



Pristina, 05 May 2023
ERO Code: V_1717_2023

The Board of Energy Regulatory Office,

Based on:

- Provisions of Article 9, paragraph 1, sub-paragraph 1.7, Article 15, paragraph 1.8 and Article 17, paragraph 1.2, Article 25, Article 26, paragraph 1, sub-paragraph 1.2 of the Law on Energy Regulator (no. 05/L-084); Article 50 of the Law on General Administrative Procedure no. 05/L-031; Decision no. V_1681_2023, dated on 23.03.2023, issued by ERO Board; and Request of KOSTT JSC, no.626, dated on 28.03.2023 on amendment of the Decision V_1681_2023 and correction of the invoices of imbalances,

in the session held on 05 May 2023 issued the following:

DECISION

- I. Amendment and supplement of the enacting clause under point II. Of the Decision no. V_1681_2023, dated on 23.03.2023, with the following text:

“The Kosovo Electricity and Supply Company (KESCO JSC) is **OBLIGED** to pay to KOSTT JSC the invoices for imbalances for the months of July, August and September 2022, in the total amount of €11,107,010.20, within a period of thirty (30) days from the receipt of this decision, under the consequences of forced bailiff.”

- II. Other points of the Decision no. V_1681_2023, dated on 23.03.2023 shall remain unchanged.

- III. The decision of ERO shall be implemented from the date of issuance.

Reasoning

The Energy Regulatory Office (hereinafter: ERO), dated on 28.03.2023, has received from the Transmission System and Market Operator (hereinafter: KOSTT JSC), the request for the amendment of Decision V_1681_2023 and the correction of the invoices of imbalances for the Kosovar Electricity Supply Company (hereinafter: KESCO JSC.).

KESCO JSC, in its request explained that following the receipt of decision no. V_1681_2023, dated on 23.03.2023, in relation to the dispute raised from KOSTT JSC against KESCO JSC, no. 2484, dated on 12.12.2022, KOSTT JSC concluded that in the request for the value of the dispute presented by KOSTT, there are discrepancies with the real situation, given that in the dispute raised by KOSTT were not included the correction invoices for the allowance towards KESCO but were included only the entry



invoices in the balancing account. Therefore, according to KOSTT, this impacted the value of the dispute to be higher than the real value (real debt).

KOSTT JSC. explained that in the initial values sent to ERO on 12.12.2022, the data were presented as in table 1 of the request, in the total amount of €11,445,280.58, whereas following the review from KOSTT, it was verified that the corrections with negative values were not included and the real situation is presented in Table 2 of the request. The total real debt to be paid by KESCO is: €11,104,953.90.

KOSTT JSC, in the end requested the amendment of the decision No. V_1681_2023 dated 23.03.2023 for the correct value presented in table 2, while on 04.04.2023 confirmed through an electronic letter that the correct and corrected value should be in the amount of €11,107,010.20.

The Board of ERO, following the review, analysis and administering of the request and correction invoices, evaluates that there shall be a supplement-amendment of the decision no. V_1681_2023, dated on 23.03.2023 for correction of correct values, as in the enacting clause to this Decision.

IV. The decision is issued and published in the official languages of the Republic of Kosovo.

V. The decision shall enter into force on the date of approval by the Board and will be published on the official website of ERO.

Legal advice: The party dissatisfied with this decision may initiate an administrative dispute at the competent court, within thirty (30) days following the receipt of this decision or its publication on ERO's website, whichever occurs last.

ERO Board:

Ymer Fejzullahu, Chairman

Lutfije Dervishi, member

Gani Buçaj, member

This decision is sent to:

- The party,
- KESCO JSC., and
- ERO Archive.