



Republika e Kosovës
Republika Kosova - Republic of Kosovo

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



Pristina, 28 February 2019
ERO Code: V_1113_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 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_757_2016, dated on 28 January 2016, for “Hydro Line” LLC, for construction of new generation capacities for electricity generation from water, HPP Albaniku 2, with an installed capacity of 3.556 MW, located in “Batahir”, CA Batahir, Municipality of Mitrovica, and
- Request for extension of validity term of the Authorization V_757_2016, dated on 28 January 2016, for an additional period of six (6) months, for construction of new generation capacities for electricity generation from Water, HPP Albaniku 2, with an installed capacity of 3.556 MW, located in “Batahir”, CA Batahir, Municipality of Mitrovica, dated on 22.01.2019, of “Hydro Line” LLC, having its address at: “Mbretëresha Teutë”, nn- Mitrovica, Republic of Kosovo,

in its session held on 28 February 2019 issued the following:

DECISION

- I. On **APPROVAL** of the request of “Hydro Line” LLC and **EXTENSION** of validity term of the Authorization V_757_2016, dated on 28 January 2016, extended by Decision V_935_2018, dated on 29 March 2018, for continuing the construction of new generation capacities for electricity generation from water, HPP Albaniku 2, with an installed capacity of 3.556 MW, located in “Batahir”, CA Batahir, Municipality of Mitrovica, for an additional period of six (6) months, namely until **28 July 2019, for finalizing the construction of the Hydro Power Plant.**

Reasoning



- ERO, on 03.05.2013, received from “Hydro-Line” LLC. the request/application for construction of new generation capacities for electricity generation from WATER, in Bistrica River, HPP Albaniku 3, with an installed capacity of 9.85 MW, located in “Batahir”, Municipality of Mitrovica.
- The Board of Energy Regulatory Office, following the analysis of the evidence presented by “Hydro-Line” LLC, decided that this application has proved the suitability for development of the project for construction of new generation capacities from Water, and issued the Decision on Notice for Preliminary Authorization V_537_2013, on 28 June 2013 and instructed the applicant to fulfil other legal requirements, required by legislation in force in Kosovo. The Decision on Notice for Preliminary Authorization has not implied the issuance of Final Authorization for Construction, until the fulfilment of requirements set in Rule on Authorization procedure for construction of new capacities.
- ERO, on 26.05.2015, received from “Hydro-Line” LLC, received the request for extension of validity term of Decision V_537_2013 on Notice for Preliminary Authorization, for construction of new generation capacities for electricity generation from water, in Bistrica River, Hydro Power Plant HPP Albaniku 2, located in “Batahir”, CA “Batahir”, Municipality of Mitrovica for completion of the application for obtaining the Final Authorization.
- ERO Board, following the evaluation of the request and relevant evidence, on 15.06.2015, approved the request with Decision V_735_2015, for extension of validity term of Decision on Notice for Preliminary Authorization V_537_2013, dated on 28 June 2013, for an additional period of 6 (six) months, namely until 28 December 2015, in order to complete the application for obtaining the Final Authorization, within this period.
- ERO, on 09.10.2015, received from “Hydro-Line” LLC the request for conversion of Decision on Notice for Preliminary Authorization into Final Authorization, for construction of new generation capacities for electricity generation from WATER, for HPP Albaniku 2, with an installed capacity of 3.556 MW, located at “Batahir”, CA Batahir, Municipality of Mitrovica, 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 the project, according to legislation in force.
- The Board of Energy Regulatory Office, in the session held on 28 January 2016, following the evaluation and analysis of the documentation, decided to issue to “Hydro Line” LLC, the Final Authorization V_757_2016, for construction of new generation capacities, for electricity generation from Water, for HPP Albaniku 2, with an installed capacity of 3.556 MW, located at “Batahir”, CA Batahir, Municipality of Mitrovica.
- ERO, on 02.08.2018, received from “Hydro-Line” LLC, the request for extension of validity term of Decision on Final Authorization V_757_2016, dated on 28 January 2016, for HPP Albaniku 2, with an installed capacity of 3.556 MW, located at “Batahir, CA “Batahir”, Municipality of Mitrovica, **for finalizing the construction, for one (1) additional year, namely until 28 January 2019.**



- ERO Board, in the session held on 29 March 2018, following the review and evaluation of the request and relevant evidence, approved the request of “Hydro Line” LLC, and upon Decision V_935_2018, decided to allow the extension of validity term of Decision on Final Authorization V_757_2016, dated on 28 January 2016, for one (1) additional year, namely until 28 January 2019, in line with legal provisions of Rule on Authorization Procedure.
- ERO, on 22.01.2019, received from “Hydro Line” LLC, the request for extension of validity term of Decision on Final Authorization V_757_2016, dated on 28 January 2016, extended by Decision V_935_2018, dated on 29 March 2018, for HPP Albaniku 2, with an installed capacity of 3.556 MW, for an additional term for extending the period of construction for an additional period of six (6) months, namely until 28 July 2019.
- *“Hydro Line” LLC submitted a request for extension of validity term of Decision on Final Authorization and in its request explained that: they have finalized the works on construction of the facility of the plant, the offtake, tubes and the energy transmission line 35 kW, of the Project HPP Albaniku 2, however, despite this, they had to address to ERO Board the possibility of extending the validity term of the Authorization for HPP Albaniku 2, for an additional period of six (6) months, until the project is set in operation.*
- *The reason for requiring an extension of the validity term of Final Authorization for the Hydro Power Plant Albaniku 2, comes as a result of the extension of the delivery from the company for production of electromechanical equipment from Austria. It also emphasized that in meantime they will realize this project, which is expected to be set in operation within the requested additional time-limit they asked for, and also finalize it so that this project can start the operation.*
- *Therefore, taking into account what was stated above, we require from ERO Board, based on legal provisions of the Rule on Authorization Procedure for Construction of New Generation Capacities, applicable on the date of issuance of Final Authorization V_757_2016, dated on 28 January 2016, for construction of the hydro power plant HPP Albaniku II. with an installed capacity of 3.556 MW, as an important project for generation of electricity from Renewable Sources, to approve the request for allowing the extension of validity term of the Authorization for construction of the hydro power plant HPP Albaniku II, for an additional period of six months, given that non-finalization of this project is derived from different technical factors, non-possibility of supply with electrical equipment from the Austrian company, contracted for generation of turbines, therefore they will make all possible efforts to finalize the project in question within this time-limit.*
- ERO Board, following the analysis of the request of “Hydro-Line” LLC and attached evidence on extension of validity term of Final Authorization, for construction of new generation capacities for electricity generation from hydro power plant HPP Albaniku 2, with an installed capacity of 3.556 MW, located at “Batahir”, CA Batahir, Municipality of Mitrovica, evaluated them and considered that due to well grounded justifications and complexity of the construction of hydro power plants and based on the documents on this issue, decided to allow the extension of validity term of Final Authorization V_757_2016, dated on 28 January 2016, for an additional legal term, based on legal criteria mentioned in the introductory section of this Decision.



- II. The Decision on Issuance of Authorization V_757_2016, dated on 28 January 2016 , shall be valid until **28 July 2019**, according to enacting clause under item I of this Decision. In case the construction of the generating plants from water is not finalized, or it is not acted in accordance with applicable legislation, it shall be repealed.
- III. The Decision is issued and published in official languages of the Republic of Kosovo
- IV. 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 Mitrovica,
- General Secretary of MESP, and
- ERO Archive