



Prishtinë: 18.09.2008  
ERO Code: V\_120\_2008  
Reference No: ZRRE/DMK\_R\_120\_09\_08

### Board of the Energy Regulatory Office

Taking into account

1. Competences of the Energy Regulatory Office provided under sec. 17 of the Law on Regulatory Office;
2. Provisions pursuant to Chapter 3, sec. 16 of the Rule on Dispute Settlement in the Energy Sector;
3. Evidences and procedures presented by the parties;
4. Recommendation of ERO CPD: ZRRE/DMK\_R\_120\_09\_08 and
5. Section 18 of the Rule on Dispute Settlement in the Energy Sector.

In its session held in 18 Sept. 2008 issued this:

### DECISION

The appeal of the customer RrKTT (customer code (DPR – 9024805) in Rahovec municipal village of Zatriq,) is **ACCEPTED** as set forth in the justification of this decision.

### Justification

The customer in its complaint addressed to ERO CPD dated 21.Dec.2007 has appealed the KEK JSC reply- Supply Division- Customer Department dated 07. Feb.2008, regarding the KEK Charges to the customer.

- In 01. Dec. 2006 the Kosovar Network for landline Telecommunications (RrKTT) has addressed KEK with a request regarding the justification of the RrKTT ownership over the energy power lines with destination on Golesh, Zatriq, Cërrnushë, Maje të gjelbër and Butovë, since according to RrKTT it often happens that the customers are switched into their network under the pretext that they have KEK's approval.

**Evidence:** RrKTT written request dated 01. Dec.2006

- In Dec.1<sup>st</sup>, 2006 KEK has replied to RrKTT through a notification by which KEK does not give any electric-energy approval for connection into network for any customers without having



the RrKTT approval as well. Namely, both RrKTT and KEK approvals are required for granting an electric –energy approval for connection into a network.

**Evidence:** KEK Notification for RrKTT in 01.Dec.2006

- Following the customer’s declarations and an internal RrKTT report compiled during the month of March 2007 it has been mentioned that at the end of Feb. 2007 there has happened an atmospheric discharge into a power-line in Zatriq and that RrKTT together with the representatives of the “AFION” firm which is responsible for electric work have gone out on site. The representatives of the “AFION” firm have ascertained that the current measurement transformers (TMRR) have been damaged and replaced with new TMRRs.

**Evidence:** Internal RrKTT Report on the status of TMRRs

- In 01 March 2007, the “AFION” firm has prepared a work record by which it has been said that by way of RrKTT request has taken place the replacing of TMRR from 400/5 A in 100/5, in the transformer of the antenna site in Zatriq- Rahovec.

**Evidence:** Work record dated 01/March/2007

- In 4 July 2007 KEK- Network division in Prishtina has compiled a report no. 1621 by which a detailed control of the RrKTT metering group- Zatriq has been performed. In KEK report were taken the data from the customer’s metering group and in there under the remarks has been stated that: electric energy calculation constant value is C=20, TMRR-100/5, while it has been calculated with a constant value of C=80. It has also been mentioned that the meter number does not match with the KEK CCP Program data and that KEK team has ascertained the meter number to be 17707810.

**Evidence:** KEK Report no. 1621 dated 18.Oct.2007

- In 10 July 2007 the customer has submitted a complaint with the KEK CPD relative to billing corrections for the months of: March, April, May and June 2007.

**Evidence:** Customer’s complaint to KEK

- In 7 Dec.2007 KEK has replied to the customer by PARTLY approving the customer’s appeal and by correcting invoices 7, 8, 9, 10, 12/07. The corrected value if indicated financially reaches the amount of 17,271.34 €.

**Evidence:** KEK reply

- In 21 Dec. 2007 the customer has appealed the KEK reply before ERO CPD.



**Evidence:** Customer's complaint addressed to ERO CPD

ERO CPD while analyzing all the evidences submitted by KEK JSC and the customer recommends the ERO Board to Accept the customer's complaint due to the justifications presented below:

1. KEK has performed the correction of invoices only for the period 04 July 2007 until 11/2007 pursuant to KEK report no. 1621 dated 04 July 2007.

**Evidence:** KEK reply and KEK report no. 1621

2. KEK has continued to bill the customer by a constant 80 as the invoices of the 08, 09, 10, 11/2007 show, although the KEK report on detail check of the metering group has been made in date 4 July 2007.

**Evidence:** KEK invoices of the period 08, 09, 10, 11/2007 and KEK Report dated 4 July 2007.

3. KEK has decided to bill the customer by a constant 80 in the month of 12/2007 although the customer has appealed to KEK for correction of invoices in the month 10/2007.
4. KEK has corrected the electric energy bills for the months 07/2007 through 11/2007 based upon the KEK report no. 1621 dated 04 July 2007, namely they did not correct the previous invoices justifying that RrKTT does not possess any official document by which it could be proved that TMRR are replaced in March 2007.
5. According to the customer's transactions it is clearly indicated that the electric energy bills have been significantly increased from March 2007 and further.

**Evidence:** Customer's transactions

6. Following KEKs reading lists of the periods from 02/2007 until 12/2007 it is obvious that from the period 03/2007 the electric energy spending has been significantly increased and this is evident by seeing the customer's transactions.

Along with the aforementioned facts on customer's consumption, CPD ascertains that the customer has replaced the metering transformers since March 2007 and that the constant of this metering group since this month has been C=20. KEK reader did not make the regular reading and in the same time did not correctly read the metering group.

CPD recommends the Board to accept the complaint of the customer and that KEK re-calculate the customer's consumed energy for the month 3,4,5 by taking the constant value of the group to be C=20. ERO Board has reviewed all the submitted documents and has decided to accept the customer's complaints due to the reasons presented in the ERO CPD recommendation. Pursuant to this decision, KEK is obliged to:



1. KEK is obliged to recalculate the energy consumed by the customer for the months 3, 4, 5, 6 of the year 2007 taking the constant value of the metering group to be C=20.

**Legal remedy:** Against this decision, the party has the right to initiate a court hearing before the competent court in Prishtina, within fourteen (14) days since the day of receiving this decision.

**ERO Board:**

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Ali Hamiti, Chairman

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Theranda Beqiri, member

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Nysret Avdiu, member