

Pursuant to the authority given under Article 15 and 58.7 of the Law on Energy Regulator, dated 30 June 2004, the Board of the Energy Regulatory Office on a session held on 24. February 2006 has adopted the:

RULE ON DISCONNECTION AND RECONNECTION OF CUSTOMERS IN ENERGY SECTOR IN KOSOVO

Chapter 1: GENERAL PROVISIONS

Article 1 Scope

This Rule sets the criteria by which energy enterprises may disconnect and reconnect customers in energy sector in Kosovo and establishes the applicable standards, principles and procedures.

Article 2 Purpose

The purpose of this Rule is to establish the terms, conditions, and procedures relating to disconnection and reconnection to the networks in order to:

- a) ensure the transparent and non-discriminatory performance of disconnection and reconnection by energy enterprises;
- b) protect customers through promoting transparent and open access to information regarding disconnection and reconnection to the networks; and
- c) ensure the equal and non-discriminatory treatment of all customers in Kosovo with respect to their rights and obligations regarding disconnection and reconnection.

Article 3 Definitions

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

“Disconnection Notice” means the written notification containing provisions in accordance to Article 16 of this Rule that an energy enterprise(Supplier) gives to the customer after expiration of the warning period but prior to disconnection.

“Disconnection” means the discontinuation of a physical link between the premises of a customer and a transmission or distribution network that is executed by Transmission or Distribution on request of Supplier.

“Energy” means any form of produced or obtained energy (electricity, heat or natural gas) intended for supply or sale;

“Energy Enterprise” means any energy enterprise that performs the distribution, or supply of electricity, heat, or natural gas on the basis of a license issued by the Energy Regulatory Office

“Energy Service” means service with produced or obtained energy intended for supply or sale.

“Household Customer” means any natural person using energy for personal household consumption, excluding commercial or professional activities.

“Network” means all assets used for and/or in connection with the provision and/or receipt of energy either belonging to the public domain or to the energy enterprises;

“Non-household Customer” means any natural or legal person purchasing energy not for personal household use and shall include producer and wholesale customers;

“Payment Agreement” means an arrangement between an energy customer and an energy enterprise (Supplier) for the payment of debt;

“Supplier” means any energy enterprise that performs supply, public supply or trade of electricity, heat and natural gas;

“Unlawful Connection” means a link between the premises of a customer and a distribution network for energy supply that has not been authorized or approved by the energy enterprise;

“Warning notice” means the notification, containing provisions in accordance with Article 15 of this Rule that an energy enterprise (Supplier) gives to the customer, prior to the issuance of a disconnection notice, granting him a reasonable time to correct or dispute the reasons for the disconnection.

- 3.2. Other terms used in this Rule shall have the meaning stipulated in the Law on Electricity, Law on Energy, Law on Energy Regulator and Law on District heating.

Article 4

General principles of Disconnection and Reconnection

- 4.1. This Rule sets forth general principles that the energy enterprise shall apply while disconnecting customers and lists the reasons and cases when the disconnection is applied. Each energy enterprise is encouraged to develop specific policies for disconnection that treat customers with respect, in a transparent and non-discriminatory manner. Such policies shall be submitted to ERO for review, and ERO shall approve such policies prior to their application.

In this Rule Distribution performs disconnection and reconnection, investigation of unlawful connection, theft and tampering of meters, and removal of equipment.

All the other activities which are subject of this Rule shall be performed by Supplier.

- 4.2. This Rule sets forth only the principles that are directly related to the disconnection and reconnection. All other dispositions related to the Article 52 of the Law on Energy Regulator are included in the Rule on General Conditions of Energy Supply, issued and adopted by ERO.
- 4.3. Disconnection is an option allowed to an energy enterprise; it is not a requirement placed on the energy enterprise by ERO. The energy enterprise may choose to impose less restrictive measures upon customers than those set forth in this Rule
- 4.4. The energy enterprise shall endeavour to undertake all necessary steps, including the imposition of fines where such fines or other action may eliminate the reasons for disconnection and prevent the disconnection. In the case of non-payment, disconnection is to be used as a last resort where other measures set forth in this Rule and in the Rule on General Conditions of Energy Supply have failed to produce the desired effect.
- 4.5. With respect to warning and disconnection notice provisions, this Rule sets forth the minimum requirements that an energy enterprise shall fulfill. The energy enterprise may, at its discretion, provide additional notice or extend the period of time for warning and disconnection.
- 4.5. This Rule also sets forth the general criteria by which an energy enterprise reconnects customers subject to disconnection. Such customers after the reason for disconnection is eliminated, shall be entitled to prompt reconnection pursuant to reasonable terms and conditions
- 4.7. The energy enterprise is entitled to charge fees for issuance of the disconnection and reconnection notices, and for the disconnection and reconnection of customers, in accordance with and not exceeding the amounts in the guidelines of Attachment 1: Schedule of Prices and Fines.
- 4.8. The energy enterprises shall nominate and certify their employees that may be vested with authority to connect and energize, disconnect or reconnect a customer in their network. No other person, including the other employees of energy enterprises, except those nominated and certified to do so, may do any connection and disconnection or reconnection to energy enterprise network.
Nomination and certification of authorized employees shall be done by energy enterprises on a periodical basis and the names of authorized employees will be publicized in a manner that ensures full customer awareness of the names of those authorized employees.
Discharging of certified employees shall be published in the same manner as well.
The employment of other persons to carry out such work, except those nominated and certified is considered as an offence and in that case fines will be applied in accordance to this Rule and other applicable Laws.”

Chapter 2: COMMERCIAL DISCONNECTION

Article 5

Unauthorized Consumption, Theft or Tampering with the Meter

- 5.1. A customer shall be deemed to have engaged in unauthorized consumption of energy where the customer:
- a) receives energy in a way or amount other than that approved by the energy enterprise and this manner of receipt could create load, pressure or voltage conditions or causes disorder which interrupts the energy supply;
 - b) impedes and/or interferes with the continuous, secure supply of energy or that of another customer, in violation of a contract or agreement with the energy enterprise regarding the method of consumption of energy;
 - c) fails to observe the specifications set forth by the energy enterprise and the relevant and applicable Codes as the case may be, with respect to the establishment and operation of a customer's equipment and the connection of such equipment to electrical or heat installations;
 - d) transmits energy without the consent of the energy enterprise to a place different from the consumption site, or, without the consent of the energy enterprise, passes it on to another user located at a place different from the consumption site;
 - e) fails to comply with restrictions on consumption, pursuant to terms of Rule on General Conditions of Energy Supply; or
 - f) otherwise violates any other authorized use as set forth in Rule on General Conditions of Energy Supply.
- 5.2. A customer shall be deemed to have tampered with a meter where that customer:
- a) willfully or negligently damages the meter or metering equipment, removes the meter seal, or fails to report to the energy enterprise any damage thereto, in accordance with the provisions set forth in the Rule on General Conditions of Energy Supply; or
 - b) receives a supply of energy by disrupting, diverting or otherwise changing the operation of, or circumventing the use of, a meter.
- 5.3. A customer shall be deemed to have consumed energy by theft if that customer draws energy without the energy enterprise's consent or after the energy supply has been suspended.

5.4. The energy enterprise may execute actions in response to unauthorized consumption, theft or tampering only in accordance with its disconnection policies and procedures. Such policies and procedures must be approved by ERO prior to taking effect.

Article 6

Disconnection for Non-payment of Energy

- 6.1. The energy enterprise may disconnect the customer who has failed to pay his or her bill or the installment as set forth in a payment agreement concluded with the energy enterprise, within the deadline and pursuant to the conditions stipulated in the bill or payment provision issued in accordance with the Rule on General Conditions of Energy Supply.
- 6.2. In the event that the customer present clear proof of payment to the energy enterprise of the bill or installment of the payment agreement for which a warning or disconnection notice has been issued prior to disconnection, the energy enterprise shall not disconnect such customer.

Article 7

Disconnection for Other Commercial Reasons

- 7.1. An energy enterprise may disconnect a customer if such customer:
- a) has refused to grant to a representative of the energy enterprise access to property or premises for the purpose of reading/inspecting a meter, pursuant to the requirements set forth in the Rule on General Conditions of Energy Supply;
 - b) falls under the category of non-household customer but is registered as a household customer; or
 - c) has failed to pay a guarantee deposit when required by the energy enterprise, pursuant to requirements set forth in the Rule on General Conditions of Energy Supply.
- 7.2. An energy enterprise shall disconnect a customer where such disconnection is mandated by court order or by some other duly authorized public authority.

Article 8

Allocation of the Payment for Debts

In the event that the Ministry of Labor and Social Welfare provides assistance to an indigent and disadvantaged customer for the purpose of covering in part or in full the debts of such customer against the energy enterprise, the customer is responsible to present proof to the energy enterprise of such assistance. The energy enterprise shall take such assistance into consideration in assessing appropriateness of the disconnection.

Chapter 3: NON-COMMERCIAL DISCONNECTION

Article 9

Disconnection for Health and Safety Reasons

- 9.1. An energy enterprise is entitled to immediately disconnect any customer if such disconnection is necessary to remove an immediate risk to the health and safety of any physical person and / or safety of any property.
- 9.2. Such disconnection may be used in the event of any force majeure or any material accident of installations for the generation, transmission or distribution of energy or other possible risks.
- 9.3. Upon identifying a health or safety risk, the energy enterprise shall endeavor to notify all affected customers before making the disconnection. In the event that the risk or danger is such that notice is not practicable, the energy enterprise shall inform affected customers as soon as possible upon disconnection and explain the reason and expected duration of the disconnection.
- 9.4. The energy enterprise shall, immediately upon addressing or removing the health or safety risks warranting disconnection, reconnect the customer at no cost to the customer, except in the event that such customer is responsible, in part or in full, for creating the dangerous conditions that resulted in the disconnection.

Article 10

Disconnection for Distress or Damage to the Network or Equipment for the Supply of Energy

- 10.1 The energy enterprise may disconnect the premises of any customer for causing distress or damage to the energy plants, energy network or meter in accordance with the Grid Code or the Distribution Code, issued by the energy enterprise and approved by ERO
- 10.2. The energy enterprise shall endeavor to inform all affected customers and shall provide the reasons for disconnection under Article 10.1. Where feasible, such information shall be provided in writing prior to the disconnection. Where not feasible, such information shall be provided in writing immediately after the disconnection.
- 10.3 Such written information shall contain the period of expected disconnection. Such period shall be reasonable and based on the circumstances of the case. If the cause of disconnection is not removed within the period stated in such information, the period may be extended until the completion of the repair. In the event that the period of disconnection must be extended for technical reasons, the customer shall be informed in writing as soon as possible.

Article 11

Disconnection due to Abandonment

In the event that the energy enterprise identifies a connection no longer in use due to lack of human habitation or significant structural damage that precludes safe habitation, it shall post the disconnection notice at the physical location of the concerned connection.

Article 12 Disconnection upon Request

- 12.1. A customer is entitled to request the energy enterprise to disconnect his or her connection to the energy network.
- 12.2. In the event that a customer requesting disconnection has failed to settle debts to the energy enterprise in full, the dispositions regarding the disconnection and reconnection charges and fines, as stipulated in Attachment 1, shall apply unless a separate payment agreement between the customer and the energy enterprise provides more lenient terms to the customer.

Article 13 Disconnection for other Non-Commercial Reasons

- 13.1. An energy enterprise may disconnect a customer when such customer has refused to grant a representative of the energy enterprise access to property or premises for the purpose of inspecting meters, a connection or the operation of energy equipment belonging to the energy enterprise or equipment belonging to the customer in cases of tampering or theft, or where the safety of the customer or other persons is at risk.
- 13.2. For the smallest possible group of customers and the shortest possible period of time, the energy enterprise may curtail or suspend transmission or distribution in the event of:
 - a) malfunctions at electrical/natural gas and/or heat installations;
 - b) extraordinary conditions in the network, power station and fuel supply and after approval by ERO;
 - c) high demand and lack of energy, but only after the energy enterprise has rationed the available energy to the best technical ability subject to approval by ERO; or
 - d) other cases as foreseen in the Grid Code, Distribution Code or other relevant and applicable Codes as the case maybe, approved by ERO.

Article 14 Restrictive Measures of the Government

The Government may introduce restrictive measures for the supply of energy to customers or may impose special obligations on energy enterprises including disconnection, pursuant to Article 25 of the Law of Energy and relevant secondary legislation issued by Ministry of Energy and Mining.

Chapter 4: DISCONNECTION PROCEDURE

Article 15 Warning Notice

- 15.1. Prior to disconnection, in cases listed in Articles 6, 7, 11 and 13.1, a warning notice shall be issued with a bill for outstanding debt and explanation as to the method of remedying non-payment, or a separate warning notice where the reason for disconnection is not non-payment.
- 15.2. The warning notice shall include a provision that the customer will be disconnected if action specified in such warning notice is not performed by the customer within a defined period of time. That period of time shall not be less than sixty (60) calendar days from the date that the warning notice is sent to the customer.
- 15.3. The warning notice shall also include the right of a customer to dispute the intended disconnection and the deadline for such dispute. The deadline for bringing disputes is set forth in Article 19 and shall be counted from the day when the customer is deemed to have received the notice.

Article 16 Disconnection Notice Provisions

- 16.1. An energy enterprise must provide, after the deadline for a warning notice set in Article 15.2 and subject to Article 19 setting forth the period for investigation of disputes, a disconnection notice to the customer prior to disconnection on the grounds of:
 - a) non-payment of an energy bill or installment, as set forth in Article 6;
 - b) failure to pay a guarantee deposit required by energy enterprise;
 - c) unauthorized consumption, theft of energy, tampering or other unauthorized consumption of energy;
 - d) distress or damage to the network or equipment or for operational or maintenance purposes, where feasible;
 - e) abandonment or where the connection is not longer in use; or
 - f) refusal to grant to a representative of energy enterprise access to the property for a purpose of meter reading or inspection.
- 16.2. A disconnection notice is not required in the following circumstances:
 - a) health and safety risks to persons as stipulated in Article 9 of this Rule; or
 - b) per request of the customer.

- 16.3. In reference to the Article 16.2 a) and b), the energy enterprise must provide a written explanation for disconnection as soon as possible after service has been terminated.
- 16.4. A disconnection notice must be delivered in writing to the customer at least ten (10) calendar days prior to the disconnection date stated in the disconnection notice.

Article 17

Content of the Disconnection Notice

- 17.1. A disconnection notice to an energy customer shall include the following:
 - a) the name of the customer and the number of the metering point;
 - b) the reason and legal basis for disconnection;
 - c) the address and contact information of the office where the customer may obtain more information and/or demonstrate that the required measures, if any, have been taken;
 - d) an explanation of actions that the customer must undertake to prevent the disconnection and penalties that will be undertaken if the connection is reconnected without written authorization and any reconnection fees;
 - e) the date of the scheduled disconnection, and any other dates when action is scheduled with respect to the connection;
 - f) the conditions and procedures that the customer shall fulfill to request the reconnection;
 - g) the procedure for filing a complaint against the energy enterprise to avoid or contest termination, and the time and process for response to such complaint; and
 - h) in the case of planned maintenance, the beginning and the end of the period of the intended disconnection.

Article 18

Method of Delivery and Receipt of Notices

- 18.1. The energy enterprise shall deliver warning and disconnection notice in the following manner:
 - a) mailed to the customer at the address shown on the records of the energy enterprise; or by
 - b) personal delivery to the customer or at the address shown on the records of the energy enterprise, whenever possible.

- 18.2. In reference to the Article 18.1 (a) the energy enterprise shall deem that the warning or disconnection notice is received by customer in the period of time not less than two (2) working days upon the delivery day.

Article 19

Dispute and Investigation Prior to the Disconnection

- 19.1. An energy enterprise shall not disconnect a customer who informs and fill in written form complaint to the energy enterprise that he or she disputes the reasons for disconnection, pending investigation of the dispute by the energy enterprise or other responsible authorities.
- 19.2. In the event of such disputes, the energy enterprise or other responsible authorities shall investigate the dispute and communicate its decision to the customer within the deadline set forth in Article 8.3 Rule on Dispute Settlement Procedure in Energy Sector as adopted by ERO. .
- 19.3. Depending upon the circumstances the customer may be asked to explain the reasons for the alleged act or omission and provide any relevant documents.
- 19.4. If a bill is the subject of a dispute, an energy enterprise may not disconnect the customer on the basis of non-payment of a full amount of a bill unless and until the energy enterprise has reviewed and made a determination with respect to the accuracy of such bill.
- 19.5. Until such review and determination is made, the customer shall be required to pay:
- a) the part of bill that is uncontested;
 - b) the average of uncontested bills paid by the customer during the previous six (6) months, where the bill is issued under a payment agreement that has been in effect twelve (12) months or longer; or
 - c) the average of all uncontested bills paid by the customer during the previous three (3) months, where a bill is issued under a payment agreement that has been in effect less than twelve (12) months.
- 19.6. Notwithstanding paragraph 19.1 an energy enterprise may disconnect a customer that fails to pay the amount specified in paragraph 19.5.

Article 20

Temporary relief due to Medical Condition of the Customer

- 20.1. The energy enterprise shall postpone the disconnection of service for up to ten (10) calendar days, if, prior to the disconnection date specified on the disconnection notice, the customer provides to the energy enterprise a medical statement from a licensed physician or public health official certifying that disconnection would be a serious and immediate threat to the health or safety of a designated person in the household of the customer.

- 20.2. The energy enterprise shall postpone the disconnection for no more than one additional ten (10) calendar day period upon the provision of an additional such medical statement.

Article 21

Disconnection during Extreme Weather

21.1 While a disconnection is taking place, the energy enterprise (Electricity Supplier, District Heating) will take all necessary measures to eliminate life or health risks of any customer, during extreme cold weather in winter when:

- a) the previous day's highest temperature did not exceed -3 degrees Celsius, and/or
 - b) meteorological reports predict that the weather will remain at or below -3 ° Celsius degrees for the next 24 hours,
- 21.2. Disposition of the Article 21.1 are applicable for the disconnection of energy from the district heating.

Article 22

Execution of Commercial Disconnection for Individual Customer

- 22.1. The commercial disconnection for individual customers shall be executed by at least two (2) employees of the energy enterprise, during regular working hours, but cannot occur the day before or on the day of an official holiday or on a Saturday or Sunday.
- 22.2. Immediately upon effecting a disconnection, the employee of the energy enterprise shall prepare and submit to the disconnected customer a written report on penalties that shall be assessed for reconnection pursuant to amounts specified in Attachment 1.
- 22.3. In the event that the energy enterprise is physically precluded from gaining access to premises where a disconnection is to take place, the energy enterprise may file a report of the incident with local law enforcement officials.

Article 23

Language of Notices and other Written Communication with Customers

Unless waived by specific written agreement, such as pursuant to a customer contract, all disconnection and warning notices and other written communications with customers concerning service by the energy enterprise shall be written in Albanian, Serbian and English language in a clear, concise, and easily understandable manner.

Chapter 5: RECONNECTION OF ENERGY SUPPLY

Article 24

Unlawful Connection and Reconnection

- 24.1. A customer that connects or reconnects energy service without written authorization from the energy enterprise shall pay charge and fines to the energy enterprise in an amount determined in accordance with Attachment 1.
- 24.2. Such charges and fines shall be added to the amount payable for energy consumed through such unauthorized connection or reconnection.
- 24.3. The customer that is unlawfully connected or reconnected shall be liable to pay the fine as set forth in Attachment 1 and may be charged for:
 - a) the cost of upgrading the connection of the premises to services. Such costs shall not be higher than the cost of establishing of a connection for a new customer; and
 - b) the cost of energy that the energy enterprise estimates was provided to the premises.
- 24.4. If the starting date of the unauthorized consumption, tampering or theft cannot be determined, it will be assumed that it has lasted at least twelve (12) months for household customers and at least twenty four (24) months for non-household customers counting from the date when it was discovered. It is up to customer to prove that the unauthorized consumption, tampering of theft lasted less and to energy enterprise to prove that the usage of electricity lasted longer than the period of time set forth in Article 24.4.
- 24.5. If a customer makes an unauthorized reconnection, the energy enterprise may file a report of the customer's action with local law enforcement officials. The energy enterprise may thereafter remove all equipment and devices including distribution lines/pipelines, metering equipment and other ancillary equipment necessary for establishing the connection at the customer's premises that belongs to the energy enterprise and was used to enable or facilitate such unauthorized connection.

Article 25

Removal of Equipment for Supply of Energy

- 25.1. Removal of the equipment for supply of energy that belongs to the energy enterprise may be done in the circumstances set forth in Article 5, Article 24 and Article 26.2.
- 25.2. Before physically removing all service equipment, the energy enterprise shall make an inventory of all assets that have been removed, and shall make a record of the condition and any damage caused by non-prudent use to such assets by the customer. The record shall be kept for at least one (1) year or until reconnection of energy services, whichever occurs first.

Article 26

Reconnection by the Energy Enterprise

- 26.1. An energy enterprise shall reconnect the premises of a customer not later than two (2) working days after the reason for disconnection has been resolved, including where the customer has paid the full amount of his bill, signed a payment agreement with energy enterprise, or performed the required action that was a cause of the disconnection.
- 26.2. In the event of repeated action resulting in the disconnection or repeated non-payment of bill, an energy enterprise may refuse to reconnect such customer. In such a case, the energy enterprise is entitled to remove the equipment for supply of energy to the customer pursuant to Article 25.
- 26.3. A refusal of supply must be justified in writing with information about the legal and administrative measures available to the customer to dispute such a decision..
- 26.4. Reconnection shall be subject to such charges as set forth in Attachment 1, except where disconnection is done for maintenance purposes or for reasons set forth in Article 9.4. In the latter two instances, the reconnection will be done immediately upon removal of the cause for disconnection at no cost to the customer.

Article 27

Compensation to the Customer in Good Standing

- 27.1. In the event that an energy enterprise fails to follow the disconnection procedure established in the present Rule, a negatively affected customer who is regular in payment of his bills is entitled to compensation from the energy enterprise for direct and provable damages sustained as a result thereof.
- 27.2. The energy enterprise shall compensate the affected customer by providing a credit on future bills.
- 27.3. Calculation of the compensation set forth in 27.2 shall be done in accordance with the Rule on General Conditions of Energy Supply and the contract signed with the customer shall contain related provisions.

Chapter 6: MONITORING AND PENALTIES

Article 28

Reporting, Monitoring and Enforcement

- 28.1. ERO shall monitor compliance of the energy enterprise with disconnection procedures established in this Rule and, in case of non-compliance, may take enforcement action against an energy enterprise.
- 28.2. An energy enterprise shall maintain records of all disconnections and reconnections and shall preserve such records for at least five years.

Article 29 Penalties

- 29.1. Failure of an energy enterprise to comply with the procedures set forth in this Rule shall constitute an offence and may be subject to fines in accordance to the Article 57 of the Law on Energy Regulator.
- 29.2. When imposing a fine, ERO shall notify the energy enterprise of the infringement and provide an opportunity to respond, in writing, within fourteen (14) calendar days of the notification.
- 29.3. If a fine imposed by ERO is not paid, ERO shall initiate court proceedings for the collection of the fine as a civil debt.

Article 30 Criminal Offences

- 30.1. The energy enterprise may bring a complaint in the competent court of jurisdiction against any person who has committed any offence as listed under UNMIK Regulation 2003/25 on Provisional Criminal Code of Kosovo as amended.
- 30.2. Pursuant to Article 30.1, the energy enterprise may bring such complaint against any person who has destroyed, damaged, or removed without authorization the installations or equipment for electrical wires, gas pipes, district-heating equipment, underwater cables, or other similar equipment.

Article 31 Judicial Review

- 31.1. Rule on Dispute Settlement Procedures, issued by ERO, sets forth the procedures by which a customer or an energy enterprise may bring a dispute concerning disconnection or reconnection before ERO.
- 31.2. Decisions of ERO may be subject to appeal in the competent court of jurisdiction in Kosovo.

Chapter 7: TRANSITIONAL PROVISIONS

Article 32 Definitions

- 32.1 For the purpose of the transitional provisions the terms used in this Chapter shall have the following meaning:

“Collective Disconnection” means the disconnection of qualifying group.

“Qualifying Group” means a group of customers in a specific geographical area of energy supply who share a common connection to or delivery points with the energy

enterprise, of which at least ninety percent (90%) of the customers are non-paying, in full or in part, for a minimum of 6 months.

“Registered Customer” means a customer receiving energy from an energy enterprise pursuant to a signed commercial contract with such energy enterprise.

“Transitional Period” shall mean that the period not in excess of eighteen (18) months from the date of promulgation of the Law on Energy Regulator.

“Unregistered Customer” means a customer receiving energy from an energy enterprise without a signed commercial contract with such energy enterprise.

Article 33

Contract for Supply of Energy

- 33.1. In reference to Article 38.4 of the Law on Electricity, and the provisions of the Law on District Heating, an energy enterprise shall prepare and propose to every customer a contract for the supply of energy within the deadline set forth in the Rule on General Condition of Energy Supply.
- 33.2. Contract referred to in Article 33.1 shall contain the elements as stipulated in the Rule on General Conditions of Energy Supply.
- 33.3. In the event of failure to conclude a contract for the supply of electricity within the period set forth in Article 33.1, the energy enterprise may disconnect such customer on the ground of unauthorized consumption of electricity.

Article 34

Disconnection Notice to the Unregistered Customer

A disconnection notice shall be delivered to the unregistered customer at the physical location where the concerned energy consumption occurred.

Article 35

Applicability of the Collective Disconnection

- 35.1. The energy enterprise may apply collective disconnection only in the cases stipulated in this Rule.
- 35.2. Collective disconnection is the transitional measure that may be used by an energy enterprise only within the period of eighteen (18) months from the date of adoption of this Rule in accordance to the procedure set forth in this Rule.

Article 36

Collective Disconnection

- 36.1. Collective disconnection shall be used as a means of last resort and the energy enterprise shall endeavour to limit it in duration and extent to the maximum extent possible.
- 36.2. Where the circumstances as set forth in paragraph 36.3 have ceased to exist, customers in good standing shall be reconnected at no cost to such customers.
- 36.3. Collective disconnections may be carried only where an energy enterprise can demonstrate to the satisfaction of ERO that:
 - a) a group of non-paying customers subject to the proposed disconnection is a qualifying group; or
 - b) the energy enterprise has been physically precluded from meter readings or conducting maintenance activities within a defined area; or
 - c) individual disconnection of each of the non-paying customer is not technically feasible.
- 36.4. When applying for approval for collective disconnection, an energy enterprise shall submit to ERO the following information and /or documents:
 - a) the physical point in the energy distribution where the collective disconnection will take place;
 - b) the number and percentage of customers within the qualifying group that are not in good standing;
 - c) copies of all undisputed bills, warning notices and disconnection notices or relevant extracts of records for each customer within the qualifying group; and
 - d) evidence that the energy enterprise has published the public announcement in accordance with Article 37.

Article 37 **Publication of Public Announcement**

- 37.1. Prior to effecting a collective disconnection, an energy enterprise shall issue a public announcement of its intention to effect a collective disconnection in a newspaper of wide circulation in the concerned area at least five (5) working days prior to intended date of a collective disconnection.
- 37.2. Such public announcement shall contain the reasons for collective disconnection, announce the right of any affected customer in good standing to claim compensation from the energy enterprise pursuant to the terms of the present Rule, and be prepared in Albanian, Serbian and English language.

37.3. The energy enterprise shall post copies of such announcement in highly visible locations in the concerned area.

Article 38

Execution of Collective Disconnection

38.1. A collective disconnection shall be effected in accordance with the following procedure:

- a) the first disconnection period shall be forty-eight (48) hours;
- b) upon the conclusion of the first disconnection period, the energy enterprise shall reconnect services for a consecutive period of not less than forty-eight (48) hours;
- c) if, upon the conclusion of the first reconnection period, the grounds for the collective disconnection remain, the energy enterprise shall apply in writing to ERO for approval to extend the period of disconnection for a specified amount of time, pursuant to identified conditions including additional disconnection notice.

38.2. Applications for the approval of an extended collective disconnection period shall follow the procedures set forth in this Rule and must also include the amount of compensation that the energy enterprise proposes to pay to good-standing customers as well as any other measures to alleviate the adverse impact of such a collective disconnection on a good standing customer.

38.3. If, at any time during the collective disconnection, the grounds for the collective disconnection change such that the criteria for collective disconnection are no longer satisfied, the enterprise energy enterprise shall immediately cease the collective disconnection, restore energy supply, and immediately inform ERO.

Article 39

Derogation during the Transitional Period

39.1. ERO shall review all energy enterprise policies and procedures in effect prior to the adoption of this Rule regarding the disconnection and reconnection of customers. The energy enterprise must submit such policies to ERO within thirty (30) calendar days of the adoption of this Rule, and ERO shall review and make a decision whether to approve such policies within thirty (30) calendar days of their submission to ERO.

39.2. Pursuant to Article 39.1, derogation of the dispositions of this Rule may be approved by ERO only if:

- a) such policies do not discriminate against any customer on national, racial, ethnic, religious or other such similar grounds;
- b) such policies are in effect only for the transitional period of a maximum of eight (8) months from the date of adoption of this Rule.

- 39.3. If, upon review of the energy enterprise policies, ERO requires additional information from the energy enterprise to justify or explain terms of its policies, the energy enterprise shall provide such information to ERO promptly upon request from ERO.

Chapter 8: MISCELLANEOUS PROVISIONS

Article 40 Modification

- 40.1. The amendment or modification shall be made only if it is necessary to further the objectives of ERO and shall be made by decision of the Board.
- 40.2. Any proposal for amendment or modification of this Rule shall be sent to ERO in writing or initiated by ERO itself.
- 40.3. The decision shall be published on ERO's website and whenever possible in daily newspapers, television and radio, at least thirty (30) calendar days prior to the entrance into the force.

Article 41 Official Language of the Rule

This Rule is issued in Albanian, Serbian and English language. In case of any conflict regarding the meaning of the terms in this Rule based on language, the English version shall prevail.

Article 42 Publicity

- 42.1. This Rule shall be adopted on the public session, upon the public consultation and shall be published in ERO Bulletin and on ERO web site.
- 42.2. The energy enterprise shall inform customers about the dispositions of this Rule in the most practicable combinations of mail and/or newspaper advertisement or other media.

Article 43 Entry into Force

- 43.1. This Rule shall enter into force on the date of adoption by the Board of ERO and publication on the web site of ERO.
- 43.2. The dispositions of this Rule shall apply to all energy enterprises carrying out public services and their customers in Kosovo.

43.3. This Rule shall substitute any direction, decision and instructions issued regarding the disconnection and / or reconnection, inconsistent with the dispositions of this Rule.

Chairman of the Board of ERO:

Members of the Board: _____

Attachment 1: Schedule of Charges and Fines

A. Preparation and delivery of the disconnection and /or reconnection notice	€ 10.00
B. Disconnection and reconnection (for Household Customers)	€ 50.00
C. Disconnection and reconnection (for Non-household customers)	€ 100.00
D. Disconnection and reconnection for	



Unauthorized use, Tampering meter and Theft	€1000.00																																													
E. Illegal reconnection of the premises after disconnection by energy enterprise (for House holds and Non-households of registered customers)	<table border="1"> <thead> <tr> <th>Tariff Group</th> <th>Description</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>1/1</td> <td>110 KV-2</td> <td>€ 2.000</td> </tr> <tr> <td>1/2</td> <td>35 KV –2</td> <td>€ 2.000</td> </tr> <tr> <td>1/3</td> <td>10 KV –3</td> <td>€ 2.000</td> </tr> <tr> <td>4/01</td> <td>0.4 KV HH Single TM-4</td> <td>€ 100</td> </tr> <tr> <td>4/02</td> <td>0.4 KV HH Double TM-4</td> <td>€ 100</td> </tr> <tr> <td>5/41</td> <td>Prepaid HH</td> <td>€ 100</td> </tr> <tr> <td>5/71</td> <td>Prepaid Commercial</td> <td>€ 300</td> </tr> <tr> <td>6/6</td> <td>0.4 KV Cat. 1-6</td> <td>€ 300</td> </tr> <tr> <td>7/01</td> <td>0.4 KV Cat.2 Single TM-7</td> <td>€ 300</td> </tr> <tr> <td>7/02</td> <td>0.4 KV Cat.2 Double TM-7</td> <td>€ 300</td> </tr> <tr> <td>8/01</td> <td>Public Lighting-8</td> <td>€ 300</td> </tr> <tr> <td>9/1</td> <td>Fixed Rate < 400 kWh</td> <td>€ 100</td> </tr> <tr> <td>9/2</td> <td>Fixed Rate 400-800 kWh</td> <td>€ 100</td> </tr> <tr> <td>9/3</td> <td>Fixed Rate > 800 kWh</td> <td>€ 100</td> </tr> </tbody> </table>	Tariff Group	Description	Amount	1/1	110 KV-2	€ 2.000	1/2	35 KV –2	€ 2.000	1/3	10 KV –3	€ 2.000	4/01	0.4 KV HH Single TM-4	€ 100	4/02	0.4 KV HH Double TM-4	€ 100	5/41	Prepaid HH	€ 100	5/71	Prepaid Commercial	€ 300	6/6	0.4 KV Cat. 1-6	€ 300	7/01	0.4 KV Cat.2 Single TM-7	€ 300	7/02	0.4 KV Cat.2 Double TM-7	€ 300	8/01	Public Lighting-8	€ 300	9/1	Fixed Rate < 400 kWh	€ 100	9/2	Fixed Rate 400-800 kWh	€ 100	9/3	Fixed Rate > 800 kWh	€ 100
	Tariff Group	Description	Amount																																											
	1/1	110 KV-2	€ 2.000																																											
	1/2	35 KV –2	€ 2.000																																											
	1/3	10 KV –3	€ 2.000																																											
	4/01	0.4 KV HH Single TM-4	€ 100																																											
	4/02	0.4 KV HH Double TM-4	€ 100																																											
	5/41	Prepaid HH	€ 100																																											
	5/71	Prepaid Commercial	€ 300																																											
	6/6	0.4 KV Cat. 1-6	€ 300																																											
	7/01	0.4 KV Cat.2 Single TM-7	€ 300																																											
	7/02	0.4 KV Cat.2 Double TM-7	€ 300																																											
	8/01	Public Lighting-8	€ 300																																											
	9/1	Fixed Rate < 400 kWh	€ 100																																											
	9/2	Fixed Rate 400-800 kWh	€ 100																																											
9/3	Fixed Rate > 800 kWh	€ 100																																												
F. Fines for energy enterprise non-compliance with the disposition of this Rule	€ 2,000.00 for energy enterprise per case; 1/3 from salary of authorized person																																													