



Pristina, 21 September 2023
ERO Code: V_1765_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 12, 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;
- Application for authorization for construction of new generation capacities for electricity generation from solar/photovoltaic panels, with an installed capacity of 6 MW CA Kodra e Hutit, Municipality of Gjakova, dated on 23.08.2023, prot. No. 451/23 of the company "Eco Park Group" LLC, having its address at: Madanaj, St Qafa, nn, Gjakovë, Republic of Kosovo, and
- Decisions, permits and consents issued by relevant institutions as in Appendix II of this decision,

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

DECISION ON ISSUANCE OF AUTHORIZATION

APPROVAL – and issuance of AUTHORIZATION to the company "Eco Park Group" LLC, with Unique Identification Number (UIN) 810844432 for construction of new generating capacities for electricity generation from solar/photovoltaic panels, with an installed capacity of 6 MW, in the cadastral areas no. P-70705041-00069-9 and P-70705041-00070-3, P-70705041-00070-4, P-70705041-00071-19 CA Kodra e Hutit all with an area of S=6,80,75 m², according to the DECISION ON CONSTRUCTION PERMIT no. 07/351/03-9335/2023 dated on 22.05.2023 for the construction of the photovoltaic plant (solar park) for the electricity generation with an installed capacity of 6 MW, respectively according to point II. of the Decision on the Amendment of Construction Permit in the cadastral areas CA Kodra e Hutit, issued by the Directorate for Urbanization and Environmental Protection, of the Municipality of Gjakova.

- I. The company "Eco Park Group" LLC is **OBLIGED**, within thirty (30) days from the date of issuance of this decision, to submit the bank guarantee in the amount of 7% of the value of the project, issued by a licensed commercial bank in the Republic of Kosovo, with validity that covers the twelve (12) month period according to Dynamic Implementation Plan, submitted by the applicant.



- II. The bank guarantee, according to point II of this decision, shall be in the amount of 335,615.00€ (three hundred thirty-five thousand six hundred fifteen euros) according to the value of the project presented with the Business Plan, and in case the bank guarantee is not submitted to ERO within the legal term, according to enacting clause under point II. of this decision, **this decision on authorization will be terminated and simultaneously repealed.**
- III. The authorization, according to enacting clause under point I. of this decision, is issued to the company "Eco Park Group" LLC according to Dynamic Implementation Plan, and the licensee is obliged, within this period, to construct the new generating power plants for electricity generation from solar/photovoltaic panels.
- IV. ERO will consider the project finalized from the date of issuance of the Certificate of Occupancy, issued by the competent body, in line with the Law on Construction.
- V. The Environmental Permit, issued by MESPI for the energy project for new generating capacities shall be a criteria for commencement of commercial operation.
- VI. The company "Eco Park Group" LLC, in relation to the energy project in question, prior to entry into commercial operation shall obtain an electricity generation license from ERO.

A r s y e t i m

ERO, on 23.08.2023, from the company "Eco Park Group" LLC, has received the application for obtaining the authorization for construction of new generating capacities for electricity generation from solar/photovoltaic panels, with an installed capacity of **6 MW**, in cadastral parcels with No. P-70705041-00069-9 and P-70705041-00070-3, P-70705041-00070-4, P-70705041-00071-19 CA Kodra e Hutit, all with an area of $S=6,80,75 \text{ m}^2$, Municipality of Gjakova, Republic of Kosovo.

- ERO, on 26.08.2023, published the Public Notice also on ERO's website, in line with Article 13, par. 4 of the regulation in force.
- The company "Eco Park Group" LLC., on 31.08.2023, has made a Public Notice on electronic written media, whereby it notified all interested parties that in accordance with Article 8 of the Rule on Authorization, it has applied to ERO, following the completion of the documentation for obtaining the authorization, and the interested parties were notified that they can submit their eventual comments regarding this application to ERO within eight (8) days from the date of publication.
- ERO, within this term and until the review of the application from ERO Board, has not received any remarks or complaints. Also, the applicant submitted the payment of the tax for review of the application, on 19.09.2023, at ERO.
- ERO, following the analysis of evidence submitted in line with the Application for Authorization and their evaluation, has considered that the applicant "Eco Park Group" LLC, has fulfilled the administrative requirements according to the application as well as the legal ones in order to be handled and obtain the Authorization for construction of new generating capacities for the



generation of electricity from solar/photovoltaic panels, with an installed capacity of 6 MW, in cadastral area with No. P-70705041-00069-9 and P-70705041-00070-3, P-70705041-00070-4, P-70705041-00071-19 CA Kodra e Hutit all with an area of S=6,80,75 m², according to the DECISION ON CONSTRUCTION PERMIT No. 07/351/03- 9335/2023 dated on 22.05.2023, issued by the Directorate for Urbanism and Environmental Protection, of the Municipality of Gjakova; Decision on Transfer of Environmental Consent No. 23/2779/ dated on 09.08.2023 issued by the Ministry of Environment, Spatial Planning and Infrastructure; Electricity Consent No. 6695 dated on 27.06.2023 issued by KEDS JSC., evidence on property rights (contracts for the use of land); Statement on the sale of energy; Agreement for the sale of energy with a private supplier; Technical and financial feasibility study; Business Plan; and the Dynamic Implementation Plan for the twelve (12) month period.

- The project is in line with the Energy Strategy and relevant documentation on development of Renewable Energy Sources.
- ERO Board, following the evaluation of attached evidence, permits, consents and decisions issued by relevant institutions as well as based on legal provisions mentioned in the introductory section of this decision, decided as in the enacting clause to this decision.

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

VIII. The decision enters into force on the date of approval by the Board and will be published on the electronic website of ERO.

Legal advice: The party dissatisfied with this decision may initiate an administrative dispute at the competent court within thirty (30) days from the 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,
- Municipality of Gjakova,
- Secretary Permanent 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 authorization procedure for construction of energy projects, to the company “Eco Park Group” LLC, having its address at: Madanaj, St. Qafa, nn, Gjakovë, Republic of Kosovo, on 21 September 2023 **issued the following:**

AUTHORIZATION

1. For construction of new generation capacities for electricity generation from solar/photovoltaic panels, with an installed capacity of **6 MW**, in cadastral parcels with no. P-70705041-00069-9 and P-70705041-00070-3, P-70705041-00070-4, P-70705041-00071-19 CA Kodra e Hutit all within an area of $S=6,80,75 \text{ m}^2$, according to the **DECISION ON CONSTRUCTION PERMIT (Amendment of construction permit)** No. 07/351/03-9335/2023 dated on 22.05.2023, issued by the Directorate for Urbanization and Environmental Protection of the Municipality of Gjakova.
2. Hereby, the company “2 Korriku” LLC. is authorized to construct generation capacities in the above-mentioned location, in accordance with terms and criteria set in the Rule on Authorization.
3. This authorization is issued in accordance with the Dynamic Implementation Plan, starting from the date of its issuance. ERO, at the request of the part may extend the validity of the authorization, in line with the legislation in force.
4. The Authorized Party, during the entire validity period of this Authorization, must fulfil the following:
 - 4.1 All criteria set out under this authorization, and
 - 4.2 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 different institutions of the Republic of Kosovo in relation to obtaining the **Authorization for Construction** of the company “Eco Park Group” LLC for construction of new generation capacities for electricity generation from solar/photovoltaic panels – CA Kodra e Hutit, with an installed capacity of **6 MW**, Municipality of Gjakova, as follows:

- Environmental Consent No.23/2779/ dated on 09.08.2023 issued by the Ministry of Environment, Spatial Planning and Infrastructure;
- **Decision on Construction Permit** for “Construction of Photovoltaic Plant (Solar park) for generation of electricity with a capacity of 6 MW CA- Kodra e Hutit, Municipality of Gjakova, 07/351/03-9335/2023 dated on 22.05.2023, issued by the Directorate for Urbanization and Environmental Protection of the Municipality of Gjakova;
- **Electro-energetic Consent** no. 6695 dated on 27.06.2023 issued by KEDS JSC;
- **Evidence on ownership rights (contracts on the use of land);**
- **Evidence on financial supports;**
- **Technical and financial feasibility study;**
- **Business Plan;**
- **Declaration on the sale of energy according to market criteria; and**
- **Dynamic Realization Plan, namely up to twelve (12) months.**