



DECISION

No. 94 Date July.28.2015

FOR LICENSING “KABASH POROCAN” HPP IN ELECTRICITY TRADING ACTIVITY

Based on Law 43/2015 articles 16 , 37 letter d, and 110 “*On Power Sector*”, the “*Regulation for the Procedures of Licensing, Modification, Full/Partial Transferring and Licenses Renewal*” article 4 point 1 letter “g”, article 5 point 2, articles 13 and 14 approved with Board of Commissioners Decision No. 108 of September.09.2008, ERE Board on their July.28.2015 meeting, after reviewing the request of “KABASH POROCAN” HPP and the report of License, Market and Licensee Monitoring Directory as well as Legal and Customer Protection Directory to license this company in electricity trading activity,

Observed that:

1. “KABASH POROCAN” HPP has applied for license in electricity trading activity on May.13.2015 pursuant to Law no. 9072, of May. 23.2003, “*On Power Sector*”, as amended. ERE Board with decision no.77, of June.08.2015, approved to begin the procedures for licensing “KABASH POROCAN” HPP in electricity trading activity.
2. The notification for the licensing request of this company is done pursuant to article 16, Law no.9072 “*On Power Sector*” as amended.
3. On May.15.2015 has entered into force Law no. 43/2015, “*On Power Sector*”.
4. On Law no 43/2015, article 110 point 1, it is provided that Law no.9072 of May.22.2015 “*On Power Sector*” as amended and any other legal provision that contradicts with Law no 43/2015 “*On Power Sector*”, is repealed.
5. On Law no.43/2015 “*On Power Sector*” pursuant the obligation that deriving from the Law itself on article 39 and article 108 point 3 as well as on article 110 point 2 it is provided that:

The secondary acts that regulate the activities in the electricity sector, approved before the entry into force of this law, will be implemented to the extent they do not contradict with this law, will be implemented to the extent they do not contradict with this law, until their review and the issue of the new acts in conformity with the requirements and terms set in this law.

For all of the above mentioned and given that the application of “KABASH POROCAN” HPP fully completes the requirements provided by ERE in the “Regulation for the procedures of licensing, modification, full/partial transferring and licenses renewal” as follows:

- The application format (article 9, point 1) is submitted and completed correctly.
- Legal, administrative and ownership documentation (article 9, point 2) is submitted and completed correctly.
- Financial and fiscal documentation (article 9, point 3) is submitted and completed correctly.
- Technical documentation (article 9, point 4.10 letter “a”; “b” and “c”) is submitted and completed correctly.

ERE Board,

Decided:

1. To license “KABASH POROCAN” company in Electricity Trading activity for a 30 years period.
2. License and Market Monitoring Directory shall inform the applicant for ERE Board Decision.

This decision enters immediately into force.

This decision is published in the Official Gazette.

ERE Chairman
Petrit Ahmeti
On the absence
Adriatik BEGO