



Pristina, 13 June 2017  
ERO Code: V\_985\_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 the Law on Energy Regulator (No. 05/L-084);
- Articles 19, 20 and 21 of the Rule on Authorization Procedure for Construction of New Capacities;
- Decision on Notification for Preliminary Authorization V-604-2013, dated on 27 December 2013;
- Decision V\_765\_2016, on extension of validity term of Decision on Preliminary Authorization V\_604\_2013, dated on 27 December 2013;
- Decision on Admission to the Support Scheme V\_684\_2015, dated on 20 February 2015;
- Decision on issuance of Final Authorization V\_824\_2016, dated on 23 June 2016, issued to “Air-Energy” LLC, for construction of new generation capacities for electricity generation from WIND, located at “Wind Park- KITKA”, with an installed capacity of 32.4 MW, CA Hogoshtë, Poliçk and Velegllavë e Epërme, Municipality of Kamenica; and
- Request for Modification of Final Authorization V\_824\_2016, dated on 23 June 2016, on Modification of Wind Turbines, from 10 turbines, as were authorized before, to 9 turbines, and the installed capacity remains unchanged, namely 32.4 MW, CA Hogoshtë, Poliçk and Velegllavë e Epërme, Municipality of Kamenica, dated on 21.12.2017, of “Air- Energy” LLC, having its address at “Isa Boletini” nn, Gjilan, Republic of Kosovo;
- Contracts on supply with turbines, professional opinions from “FOKUS” company and evaluation from General Electric (GE) on the type of proposed turbines,

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

### DECISION ON MODIFICATION OF FINAL AUTHORIZATION

- I. On **APPROVAL** – of the request of “Air-Energy” LLC and MODIFICATION OF FINAL AUTHORIZATION V\_824\_2016, dated on 23 June 2016, on construction of new generation capacities from wind turbines, Wind Park- KITKA, upon which the number of turbines is modified/reduced, namely from 10 (ten) wind turbines to 9 (nine) wind turbines, while the installed capacity remains unchanged, namely 32.4 MW, CA Hogoshtë, Poliçk and Velegllavë e Epërme, Municipality of Kamenica; in accordance with Construction Permit, issued by Ministry of Environment and Spatial Planning (MESP).



- ii. Following the completion of construction work, according to enacting clause under item I. of this Decision, “Air-Energy” LLC is **obliged** to apply for Certificate of Occupancy, issued by competent body, in line with Law on Construction.
- III. Following the finalization of the project under item II. of this Decision, the generator “Wind Park- KITKA” shall enter into commercial operation, in accordance with Power Purchase Agreement with Market Operator (KOSTT), with a duration of 12 (twelve) years, with the Feed-in Tariff set upon Decision V\_810\_2016, dated on 19 May 2016, issued by ERO Board, within 30 (thirty) days following the receipt of Certificate of Occupancy, issued by competent body.
- IV. “Air-Energy” LLC is obliged to own an Environmental (Ecological) Permit, issued by MESP.

### Reasoning

- ERO, on 25.09.2013, received from “Air-Energy” LLC. the application for obtaining the authorization for construction of new generation capacities for electricity generation from Wind, with an installed capacity of 32.4 MW, located at “Wind Park- KITKA”, Municipality of Kamenica, Republic of Kosovo.
- ERO, following the ascertainment that the applicant has demonstrated its suitability for construction of new generation capacities from WIND, on 27 December 2013, issued the Decision on Notification for Preliminary Authorization V\_604\_2013, and instructed the applicant to fulfill other legal requirements which are required by the applicable legislation in Kosovo.
- Ero, on 07.12.2015, received from “Air-Energy” LLC, the request for extension of validity term of Decision on Notification for Preliminary Authorization V\_604\_2013, dated on 27 December 2013, for an additional legal term, in order to complete the application for obtaining the Final Authorization.
- ERO, on 28 January 2015, issued Decision no. V\_765\_2016, on extension of validity term of Decision on Notification for Preliminary Authorization, V\_604\_2013, dated on 27 December 2013, for an additional period of 6 (six) months, namely until **27 June 2016**.
- ERO, on 06.06.2016, received from “Air- Energy” LLC. the request for conversion of Decision on Notification for Preliminary into Authorization into FINAL Authorization, for construction of new generation capacities for electricity generation from WIND, located at “Wind Park- KITKA”, with an installed capacity of 32.4 MW, Municipality of Kamenica, attaching evidence issued by relevant authorities on fulfillment of all environmental requirements, the right on the use of land, Construction Permit issued by MESP, and other legal requirements related to the nature of the project in accordance with applicable legislation.
- ERO, on 23 June 2016, issued the Decision on Final Authorization V-824-2016 to “Air-Energy ” LLC. for construction of new generation capacities for electricity generation from wind



turbines, located at “Wind Park- KITKA” with an installed capacity of 32.4 MW, CA Hogoshtë, Poliçk and Velegllavë e Epërme, Municipality of Kamenica.

- ERO, on 21 December, received from “EKO-ENERGJI” LLC. the request for Modification of Final Authorization for modification of wind turbines, from 10 turbines, as were authorized before, to 9 turbines, while the installed capacity remains unchanged, namely 32.4 MW, CA Hogoshtë, Poliçk and Velegllavë e Epërme, Municipality of Kamenica.
- ERO, along with the request on Modification of Final Authorization, also received the following evidence: professional opinion from “Focus Energy and Engineering Co.”, contract of supply with turbines, comparison of installing power to the proposed one on amendment, and characteristics of proposed turbines.
- *“Air Energy” LLC in its request explained that: they received professional opinion and suggestions from the professional company “Focus”, on rational use of the plateau of Kitka, with new capacity and technology which use the same space but provide higher efficiency.*
- *They also explained that based on the suggestions of professional companies, following the study and analysis of wind as well as advancement of the technology from the wind producers, in this case General Electric, we notify that the contemporary trends of turbines are working towards increasing the unity capacity, in order to use less space.*
- *Therefore, based on what was stated above and attached documents to the request, they required from ERO Board to approve the Modification of Final Authorization, given that the installing capacity does not change except for the modification of the number of turbines in Energy Park KITKA, with an installed capacity of 32.4 MW, Municipality of Kamenica.*
- ERO Board, following the evaluation of the request on Modification of Authorization and attached evidence, evaluated them and concluded that the request on modification is well grounded, and the attached evidence represent a sufficient basis on approving the modification of Final Authorization V\_824\_2016, dated on 23 June 2016, and amendment of the number of turbines from 10 (ten)\_turbines, as were authorized before, to 9 (nine) turbines, while the installed capacity remains unchanged, namely 32.4 MW, therefore based on legal provisions mentioned in the introductory section of this Decision, decided as in the enacting clause of this Decision.

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

III. The decision shall enter into force on the date of approval by the ERO Board and shall be published on the official website of ERO.

**Legal advice:** The party dissatisfied with this decision can initiate an administrative dispute in the Competent Court, within thirty (30) days from the date of receipt of this Decision or from the date of its publication in the 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 Kamenica
- General Secretary of MESP, and
- ERO Archive.