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**DECISION**

**No. 12, of January.29.2016**

**ON  
THE AUCTIONS FOR THE INTERCONNECTION CAPACITIES  
WITH KOSOVO BORDER**

Based on Law no.43/2015 articles 16, 18 and 19, “*On Power Sector*”; “*Administrative Procedures Code*” articles 111, 112 and 127, “*ERE practice and procedures rules*” article 3 point 1, letter d and article 16 approved with ERE Board of Commissioners decision no.21 of March.18.2009, as amended ERE Board on their January.29.2016 meeting, after reviewing the report prepared by the technical Directories and TSO company request regarding the capacities allocation with Kosovo border,

**Observed that:**

- The auction Rules of the Coordinated Auction Office for South-East Europe (SEE CAO) may not apply for border countries that do not have allocated capacities at SEE CAO.
- The Albanian-Kosovo border is not included in the annual auction of the interconnection capacities developed by SEE CAO due to uncertainties in KOSTT operation as an independent regulatory area known by ENTSO-s. This is evidenced on SEE CAO official website.
- With the official letter prot. no 587/1 of January.29.2016 TSO company has delivered at ERE the request for approval by ERE Board Members, of an exemption regulation, which will proceed and avoid the issues in developing interconnection auctions in the border with Kosovo, that may be developed in the future if Kosovo’s status quo does not change.

- ERE, is obliged to be expressed with a regulatory decision, regarding the circumstances provided for the issues raised by TSO company and publicly known even in the SEE CAO official website, circumstances that if they cease to exist, exhaust even the legal power.

For all of the above mentioned, ERE Board,

**Decided:**

- 1. To allocate the interconnection capacities with Kosovo's border, TSO company shall implement ERE Board of Commissioners Decision No. 140, of November.22.2013 "*On approving the regulation for the allocation of interconnection capacities*", as amended.**
- 2. This decision exhausts its legal power with the change of the circumstances that lead to its approval.**
- 3. TSO company is obliged to inform ERE for the amendment of these circumstances.**
- 4. Legal and Customer Protection Directory shall inform the TSO company.**

This decision enters immediately into force and extends its legal effects until on January.1.2016.

This decision is published in the Official Gazette.

