



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

**RULE FOR THE ESTABLISHMENT OF A SYSTEM OF CERTIFICATES OF ORIGIN FOR ELECTRICITY
PRODUCED FROM RENEWABLE ENERGY SOURCES, FROM WASTE AND CO-GENERATION IN
COMBINATION WITH HEAT IN A SINGLE GENERATING UNIT**

Prishtina, 29 December 2010

Pursuant to the authority given under Article 14.2.15 of the Law on Energy Regulator and Article 13.5 of the Law on Energy, **the Board of the Energy Regulatory Office** in a session held on 29 December 2010 adopted the Rule for the Establishment of a System of Certificates of Origin for Electricity produced from Renewable Energy Sources, from Waste and in combination with Heat in a single generating unit (Hereinafter "the Rule").

CHAPTER I

GENERAL PROVISIONS

Article 1

Purpose and Scope

- 1 This Rule and associated Schedules set out the provisions concerning the setting up, operation and maintenance of a system managed by ERO for the Issuance, Transfer, Redemption and Revocation/Cancellation of Certificates of Origins with reference to electricity produced from renewable energy sources, from waste and in combination with heat, pursuant to Article 9 of the Law on Electricity.

Article 2

Definitions

- 1 Expressions used in this Rule mean as follows:
 - 1.1 "Certificate of Origin" means a certificate issued by ERO certifying that the electricity in respect of which the certificate is issued has been produced from renewable energy sources or waste or in combination with heat in a single generating unit;
 - 1.2 "ECSEE" means the Energy Community of South East Europe;
 - 1.3 "ERO" means the Energy Regulatory Office;
 - 1.4 "generating unit" means the combination of physically connected generators, turbines and other prime movers operated together in a single location to produce electricity;
 - 1.5 "non-renewable energy sources" means any primary energy source, different from the renewable energy sources, used for the production of electricity;
 - 1.6 "Register" means the Register of Certificates of Origin, established by ERO, pursuant to 0 of this Rule;
 - 1.7 "registered holder in relation to a Certificate of Origin", means the person whose name is shown in the Register as the last person to whom that Certificate of Origin

has been transferred or, where there is no person so shown, the person whose name is shown on the Register as the person to whom the Certificate of Origin has been issued;

- 1.8 “registered particulars” means the information entered into the Register, in relation to a Certificate of Origin;
 - 1.9 “renewable energy sources” means renewable non-fossil energy sources (wind, solar, geothermal, wave, hydropower, biomass, landfill gas, sewage treatment plant gas, and biogases) used as sources for the production of electricity;
 - 1.10 “Metering Code” means the Metering Code of the DSO and the Metering Code of the TSO;
 - 1.11 “Waste” shall have the meaning defined in the Directive 2001/77/EC.
- 2 Expressions used in this Rule have the same meaning defined in the Law on Energy Regulator, the Law on Energy and the Law on Electricity.

Article 3

Electricity in respect to which Certificates of Origin are issued

- 1 Certificates of Origin are issued in respect of electricity produced, in the territory of the Republic of Kosova:
 - (a) from renewable energy sources;
 - (b) from waste;
 - (c) in combination with heat in a single generating unit.
- 2 In the case of electricity referred to in paragraphs 1(a) and (b) of this Article, produced from renewable energy sources and/or waste and non-renewable energy sources (conventional fuel), used in combination, Certificates of Origin are issued in respect of the part of the electricity that can be attributed as been produced from renewable energy sources and/or waste on the basis of the relative quantities of primary renewable and/or waste energy and other primary energy (conventional fuel) sources used in generating such electricity.
- 3 In the case of electricity referred to in paragraph 1(c) of this Article and produced by renewable energy sources and non-renewable energy sources used in combination, Certificates of Origin are issued in respect of the total quantity of the electricity produced. Certificates of Origin indicating the different energy sources used are issued in quantities proportional to the relative quantities of the different energy sources used in generating such electricity.

CHAPTER II

Issuing Body of Certificates of Origin

Article 4

Assigning the Energy Regulatory Office as the Issuing Body of Certificates of Origin

- 1 Certificates of Origin shall be issued by ERO, pursuant to Article 9.1 of the Law on Electricity and shall be recognized as such by every authority in Kosovo.
- 2 ERO acts as the National Issuing Body for Certificates of Origin and will take all necessary steps to gain accreditation from AIB (the Association of Issuing Bodies) by adopting the Rules and Procedures and developing the National Domain Protocol required under AIB accreditation rules.

Article 5

Register of Certificates of Origin

- 1 ERO shall establish and maintain the Register of Certificates of Origin, pursuant to Article 17.1 of the Law on the Energy Regulator.
- 2 The Register shall be in electronic form and shall include two types of accounts:
 - (a) Transferables Accounts;
 - (b) Redemption Accounts.
- 3 Each Certificate of Origin shall be entered into the Register with the registered particulars set out in Schedule 1 of this Rule.
- 4 Certificates of Origin recorded in a Redemption Account cannot be transferred or redeemed.
- 5 The Register shall be made public, by its publication on ERO's website or through any other mean as ERO considers appropriate.
- 6 The Register shall be conclusive as regards to whether a Certificate of Origin has been issued and exists, and as to the person who is at the time its registered holder.
- 7 ERO shall publish an explanation of how any code used in the Register to state information is to be interpreted.

Article 6

Registration for the issuance and holding of Certificates of Origin

- 1 Producers of electricity referred to in Article 3, paragraph 1 of this Rule, who intend to request to be issued Certificates of Origin in relation to such electricity, shall register the generating unit(s) producing the same electricity for issuance of Certificates of Origin.
- 2 The request for registration should be submitted in writing to ERO and should contain the information specified in Schedule 2 of this Rule.
- 3 ERO, within [30] days of receiving the request, verifies that the generating unit(s) with respect to which the request for registration is submitted:

- (a) are entitled for the issuance of Certificates of Origin, pursuant to Article 3 of this Rule;
 - (b) are equipped with metering devices compliant with the Metering Code and Market Rules; and
 - (c) do not have auxiliaries the consumption of which is not determined by an export meter, or that the generating unit is fitted with import meters.
- 4 Within the same period as referred in paragraph 3 of this Article, ERO informs the producer of the outcome of the verification. If additional information or access to the generating unit(s) is required and requested pursuant to 0 of this Rule, the period for verification is suspended until the time when the requested information is received by ERO or access to the generating unit(s) is granted and ERO is satisfied that the generating unit(s) in relation to which the request for registration is submitted satisfies(y) the conditions for issuance of Certificates of Origin. If the request is not positively verified, ERO provides substantiated reasons to the producer.
- 5 Any agent intending to request or hold Certificates of Origin shall own the accounts in the Register, referred to in 05, paragraph 2 of this Rule.
- 6 No Certificate of Origin shall be issued to a producer or transferred to a person unless the producer or person owns the accounts referred to in paragraph 5 of this Article.
- 7 Applications for the opening of the accounts referred to in paragraph 5 of this Article shall be submitted in writing to ERO. The applications shall indicate:
- (d) The name, address (if a body corporate, the registered or principal office), other contact details and, if a company, the registration number, of the person applying to own accounts in the Register;
 - (e) Whether the person applying to own accounts in the Register is a producer of electricity referred to in Article 3, paragraph 1 of this Rule.
- 8 ERO opens the accounts in the Register within [5] days of receiving the application, unless additional information is required and requested pursuant to 0, paragraph 1 of this Rule, in which case the accounts are opened within [5] days of receiving such additional information.
- 9 If the producer does not already own the accounts referred to in paragraph 5 of this Article, ERO opens such accounts, without the need of a separate application, when a request for registration referred to in paragraph 2 of this Article is positively verified.

CHAPTER III

APPLICATION, ISSUANCE, TRANSFER, REDEMPTION, EXPIRATION AND REVOCATION OF CERTIFICATES OF ORIGIN

ARTICLE 7

Application for the Issuance of Certificates of Origins

- 1 Certificates of Origin are issued upon request submitted in writing to ERO, by the producer of the electricity referred to in Article 3, paragraph 1 of this Rule, produced by generating

units registered for issuance of Certificates of Origin pursuant to 0 of this Rule. The request shall relate to electricity produced over a period of at least [1] month and not longer than [3] months and should be submitted no later than [3] months after the end of the period to which it relates.

- 2 A request referred to in paragraph 1 of this Article shall contain the information specified in Schedule 3 of this Rule.
- 3 A request referred to in paragraph 1 of this Article shall be accompanied by a statement, signed by the person submitting the request (or, if the request is submitted by a corporate legal entity, by an authorized representative of that entity) that the person submitting the request:
 - (a) is entitled under this Rule to be issued with Certificates of Origin in relation to the electricity in respect to which the request is submitted; and
 - (b) has not requested, and will not request, in another Contracting Party of the ECSEE or in a EU Member State, the issuance of Certificates of Origin in respect of the same electricity.

Article 8

Access to information and generating units

- 1 ERO has the right to request any person submitting an application for opening accounts in the Register or any producer of electricity requesting the registration of a generating unit for issuance of Certificates of Origin or requesting the issuance of Certificates of Origins to provide any additional relevant data or information necessary to verify the accuracy and veridicity of the application or request, setting a reasonable time by which it shall be provided. The request for additional information shall be received by the person submitting an application for opening accounts in the Register or the producer of electricity requesting the registration of a generating unit for issuance of Certificates of Origin or requesting the issuance of Certificates of Origins within [15] days of ERO receiving the request referred to in 0, paragraph 2, and 0, paragraph 1, or within [5] days of ERO receiving the application referred to in 0, paragraph 7 of this Rule.
- 2 ERO has the right to access the generating unit(s) producing the electricity referred to in Article 3, paragraph 1, when this is reasonably required to fulfil ERO's functions under the present Rule.
- 3 Without prejudice to the provision contained in Article 57.1 of the Law on the Energy Regulator, failure to provide the information requested or to allow access to the generating unit(s) as indicated in paragraphs 1 and 2 of this Article, may result in the refusal by ERO to open the accounts referred to in 0, paragraph 5 of this Rule, or to issue Certificates of Origin in respect of any electricity produced by the involved producer or generating unit(s), at least to the extent to which Certificates of Origin have not yet been issued.

- 4 Any owner of an account referred to in 0, paragraph 2 of this Rule, shall retain all documents and records relating to its holding of Certificates of Origin for [10] years from the date to which the record or document refers.

Article 9

Issuance, transfer, redemption and expiration of Certificates of Origin

- 1 When ERO receives an application for the issuance of Certificates of Origin duly submitted in accordance with the 0 of this Rule, it shall issue, within [1] **month** of receiving the request, Certificates of Origin in respect of so much (but no more) of the electricity to which the request relates if it is satisfied that Certificates of Origin can be issued with respect to such electricity pursuant to Article 3 of this Rule.
- 2 The period of [1] month for issuing the Certificates of Origin referred to in paragraph 1 of this Article can be extended in the case in which ERO deems necessary to request additional information or access to the generating unit(s) producing electricity to which the request relates, pursuant to 0 of this Rule. In this case ERO, if satisfied that the Certificates of Origin are to be issued, issues the Certificates of Origin within [1] month of receiving the requested information or of having accessed the generating unit(s).
- 3 ERO will use and has the right to request the metering records of the System Operator of the network to which the generating units are connected, as they are registered in the Settlement Database, to verify the requests for issuance of Certificates of Origin. In case of discrepancies with the request referred in 0, paragraph 1, the metering records in the Settlement Database will prevail.
- 4 In the case of electricity generated as referred to in Article 3, paragraph 1, point c) ERO may request the System Operator of the network to which the generating unit is connected to confirm the share of electricity produced from renewable energy sources. In case of discrepancies with the request referred in 0, paragraph 1 of this Rule, the information provided by the System Operator prevails.
- 5 One Certificate of Origin shall be issued in respect of each Megawatt hour of electricity referred to in Article 3 of this Rule, rounding down to the nearest whole Megawatt hour. Any identifiable residual fraction of Megawatt hour will be carried forward and added to the quantity of electricity with respect to which Certificates of Origin are issued following the next request related to the same generating unit.
- 6 ERO shall issue Certificates of Origin to the person who submitted the request or to such other person as the person who submitted the request may nominate.
- 7 The Certificates of Origin issued pursuant to this Article are entered into the Transferables Account of the person to whom they are issued.
- 8 Where a Certificate of Origin has been issued and has not been revoked, no further Certificate of Origin in respect of the electricity to which the Certificate relates shall be issued.

- 9 A Certificate of Origin shall be regarded as being issued only when its registered particulars are entered by ERO in the Register referred to in 0 of this Rule.
- 10 ERO assigns a unique "certificate sequence number" to each Certificate of Origin issued.
- 11 If the registered holder of a Certificate of Origin requests ERO to transfer that Certificate of Origin to any other person, ERO shall do so by amending the Transferables Accounts in the Register referred to in 05, paragraph 2 of this Rule, accordingly within [7] days of receiving the request. In particular, the registered particulars of the Certificates of Origin to be transferred are removed from the Transferables Account of the person making the transfer and entered into the Transferables Account of the person receiving the transfer. ERO confirms the transfer to the person submitting the request.
- 12 The registered holder of a Certificate of Origin can redeem it, by submitting a written request to ERO. ERO transfers the Certificate of Origin to the Redemption Account of the registered holder or of any other person nominated by the registered holder within [7] days of receiving the request and issues to the person submitting the request a declaration that the Certificate of Origin has been redeemed.
- 13 If not redeemed pursuant to paragraph 12 of this 0 or revoked pursuant to Article 1- of this Rule, the Certificate of Origin expires after eighteen[18] months from the first day in which the electricity to which the Certificate relates has been produced. Expiration of the Certificate of Origin is annotated in the Register referred to in 0, paragraph 1 of this Rule. Certificates of Origin which are expired cannot be transferred or redeemed.

Article 10

Revocation of Certificates of Origin

- 1 ERO shall revoke a Certificate of Origin where:
 - (a) it is satisfied that the information provided pursuant to 0, paragraphs 2 and 7, and 0 of this Rule, on the basis of which that Certificate of Origin was issued, is incorrect in a material particular or that the Certificate of Origin was issued on the basis of any fraudulent behaviour, statement or undertaking; or
 - (b) it is otherwise satisfied that the Certificate of Origin should not have been issued, is inaccurate or was issued to the wrong person.
- 2 Where ERO revokes a Certificate of Origin, it shall as soon as practicable give notice of such revocation in writing to the registered holder of the Certificate of Origin.

CHAPTER IV

TRANSITIONAL AND FINAL PROVISIONS

ARTICLE 11

Transitional provisions

Within ninety days of the date of entry into force of this Rule, the Transmission System Operator (KOSTT) should submit to the Energy Regulatory Office proposals for the necessary amendments to the Market and Settlement Rules, Grid Code and other technical codes to implement the provisions contained in this Rule.

ARTICLE 12

Amendments to the Rule

- 1 A proposal to amend this Rule may be initiated by ERO on its own initiative or at the request of energy companies.
- 2 Procedure for the approval of amendments to this Rule will be the same with the procedure for its adoption.
- 3 ERO has the right to issue guidelines from time to time concerning the application of this Rule.

ARTICLE 13

Official Language of the Rule

This Rule is issued in the Albanian language and shall be translated into Serbian and English. In the event of any discrepancies, the version in Albanian shall prevail.

ARTICLE 14

Entry into Force

This Rule shall enter into force thirty [30] calendar days of its adoption by the Board of ERO and shall be published in the official website of ERO.

Chairman of the ERO Board:

Board Members:

SCHEDULE 1

REGISTERED PARTICULARS OF CERTIFICATES OF ORIGIN TO BE CONTAINED IN THE REGISTER

(0)

Registered particulars

1. In relation to each Certificate of Origin issued in accordance with 0 of this Rule:
 - (a) the name and address (if a body corporate, the registered or principal office) and, if a company, the registered number, of the person to whom the Certificate has been, or was originally, issued;
 - (b) the certificate sequence number;
 - (c) the name, location and any other information required to uniquely identify the generating unit;
 - (d) the technology of the generating unit in which the electricity to which the Certificate of Origin relates was produced and the energy source or sources which were used in the production of such electricity;
 - (e) whether the Certificate of Origin refers to electricity produced in combination with heat in a single plant;
 - (f) the beginning and end of the period to which the Certificate of Origin relates;
 - (g) the date of issue;
 - (h) the place where the electricity to which the Certificate of Origin relates was produced - and the name, if any, of the plant;
 - (i) the declared net capacity of the generating unit and the date it became operational¹;
 - (j) whether the electricity in respect to which the Certificate of Origin has been issued has been admitted to a support scheme in Kosova other than investment aid, in which case the following annotation should be made: "the electricity with respect to which this Certificate has been issued has received support from a support scheme in Kosova".
2. In relation to each Certificate of Origin transferred in accordance with 0, paragraph 11 of this Rule, the name and address (if a body corporate, the registered or principal office) and, if a company, the registered number, of the last person to whom it has been transferred and of all the previous holders.
3. In relation to Certificates of Origin that have been redeemed in accordance with 0, paragraph 12, the date in which redemption occurred and the details of any person nominated in the redemption request.
4. In relation to Certificates of Origin that have been revoked in accordance with 0 of this Rule, the date of revocation.

¹ Declared net capacity means the highest generation of electricity (calculated by adding together the highest generation of electricity at the main terminals of each alternator and dynamo) which, on the assumption that the source of power is available uninterruptedly, can be maintained indefinitely without causing damage to the generating unit, net of any part of that electricity which is consumed by the generating unit.

5. In relation to Certificates of Origin that have expired, pursuant to 0, paragraph 13 of this Rule, the expiration date.

SCHEDULE 2

INFORMATION TO BE PROVIDED IN A REQUEST FOR REGISTRATION OF GENERATING UNITS FOR ISSUANCE OF CERTIFICATES OF ORIGIN

(Pursuant to 0 of this Rule)

1. The name and address (if a body corporate, the registered or principal office) and, if a company, the registered number, of the person requesting the issue of the Certificate of Origin;
2. The name, location and identification number any other information required to uniquely identify the generating unit(s) for which registration is requested.
3. The technology of the generating unit and the energy source or sources which can be used in the production of electricity in the generating unit;
4. The declared net capacity of the generating unit and the date it became operational²;
5. Details of the Export Meter(s) for the generating unit.
6. Details of any generating auxiliaries associated with the generating unit.
7. Where there are generating auxiliaries associated with the generating unit and the consumption of these auxiliaries is not determined by an Export Meter, details of Import Meter(s) which determine the electricity consumption by the generating unit.
8. A description of how the amount of Net Electrical Energy Generation produced by the generating unit shall be calculated from the meter readings to be provided.

² Declared net capacity means the highest generation of electricity (calculated by adding together the highest generation of electricity at the main terminals of each alternator and dynamo) which, on the assumption that the source of power is available uninterruptedly, can be maintained indefinitely without causing damage to the generating unit, net of any part of that electricity which is consumed by the generating unit.

SCHEDULE 3

INFORMATION TO BE PROVIDED IN A REQUEST FOR ISSUANCE OF CERTIFICATES OF ORIGIN

(Pursuant to 0 of this Rule)

1. The name and address (if a body corporate, the registered or principal office) and, if a company, the registered number, of the person requesting the issue of the Certificate of Origin.
2. The generating unit in which the electricity in respect of which the Certificate of Origin is requested was produced.
3. The energy source or sources from which the electricity in respect of which the Certificate of Origin is requested was produced.
4. Whether the Certificate of Origin which is requested refers to electricity in combination with heat in a single plant.
5. The beginning and end of the period covered by the request.
6. The quantity of electricity in respect of which the Certificate of Origin is requested, together with the total quantity of electricity produced by the plant during the period referred to in point 5 of this Schedule.