Pristina, 28 January 2019
ERO Code: V_1094_2019

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)

- Article 4, Article 5, Article 13 paragraph 1 and Article 14 of the Rule No. 11/2017 on Authorization Procedure for Construction of New Capacities based on RES;

- Administrative Instruction No. 05/2017 on Renewable Energy Sources Targets;

- Article 4, Article 5, Article 6, paragraphs 7,8,9 and 10, Article 8, paragraphs 3 and 4, Article 9, Article 11 and Article 12 of Rule No. 10/2017 on Support Scheme for RES Generators;

- Decision no. V-810-2016, dated on 19 May 2016 on determination of Feed-in Tariff for electricity generation from Renewable Energy Sources;

- Application/Request for Authorization for construction of new generation capacities for electricity generation from solar panels/photovoltaic, SUNPOWER 1 Project, located in Fusha Erçeves, CA Sverrkë, with an installed capacity of 3 MW, in Municipality of Peja, dated on 14.09.2018 prot. no. 419/18, of "EDK" LLC, having its address at: St. "Skenderbeu", nn , Gllogoc, Republic of Kosovo, and

- Application for admission to the Support Scheme;

In its session held on 28 January 2019 issued the following:

D E C I S I O N

On Issuance of Preliminary Authorization

I. Energy Regulatory Office (ERO) concludes that "EDK" LLC has fulfilled the criteria for development of the project for construction of new generation capacities for electricity generation from solar panels/photovoltaic, SUNPOWER 1 Project, located in Fusha Erçeves, CA Sverrkë, with an installed capacity of 3 MW, in Municipality of Peja, Republic of Kosovo.

II. To the applicant "EDK" LLC shall be granted the AUTHORIZATION for construction of new generation capacities from solar panels/photovoltaic , after it meets all the requirements deriving from Articles 14 and 15 of the Rule on Authorization Procedure and other applicable legal requirements related to construction of new generation plants.

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III. Decision on Notification for Preliminary Authorization does not entitle the holder to start construction of new generation plant before it meets all the conditions and requirements set forth in item II herein and until the applicant is issued the Final Authorization in accordance with Rule on Authorization.

IV. Decision on Preliminary Authorization determines that the process for admission to the Support Scheme shall be suspended until the available targets are released, in accordance with Administrative Instruction no. 05/2017, issued by Ministry of Economic Development, Republic of Kosovo.

V. Upon Decision on Preliminary Authorization , it is stipulated that the application of "EDK " LLC Company, shall be considered as **"pending"** application, for admission to the Support Scheme.

VI. The Decision on Preliminary Authorization is issued for a 12 (twelve) month period, and within this period the applicant is obliged to meet the requirements under item II. of the enacting clause of this Decision, and shall request in writing granting of Final Authorization for construction of new generation plants.

VII. The term of Decision on Preliminary Authorization, set under enacting clause under item VI. of this Decision shall commence, not from the date of issuance of this decision but, from the date of written notice from ERO on inclusion to the Support Scheme.

R e a s o n i n g

- ERO, on 14.09.2018, received from **"EDK" LLC** the application for obtaining the authorization for construction of new generation capacities for electricity generation from solar panels/photovoltaic, SUNPOWER 1 Project, located in Fusha Erçeves, CA Sverrkë, with an installed capacity of 3 MW , in Municipality of Peja, Republic of Kosovo.

- ERO, on 14.09.2018, received from **"EDK" LLC** the application for admission to the Support Scheme.

- ERO notified **"EDK" LLC** that it has received/highlighted some applications for construction of solar panels, whose capacity has FULFILLED the targets for utilization and support of energy generation from RES, set by Administrative Instruction no. 05/2017 issued by Ministry of Economic Development. It also announced that the Rule on Support Scheme guarantees the Feed-in Tariff only to the applicants that are granted the Preliminary Authorization, which are within the targets stipulated under Administrative Instruction, issued by MED.

- ERO also notified that if the applicant wants to proceed further with the procedures for obtaining the Decision on Preliminary Authorization, it will be specified in the relevant decision that the process for admission to the Support Scheme shall be suspended until the available targets are released, according to Administrative Instruction no. 05/2017, and explained that ERO shall notify the applicant by order of applications, upon the release of available targets.

- ERO Board, following the evaluation of relevant evidence and requests attached to the application, and other additional supplementing evidence, required by ERO, and evaluation of the content of application for admission to the Support Scheme, as well as based on legal provisions mentioned in the introductory section of this decision, decided as in the enacting clause of this Decision.

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

IX. 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 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 Peja,
- General Secretary of MESP, and
- ERO Archive