations.
  3. Energy Regulatory Office (ERO), on 28 April 2018, by Decision V\_976\_2018, repeated the announcement of the Tender for appointment of the Supplier who shall carry out the obligations of the Supplier of Last Resort.
  4. In accordance with Article 40 of the Law on Electricity, ERO, by Decision V\_977\_2018, dated on 13.06.2018, appointed "KOSOVO ELECTRICITY SUPPLY COMPANY" (KESC) J.S.C, to exercise TEMPORARILY the obligations of the Supplier of Last Resort (Guaranteed Supply), for a period of six (6) months.
  5. Given that even in the second announced tender, ERO did not receive any application from any of the current licensed suppliers to exercise these obligations and as the six (6) month interim period given by Decision \_977\_2018 expires on 13 December 2018 , also based on the legal provisions mentioned in the introduction to this decision, has decided as in the enacting clause of this Decision.
- VII. The Decision is issued in official languages of the Republic of Kosovo.
  - VIII. The Decision shall enter into force on the date of approval by the Board and will be published on the official website of ERO.

**The Board of the Regulator**

Faqe 2 nga 3

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Arsim Janova, Acting Chairman

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Besim Sejfijaj, Member

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Selman Hoti, Member

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Izet Rushiti, Member

**This Decision is sent to:**

- "KOSOVO ELECTRICITY SUPPLY COMPANY" (KESC) J.S.C,
- Regulator's Archive