



**Republika e Kosovës**  
**Republika Kosova - Republic of Kosovo**

**ZYRA E RREGULLATORIT PËR ENERGJI**  
**REGULATORNI URED ZA ENERGIJU**  
**ENERGY REGULATORY OFFICE**



**Pristina, 20 December 2018**  
**ERO Code: V\_1078\_2018**

**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 Law on Energy Regulator (No. 05/L-084);
- Article 16, paragraph 4 of Rule on Authorization Procedure for Construction of New Generation Capacities;
- Decision on Issuance of Final Authorization V\_870\_2016, dated on 14 December 2016, to "Eurokos JH" LLC, for construction of new generation capacities for electricity generation from hydro power plant HPP Brodi 3, in Brod River, CA Vraniq, and in the stream of Plavë River, CA Kukalane, with an installed capacity of 4.7 MW, Municipality of Dragash.
- Request for extension of validity term of Decision on Final Authorization V\_870\_2016, dated on 14 December 2016, for one (1) additional year, for construction of new generation capacities for electricity generation from hydro power plant HPP Brodi 3, in Brod River, CA Vraniq, and in the stream of Plavë River, CA Kukalane, with an installed capacity of 4.7 MW, Municipality of Dragash, dated on 10.12.2018, prot. no. 280/18, of "Eurokos JH" LLC, having its address at " St. "Migjeni" no. 23, 10000, Pristina, Republic of Kosovo,

**in its session held on 20 December 2018 issued the following:**

**DECISION**

- I. On **APPROVAL** of the request of "Eurokos JH" LLC, and **EXTENSION** of validity term of Decision on Final Authorization V\_870\_2016, dated on 14 December 2016, for continuing the construction of new generation capacities for electricity generation from the hydro power plant HPP Brodi 3, in Brod River, CA Vraniq and in the stream of Plavë River, CA Kukalane, with an installed capacity of 4.7 MW, Municipality of Dragash, for one (1) additional year, namely until 14 December 2019, for construction of the hydro power plant HPP Brodi 3, in accordance with Construction Permit 06 no. 351-199966/16, dated on 21.10.2016, issued by Directorate for Urbanization, Cadastre and Environmental Protection, Municipality of Dragash.



## Reasoning

- ERO, on 27.03.2015, received from “Eurokos JH” LLC. the application for obtaining the authorization for construction of new generation capacities from WATER, in Brod River, HPP Brod 1, with an installed capacity of 1.06 MW and HPP Brod 3, with an installed capacity of 4.7 MW, CA Brod and CA Kukalane, Municipality of Dragash, Republic of Kosovo.
- The Board of Energy Regulatory Office, following the analysis of the evidence presented by “Eurokos JH” LLC, in its session held on 28 January 2016, decided that the applicant has proved its suitability for development of the project for construction of new generation capacities from hydro power plant HPP Brodi 3, and issued the Decision on Notification for Preliminary Authorization no. V\_767\_2016.
- The Decision on Notification for Preliminary Authorization has not implied the issuance of the Authorization for Construction, until the fulfilment of the requirements set by the Rule on Authorization procedure for construction of new generation capacities.
- ERO, on 24.11.2016, received from “Eurokos JH” 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 Brod River, HPP Brod 3, with an installed capacity of 4.7 MW, CA Brod and CA Kukalane, Municipality of Dragash, attaching evidence issued by relevant authorities on fulfilment of all environmental and water requirements, the right on the use of land, Construction Permit issued by the Municipal Assembly and other legal requirements related to the nature of the project in accordance with applicable legislation.
- The Board of Energy Regulatory Office, in the session held on 14 December 2016, following the evaluation and analysis of the requirements, in accordance with the application and construction permits issued by relevant authorities, decided to issue to “Eurokos JH” LLC the Decision on Final Authorization V\_870\_2016, for construction of new generation capacities for electricity generation from hydro power plant, HPP Brodi 3, in Brod River, CA Vraniq and in the stream of Plavë River, CA Kukalane, with an installed capacity of 4.7 MW, Municipality of Dragash, in accordance with the Construction Permit 06 no.351-199966/16, dated on 21.10.2016, issued by Directorate for Urbanization, Cadastre and Environmental Protection, Municipality of Dragash.
- ERO, on 02.08.2018, received from “Eurokos JH” LLC, the request for extension of validity term of Decision on Final Authorization V\_870\_2016, dated on 14 December 2016, for continuing the construction of new generation capacities from hydro power plant HPP Brodi 3, CA Vraniq and CA Kukalane, with an installed capacity of 4.7 MW, **for one (1) additional year, namely until 14 December 2019, for finalization of the project.**
- “Eurokos JH” LLC explained in its request that: starting from the date of receipt of Decision on Final Authorization from ERO Board, they have started the preparations for construction of the hydro power plant HPP Brodi 3, starting with geodetic surveys by field experts, road opening, pipeline track and hydro power plant facility.



- "Eurokos JH" LLC, in its request also explained that they have been working intensively in the field despite the difficulties in the implementation of the project HPP Brodi 3. So far, almost all the works have been completed: the opening of the track for placing the pipeline has been completed, more than 4 km of pipelines have been installed, the offtake has been completed and finalized, the hydro power plant facility has been completed, the turbines are being assembled together with all technical and technological equipment, the conductor is in the process of being finalized, and we can assure that so far more than 90% of the works have been completed.
  - "Eurokos JH" LLC, also explained that the reason for submitting a request for extension of validity term of the Final Authorization for construction of HPP Brodi 3 is that they had to deal with a difficult terrain where landslides, continuous rains from inadequate weather for the development of normal jobs, in the fall and spring, the project and field specifics have forced them to be careful, given that the project value is large and the risks have to be considered. Therefore, all these have caused delays in the completion of this project, so we require from ERO to enable the extension for finalization of the project.
  - Therefore, based on the above-mentioned facts. "Eurokos JH" LLC requested from the ERO Board that, based on legal provisions of Article 16, par. 4 of the Rule on Authorization Procedure for Construction of New Generation Capacities, to be allowed the extension of the Validity term of Final Authorization V\_870\_2016, dated on 14 December 2016, for continuing the construction of new generation capacities from the hydro power plant HPP Brodi 3 for one (1) additional year, even though they are sure that soon HPP Brodi 3 will commence the production and testing phase. However, in order to be in line with legal procedures, they required a longer extension, so that they can be coherent with the Authorization Procedure.
  - ERO Board, following the analysis of the request of "Eurokos JH" LLC and attached evidence on extension of validity term of Final Authorization, for construction of new generation capacities for electricity generation from hydro power plant HPP Brodi 3, in Brod River, CA Vraniq, in the stream of Plavë River, CA Kukalane, with an installed capacity of 4.7 MW, Municipality of Dragash, evaluated them and considered that the justifications on the requirements of the applicant are well grounded, therefore based on the evidence from the issue in question, which presented facts that the project shall be finalized within this period, decided to allow the extension of validity term of Final Authorization V\_870\_2016, dated on 14 December 2016, for an additional legal term, based on legal criteria mentioned in the introductory section of this Decision.
- II.** The Decision on Issuance of Final Authorization V\_870\_2016, dated on 14 December 2016, shall be valid until **14 December 2019**, according to enacting clause under item I of this Decision. In case the construction of the generating plants from water is not finalized, or it is not acted in accordance with applicable legislation, it shall be repealed.
- III.** The Decision is issued and published in official languages of the Republic of Kosovo
- IV.** 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.

#### **ERO Board**

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Arsim Janova , Acting Chairman

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Besim Sejfiqaj, Member

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Selman Hoti, Member

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Izet Rushiti, Member

#### **This Decision is sent to:**

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