



Board of the Energy Regulatory Office

Based on:

- Article 8 paragraph 1 sub-paragraph 1.6, Article 14 paragraph 2 sub-paragraph 2.16, and Article 25 of the Law on Energy Regulator (No. 03/L-185);
- Article 4, paragraph 7 of the Rule on Authorisation Procedure for Construction of New Capacities; and
- Request from extension for the time limit of validity of the Decision on Notification for Preliminary Authorisation for construction of new generation capacities for generation of electricity from water, with an installed capacity of 9.9 MW, at Dobrushtë Village, Municipality of Prizren, dated 18.12.2014, submitted by the "Drini i Bardhë" JSC. enterprise, having its address at: "Vetim Shala" Str., No. 4, MA Prizren, Republic of Kosovo,

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

DECISION

- I. The time limit of validity of the Decision V_492_2012 on Notification for Preliminary Authorization, dated 28 December 2012 is hereby **EXTENDED** for an additional time limit of six (6) months, namely until **28 June 2015**.

Reasoning

- o On 14 March 2011, ERO received from "Drini i Bardhë" JSC. enterprise the application for authorisation for construction of new generation capacities for generation of electricity from water, with an installed capacity of 9.9 MW, at Dobrushtë Village, Municipality of Prizren, Republic of Kosovo.
- o The Decision on Notification for Preliminary Authorization has not meant granting authorization until the requirements set by the Rule on Authorization Procedure for Construction of New Capacities are fulfilled.
- o The Decision on Notification for Preliminary Authorization was issued for a two (2) years time-limit, and it determined that "Drini i Bardhë" JSC enterprise shall be granted authorization for construction, if it will make a written request, within this time-limit, to convert the Decision on Preliminary Notification into Authorization, fulfilling all requirements set by the Rule on Authorization Procedure for Construction of New Capacities and the applicable legislation.
- o On 18 December 2014, ERO received from "Drini i Bardhë" JSC. enterprise the application for extension of the time limit of validity of the Decision on Notification for Preliminary Authorisation for construction of new generation capacities for generation of electricity from water, with an installed capacity of 9.9 MW, at



Dobrushtë Village, Municipality of Prizren, Republic of Kosovo, for an additional time limit in accordance with the applicable legislation.

- “**Drini i Bardhë**” JSC. enterprise, in its application, has clarified that since September 2013 they still have not received a written response from the Ministry of Economic Development of the Republic of Kosovo in regards to the legal validity of the Protocol-Agreement on International Waters between the Republic of Kosovo and Republic of Albania and former Federal Republic of Yugoslavia. They have also explained that large volume of processing of statistical data and imbalances in the Lake of Fierza and water inflow in this Lake during the 23 consecutive years have cause a delay in the preparatory phase of the final project which is expected to be completed soon. Therefore, they explained that these two issues will be completed soon, and requested extension of the time limit for another six (6) months.
- Following the analysis of the request for extension of the time limit of validity of the Decision on Notification for Preliminary Authorisation, based on legal provisions mentioned in the introductory section of this decision, ERO decided as in the enacting clause of this decision.

V. “Drini i Bardhë” JSC. enterprise must make a written request for conversion of the Decision on Preliminary Notification into Authorization for construction of new generation capacities for generation of electricity from water, with an installed capacity of 9.9 MW, at Dobrushtë Village, Municipality of Prizren, until **24 June 2014**, fulfilling all requirements set by the Rule on Authorization Procedure for Construction of New Capacities and the applicable legislation.

VI. Following the expiry of the above-mentioned time limit, Decision V-492-2012, dated 28 December 2012, on Notification for Preliminary Authorization shall be automatically repealed, and it shall not be reviewed by the ERO Board.

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.

