



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 14, paragraph 7 of the Rule on Authorisation Procedure for Construction of New Capacities; and
- Request for extension of the time limit of validity of the Decision V-540-2013, dated 28 June 2013, on Notification for Preliminary Authorisation for construction of new generation capacities for generation of electricity from water, in Lepenc River, consisting of two (2) generation units: HPP Sharri with a total capacity of 5.5 MW and HPP Brezovica with a capacity of 3.6 MW, in a total of 9.1 MW, in the Municipality of Shtepce, dated 24.06.2015, submitted by "Matkos Group" LLC. Company, having its address at "Veternik" Str., nn. MA Prishtina, Republic of Kosovo

in its session held on 16 June 2015, issued the following:

DECISION

- I. The time limit of validity of the Decision V_540_2013 on Notification for Preliminary Authorization, dated 28 June 2013, for HPP Sharri and HPP Brezovica, is hereby **EXTENDED** for an additional time limit of six (6) months, namely until **28 December 2015**.

Reasoning

- On 29.03.2013, ERO received an application from "**Matkos - Group**" LLC for authorization for construction of new generation capacities for generation of electricity from water, consisting of two (2) generation units: HPP Sharri with a total capacity of 5.5 MW and HPP Brezovica with a capacity of 3.6 MW, in a total of 9.1 MW, in the Municipality of Shtepce.
- Following the ascertainment that the applicant has demonstrated its suitability for construction of new generation capacity from Water, ERO, on 28 June 2013, issued a Decision on Notification for Preliminary Authorization V_540_2013, and instructed the applicant to fulfill the other legal requirements required by the applicable legislation in Kosovo.
- 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.
- The Decision on Notification for Preliminary Authorization was issued for a two (2) years time-limit, and it determined that "**Matkos Group**" 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 24.06.2015, ERO received an application from “**Matkos - Group**” LLC company for extension of the time limit of validity of the Decision on Notification for Preliminary Authorization for construction of new generation capacities for generation of electricity from water, consisting of two (2) generation units: HPP Sharri with a total capacity of 5.5 MW and HPP Brezovica with a capacity of 3.6 MW, in a total of 9.1 MW, in the Municipality of Shtepce, for an additional time limit in accordance with the applicable legislation.
 - “**Matkos Group**” LLC. Company explained that: on 09.09.2014, it received from the MESP the Decision on Environmental Permit No. 14/3721/1-ZSP/182/14, for construction of HPPs, in the Municipality of Shterpce. They also received from the MESP, on 15.06.2015, the Water Conditions no.5810/14 ZDP 692/15, concerning the development of the technical and investment documentation, whereby the request of the company for the water conditions concerning the construction of HPPs was approved. On 19.06.2015, pursuant to the water conditions, was developed the required documentation and they applied for Water Permit.
 - They have also explained that due to procrastinated procedures of the MESP, the construction permit and the Electricity Connection Consent is not impossible to be ensured because without the Water Permit these permits/consents cannot be provided.
 - Therefore, based on the above mentioned reasons, the company explained that the applicant has not been able, within the time limit set forth under item IV of the enacting clause of Decision V-540-2013, dated 28 June 2013, to fulfill the obligation mentioned and apply for granting of Final Authorization for construction of new generation capacities, and based on this, it requested to extend the time limit for fulfillment of the requirements deriving from Article 14 and 15 of the Rule on Authorisation Procedure and other requirements of other applicable legislation on construction of new generation plants.
 - Following the analysis of the request for extension of the time limit of validity of the Decision on Notification for Preliminary Authorisation, and the enclosed documentation, based on legal provisions mentioned in the introductory section of this decision, ERO decided as in the enacting clause of this decision.
- II. “**Matkos - Group**” LLC. Company 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, consisting of two (2) generation units: HPP Sharri with a total capacity of 5.5 MW and HPP Brezovica with a capacity of 3.6 MW, in a total of 9.1 MW, in the Municipality of Shtepce, until **28 December 2015**, fulfilling all requirements set by the Rule on Authorization Procedure for Construction of New Capacities and the applicable legislation



- III. Following the expiry of the above-mentioned time limit, Decision V-540-2013, dated 28 December 2013, on Notification for Preliminary Authorization shall be automatically repealed, and it shall not be reviewed by the ERO Board.
- IV. 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.
- V. 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

Enver Halimi, Chairperson

Merita Kostari, Member

Krenar Bujupi, Member.