



Pristina, 10 July 2019
ERO Code: V_1165_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);
- Articles 19,20 and 21 of the Rule on Authorization Procedure for Construction of New Generation Capacities;
- Decision on Notice for Preliminary Authorization V_866_2016, dated on 25 November 2016;
- Decision on Issuance of Final Authorization V_981_2018, dated on 13 June 2018, issued to "SOWI KOSOVO" LLC for construction of new generation capacities for electricity generation from WIND, located at "Wind Park- SELAC 2" with an installed capacity of 34.5 MW, CA Kaqandollë and Bajgorë, Municipality of Mitrovica; and
- Request for Modification of Final Authorization V_981_2018, dated on 13 June 2018 for Modification of Wind Turbines from 10 turbines as were authorized to 9 turbines, with the installed capacity of 34.47 MW, CA Kaqandollë and Bajgorë, Municipality of Mitrovica, dated on 03.06.2019, of "SOWI KOSOVO" LLC, having its address at: St. "Mujo Ulqinaku" no. 12, Pristina, Republic of Kosovo,

in the session held on 10 July 2019, issued the following:

DECISION ON MODIFICATION OF FINAL AUTHORIZATION

- I. **APPROVAL** of the request of "SOWI KOSOVO LLC and **MODIFICATION OF DECISION ON FINAL AUTHORIZATION** V_981_2018, dated on 13 June 2018, for construction of new generation capacities from Wind Turbines, Wind Park - SELAC 2, through which the number of turbines is modified/reduced, from 10 (ten) wind turbines to 9 (nine) wind turbines, with an installed capacity of **34.47 MW**, CA Kaqandollë and Bajgorë, Municipality of Mitrovica, according to the Decision on supplement and amendment of the Construction Permit No. K. III. 02/2019, dated on 05.04.2019, issued by Ministry of Environment and Spatial Planning (MESP).



- II. "SOWI KOSOVO" LLC is **OBLIGED** to apply for the Certificate of Usage, following the finalization of construction works, under item I. of this Decision, at the competent body, in line with Law on Construction.
- III. Following the finalization of the project, according to enacting clause under item II. of this Decision, the Generator Wind Park- SELAC 2 shall commence the commercial operation, according to the Power Purchase Agreement with the Market Operator (KOSTT), with a duration of 12 (twelve) years with the Feed-in Tariff set upon Decision no. V_810_2016, dated on 19 May 2016, issued by ERO Board, within thirty (30) days following the receipt of the Certificate of Usage, issued by the competent body.
- IV. "SOWI KOSOVO" LLC shall obtain an Environmental (Ecological) Permit issued by MESP.

Reasoning

- ERO, on 14.07.2013, received from "SOWI KOSOVO" LLC the application for granting the authorization for construction of new generation capacities for electricity generation from Wind, with an installed capacity of 35 MW, located at "Wind Park – SELAC 2", Municipality of Mitrovica, Republic of Kosovo.
- ERO Board, following the ascertainment that the applicant has proved its compliance for construction of new generation capacities for electricity generation from WIND, on 25 November 2016, issued the Decision on Notice for Preliminary Authorization V_866_2016, and instructed the applicant to fulfil other legal requirements, required in line with the applicable legislation in Kosovo.
- ERO, on 06.11.2017, received from "SOWI KOSOVO" LLC the request on extension of validity term of the Decision on Notice for Preliminary Authorization V_866_2016, dated on 25 November 2016, for an additional legal term, to complete the application for obtaining the Final Authorization.
- ERO, on 29 March 2018, issued the Decision no. V_941_2018, on extension of validity term of Decision on Notice for Preliminary Authorization V_866_2016, dated on 25 November 2016, for an additional period of 6 (six) months, namely until 25 May 2018.
- ERO on 25.05.2018, received from "SOWI KOSOVO" 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 WIND, located at "Wind Park – SELAC 2", with an installed capacity of 34.5 MW, Municipality of Mitrovica, attaching evidence issued by relevant authorities on fulfilment of all environmental requirements, the right on the use of land, Environmental Permit issued by MESP and other legal requirements related to the nature of the project, according to legislation in force.
- ERO, on 13 June 2018 issued the Decision on Final Authorization, V_981_2018, to "SOWI KOSOVO" LLC for construction of new generation capacities for electricity generation from Wind Turbines, located at "Wind Park – SELAC 2", and the installed capacity of 34.5 MW, CA Kaqandoll and Bajgorë, Municipality of Mitrovica.
- ERO, on 03 June 2019, received from "SOWI KOSOVO" LLC the request on Modification of Final Authorization for Modification of Wind Turbines from 10 turbines as were authorized to



9 turbines, and the installed capacity of 34.47 MW, CA Kaqandoll and Bajgorë, Municipality of Mitrovica.

- ERO, along with the Request for Modification of Final Authorization has also received the Decision No. K.III-02/2019, dated on 05.04.2019 on supplement and amendment of the Construction Permit No. ZSP-432/2018, survey number K.III-09/2018, dated on 23.05.2018, issued by MESP.
- *“SOWI KSOVO” LLC in its request explained that: according to professional evaluation of the producer of turbines, there was a recommendation of reducing the number of turbines from 10 turbines as were in the initial project to 9 turbines, with the purpose of continuous improvement of the process and results in electricity generation.*
- *Also, they explained that based on the monitoring and evaluation of wind speed in the location in question, the generator of turbines suggested the possibility of optimizing the electricity generation from Wind, in Wind Park – SELAC 2, through other type of turbines and the reduction of their number.*
- *Also, in addition to positive results, the selection of another type of turbines shall affect the financial cost of the project, respectively shall facilitate the realization of the project.*
- *Therefore, based on what was stated above as well as attached documents supporting the request, they required from ERO Board to approve the modification of Final Authorization, given that the installed capacity is 34.47 MW and the number of turbines in Wind Park-SELAC 2 shall be decreased.*
- ERO Board, following the evaluation of the request for Modification of Authorization and attached evidence, evaluated them and concluded that the request for modification is well-grounded and attached evidence is sufficient to allow the modification of Final Authorization V_981_2018, dated on 13 June 2018, and amendment of the number of turbines from 10 (ten) turbines as were authorized to 9 (nine) turbines and the installed capacity of 34.47 MW, CA Kaqandollë and Bajgorë, Municipality of Mitrovica and based on legal provisions mentioned in the introductory section of this Decision, decided as in the enacting clause of this Decision.

V. The Decision is issued and published in the 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 the official website of ERO.

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 Sejfiqaj, Member

Selman Hoti, Member

Izet Rushiti, Member

This Decision is sent to:

- The party,
- Municipality of Mitrovica,
- Secretary Permanent of MESP, and
- ERO Archive