



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

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



**Pristina, 13 June 2018**  
**ERO Code: V\_979\_2018**

**The Board of Energy Regulatory Office**

**Based on:**

- Article 9, paragraph 1, subparagraph 1.7, Article 15, paragraph 1, subparagraph 1.15, Article 25, Article 26, paragraph 1, subparagraph 1.2 and Article 43, paragraph 1 of Law on Energy Regulator (No. 05/L-084);
- Article 16, paragraph 5 of Rule on Authorization Procedure for Construction of New Generation Capacities;
- Decision on issuance of Final Authorization V\_737\_2015, dated on 15 June 2015, to “ EKO ENERGJI” LLC, for construction of new generation capacities for electricity generation from water, at Morava e Binçës River, HPP Binça, with an installed capacity of 0.6 MW, located at CA Binça, Municipality of Viti;
- Decision V\_929\_2018, dated on 29 March 2018, on extension of validity time-limit of Decision V\_737\_2015, dated on 15 June 2015, modified by Decision V\_892\_2017. Issued to “EKO ENERGJI” LLC, on construction of new generation capacities for electricity generation from water, at Morava e Binçës River, HPP Binça, with an installed capacity of 1 MW, located at CA Binça, Municipality of Viti;
- Request for extension of validity time limit of the Authorization V\_737\_2015, dated on 15 June 2015, for an additional period of twelve (12) months, for construction of new generation capacities for electricity generation from water, at Morava e Binçës River, HPP Binça, with an installed capacity of 1 MW, CA Drekoc, located at CA Binça, Municipality of Viti, dated on 07.05.2018, of “EKO ENERGJI” LLC, having its address at: Pozharan Village, nn, Republic of Kosovo,

**in its session held on 13 June 2018 issued the following:**

**DECISION**

- I. On **APPROVAL** of the request of “EKO ENERGJI” LLC, and **EXTENSION** of validity time-limit of Authorization V\_737\_2015, dated on 15 June 2015, modified by Decision V\_892\_2017, and extended by Decision V\_929\_2018, dated on 29 March 2018, on construction of the hydro power plant HPP Binça, with an installed capacity of 1 MW, at Morava e Binçës River, located at CA



Binça,, Municipality of Viti, for an additional period of twelve (12) months, namely until **15 June 2019 for finalizing the construction of the hydro power plant.**

### **Reasoning**

- ERO, on 13.08.2014, received from “EKO ENERGI” LLC the request/application for construction of new generation capacities for electricity generation from water, at Morava e Binçës River, HPP Binça, with an installed capacity of 0.6 MW, located at CA Binça, Municipality of Viti.
- Following the analysis of evidence presented by “EKO ENERGI” LLC, the Board of Energy Regulatory Office concluded that the applicant has demonstrated its suitability for development of the project for construction of new generation capacities from Water and issued Decision on Notification for Preliminary Authorization V\_671\_2014, dated on 23 December 2014 and instructed the applicant to fulfil other legal requirements in accordance with applicable legislation in Kosovo.
- Decision on Notification for Preliminary Authorization has not implied the granting of Authorization until the requirements set by Rule on Authorization Procedure for Construction of New Capacities are fulfilled.
- ERO, on 20.05.2015, received from “EKO ENERGI” 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, at Morava e Binçës River, HPP Binça, with an installed capacity of 0.6 MW, located at CA Binça, Municipality of Viti, attaching evidence issued by relevant authorities for fulfilment of all environmental requirements, the right on the use of land, the right on the use of water, Construction Permit and other legal requirements related to the nature of project, in accordance with applicable legislation.
- The Board of Energy Regulatory Office, on 15 June 2015, following the review of the submitted documents, decided to issue to “EKO ENERGI” LLC the Final Authorization V\_737\_2015 for construction of new generation capacities for electricity generation from Water, at Morava e Binçës River, HPP Binça, with an installed capacity of 0.6 MW, located at CA Binça, Municipality of Viti.
- ERO, on 25.01.2017, received from “EKO ENERGI” LLC the request for Modification of Final Authorization V\_737\_2015, on modification of generation capacity of the hydro power plant at Morava e Binçës River, HPP Binça, from the installed capacity of 0.6 MW to the installed capacity of 1 MW, CA Binça, meeting the legal requirements related to the right on the use of water, issued by MESP and Construction Permit, issued by Municipality of Viti.
- The Board of Energy Regulatory Office, in its session held on 27 February 2018, approved the request for Modification of Final Authorization V\_737\_2015 by allowing the modification of the generation capacity from the installed capacity of 0.6 MW to the installed capacity of 1 MW, with Decision V\_892\_2017, based on



the modification of the Water Permit and Construction Permit issued by respective bodies and applicable legislation.

- ERO, on 03.07.2017, received from “EKO ENERGI” LLC, the request for extension of validity time-limit of Decision on Final Authorization V\_737\_2015, dated on 15 June 2015, modified by Decision V\_892\_2017, dated on 27 February 2017, for HPP Binça, with an installed capacity of 1 MW, CA BINÇA, Municipality of Viti, **for finalizing the construction for one (1) additional year, namely until 15 June 2018.**
  - ERO Board, in its session held on 29 March 2018, following the review and evaluation of the request and relevant evidence, approved the request of “EKO ENERGI” LLC, and with Decision V\_929\_2018 decided to approve the extension of validity time-limit of Decision on Final Authorization V\_737\_2015, dated on 15 June 2015 for one (1) additional year, namely until 15 June 2015, in accordance with legal provisions of Rule on Authorization Procedure.
  - ERO, on 07.05.2018, received from “EKO ENERGI” LLC the request for extension of validity time-limit of Decision on Final Authorization V\_737\_2015, dated on 15 June 2015, extended with Decision V\_929\_2018, date don 29 March 2018, for HPP Binça, with an installed capacity of 1 MW, for an additional term **for extending the construction period for twelve (12) months, namely until 15 June 2019.**
  - *“EKO ENERGI” LLC explained in its request that :“ EKO ENERGI” LLC has finalized the following works on construction of HPP Binça (with an installed capacity of 1 MW): the water intake, pipe trench, power house, the power line is in the final phase and they concluded a precontract with the producer of turbines and generators.*
  - *Therefore, they required the extension of validity time-limit of Decision V\_737\_2015, dated on 15 June 2015, for an additional period of twelve (12) months, namely until 15 June 2019 for finalizing the construction of the hydro power plant.*
  - ERO Board, following the analysis of the request of “EKO ENERGI” LLC. on extension of validity time limit of Final Authorization for construction of new generation capacities for electricity generation from Water, in Morava e Binçës River, HPP Binça, with an installed capacity of 1 MW, located at CA Binça, Municipality of Viti, evaluated it, and based on the documents on this issue, decided to allow the extension of validity time-limit of Final Authorization V\_737\_2015, dated on 15 June 2015, for an additional legal term, based on legal provisions mentioned in the introductory section of this Decision.
- II. Decision on Issuance of Final Authorization V\_737\_2015, dated on 15 June 2015, extended by Decision V\_929\_2018, dated on 29 March 2018, shall remain valid until **15 June 2019**, according to the enacting clause under paragraph 1 of this Decision.
- III. “EKO ENERGI” LLC is obliged to finalize the construction of the hydro power plant HPP Binça by 15 June 2019 at the latest. In case it does not finalize the construction within this term, or does not act in accordance with the applicable legislation, the Decision on Issuance of Authorization V\_737\_2015, dated on 15 June 2015, shall be repealed.



- IV.** The Decision shall be issued and published in official languages of the Republic of Kosovo.
- V.** The 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 Sejfijaj, Member

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Selman Hoti, Member

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Izet Rushiti, Member

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

- The party,
- Municipality of Viti,
- Secretary Permanent of MESP,
- ERO Archive