



Pristina, 05 June 2019
ERO Code: V_1160_2019

The Board of Energy Regulatory Office,

Based on:

- Article 9, paragraph 1, sub-paragraph 1.7, Article 25, Article 26, paragraph 1, sub-paragraph 1.2 of the Law on Energy Regulator (No. 05/L-084), and
- Article 6,7, 8 of the Rule No. 10/2017 on the Support Scheme for Renewable Energy Sources Generators,

in the session held on 05 June 2019 issued the following:

DECISION

- I. SUSPENSION**- of the admission of applications for obtaining the authorization for construction of new generation capacities, to be handled as “**pending applications**”, and to be included in the Support Scheme, outside RES Targets set by Administrative Instruction no. 05/2017.
- II.** Starting from **05.06.2019, ERO shall not admit** any applications for obtaining the authorization for construction of new generation capacities, to be handled as “**pending applications**”.
- III.** With the exception of the enacting clauses **I.** and **II.** of this Decision, the Decisions on Preliminary Authorizations, issued prior to the entry into force of this Decision shall be dealt with in accordance with the provisions of the Rule on the Support Scheme.
- IV.** This decision applies only to application cases as "pending applications", while in other cases it will not apply.

Reasoning

- ERO has recently dealt with a large number of applicants for obtaining the Preliminary Authorization and inclusion in the Support Scheme as “pending applications”, outside of the available targets set by Administrative Instruction no. 05/2017, issued by Ministry of Economic Development.
- The Rule on Support Scheme foresees that upon the fulfilment of available targets, the applicant shall apply to obtain the Preliminary Authorization in line with the requirements of RES Generators, for admission to the Support Scheme. ERO shall specify in the relevant decisions that the process for admission to the Support Scheme shall be suspended until the release of available targets, in line with the respective Administrative Instruction for determination of targets, and these applications shall be considered as “pending” applications.



- ERO, despite informing the applicants that it has received/evidenced some applications for construction of new generation capacities whose capacity has FULFILLED the targets for use and support of RES energy generation, as defined by the Administrative Instruction no. 05/2017 issued by the Ministry of Economic Development, the applicants have continued to complete applications to obtain the Decision on Preliminary Authorization, and the same are included in the waiting list as "pending applications" according to the date of issuance of Preliminary Decision.
- The ERO Board, following the analysis and evaluation of the current situation and the ongoing requests of applicants for inclusion in the Support Scheme as "pending applications", has evaluated that the admission of additional applications for obtaining the authorization, to be handled as "pending applications" shall be suspended, as well as for inclusion in the Support Scheme outside of RES Targets, and based on legal provisions mentioned in the introductory section of this Decision, has decided as in the enacting clause of this Decision.

V. The Decision is issued and published on official languages of the Republic of Kosovo.

VI. The Decision shall enter into force on the date of approval by the Board and will 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.

The Board of the Regulator:

Arsim Janova, Acting Chairman

Besim Sejfijaj, Member

Selman Hoti, Member

Izet Rushiti, Member

This Decision is sent to:

- ERO Archive