



REPUBLIKA E SHQIPËRISË

ENERGY REGULATOR AUTHORITY

BOARD

DECISION

No. 44 Dated 18.03.2020

ON

SOME AMENDMENTS AT THE AGREEMENT FOR ENSURING ELECTRICITY DISTRIBUTION SERVICE BETWEEN THE ELECTRICITY DISTRIBUTION OPERATOR (OSHEE) AND THE SUPPLIER.

Based on article 16 and 69, of Law no. 43/2015, “On Power Sector”, as well as article 26 of the “Regulation on ERE organization, operation and procedures”, approved with ERE Board decision, no. 96, dated 17.06.2016, ERE Board, on their meeting dated 18.03.2020, after reviewing the report prepared by the Technical Directories, protocol no. 37.6, dated 04.03.2020, “On approving some amendments at the agreement for ensuring electricity distribution service between the electricity distribution operator (OSHEE) and the supplier”,

**Observed
that:**

- ERE Board with decision no. 24, dated 15.02.2017 and decision no. 58, dated 15.04.2019, decided to approve the agreement for ensuring the electricity distribution service between the electricity distribution operator (OSHEE) and the supplier.
- DSO company with the official letter Protocol no. 439, dated 14.02.2020, submitted the request for the approval by ERE of the amendment of the responsible party to Ensure the Electricity Distribution Service from OSHEE to the DSO at the above mentioned agreement.
- Referring to article 72, of Law no. 45/2015 “On Power Sector” as amended, it is defined that “the Distribution System Operator” shall be unbundled and independent from other activities not related with electricity distribution
- ERE Board with decision no. 216, dated 11.10.2018, decided to transfer the Electricity Distribution System Operation license of OSHEE company, no. 250, series P14SH, approved by ERE with decision no. 96, dated 27.10.2014, to the "Distribution System Operator" company with a validity period until on 27.10.2044.
- DSO company as a legal person, is responsible for the secure and effective operation of the distribution network, ensuring the maintenance and development of the distribution system, extended in a defined area and where applicable, its connection with the other systems to ensure long term ability of the system to comply with the reasonable requests for electricity distribution, harmonious with the environment and energy efficiency.

- ERE Board reviewing the request of OSHEE company with decision no. 264, dated 20.12.2018, approved the transitory period of 12 months, to make effective the license transferring
- As follows, with Decision no. 146, dated 18.12.2019, decided to approve the request of the company to postpone the transitory period until on **31.12.2019**, to make effective the license transferring for the electricity distribution system operation, of the “Electricity Distribution Operator” (OSHEE) company, to the “Distribution System Operator” and the license of electricity supply and the universal service obligation of electricity supply, to the “Universal Service Supplier” company.
- As the result of OSHEE company unbundling as well as the above mentioned decisions, implementing Order no. 157 dated 12.02.2018 of the Ministry of Energy and Infrastructure, “DSO” company from January 2020 continues the operation in the market as an unbundled operator, while it is defined even legally responsible for the activities performed until today from this structure part of OSHEE Group organization and with full rights and obligations arising from the Agreement of Ensuring the Electricity Distribution are transferred to DSO company.
- With the transferring of the distribution activity license DSO company transferred all the rights and obligations of the distribution operator within the meaning of the activity provided on the effective legislation.
- The amendment on this Agreement, relates only with the replacement of the responsible party to perform the distribution activity and does not modify or alters the rights and obligations provided on it for the parties.

For all of the above mentioned, ERE Board,

Decided:

1. To approve some amendments at the *Agreement for ensuring the electricity distribution service between the electricity distribution operator (OSHEE) company and the Supplier*, as follows:
 - a. Everywhere on the agreement, “OSHEE” company shall be replaced with “Distribution System Operator”.
2. Legal Issues Directory, shall inform the stakeholders about ERE Board Decision.

This decision enters immediately into force.

For this decision may be required its review within 7 calendar days and may be complained on Tirana Administrative Court, within 30 calendar days from the publication in the Official Gazette.

This decision shall be published on the Official Gazette

ERE CHAIRMAN

Petrit AHMETI