



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

## **RULE ON AUTHORIZATION PROCEDURE FOR CONSTRUCTION OF NEW GENERATION CAPACITIES**

**Pristine, 29 August 2011**



Pursuant to the authority given under Chapter 8, paragraph 1, subparagraph 1.6, Article 14, paragraph 2, subparagraph 2.7, Article 25 and Article 38 of the Law on Energy Regulator No. 03/L-185, the Board of the Energy Regulatory Office in its session held on 29.08. 2011, adopted the:

## **RULE ON AUTHORIZATION PROCEDURE FOR CONSTRUCTION OF NEW GENERATION CAPACITIES**

### **CHAPTER I GENERAL PROVISIONS**

#### **Article 1 Purpose**

This Rule establishes the procedure for the authorization for construction of new generating capacities, new systems for transport and distribution of gas, including interconnector, direct electric-energetic lines and direct pipelines for distribution of natural gas.

#### **Article 2 Scope**

1. The Rule sets forth the criteria and procedure related to the issuance of Authorizations for the construction of new generation facilities, new systems for transport and distribution of gas, including interconnector, direct electric-energetic lines and direct pipelines for distribution of natural gas in order to create conditions for efficient and cost-effective use of electric power with protection for human health, safety and the environment.
2. The Authorization Procedure will be applied in compliance with objective, transparent and non-discriminatory criteria that promote the establishment of a competitive energy market and stimulate investment while ensuring security and stability of the energy sector in Kosovo.
3. Nothing in this Rule overwrites any existing authority of any governmental or other institution to issue permits, consents, or any other document required for project Authorization of new generating capacity, new systems for transport and distribution of gas, including interconnector, direct electric-energetic lines and direct pipelines for distribution of natural gas, in conformity with the mandate and the laws of Kosovo.
4. This Rule does not cover a tendering procedure, which is prescribed in Article 39 of the Law on the Energy Regulator.



5. However, where new generating capacity, gas line, direct electric-energetic line or direct pipeline is to be constructed as a result of a tendering procedure carried out in accordance

with the law, no construction authorization is required for the new generating capacity that is the subject of the tender.

### Article 3 Definitions

1. The terminology used in this Rule have the following meaning:
  - 1.1. **“Applicant”**- means the natural or legal person requesting an Authorization under this Rule;
  - 1.2. **“ERO”** – Energy Regulator Office;
  - 1.3. **“Notification of Preliminary Decision”** – means a notice provided by ERO, indicating the Applicant’s expected suitability to develop and construct a energy facility, subject to the Applicant meeting certain conditions and other requirement specified by the applicable legislation within specified period of time;
  - 1.4. **“Authorization”** – means the procedure set forth in this rule to grant Authorizations to commence with construction of generation capacities, new systems for transport and distribution of gas, including interconnector, direct electric-energetic lines and direct pipelines for distribution of natural gas, within specified period of time;
  - 1.5. **“Generating Facility”** – means ensemble of buildings, installations and equipment set together in order to generate heat, electricity or a combination of heat and electricity such as cogeneration;
  - 1.6. **“Feasibility Study”** – means a technical and economic evaluation of a project for the construction of new generation capacities; and;
  - 1.7. **“Renewable Generating Capacity”** – means any generating capacity powered by water, wind, or solar energy, or thermal generating capacity fuelled by wood or other biomass material, wave energy, bio-energy, and bio-gas energy.
2. The Terminology used in this code has the same meaning as the one used in the Law on Energy Regulator, Law on Energy, Law on Electric Energy, Law on Natural Gas and Law on Central Heating.



## **Chapter II**

### **AUTHORIZATION FOR CONSTRUCTION OF NEW CAPACITIES**

#### Article 4

##### **Obligation for Authorization**

1. As provided in Article 38 of the Law on the Energy Regulator, no natural and legal person shall construct a generating plant without first obtaining an Authorization from ERO in accordance with the procedures set down in this Rule.
2. ERO shall consider all applications for Authorization for construction of new generating facilities in accordance with this Rule, and shall ensure that all such applications are dealt with in an objective, transparent, and non-discriminatory way.

#### Article 5

##### **Application for Authorization**

1. The Application for Authorization shall be submitted in writing and in format specified in the appendix 1, 2 and 3 of this Rule.
2. When ERO receives an application for an Authorization under this Rule it shall duly consider it in accordance with this Rule, and shall then:
  - 2.1. Issue a Notification of Preliminary Decision or grant an Authorization; or
  - 2.2. Decline to issue a Notification of Preliminary Decision or grant an Authorization.
3. In exception to the paragraph 2 of this Article, if more than one applicant applies for the same place/location where the new generating facility will be constructed, the ERO shall proceed further with such application, which ensured relevant evidences on the right to use the land.
4. Request that the applicant provides such further information as ERO may consider necessary.

#### Article 6

##### **Authorization Criteria**

1. Persons submitting applications for an Authorization for construction of new generation capacities, under this Rule must ensure that such projects respect, in all phases, all applicable laws or regulations.
2. Such projects must ensure:
  - 2.1. Achievement of a safety level regarding personnel, equipment, installations, machinery and environment protection;



- 2.2. Achievement of a competitive level of technical and economic performance that is compatible with the development of a liberalized energy market;
- 2.3. Compliance with the Energy Sector Strategy approved by the Assembly of Kosovo, including compliance with programs and secondary legislation regarding renewable energy sources;
- 2.4. The availability of technical and financial capability, human resources, knowledge, and organizational structure for the construction and operation of the facility;
- 2.5. Utilization of modern technology appropriate for the particular site and efficient use of the primary fuel supply;
- 2.6. Availability of adequate supply of primary fuel used for generation and provision of ancillary services;
- 2.7. Plans for disposal of all generation-related wastes and decommissioning and/or removal of generation facilities at the end of its useful lifetime in compliance with technical and environmental requirements; and
- 2.8. Availability of property rights or other legal rights to construct on the site, as proposed in the project for the construction of new generating capacities.

## **CHAPTER III APPLICATIONS FOR AUTHORIZATION**

### Article 7

#### **Application Procedure**

1. An application for an Authorization under this Rule shall be submitted to ERO in the form specified in Annex 1, 2 and 3 to this Rule.
2. Applications for Authorizations under this Rule must be accompanied by the following documents:
  - 2.1. A copy of the registration of the share or equity participation of any shareholders or partners of the Applicant and copies of all relevant documents (articles of association, decision of the court or copy of the book of shareholders, etc.);
  - 2.2. Certificate of the Applicant's registration as a Business Organization issued by the agency authorized to register business organizations;
  - 2.3. Information/indicators regarding the Applicant's financial situation, prepared in accordance with the model shown into Annex 2 of this Rule, based on the Audited Annual Financial Report for last three (3) years, certified by the competent institution or financial auditors;



- 2.4. The feasibility Study carried out for the proposed new generating capacity, new systems for transport and distribution of gas, including interconnector, direct electric-energetic lines and direct pipelines for distribution natural gas proposed, including the availability of fuel and containing the elements specified in Annex 3;
  - 2.5. Evidence of the technical, financial capability and experience of the Applicant in respect of building;
  - 2.6. Evidence of the technical, financial capability and experience of the Applicant in respect of building, owning or operating generation projects of similar size and complexity, as specified in Annex 3;
  - 2.7. Certificate that the Applicant is not in a bankruptcy situation, its business is not administrated by a judge, its commercial activities are not suspended;
  - 2.8. Certificate that Applicant has complied with the obligations regarding tax payment in the country where he is registered as a legal entity;
  - 2.9. Information regarding the management and the organizational structure of the Applicant, as specified in Annex 3; and
  - 2.10. CVs of the Applicant's management staff and a list of the other senior staff and their qualifications, as specified in Annex 3.
3. If the Applicant acts in the name of a "Joint Stock Company", "Consortium", or other such type of association, the investor's eligibility is evaluated based on the information, including financial, related to each member of the association, sent to ERO by its legal representative.
  4. Upon receipt of the application, ERO shall enter it into the register of applications. The Register shall be published in the ERO official web site.
  5. ERO shall ensure that the application and all accompanying documents and other information are registered, filed and publicly available at the office of ERO.
  6. ERO may, in consultation with the Applicant, decide which particulars or documents are considered confidential in accordance to the Rule on Confidential Information and such document will not be disclosed to the public.

#### Article 8

##### **Fees for application**

1. All Applicants for Authorization under this Rule must pay to ERO the fee for its administrative expense in the amount as specified in ERO Decision.



2. The Applicant must provide a copy of receipt of the fees paid for the Authorization application within thirty (30) working days from submittal of the application for authorization.
3. The fee payment is not refundable even if the Authorization is not granted.

#### Article 9

##### **Record Keeping of Applications**

1. An application shall be submitted in one original and five (5) sets of certified copies.
2. The application shall be submitted in hard copy and electronic form.
3. The application shall be submitted in one of the official languages used in Kosovo.
4. In the case of any document issued in one of the official languages used in Kosovo, the Applicant must submit its translation in one of the official languages certified by a Court Notary registered in Kosova.

#### Article 10

##### **Publication of Applications**

1. Within fifteen (15) days upon submitting the application under Article 7, paragraph 1 of this Rule, the Applicant shall publish in two (2) daily newspapers of wide circulation published in Kosovo:
  - 1.1. A brief summary of the contents of the application;
  - 1.2. An announcement that an objection to the application or expression of interest in participating in its review by any interested party may be made to ERO within fifteen (15) days of the date ERO deems the application completed.
2. Where ERO receives any comments on or objection to an application, it shall submit a copy of it to the Applicant and publish it on the web site of ERO.
3. In case of any objection, under paragraph 2 of this Article ERO shall cease reviewing the application and shall notify the applicant in writing, until the dispute is resolved.
4. The Applicant and/or ERO shall not disclose any information that is classified as confidential in accordance to the Rule on Confidential Information.

#### Article 11

##### **Submission of Further Information**

1. Where ERO determines that it requires further information or clarification from an Applicant, ERO must submit any requests for such additional information and data or clarification to the Applicant no later than sixty (60) calendar days after the application has



been received and registered, requesting from the Applicant to submit the additional information and data in written form..

2. The ERO request to the Applicant for clarification or additional information and data shall contain a deadline of not less than fifteen (15) days for the Applicant to submit a response. ERO may extend the deadline upon a showing by the Applicant of a reasonable justification for failure to meet the deadline.
3. If the Applicant, without a reasonable justification, delays the required response, ERO retains the right to reject the application, without prior notification and without refunding any payment, or decide on the application based on the existing documents and information and notify the Applicant about its decision.
4. Upon determination that no clarification or additional information and data are required, ERO shall notify the Applicant that the application is deemed sufficient.
5. Notwithstanding other provisions of this rule, ERO reserves the right to seek from the Applicant additional information and data at any time during the procedure on authorization.

## **CHAPTER IV DEADLINES AND DECISIONS FOR AUTHORIZATION**

### Article 12

#### **Deadlines for review of the Application for Authorization**

ERO shall make a formal decision on every application within ninety (90) days of the date on which ERO notified the Applicant that the application was deemed sufficient under the terms of Article 11, paragraph 4, of this Rule, except that where ERO considers it necessary it may determine that the period for consideration of the application may be extended by a period of up to sixty (60) calendar days months.

### Article 13

#### **ERO Decisions on Applications for Authorization**

1. Where ERO determines that an Applicant has met, or is likely to meet, all the necessary requirements and criteria of ERO set out in this Rule and the criteria in the Law on the Energy Regulator, ERO will either:
  - 1.1. issue a Notification of Preliminary Decision, confirming that the Applicant will be granted an Authorization subject to certain conditions being met within the time period specified; or



- 1.2. grant an Authorization for construction of new generation plant, new systems that was the subject of the application, where ERO is satisfied that all other necessary conditions have been met and it is appropriate to issue the Authorization.
2. Any decision by ERO that an Authorization or Notification of Preliminary Decision shall be granted to an Applicant under this Rule shall be published by ERO in its web site.

#### Article 14

##### **Issuing the Notification of Preliminary Decision**

1. Where ERO determines that an Applicant has demonstrated its suitability to construct the new generating plant, but the Applicant has not yet met other requirements arising under other legislation applicable to the construction plants, ERO may issue a Notification of Preliminary Decision.
2. The Notification of Preliminary Decision gives no right to the applicant to proceed with construction of the new plant before all conditions and requirements are met and the Authorization is granted in accordance with this Rule.
3. Such a Notification will confirm that the Applicant will be granted an Authorization provided that, no later than two [2] years after the date of issue of the Notification of Preliminary Decision, the Applicant:
  - 3.1. Makes a further application to ERO, requesting the Authorization to be issued;
  - 3.2. Provides to ERO all relevant evidence required by applicable legislation; and
  - 3.3. Meets any other conditions set forth in the Notification of Preliminary Decision.

#### Article 15

##### **Applications for conversion of Notifications of Preliminary Decision to an Authorization**

1. Applications for conversion of Notifications of Preliminary Decision to an Authorization for construction of generating plants must be accompanied by the following documents:
  - 1.1. any evidence specified in Article 7, paragraph 2, of this Rule, that were submitted or should have been submitted with the application when the Notification of Preliminary Decision was issued.
  - 1.2. Documentary evidence from the relevant authorities that the Applicant has now satisfied all environmental and other statutory requirements under relevant legislation in Kosovo, including where applicable holding any necessary water rights.
2. Upon receipt of the application, ERO shall:



- 2.1. enter it into the register of applications;
- 2.2. Ensure that the application and all accompanying documents and other information are registered, filed and publicly available at the office of ERO;
- 2.3. Decide which particulars or documents are considered confidential in accordance to the Rule on Confidential Information.
3. Upon determination that no clarification or additional information and data are required, ERO shall notify the Applicant that the application is deemed sufficient.
4. Notwithstanding other provisions of this rule, ERO reserves the right to seek from the Applicant additional information and data at any time during the procedure on authorization.

#### Article 16

##### **Granting an Authorization**

1. ERO shall make a formal decision on every application within ninety (90) calendar days of the date on which ERO notified the Applicant that the application was deemed sufficient under the terms of Article 13.3, paragraph 3 of this Rule, except that where ERO considers it necessary it may determine that the period for consideration of the application may be extended by a period of up to sixty (60) calendar days.
2. If ERO determines that an Applicant has met all the necessary requirements and criteria of ERO set out in this Rule for the granting of an Authorization, ERO will grant an Authorization for construction.
3. Such Authorization shall stipulate that the Applicant shall complete construction of the new plant within two (2) years of the date of its issuance.
4. The deadline stipulated under the paragraph 3 of this Article may be extended for additional six (6) months, if the applicant in his written request strongly justifies the extension of the duration.
5. Any decision by ERO on granting the Authorization under this Rule shall be published by ERO in its web site.

#### Article 17

##### **Refusal to grant an Authorization**

1. If ERO feels that the applicant did not meet the requirements or terms stipulated by this Rule, then shall refuse issuing of the Notification on Preliminary Decision or granting the Authorization.
2. Any decision by ERO for refusal of the Notification of Preliminary Decision or an Authorization under this Rule, shall:
  - 2.1. Be notified to the Applicant in writing, including the reasons for refusal; and



2.2. Be published on ERO web site.

#### Article 18

#### **License Application**

Upon completion of the construction of new generating plant, the holder of the Authorization shall submit to ERO all documents required for licensing in accordance with the relevant requirements set forth in the Rule on Licensing of Energy Activities in Kosovo.

### **CHAPTER V MODIFICATION OF AUTHORIZATION**

#### Article 19

#### **Modification**

1. Modification of an Authorization may be initiated by ERO or upon the request of the Authorization holder.
2. The terms of an Authorization for construction of new generation facilities may be modified upon decision by ERO in the manner specified in the Rule on Licensing of Energy Activities in Kosovo.
3. Modification cannot apply retroactively to an Authorization.

#### Article 20

#### **Modification Notice**

1. Notification of intent to initiate a modification of an Authorization shall be published on ERO official web site.
2. Notice shall also be published in two (2) daily newspapers of wide circulation in Kosovo:
  - 2.1. By ERO if it is initiating the modification, or
  - 2.2. By the Authorization holder if it has requested the modification.
3. The publications must include:
  - 3.1. The reasons for initiating a modification;
  - 3.2. An estimate of the possible effects; and
  - 3.3. A deadline of not less than fifteen eight (8) calendar days from the date of publication of the notice within which objections, with justifications, may be submitted.



## Article 21

### **Modification Decisions**

1. In deciding upon modification of an Authorization, ERO shall consider:
  - 1.1. Justifications provided by the Authorization holder;
  - 1.2. Objections submitted by other parties;
  - 1.3. Any other information it considers necessary; and
  - 1.4. The consistency of the modification with the criteria upon which the granting of the Authorization was based.
2. ERO Modification Decision, in accordance with this Rule shall be delivered to the party and published in the ERO web site.

## Article 22

### **Termination of an Authorization**

1. An Authorization may be terminated in accordance with its terms and conditions.
2. ERO may terminate an Authorization if:
  - 2.1. The Authorization holder commits any breach of Law, this Rule, or any terms, conditions or restrictions included in its Authorization;
  - 2.2. The Authorization was granted on the basis of materially false or misleading information;
  - 2.3. Expiration of the Authorization validity period occurs before completion of the generating plant;
  - 2.4. Requested by the Authorization holder;
  - 2.5. The legal person holding the Authorization is dissolved;
  - 2.6. Court decision is made declaring the insolvency of the Authorization holder or terminating the activity of the Authorization holder;
  - 2.7. Holder of the Authorization carries out activities in contradiction with the Authorization; and
  - 2.8. a fine or penalty imposed by ERO for non-compliance with conditions of the Authorization, as set forth in Article 23 of this Rule, is not paid.



#### Article 23

##### **Punitive Provisions**

1. Where any person commences the construction of new generating facilities without holding a valid Authorization for that facility granted in accordance with this Rule, that person may be subject to fines levied by ERO in accordance to the Article 52 of the Law on Energy Regulator or based on the Rule on Administrative Measures and Fines.
2. When imposing a fine under this Chapter, ERO shall notify the person of the infringement and give the person an opportunity to respond, in writing, within fourteen (14) calendar days of the day of notification.
3. If a fine imposed by ERO is not paid, ERO shall initiate court proceedings for the collection of the fine as a civil debt.
4. If the Authorization holder fails to comply with the conditions of that Authorization or fails to comply with any requirements set forth in this Rule, ERO may terminate the Authorization or refuse to grant an operation License for the new generating facility to which the Authorization relates.
5. Termination of an Authorization and refusal to grant a License are serious sanctions and should be imposed only after the Authorization holder has been given an opportunity to correct any violation.

#### Article 24

##### **Appealing an ERO Decision**

If ERO response is unacceptable for the disputing party, the party may appeal the decision before the competent court.

## **CHAPTER VI FINAL AND TRANSITIONAL PROVISIONS**

#### Article 25

##### **Official Language**

This Rule is issued in three languages: Albanian, Serbian and English. In the event of a dispute regarding the meaning of terms, and where such dispute results from the different translations of this Rule, the Albanian version shall prevail.

#### Article 26

##### **Amendment or Modification of the Rule**

1. ERO withholds the right to change or modify any provision of this rule.



2. Procedures for change or modification of this rule shall be the same as those for its adoption.

Article 27  
**Interpretation**

In case of any uncertainty concerning the provisions of this Code, the Board shall issue explanatory information.

Article 28  
**Abrogation**

This Rule abrogates the Rule on Authorization Procedure on Construction of new Generating capacities New Generating Facilities, gas lines, direct electric-energetic lines and direct pipelines, issued pursuant to the Law No.2004/9, on Energy Regulatory adopted by the Board of the Energy and Regulatory Office on 04.11.2008.

Article 29  
**Entry into Force**

The Rule comes into effect on the date of adoption by the Board of ERO and shall be published on ERO web site.

ERO Board

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Dr. Ali Hamiti, Chairman

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Përparim Kabashi, Member

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Blerim Koci, Member





## ANNEX No. 2

Financial statement (model)

We confirm:

.....

(Name, Institution, Signature,  
Stamp)

### Financial Indicators

*Applicant*.....

(Name of the legal entity)

#### A. Financial indicators:

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Indicators calculated in accordance		from annual reports			
No.	Indicator	-----			
		Year	year -1	year -2	year -3
1.	Current ratio %				
2.	Solvency ratio %				
3.	Profit margin %				
4.	Working capital turnover				

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1. Current Ratio% = current assets/current debts × 100 (%), in which:

- Current assets = company stock + other circulating assets;
- Current debts (within one fiscal year) = suppliers and similar accounts + short term loans + wages and salaries + taxes and duties.

2. Solvency Ratio % = equity /total liabilities, less small customer creditors and actual accounts and similar × 100 (%)



3. Profit Margin = gross profit or loss for financial year/turnover × 100 (%)

B. Indicators for *Applicant* financial capacity, as of..... (Date)

1. TOTAL ASSETS (Thousands €) ....., from which:
  - 1.1. Current assets - TOTAL (Thousands €).....
  
2. Liabilities - Total (Thousands €) ....., in which:
  - 2.1. Debts - TOTAL (Thousands €).....
    - 2.1.1. Debts to be paid within one year (Thousands €) .....,
      3. Working capital (item 1.1 - item. 2.1.1) - TOTAL (Thousands €)....
      4. Banking Accumulations - TOTAL (Thousands €).....
      5. Current credits - TOTAL (Thousands €).....
      6. Other credits (not consumed yet) - TOTAL (Thousands €).....
      7. Incomes (from operations) - TOTAL (Thousands €).....

Finance Manager,  
Manager,

.....

(Name and signature)

Stamp)

General

.....

(Name and signature,

#### 1.1.1.1

##### NOTE:

Foreign Investors may present, for the affiliate company in Kosovo, the financial situation related to the “parent-company” from outside, as long as all its financial commitments were unconditionally assumed. The information must be presented in either in Albanian, Serbian or English language. ERO may also consider other information regarding the proposed new generating capacity’s financial viability.



## ANNEX No. 3

### Filling Instructions

- 1) The Applicant must complete each section of this **QUESTIONNAIRE** and attach all justifying documents before submitting it to ERO, together with the request, in accordance with this Rule.
- 2) Each document attached to this **QUESTIONNAIRE** must be clearly marked to indicate the associated Section/Question.
- 3) The **QUESTIONNAIRE** must be signed by the Applicant or the Applicant's legally authorized representative.
- 4) A stamped and signed statement of the Applicant shall be attached supporting each item, from 1-28, of the Annex no. 3.

### **A: General Requirements**

No.	Evidences/documents to be attached:	Write: YES or NO:	
		YES	NO
1.	Business Registration Certificate.		
2.	The Applicant's name or Names of each member of the Applicant consortium in the case of a partnership or an association.		
3.	Evidence from competent authority proving that the applicant is not involved in a liquidation/bankruptcy procedure; that his/her business is not administered by the court and that his/her commercial activities are not suspended.		
4.	Evidence from competent authority proving that the applicant met legal obligations on tax payments in the country where the same is registered as legal person;		
5.	Evidence on Authorized Legal Representative of the Applicant, (Board Decision or any other document proving person's competencies.)		
6.	Evidence on the role of each Partnership member on: a) Financial Agreements, b) Execution of Engineering, Procurement and Construction (EPN) Contract.  In case members of the Partnership do not provide all principal services of the Project, then please attach Evidence/Contract on proposed partnership (i.e. technology supply me, etc.).		
7.	Evidence experience of the applicant/ members of the Partnership, on item 6 mentioned above (List of Project references specifying Location, Starting Date, Ending Date of the project etc).		



No.	Evidences/documents to be attached:	Write: YES or NO:	
		YES	NO
8.	Evidence on funding manner of the project by the Applicant, (Attach Dedication letter from a Lender, ect).		
9.	Evidence on alternative funding manner of the project by the Applicant, (Attach Dedication letter from a Lender, ect).		
10.	Evidence on loans' classification of applicants or partners (state loan %, type, level, Name of Tax Agency, and attach other documentation on all equity insurers).		
11.	Evidence confirming that the applicant or other members of the partnership represent entities established properly and in accordance with the laws of the country where they were established.		
12.	Evidence (information/ financial indicators) on financial situation of the applicant, prepared according to the model presented in the Annex 2 of this Rule (attach Audited Annual Financial Report of the last three (3) years, certified by competent institution or certified Financial Audits).		

***B: Technical and Organizational Requirement***

No.	Evidences/documents to be attached:	Write YES or NO	
		YES	NO
13.	Organizational Structure of the applicant on implementation of the project/plant.		
14.	CV Management staff and other senior staff of the applicant.		
15.	CV of authorized Legal Representative of the Applicant.		
16.	Evidence on appointed Engineering, Procurement and Construction (EPC) - (individuals, companies, consortium), and identify main EPC Contractor (Agreement, Contract etc.).		
17.	Reference on experience of EPC Contractors in similar projects.		
18.	CV (Curriculum Vitae) on experience of projects Managers of EPC Contractors.		
19.	Business plan on commercial plant operation.		
20.	Evidence (or statement) describing whom does the applicant propose to sell the energy or other services that can be provided through the plant and which are the conditions (summary of any actual or proposed agreement or contract related to output energy of the plant, identification of prices, quantity and contractual parties).		



No.	Evidences/documents to be attached:	Write YES or NO	
		YES	NO
21.	Agreement on electricity network connection (connection offer, Electro-energy permission etc).		
22.	Evidence on the right to use the land and property state of the land that will be used for construction of the new plant (possession list, copy of the plan, agreements/contracts on use of private/public land etc.).		
23.	<b>Environment Requirements</b> Evidence that confirms that plant that is planned to be constructed is in full conformity with Environment laws in Kosovo (Environment Permission, Environment Approval etc.).		
24.	<b>Other relevant legislation requirements, including the right on use of water.</b> Evidence from relevant authorities confirming that the Applicant has met all applicable statutory requirements in accordance with relevant Kosovo legislation (depending on the project), including the right on use of water whenever applicable.		

### **C: Financial Requirements**

No.	Evidences /documents to be attached:	Write YES/ JO:	
		PO	JO
25.	Evidence on the Investment value (€).  Evaluation of Capital Cost.		
26.	Duration of construction period and annual % of investment value.		
27.	Financial resources (own source capital, loans), financial plan: Plan on usage of funds and payments (related to implementation plan), deadlines for return of loans and financial costs (interest rates, fees, taxes and other).  Declared funding sources or other related documents.		
28.	Technical or commercial feasibility study of the project, including the following data:  <ul style="list-style-type: none"> <li>- Energy/Capacity Installed</li> <li>- Energy/Capacity Net</li> <li>- Availability of the plant (%)</li> <li>- Capacity factor of the plant (%)</li> <li>- Predictions of annual sales of energy, etc.</li> </ul>		