



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_983_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 14, paragraphs 6 and 7 of Rule on Authorization Procedure for Construction of New Generation Capacities;
- Decision on Notification for Preliminary Authorization V_917_2017, dated on 10 May 2017, issued to "Puna" LLC, upon which it proved the suitability for development of the project for construction of new generation capacities for electricity generation from hydro power plant HPP Radesha 1, located at CA Radesh, with an installed capacity of 0.71 MW, Municipality of Dragash, Republic of Kosovo, and
- Request for extension of validity term of Decision on Notification for Preliminary Authorization for construction of new generation capacities for electricity generation from hydro power plant, HPP Radesha 1, located at CA Radesh, with an installed capacity of 0.71 MW, Municipality of Dragash, dated on 07.05.2018, of "Puna" LLC, having its address at: "Brut" Village, Dragash, Republic of Kosovo,

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

DECISION

- I. On **APPROVAL** of the request of "Puna" LLC, and **EXTENSION** of validity time-limit of Decision on Notification for Preliminary Authorization V_917_2017, dated on 10 May 2017, for completion of application for obtaining Final Authorization, for construction of the hydro power plant in the location HPP Radesha 1, located at CA Radesh, with an installed capacity of 0.71 MW, Municipality of Dragash, for an additional period of six (6) months, namely until **10 November 2018**.
- II. **"Puna" LLC** is obliged to make a written request within this time-limit for conversion of Decision on Notification for Preliminary Authorization into Final Authorization for construction of new generation capacities for electricity generation from the hydro power plant, HPP Radesha 1,



located at CA Radesh, with an installed capacity of 0.71 MW, Municipality of Dragash, namely until **10 November 2018**, meeting all legal requirements determined by the Rule on Authorization Procedure for Construction of New Capacities and applicable legislation.

III. Following the expiry of the time-limit mentioned under item I. of the enacting clause, Decision on Notification for Preliminary Authorization V-917-2017, dated on 10 May 2017, shall be automatically repealed and it will not be reviewed by ERO Board.

Reasoning

- ERO, on 12.01.2017, received from “Puna” LLC. the application on obtaining the authorization for construction of new generation capacities for electricity generation from the hydro power plant, HPP Radesha 1, located at CA Radesh, with an installed capacity of 0.71 MW, Municipality of Dragash, Republic of Kosovo.
- ERO, following the ascertainment that the applicant has proved its compliance for construction of new generation capacities from the hydro power plant , on 10 May 2017 , issued the Decision on Notification for Preliminary Authorization V_917_2017, and instructed the applicant to meet other legal requirements required by the applicable legislation in Kosovo.
- The Decision on Notification for Preliminary Authorization V_917_2017 has not implied granting the authorization until the requirements set by Rule on Authorization Procedure for Construction of New Capacities are fulfilled.
- Notification on Decision for Preliminary Authorization determines the targets availability and the applicant’s admission to the Support Scheme and automatic guarantee of Feed-in Tariff.
- The Notification on Decision for Preliminary Authorization determines that the applicant is guaranteed the bond of Power Purchase Agreement with Public Suppliers for a ten (10) years period, which shall be concluded at least thirty (30) days before the date of commencement of generating operation.
- Decision on Notification for Preliminary Authorization is issued for one (1) year period and this decision determines that “Puna” LLC. shall be granted the Authorization if within this time-limit it makes a written request for conversion of Decision on Preliminary Notification into Authorization, meeting all terms and conditions set by Rule on Authorization Procedure for construction of new capacities and applicable legislation.
- The applicant “Puna” LLC, on 07.05.2018 submitted the request on extension of validity term of Decision on Notification for Preliminary Authorization, and in its request explained that: *“ the reason for requiring the extension of Decision on Notification for Preliminary Authorization is due to the procedures for completion of documents required for obtaining the authorization, delays on issuance of permits/consents from respective bodies. Political processes have an impact on these delays which consequently impacts the expiry of existing documents and causes troubles on respective documents. They also justified that they have applied for Water*



Consent and Energy Approval and are in the process of completing the documents for applying for Construction Permit.

- *Therefore, they required the extension of validity time-limit of Decision on Preliminary Authorization for six (6) more months in order to be able to complete the required documentation for obtaining the authorization.*

- ERO Board, following the analysis of the request of “Puna” LLC on extension of validity term of Decision on Notification for Preliminary Authorization, evaluated it and based on legal provisions mentioned the introductory part of this decision decided as in the enacting clause of this decision.

- I. The Decision is issued and published in official languages of the Republic of Kosovo.

- II. 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

Arsim Janova, Acting-Chairman

Besim Sejfijaj, Member

Selman Hoti, Member

Izet Rushiti, Member

This Decision is sent to:

- The party



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