



Pristina, 28.01.2019
ERO Code: V_1101_2019

The Board of Energy Regulatory Office,

Based on:

- Provisions of Article 9, paragraph 1, sub-paragraph 1.7, Article 15, paragraph 1, sub-paragraph 1.5, Article 25, Article 26, paragraph 1, sub-paragraph 1.2 of the Law on Energy Regulator (Law No. 05/L-084);
- Provisions of Article 10.4 of the Grid Code- General Provisions,
- Provisions of Article 10 and 11 of the Reporting Manual in Energy Sector,
- Request for review and approval of the Derogations Report of the Grid Code, Metering Code, Market Rules and TSO License, dated on 10.12.2018 of the Transmission System Operator and Market Operator (KOSTT),

in the session held on 28.01.2019, issued the following:

DECISION

- I. Approval** of the request of KOSTT JSC for **Derogations of the provisions of the Grid Code, Metering Code, Market Rules and TSO License** as presenting in the Reasoning and Annex to this Decision.
- II.** Other provisions of the Grid Code, Metering Code, Market Rules and Transmission System Operator License shall remain in force.

Reasoning

- Energy Regulatory Office (ERO), on 10.12.2018 received the request of KOSTT JSC, for derogations in implementation of some of the provisions of the Grid Code, Metering Code, Market Rules and TSO License.
- KOSTT in the document submitted for derogation, explained that the reasons of the request on derogation of legal provisions of the **Grid Code** are the following:



–**Operational Planning Code**, *barriers in the transmission system, requirements for reserves, interconnection capacities*, regarding which the request for derogation is until **31.12.2019** and this was approved by ERO Board;

- **Balancing Code**- *real time dispatching, balancing arrangements, dispatch in the conditions of supply inadequacy*- requested for derogation until **31.12.2019**, approved based on the request.

Discrepancy of the load with generation in real time- requested until 30.06.2019, approved based on the request;

Time regulation- requested until **31.12.2019** and this was approved based on the request;

- **Operational Code**, *Stability and Overload of the Network*- requested until 30.06.2019 and this was approved based on the request;

sub-frequency reduction, testing of starting from the darkness, and system testing- requested until **31.12.2019** and these were approved based on the request;

- KOSTT has also requested and presented justifications on extension of the term for fulfillment of implementation of some provisions of the Metering Code, related to the measurement of the capacity (force) of the energy- requested until 31.12.2019 and this was approved based on the request;
- Further, KOSTT has requested derogation in implementation of the Provisions of **Market Rules**, related to *allocation and trading of interconnectivity capacities and interconnectivity nominations*, for a period, until the commencement of Implementation of Connection Agreement with ENTSO-E whereas the derogation was allowed for a period until **31.12.2019**;
- In its request, KOSTT also requested the derogation (extension of the term for implementation of the provisions of **TSO License**) and explained the reasons, related to the *availability, maintenance of the data, economic purchase of assets, services and ancillary services and obligations of the insurance*, for a period until **31.12.2019** and this was approved based on the request;

Regarding the points of the request for derogations, KOSTT explained that the main reasons of the impossibility on implementation of the provisions are: non-functioning of KOSTT as a regulatory block/area, the impossibility to provide reserves for ancillary services which is also related to the first reason, as well as other technical / financial reasons.

ERO Board, following the analysis of the request, based on the Derogations Report of the provisions of the Grid Code, Metering Code, Market Rules and TSO License, decided as in the enacting clause of this Decision.

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



IV. The Decision shall enter into force on the date of approval by ERO Board and will be published on the official website of ERO, where the document will be published as well.

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

The Decision along with the Derogations Report, with the allowed terms, is sent to:

- The licensee KOSTT JSC.
- ERO Archive