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REPUBLIKA E SHQIPËRIË  
ENERGY REGULATORY AUTHORITY  
BOARD

DECISION

No. 26, Dated 14.02.2022

ON

**DEFINING THE PURCHASE PRICE OF ELECTRICITY PRODUCED FROM SMALL RENEWABLE SOURCES FROM THE SUN AND FROM THE BIODEGRADABLE PART OF SOLID WASTE THAT UTILISE THE INDUSTRIAL, URBAN AND RURAL WASTES FOR 2021**

Based on article 10, point 3, of Law no. 7/2017, *"On promoting the use of energy from renewable sources"* Article 90, of the Code of Administrative Procedures of the Republic of Albania, Council of Ministers Decision (DCM) no. 369, dated 26.04.2017, *"On approving the methodology for defining the purchase price of electricity produced from small renewable sources from the sun and wind"*; Council of Ministers Decision (DCM) no. 27, dated 17.01.2018, *"On approving the methodology for defining the purchase price of electricity produced by small generators with renewable sources from the biodegradable part of solid waste, that utilise the industrial, urban and rural wastes"*; Council of Ministers Decision (DCM) no. 580, dated 28.08.2019, *"On the approval of the consolidated national action plan for renewable energy sources, 2019–2020"*, as amended and 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 dated 14.02.2022, after reviewing the report Protocol no. 236/3 dated 11.02.2022, prepared by Tariff and Prices Directory, *"On defining the purchase price of electricity produced from small renewable sources from the sun and from the biodegradable part of solid waste that utilise the industrial, urban and rural wastes for 2021"*,

**Observed that:**

- ERE is the authority responsible for defining the purchase price of electricity produced from small renewable sources with an installed capacity of electricity up to 2 MW and with an installed capacity of electricity up to 3 MW for wind energy, in accordance with the methodologies approved by the Council of Ministers.
- ERE Board with decision no. 222, dated 09.11.2021, decided to open the procedure to define the electricity purchase price produced from wind and solar small renewable resources as well as the biodegradable part of the solid waste that utilise the industrial, urban and rural wastes for 2021"
- Following the decision mentioned above, ERE with official letter Protocol no. 1111 dated

26.11.2021 informed the Ministry of Infrastructure and Energy, the Ministry of State for the Protection of Entrepreneurship, the Competition Authority, as well as the Albanian Investment Development Agency, regarding the opening of the procedure to define the electricity purchase price produced from, wind and solar small renewable resources as well as the biodegradable part of the solid waste that utilise the industrial, urban and rural wastes for 2021.

- The Competition Authority with official letter Protocol no.499/2, dated 07.12.2021, expressed that this procedure does not contradict law no. 9121, dated 28.07.2003, "On competition protection", as amended.
- ERE with official letter Protocol no. 1120 dated 02.12.2021, requested information from the Ministry of Infrastructure and Energy (MIE), on the entities that have received prior authorization or final approval for the construction of generators that shall be used for the production of electricity from small renewable sources from the sun and wind; as well as for small generators with renewable source from the biodegradable part of solid waste, which utilize industrial, urban and rural wastes for 2021.
- MIE with official letter Protocol no. 8779/1 dated 20.12.2021, informed among others that:
  - has accepted the review of 17 requests for the construction of new photovoltaic electricity generation plants with a capacity of about 2 MW each and shall inform ERE regarding the completion of the legal procedures related to the preliminary approvals that shall be issued within 2021;
  - In total 7 preliminary approvals were issued, 5 preliminary approvals with a production capacity of 3 MW, 2 preliminary approvals with a production capacity of 2 MW and 1 final approval with a capacity of about 2 MW, during 2021;
  - during 2021 no request has been submitted at MIE regarding the construction of electricity generation plants from the biodegradable part of solid waste that utilise the industrial, urban and rural wastes for 2021.
- ERE with official letter Protocol no. 62 dated 13.01.2022, in order to continue and finalize the process opened with ERE board decision no. 222, dated 09.11.2021, requested information from MIE on the status of the applications provided in official letter Protocol no. 1120 dated 02.12.2021 for 2021.
- MIE with official letter Protocol no. 346/1 dated 25.01.2022 informed that, has issued:
  - *16 Preliminary approvals for the construction of photovoltaic electricity generation plants with a capacity of 2 MW each and has accepted the review of 8 applications with a capacity of about 2 MW each, which are in the evaluation phase;*
  - *7 Preliminary Approvals for the construction of wind power generation plants, among which, 5 Preliminary Approvals with a generating capacity of 3 MW each, 2 Preliminary Approvals with a generating capacity of 2 MW each and 1 Final Approval with an installed capacity of about 2 MW.*

- In case when:
  - MIE has not yet completed the process of evaluating applications for photovoltaic technologies up to 2 MW, wind technologies up to 3 MW and has indicated that for construction of electricity generation plants from the biodegradable part of solid waste, utilizing industrial, urban and rural waste, no application has been submitted for 2021; has not yet completed the process of evaluating applications for photovoltaic technologies up to 2 MW, wind technologies up to 3 MW and also informed that for 2021 there have been no applications submitted regarding the construction of electricity generation plants from the biodegradable part of solid waste, utilizing industrial, urban and rural waste.
  - The pricing for these technologies does not apply, in the absence of concrete investment costs for 2021.
- In the procedural aspect, it becomes necessary to close the procedure opened with ERE Board decision no. 222, dated 09.11.2021, on defining the purchase price of electricity produced from small renewable sources from the sun and from the biodegradable part of solid waste that utilize the industrial, urban and rural wastes for 2021.

For all of the above mentioned, ERE Board

**Decided:**

1. On the completion of the administrative procedure opened with ERE Board decision no. 222, dated 09.11.2021, on defining the electricity purchase price produced from, wind and solar small renewable resources as well as the biodegradable part of the solid waste that utilise the industrial, urban and rural wastes for 2021.
2. Tariff and Prices Directory shall inform the Ministry of Infrastructure and Energy, the Ministry of State for the Protection of Entrepreneurship, the Competition Authority, as well as the Free Market Supplier about ERE Board decision.

This decision enters immediately into force.

Any party involved in this procedure may request from ERE, - within 7 calendar days from the date of the decision, to review the board decision if it has provided new evidence that could lead the board to obtain a decision different from the previous one or for material errors ascertained. This decision can be appealed in the Administrative Court of Tirana, within 30 calendar days from the day of publication in the Official Gazette.

This decision shall be published on the Official Gazette

**CHAIRMAN**  
**Petrît AHMETI**