



Prishtina, 11 November 2014
ERO Code: V_661_2014

Board of the Energy Regulatory Office

Based on:

- Article 8, paragraph 1, sub-paragraph 1.6, Article 14 paragraph 2, subparagraph 2.16 and Article 25 of the Law on Energy Regulator (No. 03 / L-185);
- Article 17 and Article 22, paragraph 2, sub-paragraph 2.3 of the Rule on Authorisation Procedure for Construction of New Capacities;
- Notification on progress of assembling works of Wind generators, composed of two (2) turbines, each of 450kW, with a total capacity of 9000kW, at the location "Bostan", MA Novobërdë, of 18.09.2014, by the company "Wind Power" JSC., having its address at: "Bulevardi i Dëshmorëve", no. 72/8B, Prishtina, Republic of Kosovo

in the session held on 11 November 2014, issued the following:

DECISION

- I. **TERMINATING** the validity of Decision on Granting Authorization V-299-2010 of 11 November 2010 on construction of Wind generators, composed of two (2) turbines, each of 450kW, with a total capacity of 9000kW, at the location "Bostan", MA Novobërdë.

Reasoning

- On 03.03.2009, ERO received a request/application from Wind Power JSC. for construction of new generation capacity for generation of electricity from wind, with an installed capacity of 900 kW, at the location "Bostan", cadastral zone MA Novobërdë.
- Following the ascertainment that the applicant has demonstrated its suitability for construction of new generation capacity from Wind, on 22 September 2009 issued a Decision on Notice of Preliminary Authorization V_205_2009, and instructed the applicant to fulfill the other legal requirements required by the applicable legislation in Kosovo.
- On 29.07.2010, ERO received a Request for conversion of the Notice on Preliminary Decision into Authorization for construction of new generation capacity for generation of electricity from wind, with an installed capacity of 900 kW, at the location "Bostan", MA Novobërdë.
- On 11 November 2010, ERO issued the Decision on Final Authorization V-299-2010 for Construction of Wind Generators, composed of two (2) turbines, each of 450kW, with a total capacity of 9000kW, at the location "Bostan", MA Novobërdë.
- The Decision on Final Authorization authorized the company "Wind Power" JSC. to construct generation capacities at the above-mentioned location, under the terms and conditions set therein.



- Decision on Authorization was issued for a 2 (two) years time-limit, starting from the date of issuance, where it was explained that, at the request of the party, the validity of the authorization can be extended, in accordance with the applicable legislation.
- On 16.04.2014, ERO received from "**Wind Power**" JSC. a request of extension of the deadline for installation of wind generators, composed of two (2) turbines, each of 450kW, with a total capacity of 9000kW, at the location "Bostan", MA Novobërdë, for another period of six (6) months, namely until 15 October 2014.
- In the request for extension of the deadline for installation of wind generators, "Wind Power" JSC company reasoned that due to big financial difficulties, they were not able to install the generators at the above-mentioned locations, determined based on the Authorization, as it could not reach a Power Purchase Agreement with "KEK" JSC, respectively "KEDS" JSC for a long period of time. After reaching a Power Purchase Agreement with "KEDS" JSC, based on the regulated tariff for wind generators installed in Golesh, Wind Power JSC., restated its interest to continue installation of wind turbines in Bostan, MA Novobërdë.
- In its reasoning, the applicant explains that the basement of turbines and all preparations for assembling and installation of the generators in question have been completed, that it possesses all necessary permits, that technical conditions have been met, starting from the construction of basement, connection cabling, construction of substation and switchgear, installation of meter, etc. Also, the generators have been transported to the site, where they only need to be assembled and installed.
- The Company explained also that the assembling of wind generators is specific, as it needs large cranes, and that the assembling can be done only by a company from Macedonia, and it takes approximately 3 - 4 months of preparations. Also the weather conditions affect the assembling of generators.
- On 29 April 2014, ERO Board obliged the "Wind Power" JSC. Company to complete installation of wind generators, composed of two (2) turbines, each of 450kW, with a total capacity of 9000kW, at the location "Bostan", MA Novobërdë, allowed by the Decision on Granting Authorization V-299-2010, of 11 November 2010 until **15 October 2014**, and notified the applicant that after the expiry of the deadline for installation of wind generators, determined by this decision, the Decision V-299-2010, of 11 November 2010 **shall be repealed**.
- On 18.09.2014, ERO received a notification on wind generators assembling progress, whereby the applicant stated that all preparations for the assembling and installation of wind have been made, and that they had contacted with companies in Macedonia that deal with installation and assembling of wind generators, and explained that within the time-limit set in the last decision they will perform the deployment and operationalisation.
- After the date mentioned above, ERO has not received any proof in relation to deployment and operationalisation of wind generators pursuant to the decision in question, and considered that the legal time-limits have been exhausted and based on the legal provisions mentioned in the introduction of this decision has decided as in the enacting clause of this decision.

II. This decision shall repeal the decision V_299_2010, of 11 November 2010.



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

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

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 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.