



Prishtinë: September 18th, 2008
ERO Code: V_119_2008
Reference No.: ERO/CPD_V_90_06_08

Board of the Energy Regulatory Office

Taking into account

1. Competences granted to the Energy Regulatory Office under Sec. 17 of the Law on Energy Regulator;
2. Provisions pursuant to Chapter 3, Sec. 16 of the Rule on Dispute Settlement in the Energy Sector;
3. Evidence and procedures submitted by the parties;
4. ERO CPD's recommendation;
5. Recommendation of ERO CPD: ERO/CPD__V_90_06_08 dated June 12th, 2008;
6. Submission of the customer's appeal against the CPD's Decision addressed to the ERO Board on June 26th, 2008.
7. Section 18 of the Rule on Dispute Settlement in the Energy Sector.

In its session held in September 18th, 2008 issued this:

DECISION

The appeal of the customer Mr. Latif Hasani, (customer's code in KEK: DPR– 271283) from Prishtina against the CPD's Decision **IS REFUSED** due to the reasons displayed in the justification of this decision

Justification

1. The customer in his complaint addressed to ERO CPD in May 11th, 2007 has appealed the reply of KEK JSC Supply Division – Customer Department with reference number DPR – COI 1 – 06 concerning the calculation of fine on unauthorized usage.
2. On February 26th, 2007 KEK J.S.C authorized team of the Department of Commercial Losses while undertaking a control in the customer's power installation found that the power bridges in the metering device were dislocated and entered them into the record no. 0.12543 compiled on this case.
Evidence: Record no. 12543 dated February 26th, 2007.
3. On March 20th, 2007 KEK J.S.C – Network Unit in Prishtina has charged the customer with unauthorized usage through the invoice DPR07HP02574 at the amount of €4,198.83.



Evidence: Bill DPR07HP02574 dated March 20th, 2007.

4. On April 17th, 2007 the customer submitted a complaint to KEK J.S.C. – Division of Supply – Customer Department concerning the unauthorized usage charge.

Evidence: Customer’s complaint and bill.

5. On May 10th, 2007 KEK J.S.C. – Supply Division– Department for Customers replied to the customer by refusing his complaint based on the internal regulation on determination of unauthorized consumption, rules approved by ERO, the process of control team and the bill issued by the supply division.

Evidence: KEK J.S.C. reply with reference number DPR – CO1 – 06

6. On May 11th, 2007 the customer appealed in ERO CPD the KEK’s reply with reference number DPR – CO1 – 06 dated May 10th, 2007.

Evidence: Customer’s complaint in ERO CPD.

7. On June 12th, 2008 CPD analyzed all evidence submitted by KEK J.S.C. and the customer, and decided to refuse the customer.

Evidence: ERO CPD’s Decision dated June 12th, 2008.

8. On June 26th, 2008 the customer submitted in the ERO Board his appeal against the ERO – CPD’s decision.

The ERO Board analyzed Decision issued by CPD: **ERO/CPD_ V_90_06_08** and determined that the decision is in conformity with ERO Rules and legal framework in force.

The appellant provided no further evidence against this Decision, so ERO Board decided **to refuse** the customer due to the reasons presented in ERO CPD’s decision.

Legal remedy: A court hearing against this decision may be initiated by the party into the competent court in Prishtina within fourteen (14) days since the day of receiving or publishing this decision in our web-site, whichever happens first.

ERO Board:

Ali Hamiti, Chairman

Theranda Beqiri, Member

Nysret Avdiu, Member