

Prishtinë, 14.Jan.2008
ERO Code: D_78__2008

Board of the Energy Regulatory Office based upon the:

1. Provisions of Sec. 15 and 26 of the Law on Energy Regulator
2. KEK SH.A's request dated May 21st 2007 for derogation of implementing Sec. 16.4 and 22.1 of the Rule on Switching off and re-switching of customers in the Energy Sector of Kosova.
3. KEK Sh.A's request dated Nov.16th 2007 for "Prolonging the procedural deadline for switching off -Decision-D_53_2007"
4. KEK Sh.A's report relative to results of "Implementation of Decision D_53_2007" dated Jan. 4th 2008 **in the session held in Jan. 14th 2008 has adopted this :**

DECISION

- I. KEK SH.A's request dated Nov. 16th 2007 for derogation of Sec. 22.1 and 16.4 of the Rule on Switching off and re-switching of customers in the Energy Sector of Kosova is **REFUSED**.
 1. In Nov.16th 2007 KEK Sh.A. has requested from ERO the derogation (postponement of implementation deadline) of sections 22.1 and 16.4 on continuing the switching off the commercial customers including after working hours, days-off and holidays, relative to usage of the electrical energy pursuant to Sec. 5 of Rule on switching off and re-switching of customers in the Energy Sector in Kosova (hereinafter RSRSCESK)
 2. By way of decision D_53_2007, ERO has allowed KEK Sh.A the derogation of sec. 22.1 and 16.4 for a six (6) months period based upon Sec.5 of the Rule on Switching off and re-switching of customers in the Energy Sector of Kosova and has further requested from KEK Sh.A. that:" no later than three (3) months since the day of approval of this decision should propose to ERO Board the review and approval of Policies on Switching off and Re-Switching of the customers consuming the electrical energy pursuant to this rule". ERO has further requested KEK Sh.A to submit the report on switching offs and re-

switchings performed by KEK Sh.A. within the six (6) months period, the quantity of recuperated energy within six months, value of the recuperated energy, KEK achievements by derogation etc.

3. Until Jan.10th, 2007 KEK did not manage to prepare the Policies on Switching off and Re-Switching of the customers pursuant sec. 5 of the RSRSCESK.
4. Following the evaluation of data deriving from KEK report submitted in Dec.27th, 2007, ERO has assessed that achievements ensuing the switching-off of commercial customers do not justify the extension of derogation pursuant to decision D_53_2007.
5. This decision is issued in three languages: Albanian, Serbian and English. In case of discrepancies between various versions, the Albanian Version shall prevail.
6. Unsatisfied parties may appeal this decision before the Court of respective jurisdiction within 14 days since the approval date or the day of publication of this decision into ERO's official web-page.
7. This decision enters into power on the date of its approval from the ERO Board and will be published in the ERO official web-page.

ERO Board:

Ali Hamiti, Chairman

Naim Bejtullahu, Member

Theranda Beqiri, Member

Nysret Avdiu, Member