



REPUBLIC OF ALBANIA  
**ENERGY REGULATORY AUTHORITY**

**Board**

**DECISION**  
**No. 216, Dated 11.10.2018**

**ON**

**TRANSFERRING THE ELECTRICITY DISTRIBUTION SYSTEM OPERATION LICENSE, OF ELECTRICITY DISTRIBUTION OPERATOR (OSHEE) COMPANY NO.250, SERIES P14SH, APPROVED WITH ERE BOARD DECISION NO.96 DATED 27.10.2014, TO THE "DISTRIBUTION SYSTEM OPERATOR" (O.S.SH) COMPANY, VALID UNTIL 27.10.2044.**

Based on article 16, article 37, point 2 letter “c”, as well as article 44 of Law no. 43/2015 “*On Power Sector*” as amended, article 4, point 1, letter “c”; article 5, point 1 letter “c”; article 13 and article 17, points 1, 2, 4 and 5, of the “*Regulation on the procedures and terms for license issue, modification, transferring renewal or license removal on Power Sector*”, approved with ERE Board Decision, no. 109, dated 29.06.2016, as well as article 15 of the “*Rules on ERE Organization, Operation and Procedures*”, approved with ERE Board Decision no. 96, dated 17.06.2016, ERE Board, on their meeting dated 11.10.2018, after reviewing the report prepared by the Technical Directories, on transferring the electricity distribution system operation license, of the “Electricity Distribution Operator” (OSHEE) company, no. 250, Series P14SH, approved with ERE Board Decision no.96, dated 27.10.2014, valid until 27.10.2044 to the "Distribution System Operator" (O.S.SH) company,

**Observed that:**

- OSHEE company with the official letter Protocol no. 7818, dated 27.04.2018, has submitted at ERE the documentation for license transferring/the licensing of the companies controlled by OSHEE company.
- With the official letter Protocol no. 2, dated 27.04.2018, the “Distribution System Operator” (OSSH) company has submitted at ERE the request for transferring the electricity distribution system operation license from “OSHEE” company to the “Distribution System Operator” (OSSH) company.

- The "Distribution System Operator" (OSSH) company, is established with the joint-stock company status implementing Law no. 43/2015 "*On Power Sector*", as amended; Law no. 9901, dated 14.04.2008 "*On Entrepreneurs and Companies*", as amended and General Assembly Order Protocol no.157, dated 12.02.2018 of "OSHEE" company as the Founder Shareholder. The establishment date is 28.03.2018.
- ERE Board with Decision no. 123, dated 04.06.2018, decided to open the procedure for transferring the license of the electricity distribution system operation of the "Electricity Distribution Operator" (OSHEE) company, no. 250, Series P14SH, approved with ERE Board Decision no. 96 dated 27.10.2014 valid until 27.10.2044, to the "Distribution System Operator" (OSSH) company.
- Following the above mentioned decision, ERE implementing article 10, points 8 and 9 of the "*Regulation on the Procedures and Terms for License Issue, Modification, Transferring Renewal or License Removal on Power Sector*", with the official letter Protocol no. 55/36, dated 13.06.2018, published the notification on the written media regarding the request made by the company.
- By the end of the term defined on article 10 point 11, of the above mentioned regulation, there was no objection or complaint from third parties, regarding this application.
- OSHEE company is licensed in electricity distribution activity with ERE Board decision no. 96 dated 27.10.2014, and holds license no. 250, Series P14SH.
  - With the Official Letter Protocol no.7818, dated 27.04.2018, ERE protocol no. 355, dated 30.04.2018, "Submission of the documentation for transferring/licensing of the companies controlled by OSHEE company", OSHEE company above all informs that "the staff transferring for this company "Distribution System Operator" (OSSH) company, is in process. As consequence, the list of the staff according to their profile in conformity with the activity for which the license is required, shall be completed".
- With the official letter Protocol no. 355/5 dated 09.08.2018, ERE required from the applicant to complete the documentation and with the official letter ERE Protocol no. 355/6 dated 03.09.2018, the "Electricity Distribution Operator" OSHEE company has submitted at ERE the missing documentation for the account of the "Distribution System Operator" (OSSH company).
- The application of "OSSH" company mainly completes the requirements provided by ERE based on article 10 point 1 and 2 as well as article 17 of the "*Regulation on the Procedures and Terms for License Issue, Modification, Transferring Renewal or License Removal on Power Sector*" as follows:
  - The form and documentation for application (article 17, point 2, letter "a", the form of application according to article 9, point 1, letters "a", "b", "c") are completed correctly.
  - Legal, administrative and ownership documentation (article 17, point 2, letter "b", the legal, administrative and ownership documents according to article 9, point 2, letters "a", "b", "c", "d", "e") are completed correctly.

- Financial and fiscal documentation, (article 17, point 2, letter “c”, the financial and fiscal documents according to article 9, point 3 letters “a”, “b”, “c”, “d”), are completed correctly.
- **Article 17, point 2, letter “d”.** (any modification or possible change of the technical data documentation.) The diagram of the distribution system showing the existing and the perspective elements – the company does not declare the modification or possible change of the technical data documentation or the reflection of the amendments.
- **Article 17, point 4, letter “a”.** (the application form according to article 9, point 1) is completed correctly.
- **Article 17, point 4, letter “b”:** (written information where are explained the reasons for the request of license transfer), is completed correctly.
- **Article 17, point 4, letter “c”:** (the written decision of the governing bodies of the licensee that express their will to require the license transfer), is completed correctly.

For all of the above mentioned, ERE Board,

**Decided:**

1. The license transferring of the Electricity Distribution System Operation of the “Electricity Distribution Operator” (OSHEE) company, no.250 series P14SH, approved with ERE Board Decision no. 96 dated 27.10.2014 to the “Distribution System Operator” (O.S.SH) company valid until 27.10.2044.
2. The "Distribution System Operator" (O.S.SH) company shall submit at ERE the staff list according to their profile in conformity with the activity for which the license is required, after the staff transfer for the "Distribution System Operator" (O.S.SH) company is completed, from the respective structure.
3. License and Market Monitoring Directory shall inform the applicant for the ERE Board Decision.

This decision enters immediately into force.

This decision is published in the Official Gazette.

This decision may be complained on Tirana Administrative Court, within 30 calendar days from the publication in the Official Gazette.

**CHAIRMAN**

**Petrit AHMETI**