



Prishtinë, 15.08.2008

ERO Code: D\_116\_2008

**Board of the Energy Regulatory Office**

Taking into account:

1. Provisions of the Sections 15.2 and 25 of the Law on Energy Regulator amended by Law no. 03/L-080;
2. Provisions of the Sec.49.2 of the Rule on Licensing of the Energy Activities in Kosova;
3. Request of KEK JSC for derogation on implementation of some provisions of the KEK JSC's licenses, dated June 24<sup>th</sup>, 2008 as well as request dated July 22<sup>nd</sup>, 2008, **in its session held in Aug 15<sup>th</sup>, 2008 adopted this:**

**DECISION**

I. KEK JSC **is allowed** derogation in implementing the provisions of the sections of:

- License for electrical energy generation TPP Kosova A
- License for electrical energy generation TPP Kosova B
- License for Distribution System Operator
- License for Public Supply with Electrical Energy and
- License for Supply/Trade with Electrical energy, as in the annex to this decision.

1. All other provisions of the KEK JSC's licenses remain in power.
2. This decision is issued in three languages: Albanian, Serbian and English and will be published in the official ERO web-page.
3. Dissatisfied party may appeal against this decision before the court of respective jurisdiction, within 14 days since the date of allowing or the date of publication of this decision in the official ERO web-page.
4. This decision enters into power in the date of its issuance or its publication in the official ERO web-page.

**ERO Board:**

Dr. Ali Hamiti, Chairman

Theranda Beqiri, Member

Nysret Avdiu, Member



Annex: Derogated sections of the KEK JSC's licenses

<b>Generation license of TPP Kosova A</b>			
<b>No.</b>	<b>Section</b>	<b>Request for Derogation</b>	<b>Comments from ERO</b>
1.	<b>Sec.2- Separate Accounts for generating businesses</b>	Until 31 Dec 2008	Pursuant to Sec.2.1 KEK JSC should submit to ERO the Audited Financial Report for 2006 and 2007, and those reports have not been submitted as of yet. For separate accounts, ERO Board has approved a deadline postponement until Dec. 31 <sup>st</sup> , 2008.
2.	<b>Sec. 14- Environment</b>	until 31 dec 2010	KEK JSC should try to as soon as possible obtain the permanent License for environment protection from MESP. ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2009.
3.	<b>Sec. 15- Security Obligation</b>	until 31 dec 2010	ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2009.
<b>Generation license of TPP Kosova B</b>			
<b>No.</b>	<b>Section</b>	<b>Request for Derogation</b>	<b>Comments from ERO</b>
1.	<b>Section 2- Separate Accounts for Generation businesses</b>	Until 31 Dec 2008	Pursuant to Sec.2.1 KEK JSC should submit to ERO the Audited Financial Report for 2006 and 2007, and those reports have not been submitted as of yet. For separate accounts, ERO Board has approved a deadline postponement until Dec. 31 <sup>st</sup> , 2008.
2.	<b>Sec 12-Environment</b>	until 31 dec 2010	KEK JSC should try to as soon as possible obtain the permanent License for environment protection from MESP. ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2009.
3.	<b>Sec 15-Security obligation</b>	until 31 dec 2010	ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2009.
<b>License for Distribution System Operator</b>			
<b>No.</b>	<b>Section</b>	<b>Request for Derogation</b>	<b>Comments from ERO</b>
1.	<b>Sec.2- Separate accounts for businesses of Distribution Operator</b>	Until Dec.31 <sup>st</sup> ,2008	Pursuant to Sec.2.1 KEK JSC should submit to ERO the Audited Financial Report for 2006 and 2007, and those reports have not been submitted as of yet. For separate accounts, ERO Board has approved a deadline postponement until Dec. 31 <sup>st</sup> , 2008.
2.	<b>Sec.11- Security Standards of Distribution and Planning System</b>	Until Dec.31 <sup>st</sup> ,2008	ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2008.
3.	<b>Sec. 12- Operation Security Standards</b>	Until Dec.31 <sup>st</sup> ,2008	ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2008.



4	<b>Sec.13- General and Minimal Standards of Fulfillment to businesses of the Distribution Operator.</b>	Until Dec.31 <sup>st</sup> ,2008	ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2008.
5	<b>Sec. 18. Code of Conduct of the Distribution System Operator</b>	Until Dec.31 <sup>st</sup> ,2008	ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2008.
7	<b>Sec. 22- Security obligation</b>	Until Dec.31 <sup>st</sup> ,2008	ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2009
<b>License for Public Supplying with Electrical Energy</b>			
No	Section	Request for derogation	Comments from ERO
1.	<b>Sec. 2- Separate Accounts for Business of Public Supply</b>	Until Dec.31 <sup>st</sup> ,2008	Pursuant to Sec.2.1 KEK JSC should submit to ERO the Audited Financial Report for 2006 and 2007, and those reports have not been submitted as of yet.  For separate accounts, ERO Board has approved a deadline postponement until Dec. 31 <sup>st</sup> , 2008.
2.	<b>Sec. 8- General and Minimal Standards of Fulfillment</b>	Until Dec.31 <sup>st</sup> ,2008	ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2008.
<b>License for supply/trading with electrical energy</b>			
No.	Section	Request for derogation	Comments from ERO
1.	<b>Sec.2 Separate Accounts for business of supply/trading with electrical energy</b>	Until Dec.31 <sup>st</sup> ,2008	Pursuant to Sec.2.1 KEK JSC should submit to ERO the Audited Financial Report for 2006 and 2007, and those reports have not been submitted as of yet.  For separate accounts, ERO Board has approved a deadline postponement until Dec. 31 <sup>st</sup> , 2008.
2.	<b>Sec. 8- General and Minimal standards of fulfillment</b>	Until Dec.31 <sup>st</sup> ,2008	ERO Board has approved deadline postponement until Dec.31 <sup>st</sup> , 2008.