



Prishtinë: June 24th, 2008  
ERO Code: D\_093\_2008  
Reference No. ERO/CPD\_D\_68\_01\_07

### Board of the Energy Regulatory Office

Taking into account:

1. Competences granted to Energy Regulatory Office under sec. 17.1 of the Law on Energy Regulator;
2. Provisions of Chapter 3 of the Rule on Dispute Settlements in the Energy Sector;
3. Evidences and processes submitted by the parties;
4. ERO CPD's decision: ZRRE/DMK\_V\_68\_01\_07 dated January 15<sup>th</sup> 2008;
5. Submission of the appeal to CPD's decision addressed by the customer to ERO Board dated March. 6<sup>th</sup>, 2008;
6. Sec. 18 of the Rule on Dispute Settlements in the Energy Sector.

In its session held in June 24<sup>th</sup>, 2008 issued this:

### DECISION

The appeal of the customer Mr. Salih Llumnica (KEK customer code: DPR – 70476) from Besiana against CPD's decision is **REFUSED** due to the reasons presented in the justification of this decision.

### Justification

1. The customer in ERO has appealed the KEK JSC's reply dated Nov 21st, 2006 with reference no. DPR – CO1 relative to random billing.
2. In June 14th 2006 KEK JSC has made the Process no.7 on removal and replacement of the meter for calibration, by way of this process the old meter with no. 21061730 with status T1=07502 kWh and T2=00002 kWh of SIEMENS was removed and the new meter with no. 39958057 with a status T1=00007/00310 kWh with T2=00006/00682 kWh of ISKRA has been installed..
3. In July 12th, 2006, after the customer's request, the KEK authorized team has gone on site and according to record no. 008394 asserts that the customer possesses an electric meter SIEMENS 20304 me nr. 21061730, and with the status T1=07502 kWh and T2=00002 kWh, with distribution seal no. 046906. Always according to the same record, the meter of the customer has been replaced and a two-tariff ISKRA meter with no. 39958057 ,status T1=00384 kWh and T2=00861 and with seal no. 10084288 has been installed.



4. In Nov.21<sup>st</sup>, 2006 the customer has filed a complaint to KEK JSC- Supply Division-Customer's Department regarding the random billing charged by KEK JSC.
5. KEK JSC- Supply Division-Customer Department in their reply given to the customer explain that until 06/2004 the customer has been billed with the meter,
6. From 06/2004 he has been randomly billed since he did not have an electrical meter. In the same time in the reply it is emphasized that the customer has placed the meter in 07/2006 and from that date he is billed according to the status. Further in its reply, KEK explains that in Oct. 16<sup>th</sup>,2006 in the customer's card it has been corrected the amount of 276.00€.
7. In May 14<sup>th</sup>, 2007 the customer in his complaint no. 66/05 2007,has addressed the ERO CPD appealing the KEK JSC's reply dated Nov. 21<sup>st</sup>, 2006 requesting that the random debt is deleted and he is billed according to the status.
8. In January 15<sup>th</sup>, 2008 ERO CPD while analyzing all the presented evidence from the customer and KEK JSC has decided to partly accept the customer's complaint for the period 02/2006 – 06/2006 and refuse it for the period 04/2004 – 2006.
9. In March 06<sup>th</sup>, 2008 the customer has submitted his refusal to the ERO CPD's decision before the ERO Board.

Due to the aforementioned reasons, ERO Board has decided to refuse the customer as in justification presented in the ERO CPD.

**Legal remedy:** Against this decision the party may initiate a court hearing before the competent court in Prishtina within (14) days since the day of receiving this decision or the publishing of this decision in the official web-page, whichever happens first.

ERO Board:

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Ali Hamiti, Chairman

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Theranda Beqiri, member

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Nysret Avdiu, member