



REPUBLIKA E SHQIPËRISË
ENERGY REGULATORY AUTHORITY
BOARD

DECISION

No. 30, Dated 16.02.2023

ON

**APPROVING AMENDMENT NO. 1 OF THE CONTRACT FOR ELECTRICITY
SALE PURCHASE TO COVER THE LOSSES IN THE TRANSMISSION SYSTEM
BETWEEN THE TRANSMISSION SYSTEM OPERATOR TSO COMPANY AND
KESH COMPANY**

Based on article 16,20 letter “h”, 47, 56 letter “f” as well as Law no. 43/2015 “On Power Sector”, as amended; Part 1, article 4, point 7 of Council of Ministers Decision no. 456, dated 29.06.2022 “*On the approval of conditions for the imposition of the public service obligation, which will be applied to licensees in the electricity sector, who exercise the activity of production, transmission, distribution and supply of electrical energy*”, Council of Ministers Decision no.650, dated 10.10.2022, “*On some additions and amendments to Council of Ministers decision no. 584, dated 08.10.2021 “On announcing the Emergency Situation for Electricity Supply”*”; as well as article 15 of the *Regulation for ERE Organization, Operation and Procedures*, approved with ERE Board decision no.96, dated 17.06.2016; ERE Board on their meeting dated 16.02.2023, after reviewing the report Protocol no. 420/1, dated 14.02.2023, prepared by the Technical Directorates “*On the amendment of the contract for electricity sale purchase to cover the losses in the transmission system between the Transmission System Operator TSO company and KESH company*”,

Observed that:

- ERE Board with decision no. 230, dated 12.09.2022 approved the contract for the electricity sale purchase between KESH company and TSO company to cover the losses in the transmission system for 02.07.2022 until 31.12.2022 period. The contract approved by ERE extended its judicial powers from 02.07.2022 until 31.12.2022.
- The parties have expressed their willingness to amend the contract by jointly signing it, for changing the duration of the contract, and extending its effects until 30.06.2023, submitting the contract to ERE by joint official letter between KESH company and TSO company protocolled at ERE with Protocol no. 420, dated 20.01.2023 "On the amendment of the contract "For the electricity sale purchase to cover losses in the transmission system", approved and signed between the parties TSO company and KESH company.

- The change in the duration of the contract comes as a result of the extension of the period for the state of emergency in the electricity supply until 30.06.2023, as stated in Council of Ministers decision no. 650, dated 10.10.2022 "For some additions and amendments in Council of Ministers decision no. 584, dated 08.10.2021, "On declaring the state of emergency in the electricity supply (as amended)".
- Council of Ministers decision no. 650, dated 10.10.2022, "For some additions and amendments in Council of Ministers decision no. 584, dated 08.10.2021 "On declaring the state of emergency in electricity supply", as amended, in point 2 determines that in point 5 the words "until December 31, 2022" are replaced by the words "June 30, 2023".

For all of the above mentioned, ERE Board

Decided:

1. To approve Amendment no.1 of the contract for the electricity sale purchase to cover the losses in the transmission system between the Transmission System Operator TSO company and KESH company.
2. The Legal Directory shall inform the Ministry of Infrastructure and Energy, KESH company and TSO company about ERE Board decision.

This decision enters immediately into force and extends its effects from 01.01.2023 to 06.30.2023.

Any party involved in this procedure may request from ERE, - within 7 calendar days from the date of the decision, to review the board decision if it has provided new evidence that could lead the board to obtain a decision different from the previous one or for material errors ascertained. This decision can be appealed in the Administrative Court of Tirana, within 30 calendar days from the day of publication in the Official Gazette.

This decision shall be published on the Official Gazette.

ERE CHAIRMAN

Petrit AHMETI