

Pursuant to the Article 18 of the Law on Energy Regulator and the Law on Access to Official Documents, no. 2003/12, the Law on Archive Material and Archives, the Board of the Energy Regulatory Office on a session held on \_\_\_\_\_ adopted the:

## **RULE ON PUBLIC REGISTER**

### **Article 1**

#### **Subject**

1.1. This Rule sets out the policy concerning the maintenance of public registers and details to be recorded of relevant documents relating to functions and activities of Energy Regulatory Office (ERO) in the energy sector.

1.2. This Rule applies to public registers recorded in paper form, and does not cover electronic recording of registers-data base.

### **Article 2**

#### **Purpose**

Purpose of this Rule is to establish good administrative practice and procedures on public registers, the principles, conditions and rights of ERO in keeping registers on the basis of the public interest and ensuring access to the documents.

### **Article 3**

#### **Definitions**

3.1. The Terms used in this Rule have the same meaning as in the Law on the Energy Regulator, Law on Energy, and Law on Electricity.

3.2. For the purposes of this Rule:

- a) "**Document**" means any content written on paper, concerning a matter relating to the policies, activities and decisions falling within an Institution's sphere of responsibility;
- b) "**File**"- means a set of related information, documents, data, called by a unique name, for later use.
- c) "**Folder**" - means a collection of files. Folders are used to organize documents and may be made from paper or plastic; or may have the meaning of a collection of related information stored in computer and retrieved under a single name.
- d) The "**reference**" means a notation with special system of marks, numbers or characters, specifying the identity of the Folder, File, or Document.

**Article 4**  
**Registers**

- 4.1. ERO shall maintain registers consisting of the registration file(s) appropriate for each specific case.
- 4.2. A registration file may contain:
  - a) Application for licensing for energy activities;
  - b) Licences granted, together with details of such license, modified, terminated or withdrawn by ERO;
  - c) Decision regarding the approvals of tariffs of energy enterprises;
  - d) Decision on eligibility;
  - e) Certificate of origin, together with details about the holder, the qualified producer, the quantities of electricity to be issued, and the period and location of generation;
  - f) Decisions or opinions issued on cases of disputes/appeals;
  - g) Decision on Approval of Codes;
  - h) Fines and penalties imposed on energy enterprises; and
  - i) Other relevant registers if necessary to fulfill the functions of ERO.

**Article 5**  
**Responsibility for Registration and Public Register Book**

- 5.1 The registers shall be kept by an appointed official of the administration of ERO (hereinafter, the “registry officer”).
- 5.2 The Register shall be maintained manually, in a separate format A4 book.
- 5.3 The first page of the Register book should contain, (see Annex 1):

Title in three languages

ERO Logo
Register Book
Year: _____
Number of book: _____ ( <i>start from: I, II, ....</i> )

- 5.4. The number of pages of each register book shall be noted in the last page and affixed by the seal of ERO and signed by the administrator.

**Article 6**  
**Files**

- 6.1 All the documents received by ERO are to be formed as files.
- 6.2 The files may be submitted only to the administration of ERO.

- 6.3 Each Register consists of the registration file for each individual case and should require accurate contact information: such as full name, address, telephone number and electronic e-mail, as well as information concerning a natural or legal person responsible for the technical operation
- 6.4 A registration file may consist of:
  - a) All types of applications, as specified in Article 4.2.
  - b/ Documents accompanying the application, or decision on denial of application, for all types of registers as specified in Article 4.2.
  - b) The form of the issued or modified License or decision of refusal, termination, or withdrawal of License.
  - c) Decisions by any competent Court on appeals to the decisions of ERO and supporting documents
    - i) Any technical supporting documents
    - j) Other relevant documents.

**Article 7**  
**Method of Registration of the Files and Filing**

- 7.1 The applications and/or requests with relevant attachments accepted by ERO shall be recorded in the Register book on the day of their receipt.
- 7.2 Entries in the Register book shall be chronologically sequenced by date. The reference assigned to each register shall be combined alpha-numeric characters. The registration reference shall be marked on each registration file.
- 7.3 The reference of each file shall be as follows:

<b><i>ERO_XX_number of registration_day_month_year / Additional Remarks</i></b>
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*Where XX is acronym used for:*

- Li - License,
- Ta - Tarifs,
- DS - Dispute Settlement,
- AC - Approval of the Codes,
- EC - Eligible Customers,
- CO - Certificates of Origin,
- F - Fines / sanctions).

- 7.4. The Number of registration starting from 001, shall be a three digit number, used to mark each registration file.
- 7.5. The day\_month\_year shall denote the date in which the file has been received by ERO and registered in the register.
- 7.6 Any document may only have one reference, which, once assigned to a document, it shall not be changed or assigned to another registered document.

- 7.7. A document may have additional remarks:  
 Cnf - Confidential  
 C: - Copy  
 NrC: - Number of Copies  
 RORD - Reference to Other already Registered Documents.
- 7.8 All submitted documents shall be originals and copies. In case the copy of a document has been submitted, it shall be clearly identified and noted with stamp “COPY”, see Annex 2.
- 7.9. Each cover of incoming documents shall be stamped by the registry officer with stamp ”In”. The stamp must have the same date as the reference of corresponding document, see Annex 3, after it has been filed by the registry officer in a folder. The envelope and the stamps of documents received by mail shall be filed together with the received documents.
- 7.10 Each cover of outgoing documents shall be stamped by the registry officer with stamp ”Out”, Annex 4. The stamp must have the Reference of corresponding file. If the document is referring to already previous register document, the chronological reference is used with the additional remarks RORD. The copy of sent documents shall be filed.
- 7.11 The registry officer shall issue to the representative person of the entity submitting any document(s) a proof (receipt) that the document(s) have been submitted to ERO.
- 7.12. Files/documents shall be filed chronologically in the folders. The notation/label on the folder shall be as follows:

The label:

<p>ERO Logo  <i>Number of Register Book / (number of books: first, second, third,....etc.),          year</i></p>
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- 7.13. On conclusion of a file the documents containing facts and circumstances representing confidential or commercially sensitive information shall be divided and kept in a separate folder, in accordance with the Rule on Confidentiality of the Information.

**Article 8**  
**Summary of the Register**

- 8.1. The Summary of each Register (hereinafter: Summary) shall have the following elements:
- a) registration number,
  - b) number (No) in the Register of the Commercial Court;
  - c) date of entry in the register,
  - d) full name of the applicants,

- e) seat and address of the applicant,
  - f) any other number if applicable ( e.g. No. of license, etc.),
  - g) description of the application or request ,
  - h) validity of the license, construction permit, decision,
  - i) date of issuance, withdrawal, modification, termination of the license, construction permit and decisions as set forth in Article 4.
- 8.2. The Summary of the registered certificates of origin, except for the elements set forth in Article 8.1, shall contain also the quantities of electricity to be issued, and the period and location of generation.

**Article 9**  
**Confidentiality**

ERO shall determine the confidentiality of information pursuant to procedures established in the Code of Ethics and Conduct and Rule on Confidentiality of Information regarding disclosure of data submitted by the energy enterprises.

**Article 10**  
**Public Nature of Register**

- 10.1 Pursuant to the Article 7.12 and 9, only the documents noted that are not confidential can be open for public.
- 10.2 The Summary is open to the public and shall be kept and maintained in an electronic form and should be published on the ERO web-site and in the Bulletin of ERO.2
- 10.3 Inspection of the documents, in paper form, can only be carried out in the premises of ERO.

**Article 11**  
**Accessibility of Files**

- 11.1 Method of retrieval: documents are requested by date and registering number.
- 11.2 The documents shall remain in the file and may be used only for official purpose upon written approval by the Head of Administration of ERO.
- 11.3. Subject to the limitations set forth in Article 9 and 10, ERO shall allow an interested party to take copies of extracts from the register and documents declared as non-confidential.
- 11.4. The procedure applicable for access to the public registers and application is based on the procedure set forth in the Part II of the Law No. 2003/12 On Access to Official Documents. Under no circumstances can the documents be given to any interested party without following the procedure applicable for access to public register.
- 11.5 The application for review of the file shall be made in written form in a sufficiently precise manner in order to allow ERO to identify the file.

- 11.6 In the event of an application relating to a very long document or to a very large number of documents, ERO may confer with the applicant in an informal way with a view to finding a fair solution.
- 11.7 Within fifteen (15) working days of the date of acceptance of an application, ERO shall either grant access to the document or state a reason for not granting access.
- 11.8 Access to the public register may be given to the applicant:
- a) by allowing the applicant a reasonable opportunity to view the record; or
  - b) by giving the applicant a copy of the record.
- 11.9 The registry officer may:
- a) impose reasonable conditions on access to a record;
  - b) if access is given by way of a copy or transcript of a record, impose a reasonable charge for the copy or transcript. For this purpose each copied page of requested document should be marked with stamp “copy”.
- 11.10 This section does not prevent the registry officer from giving access to a record in another form agreed to by the applicant.

## **Article 12** **Archives**

All files referred to in Article 10 finalized during a calendar year shall be archived not later than the end of March of the next calendar year and shall be entered in the respective archive register.

## **MISCELLANEOUS PROVISIONS**

### **Article 13** **Modification**

- 13.1. This Rule may be modified from time to time on the proposal of ERO, energy enterprises, or customers.
- 13.2. Procedures for approval of amendments to the Rule shall be the same as for adoption of this Rule.

### **Article 14** **Official Language of the Rule**

This Rule is issued in Albanian, Serbian and English language. In case of any conflict regarding the meaning of the terms used in this Rule based on language, the English version shall prevail.

**Article 15**  
**Interpretation**

In the event that there are unclear points and disagreements in the provisions of this Rule, the Board shall issue explanatory information.

**Article 16**  
**Entry into Force**

This Rule shall enter into force on the date of adoption by the Board of ERO and publication on ERO web site.

Chairman of the Board of ERO

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Member of the Board of ERO

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Member of the Board of ERO

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Member of the Board of ERO

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Member of the Board of ERO

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Annex 1



# Register Book

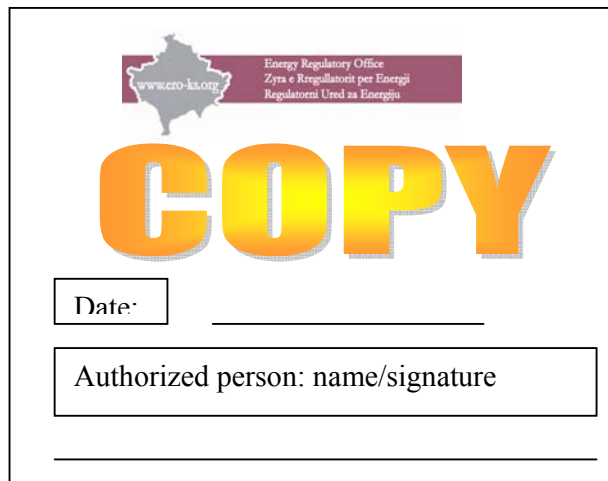
Year: \_\_\_\_\_



**Number of book:** \_\_\_\_\_  
(start from: I, II, ...)

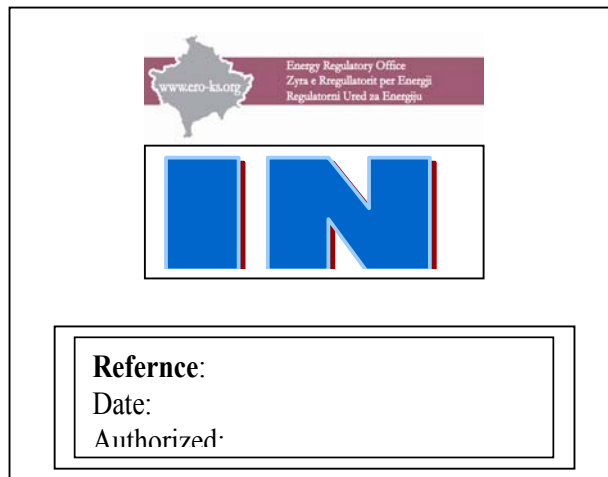
Stamp:

**ANNEX 2;**




The stamp for ANNEX 2 features the Energy Regulatory Office logo at the top, which includes a map of Kosovo and the text "Energy Regulatory Office", "Zyra e Rregullatorit per Energji", and "Regulatorni Ured za Energiju". Below the logo, the word "COPY" is written in large, bold, orange letters with a gradient effect. Underneath "COPY", there is a small box labeled "Date:" followed by a horizontal line for writing. Below that is a larger box labeled "Authorized person: name/signature" with a horizontal line for writing.

**ANNEX 3 :**



The stamp for ANNEX 3 features the Energy Regulatory Office logo at the top, which includes a map of Kosovo and the text "Energy Regulatory Office", "Zyra e Rregullatorit per Energji", and "Regulatorni Ured za Energiju". Below the logo, the word "IN" is written in large, bold, blue letters with a gradient effect. Below "IN", there is a box labeled "Reference:" with a horizontal line for writing. Below that is a box labeled "Date:" with a horizontal line for writing. Below "Date:" is a box labeled "Authorized:" with a horizontal line for writing.

Annex 4:



Energy Regulatory Office  
Značje Regulatorni urad za Energetiko  
Regulatorni Ured za Energetiku

**OUT**

**Reference:**  
Date:  
Authorized: