



REPUBLIKA E SHQIPËRIË

**ENERGY REGULATOR AUTHORITY
BOARD**

DECISION

No. 58 Dated 26.03.2020

ON

DEFINING THE ELECTRICITY BILLING METHOD, DURING THE PERIOD OF IMPLEMENTATION OF THE COUNCIL OF MINISTERS NORMATIVE ACT NO.8, DATED, 24.03.2020 “ON SOME ADDITIONS AND CHANGES IN THE COUNCIL OF MINISTERS NORMATIVE ACT NO.3, DATED 15.03.2020, “ON TAKING SPECIFIC ADMINISTRATIVE MEASURES DURING THE PERIOD OF INFECTION CAUSED BY COVID-19”, AS AMENDED AND ALSO COUNCIL OF MINISTERS DECISION NO.243, DATED 24.03.2020 “ON NATURAL DISASTER DECLARATION”

Based on articles 6, 16, 19 and 20 of Law no.43/2015 “*On Power Sector*”, as amended; Council of Ministers Decision no. 243, dated 24.03.2020 “*On Natural Disaster Declaration*”; Council of Ministers no.8, dated 24.03.2020 “*On some additions and changes of the Council of Ministers Normative Act no.3,dated 15.03.2020, “On taking specific administrative measures during the period of infection caused by Covid-19”*”, as amended and also article 15 of the “Regulation for ERE Organization, Operation and Procedures” approved with ERE Board Decision no. 96,dated 17.06.2016, ERE Board in their meeting no.14, dated 26.03.2020, after reviewing the report prepared by Technical Directorates, on defining the electricity billing method, during the period of implementation of the Council of Ministers normative act no.8, dated, 24.03.2020 “*On some additions and changes in the Council of Ministers normative act no.3,dated 15.03.2020 “On taking specific administrative measures during the period of infection caused by Covid-19 as well as the report prepared by the General Secretary of ERE,*

**Observed
that:**

OSHEE Group Company with the official letter protocol no. 3457, dated 17.03.2020 and the e-mail dated 26.03.2020 addressed to ERE regarding the development of the reading process and billing during the period of implementation of the preventive measures taken by the Albanian Government during the period of spread of COVID - 19 in our country requiring the usage of reference values for invoices of the same month of the previous year being that based on the normative acts into force it is impossible to access the measurement system and reading Along this period and the amount of customers who are inaccessible and have difficulty reading in the country, is very large.

OSHEE Group Company in the official letter after quoting the normative acts issued by the Council of Ministers, as well as the Ministry of Infrastructure and Energy Order No. 118, dated 10.03.2020 “On determining the plan of measures to ensure the provision of priority services, in order to prevent the spread of COVID-19 ”, pursuant to the Ministry of Health Order“ On taking special measures in the prevention of COVID - 19 ”; closing all institutions of the educational system and limiting the activities and number of employees in all state-owned enterprises, as well as closure of a significant number of businesses, requires by the ERE, since the period of the implementation of the above acts for the billing of electricity customers, by DSO Company, to apply the provision of Article 76, point of Law No. 43/2015 “On Power Sector”, as amended.

Based on the above mentioned it results that:

Due to the restrictions provided in the acts mentioned above, the possibility for full access to the metering system by DSO Company is limited.

Based on the acts above and the current conditions on the ground, it is concluded that the normative acts have undertaken a number of restrictions for both individuals and businesses. Also as informed by the General Directorate of Taxes on the website of the latter the list of businesses which shall be allowed to operate after March 24 2020, fact which affects the electricity consumption of these customers and which should be taken their consideration and billing to be done for the time they have been open to conduct their activity.

It is evaluated that the proposal requested by DSO Company by e-mail dated 26.03 whereas reference value for invoice for this time period is proposed to be taken the same month of last year, so 2019, it is fair and serves the current situation due to the fact that this invoice method shall be carried out for an extremely large number of customers in terms when the access to the reading system of the readers is limited by the normative acts in force.

Exceptionally from this regime, shall continue the treatment of those electricity customers who have an invoice of 0 kW h in the last 3 months and before, have a complaint for electricity over-invoicing for the months for which the reference shall be used, have either made or shall make a request for suspension / closing of the electricity contracts in process, for the treatment of which the DSO has the obligation to continue the procedure of suspension / closing of contracts according to the legislation in force.

Another measure that shall be taken into consideration is that the customers who are in the process of closing or suspending contracts for which the process shall proceed normally and shall not be interrupted as this is a process which can also take place in terms of the normative acts in force to prevent the spread of the pandemic.

Reading about on-line measurement shall continue normally. Another measure that shall be taken into consideration is the fact that if there shall be complaints about the implementation of this decision

making DSO Company shall take the necessary measures to verify and read them at a time faster than the normal standard of handling complaints in a normal situation. Therefore DSO and the Universal Service Supplier shall allow the possibility of online complaint as well as customer care service only in accordance with the rules defined in accordance with the protocol of the World Health Organization, the plan of measures taken in our country to prevent the spread of the pandemic as well as the normative acts to maintain the distance among persons, taking as a basis for the complaint through the customer's self-declaration for non-consumption of electricity.

In case there shall be a difference between the invoice with the replacement reference value according to this decision and the real value of consumption, they must be settled within the first month of completion of the terms for the normative acts that are mentioned above.

It shall also be taken into consideration the acquaintance of the customers with this decision-making through the media including television, public communications, online press or the company's website and Customer Care Centers to enable the latter to become acquainted with their rights and obligations of each party. ERE shall continue to monitor the activities of OSHEE and Universal Service Supplier Companies which continue to have the obligation of periodic reporting in accordance with the terms of the license.

For all the above mentioned, ERE board,

DECIDED

1. To approve the electricity invoice methods, during the period of implementation of the Council of Ministers normative act no.8, dated 24.03.2020 “On some additions and changes of the Council of Ministers normative act no.3, dated 15.03.2020, , “On taking specific administrative measures during the period of infection caused by covid-19”, as amended and also Council of Ministers Decision no.243, dated 24.03.2020 “On natural disaster declaration”

2. Invoicing of electricity customers starting from the reading cycle of March 2020 during the duration of the legal force of the Council of Ministers normative acts regarding the spread of COVID - 19 and Council of Ministers Decision no. 243, dated 24.03.2020 “On natural disaster declaration”, according to the following definitions:

2.1. All active customers of the household category for whom access of the metering system is impossible, shall be invoiced with a replacement reference value with the same consumption of March 2019 and onwards with the respective months of 2019 excluding customers as follows:

- a. Having 0 kWh invoice in the last 3 months and before,
- b. Have a complaint about electricity over-invoicing for the months in which the reference shall be used
- c. Have made or shall make a request for suspension / closing of electricity contracts in process, this does not remove the obligation of the DSO to continue the procedure for suspension / closing of contracts according to the legislation in force.

- 2.2 For electricity supply contracts that do not have invoices of the reference month of the previous year of consumption with electricity meter, reference value invoice shall be made based on the average consumption with electricity meter, registered during the last year in the invoice system.
- 2.3 All active customers of the non-household category for whom it is impossible to access in the metering system, shall be invoiced with the same consumption of March 2019 and following the respective months of 2019, excluding customers as follows:
 - a. Have 0 kWh invoice in the last 3 months and before.
 - b. Have a complaint about electricity over-invoicing for the months for which the reference shall be used
 - c. Have made or shall make a request for suspension / closing of energy contracts in process, this does not remove the obligation of the DSO to continue the procedure of suspension / closing of contracts according to the legislation in force.
- 2.4 For electricity supply contracts that do not have invoices of the reference month of the previous year of consumption with electricity metering, reference value invoices shall be made based on the average consumption with electricity metering, registered during the last year in the invoice system.
- 2.5 All customers of the non-household category who according to the provisions of the normative acts that are related to COVID - 19, are prohibited from exercising their activity, according to the publications of the Tax Directorate or other bodies evidenced by the normative acts, shall be invoiced for March 2020 only for a period of 15 days. For the following months they shall be invoiced based on the days that shall result in activity.
- 2.6 For all customers with on line metering, the invoice process shall continue unchangeable
- 3 Consumption invoice of common areas shall continue the same for all categories of customers who are offered this service.
- 4 Invoice of the service fee 240 (ALL) (including VAT) for all household and non-household customers with consumption of about 0 kWh.
- 5 For customers with damaged meters (which resulted during invoices in December 2019 - February 2020) shall continue the invoicing with reference value according to this decision until the complete return of activities.

- 6 When the customer provides proof for non-consumption of electricity during the period of the invoice object of this decision DSO is obliged to read and verify the meter for these customers. The Universal Service Supplier shall invoice these customers based on meter readings.
- 7 Differences that shall result between the replacement reference value according to this decision and the real value of consumption shall be arranged within the first month of completion of the terms for the normative acts mentioned above.
- 8 Reporting at ERE all the customer complaints that shall result from the application of this invoice method and their resolution within a period of 10 days from the registration of the complaint considering the condition of receiving complaints online and customer care service only in accordance with the rules defined in accordance with the protocol of the World Health Organization, the plan of measures taken in our country to prevent the spread of the pandemic as well as normative acts for maintaining the distance among persons.
- 9 Temporary suspension of point 2, of ERE Board Decision No. 181/2016 *“On some changes in ERE Board Decision no.104 dated 23.06.2016, “On defining the methodology of reference values in case the measurement data are temporarily unavailable and inaccessible as well as on the abrogation of ERE Board Decisions no. 49, dated 21.10.2004 and no. 146 dated 24.12.2013*
- 10 DSO shall take all the measures for the publication of this decision on the website of the company as well as in the electronic and printed media.
- 11 The General Secretary shall notify the interested parties regarding this decision as well as shall follow the progress of its implementation.

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



REPUBLIKA E SHQIPËRISË
ENERGY REGULATOR AUTHORITY

BOARD

Vote of ERE Board for,

DECISION

No. 58 Dated 26.03.2020

ON

DEFINING THE ELECTRICITY BILLING METHOD, DURING THE PERIOD OF IMPLEMENTATION OF THE COUNCIL OF MINISTERS NORMATIVE ACT NO.8, DATED, 24.03.2020 “ON SOME ADDITIONS AND CHANGES IN THE COUNCIL OF MINISTERS NORMATIVE ACT NO.3, DATED 15.03.2020, “ON TAKING SPECIFIC ADMINISTRATIVE MEASURES DURING THE PERIOD OF INFECTION CAUSED BY COVID-19”, AS AMENDED AND ALSO COUNCIL OF MINISTERS DECISION NO.243, DATED 24.03.2020 “ON NATURAL DISASTER DECLARATION”

Board Members	Pro-s	Con-s
Petrit Ahmeti	_____	_____
Adriatik Bego	_____	
Erjola Sadushi	_____	_____ _____
Maksim Shuli	_____	
Raimonda Islamaj	_____	_____ _____