

Rules and procedures on Licensing, Modification, partial/full transfer and renovation of licenses

Chapter I General Provisions

Article 1 – Authority

This regulation is issued according to Article 14, point 2, of the Law No.9072, dated 22.05.2003 “On Power Sector” as amended, and is in compliance with the ERE Rules of Practice and Procedure.

Article 2 – Scope of Regulation

This regulation defines the licensing procedures for carrying out of the activities set forth in the Law No.9072, dated 22.05.2003 “On Power Sector” as amended, by specifying the terms and conditions for granting, modifying, renewing of the license as well as the authority of ERE for establishing the payments made for each type of license application.

Article 3 – Definitions

In this regulation the following terms and sentences shall have the meaning:

1. **“Applicant”** shall mean any Person who applies for a License under this Regulation.
2. **“Application”** shall mean the request for licensing accompanied with the documents provided for in the articles 8 and 9 of this regulation, and the request provided for in the article 11, 15, 16, 17.
3. **“Refusal of application”** shall mean the Decision of the Board of Commissioners of ERE reached in compliance with this Regulation for non licensing, non renovation and not acceptance of changes proposed or non acceptance for full/partial transfer of license.
4. **“Acceptance of application”** shall mean the Decision of the Board of Commissioner of ERE reached in compliance with this Regulation for licensing, renovation, and acceptance of changes proposed or approval of full/partial transfer of license.
5. **“Board of Commissioners”** shall mean the decision-making body of the ERE composed by five members appointed according to the procedures provided for by the Law No.9072, dated 22.05.2003 “On power sector” as amended and Law No. 9946 date 30.06.2008 “ On Natural Gas”.
6. **“ERE”** shall mean the Electricity Regulatory Authority that operates based on Law No.9072, dated 22.05.2003 “On power sector” as amended and Law No. 9946 date 30.06.2008 “ On Natural Gas”.
7. **“License”** shall mean an authorization granted by the ERE according to the third part of Law No.9072, dated 22.05.2003 “On power sector” as amended and article 4 of this Regulation.

8. **“Licensee”** shall mean a person that holds a license granted by the ERE to operate in the electricity sector.
9. **“Person”** shall mean any physical or legal person.
10. **“Responsible Delegate”** shall mean a physical/legal person who applies for a license on behalf of an Applicant pursuant to Article 7.
11. **“Main Manager”** shall mean the administrator, the general director or top manager, as well as the main technical-engineer director of the object.

Article 4 – Licenses

1. The ERE issues Licenses for the following activities:
 - a. Generation of electricity;
 - b. Transmission of electricity;
 - c. Distribution of electricity;
 - d. Wholesale Public Supplier of electricity;
 - e. Retail Public Supplier of electricity;
 - f. Supply of electricity for eligible customers;
 - g. Trade of electricity.
2. No license is required for construction and operation of an auto-producer not connected to the power system and for construction of a direct line.

Article 5 – Duration of Licenses Validity

1. The duration of validity of the operational licenses issued by the ERE for the activities provided in Article 4 of this Regulation shall be set by the ERE within the following time frame:
 - a. for generation of electricity up to 30 years;
 - b. for transmission of electricity up to 25 years;
 - c. for distribution of electricity up to 30 years;
 - d. for wholesale public supplier of electricity up to 5 years
 - e. for retail public supplier of electricity up to 5 years;
 - f. for supply of electricity to eligible customers up to 5 years;
 - g. for trade of electricity up to 5 years.
2. For companies licensed for generation of electricity asking to be licensed in the electricity trade as well, the validity of the trade license will be set in compliance with license for generation of electricity.

Chapter II

Application Procedures for Licenses

Article 6 – Right to apply for a license

Any Person located in Albania and with carrying out an activity which requires a license, may apply for a license issued by the ERE. Any foreign person with carrying out the licensed activity by ERE, has to set up a company in Albania, with object the

activity the license is required for, under the Legislation in Force, a location for the whole period of validity of the license.

Article 7 – Delegation of powers of the applicant

1. The Applicant may appoint a natural or legal person as the Responsible Delegate to apply for an ERE license in compliance with legislation in force and this regulation.
2. The Responsible Delegate shall present to ERE:
 - a. The power of attorney by the applicant for its representation
 - b. Certification that the Responsible Delegate is not involved in a judicial process underway by the juridical authorities (certification from the prosecution office and court).
3. The tasks of the Responsible Delegate are:
 - a. to submit the application for a license, together with the required documentation according to Articles 8, 9, 10, 11, 15,16,17 of this Regulation;
 - b. to submit the additional data and information required by the ERE in a reviewing license application process;

Article 8 – Filing of a licensee application

1. The application consists in the application format and documentation set forth in the article 9 of this regulation, completed by the applicant.
2. The applicant shall make the application payment when submitting the application as set forth in the annex A of this regulation.
3. The documentation filed by the applicant shall be original or the notarized photocopy. The certifications and declaration from other bodies shall be issued not before than three months from the date the application is submitted.
4. If the applicant has applied and is in process of getting the other necessary permissions set in the regulation, can submit the applicant to ERE by submitting also the information from the respective entities in what phase is the process of permissions from these entities.
5. The technical documentation from the license type shall be drafted and signed by licensed experts (electric engineers, mechanic engineers, accounting experts, hydro technical engineers etc.)
6. Each application accompanied by the relevant documentation shall be in two copies, one original or the notarized photocopy as set in the point 3 of this article and photocopy of all documentation as set in this regulation.
7. For the plants using wave energy or the tidal energy are submitted the same applicable documents as per HPP in compliance with the legal framework.

Article 9 – Form and document application documentation

1. Application form

a. Application data (to be completed by the applicant)

Based on Law no. 9072 dt.22.05.2003 “On Power Sector” amended, I ask from ERE the proceeding of the application according to the specifications in the table below, based on the general and technical data attached to this application, in compliance with the legal framework in the electricity sector and the regulation on licensing procedures.

1	Type of application	<input type="checkbox"/> Licensing <input type="checkbox"/> Renovation <input type="checkbox"/> Transfer <input type="checkbox"/> Modification
2	Type of license	<input type="checkbox"/> Generation of electricity <input type="checkbox"/> Transmission of electricity <input type="checkbox"/> Distribution of electricity <input type="checkbox"/> Wholesale Public Supply of electricity <input type="checkbox"/> Retail Public Supply of electricity <input type="checkbox"/> Supply of electricity for eligible customers <input type="checkbox"/> Trade of electricity

b. General Information of the applicant (to be completed by the applicant)

1	Applicant name	
1	Tax registration number in the National Center of Business Registration	
2	Company Headquarters	Address
2		Mobile
2		Telephone
2		Fax
3	Administrator	Name
3		Function
4	Responsible delegate	Name
4		Address
4		Mobile
4		Telephone
4		Fax

c. Data on applicant (to be completed by the applicant)

1	I declare that to the applicant has not been removed or refused a license before for operation in the electricity sector within and outside the country	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2	I declare that as an applicant I recognize the legal framework and I commit to its implementation and that of the regulations adopted by ERE for operation in the electricity sector.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3	Declaration of the applicant for carrying our of other activities. If yes, list in the last column.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Note: Mark X in the box Yes for confirmation

2. Legal, Administrative and Ownership Documentation

- a. Articles of association of the company
- b. Company's by-law
- c. Act of registration at Center of Business Registration
- d. Certification proving that the General Manager or the Applicant are not subject of any criminal court proceeding (certificates issued by the court and persecution office).
- e. Organization chart and administrative functioning of the company. List of personnel (according to the activity for which the license is requested).
- f. Concessionary agreement or authorization from CM in the applicable cases in compliance with the respective legal framework.
- g. Documents that prove the ownership of the applicant in the project areas (sale/purchase contract, rent contract, donation acts, promising sale/purchase contract, agreement with subjects that own the zones where the project is extended) (for those activities that use assets for the licensed activity that shall be carried out).

3. Financial and fiscal documentations

- a. Declaration for tax payment and payments of dues to the Social Security Institution.(for the newly created companies such payment does not exist)
- b. Financial statement of the last three years/or for the period of the existence of the company (for companies with partners other companies , the balance sheet of these last)
- c. Documents that verify the ability and/or financial support of the applicant, where are stated the monetary values for funding, the funding structure (funding of the applicant, loans, donations, others etc.)
- d. Certification of payment for ERE for the registration fee for application as per Annex A of this Regulation.

4. Technical documentation

4.1 Technical documentation for HPP

4.1.1 Technical documentation for HPP (to be completed by applicant)

1	Data for the generating plant	Unit	
2	Name		
3	Location (number of ownership registration)		
4	Type of HPP		<input type="checkbox"/> Damp <input type="checkbox"/> Derivation <input type="checkbox"/> Basen <input type="checkbox"/> Pumping reserve
5	Type of turbine		
6	Capacity reservoir of the basin	m ³	
7	Average annual flows	l/s	
8	Length of deviation canal	M	
9	Head H _{net}	M	
10	Installed power	MW	
11	Number of generation units and the installed power for each	Nr * MW	
12	Voltage at the generator exist	kV	
13	Sub/station where connected		
14	Voltage of distribution/transmission network where the plant is connected	kV	
15	Annual Generation of electricity E _{annual}	MWh	
16	Efficiency		
17	Construction year		
18	Operational date		
19	Expected lifetime		

4.1.2 Technical data for the transformer block and connection to the system (to be completed by applicant)

1	Generator of transformer		
2	Capacity	MVA	
3	Voltage of windings	kV	
4	Scheme of winding connection		
5	Transmission lines		<input type="checkbox"/> Cable <input type="checkbox"/> Air
6	Length of line	km	
7	Transmission capacity	MW	
8	Voltage line	kV	
9	Type of wires		
10	Section of wires	mm ²	

4.1.3 Technical and graphic documentation

a. General scheme of the plant at A1 form

- b.** An electric Diagram in A1 form for the aggregates and the transformer block where it is clearly evidenced the connection point to the system and the metering point
- c.** Geographical extension of the location where will be constructed or developed the activity by giving exact reference (real estate registration number, cadastral number) presented in the map with the scale 1:25 000
- d.** Topographic map showing the track of the transmission line with the scale 1:25000

4.1.4 Technical and economical documentation

- a.** Technical feasibility study based on real data and measures carried out in the implementation zones of the projects including: general description of the project, climacteric and meteorological conditions for the project zone according to the plant type, technical description of the plant elements based on the above data; calculations on which are based the selections made, the study, the calculation and selection of equipment for the connection with the system and transmission of energy; study and analysis of the geological-engineering conditions of the zone where the project is implemented
- b.** The graphic of project implementation
- c.** Technical appraisal of the project
- d.** Business plan giving: annual forecast of costs, sales, revenues, project financing; investment required for the project realization (final bill of quantity); details for each substantial flow of capital, including principal costs for decommissioning (out of service), estimation of net annual cash flow for the realization and functioning period of the project to demonstrate financial security and feasibility of the project; information regarding the financial sources when necessary and on case basis, confirmation from the respective lender. This document should be audited from an licensed audit and describe the period from the project start till the liquidation of the financing made for the project realization.

4.1.5 Permits from other bodies

- a.** Approval of TSO or DSO for connection of plant to the transmission or distribution electricity network
- b.** Water permit usage for generation of electricity
- c.** Environmental authorization from competent bodies

4.2 Technical documentation for TPP

4.2.1 Technical data for TPP (to be completed by the applicant)

1	Data for the generation plant	Unit	
2	Name		
3	Location (number of ownership registration)		
4	Type of TPP		<input type="checkbox"/> Fossil fuel <input type="checkbox"/> Geothermal <input type="checkbox"/> Biomass/biogas <input type="checkbox"/> Heating from technical process of heavy industry <input type="checkbox"/> Motor-generator group
5	Type of turbine		<input type="checkbox"/> Steam turbine <input type="checkbox"/> Gas Turbine <input type="checkbox"/> Combined cycle
6	Fuel type		
7	Annual consumption of fuel type	t/year	
8	Annual consumption for cooling	t/year	
9	Steam generation	t/year	
10	Emission of CO ₂	mg/m ³ t/year	
11	Emission of SO ₂	mg/m ³ t/year	
12	Emission of NO _x	mg/m ³ t/year	
13	Emission of CO	mg/m ³ t/year	
14	Emission of solid materials	t/year	
15	Installed power	MW	
16	Number of generation units and installed power for each	Nr * MW	
17	Voltage at generation exit	kV	
18	S/station connected		
19	Network voltage of distribution/transmission where the plant is connected	kV	
21	Annual generation of energy E _{viet}	MWh	
22	Annual generation of steam	t/year	
23	Electric efficiency		
24	Thermal efficiency		
25	Construction year		

26	Operational date		
27	Expected lifetime		

4.2.2 Technical data on transformer block and connection to the system (to be completed by the applicant)

1	Generator of transformer		
2	Capacity	MVA	
3	Voltage of windings	kV	
4	Scheme of winding connections		
5	Transmission lines		<input type="checkbox"/> Cable <input type="checkbox"/> Air
6	Length of line	Km	
7	Transmission capacity	MW	
8	Voltage line	kV	
9	Type of wires		
10	Section of wires	Mm ²	

4.2.3 Technical and graphic documentation

- a. General scheme of the plant at A1 form
- b. An electric Diagram in A1 form for the aggregates and the transformer block where it is clearly evidenced the connection point to the system and the metering point
- c. Geographical extension of the location where will be constructed or developed the activity by giving exact reference (real estate registration number, cadastral number) presented in the map with the scale 1:25 000
- d. Topographic map showing the track of the transmission line with the scale 1:25000

4.2.4 Technical and economical documentation

- a. Technical feasibility study based on real data and measures carried out in the implementation zones of the projects including: general description of the project, climacteric and meteorological conditions for the project zone according to the plant type, technical description of the plant elements based on the above data; calculations on which are based the selections made, the study, the calculation and selection of equipment for the connection with the system and transmission of energy; study and analysis of the geological-engineering conditions of the zone where the project is implemented
- b. The graphic of project implementation
- c. Technical appraisal of the project
- d. Business plan giving: annual forecast of costs, sales, revenues, project financing; investment required for the project realization (final bill of quantity); details for each substantial flow of capital, including principal costs for decommissioning (out of service), estimation of net annual cash flow for the realization and functioning period of the project to demonstrate financial security and feasibility of the project; information regarding the financial sources when necessary and on case basis, confirmation from the respective lender. This document should be audited from an licensed audit and describe the period from the project start till the liquidation of the financing made for the project realization.

4.2.5 Permits from other bodies

- a. Approval of TSO or DSO for connection of plant to the transmission or distribution electricity network
- b. Water permit usage for generation of electricity
- c. Environmental authorization from competent bodies

4.3 Technical data on Eolic plants

4.3.1 technical data on eolic plants (to be completed by applicant)

1	Data for the generation plant	Unit	
2	Name		
3	Location (number of ownership registration)		
4	Type of plant		<input type="checkbox"/> Off shore <input type="checkbox"/> On shore
5	Tower height	M	
6	Rotor's diameter	M	
7	Min and max wind speed exploited	m/s	
8	Working hours in one year	H	
9	Installed power	MW	
10	Number of generation units and installed power for each	Nr MW	*
11	Voltage at generation exit	kV	
12	S/station connected		
13	Voltage of distribution/transmisión network where the plant is connected	kV	
14	Annual generation of electricity E_{ann}	MWh	
15	Efficiency		
16	Construction year		
17	Operational date		
18	Expected lifetime		

4.3.2 Technical data on the transforming block and connction to the system (to be completed by applicant)

1	Generator of transformer		
2	Capacity	MVA	
3	Voltage of windings	kV	
4	Scheme of winding connection		
5	Transmission line		<input type="checkbox"/> Cable <input type="checkbox"/> Air
6	Length of line	km	
7	Transmission capacity	MW	
8	Voltage of line	kV	
9	Type of windings		
10	Section of windings	mm ²	

4.3.3 Technical and graphic documentation

- a. General scheme of the plant at A1 form
- b. An electric Diagram in A1 form for the aggregates and the transformer block where it is clearly evidenced the connection point to the system and the metering point
- c. Geographical extension of the location where will be constructed or developed the activity by giving exact reference (real estate registration number, cadastral number) presented in the map with the scale 1:25 000
- d. Topographic map showing the track of the transmission line with the scale 1:25000

4.3.4 Technical and economical documentation

- a. Technical feasibility study based on real data and measures carried out in the implementation zones of the projects including: general description of the project, climacteric and meteorological conditions for the project zone according to the plant type, technical description of the plant elements based on the above data; calculations on which are based the selections made, the study, the calculation and selection of equipment for the connection with the system and transmission of energy; study and analysis of the geological-engineering conditions of the zone where the project is implemented
- b. The graphic of project implementation
- c. Technical appraisal of the project
- d. Business plan giving: annual forecast of costs, sales, revenues, project financing; investment required for the project realization (final bill of quantity); details for each substantial flow of capital, including principal costs for decommissioning (out of service), estimation of net annual cash flow for the realization and functioning period of the project to demonstrate financial security and feasibility of the project; information regarding the financial sources when necessary and on case basis, confirmation from the respective lender. This document should be audited from an licensed audit and describe the period from the project start till the liquidation of the financing made for the project realization.

4.3.5 Permits from other bodies

- a. Approval of TSO or DSO for connection of plant to the transmission or distribution electricity network
- b. Water permit usage for generation of electricity
- c. Environmental authorization from competent bodies

4.4 Technical documentation on Solar plants

4.4.1 technical data of solar plants (to be completed by applicant)

1	Data for the generating plant	Njesia	
2	Name		
3	Location (number of ownership registration)		
4	Type of plant		<input type="checkbox"/> Photovoltaic <input type="checkbox"/> Solar for h
5	Type of panels		<input type="checkbox"/> Monocrystalline <input type="checkbox"/> Polycrys <input type="checkbox"/> Noncrystalline

6	Total surface of panels	M ²	
7	Working hours in one year	H	
8	Installed power	MW	
9	Number of generation units and the installed power	Nr * MW	
10	Voltage	kV	
11	S/station conncted		
12	Voltage of distribution/transmisión network where the plant is connected	kV	
13	Annual generation of electricity E _{ann}	MWh	
14	Efficiency		
15	Construction year		
16	Operational date		
17	Expected lifetime		

4.4.2 Technical data on transforming block and connection to the system (to be completed by applicant)

1	Generator of transformer		
2	Capacity	MVA	
3	Voltage of windings	kV	
4	Scheme of winding connection		
5	Transmission line		<input type="checkbox"/> Cable <input type="checkbox"/> Air
6	Length of line	km	
7	Transmission capacity	MW	
8	Voltage line	kV	
9	Type of wires		
10	Section of wires	mm ²	

4.4.3 Technical and graphic documentation

- a. General scheme of the plant at A1 form
- b. An electric Diagram in A1 form for the aggregates and the transformer block where it is clearly evidenced the connection point to the system and the metering point
- c. Geographical extension of the location where will be constructed or developed the activity by giving exact reference(real estate registration number, cadastral number) presented in the map with the scale 1:25 000
- d. Topographic map showing the track of the transmission line with the scale 1:25000

4.4.4 Technical and economical documentation

- a. Technical feasibility study based on real data and measures carried out in the implementation zones of the projects including: general description of the project, climacteric and meteorological conditions for the project zone according to the plant type, technical description of the plant elements based on the above data; calculations on which are based the selections made, the study, the calculation and selection of equipment for the connection with the system and transmission of energy; study and

analysis of the geological-engineering conditions of the zone where the project is implemented

b. The graphic of project implementation

c. Technical appraisal of the project

d. Business plan giving: annual forecast of costs, sales, revenues, project financing; investment required for the project realization (final bill of quantity); details for each substantial flow of capital, including principal costs for decommissioning (out of service), estimation of net annual cash flow for the realization and functioning period of the project to demonstrate financial security and feasibility of the project; information regarding the financial sources when necessary and on case basis, confirmation from the respective lender. This document should be audited from an licensed audit and describe the period from the project start till the liquidation of the financing made for the project realization.

4.4.5 Permits from other bodies

a. Approval of TSO or DSO for connection of plant to the transmission or distribution electricity network

b. Water permit usage for generation of electricity

c. Environmental authorization from competent bodies

4.5 Technical documentation for the transmission of electricity

a. Data on transmission lines

No	Name of the line	Transmission capacity	U_n	I_n	Energy losses	Type /Section of wires	Length	Type of pillar	Type of isolator	Number of circuits	Const year
		MW	kV	A	%	mm ²					

b. Data on sub/stations of transmission system

No	Name of sub/station	No. of transforming unit	Installed Power	U_n	I_n	Energy losses	Connection scheme of windings	Level of voltage regulation	Type of voltage regulation	C o
			MVA	kV	A	%				

c. Data on customers and users connected to the transmission system

No	Name of user/customer	Installed Power	U_n	I_n	Type of connection (bus bars to s/stacion, line, etc)	Metering type	Location of metering equipment
		MW	kV	A			

d. Data on energy forecasted to be transmisted

No	Name of user/customer	Energy quantity				
		GWh				
		Year I	Year II	Year III	Year IV	Year V

- e. Transmission system diagram showing the existing elements and the perspective in A1 form
- f. Investment plans for improving, maintenance and extension of the transmission system

4.6 Technical documentation for distribution of electricity

- a. Distribution system diagram showing the existing elements and the perspective ones
- b. Investment plans for improving, maintenance and extension of distribution system
- c. Investment plans for reduction of technical and non-technical losses
- d. Investment plans for improving the service quality

e. Data on distribution lines

No	Name of line	Transmission capacity	U_n	I_n	Energy losses	Type/Section of wires	Length	Air/Cable line	Type of pillar	Type of isolators	Number of circuits
		MW	kV	A	%	mm ²	Km				

f. Data on s/station of distribution system

No	Name of s/st	No. of transformer units	Installed Power	U_n	I_n	Energy losses	Connection scheme of windings	Level of voltage regulation	Type of voltage regulation	C
			kVA	kV	A	%				

g. Data on user connected to the distribution system and distributed energy

No	Categories	Subcategories	No of customers	Energy quantity					
				GWh					
				Year I	Year II	Year III	Year IV	Year V	
	U_n	220 V							
		0.4 kV							
		6 kV							
		10 kV							
		20 kV							
		35 kV							
		110 kV							
	Installed power of customers	0-5 kVA							
		>5-10 kVA							
		>10-50 kVA							
		>50-100 kVA							
		>100-500 kVA							
		>500-1000 kVA							
		>1-10 MVA							
>10-50 MVA									
	Activity	Residential							
		Industrie lehte							
		Industrie rende							
		Construction industry							
		Services							
		Agriculture							
		Education							
		Healthcare							
		Administration							
Trade									

		Transport						
--	--	-----------	--	--	--	--	--	--

h. Data on users connected to the distribution system (generators)

No	Name of user	Installed Power	U_n	I_n	Type of connection (zbara te n/st, linje, etj)	Metering type	Location of metering equipment
		MW	kV	A			

i. Data on transformers cabins

No	Installed Power	Number of cabins	Number of customers connected	Energy losses
	kVA			%
	10			
	20			
	30			
	40			
	50			
	100			
	180			
	200			
	250			
	320			
	400			
	560			
	630			
	750			
	1000			

4.7 Technical documentation on the wholesale public supply with electricity

a. Data on electricity security for supply of customers

No	Subject (Generation plant, commercial, etc.)	Quantity of contracted energy				
		GWh				
		Year I	Year II	Year III	Year IV	Year V

- b. Financial capital for exercising of this activity
- c. List of actual and previous contracts in purchasing and securing of electricity.
- d. Detailed technical-financial information connected to their accomplishment.

4.8 Technical documentation for retail supply of electricity to tariff customers

a. Data on users and supplied energy

No	Categories	Subcategories	Number of customers	Energy quantity				
				GWh				
				Year I	Year II	Year III	Year IV	Year V
	U _n	220 V						
		0.4 kV						
		6 kV						
		10 kV						
		20 kV						
		35 kV						
		110 kV						
	Installed power of customers	0-5 kVA						
		>5-10 kVA						
		>10-50 kVA						
		>50-100 kVA						
		>100-500 kVA						
		>500-1000 kVA						
		>1-10 MVA						
		>10-50 MVA						
	Aktiviteti	Residential						
		Industri e lehte						
		Industri e rende						
		Construction industry						
		Services						
		Agriculture						
		Education						
		Healthcare						
		Administration						
		Trade						
		Transport						

b. Data on security of electricity for customers supply

No	Subject (Generation plant, commercials, etc.)	Energy quantity				
		GWh				
		Year I	Year II	Year III	Year IV	Year V

- c. Financial capital for exercising of this activity
- d. Investment plan for improving of quality of service.
- e. Detailed information on the equipment of customers with meters.

4.9 Technical documentation on the activity of qualified supplier of electricity

a. Average energy quantity forecasted for supply of eligible customers

No	Name of eligible customers	Energy quantity				
		GWh				
		Year I	Year II	Year III	Year IV	Year V

- b. Level of voltage and the manner of metering realisation for eligible customers (in cases when the applicant has identified the eligible customer or customers to whom will be served and should be presented the electric diagram in A1 form evidencing the metering point and the metering point of electricity for the eligible customer and the connection to the power system)
- c. Financial capital (expressed in monetary value) forecasted for the exercising of this activity

4.10 Technical documentation for trade of electricity

- a. Energy quantity forecasted to be traded in GWh
- b. Financial capital (expressed in monetary value) forecasted for the exercising of this activity
- c. List of previous contracts realised (if any)

Article 10 – Review of license application

1. After the reviewing of the submitted application regarding the requests of the articles 8 and 9 the Licensing and Monitoring Dept shall prepare a report proposing to the Board of ERE the beginning or not of the procedures for the license application reviewing in compliance with the deadlines set forth in the Rules of Practice and Procedures.
2. Any application shall be submitted in compliance with the form, content, deadlines and descriptions of this regulation, by completing all the requests and documents otherwise the Licensing and Monitoring Dept shall propose to the Board of Commissioners of ERE for non starting of procedures for application review.
3. The Board of ERE may decide not to begin the procedures for license application reviewing based on the abovementioned report.
4. ERE may start the procedures for reviewing an application also in the cases described in the point 4 article 8 of this regulation, but the final decision for refusal or acceptance of the application shall be taken only if the permits from the other bodies are presented.
5. ERE shall, in case of refusal, notify the applicant on the refusal or acceptance reasons by giving the necessary explanations within 5 working days.
6. The applicant may submit a new application according to the requirements of this Regulation by taking into consideration the ERE guideline.
7. If the Applicant submits a new application in compliance with point 6 of this article within three months from the decision for non starting of the procedures, the

submitted documentation in the previous application shall be considered valid for the new application.

8. When the beginning of procedures for the license application is approved, ERE publishes in 3 days in the written media for two consecutive days the notification on the license application in three daily newspapers of national circulation that are published in Tirana.

9. ERE shall publish:

- a. a short summary on the application;
- b. a notification that the submission of objections or complaints from the interested parties can be submitted to ERE within the deadline set by this regulation.

10. After the publication in the media, for a two months period from the first days of the notification ERE shall assure that the application and all the accompanying documentation or any other information are available for inspection by the public in ERE premises.

11. According to the article 14, paragraph 2 of the Law Nr. 9072 date 22.05.2003 “On Power Sector” as amended, for the plants directly connected with the distribution network.

12. ERE shall, taking into consideration the applicant claims, decide what information or documentation should be taken confidential and prevent any access by the interested parties

Article 11- Completeness and Submission of Additional Information

1. Starting from the date of the first publication in the media of the application until the ending of the deadlines stated in the article 10, point 10 and 11, ERE may require the Applicant to provide additional information, in the form and within a specified deadline, concerning any matter deemed necessary by the ERE.
2. If the applicant fails to provide the additional information within the period specified by the ERE, the ERE may reject the application.

Article 12 – Checking-up of the accuracy of the data provided by the applicant

1. When the objection period is finished according to the article 10 paragraph 10 and 11 of this Regulation, the Licensing and Monitoring Dept shall analyze all the possible objections submitted by other parties, the filed documentations (application) from the applicant and any additional information provided upon ERE’s request, whether they are in compliance with the provisions of this Regulation.
2. After checking the documentation, the Licensing and Monitoring Dept. shall submit to the Board a report suggesting granting or refusing of the license and the relevant justifications in accordance with the Regulation and the legislation in force.

Article 13 – Decision of the Board of Commissioners

1. Upon termination of the deadline for submission of objections or complaints, ERE Board of Commissioners shall review the application based on the criteria specified in the Article 15 of Law No. 9072 date 22.05.2003 “ On Power Sector” as amended.
2. In deciding whether to grant or refuse an application for a license as well as on the terms and conditions for such license, the ERE shall take into consideration the following criteria:
 - a. the completeness and accuracy of the submitted documentation in compliance with this regulation or/and requests of ERE for additional information;
 - b. the location and territory in which the licensed activity will be carried out
 - c. the safe and stable functioning of the equipment, plants and/or network
 - d. the demand for primary energy sources
 - e. the requirements for the national security, life of the citizens, property, health and public order
 - f. the financial requests
 - g. the protection of the environment;
 - h. the promotion of electricity efficiency in the power sector
 - i. public service obligations as stated in the legislation;
 - j. the promotion of a competitive electricity market and the least cost principles in the electricity supply
 - k. the security and reliability of supply with electricity within the Republic of Albania
3. In making its decision, the Board of the ERE shall examine:
 - a. the applicant’s application, and any additional information submitted by applicant;
 - b. any objections and complaints submitted by interested persons;
 - c. the report required from the Department of Licensing and Monitoring.

Article 14 – Granting or refusing of the license

1. The ERE Board of Commissioners shall take the final decision for granting or refusal of the license within 90 days after the first publication of the notification in the media, basing its decision on grounds of the criteria set forth in the article 13 of this Regulation.
2. For plants directly connected to the distribution network, the Board takes a decision no later than 45 days from the first publication date, based on the specific criteria set forth in the article 13 of this Regulation.
3. For the other application cases shall be implemented the deadlines and procedures set forth in the articles 15,16 and 17.
4. The final decision should be in written form and should contain the justification for granting or refusing the license.
5. The ERE decision to grant a license under this Regulation shall be published in the Official Journal.
6. The ERE decision concerning the granting or refusal of the license may be appealed to the Court by the applicant or any other person that has a legal interest.

Chapter III

Modifications, Renovation and Transfer of License

Article 15 – The procedures for modifications of license

1. The ERE may, upon request of licensees or on its own initiative, modify terms and conditions of a license that it considers proper, complying with the procedures provided for by the Article 19 of the Law No.9072, dated 22.052003 “On Power Sector” as amended.
2. The ERE may decide the modification of the license in the following cases:
 - a. in case there are changes of some circumstances on the issuing date of the license (legal framework, court decisions) or of some events that substantially affect the electricity generation, transmission, distribution or the electricity market;
 - b. in case there are legal, technical or financial changes that make impossible the partial or total fulfillment of the terms and conditions set forth in the license;
 - c. in case there are changes to the structure of the Licensee including splitting, merging or transformation into another legal entity.
3. If the ERE decides to modify a license it will issue to the licensee a new license with a modified content, thereby canceling the changed parts in the previous one.
4. In case of modification/change of the license ERE implements the same deadlines and procedures as per licensing, by asking for the below information:
 - a. written information explaining the reasons of the request for license modification
 - b. written decision of the top level of the licensee expressing their free will for the license modification.

Article 16 – Renovation of license

1. No later than 6 months from the license termination, the person may ask ERE for a renovation of the license by submitting the following documents:
 - a. application form set forth in article 9, point 1
 - b. legal, administrative and ownership documents set forth in article 9, point 2
 - c. financial and fiscal documents set forth in article 9, point 3
 - d. any possible modification or change in the technical documents.
2. ERE may ask from the subject any addition information considered necessary for the process.
3. The criteria for a Board decision shall be the same as in the licensing case.
4. ERE shall publish in the written media a notification for the application for renovation of license according to the same procedures applied and for the licensing requests in the energy sector.
5. In the case of a Board renovation the Board may take into consideration the fulfillment of the license terms and conditions for the licensed activity by the Applicant.

6. The Board shall take a decision for renovation or not no later than 45 days from the submitting of the request according to this regulation.

Article 17 – Partial and full transfer of the license

1. Upon request of the license ERE shall, and/or with its own initiative, transfer partially or fully the license to a licensee in compliance with the Law N. 9072 date 22.05.2003 “ On Power Sector” as amended.

2. In case of full transfer of assets according to the regulation approved by ERE for this scope, the non licensed person to whom the assets are transferred shall be transferred the license after he submits the application to ERE for the license transfer by presenting the documentation as below:

- a. application form set forth in article 9, point 1
- b. legal, administrative and ownership documents set forth in article 9, point 2
- c. financial and fiscal documents set forth in article 9, point 3
- d. any possible modification or change in the technical documents.

3. In case of partial transfer of assets ERE follows the same procedures as for the full transfer described in point 2, but before deciding for the licensing of the person to whom the assets are partially transferred, shall modify the license of the licensee who has performed the partial transfer of assets.

4. In case of request from the licensee for a license transfer not according to the case prescribed in points 2 and 3 of this article, the licensee shall submit to ERE these documents:

- a. application form as set forth in the article 9, point 1
- b. a written information explaining the requests for license transfer
- c. a decision from the managers of the licensee in a written form expressing the free will for the license transfer

5. The subject who is asking for a license transfer according to point 4, shall submit an application as set forth in the point 2 of this article, after ERE has reached the decision to accept the application of the licensee according to the point 4.

6. After approval for the starting of procedures for the review of application for the license transfer, ERE shall publish in the written media a notification for the application on license transfer according to the same procedures applied and applications for licensing in the energy sector.

7. ERE shall reach the decision for accepting or not the application within 45 days from the starting of procedures for the review of application and during this period the license shall continue to carry out the service in compliance with the legal framework.

Chapter IV Issue and Registration of Licenses

Article 18 – Register form

1. After the decision is taken from ERE on licensing, partial/full transfer, renovation or modification of license, to the applicant shall be issues the respective license.

2. Licenses issued for carrying out activities in the power sector shall be kept by the ERE in the Licenses' Register.
3. Licenses' Register shall be kept electronically and in writing from the Secretary of the Board of Commissioners.
4. The following details shall be entered in the Register:
 - a. License register number and series;
 - b. Date of the approval of the licensee
 - c. Date of the issuance of the license
 - d. Name of the licensee;
 - e. Location of the licensee;
 - f. Description of the activity which is the subject of the issued license;
 - g. Duration of the license

Article 19 – The right to be informed about the Register keeping

1. License Register is open to public access. Access to the Register shall be enabled only in the ERE's premises.
2. Access to the set of accompanying documents shall be allowed to person with legally vested interest as determined by the ERE and the legislation in force.
3. The confidential or business information will not be available for public inspection or review, since their publication may bring about economic damages.

**Chapter V
Final Provisions**

Article 20 – Transitory period

All the applications submitted to ERE before this Regulation becomes effective shall be treated in compliance with the provisions of the previous Regulation.

Article 21 – Amendments to the Regulation

This Regulation is subject to amendments by decision of the ERE's Board of Commissioners.

Article 22 –Entrance in force

This Regulation enters in force after its approval by the Board of Commissioners of ERE.

Annex A

Registration and proceeding fee for an application

AKTIVITY	LICENSING	MODIFICATION	RENOVATION	TRANSFER
Generation of electricity;	10 000 LEKE / MW	10 000 LEKE	10 000 LEKE	10 000 LEKE
Transmission of electricity;	10 000 LEKE	10 000 LEKE	10 000 LEKE	10 000 LEKE
Distribution of electricity;	10 000 LEKE	10 000 LEKE	10 000 LEKE	10 000 LEKE
Wholesale Public Supplier of electricity;	10 000 LEKE	10 000 LEKE	10 000 LEKE	10 000 LEKE
Retail Public Supplier of electricity	10 000 LEKE	10 000 LEKE	10 000 LEKE	10 000 LEKE
Supply of electricity to eligible customers	10 000 LEKE	10 000 LEKE	10 000 LEKE	10 000 LEKE
Trade of electricity	10 000 LEKE	10 000 LEKE	10 000 LEKE	10 000 LEKE