



Board of the Energy Regulatory Office

Based on:

- Article 8 paragraph 1 sub-paragraph 1.6, Article 14 paragraph 2 sub-paragraph 1.7, and Article 25 of the Law on Energy Regulator (No. 03/L-185);
- Article 4, 5 and 13 of the Rule on Authorisation Procedure for Construction of New Capacities;
- Administrative Instruction No. 01/2012 on Renewable Energy Targets
- Article 4 paragraph 1,2 and 3, and Article 5 paragraph 2, Article 6 paragraph 2, Article 8, Article 9 paragraph 1 and Article 11 of the Rule on Support Scheme;
- Decision No. V-673-2014, dated 23 December 2014 on determination of the Feed-in tariffs for generation of electricity from Renewable Energy Sources;
- Application/Request for Authorisation for construction of new generation capacities for generation of electricity from solar/photovoltaic panels, at the place called "Madanaj – Rrypaj", CZ Kusar, with an installed capacity of 3 MW, in Municipality of Gjakova, dated 04.11.2014, submitted by the "Birra e Pejës" JSC. company, having its address at: "Nexhdet basha" Str., No. 160 - Municipality of Peja, Republic of Kosovo, and
- Application for admission to the Support Scheme;

in its session held on 20 February 2015, issued the following:

DECISION

on Notification for Preliminary Authorization

- I.** Energy Regulatory Office (ERO) hereby concludes that "Birra Peja" JSC. company has proved its compliance regarding development of the project for construction of new generation capacities for generation of electricity from solar/photovoltaic panels, at the place called "Madanaj – Rrypaj", CZ Kusar, with an installed capacity of 3 MW, in Municipality of Gjakova, Republic of Kosovo.
- II.** The applicant "Birra Peja" JSC. will be granted AUTHORISATION for construction of new generation capacities from solar/photovoltaic panels, after it meets the requirements deriving from Article 14 and 15 of the Rule on Authorisation Procedure and other requirements of other applicable legislation related to construction of new generation plants.
- III.** The Decision on Notification for Preliminary Authorisation does not entitle the holder to start construction of new generation plants before it meets all the conditions and requirements set forth in item II herein.
- IV.** Notification on Decision for Preliminary Authorization determines the availability of targets as well as the admission of the applicant to the support scheme and guarantees the feed-in tariff by default.



- V. Notification on Decision for Preliminary Authorization determines that the Power Purchase Agreement with the Public Supplier is guaranteed to the applicant for a duration of 12 years, and it shall be concluded at least thirty (30) days before the date of commencement of generation operation.
- VI. The Decision on Notification for Preliminary Authorisation shall be issued for a one (1) year period, and within this period the applicant is obliged to meet the requirements under item II of the enacting clause of this Decision, and shall request in writing granting of Authorisation for construction of new generation plant.

Reasoning

- On 04 November 2014, ERO received from the “**Birra Peja**” JCS, company the application for authorisation for construction of new generation capacities for generation of electricity from solar/photovoltaic panels, at the place called "Madanaj – Rrypaj", CZ Kusar, with an installed capacity of 3 MW, in Municipality of Gjakova, Republic of Kosovo.
 - On 20 January 2015, ERO received from “**Birra Peja**” JCS, company the application for admission to the support scheme.
 - Following the evaluation of the relevant evidence and proofs attached to the application, and receipt of the additional supplementing proofs, requested by ERO, and assessment of the content of the application for admission to the support scheme, based on legal provisions mentioned in the introductory section of this decision, ERO decided as in the enacting clause of this decision.
- VII. The Decision shall be issued in Albanian language and will be translated into Serbian language. In case of any discrepancy between the versions, the Albanian version shall prevail.
- VIII. The Decision shall enter into force on the date of approval by the Board and will be published in the ERO’s official website.

Legal advice: The party dissatisfied with this Decision may initiate an administrative dispute with the Competent Court, within thirty (30) days from the date of receipt of this Decision or the date of its publication in the ERO website, whichever occurs last.

ERO Board

Enver Halimi, Chairperson

Merita Kostari, Member



Krenar Bujupi, Member.