

**Prishtina 10/04/2005**

**ERO Code: D\_02\_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 Energy Regulatory Office (“ERO”) in November 2004;
4. Comments to the policies provided by ERO and meeting with ESBI/KEK held on 6<sup>th</sup> January, 25<sup>th</sup> February and 25<sup>th</sup> March 2005 respectively;
5. Letters of KEK dated 8<sup>th</sup> February, 8<sup>th</sup> March and 22<sup>nd</sup> March 2005 respectively;

### **Has decided to:**

- a) Approve the request of KEK regarding the Disconnection Procedure as set forth in Chapter 1 of this Decision.
- b) Approve the request of KEK regarding the Schedule of Charges and Fines as set forth in Chapter 2 of this Decision.

## **Chapter 1: Disconnection Procedure**

### **1. Disconnection Notice Provisions**

KEK issues a disconnection notice to the customer prior to disconnection on the grounds of:

- a) non-payment of an electricity bill or installment of an electricity bill;
- b) unauthorized consumption, theft of energy, tampering or other unauthorized consumption of energy;
- c) distress or damage to the network or equipment, or for operational or maintenance purposes, where required;
- d) abandonment or where the connection is not longer in use; or
- e) refusal to grant to a representative of KEK access to the customer’s premises for the purpose of meter reading or inspection.

### **2. Reasons when a disconnection notice is not issued by KEK**

A disconnection notice is not required in the following circumstances:

- a) health and safety risks to persons; or
- b) for disconnection by request of the customer.

### **3. Disconnection notice period**

A disconnection notice must be delivered in writing to the customer at least ten (10) working days prior to the disconnection date stated in the disconnection notice.

### **4. Content of the Disconnection Notice**

A disconnection notice to a customer shall include the following:

- a) the name of the customer and the serial 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) the date of the scheduled disconnection;
- e) the conditions and procedures that the customer should fulfill in order to request reconnection;
- f) the procedures for filing a complaint against the energy enterprise in order to avoid or contest termination, and the time and process for response to such complaint

### **5. Method of Delivery and Receipt of Notices**

KEK will deliver the disconnection notice in the following manner:

- a) mailed to the customer at the address shown on the records of the energy enterprise; or
- b) personal delivery to the customer or a member of his/her household at the address shown on the records of KEK.

### **6. Dispute and Investigation Prior to the Disconnection**

6.1. KEK shall not disconnect a customer who informs KEK that he or she disputes the reasons for disconnection, pending investigation of the dispute by KEK or other responsible authorities.

6.2. In the event of such disputes, KEK or other responsible authorities shall investigate the dispute and communicate its decision to the customer in the shortest possible time

6.3. Depending upon the circumstances the customer may be asked to explain the reasons for the alleged act or omission and provide any relevant documents.

6.4. If a bill is the subject of a dispute, KEK will not disconnect the customer on the basis of non-payment of a full amount of a bill unless and until KEK has reviewed and made a determination with respect to the accuracy of such bill. Until such review and determination is made, the customer shall be required to pay:

- a) the part of bill that is uncontested; or
- b) the average of uncontested bills paid by the customer during the previous six (6) months, where the bill is issued under a commercial contract 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 commercial contract that has been in effect less than twelve (12) months.

6.5. Notwithstanding this arrangement KEK will disconnect a customer that fails to pay the amount specified in 6.4.

## **7. Access to premises**

In the event that KEK is physically prohibited from gaining access to premises where a disconnection is to take place, KEK will file a report of the incident with local law enforcement officials.

## **8. 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.

## **9. Unlawful connection and reconnection**

9.1. A customer that connects or reconnects energy service without written authorization from KEK shall pay a penalty to KEK equal to an amount determined in accordance with Chapter 2 of this Decision.

9.2. Such penalty shall be added to the amount payable for energy consumed through such unauthorized connection or reconnection.

9.3. If a customer makes an unauthorized reconnection, KEK may file a report of the customer's action with local law enforcement officials. KEK 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 and was used to enable or facilitate such unauthorized connection.

9.4. The customer that is unlawfully connected or reconnected shall be liable to pay the fine as set forth in Chapter 2, 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, except where the customer can produce satisfactory evidence that he or she did not occupy the premises during the time of alleged consumption . In such case such customer shall be liable only for the period during which he/she occupied the premises.

## **10. Reconnection by the energy enterprise**

10.1. KEK shall reconnect the premises of a customer no later than two (2) working days after:

the reason for disconnection has been resolved, including when the customer has paid the full amount of his bill, signed a payment agreement with KEK, or performed the required action that was the cause of the disconnection.

10.2. In the event of repeated action resulting in the disconnection or repeated non-payment of bill, KEK may refuse to reconnect such customer. In such a case, KEK is entitled to remove the equipment for supply of energy to the customer

10.3. In the case of repeat violations the fine imposed may be two times greater than the amount authorized in Schedule of Charges and Fines.

10.4. Each time when the violation is repeated KEK may impose the fine as set forth in Article 10.3 of this Decision.

10.5. Reconnection shall be subject to such charges as set forth in Chapter 2, and in Article 10.2 except where disconnection is done for operational/maintenance/distress and/or other technical reasons of the network.

### Chapter 2: Schedule of Charges and Fines

A. Preparation and delivery of the disconnection notice	10 – euro
B. Disconnection (Household) and reconnection (Household)	50 – euro
C. Disconnection (Non- Household) and reconnection (Non- Household)	100 – euro
D. Disconnection and reconnection for Unauthorized use, Tampering meter and Theft	1000- euro
E Illegal reconnection of premises after premises were disconnected by KEK (Household and Non- Households)	Tariff Group Description Amount
	1/1 110 KV-2 2.000 -euro
	1/2 35 KV –2 2.000 -euro
	1/3 10 KV –3 2.000 -euro
	4/01 0.4 KV HH Single TM-4 100 -euro
	4/02 0.4 KV HH Double TM-4 100-euro
	5/41 Prepaid HH 100-euro
	5/71 Prepaid Commercial 300 -euro
	6/6 0.4 KV Cat. 1-6 300 -euro
	7/01 0.4 KV Cat.2 Single TM-7 300 -euro
	7/02 0.4 KV Cat.2 Double TM-7 300 -euro
	8/01 Public Lighting-8 300 -euro
	9/1 Fixed Rate < 400 kWh 100-euro
9/2 Fixed Rate 400-800 kWh 100-euro	
9/3 Fixed Rate > 800 kWh 100-euro	
D. Fines for energy enterprise non-compliance with the disposition of this Decision	2000 euro for energy enterprise per case; 1/3 from salary of authorized person

## 11. Applicability

11.1. This decision is applicable to all customers in Kosovo that use electricity services provided by KEK.

11.2. This Decision shall be published by the KEK, in at least one local daily newspaper of wide circulation in Kosovo, five (5) working days upon the deadline set forth in 11.5 of this Decision.

11.3. 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 this decision on the official ERO web site.

11.4. KEK shall start to implement the provisions of this decision within 60 days from the date of its publishing by the ERO.

11.5. This Decision shall be substituted by the Rule on Disconnection issued by the Board of the ERO as set forth in Article 58 of the Law on Energy Regulator.

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**On behalf of ERO**

**Dr. Nick F Frydas**  
**Chairman of the Board**