

COMMENTS OF THE RULE ON GENERAL CONDITIONS OF ENERGY SUPPLY

KEK Comments:

Reference documents

1. Grid or Reference Codes (4.1.b)
2. Technical and operational codes (2.1.h)
3. Market rules (2.1.h & 7.2.e)
4. Rule on Dispute, Settlement Procedures (4.1.d)
5. Connection Charging Methodology (4.3. l)
6. Tariff Methodology (5.1)
7. Metering code (18.1)

(It might be a good idea to involve/invite Networks on the development of GIS system)

Additional documents needed

1. Law on Energy regulator
2. Law on electricity
3. Final Rule of disconnection

Future actions

1. Tariff review, Article 30.4 – temporary service

Comment: Accepted and will be placed in the end of Rule

“*connection agreement*” means agreement between the system operators and system users that **describes** procedures of connection, commencement, maintenance and termination of the connection to the system;

Comment: Accepted because express better understanding sentence.

4.1. b) require connection of their energy facilities and equipment to the networks of the system operators, when such connection is technically and economically feasible, according to the provisions of the Grid or the Distribution Code or any other applicable technical code or regulation; **(what about special development, zoning and tariff group application?)**

Answer: As far as concerned the zoning, it is early to apply because still Space Planning is in initial stage and policies related to that are unknown for broader public. Since we have no enough information's about future developments and considering the Kosovo relatively small territory we are not considering in this development stage to apply zoning. With exception of households' tariff group and some commercial customers within tariff group ...for all other customers connection will be carried out principles set up in the Tariff Methodology about connection.

4.1. e) **Penalties to regulator** for energy not supplied, or supplied at low quality energy or service, in accordance with the supply agreements and standards of performance offered to the customers including the quality of services and security and reliability of supplies foreseen in such agreement

Comment: Comment is not accepted because the penalties are another category that will be applied as well meaning of this provision is somehow to satisfy customer's requirements in the case of failing to supply within required standards.

4.2. The Supplier shall: **(Supply Division)**

Comment: This comment cannot be accepted because express actual organization within vertically integrated company which may not be case in the future structure of supply since process of restructuring of the power sector will continue.

4.2. a) sign connection and framework agreement with system operators on its own behalf and behalf of customers; **(we don't have this – this should become the focus of attention to prevent unfocused and destructive conflict)**

Comment: Actually, restructuring of KEK is in very initial stage and it is understandable this reaction but further developments require by suppliers as well as public supplier to accede to the power market that is going to be established. The accession to the power market has to be ensured to all participants in the equal bases that mean to be fully in compliance with Market Rules. The Market Rules envisage the entering in the agreements that ensure transparency and equal treat for anybody that wish to participate. The very basic requirement is to sign the connection and use of system agreements. The Public Supply is entity that use the systems in the supplying his own customers either the transmission or distribution. The above mentioned agreements in contrary determine clear relations between Public Supplier and system operators in order to avoid the confusion that currently is in the relation between different entities even they are in the integrated company.

4.2. e) establishes a department responsible for protecting and providing information, support and advice to the customers; **Including Customer service, low energy lighting, geyser blankets, bill enquiries, switch off lights, Wind electricity)**

Comment: Comment is acceptable exempt for wind electricity instead of that will be added etc.

4.2. i) provide customers with a written summary of their rights and responsibilities **at time of signing of Supply Contract and when changes are promulgated** related to provision of energy in the Supply Contract at least once per year;

Comment: Accepted.

4.2. j) submit to ERO for review and approval in advance the form and content of the Supply Contracts **offered to customers.**

Comment: Accepted.

4.3. The system operator shall: **(Networks Division: will they comment directly to regulator or through Ali)**

No comment!

4.3. e) collect from system users the system charges; **(Not Supply?)**

Answer: Supply is the system user and has to pay system operators for using their services.

4.3. f) provide correct and regular reading of the meters **(Not Supply?)**

Answer: System operators are accountable for losses either the commercial or technical. The System Operators are responsible to provide data to the supplier/s for billing. Meter reading is irrelevant by whom is going to be done, might be outsourced but DSO and TSO are entitled to manage the data, to take care about losses and same time to provided to supplier for billing. The details have to be foreseen in the Connection Agreements.

4.3. g) keep and update records regarding **connection**, connection agreements, applications for connection, applications for modification; billing, planned and accidental interruptions in supply and compliance with quality requirements , any other relevant data according to the provisions of other applicable Rules; **(Not Supply?)**

4.3. h) review written complaints regarding metering issues; **(Not Supply?)**

Answer: Customers complaints have to be passed through supplier namely supplier will act on behalf of customer in relation with system operators.

4.3. m) publish on the official web site and daily newspapers the statement (**what is this**) approved by ERO,

Answer: This paragraph will contain as follow m) publish on the official web site and daily newspapers the statement of Connection Charging Methodology approval by ERO;

4.3 n) other obligations and responsibilities as set forth in Articles XX and YY of this Rule?

Comment: to delete paragraph n)

4.4. Each Supplier and system operator is obliged to develop policies regarding the conditions of supply and connection of energy in accordance to this Rule. (**when?**). All such policies shall ensure transparent and nondiscriminatory procedures and be submitted to ERO for review and approval prior to issuance. These policies shall be made publicly available by release on the official website and in daily newspapers, notifications, public reports or any other means deemed appropriate. **Publication**

Comment: This text will be added after word Rule in the first sentence “within deadline that not exceeding 90(nineteen) days.” The second comment about publication isn’t necessary to be provisioned but it is not prevented if it deemed much more appropriate.

5.1. (Now 6.1) System operators shall develop the connection charging methodology and procedures in full compliance with the adopted rule by ERO “Tariff Methodology” that includes charges for:

a) **prior to** the activities necessary in order to design, build and maintain the connection in response to an application by a system user;

Comment: Accepted

5.1.) (Now 6.1) g) disconnection from the network and the removal of equipment (lines, meters, pipes) following disconnection. **(Not Supply?)**

Question: There are many reasons for disconnection. In case of non-payment this will be done by supplier request and policy that might be followed but fully in compliance with Disconnection Rule issued by ERO.

h) rendering a connection inactive in case of mothballing of a power station (**highly unlikely in Kosovo – remove?**)

No Comment

6. (Now 7) Based on the Connection charging methodology and procedures, the applicant submit his application to the supplier that has to be **submitted** to the system operators as per Annex A of this Rule.

Comment: Accepted

7.2. (Now 8.2) The connection offer shall contain elements in relation to the:

a) works required for the extension or reinforcement of the transmission or distribution network; hereby termed as the “deep connection”. **As a rule this works depends on areas zoned for development. It involves the availability of all services and the need from a special development point of view for development of a particular zoning. Cost of works is reclaimed by calculating the incremental cost of completed networks from customers connected at various distribution points.**

Comment: The raised issue should be treated Connection charging methodology. As it is mentioned in the comment, zoning is very dependent to special planning which in this stage of the development wont give us enough views how to develop clear dispositions. For that reason the comment in this stage cannot be envisaged and has to be left for later stages.

c) the installation of appropriate meters required to enable the system operator to measure electricity or heat at the entry point or exit point;

(1) Access and security requirements to and at metering points.

Comment: Access to properties for purpose of installing, measuring, reading etc. is envisaged in the Article 17. Security requirements should be developed by Technical Codes.

7.3. (Now 8.4) In making an offer for connection agreement or in replying to an application for connection, the system operator shall set out:

c) such other detailed terms in respect of each of the services required as are or may be appropriate for the purpose of the agreement. **Catch all, fault level, security of metering equipment, etc.**

Comment: This comment should be covered by codes and supply standards that are going to be approved by ERO. In terms of practicality System Operators may attach relevant parts of above mentioned codes when they reply to any application of customers.

7.4. (Now 8.5) For the purpose of determining **and charging** an appropriate proportion of the costs **to an applicant it will depend on the cost to** directly or indirectly incurred in carrying out works under an agreement for providing a connection or modification of an existing connection, the system operator shall take into consideration **to the extent to which:**

Comment: Accepted

a) benefit from the connection **will be available to other**, present and/or future system users / third parties, **served by the system operator;**

Comment: Accepted

b) A system operators can levy a proportion of such costs from present and/or future system users or third parties, **based on the benefit in a) above;**

Comment: Accepted

c) Connection charges **has to** be levied on a one-time basis and must be paid prior to the commencement of the connection works **to make such connections possible due to budgetary requirements.**

Comment: Not accepted. We are considering unnecessary.

7.5. (Now 8.6) No charge will be made for reinforcement of the existing network if the new or increased load requirement does not exceed 3(three) per cent of the existing effective capacity at the relevant points on the network and reinforcement carried out at more than one voltage level above the voltage of connection. **(where upgrading of**

capacity of a connection is required customers will be obliged to respect standards of system operators as detailed in connection charging Methodologies).

Comment: The meaning of this Rule no any new customer to be allowed to upgrade any connection. The customers are obliged to pay for connection based on Charging Methodology and system operator to establish, own, maintain replace etc. The connection assets in the future should be parte of Regulated Assets Base (RAB) that by the Tariff Methodology are considering differently apart the assets bought by company.

7.7. (Now 8.8) In the case of establishment of the connection for an eligible **definition: 4.1.b** customer the offer and connection agreement might be issued and delivered without involving the supplier. The eligible customer in that case has been sign Accession Agreement, by which became binding to comply with Market Rules.

Answer: Is given above in the article 4.1b

8.1. (Now 9.1) The system operator may refuse to connect an applicant temporarily or permanently only if such connection is technically or economically non-feasible according to the provisions of the grid or distribution code or other applicable codes. **(how about special development and zoning considerations? This translates to economical feasibility – see 4.1.b)**

Answer: Is given above.

9.1. (Now 10.1) Within the period of time specified in the connection offer the applicant accepts the offer by submitting a signed connection agreement to the **supplier as per Annex C** and **pays** of the relevant connection charges to the **benefit of applicable system operators**.

Comment: Accepted

9.3. (Now 10.3) The connection agreement shall:

- e) **Minimum safety standards**
- f) **Minimum security requirements including requirements with regard to sealing of metering equipment and locking of enclosures in which switchgear and metering equipment and instrument transformers and metering circuits are installed.**

Comment: Accepted for transitional period in the case of application of provisions of this Rule prior come into force the technical codes foreseen by basic laws. A new paragraph will be added:

g) dispositions described under e) and f) will be applied up to date when technical codes foreseen in the Law on Electricity come into force.

10.4. (Now 11.4)The connection of a customer will only be activated (switched on) on written instruction of the supplier to the Network Operator that a Supply Agreement has been entered into and all supply requirements have been met.

Comment: Accepted

CHAPTER 3 (Now 4) Use of System

(Articles 11, 12 & 13 (Now 12, 13 & 14) are intended for suppliers only?)

Answer: Not only suppliers but generators as well finally all users of transmission and distribution network.

14.1 (Now 15.2) An application for supply is required by the customers when they change the supplier. In the case **where** customers **don't** require any extension in capacity of connection & **they don't need comply with provisions set forth in articles 6 and 7 (Now 7 & 8) of this rule. In the case where a customer does not comply with minimum commercial, safety and security requirement as described in Articles 6, 7, 9 & 10 (Now 7, 8, 10 & 11) of this rule, the existing connection will be disconnected at an agreed date that will enable the customer to conduct a new alternative connection that will comply with requirements.**

Comment: Accepted

15.1 (Now 16.1) The supply contracts shall be **similar** to Annex E subject to such modifications or additions as may be proposed by the supplier and agreed by the customer.

Comment: Accepted

15.2. (Now 16.2)The supply contract comes into effect **and the connection is switched on by the system operator** within a period of time not exceeding five (5) calendar days from the date of signature by both supplier and customer **which will follow** the notification of acceptance of the connection by system operator **who will certify compliance to connection requirements.**

Comment: Accepted

15.3. (Now 16.3)The commencement date of the supply contract shall be communicated to the customer and **the system operator** in writing. An authorized representative of the **network operator shall switch on a new or upgraded connection upon written instruction from the supplier.** The positions of meters are **agreed between** the representative of the supplier, system operator and customer.

Comment: Accepted

16.1. (Now 18.1)Each supplier is obliged to supply energy to any customer situated in the area covered by the supply license that is duly connected to the network in accordance with the connection agreement and on the basis of the provisions of the supply contract **and subject to the requirements of Articles 6, 7, 9 & 10 (Now 7, 8, 10 and 11).**

Comment: Accepted

16.2. (Now 18.2)The same obligation is valid for the supply of eligible customers that, for whatever reason, are no longer supplied by the selected supplier and wish to be supplied by the public supplier in accordance to the Rule on Licensing. **Eligibility is required when complying to articles 6, 7, 9 & 10 (Now 7, 8, 10 and 11).**

Comment: Accepted

17.2. (Now 19.2)If the customer does not allow access to the metering equipment for reading even upon the receipt of a written notice, the supplied energy will be billed according to the consumption in the previous comparable period or according the quantities **calculated according to methods approved by ERO as fair methods to estimate consumption and maximum demand to be supplied in relevant periods where applicable.**

Comment: Not accepted but required changing as it is below.

If the customer does not allow access to the metering equipment for reading even upon the receipt of a written notice, the supplied energy will be billed according to the consumption in the previous comparable period stipulated by Article 19.5 Rule on Disconnection or according to the quantities agreed to be supplied in relevant periods that cannot be less than as it is foreseen in respective Article.

18.1. (Now 19.2) The supplier (or the system operator) if there is an agreement (**conflict with 4.3.f?**) between system operator and supplier, is obliged to ensure correct and regular reading of the meters, in accordance with the metering code.

Answer: In order to avoid conflict with Article 4.3 is reformulated as it is below

“System operators may outsource meter reading to suppliers or another contractor. In the case of outsourcing, an entity contracted to perform meter reading is obliged to ensure correct and regular reading of the meters, in accordance with metering code”.

18.2. (Now 20.2) Upon the customer’s request the person referred to in Article 18.1, is obliged to provide him with any information regarding the results of meter reading.

Note: It is the intention to publish to every customer recent meter readings to web page.

Comment: It will be very useful.

19.3. (Now 20.3) The system operator will be obliged to provide any finding with regard to accuracy of meters tested to Suppliers to reclaim commercial losses where applicable, in accordance with Commercial losses decision of ERO.

Comment: Accepted with changes as in following

“The system operator will be obliged to provide any finding with regard to accuracy of tested meters to Suppliers to reclaim commercial losses where applicable, in accordance with principles of this Rule and Rule on Disconnection and Methodology submitted by System Operator and approved by ERO.”

20.1. (Now 22.1) The supplier is obliged to ensure that customers are billed for consumed energy **and other charges** in accordance **with the appropriate** tariff type **agreed with** customer.

Comment: Accepted

20.3. (Now 22.3) In the case of inaccuracies fixing positions of meters that have resulted in incorrect billing, the supplier shall make all necessary adjustments in a following bill. **Only such correction shall be in accordance with the Commercial Losses Decision of the ERO and a full explanation shall be given to the customer to explain the basis and quantum of the correction.**

Comment: Accepted with changing in wording as in following.

“In the case of inaccuracies fixing positions of meters that have resulted in incorrect billing, the supplier shall make all necessary adjustments in a following bill. Only such correction shall be in accordance with Article 19.2 and a full explanation shall be given to the customer to explain the basis and quantum of the correction.”

20.4. (Now 22.4) Bills are sent to the customer’s address specified in the supply contract. If no address or an inaccurate or incomplete address has been specified, or if the customer is no longer present on the address that has been specified, the supplier shall perform the delivery to the physical location where the concerned energy consumption occurred. If the customer **continues not to pay in terms of Supply Contract**, the system operator upon the supplier’s **instruction** shall disconnect the place of consumption from the network **according to the ERO Disconnection Rule.**

Comment: Accepted and only change required in the wording instead of “ERO Disconnection Rule” will be “Rule on Disconnection approved by ERO”

20.6. (Now 22.6) Bills may separate the charges for the consumed energy **and maximum demand** from all other charges, including charges for the use of the network. The supplier

shall submit the standardized form and standardized content of its bills to the Board of ERO for review and approval prior to use with any customer.

Comment: Not accepted because we do not know if still maximum demand for all customers will be part of tariffs and actual formulation will not prevent to considerate if demand charging required for all customers.

21.2. (Now 23.2) A guarantee deposit consists on adequate guarantee covering estimated future charges for the supply of energy of one-sixth of the amount of an estimated billing for 12 months at the tariffs in effect at the time. **(2 months estimated bill)**

***Comment: Accepted and this article should be extended as in following.
"A guarantee deposit should cover estimated future charges for period of two months"***

21.3. (Now 23.3) The guarantee deposit shall be paid in cash or thought the bank account **prior to entering into a supply agreement.**

Comment: Not accepted because guarantee deposit should be requested by customers that are irregular in payment.

22.2. (Now 24.2) In case of **any payment to the network operator**, a receipt **will be issued** to the customer **by the supplier. The receiver of payment will maintain a record of the payment, payment information and with regard to what and from whom payment was received for a period of at least 3 years.**

Comment: Accepted

22.4. (Now 24.4) The procedures shall contain the period from the date of submission of the bill to the payment due date and the period after the due date allowed before the application of interest for non-payment under Article 23. **(30 days for KEK).**

22.6. (Now 24.6) The period allowed beyond the due date before application of any interest charges shall be no more than twenty (20) **4?** Days from the due date. **(for KEK this is planned to be 30 days)**

Comment: Accepted and will be 30 days

23.3. (Now 25.3) At the discretion of the supplier monthly installments for the purpose of recovery of arrears may be agreed with the customer, without prejudice to the liability of the customer to pay interest till full clearance of the arrears.

(New supply Contracts for customers since disconnection rule)

Article 25 (Now 27) Records regarding supply contracts

Suppliers are obliged to keep duly informed records of: **(Not Networks)**

Answer: Not necessarily exempt records for eligible customers but Connection Agreement between Supplier and System Operators may determine and address this issue. Intention of this Rule is to define contractual obligations between Customer and Supplier and Supplier and System Operators.

- a) Signed connection agreements for customers whenever it is required to have agreements **additional to** supply contract
- c) applications for modification **(upgrades of capacity or tariff group change)** of supply contracts;

Comment: Accepted

- e) billing, programmed and accidental interruptions in supply and compliance with quality requirements **(where appropriate)**

Comment: Not accepted. Derogation will be defined by ERO if such derogation required by Supplier respectively by System Operator

26.5. (Now 28.5) If the period of the unauthorized consumption, tampering or theft cannot be determined, it will be assumed that the unauthorized consumption has lasted 12 months from the day that the customer has signed the supply contract for household customers, while 24 months for the non-household customers, or the date of last inspection, **during which the installation was found in good order**

Comment: Accepted

26.7. (Now 28.7) The supplier shall submit for review to ERO its procedures for the identification and response to theft by unregistered customers. The procedures must at least include the reporting of the theft, identification of the unauthorized consumer, anticipated efforts to calculate and collect payments for consumption, and potential legal options. **(just submitted to ERO)**

Answer: No comment and this comment will be deleted.

30.1. (Now 32.1) Within a time period of *three (3)* months upon the adoption of this Rule, the public supplier on behalf of customers shall submit to the transmission and distribution system operators an application for connection of all existing customers. **(300 000 applicants? Bear in mind that some existing customers are ‘temporary’, some are not in good standing, complete information for some is unknown and some are not customers. Particular care should be taken of social and political consumer exceptions.**

Comment: Not accepted. The application may contain all problems related to customers such are

- *Good standing customers in legal and technical point of view*
- *Good standing customers only in the legal point of view and*
- *Illegal consumers (might be estimated)*

Connection Agreement has to address responsibilities of contractual parties to resolve relations with customers within certain deadline. Upon approval of this Rule contractual parties have 6(six) months to conclude such agreement. ERO is aware with actual situation but intention of this rule and other rules are clearly to address all outstanding problems with customers and start to bring them in good standing.

30.8. (Now 32.8) The system operator shall, within one hundred twenty (120) **(4 months)** calendar days upon adoption of this Rule submit to ERO standard forms for the following agreements:

Comment: Accepted it will be in the sound of other deadlines in the several articles.

c) Distribution connection agreement – **that leaves 2 months for Suppliers to conclude connection agreements with operators in terms of 30.2.**

Comment: Not accepted because DSO may develop these agreement (main) principles separately and hasn't affected the deadlines for signing with supplier.

This application is subject to the requirements of the

- 1. Electricity Law**
- 2. Rule of General Conditions of Electricity Supply**

Comment: Accepted

**Annex A: Application for Connection and supply
Household / Domestic**

Comment: Not accepted because terms are used as they are in the basic laws

To (supplier) Registration Number: _____ (Customers don't have this)

3. Description of the premises to which connection is required:

(e) Owner (same as 10.) _____

4. Technical data:

**Land use of premises to be connected: Agricultural, Household, Commercial,
(a) Existing approved capacity of premises (if applicable). New capacity required with
this application. Installed capacity _____ kWatts**

(c) Description of premises:

- Other (to calculate the flat rate if required) _____ m²

Comment: Accepted

5. Chosen tariff category _____

a) categories available: 4/01 and 4/02. Approved energy tariffs for each of these is published on the ERO website.

b) chosen standard connection:

40 A single phase (9 kVA)

40 A 3 phase (30 kVA)

60 A 3 phase (45 kVA)

Connection costs payable to the network operator for constructing the connection or credit to the customer when the customer constructs the connection and capacity charges are payable as per approved Charging Methodology in 5.1 of the Rule of General conditions of Supply.

c) See Non-Domestic application.

Comment: Not accepted because tariff categories are under development and Charging Methodology required to be developed. The forms in this rule contain the actual requirement by ERO. The supplier may further develop forms that might be compatible with their recording system and established procedures. In any case either the supplier and distribution and transmission system operators shall submit to ERO forms developed by them for approval.

6. Outstanding dues:

(b) Any electricity dues outstanding for the premises for which connection applied for:

Yes/ No (If the answer is 'Yes' please provide details) (see 10. b at end of Non-domestic application form).

8. Attached I submit:

(a) Documentary evidence of ownership / authorization for the use of the premises **Include examples of what document will be acceptable.**

e) Official KEK receipt of payment of application fee

Comment: Accepted only KEK has to be deleted.

10. Signature of the owner of the premises where it was indicated in 1. g that the applicant is new owner:

Name:

Signature:

Date:

Place:

Comment: Accepted

Non-household (see household)

4. Technical data:

Capacity Required:

(a) _____ kVA

(b) **Description of land use and surface area of floor space that will be supplied from this connection.**

Comment: Accepted

5. Chosen tariff category

a) **Tariff categories available: 7/01, 7/02/, 6/06, 1/1, '1/2, 1/3. Approved Energy Tariffs for each of these are published on the ERO website.**

b) **Connection costs and capacity charges will be payable (see 5 b in domestic).**

c) **Indication of whether the customer will construct the connection or any part of it or whether KEK will be expected to arrange and manage construction.**

Comment: Not accepted see explanation in 5 household applications.

10. **Date by which connection / upgrading of capacity of connection is required. Maximum time allowed i.t.o RoGC articles 4.3 and 7.6 to reach an agreement including a date of connection is 90 calendar days – 3 month).**

Comment: Accepted

11. **Attached I submit:**

(f) **Official KEK Receipt for the payment of application fee**

Comment: Accepted, delete only KEK

Annex B: Connection offer (submitted to supplier)

2. Proposed technical solution: Fault level of switchgear and conductors.

ii. Description of the necessary technical arrangements and devices to be used for the connection:

Fault level of switchgear and conductors

Comment: It will be the part of technical description in the bullet points.

iv. Permitted voltage, **maximal capacity** and energy : - **(What is meant? Should be only maximum demand expressed in amp (at the applicable voltage). Ct's and CB is to be rated to this approved capacity.**

Comment: Accepted

3. Protection & switchgear and 4. General requirements

Comment: Metering and switching enclosures will be part of Metering Codes to that this rule referred and upon approval of such codes and other relevant changes that supplier or system operators deem as necessary might be accepted by ERO

5. Issues related to the use of the system:

i. **Tariff recommended:** _____

- ii. Method and deadlines for the payment of costs and charges for the use of the system
(credits granted for cost to be incurred by the customer):

Comment: Accepted

Ali Hoxha / KEK Comments:

The Draft proposed by you, in the Albanian version, contains a lot of linguistic mistakes, the literally translation from English Language, the verbs are used not properly; many times the past tens is used for the future tens, many times inadequate terms are being used, with one word you get the impression that the text has not been lectured. Below There are some of our remarks:

Article 1.1,

Comment: Accepted

Article 1.2.h)

Comment: Accepted

Article 4.3. The System operator must be determined: either TSO, or DSO,

Comment: it is not accepted because the provisions of this rule are applied for the both operators

Article 25.

Comment: Accepted

Article 26.1.

Comment: Accepted

Article 26.5.

Comment: Accepted

Petrit Pepaj CPD /ERO Comments:

Reading the Rule on General Conditions of Energy Supply, I think that:

Chapter 6 Metering, Billing and payment, needs two other additional paragraphs

- **Period of meter reading must be mentioned to the customer in the invoice: this reading period must not exceed the date 5 of each forthcoming month.**

Comment: Not accepted, because there are different ways of reading for each billing period, every day reading, reading with longer settlement period e.g. every six months etc.

- **The supplier (or the system operator) is obliged to observe the period of reading**

Comment: Not accepted. Since periods of reading are changeable and by this rule is not required strictly to determine any reading methodology. This comment cannot be accepted.

- Article 20, paragraph 20.3 is unclear to me and I think it is better to be written otherwise:

When the customer suspect on the accuracy of the meter reading, or the meter registering, he has the right to file a complaint to the supplier and the latter must make all necessary improvements in the forthcoming invoice or take measures for the accurate meter reading.

Comment: Not accepted, Provision 20.3 only refers to undisputed wrong fixing the meter position. In the case of any dispute base on suspicion of customer the Rule on Disputes envisage such situation

Astrit Saraqini DH&GE /ERO comments:

- 1.3. Natural gas and all issues related **to the supply of natural gas and natural gas services are** not covered by this Rule.

Comment: Accepted

- 2.1. This Rule includes the dispositions and the **Annexes** that are integral part of the Rule.

Comment: Accepted

Article 4 General Principles, Rights and Obligations

- 4.1. In accordance with the provisions of this Rule, all customers have the right and obligation to:

- f) pay for the energy consumed and for the use of system, according to their contract with the Energy Supplier and the **regulated** tariff and/or network charges approved by ERO.

Comment: Accepted

- 4.2. The Supplier shall:

- d) draft the **applications for connection and supply**, offers, contracts, bills, statements and notices addressed to the customers;

Comment: Not accepted

- 4.3. The system operator shall:

- l) develop and **submit to ERO for review and approval**, Connection Charging Methodology including the forms necessary for connection and use of systems in accordance to the dispositions set forth in this Rule and other rules issued by ERO;

Comment: Accepted

- 4.4. Each Supplier and system operator is obliged to develop policies regarding the conditions of **energy** supply and connection **to the system** in accordance to this Rule. All such policies shall ensure transparent and nondiscriminatory procedures and be submitted to ERO for review and approval prior to issuance. These policies shall be made publicly

available by release on the official website and in daily newspapers, notifications, public reports or any other means deemed appropriate.

Comment: Accepted

CHAPTER 2 Connection to the System

Article 5 General principles for connection

5.1 Every customer located in a service area covered by a system operator shall have the right, where it is technically and economically feasible to connect his energy facilities end equipment to the transmission or distribution network, if this customer meets the following conditions:

- a) For electricity - Owns or have authorization to operate electrical equipment and internal installations, satisfying technical, operational and safety requirements**
- b) For district heating - Owns or have authorization to operate the secondary internal network delivering heat to the final users, satisfying the technical, operational and safety requirements; and**
- c) Satisfies the conditions for connection to the transmission or distribution network as set forth in this Rule, applicable technical codes and rules, and relevant connection agreement.**

Comment: Not accepted because these provisions mostly related to requirement for granting a license, the purpose of this chapter is to outline main principles of the charging methodology.

5.1. (Now 6.1) System operators shall develop the connection charging methodology and procedures in full compliance with the adopted rule by ERO “Tariff Methodology” that includes charges for:

- h) rendering a connection inactive in case of mothballing of an energy station.

Comment: Accepted

7.3 (Now 8.3) In addition to the requirements set forth in Article 7.2, in case of connection to the heat distribution network, the connection offer shall contain also the technical conditions of connection as attachment to the offer, which shall define:

- a) A location of the sub-station within the customer’s premises, specifying point of connection and the mode of the connection to the supply pipeline;**
- b) Ownership limits of the installation inside the substation;**
- c) Design flow of heat carrier and regulating tables;**
- d) Requirements concerning the substation in terms of specific construction requirements for the substation, and specifying the equipment of the substation and locations for flow control valve, heat meter, and meter for make-up water supplying secondary system**
- e) Requirements concerning inside heating installation**

Comment: Accepted and further it will be article 7.3. The current article 7.3 will become 7.4.

7.6. (Now 8.7) Connection offers have to be issued and delivered to the customer through supplier within a time period not exceeding:

c) **thirty (30) calendar days from the day of delivery of the application for connection to the heat distribution network**

Comment: Accepted

9.1. (Now 10.1) Within the period of time specified in the connection offer the applicant accepts the offer by submitting a signed **draft** connection agreement to the supplier as per Annex C and the receipt for the payment of the relevant connection charges that has to passed-through system operator.

Comment: Accepted

CHAPTER 4 (Now 2) Heat Supply

Article 14 (Now 5) General principles of heat supply

14.1. (Now 5.1) All final customers shall have the right, where is technically and economically feasible, to enjoy a universal service of heat supplies from the networks of energy enterprises carrying out public services in accordance with this Rule.

14.2. (Now 5.2) Supply of heat presently is used for the space heating, and eventually shall be used for providing hot domestic water.

14.3. (Now 5.3) Supply of heat for space heating purposes will be performed during the heating season which lasts ordinarily from 15th October until 15th April; depending on whether conditions the heating season can be shortened or prolonged (extraordinary heat supply)

14.4. (Now 5.4) Heating season shall be prolonged maximally from 1st of October until 30th of April, by applying extraordinary heat supply according to the following:

- a) **Extraordinary heat supply shall be applied in the case when, according to the data from meteorological services or according to the data from the heat plant, the outside temperature measured at 21:00 in the area covered by district heating enterprise, for three days in a row is recorded below 12 °C;**
- b) **Extraordinary heat supply shall stop when, according to the data from meteorological services or from heat plant, the outside temperature measured at 21:00 in the area covered by district heating enterprise, for three days in a row is recorded 12 °C or higher.**

14.5. (Now 5.5) Heating season shall be shortened by stopping the heat supply only in the case when, according to the data from meteorological services or according to the data from heat plant, the outside temperature measured at 21:00 in the area covered by district heating enterprise, for two days in the row is recorded 12 °C or higher, and the weather forecast from meteorological services foresees that the temperature, for next three days, will be 12 °C or higher.

Comment: Accepted. Base on above submitted comments in the Rule creating the new chapter 2. the existing chapter become 3. Term “energy” used in the comment will replace by term “heat”

14.5. (Now 15.6) If an applicant is denied service, the applicant may initiate dispute **settlement** in accordance to the **Rule on Dispute Settlement**. If the denial comes from the system operator, the supplier may initiate the dispute resolution on behalf of customer.

Comment: Accepted

15.5 (Now 17.1) In district heating, the customer – contracting party is considered the owner or authorized user of building facility equipped with the substation and secondary internal heat network.

15.6 (Now 17.2) **In case of multi-flat buildings consisting of several (numerous) individually owned apartments, which are the end-users of the heat, the customer – contracting party to the supplier – shall be considered any legal entity performing duties of the housing administration (e.g. administrator, housing association etc.) that will be established in the future.**

15.7 (Now 17.3) **Until the establishment of housing administration in multi flat buildings, each owner of the apartment shall be considered as the customer – contacting party to the supplier.**

Comment: Accepted required new Article 17 with title “Contractual relation in case of District Heating”

19.2. (Now 21.1) **In the case when testing results shows inappropriate functioning of the meter, which is not caused as a result of tempering with meters, the system operator is obliged to calibrate or replace the meter as the case may be.**

Comment: Not accepted. Already included

19.3. (Now 21.2) **In the case when the supplier and network operator function is performed by the same entity, then the entity performing supply and network operator function is obliged to test the meter upon request of the customer.**

Comment: Accepted.

20.1. (Now 22.1) **The supplier is obliged to ensure that customers are billed for the consumed energy in accordance to the tariff type selected by customer if applicable.**

Comment: Accepted

22.1. (Now 24.1) **Payment of bills and guarantee deposits shall be made in cash at the specified local collection centre of the supplier on any working day during prescribed hours, or through suppliers bank account or by any other means specified in the supply contract.**

Comment: Not accepted. Meaning of cash payment consider also payments through bank accounts

23.2. (Now 25.2) **In case of non-payment within the allowed period as stipulated in Article 22.6 (Now 24.6) the customer is obliged to pay interest on the due amount at the rate of XX% per month, without prejudice of the supplier’s right to impose penalties for non-payment according to any penalty clauses included in the supply contract.**

Comment: Accepted

30.3. (Now 32.3) **Within a time period of six (6) months upon the adoption of this Rule, a supplier of heat will sign with all customers a supply contract according to Annex XX**

Comment: Accepted

30.5. (Now 32.5) **Within a period of time set forth in Article 30.1 the supplier shall submit a report to ERO on its compliance with Article 38.3 or the Law on Electricity. (where is relation?)**

Answer: This rule determine requirement of establishment of principles of connection of any user to the networks of system operators and principles of use of that systems. The connection and use of system has to be sectioned with agreements that mean establishing the commercial relations.

Annex A: Application for Connection and supply Household

4. Technical data for heat:

c) Description of premises:

location of the substation m² (for district heating)

(d) Type and parameters of customer's secondary system / inside heating installation (for district heating)

Comment: Accepted and will be considered for heat.

6. Outstanding dues:

(a) Any electricity / heat dues outstanding in licensee's area of operation in applicant's name:

(b) Any electricity / heat dues outstanding for the premises for which connection applied for:

8. Attached I submit:

(e) Design plans of the substation and the inside heating installation (for district heating)

Comment: Accepted and will be considered for heat.

Non-household

4. Technical data:

(a) Installed capacity _____ kWatts

(e) Type and parameters of customer's secondary system / inside heating installation (for district heating)

Comment: Accepted and will be considered for heat.

5. Chosen tariff category (if applicable)

Comment: Accepted and will be considered for heat.

6. Outstanding dues:

(a) Any electricity / heat dues outstanding in licensee's area of operation in customer's name:

Yes/ No

(b) Any electricity / heat dues outstanding for the premises for which connection applied for: Yes/ No *(If the answer is 'Yes' please provide details)*

Comment: Accepted and will be considered for heat.

11. Attached I submit:

(g) design plans of the substation and inside heating installations (for district heating)

Comment: Accepted and will be considered for heat

Merit Kostari HLD / ERO comments:

1) Article 2.1 a)(which by the way shall be 1.1 a) is using the term "Supply Agreement" while paragraph d) is using "supply contract. Because of consistency modify the term "agreement" in paragraph a) into "contract". If it is Connection Agreement that do the change.

Comment: Accepted and will be Connection Agreement

2) Article 2.1 g), (which shall be 1.1 g) since disconnection is covered by the Rule on Disconnection, I would suggest to delete it. This Rule contains a few elements but procedure is covered in Rule on Disconnection.

Comment: Accepted

3) Article 2.1 h) I suggest inclusion of reference to the “relevant license” at the end of sentence and delete “operational codes”.

Comment: Accepted

4.) As of Article 1.3.- this Rule does not have anything to do with any construction of gas pipelines- therefore I suggest modification of Article 1.3 into” Natural gas and all issues related to the natural gas and storage are not covered by this Rule”.

Comment: Accepted

5) Article 2.2 shall be modified to reflect exact annexes and shall read:

“The forms of applications for connection and supply, connection offer and supply contract included in the attachments of this Rule provide only the basic elements that the relevant documents should contain; the supplier may add to such forms any other information necessary, as long as such information complies with and in no way contravenes the principles set forth in this Rule”.

Comment: Accepted

6) In Article 4.3. paragraph m) I would agree that the term “statement” shall be better clarified since it does not provide understanding of what kind of statement it is (financial, commercial, something connected with Market Rule or similar)

Comment: Accepted and will contain this m) publish on the official web site and daily newspapers the statement of Connection Charging Methodology approved by ERO;

7) Article 4.3, paragraph n) shall be modified to say only: n) other obligations and responsibilities as set forth in this Rule

Comment: to delete paragraph n)

8) Please consider checking references used in Article 11 (now 12) to the “paragraph” – it should be “Article” – please check in Market Rule

Comment: Accepted

9) In Article 14.2 (now 15.3) the expression “Annex XX and YY” shall be replaced by “Annex A”

Comment: Accepted

10) In Article 14.5 (now 15.5) instead of “deposit” use the term that is actually used in Article 21 and that is “guarantee deposit”.

Comment: Accepted

11) In Article 15.1 (now 16.1) change “Annex E” into “Annex C”

Comment: Accepted

12) Why Article 15.4 (now 16.4) contain only reference to Article 14.1 when most of the Article 14 applies for modification. Therefore instead of reference to Article 14.1 use reference to Article 14.

Comment: Accepted

13) Article 26.7 (now 28.7) should not contain only obligation of supplier to submit its procedure to ERO for review and also for approval. Therefore after the word “for review” add “and approval”

Comment: Accepted

14) From Article 30.3 (now 32.3) delete the end of the sentence” according to Annex XX” since there is no such Annex that deals only with heat in this Rule.

Comment: Accepted

15) In Article 31 numbering is missing. There are two paragraphs that should be numbered 31.1 and 31.2.

Comment: Accepted

16) The last part of the sentence in Article 32.1 (now 34.1) “unless otherwise specified” shall be deleted since rule comes into effect on the date when it was adopted and published on ERO. Web site. The inclusion of - unless otherwise specified does not have any mean because there is not way to specify differently in the moment when Rule is formally adopted and published. At least I don’t see a way. Also while there is a possibility to grant exemption to the certain obligations from this Rule – as set forth in Article 33.3 there is no sense of stating that Rule may be adopted later than on the date of its real adoption by the Board.

Comment: Accepted

17) In Annexes wherever is used “KEK” delete and use “supplier”- e.g. in Annex A.

Comment: Accepted

18) Numbering and forms of Annexes shall be reviewed and corrected. Annex E shall be numbered as Annex C.

Comment: Accepted

19) In Annex C (now Annex E) – Supply Contract numbering and paragraph of Article 6 shall be corrected.

Comment: Accepted

20) In Article 8 of the Annex C, there are two paragraphs but numbering is missing. Therefore number them as 8.1. and 8.2. Also reference to Article 32 is probably wrong since Article 31 deals with “Penalties” or the meaning of the sentence is unclear because of the language. Also instead of “article” use “Article” with capital letter.

Comment: Accepted

21) In Annex C (now E) Article 10 there is a wrong reference to Article 11 and 13 regarding Billing and Payment. These references shall be replaces by Article 20 and 22 of the Rule on General Conditions of Energy Supply.

Comment: Accepted

22) In Annex C (now E) Article 11 contain wrong references to the Article 14 and 15. I would suggest references to the Articles 23, 24, and 30.6 of the Rule on General Conditions of Energy Supply

Comment: Accepted

Naim Bejtullahu PSE / ERO Comments: New articles to the Article 11

11.5. The maintenance of connection determined under Article 10.2 shall be responsibility of Transmission and Distribution System Operators and shall be performed without any charge to customers.

11.6. The Article 11.5 shall not be applied to the existing connections owned by customers. For maintenance of these connection system operators will charge the customers under the price list approved by ERO. A maintenance of the connection by means of this Article, includes cables/wires connected to the operator network, metering devices and entering fuses (if applicable) of metering boxes.

11.7. The customers that own connection points including the metering devices, may transfer their assets to the system operators without any charge upon bringing in good standing as required in the technical codes issued by system operators and approved by ERO. By the date that such assets will be transferred by the customers, provisions of Article 11.5 will be applicable.

11.8. The system operator in case of any intention of customers to make use of the provision in Article 11.6, may significantly require tariff adjustment in accordance to the Rule on Pricing and Tariffs. The eventual transferred assets provided in the Article 11.7 will be considered in accordance to the Tariff Methodology approved by ERO.

William's comment

6.1. System operators shall develop the connection charging methodology and procedures in full compliance with the adopted rule by ERO "Tariff Methodology" that includes charges for:

d) circumstances where the electrical lines, heat pipes, or energy plants to be installed are of greater size than that required for use **[does this mean 'connection to the network of the applicant in order to allow for future expansion'?]** of network;

Question/Comment: Yes, but Charging methodology shall consider the reimbursement of customer in the future from newly connected customers

6.2. The Connection Charging Methodology shall make provision for appeals by applicants to ERO against connection offers issued by system operators

6.3. The Connection charging Methodology shall be designed in manner not to discriminate between system users or classes of system user and existing connections and those that have been established after the adoption of this Rule. **[This article should be**

deleted or amended. As existing users will not be charged for current connections, but new users will be, there is inevitable discrimination. Maybe amend to say that the methodology ‘shall be designed in such a manner as not to discriminate between similar parties connecting to the network when charging for new connections or the replacement or alteration of existing connections’?]

Comment: Accepted

Article 7 Application for Connection

Based on the Connection charging methodology and procedures, the applicant submits his application to the supplier that has to be submitted to the system operators as per Annex A of this Rule. [See questions under 4.3(b). This definition appears to require eligible customers and generators to contract with a supplier to provide their connection]

Comment: Considered in the 4.3(b)

8.2. The connection offer shall contain elements in relation to the:

- a) **for those applicants as defined in the Tariff Methodology and Connection Charging Methodology**, works required to connect a system user to existing transmission or distribution networks and for the obtaining of any consents necessary for such purpose; hereby termed as the “shallow connection”;
- b) **for those applicants as defined in the Tariff Methodology and Connection Charging Methodology**, works required for the extension or reinforcement of the transmission or distribution network **to accommodate the expected demand or capacity requirements of the applicant**; hereby termed as the “deep connection”;
- c) **for those applicants receiving suppliers at a voltage level and falling within a maximum demand and distance from the existing distribution network, as defined in the Tariff Methodology and Connection Charging Methodology, a standard connection charge;**

Comment: Accepted

8.8. In the case of establishment of the connection for an eligible customer, the offer and connection agreement might be issued and delivered without involving the supplier. The eligible customer in that case has to sign the Accession Agreement, which is binding for compliance with Market Rules. [Wouldn’t an eligible customer who wished to sign the Market Rules have to hold a supply licence? In which case, they would apply in the same way as any other supplier]

Comment: Accepted

8.9. The deadline for the submission of connection offers may be extended in the event of a difficult connection implying a prior technical study of a network extension or any similar reason according to the provisions of the grid or distribution code or other applicable codes. **In such cases, the study must be completed within ninety (90) calendar days from the date of delivery of the application for connection and the connection offer must be delivered within thirty (30) days of the completion of the relevant study.**

Comment: Accepted

8.10. The Connection Charging Methodology shall, in the event of a dispute over the terms of a connection offer, provide for the applicant to conduct their own technical study at their own cost, and for the system operator to facilitate any such study through the provision of the necessary information for which an appropriate charge may be made.

Comment: Accepted

9.2. In such case a written statement identifying the reasons of refusal has to be issued and delivered to the applicant within a time period not exceeding thirty (30) calendar days from the date of delivery of the application respectively within deadline set in Article 8.9. **[Shouldn't the deadlines match those in Article 8? It may only be possible to identify that a connection is not technically or economically feasible following a technical study]**

Comment: Accepted and included in the Rule

9.4. In the case of refusal applicant has right to appeal to the ERO. The system operator shall make the reference in the issued written statement about right of applicant to submit an appeal in accordance with Rule on Dispute Settlement Procedure. **[I have added a more general provision for appeals in Section 6 – as the applicant may wish to appeal the terms as well as a refusal to make a connection offer. Also, should appeals follow the Dispute Settlement Rule or be through a separate route laid out in the Connection Charging Methodology (at least initially)? I favour the latter as there are issues, such as allowing the applicant to make their own technical study that would be involved in an appeal but may not be covered under the Dispute Settlement Rule]**

Comment: Accepted and since in the article 6 has given general right for any appeal that will be covered only by Dispute Settlement Procedures then it will be more suitable to develop provisions in the Charging Methodology that consider cases for appeal in more specific manner.

11.5. The maintenance of **deep connection elements** shall be responsibility of Transmission and Distribution System Operators and shall be performed without any **additional** charge to customers. **The system operator shall be entitled to make an appropriate initial charge for the capitalised costs of the maintenance of shallow connections applied in a non-discriminatory manner to all users of such connections.**

Comment: Accepted

11.6. The Article 11.5 shall not be applied to the existing connections owned by customers. For maintenance of these connections, system operators will charge the customers **on an ongoing basis** under the price list approved by ERO, **and the tariffs charged to such customers may be adjusted appropriately.** A maintenance of the connection by means of this Article, includes cables/wires connected to the operator network, metering devices and entering fuses (if applicable) of metering boxes. **[Are customers allowed to undertake their own maintenance, subject to the requirement to comply with technical codes? For example, Feronikeli might wish to do so]**

Comment: Accepted

Question: Who is willing to transfer assets to the operators they may under condition to bring it in required technical standards by codes. In the case of Ferronikeli it may be applied and transmission tariff in 220kV voltage has to be adjusted and of course paid by Ferronikeli.

11.7. The customers that own connection points including the metering devices may transfer their assets to the system operators without **compensation** upon bringing in good standing as required in the technical codes issued by system operators and approved by ERO. From the date that such assets will be transferred by the customers, the provisions of Article 11.5 will be applicable. **Transferred assets shall be included in the asset base of the system operator used for the purposes of approving regulated tariffs by ERO in accordance with the principles set out in the Tariff Methodology.**

Comment: Accepted and included

13.1. In order to enter in the use of system, the Party Applicant shall **either be a signatory to the Framework Agreement or sign an Accession Agreement with the Market Operator in its role as Authorised Party under the Framework Agreement** (hereinafter “Authorized Party”).

Comment: Accepted and included

15.4. The supplier reviews the application within 30 days from the date of acceptance **and gives notice in writing of its intention to accept or reject the application**. This deadline may be extended by fifteen (15) calendar days in case additional information is required. The applicant shall be informed about such extension in writing.

Comment: Accepted and included

Article 32 Transitional Provisions

32.1. Within a time period of three (3) months [**The form of connection agreement, under Article 32.8, will only be available 4 months after the rule comes into force. Maybe change one of the deadlines?**] upon the adoption of this Rule, the public supplier on behalf of customers shall submit to the transmission and distribution system operators a single application for connection of all existing [**non-eligible?**] customers.

Question: Yes the signed Agreement will come into place upon 7(seven) months. Seems to long but since issue of reaching a Agreement that will has chance to be implemented in a qualitative way we are in the position to allow parties more time to evaluate actual situation and to identify all weaknesses of connections and to determine the contractual obligations that may fulfil. Particularly the actual organizational situation in the KEK where supply carrying out several functions that belong to network has to be replaced. This action requires time and efforts.

No distinguish between eligible and non-eligible because eligible customers have choice to act as supplier for self supply or under roof of any licensed supplier.

32.2. Within a time period of the next three (3) months upon the submission of a connection application, the public supplier shall implement provisions of Article 10 and sign with the system operator a single connection agreement for all existing [**non-eligible?**] customers. **Prior to the coming into force of such an agreement, the system operators shall continue to provide services to existing customers under the same terms and conditions as were in force prior to the adoption of this Rule.**

Question: Same as per article 32.2

Comment: Accepted and included

Article 8 Supply limitations due to the Network

8.1. In case of supply limitations due to the conditions of the network, the supplier has the right to provide the customers with limited quantity of energy. In such case the supplier will try its best to inform customer at least twenty four (24) hours in advance. [Does ‘network’ include limitations due to lack of generating capacity?]

8.2. The application of previous paragraph might be considered only for cases described in the Article 33 of the Rule on General Conditions of Energy Supply [?? Article 33 refers to derogations from the obligations of the supply contract]

Question: Lack of generation capacities or any other constraint conditions is covered by Rule on Restrictive measures of energy supply that was issued by MEM.

KEMA Comments Prepared by Bob McVean, Eric Davidson, Maurice Smith 17 May 2006

General

1. Rule 28.2 states 'In case of any dispute, the English version shall prevail.' But there are several places where the wrong words are used and in particular 'thought' in place of 'through' in Rule 21.3.

Comment: Accepted

2. We would recommend that there should be clear separation of the provisions for customers whose supplier will conclude a connection agreement on their behalf from those provisions for customers who need a separate connection agreement.

Comment: Recommendation suggested already included. Only eligible customers have right to conclude Connection Agreement.

Specific comments

1. These are based on our understanding of how this needs to work rather than what might be written.
2. 3. – This is not in alphabetical order in English and if there are specific terms they would better be defined here than simply referring to some other document

Comment: Accepted and will be done in final version prior to publish

3. 4.2. (a) and 6 - Suggest this should be limited to those customers with standard connections and loads. Complex issues are better handled directly between the system operator and customer who understand what they are.

Comment: Not accepted. A connection Agreement between SO and Supplier should determine clear procedures of depth involve of Operators in case of mentioned above

4. 4.2 (j) - '. . . and content' should be deleted. The ERO should reasonably approve the form of all contracts to ensure transparency but should not approve all the content applicable to customers in a competitive market. It's not a competitive market if they do.

Comment: Accepted

5. 4.3 (b) – Any one covered by the grid code should conform to its requirements. There are timescales in 4.3 (b), 7.6 (a) and (b), 7.8 (a), 8.2, 14.3, 30. Are they all consistent?

Comment: Yes they are

6. 4.3 (e) - If 'system users' here has the same meaning as defined in the law on electricity, then 'either directly or via their supplier' should be added.

Comment: Accepted

7. 5.1 - As drafted, the use of the word 'charges' rather than 'provision' or similar in the section before the colon suggests individual charges and this would be a nonsense - especially in the case of (g) and (h). This probably needs a simple redraft to fix.

Comment: Accepted

8. 5.1 (e) – Why is 'maintenance and repair' included? We would have expected provision and installation to be part of the connection charge and maintenance and repair to be part of the TUOS/DUOS charge (using those terms as they appear in the ERO document 'Tariff Methodology for the Electricity Sector').

Comment: Since Market Rules are organized differently and Use of System Agreement isn't necessary to be developed the TUOS/DUOS charges as it is in the Market Methodology will consider "maintenance and repair" but in the CA has to be provisioned mutual obligation between contractual parties.

9. 7.3 (a) – Depending on the position regarding a system operator's rights of access to land for network construction in Kosovo, it may be necessary to couch this in terms of a period following the granting of such rights - and place obligations on the SO to seek them.

Comment: This issue cannot be subject of this Rule. The Government already issued Rule on that

10. 7.6/7.8/8.2 - the allowed time periods in these sections don't fit together. As drafted, it is permitted for a system operator to take up to 120 days in total to undertake a study and decide how a connection can be made but only allow 30 days to determine that it's impossible to provide one. A redraft to require a quick refusal where one can be made without undertaking a significant study but allow the result of a significant study (in less than 120 days) to determine the outcome would be preferable.

Comment: Accepted

11. 9.2 - the word 'draft' should be deleted. At this stage it must be final. For transmission covered in the grid code.

Comment: Accepted

12. 12 - 13 - As drafted, this can only apply to eligible customers but it has not been made explicit that this is the case. There are words in bold text that should be defined (what is a 'party applicant').

Comment: Not only to eligible customers for any new entrance in Internal Market. The comment related to "party applicant" is accepted and it will be part of definitions.

13. 16.1 - Suggest this needs to be preceded by 'except as is provided in article 14,'

Comment: Accepted

14. 17.2 - Suggest the words 'taking account of any change in the customer's consumption trends, where appropriate' should be added at the end. Otherwise, there are a lot of reasons why customers may wish to delay access to meter readings.

Comment: Accepted

15. 19 - The principle here is OK, but there are some issues here. For the reasonable consumer, this is as it should be. For consumers who do not wish to pay their bills, however, the obvious first step is to claim that there is a fault in the meter and that it should be tested. Historically, vertically integrated suppliers tended to know which customers fell into which category and developed their debt collection procedures

accordingly. With the introduction of business separation and new suppliers coming on board, it is very easy for the supplier to support the customer and ask the system operator to test the meter - the cost being borne by the system operator. The rules proposed for Kosovo do not include the opportunity to filter requests. If this principle remains then the system operator should have the right to make a charge where no fault is found with the equipment – could be added to the metering code. There would always be a right of appeal to the ERO.

Comment: Could be in the Metering Code but the charging in the case of requested by customers and any no fault found upon testing will be born by customer.

16. 20.3 - Suggest this should read, "In the case of *any errors that result in inaccurate meter reading data causing* incorrect billing, the supplier shall make all necessary adjustments in the following bill." It can be much more than 'inaccurate fixing of meters' that cause incorrect billing.

Comment: Accepted

17. 23.2 - suggest the interest rate should be defined against the base rate of a recognized bank rather than being fixed. The issue is that the supplier will have planned for a certain income level to meet its operational requirements and if the cash it is due doesn't come in as reasonably expected then the short term finance has to come from somewhere. Customers will be subject to the same interest rate fluctuations as the suppliers and, as this is currently drafted, then, depending on difference between the fixed rate in the rules and the flexible market rates it could either be worthwhile delaying payments to suppliers or the rate charged could be much more penal than is reasonable.

Comment: Is considered but in the case of Kosovo in temporary bases because no financial market developed and actual interest rates should be adopted and monitored by ERO

18. 26.1 – Ok but suggest an amendment to article 5.1 of the Rule on Disconnection. In it place a period after 'enterprise' and delete the rest.

Comment: Suggestion will be considered in the future time.

19. 26.5 - this appears to give preferential treatment to non-household customers. Why the discrimination?

Comment: A political decision taken earlier.

20. 27.1 - a small additional payment to cover costs that are not 'direct and provable' and are aimed at some compensation for inconvenience would seem reasonable here.

21. 30.8 - Suggest this is split into two sections, with 'transmission' being inserted between 'The' and 'system' in the first line of the new 30.8 which would then only have sub clauses (a) and (b). A new 30.9 would then read, 'the distribution system operator shall, within (120) calendar days of adoption of this Rule submit to the ERO standard forms of the distribution connection agreement.'

Comment: Accepted