



Pristina, 21 September 2023

ERO Code: V_1764_2023

The Board of Energy Regulatory Office,

Based on:

- Provisions of Article 9, paragraph 1, sub-paragraph 1.7, Article 28, paragraph 2, sub-paragraph 2.1 and Article 32, paragraph 3 of the Law on Energy Regulator (Law no. 05/L-084);
- Provisions of Article 6 and Article 7 of the Law on Electricity (Law no. 05/L-085);
- Provisions of Article 7 and Article 19 of the Rule on Licensing of Energy Activities in Kosovo (Rule no. ZRRE/no.07/2017);
- Application of license extension for electricity generation submitted to the Regulator on 04.04.2023 from the Kosovo Energy Corporation – Generation Division “KEK JSC” – TPP KOSOVA A, having its address at: “Nënë Tereza no. 36, 10000, Pristina, Republic of Kosovo,
- Request for term extension of the electricity generation license for TPP “Kosova A”, dated on 04.04.2023; and
- The DECISION issued by the Ministry of Environment, Spatial Planning and Infrastructure (MESPI), dated on 11.08.2023,

in the session held on 21 September 2023 issued the following:

DECISION

- I. EXTENSION** of the electricity generation license of Kosovo Energy Corporation (KEK JSC)- TPP “Kosova A” with license number ZRRE/Li_05/17_A, according to the Decision no. 4478/23, dated on 09.08.2023 issued by the Ministry of Environment, Spatial Planning and Infrastructure for one (1) year period from **04 October 2023** until **04 October 2024**.
- II. KEK JSC is obliged** to obtain the Integrated Environmental Permit from the relevant ministry, within the period set in point one (I) of the enacting clause of this decision, and send a copy to the Regulator as well as inform the Regulator on the measures undertaken on obtaining this permit from the relevant ministry.
- III. The company is obliged** to submit to the Regulator any document issued by different institutions to KEK JSC “Kosova A” which can have an impact in the validity and validity period of the issued license as well as any document which is different from the one submitted during the course of application for obtaining the license.



Reasoning

- The Energy Regulatory Office (ERO) on 04.04.2023 received the Request for extension of the electricity generation license of KEK JSC - Generation Division-TPP "Kosova A", for the period from 04.10.2023 to 04.10.2026.
- KEK JSC has also submitted the application for extension of electricity generation license and additional documents/evidence, required by the Regulator, for extension of the license.
- Due to the impossibility of KEK JSC to obtain an Integrated Environmental Permit from MESPI, the Board of the Regulator, since 2011, has extended the electricity generation license to the company KEK JSC - TPP "Kosova A" (decisions on license extensions: V_380_2011, dated on 30 September 2011; V_437_2012, dated on 01 October 2012; V_556_2013, dated on 06 September 2013; V_652_2014, dated on 03 October 2014; V_749_2015, dated on 16 July 2015; V_843_2016, dated on 3 October 2016; V_1032_2018, dated on 24 September 2018; V_1185_2019, dated on 14 October 2019; V_1290_2020, dated on 30 September 2020; V_1416_2021, dated 04 October 2021;) obliging the licensee to provide, within the period defined in point one (I) of the enacting clause of the decisions, from the relevant ministry, the Integrated Environmental Permit and send a copy to the Regulator.
- At the request of the Regulator, and also in order to fulfill the provisions of the license and the obligation defined by the laws in force for the Integrated Environmental Permit, even during this application for the extension of the license, KEK JSC. has not submitted the Integrated Environmental Permit, but submitted to the Regulator the decision issued by MESPI on this issue.
- In the provisions of the decision issued by MESPI, dated on 09.08.2023, in relation to this issue, it is stated that:
 - *The application of emission and environmental quality standards is temporarily suspended for a period of **one year** in the case of the application of the Kosovo Energy Corporation / TPP "Kosova A" for obtaining the Integrated Environmental Permit.*
 - *Kosovo Energy Corporation is authorized, regardless of the term given in point 1 of the decision, to take measures to fulfil the criteria for meeting the standards defined in the environmental legislation.*
 - *During this period, the working groups of the Energy Corporation of Kosovo/TPP "Kosova A" and MESPI work on the drafting of the compliance plan with the aim of gradual alignment with local and EU standards.*
 - *The inspectorate of MESPI can at any time stop the work of the Kosovo Energy Corporation/TPP Kosova A if it finds that exceeding the norms can seriously endanger the health of the population and the environment.*

The same decision also contains the justification for issuing the decision, quote: *“taking into account the fact that Kosovo Energy Corporation is a public enterprise of vital interest to Kosovo whose activity is in the general interest and that the operation of TPP Kosova A is necessary for ensuring the electricity supply in the country, contributing 35% of the electricity supply to domestic consumption, which is one of the main factors affecting overall development. Therefore, based on this and taking into account that Kosovo Energy Corporation, respectively TPP Kosova A has applied for extension of the electricity generation license at the Energy*



Regulatory Office, this decision should be taken into account during the license extension process".

- The Regulator, based on what was stated above as well as the evidence attached to the application for license extension and the legal provisions mentioned in the introductory section of this decision, has decided as in the enacting clause of this decision.
- The license issued on 04 October 2006 (license no. ZRRE/Li_05/06_A), modified on 18.07.2012 (license no. ZRRE/Li_05/12_A), modified on 06.09.2013 (license no. ZRRE/Li_05/13_A), modified on 13.04.2017 (license no. ZRRE/Li_05/17_A), is extended and shall be valid according to point I. of the enacting clause of this decision, with the possibility of extension, if the licensee applies for license renewal no later than six (6) months prior to the expiry of the license term in accordance with Article 15 of the license issued by the Regulator and other legislation in force.
- All the provisions of the license in force, with license number ZRRE/Li_05/17_A, issued on 04 October 2021 are covered with the license issued through this decision.

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

V. The decision enters into force on the date of approval by the Board of the Regulator and will be published on the official website of the Regulator.

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.

This decision is sent to:

- Kosovo Energy Corporation (KEK JSC) TPP Kosova A
- Archive of Energy Regulatory Office

ERO Board:

Ymer Fejzullahu, Chairman

Lutfije Dervishi, Member

Gani Buçaj, Member

Arta Isufi, Member

Adnan Preniqi, Member