



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_1169_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 14, paragraphs 6 and 7 of Rule on Authorization Procedure for Construction of New Generation Capacities;
- Decision on Notice for Preliminary Authorization V_987_2018, dated on 13 June 2018, issued to "Bondcom Energy Point" LLC, through which it proved the suitability for development of the project for construction of new generation capacities for electricity generation from WIND, Wind Park-BUDAKOVA 1, located at CA Budakov, with an installed capacity of 11 MW, Municipality of Suhareka, Republic of Kosovo, and
- Request for extension of validity term of Decision on Notification for Preliminary Authorization for construction of new generation capacities for electricity generation from hydro power plant, Wind Park-BUDAKOVA 1, located at CA Budakov, with an installed capacity of 11 MW, Municipality of Suhareka, dated on 11.06.2019, of "Bondcom Energy Point" LLC, having its address at: St. "Sheshi i Lidhjes", nn, Prizren, Republic of Kosovo,

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

DECISION

- I. On **APPROVAL** of the request of "Bondcom Energy Point" LLC, and **EXTENSION** of validity term of Decision on Notice for Preliminary Authorization V_987_2018, dated on 13 June 2018, for completion of application for obtaining Final Authorization, for construction of Wind Turbines, located at CA Budakov, with an installed capacity of 11 MW, Municipality of Suhareka, for an additional period of six (6) months, namely until **13 December 2019**.
- II. **"Bondcom Energy Point" LLC** is obliged to make a written request within this time-limit for conversion of Decision on Notice for Preliminary Authorization into Final Authorization for construction of new generation capacities for electricity generation from WIND, Wind Park-BUDAKOVA 1, located at CA Budakov, with an installed capacity of 11 MW, Municipality of



Suhareka, namely until **13 December 2019**, meeting all legal requirements determined by the Rule on Authorization Procedure for Construction of New Capacities and applicable legislation.

III. Following the expiry of the term mentioned under item I. of the enacting clause, Decision on Notification for Preliminary Authorization V_987_2019, dated on 13 June 2018, shall be automatically repealed and it will not be reviewed by ERO Board.

Reasoning

- ERO, on 19.12.2017, received from “**Bondcom Energy Point**” LLC. the application on obtaining the authorization for construction of new generation capacities for electricity generation from WIND, Wind Park-BUDAKOVA 1, located at CA Budakov, with an installed capacity of 11 MW, Municipality of Suhareka, Republic of Kosovo.
- ERO, following the ascertainment that the applicant has proved its compliance for construction of new generation capacities from Wind Turbines, on 13 June 2018 , issued the Decision on Notice for Preliminary Authorization V_987_2018, and instructed the applicant to meet other legal requirements required by the applicable legislation in Kosovo.
- The Decision on Notice for Preliminary Authorization V_987_2018 has not implied granting the authorization until the requirements set by Rule on Authorization Procedure for Construction of New Capacities are fulfilled.
- The Decision on Notice for Preliminary Authorization determines the targets availability and the applicant’s admission to the Support Scheme and automatic guarantee of Feed-in Tariff.
- The Decision on Notice for Preliminary Authorization determines that the applicant is guaranteed the bond of Power Purchase Agreement for a twelve (12) year period, which shall be concluded at least thirty (30) days before the date of commencement of generating operation.
- The Decision on Notice for Preliminary Authorization is issued for one (1) year period and this decision determines that “Bondcom Energy Point” LLC. shall be granted the Authorization if within this time-limit it makes a written request for conversion of Decision on Preliminary Notice into Authorization, meeting all terms and conditions set by Rule on Authorization Procedure for Construction of New Capacities and applicable legislation.
- The applicant “Bondcom Energy Point” LLC, on 11.06.2019 submitted the request on extension of validity term of Decision on Notice for Preliminary Authorization, and in its request explained that: *“they are in the process of completing the entire required documentation, therefore they have applied at the Ministry of Environment and Spatial Planning to obtain an Environmental Permit, according to Law on Construction, however due to procedures and public consultations, they have not met the deadline foreseen in the Decision on Preliminary Authorization.*



- *Therefore, taking into account what was stated above, they require from ERO Board to allow the extension of validity term of the Preliminary Authorization for an additional period of six (6) months, so that the company can obtain the Environmental Permit by MESP.*
- ERO Board, following the analysis of the request of “Bondcom Energy Point” LLC and attached evidence on extension of validity term of the Decision on Notice for Preliminary Authorization, evaluated them and concluded that due to the well-grounded justification and the complexity of obtaining the permits from relevant institutions, as well as based on legal provisions mentioned in the introductory section of this Decision, has decided as in the enacting clause to 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 Sejfijaj, Member

Selman Hoti, Member

Izet Rushiti, Member

This Decision is sent to:

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

