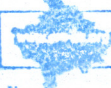


Prishtina 20/ 09/2006
ERO Code: D_14_2006
Reference No ERO/CPD_R_06_07_06

The Board of the Energy Regulatory Office

	
Energy Regulatory Office Zyra e Rregullatorit per Energji Regulatorni Ured za Energiju	
Nr:	Depart:
Pranuar/Received: 28.09.06	Dorezuar/Sent: 28.09.06

Taking into account:

1. The competences given to the Energy Regulatory Office in the Article 17.1 of the Law on the Energy Regulator;
2. The provisions of the Chapter 3 of the Rule on Dispute Settlement Procedure;
3. Directive of ARRSHPK No. 13-02/ENQ dated November 8th 2002, on Interim Procedures and Tariffs for big customers
4. Customer request no. 2230, dated 13.06.2006 directed to the supply division– customer department in KEK (Prizren district);
5. Reply of the Supply division– customer department in KEK on the customer request no. 2230, dated 29.06.2006;
6. Customer complaint in CPD of ERO No 12/7 2006, on date 03.08.2006 where customer is appealing the reply given by KEK on 29.06.2006;
7. Recommendation of CPD to the Board of ERO, in compliance with Article 14.5 of Rule on Dispute Settlement Procedures, dated 16.08.2006 No ERO/CPD_06_07_06; and
8. Article 18 of the Rule on Dispute Settlement Procedure

On the session held on 20.09.2006 brought this:

DECISION

The complaint of customer Skyfter Elshani – Separation Co “Egzoni”, Piranë Prizren, **IS REFUSED** due to the reason set forth in Justification of this Decision.

Justification

1. Customer Skyfter Elshani (Separation “Egzoni” Piranë) in his complaint no. 2230 directed on 13.06.2006 to the supply division – customer department in KEK (Prizren district), has sent a request to reexamine the billing of the demand charge of power

- registered in the maxigraph. The customer doesn't dispute the correct reading of the maxigraph but objects the high tariff of the demand charge.
2. On 29.06.2006 the supply division – customer department, Prizren district has replied to the customer request no. 2230. in this reply KEK explains to the customer the legal basis for the demand charge, and instructs the customer on his right to appeal the reply of KEK to ERO.
 3. On 03.08.2006 the customer appeals against the reply of KEK in CPD of ERO. The CPD has registered the customer's complaint in the complaints register no. 12/7 2006.
 4. The Customer Protection Department on 16.08.2006 has reviewed the complaint no. 12/7 2006, and reviewed the documents provided by the customer and recommends the Board of ERO to refuse the complaint no. 12/7 2006 due to the following:
 - 4.1 KEK has operated on the basis of the applicable legal framework, in particular by implementing the ARRSHPK Directive No. 13-02/ENQ on November 8th 2002, on Interim Procedures and Tariffs for big customers, which is still in effect.
 - 4.2 KEK has carried a regular and correct reading of the demand charge (maxigraph).
 - 4.3 Has respected the foreseen terms for the reply of the customer complaint in accordance to the Rule on Dispute Settlement Procedure in the Energy Sector;
 5. On 20.09.2006 the Board of ERO held a session and reviewed all documents presented, and decided **to refuse** the appeal of the Customer due to the reasons as set forth in Article 4 of this Decision.

Legal Advice:

Against this Decision the customer may initiate the court procedure in the Municipal Court in Prishtina **within fourteen (14) days** of the date of acceptance of this Decision.

Chairman of the Board of ERO

Members of the Board:

