



Pristina, 18 August 2023
ERO Code: V_1750_2023

The Board of Energy Regulatory Office

Based on:

- Article 9, paragraph 1, sub-paragraph 1.7, Article 15, paragraph 1, sub-paragraph 1.15, Article 25, Article 26, paragraph 1, sub-paragraph 1.2 and Article 43, paragraph 1 of the Law on Energy Regulator (No. 05/L-084);
- Article 8 of the Law on Electricity (No. 05/L-085);
- Article 11, Article 12, Article 13, Article 14 and Article 17 of the Law on Energy (No. 05/L-081);
- Article 4, Article 5, Article 6, Article 7, Article 8, Article 11, Article 12, Article 13, Article 16, Article 17, Article 18, Article 19, paragraph 1 and Article 20 of the Rule no. 03/2022 on Authorization Procedure for Construction of Energy Projects;
- Article 14, Article 15 and 17, par. 5 and 6 of the Rule no. 10/2017 on Support Scheme;
- ERO's Methodology, no. 01/2020 on Calculation of Referent Price for the Energy Generated by RES;
- Enacting clause under point III and IV of the Decision V_1740_2023, dated on 15 May 2023, issued by ERO.
- Application of authorization for construction of new generation capacities for electricity generation from solar/photovoltaic panels, with an installed capacity of 1 MW, CA Llabjan, Municipality of Peja, dated on 21.03.2023, prot. No. 150/23 of the company "Eling Grup" LLC, having its address at St. "Muharrem Fejza", Obj. 1, Entry 1-1 Pristina, Republic of Kosovo;
- Application of RES Regulated Framework; and
- Decision, permits and consents issued by relevant authorities, as in Appendix II of this decision,

in the session held on 18 August 2023 issued the following:

DECISION ON ISSUANCE OF AUTHORIZATION

- I. **Issuance of AUTHORIZATION** to the company "Eling Grup" LLC with Unique Identification Number (UIN) 811484021 for construction of new generation capacities for electricity generation from solar/photovoltaic panels, with an installed capacity of 1 MW, in the cadastral area P-7161051-210-54 CA Llabjan, according to the **CONSTRUCTION PERMIT – Permit Observation Number: 08-351-24941**, dated on 17.03.2023 issued by the Directorate for Urbanization and Environmental Protection, Municipality of Peja, and the Decision on Environmental Consent No. Prot. 50-2/22, dated on 02.03.2023, issued by Ministry of Environment and Spatial Planning (hereinafter: MESPI).



- II. **APPROVAL** of the request of the company “**Eling Grup**” LLC., and **ADMISSION** of the generating operator in the regulated for generation of electricity from solar/photovoltaic panels, with an installed capacity of **1 MW**, in the cadastral area P-7161051-210-54 CA Llabjan, Municipality of Peja.
- III. The company “**Eling Grup**” LLC is **OBLIGED** within thirty (30) days from the issuance of this decision, to submit the bank guarantee in the amount of 8% of the project value, issued by a licensed commercial bank in the Republic of Kosovo, with the validity covering the period of fourteen (14) months according the Dynamic Implementation Plan, submitted by the applicant.
- IV. The bank guarantee according to point II. of this decision, will be in the amount of 60,347.00 €. (sixty thousand three hundred forty-seven Euros), according to the value of the project presented with the Business Plan, and in case the bank guarantee is not submitted to the ERO within the legal term according to the provision under point III. of this decision, **this Decision on Authorization will be suspended and simultaneously revoked.**
- V. The authorization, according to the provision under point I. of this decision, is issued to the company "Eling Grup" LLC, according to the Dynamic Implementation Plan, and it is obliged to build, within this period, the new generating plants for electricity generation from solar/photovoltaic panels.
- VI. ERO will consider the project finalized from the date of issuance of the Occupancy Certificate issued by the competent body according to the Law on Construction.
- VII. The Environmental Permit issued for the energy project for new generating capacities shall be a condition for the commencement of commercial operation.
- VIII. The company “Eling Grup” LLC shall bond a Power Purchase Agreement (PPA) with the Transmission System and Market Operator (KOSTT) JSC for the period of fifteen (15) years, in line with the legal criteria determined by the regulation in force.
- IX. The referent price set on annual basis cannot exceed the price of the lowest feed-in tariff applicable for Renewable Energy Sources, according to ERO’s decision.
- X. The company “Eling Grup” LLC, within fifteen (15) days prior to commencement of commercial operation of the generator, according to enacting clause under point IV. and V. of this decision, shall notify the Market Operator, Distribution System Operator and ERO in writing on the date of entry into commercial operation, and only after signing the Appendix 5 of PPA, activate the procedure on collection and verification of metering data.



Reasoning

- ERO, on 21.03.2023, from the company “Eling Grup” LLC received the application on obtaining the authorization for construction of new generation capacities for electricity generation from solar/photovoltaic panels, with an installed capacity of 1 MW, in the cadastral area P-7161051-210-54 CA Llabjan, Republic of Kosovo.
- The company “Eling Grup” LLC, on 24.06.2023 published a public notice in the written electronic media, notifying the stakeholders that in line with Article 8 of the Rule on Authorization has applied to ERO, following the completion of the documentation on obtaining the authorization, through which the interested parties were notified that they can submit to ERO their eventual remarks in relation to this application, within eight (8) days from the publication date.
- ERO, on 21.06.2023, published the public notice on ERO’s website, in line with Article 13, par. 4 of the applicable rule.
- ERO, within this term and until the review of the application by ERO Board has not received any remarks or complaints. The applicant has also submitted the payment of the application review tax on 26.06.2023 at ERO.
- ERO, following the analysis of the evidence submitted in line with the application for authorization and their evaluation from ERO, considered that the applicant “Eling Grup” LLC fulfilled the legal and administrative requirements in accordance with the application to be handled and obtain the authorization for construction of new generation capacities for electricity generation from solar/photovoltaic panels, with an installed capacity of 1 MW, CA Llabjan, according to the CONSTRUCTION PERMIT – Permit Observation Number: 08-351-24941, dated on 17.03.2023, issued by the Directorate for Urbanization and Environmental Protection, Municipality of Peja, Decision on Construction Criteria on placement of solar energy panels, with an installed capacity of 1 MW, No. VIII – 350 – 10734, dated on 08.02.2023, issued by the Directorate for Urbanization and Environmental Protection of the Municipality of Peja; Consent no. 08-350-126761, dated on 22.12.2022 issued by the Directorate for Urbanization and Environmental Protection of the Municipality of Peja, Decision on Environmental Consent prot. no. 50-2/22, dated on 02.03.2023, issued by MESPI, Electro-energetic Consent no. 3582, dated on 28.04.2023, issued by KEDS JSC and the Ruling no. 330/23, dated on 02.03.2023, issued by the Directorate for Agriculture, Forestry, Hydro-economy, Municipality of Peja.
- The company “Eling Grup” LLC has submitted the request for admission to the regulated scheme through referent price.
- The project is in line with the energy strategy and relevant documentation for development of Renewable Energy Sources.
- ERO Board, following the evaluation of attached permits, consents and decisions issued by the relevant authorities and the request for admission to the regulated scheme, as well as based



on the legal provisions mentioned in the introductory section of this decision, has decided as in the enacting clause to this decision.

- XI.** The decision is issued and published in the official languages of the Republic of Kosovo.
- XII.** The decision enters into force on the date of approval by the Board and will be published on ERO's official website.

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

Attached to the decision are Appendix I and Appendix II.

ERO Board:

Ymer Fejzullahu, Chairman

Lutfije Dervishi, Member

Gani Buçaj, Member

Arta Isufi, Member

Adnan Preniqi, Member

This decision is sent to:

- The party,
- KOSTT JSC
- Municipality of Peja,
- Secretary General of MESPI, and
- ERO Archive.



APPENDIX I

- Energy Regulatory Office (ERO) exercising its competences granted under Article 43 of the Law on Energy Regulator and in line with Article 17 of the Rule no. 03/2022 on the Authorization Procedure for construction of new energy projects, to the company “Eling Grup” LLC, having its address at: St. “Muharrem Fejza” Obj.1, Entry 1-1, Pristina, Republic of Kosovo, **issued the following:**

AUTHORIZATION

1. For construction of new generation capacities for electricity generation from solar/photovoltaic panels, with an installed capacity of **1 MW**, in the cadastral area P-7161051-210-54 CA Llabjan, according to the **CONSTRUCTION PERMIT – Permit Observation Number: 08-351-24941**, dated on 17.03.2023, issued by the Directorate for Urbanization and Environmental Protection, Municipality of Peja and the **Decision on Environmental Consent** Prot. no. 50-2/22, dated on 02.03.2023, issued by the Ministry of Environment, Spatial Planning and Infrastructure (hereinafter: MESPI).
2. Hereby, “Eling Grup” LLC. Company, is authorized to construct generation capacities in the above-mentioned location, in accordance with terms and conditions determined in the Rule on Authorization.
3. This authorization is issued according to the Dynamic Plan of Realization, starting from the date of its issuance. ERO, upon the request of the party may extend the validity of the Authorization, in accordance with applicable legislation.
4. The Authorized Party, during the entire validity period of this Authorization, must fulfil the following:
 - 2.1. All criteria set out under this authorization, and
 - 2.2. All criteria set out under applicable legislation in Kosovo, including those on environment.
5. In case the authorized party goes bankrupt before the construction of the authorized generation plant, then this authorization shall be suspended and shall remain as such until ERO determines that the conditions for withdrawal of suspension have been achieved. As long as this authorization is suspended, the entire further works for constructing the generation plant are to be stopped. Otherwise, administrative measures and fines set out under the applicable legislation may be undertaken against the authorized party.
6. The validity of this authorization shall automatically expire as per Article 19 of the Rule no. 03/2022 on Authorization Procedure for Construction of Energy Projects or upon the expiry of the additional term set by ERO.
7. In case the authorized party violates any of the criteria of this authorization, and of the applicable legal provisions, ERO shall suspend the authorization in accordance with provisions of Rule on



Authorization Procedure for construction of New Capacities. From the date this authorization is suspended, the entire further works for constructing the generating establishment are to be stopped. In case of noncompliance, administrative measures and fines set out under the applicable legislation may be undertaken against the authorized party.

APPENDIX II

List of documents (permits, consents, decisions etc.) issued by the institutions of the Republic of Kosovo in relation to obtaining the **Authorization for Construction** of the company “Eling Grup” LLC, for construction of new generation capacities for electricity generation from solar/photovoltaic panels – CA Llabjan, with an installed capacity of **1 MW**, Municipality of Lipjan:

- **Consent** no. 08-350-126761 dated on 22.12.2022 issued by the Directorate for Urbanization and Environmental Protection of the Municipality of Peja;
- **Environmental Consent** no.50-2/22 dated on 02.03.2023 issued by the Ministry of Environment, Spatial Planning and Infrastructure;
- **Decision on Construction Criteria** on installing the solar energy panels, with an installed capacity of 1 MW, no. VIII. – 350 – 10734, dated on 08.02.2023, issued by the Directorate for Urbanization and Environmental Protection of the Municipality of Peja;
- **Decision on Construction Permit** on installing the solar energy panels of 1 MW CA – Llabjan, Municipality of Peja, Permit Observation Number 08-351-24941, dated on 17.03.2023, issued by the Directorate of Urbanization and Environmental Protection of the Municipality of Peja;
- **Ruling no. 330/23** dated on 02.03.2023 issued by the Directorate for Agriculture, Forestry and Hydro-economy of the Municipality of Peja;
- **Electro-energetic Consent** no. 3582 dated on 28.04.2023 issued by KEDS JSC;
- **Evidence on ownership rights (Contracts on the use of land);**
- **Technical and Financial Feasibility Study;**
- **Business Plan; and**
- **Dynamic Realization Plan for realization of the project of fourteen (14) months.**