



Pristina, 31 October 2023

ERO Code: V\_1782\_2023

The Board of Energy Regulatory Office,

Based on:

- Provisions of Article 9, paragraph 1, sub-paragraph 1.7, Article 25, Article 26, paragraph 1, sub-paragraph 1.2 of the Law on Energy Regulator (Law no. 05/L-084);
- Provisions of Article 23, paragraph 7 of the Law on Electricity (Law no. 05/L-085);
- Provisions of Article 28 of the License no. ZRRE/Li\_15/17 for the Transmission System Operator of Electricity;
- Provisions of Article 8, paragraph 2 of the License no. ZRRE/Li\_16/17 for the Electricity Market Operator; and
- Request of Transmission System and Market Operator (KOSTT JSC) Prot. No. 275/23, dated on 24.05.2023 on review and approval of electricity Market Rules;

in the session held on 31 October 2023 issued the following:

## DECISION

- I. **APPROVAL** - of Electricity Market Rules.
- II. The Transmission System and Market Operator KOSTT JSC is **OBLIGED** to implement the Market Rules, according to the enacting clause under point I. of this Decision.
- III. KOSTT JSC is **OBLIGED** to carry out the duties of the Renewable Energy Operator (REO), a function which is being executed by the MO until the defining of the primary legislation.
- IV. Other issues that are handled under the Electricity Market Rules regarding the Energy Storage Operator, Energy Storage Systems or Energy Storage Unit and issues related to their rights and obligations defined in the Electricity Market Rules, will not be implemented until they are approved by the Law on Energy and the Law on Electricity by the Assembly of the Republic of Kosovo, and the same are determined according to the approved laws.

## Reasoning

- o Energy Regulatory Office (ERO) on 24.05.2023, received from KOSTT JSC the request, prot. no. 275/23, on review and approval of the document Electricity Market Rules.



- The document Market Rules is a review and update of the previous document “Market Rules v3.0” which was approved and published in October 2018, and determines the functioning of the electricity market, the trading method of commercial parties with each other as well as their interaction with TSO and MO, including the integration of the energy exchange as well as the energy storage system.
  - During the process of drafting and developing the Electricity Market Rules by KOSTT, the relevant stakeholders of the energy sector were involved, including the consultancy from USAID.
  - ERO, on 18.08.2023 in line with the legal requirements, has published the document for public consultation, where all parties were entitled to provide their comments.
  - ERO, following the receipt of comments from the parties and after the careful analysis and evaluation, on 12.09.2023 held a meeting with the representatives of KOSTT JSC, where the comments received by parties were presented and addressed.
  - ERO, following the evaluation and analysis of the final comments, reached the conclusion that the proposals in the Market Rules sent by KOSTT JSC., namely in point 13.7.2, due to the lack of justification and the form in which are proposed, are not applicable according to the Regulator, therefore it was decided to be removed from the document.
  - ERO has also evaluated that due to the lack of the legal basis, it has decided to remove the Tolerance Interval part from the document in point 16.6.1. c), and at the same time requested that the necessary changes be made in other parts of the Market Rules related to this point, as well as to send the Market Rules document in its final form to ERO.
  - ERO, following the completion of the public consultation period, as well as the inclusion of comments, carried out the required supplements in the document and prepared the final document for review and approval.
  - ERO Board, following the evaluation and analysis of the above-mentioned proposals, concluded that the presented amendments are right and evaluated that the same are necessary for the safe functioning the electricity market as well as Albanian Energy Exchange ALPEX, therefore decided as in the enacting clause to this decision.
- V.** Upon the entry into force of Electricity Market Rules, according to this decision, the previous document “Market Rules V3.0”, approved by ERO IN 2018, is repealed.
- VI.** The decision is issued and published in official languages of the Republic of Kosovo.
- VII.** The decision shall enter into force on the date of approval by the Board of Energy Regulatory Office 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 date of receipt of the decision or the date of its publication on ERO’s website, whichever occurs last.



**ERO Board:**

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Ymer Fejzullahu, Chairman

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Lutfije Dervishi, Member

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Gani Buçaj, Member

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Arta Isufi, Member

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Adnan Preniqi, Member

**This decision is sent to:**

- KOSTT JSC and
- Archive of Energy Regulatory Office