

Prishtinë: 23.11.2006
ERO Code: D_26_2006
Reference No: ERO/CPD_D_08_10_06

Board of the Energy Regulatory Office

Taking Into account:

1. Energy Regulatory Office's Competences provided under Sec.17.1 of the Law on Energy Regulator;
2. Provisions of Chapter 3 of the Rule on Dispute Settlement in the Energy Sector;
3. Customer's Appeal versus KEK invoice charged for over limit;
4. KEK reply with reference no: DPR – CO1 – 19 dated June 15th, 2006;
5. Appeal to ERO CPD in conformity with sec. 14.1 of the Rule on Dispute Settlement in the Energy Sector under bookkeeping no: Nov.17th, 2006 dated Oct.2nd, 2006;
6. CPD decision issued to the customer dated October 16th, 2006;
7. Customer's refusal submission to ERO CPD's issued decision addressed to Board of Directors dated Oct. 30th, 2006:

In the session held in Nov.23rd, 2006 adopted this:

DECISION

The appeal of the Customer Mr.Fejzullah Krasniqi versus CPD Decision is refused due to the reasons presented in the justification of this decision.

Justification

1. In June 15, 2006 the customer has appealed his invoice to KEK for the period of Feb.2006 (Feb.24th, 2006) amounting to 192.79 €for energy, power charge 127.20 €and power over limit amounting to 38.56 €extracted by KEK.
2. In Sept. 20th, 2006 KEK has replied to the customer refusing his appeal since every new connection in the electrical network or for changing of meter should be requested and registered in the Customer Care Service, while in your case the meter has been registered without request.
3. In Oct.2nd2006 the customer has appealed the KEK reply to the ERO CPD.
4. In Oct. 16th, 2006 CPD has refused the customer's appeal due to these justifications:



4.1 Customer in his appeal addressed to the ERO CPD dated Oct. 2nd.2006 with bookkeeping no: 17/10 2006 has appealed KEK's reply dated Nov. 20th, 2006 and the reply was given to customer regarding his appeal no: DPR – CO1 – 19 dated June 15th, 2006

4.2 Customer in his request requests to be relieved from the payment of debt charged with over limit in his second period invoice (February) 2006 dated Feb.24th, 2006 amounting to 192.79 €for energy, power charge 192.79 €and over limit for power valued from 38.56 €

4.3 KEK in his reply has explained that the invoice which is being disputed by the customer is for the period when the customer has not been registered as a regular customer, so the invoice has covered the period 4.5 months of the customer's consumption since the time of installation of the meter until the moment of meter reading by the KEK inspection teams. KEK has not initiated penalties against the customer but has only charged him for the consumed energy and requested from the customer to apply the meter registration which the customer has actually done in March 29th, 2006

4.4 ERO CPD while analyzing the customer's appeal addressed to ERO, KEK reply to the customer, additional documents offered by the customer and based on the legal framework applicable in Kosova, asserts that KEK reply given to the customer is in conformity with the prevailing legislation and therefore refuses customer's complaint as ungrounded.

5. In October 30th, 2006 the customer has submitted his refusal against CPD decision before ERO Board.
6. In Nov.23rd, 2006 ERO Board has held a session and revised all the presented documents and has decided to refuse the customer due to the justifications presented in item 4 of the Decision.

Legal Advise: Against this Decision, the customer may initiate court procedure before the Municipal Court of Prishtina fourteen (14) days since the receiving of decision or publishing of decision in our web-page, whichever happens first.

Chairman of Board

Board Members:
