



REPUBLIKA E SHQIPËRIË

## ENERGY REGULATORY AUTHORITY

### BOARD

### DECISION

**No.267, Dated 28.12.2020**

### **“ON OPENING THE PROCEDURE TO APPROVE THE “CONDITIONS FOR THE LICENSEE CHARGED WITH PUBLIC SERVICE OBLIGATION FOR THE NATURAL GAS SECTOR” IN ALBANIA”**

Based on article 16, of Law no. 102/2015 “On Natural Gas Sector”, as amended; Council of Ministers Decision no. 533, dated 25.07.2019 “*On approving the conditions for imposing public service obligation that shall be implemented to the licensees on natural gas sector that perform the natural gas transmission, distribution and supply activity*”; article 92, point 3, of Law no.102/2015 “On Natural Gas Sector”, as amended; as well as article 26, of the “*Rules on ERE Organization, Operation and Procedures*”, approved with ERE Board Decision, no. 96, dated 17.06.2016, the Energy Regulatory Authority Board (ERE), on their meeting dated 28.12.2020, after reviewing the report Protocol no. 142/10, dated 24.12.2020, prepared by the Natural Gas Directory, on opening the procedure to approve the “Conditions for the licensee charged with public service obligation for the natural gas sector” in Albania.

#### **Observed that:**

- In article 23, point 1, letter f), of Law no. 102/ 2015 "On natural gas sector", as amended, it is provided that: 1. ERE defines the conditions that must be met to obtain a license, taking into account, inter alia: f) public service obligations, as provided in this law;
- In Article 92, point 3, of Law 102/2015 “On natural gas sector” ERE defines and approves the operational rules for suppliers that perform the supply of natural gas as a public service obligation. The public service supplier must provide to the customers who have the right of public service, the supply service conform to the standard supply contract approved by ERE in accordance with Article 95, of Law no. 102/2015, "On natural gas sector" and relevant legislation for customer protection.
- The Council of Ministers with decision no. 533, dated 25.07.2019 “On approving the conditions for imposing public service obligation that shall be implemented to the licensees on natural gas sector that perform the natural gas transmission, distribution and supply activity”; ", defines the conditions and procedures to be followed by ERE for imposing the public service obligation, for licensees in the natural gas sector, who exercise the activity of transmission, distribution and supply of natural gas to small customers, including household customers .

• As defined in article 4, point 4.1, of Council of Ministers Decision no. 533, dated 25.07.2019, the public service obligation to a licensee is imposed by ERE, in accordance with Article 89 of Law 102/2015 "On Natural Gas Sector", in a transparent, non-discriminatory and easily verifiable manner, guaranteeing equal access for natural gas companies of EU Member States or contracting parties of the Energy Community for local customers and without preventing the opening of the natural gas market and the right of other natural gas suppliers to supply customers in the Republic of Albania.

These rules / operational conditions for the Public Service Supplier (FSHP) with natural gas that are imposed to the licensee charged with this obligation by ERE, are compiled in accordance with the principles of law no. 102/2015 "On natural gas sector", with the purpose to achieve a competitive, secure and sustainable market for natural gas from an environmental point of view, without being discriminated in their rights and obligations. Also, ERE Board Decision no. 68, dated 22.04.2020 on approving the "Albanian Network Code" and ERE Board Decision no.166, dated 22.10.2020 on approving the General Conditions of the standard contract of natural gas supply for end-use customers who benefit from the public service supply".

For all of the above mentioned ERE Board,

**Decided:**

1. To open the procedure to approve the "Conditions for the licensee charged with public service obligation for the natural gas sector" in Albania.
2. Natural Gas Directory, shall inform the interested parties about ERE Board Decision.

This decision enters immediately into force.

About this decision may be required its review within 7 calendar days and may be complained on Tirana Administrative Court within 45 calendar days from the day of its publication on the Official Gazette.

This decision shall be published on the Official Gazette

**ERE CHAIRMAN**

**Petrit AHMETI**