



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_1114_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 4 of Rule on Authorization Procedure for Construction of New Generation Capacities;
- Decision on Issuance of Final Authorization V_881_2017, dated on 09 February 2017, for “Eurokos JH” LLC, for construction of new generation capacities for electricity generation from water, HPP Brodi 1, with an installed capacity of 2.48 MW, in Brod River, CA Brod, Municipality of Dragash, and
- Request for extension of validity term of the Authorization V_881_2017, dated on 09 February 2017, modified by Decision V_1054_2018, for an additional period of one (1) year, for construction of new generation capacities for electricity generation from hydro power plant , HPP Brodi 1, in Brod River, CA Brod, with an installed capacity of 2.48 MW, Municipality of Dragash, dated on 01.02.2019, prot. no. 089/19, of “Eurokos JH” LLC, having its address at: St. “Migjeni”, no.23. 10000, Pristina, Republic of Kosovo

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

DECISION

- I. On **APPROVAL** of the request of “Eurokos JH” LLC and **EXTENSION** of validity term of the Final Authorization V_881_2017, dated on 09 February 2017, modified by Decision V_1054_2018, dated on 15 October 2018, for continuing the construction of new generation capacities for electricity generation from the hydro power plant, HPP Brodi 1, in Brod River, CA Brod, with an installed capacity of 2.48 MW, Municipality of Dragash, for an additional period of one (1) year, namely until **09 February 2020, for construction of the Hydro Power Plant.**

Reasoning



- ERO, on 27.03.2015, received from “Eurokos JH” LLC. the application for obtaining the Authorization for construction of new generation capacities from hydro power plant, in Brod River, HPP Brod 1, with an installed capacity of 1.06 MW, CA Brod, Municipality of Dragash.
- The Board of Energy Regulatory Office, following the ascertainment that the applicant has proved its suitability for construction of new generation capacities from the hydro power plant, on 28 January 2016, issued the Decision on Notice for Preliminary Authorization No. V_767_2016, and instructed the applicant to fulfil other legal requirements, required by applicable legislation in Kosovo.
- ERO, on 16.01.2016, received from “Eurokos JH” 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 hydro power plant, in Brod River, HPP Brod 1, with an installed capacity of 1.06 MW, CA Brod, Municipality of Dragash, attaching evidence issued by relevant authorities on fulfilment of environmental and water requirements, the right on the use of land, Construction Permit issued by the Municipal Assembly and other legal requirements, related to the nature of the project, according to legislation in force.
- ERO Board, on 09 February 2017, issued Decision on Final Authorization V_881_2017, to “Eurokos JH” LLC, for construction of new generation capacities for electricity generation from hydro power plant, in the stream of Brod River, with an installed capacity of 1.06 MW, Municipality of Dragash.
- ERO, on 27 September 2018, received from “Eurokos JH” LLC, the request for Modification of Final Authorization V_881_2017, dated on 09 February 2017, on modification/amendment of the installed capacity from 1.06 to the total installed capacity of 2.48 MW, for the hydro power plant, HPP Brodi 1, which is being built in the cadastral area no. 1339, CA Brod, Municipality of Dragash.
- ERO Board, on 15 October 2018, decided upon Decision V_1054_2018, for Modification of Decision on Final Authorization V_881_2017, dated on 09 February 2017, issued to “Eurokos JH” LLC, for the hydro power plant HPP Brodi 1, from the installed capacity of 1.06 MW to the total installed capacity of 2.48 MW, cadastral area no. 1339, CA Brod, according to Decision no. 783/18-ZSP-1088/2018, dated on 12.09.2018 on Modification of the Decision of Water Permit with No. 1782-2/11-ZSP-620/12, dated on 23.08.2012, for HPP Brodi 1. From N= 1.062 MW to N=2.48 MW, in the water stream, from the quote 1355.41 ml.m, up to the Quote 1251.0 m.l.m, issued by Ministry of Environment and Spatial Planning (MESP).
- ERO, on 01.02.2019, received from “Eurokos JH” LLC, the request for extension of validity term of Decision on FINAL Authorization V_881_2017, dated on 09 February 2017, for continuing the construction of new generation capacities from hydro power plant HPP Brodi 1, CA Brod, with an installed capacity of 2.48 MW, **for one (1) additional year, namely until 09 February 2020 for finalization of the project.**
- “Eurokos JH” LLC explained in its request that “starting from the date of receipt of the Decision of ERO Board on Final Authorization, they have started the preparations for commencing the



construction works for construction of the Hydro Power Plant HPP Brodi 1, starting with the geodesic measurements from the respective experts, opening of the road, pipeline route and the facility of the hydro power plant.

- *“Eurokos JH” LLC also explained in its request that they have been intensively working in the field despite the difficulties in realization of the project HPP Brodi 1, where so far they have worked on opening the route for placing the pipelines, they have started the construction of the offtake, the whole required amount of pipes has been produced by IMK (the factory of pipes), in Ferizaj, and they have also contracted and ordered the turbines and high voltage lines.*
 - *The company “Eurokos JH” LLC explained that taking into account the experience from other projects they have carried out in the area of hydro power plants and the reasons for delaying the term for one (1) year for HPP Brodi 1, is due to the delays in modification of water permit from MESP, which has caused delays on the finalization of the project.*
 - *Therefore, based on what was stated above, the company “Eurokos JH” LLC, required from ERO Board, that based on legal provisions of Article 16 of Rule on Authorization Procedure for Construction of New Generation Capacities , to allow the extension of validity term of FINAL Authorization V_881_2017, dated on 09 February 2017, for continuing the construction of new generation capacities from Hydro Power Plant HPP Brodi 1, for one (1) additional year, since the delays for finalization of the project have derived from the above-mentioned reasons, and they will make all possible efforts to finalize the project within this term.*
 - ERO Board, following the analysis of the request of “Eurokos JH” 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 Brodi 1, in Bord River, CA Brod, with an installed capacity of 2.48 MW, Municipality of Dragash, 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, with facts that the project will be finalized within this period, decided to allow the extension of validity term of Final Authorization V_881_2017, dated on 09 February 2017, 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_881_2017, dated on 09 February 2017 , shall be valid until **09 February 2020**, 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 Dragash,
- General Secretary of MESP, and
- ERO Archive