



Republika e Kosovës
Republika Kosova - Republic of Kosovo

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



Pristina, 10 July 2019
ERO Code: V_1167_2019

The Board of Energy Regulatory Office

Based on:

- Article 9, paragraph 1, subparagraph 1.7, Article 15, paragraph 1, subparagraph 1.15, Article 25, Article 26, paragraph 1, subparagraph 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 Authorization V_737_2015, dated on 15 June 2015, issued to “EKO ENERGJI” LLC, for construction of new generation capacities for electricity generation from water, in Morava e Binçës River, HPP Binça, with an installed capacity of 0.6 MW, located at CA Binça, Municipality of Viti;
- Decision on Modification of Authorization V_892_2017, dated on 27 February 2017 to “EKO ENERGJI” LLC, of the Final Authorization V_737_2015, dated on 15 June 2015, for construction of new generation capacities for electricity generation from water, in Morava e Binçës River, HPP Binça, from the installed capacity of 0.6 MW to the installed capacity of 1 MW, located at CA Binça, Municipality of Viti;
- Decision V_929_2018, dated on 29 March 2018, on extension of validity term of Decision V_737_2015, dated on 15 June 2015, modified by Decision V_892_2017, issued to “EKO ENERGJI” LLC, for construction of new generation capacities for electricity generation from water, in Morava e Binçës River, HPP Binça, with an installed capacity of 1 MW, located at CA Binça, Municipality of Viti;
- Decision V_979_2018, dated on 13 June 2018, on extension of validity term of Decision V_737_2015, dated on 15 June 2015, modified by Decision V_892_2017, issued to “EKO ENERGJI” LLC, for construction of new generation capacities for electricity generation from water, in Morava e Binçës River, HPP Binça, Municipality of Viti;
- Request for extension of validity term of the Authorization V_737_2015, dated on 15 June 2015, for an additional period of 6 (six) months, for construction of new generation capacities for electricity generation from water, in Morava e Binçës River, HPP Binça, with an installed capacity of 1 MW, located in CA Binça, Municipality of Viti, dated on 07.05.2018, of “EKO ENERGJI” LLC, having its address at Pozharan Village, nn,Viti, Republic of Kosovo,



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

DECISION

- I. On **APPROVAL** of the request of “EKO ENERGI” LLC, and **EXTENSION** of validity term of the Authorization V_737_2015, dated on 15 June 2015, Modified by Decision V_892_2017, and extended by Decision V_929_2018, dated on 29 March 2018 and V_979_2018, dated on 13 June 2018, for construction of the hydro power plant HPP Binça, with an installed capacity of 1 MW, in Morava e Binçës River, located at CA Binça, Municipality of Viti, for an additional period of 6 (six) months, namely until **15 December 2019, for completing the construction of the hydro power plant.**
- II. The Decision on Issuance of Authorization V_737_2015, dated on 15 June 2015, extended by Decision V_929_2018, dated on 29 March 2018 and Decision V_979_2018, dated on 13 June 2018 shall be valid until **15 December 2019**, according to enacting clause under item. I of this Decision.
- III. “EKO ENERGI” LLC, is obliged to complete the construction of the hydro power plant HPP Binça, until 15 December 2019. In case it does not complete the construction within this term, or does not act in line with the applicable legislation, the Decision on Issuance of the Authorization V_737_2015, dated on 15 June 2015, shall be repealed .

Reasoning

- ERO, on 13.04.2014, received from “EKO ENERGI” LLC, the request/application for construction of new generation capacities for electricity generation from water, in Morava e Binçës HPP Binça, with an installed capacity of 0.6 MW, located at CA Binça, in Municipality of Viti.
- The Board of Energy Regulatory Office, following the analysis of evidence presented by “EKO ENERGI” 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_671_2014, on 23 December 2014, and instructed the applicant to fulfil other legal requirements required by applicable legislation in Kosovo.
- The Decision on Notice for Preliminary Authorization has not implied granting the issuance of Final Authorization for Construction until the requirements set by Rule on Authorization Procedure for Construction of New Capacities are fulfilled.
- ERO, on 20.05.2015, received from “EKO ENERGI” 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, in Morava e Binçës River, HPP Binça, with an installed capacity of 0.6 MW, located at CA Binça, Municipality of Viti, attaching evidence issued by relevant authorities on fulfilment of all environmental requests, 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, on 15 June 2015, following the review and analysis of the document, decided to issued to “EKO ENERGIJ” LLC the Final Authorization V_737_2015 for construction of new generation capacities for electricity generation from water, In Morava e Binçës River, HPP Binça, with an installed capacity of 0.6 MW, located at CA Binça, Municipality of Viti.
- ERO, on 25.01.2017, received from “EKO ENERGIJ” LLC, the request on Modification of Final Authorization V_737_2015, on modification of the generation capacity of the hydro power plant in Morava e Binçës River, HPP Binça, from the installed capacity of 0.6 MW, to the installed capacity of 1 MW, CA Binça, fulfilling the legal requirements related to the right on the use of water, issued by MESP and Construction Permit issued by Municipality of Viti.
- The Board of Energy Regulatory Office, in the session held on 27 February 2017, approved the request on Modification of Final Authorization V_737_2015, allowing the modification of the generation capacity from 0.6 MW to the installed capacity of 1 MW, through Decision V_892_2017, based in the amendment of the Water Permit and the Construction Permit, issued by competent bodies and the legislation in force.
- ERO, on 03.07.2017, received from “EKO ENERGIJ” LLC the request for extension of validity term of the Decision on Final Authorization V_737_2015, dated on 15 June 2015, modified by Decision V_892_2017, dated on 27 February 2017 for HPP Binça, with an installed capacity of 1 MW, CA Binça, Municipality of Viti, **for completing the construction for one (1) additional year, namely until 15 June 2018.**
- 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 “EKO ENERGIJ” LLC, and through Decision V_929_2018 decided to allow the extension of validity term of the Decision on Final Authorization V_737_2015, dated on 15 June 2015 for one (1) additional year, namely until 15 June 2018, in line with legal provisions of the Rule on Authorization Procedure.
- ERO, on 07.05.2018, received from “EKO ENERGIJ” LLC, the request for extension of validity term of Decision on Final Authorization V_737_2015, dated on 15 June 2015, extended by Decision V_929_2018, dated on 29 March 2018, for HPP Binça, with an installed capacity of 1 MW, for an additional term **for extending the construction period for 12 (twelve) months, namely until 15 June 2019.**
- ERO Board, in the session held on 13 June 2018, following the review and approval of the request and relevant evidence, approved the request of “EKO ENERGIJ” LLC, and through the Decision V_979_2018 decided to allow the extension of validity term of the Decision on Final Authorization V_737_2015, dated on 15 June 2015, for one (1) additional year, namely until 15 June 2019, in line with legal provisions of the Rule on Authorization Procedure.
- ERO, on 11.06.2019, received from “EKO ENERGIJ” LLC, the request for extension of validity term of the Decision on Final Authorization V_737_2015, dated on 15 June 2015, extended by



Decision V_929_2018, dated on 29 March 2018 and Decision V_979_2018, dated on 13 June 2018 for HPP Binça, with an installed capacity of 1 MW, for an additional term **for extending the construction period for 6 (six) months, namely until 15 December 2019.**

- “EKO ENERGI” LLC in its request explained that: “EKO ENERGI” LLC has completed more than 98% of construction works of the hydro power plant HPP Binça, with an installed capacity of 1 MW, however due to rainfalls and hydrometeorological conditions they could not complete all works in the foreseen term.
- “EKO ENERGI” LLC explained that they have finished the offtake, fitting of turbines and generators, fitting of pipelines in a length of 2130 m, and within a short period they plan to finish the pipeline for the remaining 150 m. They also explained that the electric grid conductor is almost finished.
- Therefore, they required to be allowed the extension of validity term of the Decision V_737_2015, dated on 15 June 2015, for an additional period of 6 (six) months, namely until 15 December 2019 for completing the construction of the hydro power plant.
- ERO Board, following the analysis of the request of “EKO ENERGI” LLC and attached evidence on extension of validity term of Final Authorization for construction of new generation capacities for electricity generation from water, in Morava e Binçës River, HPP Binça, with an installed capacity of 1 MW, located at CA Binça, Municipality of Viti, evaluated them and based on the evidence on the issue in question, decided to allow the extension of validity term of the Final Authorization V_737_2015, dated on 15 June 2015, for an additional legal term, based on legal provisions mentioned in the introductory section of this Decision.

- I. The Decision is issued and published in official languages of the Republic of Kosovo.
- II. 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 Sejfiqaj, Member



Selman Hoti, Member

Izet Rushiti, Member

This Decision is sent to:

- The party
- Municipality of Viti,
- Secretary General of MESP and
- ERO Archive