

**Prishtina 11/02/2005**

**ERO Code: D\_01\_2005**

## **The Energy Regulatory Office**

Taking into account:

1. The provisions of Law no. 2004/9 “On Energy Regulator”;
2. The provision of Law no. 2004/10 “ On Electricity”;
3. Policies submitted by Korporata Energjetike e Kosoves (“KEK”) to ERO in November 2004;
4. Comments to the policies provided by ERO and meeting with ESBI/KEK held on 6th January 2005;
  1. Letter of KEK dated 24<sup>th</sup> January 2005 and 9<sup>th</sup> February;
  2. The consent of the members of the Board reached on 10<sup>th</sup> February 2005

**We decide to:**

- a) Approve the Criteria of determining and calculating unauthorized use of electricity- Flat Rate Tariff Criteria, as presented in Paragraph 2 below.
- b) Approve the Legalization Costs as presented in Paragraph 3 below.
- c) The Recuperation Period is not the subject of this Decision.

### **1. Categories of Customers and Conditions**

This decision is applicable to the unauthorized use of electricity on networks at a 0.4 kV voltage level with current not exceeding 60A (three phase), on the following categories of customers:

- a) House-hold customers;
- b) non-household customers with surface area that does not exceed 25 m<sup>2</sup>;
- c) other non-household customers;

under any or more of the following conditions:

- a) Such customer does not have a signed commercial contract with KEK for the supply of electricity;

- b) Such customer uses the electricity without metering devices;
- c) KEK could not gain access to read the consumer’s meter for more than one (1) year;
- d) Such customer is not registered in KEK database;

**2. The Criteria of determining and calculating unauthorized use of electricity- Flat Rate Tariff Criteria**

2.1. Because of the very large number of customers as defined in paragraph 1 and limited resources of KEK to treat them individually, combined with the inability of access in many cases and for reasons of simplicity, it is proposed that the criteria for estimation of consumption shall be replaced by a flat rate tariff.

2.2. KEK shall calculate the tariffs in accordance to the following criteria:

- Group-A: Household (Two bedrooms or less) Tariff applicable: 9/1
- Group-B: Household (Between 3 and 5 bedrooms) Tariff applicable: 9/2
- Group-C: Household (More than 6 bedrooms) Tariff applicable: 9/3
- Group-D: Non-household customer under 1 (c) (Less than 60A 3-phase) Tariff applicable: 9/3
- Group-E: Non-household customer under 1 (b) (kiosks or temporary construction) Tariff applicable: 9/1

2.3. Tariff

Reference	Flat Rate tariff (Vat is not included)	VAT	Flat Rate Tariff including VAT	Public Broadcasting Fee	Total Rate
9/1	€20.00	15%	€23.00	€3.50	€26.50
9/2	€36.00	15%	€41.40	€3.50	€44.90
9/3	€61.00	15%	€70.15	€3.50	€73.65

**3. Legalization procedures and Legalization Costs**

3.1. In order to legalize customers as defined in paragraph 1, KEK shall offer to each customer to:

- a) sign the supply contract in accordance to the Article 38.3 and 38.4 of the Law on Electricity;
- b) sign the Debt Settlement Contract;
- c) pay the charge and the amount of debt in the manner and installments as set forth under the signed Debt Settlement Contract;

3.2. Costs for legalization of the customers shall include:

- i) €100.00 for the service cable
- ii) €30.00 charge for work on connection to the network

- iii) €80.00 for the meter
- iv) €20.00 connection fees

3.3. Costs for legalization shall be added to the total amount of debt – subject to the Debt Settlement Contract.

#### **4. Balance of Customers illegally connected to the network**

4.1. For the Customers connected to the Network at a voltage level 0.4kV and higher, or with supply requirement exceeding 60A 3-phase, the legalization cost will be determinate on a case by case basis and debt in reference to the Article 45 of the General Conditions of Power Supply, Official Gazette of Kosovo No. 15 of 30 march 1982.

4.2. The Article referred to in 4.1 shall apply until the Energy Regulatory Office issues the new Rule on General Conditions for Energy Supply, which will become the applicable legislation for the energy sector on Kosovo.

#### **5. Applicability**

5.1. This Decision shall be published by the KEK, in at least one local daily newspaper of wide circulation in Kosovo, within five (5) working days after the Energy Regulatory Office's announcement and publication of the decision on the official ERO web-site.

The provisions of this decision will apply until the adoption of the relevant Rule by the Energy Regulatory Office as set forth in Article 58 of the Law on Energy Regulator.

The KEK has the right to appeal to ERO by submitting a fully substantiated report, within fourteen (14) working days after the announcement and publication of the decision on the official ERO web site.

**On behalf of ERO**  
**Dr. Nick F Frydas**  
**Chairman of the Board**