



**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 6 and 7 of the Rule on Authorisation Procedure for Construction of New Capacities (applicable from 11.11.2014);
- Decision on Notification for Preliminary Authorisation V\_537\_2013, dated 28 June 2013; and
- Request for extension for the time limit of validity of the Decision on Notification for Authorisation for construction of new generation capacities for generation of electricity from water, in Bistrica River, HPP Albaniku 2, with an installed capacity of 9.85 MW, location: "Batahir", CZ Batahir, Municipality of Mitrovica, dated 26.05.2015, submitted by the "Hydro - Line" LLC Company, having its address at: "Mbretëresha Teutë", n.n. - Mitrovica, Republic of Kosovo

**in its session held on 15 June 2015, issued the following:**

## **D E C I S I O N**

- I. The time limit of validity of the Decision V\_537\_2013 on Notification for Preliminary Authorization, dated 28 June 2013 is hereby **EXTENDED** for an additional time limit of six (6) months, namely until **28 December 2015**.

## **R e a s o n i n g**

- o On 03 May 2013, ERO received from the "**Hydro - Line**" LLC Company the application for authorisation for construction of new generation capacities for generation of electricity from water, in Bistrica River, HPP Albaniku 2, with an installed capacity of 9.85 MW, location: "Batahir", CZ Batahir, Municipality of Mitrovica.
- o Following the ascertainment that the applicant has demonstrated its suitability for construction of new generation capacity from Water, on 28 June 2013, issued a Decision on Notification for Preliminary Authorization V\_537\_2013, and instructed the applicant to fulfill the other legal requirements required by the applicable legislation in Kosovo.
- o The Decision on Notification for Preliminary Authorization has not implied 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 "**Hydro - Line**" LLC. Company 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.



- On 26 April 2015, ERO received from "**Hydro - Line**" LLC. Company the request 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, in Bistrica River, HPP Albaniku 2, with an installed capacity of 9.85 MW, location: "Batahir", CZ Batahir, Municipality of Mitrovica, for an additional time limit in accordance with the applicable legislation.
  - "**Hydro - Line**" LLC. Company, in its request explained as follows: *"They are in the process of completing the implementation project and delays occurred as a result of projecting and procedures of expropriation of private properties interfering in implementation of projects and, as a result, the accurate projecting of HPP Albaniku 1 has stalled. Due to the mentioned circumstances, the delays occurred during the implementation of the project.*
  - Following the analysis of the request and assessment of the importance of such a project, ERO has evaluated the request for extension of the time limit of validity of the Decision on Notification for Preliminary Authorisation, and based on legal provisions mentioned in the introductory section of this decision, it decided as in the enacting clause of this decision.
- V. "Hydro - Line" LLC.** Company is obliged to 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, in Bistrica River, HPP Albaniku 2, with an installed capacity of 9.85 MW, location: "Batahir", CZ Batahir, Municipality of Mitrovica, until **28 December 2015**, 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\_537\_2013, dated 28 June 2013, 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.** This 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**

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Enver Halimi, Chairperson

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Merita Kostari, Member

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Krenar Bujupi, Member.