



**Republika e Kosovës**  
**Republika Kosova - Republic of Kosovo**

**ZYRA E RREGULLATORIT PËR ENERGJI**  
**REGULATORNI URED ZA ENERGIJU**  
**ENERGY REGULATORY OFFICE**



*No. xx/2022*

*Draft*

**Rule on Authorization Procedure for Construction of New Generation Capacities, New Systems for the Transmission and Distribution of Gas, including Interconnectors, Direct Pipelines for Thermal Energy and Direct Electricity Lines and Direct Pipelines for the Transmission of Natural Gas**

**(Authorization Procedure for Construction of Energy Projects)**

Pristine, October 2022





The Board of Energy Regulatory Office, in line with Article 9, paragraph 1, sub-paragraph 1.7, Article 25, Article 26, paragraph 1, sub-paragraph 1.1 and Article 43, paragraph 1 and paragraph 4 of the Law on Energy Regulator no. 05/L-084, in the session held on \_\_.\_\_.2022, approved:

*Draft*

**Rule on Authorization Procedure for Construction of New Generation Capacities, New Systems for the Transmission and Distribution of Gas, including Interconnectors, Direct Pipelines for Thermal Energy and Direct Electricity Lines and Direct Pipelines for the Transmission of Natural Gas**

**(Authorization Procedure for Construction of Energy Projects)**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1  
Purpose**

The purpose of this Rule is to determine the procedure for the issuance of Authorization for construction of New Generation Capacities, New Systems for the Transmission and Distribution of Gas, including Interconnectors, Direct Pipelines for Thermal Energy and Direct Electricity Lines and Direct Pipelines for the Transmission of Natural Gas.

**Article 2  
Scope**

1. This Rule sets the criteria and the procedure for issuance of the Authorization for construction of Energy Projects in the Republic of Kosovo.
2. The Authorization for construction of Energy Project is obtained in line with the requirements defined under this Rule, whilst the review of Applications is based in the criteria supporting development of a competitive market of energy and incentivizing investments to guarantee security and stability of the energy sector in Kosovo.
3. This Rule is not applicable for the tendering procedure for the construction of new energy capacities as defined under Article 44 of the law on Energy Regulator (No. 05/L-084).
4. When another competitive mechanism is used, such as auctions for renewable energy sources by an entity designated to select an investor for construction of New Generation Capacities of renewable



technology, this Rule is applied as specified herein or as provided in the primary legislation regulating the competitive mechanism procedure.

### **Article 3 Definitions**

1. The terms used in this Rule have the following meaning:

- 1.1. “Applicant” – any natural or legal person, established as limited liability enterprise or shareholder, willing to construct Energy Project and applying at the ERO for Authorization;
- 1.2. “Application” – a formal request accompanied with a set of documents prepared by the Applicant submitting formally to the ERO for review;
- 1.3. “Authorization” – means the decision issued by the ERO, confirming the Applicant has submitted all the required document according to this Rule, based on which the Applicant can commence the construction of the Energy Project;
- 1.4. “Decision” – means a formal written document issued by the ERO board, indicating the Applicant’s successful fulfillment of all requirements deriving from this Rule;
- 1.5. “Energy Project” – refers collectively to projects related to construction of New Generation Capacities, including Renewable Self-consumption, New Systems for the Transmission and Distribution of Gas, including Interconnectors, Direct Pipelines for Thermal Energy and Direct Electricity Lines and Direct Pipelines for the Transmission of Natural Gas;
- 1.6. “Energy Infrastructure Projects” – means projects related to Construction of New Systems for the Transmission and Distribution of Gas, including Interconnectors, and Direct Pipelines of Thermal Energy, Direct Electricity Lines, and Direct Pipelines for the Transmission of Natural Gas, excluding New Generation Capacities;
  - “New Systems for Transmission and Distribution of Gas” – means any transmission networks, distribution networks, storage facility owned or operated by a natural gas undertaking, including linepack and its installments supplying ancillary services and those of related undertakings necessary for providing access to transmission and distribution;
  - “Interconnectors” – means a transmission line which crosses or spans a border between Kosovo and Contracting Parties of Energy Community, and which connects the national transmission of the Contracting Parties;
  - “Direct Electricity Lines” – means either an electricity line linking an isolated generation site with an isolated customer or an electricity line linking a producer and an electricity supply undertaking to supply directly their own premises, subsidiaries and customers;



- “Direct Pipelines of Thermal Energy” – means a thermal pipeline that connects facilities of thermal enterprises, respectively thermal generators with facilities of subordinate units, or facilities of customers through direct pipelines to supply with thermal energy;
  - “Direct Pipelines of Natural Gas” – means a natural gas pipeline complementary to the interconnected system, that connects a gas source with a consumer;
- 1.7. “New Generation Capacities” – means the facility that produces electricity or thermal energy with its primary source from Renewable Energy or Fossil Fuel;
  - 1.8. “ERO” – means the Energy Regulatory Office of Republic of Kosovo vested by law with the authority to issue Authorizations in compliance with this Rule;
  - 1.9. “Fossil Fuel” – means any class of hydrocarbon, that can be used as source of energy and emits carbon dioxide when burned;
  - 1.10. “Renewable Energy” – means renewable non-fossil energy sources, such as: wind energy, solar energy, geothermal waters, wave energy, hydro energy, biomass, waste landfill gas, wastewater treatment gas, biogas, as well as every renewable technology that generates electricity and has the certificate of guaranteeing institutions for this technology as renewable;
  - 1.11. “Renewable Self-consumption” – means the electricity consumer which can produce electricity for own needs and can inject the surplus to the network, in compliance with the support scheme in force;
  - 1.12. “Construction Permit” - means the permit, issued by the competent authority, that serves as the legal basis for realization of the construction in compliance with the Law on Construction;
  - 1.13. “Certificate of Usage” – means the document issued from a competent body that proves compliance of the construction with the construction documentations and applicable construction codes, and which profess that the construction is suitable for usage;
  - 1.14. “Feasibility study” – means a technical, financial and environmental evaluation of a project;
  - 1.15. “Environmental Consent” – means the written authorization issued by the competent authority in compliance with the Law on Environment, or secondary legislation for the purpose of obtaining the construction permit;
  - 1.16. “Environmental Permit” – means the written document issued by the responsible authority based on the Law on Environment, after the finalization of the construction, required to commence the operation of the facility.



2. Any term not defined under this Rule should be interpreted in compliance with the law on Energy Regulator No. 05/L-084, law on Energy No. 05/L-081, law on Electricity No. 05/L-085, law on Natural Gas No. 05/L-082 and law on Thermal Energy No. 05/L-052.

## **CHAPTER II AUTHORIZATION PROCEDURE**

### **Article 4 Obligation for Authorization**

1. No natural or legal person can construct the Energy Project without obtaining the Authorization from the ERO. The construction of Energy Project can commence only upon issuance of the written Decision on Authorization by the ERO, in compliance with the requirements of this Rule.
2. The ERO shall review the Applications for Authorization submitted in accordance with this Rule and shall ensure that the review of the Application is done in objective, transparent and non-discriminatory manner.
3. The procedure and the criteria implemented by the ERO during the review of the Applications are published on the ERO website.

### **Article 5 Application for Authorization**

1. The Application for obtaining the Authorization shall be submitted to the ERO in written form, in hard copy, or electronic as the ERO deems appropriate.
2. ERO reviews the Application based on the requirements and the criteria of this Rule and shall issue:
  - 2.1. Decision on issuance of the Authorization,or
  - 2.2. Decision on refusal of the Authorization.

### **Article 6 Criteria of Authorization**

1. The Authorization for construction of Energy Project is awarded to natural or legal person, being registered at the Kosovo Business Registration Agency in compliance with the legislation in force in the Republic of Kosovo.
2. The Applicant applying for the Authorization under this Rule shall follow all the laws, normative acts, and applicable rules at all times.
3. The Applicant when applying for Authorization shall provide evidence that:



- 3.1. Possesses technical and financial capability, material and human resources for meeting the legal and regulatory requirements;
  - 3.2. Holds property rights over or a legal rights where the construction shall occur;
  - 3.3. Provides declaration that will fulfill safety and protection requirements at work;
  - 3.4. Complies with the requirements of Article 8, paragraph 3, sub-paragraph 1.3 of this Rule.
4. The Applicant shall ensure the proposed Energy Project fulfills the following criteria:
- 4.1. Promotes a competitive energy market in internal market;
  - 4.2. Provides safety and security of the power system, installations and associated equipment;
  - 4.3. Ensures achievement of implementation of standards for protection and safety regarding personnel, equipment, installations, machinery and environmental protection, in compliance with the legislation in force and EU minimal standards;
  - 4.4. Ensures high energy efficiency requirements are meet, utilization of state-of-art equipment and the equipment's for installation are new (unused);
  - 4.5. Ensures it has adequate supply of energy source (applicable for New Generation Capacities based on fossil fuel).
5. ERO can require supporting evidence to confirm the requirements under Article 6 are fulfilled.

### **CHAPTER III PROCEDURE FOR ISSUANCE OF AUTHORIZATION**

#### **Article 7 Application for Authorization**

1. The Application for obtaining the Authorization for construction of New Generation Capacities shall be submitted to the ERO in written form, in hard copy, or electronic as the ERO deems appropriate, according to Annex 1 of this Rule, containing the documents required under Article 8 of this Rule.
2. The Application for obtaining the Authorization for New Generation Capacities projects of Renewable self-consumption shall be submitted to the ERO in written form, in hard copy, or electronic as the ERO deems appropriate, according to Annex 2 of this Rule, containing the documents required under Article 9 of this Rule.
3. The Application for obtaining the Authorization for Energy Infrastructure projects shall be submitted to the ERO in written form, in hard copy, or electronic as the ERO deems appropriate, according to Annex 3 of this Rule, containing the documents required under Article 10 of this Rule.
4. The Application shall clearly state the authorized person which represents the Applicant in front of the ERO.



## **Article 8**

### **Application for Authorization for construction of New Generation Capacities**

1. The Application for obtaining the Authorization for construction of New Generation Capacities should contain the following documents:
  - 1.1. Business certificate issued by the Agency for Business registration in Kosovo, including the decision of the board of the company on the authorized representative for Application;
  - 1.2. Evidence on financial capability of the Applicant, and of mother company, including financial reports as required by the law on Accounting, Financial Reporting and Auditing, depending on the classification of the enterprise;
    - 1.2.1. Evidence on financial capability under Article 8, paragraph 1, sub-paragraph 1.2 shall mean that the Applicant possesses at least ten (10%) percent of the investment amount. Such evidence shall be backed with bank statements issued not earlier than five (5) days from the Application date.
  - 1.3. Business solvency certificate of the Applicant, including the certificate of solvency of the mother company, issued by the competent court, where it is certified that the Applicant or the mother company is not under bankruptcy;
  - 1.4. Evidence from the tax authorities that the Applicant, including the mother company, has no tax obligations;
  - 1.5. Evidence on the legal and property rights where the New Generation Capacity is going to be constructed;
  - 1.6. Technical and financial feasibility study, for the project with an installed capacity above 1 MW;
  - 1.7. Precontract or Contract on Engineering, Procurement and Construction (EPC);
  - 1.8. Business plan containing technical parameters of the project and the finance plan describing the way of financing, including the total investment cost and the manner of finance; economic and financial evaluation of the project including the financial statements; static and dynamic evaluation of investment (PBP, NPV, IRR and BP);
  - 1.9. Municipal act that confirms the proposed Energy Project is allowed by Municipal development or spatial plans;
  - 1.10. Connection agreement with the relevant system operator;
  - 1.11. Environmental Consent issued by the relevant entity, if for the subject project is required;





- 1.12. Water Rights if for the subject project the water permit is required based on the law on Waters of Kosovo;
  - 1.13. Construction permit issued by the Ministry responsible for construction or from the relevant Municipality, depending on the authority to issue the permit according to the Law on Construction.
2. If an Applicant who is awarded under a support mechanism in a competitive bidding procedure, such as auctions for renewable energy, is conducted by/or another entity that aims to attract investments in renewable technology, submits:
    - 2.1. Formal act that confirms that the Applicant is selected as the winning bidder through a competitive bidding procedure;
    - 2.2. the Application for Authorization, attaching only documents required under sub-paragraphs 1.9-1.13 of Article 8.1 of this Rule provided that documents required under sub-paragraphs 1.1-1.8 of Article 8.1 of this Rule have been submitted as part of qualification requirements during the competitive bidding procedure.
  3. The Applicant shall inform ERO in relation to any change, that might occur during the development of the project, to the documents required under sub-paragraph 1.1 – 1.8 of Article 8.1 of this Rule. Upon such change the Applicant shall submit the original document to the ERO without delays.
  4. ERO has the right to require from the Applicant, at any time, any document foreseen under Article 8.1 that considers it necessary to review.

#### **Article 9**

##### **Application for Authorization for Construction of New Generation Capacities for Renewable Self-consumption**

1. The Application for obtaining the Authorization for construction of New Generation Capacities projects for Renewable self-consumption should contain the following documents:
  - 1.1. Evidence from the system operator on annual energy consumption;
  - 1.2. Evaluation of annual kWh production of the proposed Self-generator;
  - 1.3. Connection agreement with the system operator;
  - 1.4. Municipality consent on installation of Renewable Self-consumption equipment, if required by relevant construction legislation.
2. Construction of New Generation Capacities for Renewable Self-consumption is not required public consultation.

#### **Article 10**

##### **Application for Authorization for Construction of Energy Infrastructure projects**



1. The Application for obtaining the Authorization for construction of Energy Infrastructure projects should contain the following documents:
  - 1.1. Certificate of business issued from the Business Registration Agency of Kosovo, including the decision of the board of the company for the authorized representative for Application;
  - 1.2. Evidence on the legal and property rights for the property where the Energy Infrastructure is going to be constructed;
  - 1.3. Precontract or Contract on Engineering, Procurement and Construction (EPC);
  - 1.4. Business solvency certificate of the Applicant, including the certificate of solvency of the mother company, issued by the competent court, where it is certified that the Applicant or the mother company is not under bankruptcy.
  - 1.5. Municipal act that confirms the proposed Energy Infrastructure project is allowed by Municipal development or spatial plans;
  - 1.6. Technical and financial Feasibility study;
  - 1.7. Business plan containing the financial plan of the project, as well as other information such as: the total investment cost and the manner of finance; economic and financial evaluation of the project including the financial statements; static and dynamic evaluation of investment (PBP, NPV, IRR and BP);
  - 1.8. Connection agreement with the relevant system operator, if necessary;
  - 1.9. Environmental Consent issued by the relevant entity, if for the subject project is required;
  - 1.10. Construction permit issued by the Ministry responsible for construction or from the relevant Municipality, depending on the authority to issue the permit according to the law on Construction.

#### **Article 11** **Form of submission of Application**

1. The Application with all accompanying documents should be submitted to the ERO in written format in one (1) original, and in one (1) electronic form. When the Application is submitted as electronic application through internet the Applicant submits only one (1) electronic copy.
2. The Application is submitted in one of official languages in Kosovo.
3. ERO obtains the right to require from the Applicant to officially translate any document in official language of Kosovo.



## **Article 12**

### **Taxes for Application**

1. Upon submission of the Application for review of the documents for authorization for construction of New Generation Capacities or for authorization for construction of Energy Infrastructure projects, as per Article 8 or 10 of this Rule, the ERO issues an invoice according to the Rule on Taxes of the ERO.
2. The Applicant submits the confirmation of the payment to the ERO, issued according to Article 12, paragraph 1 of this Rule, within thirty (30) days from the submission of the Application.
3. The ERO shall reject the review of the Application if the Applicant does not submit payment confirmation, as per Article 12, paragraph 1 and notifies the Applicant for rejection to review the Application.
4. The payment is not refundable in the case the Application is refused.

## **Article 13**

### **Publication of Notification**

1. Within eight (8) days from the submission of the Application under Article 8 or 10 of this Rule, the Applicant publishes a notification in two (2) online written media.
2. Notification published contains:
  - 2.1. A summary of the content of the Application;
  - 2.2. A notification that any interesting party can express their interest or oppose the project within eight (8) calendar days to the ERO, from the publication date. The notification also contains:
    - 2.2.1. the electronic address of the Applicant where the interested party can obtain more information on the proposed project;
    - 2.2.2. the ERO electronic address where the interested party shall send comments.
3. Notification published remains open for eight (8) consecutive days, from the publication date.
4. The notification published according to Article 13, paragraph 1 of this Rule is published also in the ERO website.
5. If ERO receives any objection on the subject Application, it will provide a copy of such objection to the Applicant and publishes the same one on the ERO website.
6. The ERO will not reveal any information that might be considered confidential.



7. Upon successful completion of the public notification, ERO informs the Applicant that the Application process is complete, and the review will commence, without prejudice of the evaluation outcome.
8. Access to the Application file, for which the Applicant allowed access, is allowed as long as it is allowed according to the legislation on Access on Public Documents.

#### **Article 14**

##### **Submission of clarifications**

1. ERO has the right to require clarifications from the Applicant during the entire review period.
2. In case the Applicant does not submit the necessary clarification, within the term of fifteen (15) days from the date the request sent for clarifications from the ERO and in case the ERO considers that the clarification required is necessary for fair evaluation of the Application, ERO retains the right to reject the Application with a reason of non-completed Application.

#### **Article 15**

##### **Temporary suspension of the review**

In case the ERO considers that the Application cannot be reviewed because the ERO Board does not have a quorum for decision making, the ERO informs the Applicant that the term of review is temporary suspended until the ERO Board will become effective and consequently legal deadlines will not start to run for review.

### **CHAPTER IV**

#### **DEADLINE FOR REVIEW AND VALIDITY OF AUTHORIZATION RIGHTS**

#### **Article 16**

##### **Deadline for review**

1. ERO reviews the Application for construction of New Generation Capacities and Energy Infrastructure projects within thirty (30) calendar days from the day the ERO informs the Applicant that the Application process is complete, as notified based on Article 13, paragraph 8 of this Rule.
2. ERO reviews the Application for construction of New Generation Capacities for Renewable self-consumption within thirty (30) calendar days from the day the Application is submitted to the ERO.
3. In case of complex applications, based on ERO's evaluation, the term for review can be extended for additional term of 30 days upon ERO notification.
4. For review of each Applications according to par.1 of this Article, ERO appoints the working group within the ERO, comprised of three (3) to five (5) members, vested with the authority to review the Applications. The representative from the legal department of the ERO shall act as the chairman of the working group.
5. The working group prepares a written report, which amongst others shall contain:



- 5.1. technical, economic and financial capabilities of the Applicant;
- 5.2. Compliance of the project with the energy strategy, or any other policy document for renewable energy sources;
- 5.3. Location of the new generation capacity;
- 5.4. Technical solution for connection to the network.

### **Article 17** **ERO Decision on Authorization**

1. If the ERO determines that the Applicant has fulfilled requirements of this Rule, will issue:
  - 1.1. Decision on Authorization, confirming the right of the Applicant to commence the construction.
2. If the ERO determines that the Applicant has not fulfilled requirements of this Rule, will issue:
  - 2.1. Decision on rejection of Authorization, stating the reasons of such rejection.
3. The Applicant is informed on the ERO Decision in written.

### **Article 18** **Financial guarantee**

1. With the Decision on issuance of Authorization, ERO requires from the Applicant to submit to the ERO a financial guarantee, issued by a commercial bank or insurance company effective for covering the period from the issuance of Authorization until the finalization of the construction of the Energy Project.
2. The financial guarantee is submitted to the ERO within thirty (30) days from the date the Decision on Authorization is issued.
3. If a financial guarantee is required by another entity during the development of competitive procedure for attracting investments in renewable technology, such as auctions for renewable energy, whereas such financial guarantee is effective until the finalization of the construction of the Energy Project, the Applicant is not required to submit financial guarantee to the ERO under the requirements of this Rule.
4. The financial guarantee to be provided by the Applicant should be as follows:
  - 4.1 For projects with a value up to € 500,000.00 the Applicants pays a value of 10% of the project value;



- 4.2. For projects with a value from € 500,001.00 up to € 1,000,000.00 the Applicants pays a value of 8% of the project value;
- 4.3. For projects with a value above € 1,000,001.00 the Applicants pays a value of 7% of the project value.
5. The financial guarantee is executed by the ERO upon the termination based on the reasons specified under Article 22 of this Rule;
6. The financial guarantee can be withdrawn from the Applicant only upon completion of the construction. The completion of construction shall be confirmed in written form by the ERO.
7. Financial guarantee for the Applications for construction of New Generation Capacities of Renewable self-consumption is not required.

#### **Article 19 Validity of Authorization**

1. The Authorization issued by the ERO according to Article 17, paragraph 1 is issued for a period of twenty-four (24) months. The Applicant within this period shall construct the Energy Project.
2. The deadline under Article 19, paragraph 1, upon Applicant's written request, can be extended for additional twelve (12) months. The reasons for such extension should be justified to have been outside of Applicants control.
3. The Applicant upon Application for Authorization can require an exception from the requirement of Article 19, paragraph 1 of this Rule. When deciding for the exemption, the ERO takes into consideration project specifics, feasibility study and information from the engineering, procurement, and construction contract. In any case this period should be reasonable.

#### **Article 20 Finalization of Authorization**

1. ERO shall consider the Energy Project finalized after the submission of the Certificate of Usage for the Energy Project issued from the competent authority according to the law on Construction.
2. Environmental Permit issued for the Energy Project for Construction of New Generation Capacities, shall be a condition for commencing of commercial operation for installed capacities below 5 MW.
3. For New Generation Capacities of more than 5 MW, the Applicant shall obtain the electricity generation license from the ERO.

### **CHAPTER V MODIFICATION AND TERMINATION OF AUTHORIZATION**



### **Article 21 Modification of Authorization**

1. Due to changes of the project, or for any other justifiable reasons, the modification of the Authorization can be initiated by the ERO or by the Applicant.
2. The modification, issued by a separate Decision, will not terminate or modify the term of the Authorization adopted based on Article 19 of this Rule.
3. Modification of Authorization is done through a public notification, according to Article 13 of this Rule.

### **Article 22 Termination of Authorization**

1. Authorization can be terminated in compliance with the terms and conditions stipulated by the ERO when issuing the Decision on Authorization.
2. ERO can terminate the Authorization, if:
  - 2.1. The authorization term is completed, and the authorized has not filed a request for extension of deadline or has not finalized the construction of the Energy Project;
  - 2.2. The holder of the Authorization violates conditions defined under the Authorization Decision, violates the legislation in force and/or other rules;
  - 2.3. The Applicant fails to submit the financial guarantee within the terms of this Rule;
  - 2.4. The issuance of the Authorization is issued based on false information;
  - 2.5. A court decision has declared the Authorization holder as insolvent and/or has terminated its activities;
3. Upon termination of the Authorization the ERO executes the Financial Guarantee as per Article 18 of this Rule.

## **CHAPTER VI TRANSITORY PROVISIONS**

### **Article 23 Existing applications**

1. If an application for construction of new generating capacities based on renewables is received by the ERO according to the Rule on the Procedure for Authorization for the Construction of New Generation Capacities based on Renewable Energy Sources (Rule ZRRE/No./11/2017) and before entry into force of this Rule, such application is reviewed in compliance with the rule in force at the time of the application.



2. Any Application after the entry into force of this Rule will be reviewed by ERO according to this Rule.

#### **Article 24 Appeal Rights**

1. Any Decision issued by the ERO can be appealed through a lawsuit at the competent Court.
2. The lawsuit shall not terminate the execution of the Decision.

#### **Article 25 Transparency**

1. Each Decision on Authorization is published on the website of ERO.
2. Upon adoption of Decision, ERO informs the relevant Municipality(ies) where the Energy Project is located and relevant institution that have issued relevant consents and permits.
3. In case of refusal of the Authorization, the reasons for such refusal are made public.
4. The ERO updates regularly the database of the Applications.

#### **Article 26 Communication with Central and Local Authorities**

ERO communicates and cooperates with central and local authorities, as well as with system operators.

#### **Article 27 Monitoring**

ERO monitors the Applicants by requiring reports of implementation of Energy Projects and visits physically locations where the Energy Project is located and monitors the implementation of request foreseen with the Decision on Authorization.

#### **Article 28 Licensing of Generation**

1. For New Generation Capacities projects of a capacity higher than 5 MW, upon submission of the Usage Certificate and the Environmental Permit, ERO shall issue the generation license based on the evidence submitted with the Application for Authorization.
2. ERO holds the right to require documents or additional evidence from the Applicants during the issuance of the license generation.





**Article 29**  
**Official Language**

This Rule is published in the official languages in the Republic of Kosovo. In the event of discrepancies between versions, the Albanian version shall prevail.

**Article 30**  
**Amendment**

1. The ERO is entitled to change or modify any provision of this Rule.
2. Procedure for amendment or modification of this Rule will be the same as for its approval.

**Article 31**  
**Interpretation**

If there is uncertainty about the provisions of this Rule, the ERO's Board will issue explanatory information.

**Article 32**  
**Entry into Force**

1. This Rule enters into force in the day of adoption by the ERO's Board.
2. This Rule is published on Official Gazette of the Republic of Kosovo.

**ERO Board:**

\_\_\_\_\_  
Ymer Fejzullahu, Chairman

\_\_\_\_\_  
Izet Rushiti, Member

\_\_\_\_\_  
Selman Hoti, Member

\_\_\_\_\_  
Lutfije Dervishi, Member

\_\_\_\_\_  
Gani Buçaj



### ANNEX 1: Application for New Generation Capacities

GENERAL INFORMATION ON APPLICANT		
<b>NAME OF APPLICANT (LEGAL PERSON):</b>		
<b>ADDRESS:</b>		
<b>REGISTRATION NO.</b>		
<b>PHONE NO.:</b>		
<b>E-MAIL ADDRESS:</b>		
<b>NAME AND SURNAME OF CONTACT PERSON:</b>		
<b>ADDRESS:</b>		
<b>PHONE NO.:</b>		
<b>E-MAIL ADDRESS:</b>		
SPECIFIC INFORMATION ABOUT THE ENERGY INFRASTRUCTURE PROJECT		
<b>TYPE OF PROJECT</b>	<b>NEW GENERATION CAPACITIES:</b>  (a) Renewable energy sources;  (b) Fossil fuel	<input type="checkbox"/>  <input type="checkbox"/>
<b>Location and Coordinates</b>	<b>Municipality(ies)</b>	<b>Specific Information on the project (installed capacity, type of technology, estimated annual production, etc).</b>



No.	Evidences/documents to be attached:	Write: YES or NO	
		YES	NO
1.	Business certificate issued by the Agency for Business registration in Kosovo, including the decision of the board of the company on the authorized representative for Application		
2.	Evidence on financial capability of the Applicant and of mother company that possess at least ten (10%) percent of the investment amount. Such evidence shall be backed with bank statements issued not earlier than five (5) days from the Application date		
3.	Business solvency certificate of the Applicant, including the certificate of solvency of the mother company, issued by the competent court, where it is certified that the Applicant or the mother company is not under bankruptcy		
4.	TAX authority certificate		
5.	Evidence on property rights		
6.	Technical and Financial feasibility study, for the project with an installed capacity above 1 MW		
7.	Precontract or Contract on Engineering, Procurement and Construction (EPC)		
8.	Business plan containing technical parameters of the project and the finance plan (as required under Article 8, paragraph 1, sub-paragraph 1.8)		
9.	Municipality act (confirming the project is allowed to be implemented in the respective Municipality and is compliant with Municipal Development plan)		
10.	Connection agreement with the relevant system operator, depending on the level of connection		
11.	Environmental consent issued by the relevant entity, if for the subject project is required;		
12.	Water permit (if required)		
13.	Construction Permit		



**ANNEX 2: Application for construction of New Generation Capacities for Renewable self-consumption**

<b>GENERAL INFORMATION ON APPLICANT</b>		
<b>NAME OF APPLICANT (LEGAL PERSON):</b>		
<b>ADDRESS:</b>		
<b>REGISTRATION NO.</b>		
<b>PHONE NO.:</b>		
<b>E-MAIL ADDRESS:</b>		
<b>NAME AND SURNAME OF CONTACT PERSON:</b>		
<b>ADDRESS:</b>		
<b>PHONE NO.:</b>		
<b>E-MAIL ADDRESS:</b>		
<b>SPECIFIC INFORMATION ABOUT THE ENERGY INFRASTRUCTURE PROJECT</b>		
<b>TYPE OF PROJECT</b>	<b>NEW GENERATION CAPACITIES OF RENEWABLE SELF-CONSUMPTION</b>	<input type="checkbox"/>
<b>Location and Coordinates</b>	<b>Municipality</b>	<b>Specific Information on the project</b>

<b>No.</b>	<b>Evidences/documents to be attached:</b>	<b>Write: YES or NO</b>



		YES	NO
1.	Evidence from the system operator on annual energy consumption		
2.	Evaluation of annual kWh production of the proposed Self-generator		
3.	Connection agreement with the system operator		
4.	Municipality consent on installation of Renewable self-consumption equipment, if required by relevant construction legislation.		



### ANNEX 3: Application for Energy Infrastructure projects

GENERAL INFORMATION ON APPLICANT		
NAME OF APPLICANT (LEGAL PERSON):		
ADDRESS:		
REGISTRATION NO.		
PHONE NO.:		
E-MAIL ADDRESS:		
NAME AND SURNAME OF CONTACT PERSON:		
ADDRESS:		
PHONE NO.:		
E-MAIL ADDRESS:		
SPECIFIC INFORMATION ABOUT THE ENERGY INFRASTRUCTURE PROJECT		
TYPE OF PROJECT	1. New systems for transmission and distribution of gas;	<input type="checkbox"/>
	2. Interconnectors;	<input type="checkbox"/>
	3. Direct electricity lines;	<input type="checkbox"/>
	4. Direct pipelines of thermal energy;	<input type="checkbox"/>
	5. Direct pipelines of natural gas	<input type="checkbox"/>
Location and Coordinates	Municipality(ies)	Specific Information on Energy Infrastructure project

No.	Evidences/documents to be attached:	Write: YES or NO



		YES	NO
1.	Certificate of business issued from the Business Registration Agency of Kosovo, including the decision of the board of the company for the authorized representative for Application		
2.	Evidence on the property rights		
3.	Precontract or Contract on Engineering, Procurement and Construction (EPC)		
4.	Business solvency certificate of the Applicant, including the certificate of solvency of the mother company, issued by the competent court, where it is certified that the Applicant or the mother company is not under bankruptcy		
5.	Municipality act (confirming the project is allowed to be implemented in the respective Municipality)		
6.	Technical and financial Feasibility study		
7.	Business plan (as required under Article 10, paragraph 1, sub-paragraph 1.7)		
8.	Connection Agreement with System Operator (if necessary)		
9.	Environmental Consent		
10.	Construction Permit		

