



## 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 11, paragraph 3 and 17 of the Rule on Authorization Procedure for Construction of New Generation Capacities;
- Request for withdrawal of Application for construction of new generating capacity from wind for the "Wind Park-Zatriç" project, with an installed capacity of 30 MW, MA Rahovec, dated 02.11.2012 of the enterprise "NEK UMWELTTECHNIK AG" Branch in Kosovo, address Street "Mother Theresa" E. IV, II Floor Prishtina, Republic of Kosovo,

In the session held on November 30<sup>th</sup>, 2012, issued the following:

## DECISION

- I. **IT IS APPROVED** the Request for withdrawal of Application for construction of new generation capacity from wind for the "Wind Park-Zatriç" project, with an installed capacity of 30 MW, MA Rahovec, of the enterprise "NEK UMWELTTECHNIK AG" Branch in Kosovo.
- II. **IT IS REFUSED** the granting of preliminary authorization for the construction of new generation capacity from wind for the "Wind Park-Zatriç" project, with an installed capacity of 30 MW, MA Rahovec, of the "NEK UMWELTTECHNIK AG" Branch in Kosovo.

## Justification

- ERO on 26.06.2012 received from the enterprise "NEK UMWELTTECHNIK AG" Branch in Kosovo the application for authorization for construction of new generation capacities from wind "Wind Park-Zatriç", with an installed capacity of 30 MW, Rahovec Municipality.
- ERO on 26.07.2012 has notified the applicant that the application is incomplete and in order to proceed further the conditions set out in the Rule on Authorization Procedure need to be fulfilled.
- ERO on November 02<sup>nd</sup>, 2012 by the representative of the enterprise "NEK UMWELTTECHNIK AG" Branch in Kosovo received a request for withdrawal of the application registered with no. 437/12 of 26 June 2012, and has also notified that for the project in question will be submitted a new application on behalf of the "Upwind Kosova Ltd." enterprise, which will be a enterprise registered for construction and operation of this project.
- ERO after analyzing the request for withdrawal of the application and evaluation of the application, as well as based on the legal provisions mentioned in the introduction to this decision, has decided as in the enacting clause of this decision.



III. The Decision shall be issued in Albanian language and will be translated into Serbian and English. In case of any discrepancy among versions, the Albanian version shall prevail.

IV. This Decision shall enter into force on the date of approval by the Board, and shall be published in the official website of ERO.

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

#### **Board of ERO**

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Enver Halimi, chairman

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Përparim Kabashi, member

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Blerim Koci, member

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Merita Kostari, member

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Krenar Bujupi, member