



REPUBLIC OF ALBANIA
ENERGY REGULATORY AUTHORITY

Board

DECISION
No. 207, Dated 27.09.2018

ON

**OPENING THE PROCEDURE TO REVIEW THE REQUEST OF “ALBGAZ”
COMPANY ON THE PRELIMINARY APPROVAL OF THE NATURAL GAS TSO
COMPLIANCE OFFICER**

Based on article 16, Law no. 43/2015 “*On Power Sector*”, as amended, article 47 of Law no. 102/2015, “*On Natural Gas Sector*”, article 19 point 1 of the “Rules on ERE Organization, Operation and Procedures” approved with ERE Board Decision no. 96 dated 17.06.2016; ERE Board Decision no. 179, dated 08.11.2017 “On the certification of the Natural Gas Combined Operator” ALBGAZ company, ERE Board on their meeting dated 27.09.2018, after reviewing the report prepared by the Technical Directories, on opening the procedure to review the request of “ALBGAZ” company on the preliminary approval of the Natural Gas TSO Compliance Officer,

Observed that:

- ERE Board with Decision no. 179, dated 08.11.2017, has certified the “Combined operator for natural gas”, ALBGAZ company.
- “ALBGAZ” company with the official letter Protocol no. 565 dated 03.09.2018, submitted the request for the preliminary approval of the Compliance Officer nomination.
- “ALBGAZ” company, shall submit at ERE for approval “*the minimum requirements for the Compliance Officer, the professional qualities, as well as other selection criteria*”, an obligation deriving from the “Compliance Program”, approved with ERE Board Decision no. 77, dated 26.05.2017.
- ERE has approved the Compliance Officer contract, according to article 47 of Law no. 102/2015 “*On Natural Gas Sector*” with ERE Board Decision no.78, dated 26.05.2017.

- In conformity with article 47, point 1 of Law No. 102/2015 “*On Natural Gas Sector*”, TSO drafts a compliance program, where are defined the necessary measures for guaranteeing the non-discriminatory behavior, which is approved by ERE, as well as the approach for monitoring the compliance with this program. The compliance program defines the special obligations for TSO employees, aiming the fulfilment of these objectives. The compliance with the program is monitored in an independent way by a compliance officer.
- The Contract of the Compliance Officer on article 2.1 defines that: “The Compliance Officer shall satisfy minimum requirements for its professional qualities and other relevant selection criteria established by the TSO’s [competent corporate body] and approved by ERE, and which were applied for the selection of the Compliance Officer. The Compliance Officer shall fulfill the professional qualities and other selection criteria during the entire term of validity of this Contract. Professional qualities and other selection criteria, as established by the TSO’s [competent corporate body] and approved by ERE, shall be enclosed as [Annex II] to this Contract.

For all of the above mentioned ERE Board,

Decided:

1. To open the procedure on reviewing the request of “ALBGAZ” company, on the preliminary approval of the Natural Gas TSO Compliance Officer.
2. “ALBGAZ” company, shall submit at ERE for approval “*The minimum requirements for the Compliance Officer, the professional qualities as well as the other selection criteria*”.
3. “ALBGAZ” company shall inform ERE and the Energy Community Secretariat regarding the requirements of point 73 (report and implementation of the program) of the “Compliance Program of the Transmission System Operator for Natural Gas” approved with ERE Board Decision no. 77, dated 26.05.2017.
4. Legal and Customer Protection Directory shall inform ALBGAZ company for ERE Board Decision.

This decision enters immediately into force.

This decision is published on the Official Gazette.

This decision may be complained on Tirana Administrative Court within 45 calendar days from the publication in the Official Gazette.

CHAIRMAN

Petrit AHMETI