

# THE REGULATION ON THE PROCEDURES AND TERMS FOR LICENSE ISSUE, MODIFICATION, TRANSFERRING, RENEWAL OR LICENSE TERMINATION IN THE POWER SECTOR

## CHAPTER OF GENERAL PROVISIONS

### Article 1 Authority

This regulation is drafted pursuant to Law No.43/2015 “On Power Sector”, articles 20, 39 and in conformity with ERE Rules for the Organization, Operation and Procedures.

### Article 2 Scope of the Regulation

This regulation defines the licensing procedures for performing the activities provided on Law no. 43/2015 “On Power Sector”, specifying the terms and conditions for license issue, modification, transferring, renewal and license termination in the power sector.

### Article 3 Definitions

In this Rules the following terms shall have these meanings:

“**Applicant**” shall mean any Person that applies for the requirements defined in this regulation.

“**Application**” shall mean the documents provided in articles 8 and 9 of this regulation submitted and completed in conformity with these articles from an applicant as well as the requests and documentations submitted under articles 11,15, 16, 17 of this regulation.

“**Refusal of application**” shall mean ERE Board Decision taken in conformity with this regulation for not licensing, not renewing, not accepting the proposed modifications, or not accepting the full/partial transferring of the license.

“**Accepting the application**” shall mean ERE Board Decision taken in conformity with this regulation for licensing, modification, transferring, renewal and license termination on the power sector.

“**Board**” shall mean ERE decision-making body, composed of five members appointed according to the procedures provided in Law No. 43/2015 “On Power Sector” and Law no. 102/2015 “On Natural Gas Sector”.

“**ERE**” shall mean Energy Regulator Authority, responsible for power and natural gas sector that operates in conformity with the above mentioned Laws and the secondary laws in force.

**“License”** shall mean a right granted to a Person for performing an activity in the power sector, in conformity with the above mentioned provisions.

**“Licensee”** shall mean a Person that holds a license for power sector activities, in conformity with the provisions of Law no. 43/2015 “On Power Sector”.

**“Person”** shall mean any natural/ legal person, performing his activity on power sector.

**“Responsible Delegate”** shall mean any natural/legal person that applies for a license on behalf of an Applicant pursuant to article 7.

**“Top Manager”** shall mean the administrator, or high level Director/Directors of the person as well as technical-engineers, economic and legal top managers.

#### **Article 4 Licenses**

1. ERE issues licenses for the following activities:
  - a. Electricity generation;
  - b. Electricity Transmission System Operation;
  - c. Electricity Distribution System Operation;
  - d. Electricity supply;
  - e. Electricity trading.
  - f. Electricity Market Operation
  - g. Closed electricity distribution systems
2. No license is issued for the operation of a direct line in transmission or distribution, of the
  - a. the auto-producers that are not connected with the national grid
  - b. when the line with the national grid is done to maintain its generation unit,
  - c. the producers, including the auto-producers connected with the national grid, with installed capacity up to 1 MW.
3. These companies in any case are obliged to respect the Market Rules and the Grid Codes.

#### **Article 5 Duration of the License Validity**

1. Duration of the licenses validity issued by ERE for the activities provided in Article 4 of this Regulation, is set by ERE within the following limits:
  - a. Electricity generation, up to 30 years
  - b. Electricity Transmission System Operation, up to 30 years
  - c. Electricity Distribution System Operation, up to 30 years
  - d. Electricity Supply, up to 5 years
  - e. Electricity Trading, up to 5 years
  - f. Electricity Market Operation, up to 5 years
  - g. Closed systems of Electricity Distribution, up to 5 years

**CHAPTER II**  
**APPLICATION PROCEDURES**

**Article 6**  
**The Right to Apply for a License**

It has the right to apply for a license issued by ERE, any person with its headquarters in Albania and the object of the activity required for licensing. Any foreign person shall set up a company under the legislation in force, with the object of the activity required for licensing by ERE for the whole period of license validity.

**Article 7**  
**Delegation of the Applicator Rights**

1. The applicant may appoint a natural or legal person as responsible delegate to apply for a license in conformity with the Albanian legislation in force and with the licensing procedures.
2. The responsible delegate shall submit at ERE:
  - a. The applicant's power of attorney for his representation.
  - b. Certification that the responsible delegate is not involved in a process initiated by the justice authorities (certification issued from the prosecution office and the court).
3. The tasks of the responsible delegate are:
  - a. To submit the application for license together with the required documentation according to Articles 8, 9 and 11,15,16,17 of this Regulation;
  - b. To submit additional data and information required by ERE during the review of license application.

**Article 8**  
**Submitting the application**

1. The application consists in the application format and documentation defined in article 9 of this regulation, completed by the applicant.
2. The applicant shall make the application payment when submitting the application as defined in Annex A of this regulation.

2. The documentation submitted by the applicant shall be in the Albanian language, in its original form or certified photocopy while the certifications and statements from the other authorities shall be issued not before than 1 month from the application submission.
3. If the applicant has applied and is in process of getting other necessary permissions defined in the regulation, may present the application at ERE by submitting the information from the respective institution for the stage of the process for obtaining the permissions from the other institutions.
5. The technical documentation according to the type of license shall be drafted and signed by licensed experts (electric, mechanic engineers, accounting experts, hydro technical engineers etc)
6. Each application accompanied with the relevant documentation shall be in two copies: the original one or certified photocopy and an electronic copy of all documentation as defined in this regulation.
7. For the plants that use the sea wave energy and/or intertidal energy, are submitted the same applicable documents as for the HPP-s in conformity with the legal framework.

**Article 9**  
**The form and documentation for application**

**1. The application form**

**a. Data for the application (to be completed by the applicant)**

Based on Law no. 43/2015 “On Power Sector”, I require from ERE the proceeding of this 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 on power sector and the regulation on licensing procedures.			
1	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; border-right: 1px solid black; padding: 5px;">Type of application</td> <td style="padding: 5px;"> <input type="checkbox"/> Licensing     <input type="checkbox"/> Modification     <input type="checkbox"/> Transferring     <input type="checkbox"/> Renewal                 </td> </tr> </table>	Type of application	<input type="checkbox"/> Licensing <input type="checkbox"/> Modification <input type="checkbox"/> Transferring <input type="checkbox"/> Renewal
Type of application	<input type="checkbox"/> Licensing <input type="checkbox"/> Modification <input type="checkbox"/> Transferring <input type="checkbox"/> Renewal		
2	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; border-right: 1px solid black; padding: 5px;">Type of license</td> <td style="padding: 5px;"> <input type="checkbox"/> Electricity generation  <input type="checkbox"/> Electricity Transmission System Operation  <input type="checkbox"/> Electricity Distribution System Operation  <input type="checkbox"/> Electricity supply  <input type="checkbox"/> Electricity trading  <input type="checkbox"/> Electricity Market Operation  <input type="checkbox"/> Electricity closed distribution systems                 </td> </tr> </table>	Type of license	<input type="checkbox"/> Electricity generation <input type="checkbox"/> Electricity Transmission System Operation <input type="checkbox"/> Electricity Distribution System Operation <input type="checkbox"/> Electricity supply <input type="checkbox"/> Electricity trading <input type="checkbox"/> Electricity Market Operation <input type="checkbox"/> Electricity closed distribution systems
Type of license	<input type="checkbox"/> Electricity generation <input type="checkbox"/> Electricity Transmission System Operation <input type="checkbox"/> Electricity Distribution System Operation <input type="checkbox"/> Electricity supply <input type="checkbox"/> Electricity trading <input type="checkbox"/> Electricity Market Operation <input type="checkbox"/> Electricity closed distribution systems		

**b. Identification data of the applicant (to be completed by the applicant)**

1 Name of the company

--	--	--

	Registration number at the National Business Registration Center		
2	Company headquarters	Address	
		Mobile	
		Tel	
		Fax	
3	Top manager of the company	Name	
		Position he holds in the company	
4	Responsible delegate	Name	
		Address	
		Mobile	
		Tel	
		Fax	

**c. Data for the 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 power 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 as well as I commit to its implementation and that of the rules and regulations adopted by ERE for operation in the power sector.	Yes	No
3	Declaration of the applicant to perform other activities. If yes, list them in the last column.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

*Note: mark X on the YES box to confirm*

**2. Legal, administrative and ownership documentation**

- a. Foundation act
- b. Legal statute
- c. Registration certificate and historical extract from National Business Center (QKB).
- d. Certification providing that the person and its top managers if legal persons are not involved in a penal process beginning from justice authorities (certification from the prosecution office and the court).
- e. Organization chart and administrative operation of the company. List of the staff according to the profile (in conformity with the activity when the license is required).
- f. Concessionary agreement or authorization from the Council of Ministers in applicable cases in conformity with the respective legal framework as well as amendment of these acts.
- g. Documents that certify the applicant ownership in the project areas (sale-purchase contract, rent contract, donation acts, promising sale-purchase contract, agreements with companies that own the areas where the project is extended for those activities that use assets for carrying out the licensed activity)

**3. Financial and fiscal documentation**

- a. Declaration for liquidating the taxes and liabilities to Social Security Institution (for the newly established companies a declaration that they do not have payment obligations)
- b. Financial statement for the last three years / or the time of company existence (for the companies with associate other companies to submit the balance of the last one mentioned)

- c. Documents that certify the ability and/or financial support of the applicant, where are clearly expressed the monetary values for financing the financing structure (finance of the applicant, bank loans, donations, others etc.)
- d. Payment certification on ERE account, of the registration payment for the application according to Annex A of this regulation

**4. Technical documentation**

**4.1 Technical documentation for the HPP-s**

**4.1.1 Technical data for the HPP-s (to be completed by the applicant)**

1	Data for the generation plant	Unit	
2	Name		
3	Location (registration number of the ownership)		
4	Type of HPP		<input type="checkbox"/> Damp <input type="checkbox"/> Derivation <input type="checkbox"/> Basin <input type="checkbox"/> Pumping reserve
5	Type of the turbine		
6	Reservoir capacity of the basin	m <sup>3</sup>	
7	Average annual flows	l/s	
8	Length of derivation channel	M	
9	Fall H <sub>net</sub>	M	
10	Installed capacity	MW	
11	Number of generating capacities and the installed capacity for each of them	No * MW	
12	Output voltage generator	kV	
13	Substation where it is connected		
14	Distribution/transmission grid voltage where the plant is connected	kV	
15	Annual electricity generation E <sub>annual</sub>	MWh	
16	Efficiency		
17	Construction year		
18	Operational date		
19	Expected lifetime of the plant		

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

1	Transformer generator		
2	Capacity	MVA	
3	Winding voltage	kV	
4	Winding connection scheme		
5	Transmission line		<input type="checkbox"/> Cable <input type="checkbox"/> Air
6	Line length	km	
7	Transmission capacity	MW	
8	Line voltage	kV	
9	Type of conductors		

10	Conductor's session	mm <sup>2</sup>	
----	---------------------	-----------------	--

**4.1.3 Technical-graphic documentation**

- a. General schematic submission of the plant in A1 form
- b. An electric diagramme in A1 form of the aggregates and the transforming block where are clearly evidenced the connection points with 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) and submitted in the map with the scale 1:25000
- d. Topographic map showing the track of the transmission line with the scale 1:25000

**4.1.4 Technical-economic documentation**

- a. Technical feasibility study based on real data and measures carried out in the implementation areas of the projects including: general description of the project, climacteric and meteorological conditions for the project area according to the plant type, technical description of the selected 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 energy transmission; study and analysis of the geological-engineering conditions of the area where the project is implemented
- b. Graphic of project implementation
- c. Technical appraisal of the project
- d. Business plan giving: annual provisions of the costs, sales, incomes and project financing; investment required for the project realization (final projection); details for each expected substantial flow of the capital, including principal costs for decommissioning (setting 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 and when necessary, based on the case, confirmation from the respective lender. This document should be audited from a licensed audit and describe the period from the beginning of the project until the liquidation of the financing made for the project realization.
- e. Approval of the Implementation Project from the body defined by law.

**4.1.5 Permission from other institutions**

- a. TSO or DSO approval; for the plant connection in transmission or distribution plant connection in the electricity grid
- b. Permission of water usage for electricity generation
- c. Environmental permission from respective bodies

**4.2 Technical documentation for the TPP**

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

1	Data for the generation plant	Unit	
2	Name		
3	Location (registration number of the ownership)		

4	Type of TPP		<ul style="list-style-type: none"> <li>- Fossil fuel</li> <li>-Geothermal</li> <li>-Biomass/biogas</li> <li>-Heating from industrial processes of heavy industry</li> <li>- Motor-generator group</li> </ul>
5	Type of the turbine		<ul style="list-style-type: none"> <li>Steam turbine</li> <li>Gas turbine</li> <li>Combined cycle</li> </ul>
6	Fuel type		
7	Annual fuel consumption	t/year	
8	Annual water consumption for cooling	t/year	
9	Steam generation	t/year	
10	CO <sub>2</sub> emission	mg/m <sup>3</sup>	
		t/year	
11	SO <sub>2</sub> emission	mg/m <sup>3</sup>	
		t/year	
12	NO <sub>x</sub> emission	mg/m <sup>3</sup>	
		t/year	
13	CO emission	mg/m <sup>3</sup>	
		t/year	
14	Emission of solid materials	t/year	
15	Installed capacity	MW	
16	Number of generating units and the installed capacity	No * MW	
17	Output voltage of the generator	kV	
18	Substation where it is connected		
19	Voltage of distribution/transmission grid where the plant is connected	kV	
21	Annual electricity generation E <sub>year</sub>	MWh	
22	Annual steam generation	t/year	
23	Electricity efficiency		
24	Thermal efficiency		
25	Construction year		
26	Operational date		
27	Expected lifetime of the plant		



**4.2.2 Technical data for the transformation block and the connection with the system (to be completed by the applicant)**

1	Transformer generator		
2	Capacity	MVA	
3	Winding voltage	kV	
4	Winding connection scheme		
5	Transmission line		<input type="checkbox"/> Cable <input type="checkbox"/> Air
6	Line length	km	
7	Transmission capacity	MW	
8	Line voltage	kV	
9	Type of conductors		
10	Conductors session	mm <sup>2</sup>	

**4.2.3 Technical-graphic documentation**

- a. General schematic submission of the plant in A1 form
- b. An electric diagramme in A1 form of the aggregates and the transforming block where are clearly evidenced the connection points with 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) and submitted in the map with the scale 1:25000
- d. Topographic map showing the track of the transmission line with the scale 1:25000

**4.2.4 Technical-economic documentation**

- a. Technical feasibility study based on real data and measures carried out in the implementation areas of the projects including: general description of the project, climacteric and meteorological conditions for the project area according to the plant type, technical description of the selected 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 energy transmission; study and analysis of the geological-engineering conditions of the area where the project is implemented
- b. Graphic of project implementation
- c. Technical appraisal of the project
- d. Business plan giving: annual provisions of the costs, sales, incomes and project financing; investment required for the project realization (final projection); details for each expected substantial flow of the capital, including principal costs for decommissioning (setting 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 and when necessary, based on the case, confirmation from the respective lender. This document should be audited from a licensed audit and describe the period from the beginning of the project until the liquidation of the financing made for the project realization.

**4.2.5 Permission from other institutions**

- a. TSO or DSO approval; for the plant connection in transmission or distribution central connection electricity grid
- b. Permission of water usage for electricity generation
- c. Environmental permission from respective bodies

**4.3 Technical documentation for the AEOLIAN plants**

**4.3.1 Technical data for the AEOLIAN plants (to be completed by the applicant)**

1	Data for the generation plant	Unit	
2	Name		
3	Location (registration number of the ownership)		
4	Type of the plant		<input type="checkbox"/> Off shore <input type="checkbox"/> On shore
5	Tower height	m	
6	Rotor dimension	m	
7	Minimal and maximal wind speed used	m/s	
8	Working hours in one year	h	
9	Installed capacity	MW	
10	Number of generating units and the installed capacity for each of them	Nr * MW	
11	Output voltage of the generator	kV	
12	Substation where it is connected		
13	Distribution/transmission grid voltage where the plant is connected	kV	
14	Energy annual generation $E_{\text{annual}}$	MWh	
15	Efficiency		
16	Construction year		
17	Operational date		
18	Expected lifetime of the plant		

**4.3.2 Technical data for the transforming block and connection with the system (to be completed by the applicant)**

1	Transformer generator		
2	Capacity	MVA	
3	Winding voltage	kV	
4	Winding connection scheme		
5	Transmission line		<input type="checkbox"/> Cable <input type="checkbox"/> Air
6	Line length	km	
7	Transmission capacity	MW	
8	Line voltage	kV	
9	Type of conductors		
10	Conductors session	mm <sup>2</sup>	

**4.3.3 Technical-graphic documentation**

- a. General schematic submission of the plant in A1 form
- b. An electric diagramme in A1 form of the aggregates and the transforming block where are clearly evidenced the connection points with 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) and submitted in the map with the scale 1:25000
- d. Topographic map showing the track of the transmission line with the scale 1:25000

#### 4.3.4 Technical-economic documentation

- a. Technical feasibility study based on real data and measures carried out in the implementation areas of the projects including: general description of the project, climacteric and meteorological conditions for the project area according to the plant type, technical description of the selected 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 energy transmission; study and analysis of the geological-engineering conditions of the area where the project is implemented
- b. Graphic of project implementation
- c. Technical appraisal of the project
- d. Business plan giving: annual provisions of the costs, sales, incomes and project financing; investment required for the project realization ( final projection); details for each expected substantial flow of the capital, including principal costs for decommissioning ( setting 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 and when necessary, based on the case, confirmation from the respective lender. This document should be audited from a licensed audit and describe the period from the beginning of the project until the liquidation of the financing made for the project realization.

#### 4.3.5 Permissions from other institutions

- a. TSO or DSO approval; for the plant connection in transmission or distribution central connection electricity grid
- b. Environmental permission from respective bodies

### 4.4 Technical documentation for the SOLARE plants

#### 4.4.1 Technical data for the SOLARE plants (to be completed by the applicant)

1	Data for the generation plant	Unit	
2	Name		
3	Location (registration number of the ownership)		
4	Type of the plant		<input type="checkbox"/> Photovoltaic <input type="checkbox"/> Solar thermal
5	Type of the panels		<input type="checkbox"/> Monocrystalline <input type="checkbox"/> Polycrystalline <input type="checkbox"/> Noncrystalline
6	Total surphace of the panels	M <sup>2</sup>	
7	Working hours in one year	H	
8	Installed capacity	MW	
9	Number of generating units and the installed capacity	Nr * MW	
10	Voltage level	kV	

12	Distribution/transmission grid voltage where the plant is connected	kV	
13	Annual electricity generation $E_{\text{annual}}$	MWh	
14	Efficiency		
15	Construction year		
16	Operational date		
17	Expected lifetime of the plant		

**4.4.2 Technical data for the transformation block and connection with the system (to be completed by the applicant)**

1	Transformer generator		
2	Capacity	MVA	
3	Winding voltage	kV	
4	Winding connection scheme		
5	Transmission line		<input type="checkbox"/> Cable <input type="checkbox"/> Air
6	Line length	km	
7	Transmission capacity	MW	
8	Line voltage	kV	
9	Type of conductors		
10	Conductors session	mm <sup>2</sup>	

**4.4.3 Technic-graphic documentation**

- a. General schematic submission of the plant in A1 form
- b. An electric diagramme in A1 form of the aggregates and the transforming block where are clearly evidenced the connection point with 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) and submitted in the map with the scale 1:25000
- d. Topographic map showing the track of the transmission line in the scale 1:25000

**4.4.4 Technical-economic documentation**

- a. Technical feasibility study based on real data and measures carried out in the implementation areas of the projects including: general description of the project, climacteric and meteorological conditions for the project area according to the plant type, technical description of the selected 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 energy transmission; study and analysis of the geological-engineering conditions of the area where the project is implemented
- b. Graphic of project implementation
- c. Technical appraisal of the project
- d. Business plan giving: annual provisions of the costs, sales, incomes and project financing; investment required for the project realization ( final projection); details for each expected substantial flow of the capital, including principal costs for decommissioning (setting 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 and when necessary, based on the case, confirmation from the respective lender. This document should be audited from a licensed audit and describe the period from the beginning of the project until the liquidation of the financing made for the project realization.

**4.4.5 Permissions from other institutions**

- a. TSO or DSO approval; for the plant connection in transmission or distribution central connection electricity grid
- b. Environmental permission from the respective bodies

**4.5 Technical documentation for electricity transmission activity**

**a. Data for the transmission lines**

No	Name of the line and identification code	Transmission capacity	U <sub>n</sub>	I <sub>n</sub>	Conductor's Type /Session	Length	Number of pillars	Number of line circuits	Construction year
		MW	kV	A	mm <sup>2</sup>	km			

**b. Data for the transmission system substation**

No	Name of the substation	No of transforming units	Installed capacity	U <sub>n</sub>	I <sub>n</sub>	Winding connection scheme	Level of voltage regulation	Type of voltage regulation	Construction year
			MVA	kV	A				

**c. Data for the customers and users connected in the transmission system**

No	Name of the user / customer	Installed capacity	U <sub>n</sub>	I <sub>n</sub>	Type of connection (busbar of the substation,	Type of the meter	Location of the metering equipments
		MW	kV	A			

**d. Data for the electricity provided to be submitted**

No	Name of the user/ customer	Electricity quantity				
		GWh				
		Ist Year	IIInd year	IIIrd year	IVth year	Vth year

- e. Transmission system diagram showing the existing elements and the prospect ones in A1 form A1
- f. The investment plans to improve the maintenance and extension of the transmission system
- g. Employee list, their profession and education
- h. List of the Supervisory Board members

**4.6 Technical documentation for electricity distribution activity**

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

- d. Action-plan for improving the quality of service
- e. Data for the metering, IT system
- f. Member's list of the Supervisory Council

**g. Data for the distribution lines**

No	Name of the line	Transmission capacity	U <sub>n</sub>	I <sub>n</sub>	Conductors type/session	Length	Number of pillars	Number of circles	Construction year
		MW	kV	A	mm <sup>2</sup>	km			

**h. Data for the sub-station of the distribution system**

No	Name of the sub-station	No. of transmission units	Installed capacity	U <sub>n</sub>	I <sub>n</sub>	Electricity losses	Winding connection scheme	Level of voltage regulation	Type of voltage regulation	Construction year
			kVA	kV	A	%				

**i. Data for the users connected in the distribution system and distributed electricity**

No	Categories	Sub-categories	Number of customers	Electricity quantity					
				GWh					
				I <sup>st</sup> year	I <sup>nd</sup> year	I <sup>rd</sup> year	I <sup>th</sup> year	V <sup>th</sup> year	
U <sub>n</sub>		220 V							
		0.4 kV							
		6 kV							
		10 kV							
		20 kV							
		35 kV							
		110 kV							
Installed capacity of the 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		Domestic							
		Budgetary							
		Private							
		<i>Specify ...</i>							


**j. Data for the users connected in the distribution system (generators)**

No	User name	Installed capacity	U <sub>n</sub>	I <sub>n</sub>	Connection type (busbar of the substation, connection, etc)	Type of the measure	Location of the metering equipments
		MW	kV	A			

**k. Data for the transformation cabin**

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

**4.7 Technical documentation for electricity supply activity**

**a. Data for ensuring electricity to supply the Customers**

No	Company ( Generation, Trading plant, etc.)	Contracted electricity quantity				
		GWh				
		Irst year	IInd year	IIIrd year	IVth year	Vth year

- b. Financial capital for exercising this activity
- c. Current contract list and that of previous ones for electricity purchase and ensurance.
- d. Detailed technical-economical information regarding the execution of these contracts.
- e. IT system
- f. List of Supervisory Board members

**a. Data for the customers and supplied electricity**

No	Categories	Sub-categories	Number of customers	Electricity quantity				
				GWh				
				Irst Year	IInd year	IIIrd Year	IVrth year	Vth year
	U <sub>n</sub>	220 V						
		0.4 kV						
		6 kV						
		10 kV						
		20 kV						
		35 kV						
		110 kV						
	Installed capacity of the customers	0-5 kVA						
		>5-10 kVA						
		>10-50 kVA						
		>50-100 kVA						
		>100-500 kVA						
		>500-1000 kVA						
		>1-10 MVA						
	Activity	Domestic						
		Budgetary						
		Private						
		<i>Specify ...</i>						

- b. Voltage level and the way of realizing the measure for the customers
- c. Financial capital (expressed in monetary values) provided for exercising this activity



**4.8 Technical documentation for electricity trading activity**

- a. Electricity quantity provided for trading in GWh
- b. Financial capital (expressed in the monetary value) provided to perform this activity
- c. The list of previous contracts realised (if there is any)
- d. Electricity quantities that will be traded during the years

**4.9 Technical documentation for Electricity Market Operation activity**

- a. The list of the employees, their profession, education
- b. Certification for the necessary hardware and software possession to communicate with all the metering points as well as all participants in the market (their clients)
- c. List of Supervisory Board members

**4.10 Technical documentation for the closed systems in electricity distribution activity**

- a. Closed distribution systems elements
- b. The sources for supplying this system with electricity
- c. The clients of this system with the respective installed capacities
- d. Demonstration that the electricity supply source covers the customers consumption of this system

**Article 10**

**Review of the Application**

1. After reviewing the submitted application, regarding the completion of the requirements of article 8 and 9 the Persons Charged from the Responsible Directory shall prepare a report proposing to ERE Board of Commissioners the beginning or not of the procedures to review the application in conformity with the deadlines defined in the Rules for ERE Organization, Operation and Procedures as well as in this regulation.
2. Any application shall be submitted in conformity with the form, content, deadlines and the descriptions of this regulation, by completing the requirements and the documents, otherwise to ERE Board it is proposed not to begin the procedures to review the application.
3. ERE Board may decide to begin or not the procedures for the application review based on the legislation in force and the abovementioned report.
4. ERE may begin the procedures to review an application even in the cases described in point 4 article 8 of this regulation, but the final decision for refusing or accepting the application shall be taken only after the permissions from other bodies are submitted.
5. In case of refusal ERE shall notify the applicant for the refusal reasons by giving the necessary instructions within 7 working days from the day of taking the decision.
6. The applicant may submit a new application according to the requests of this regulation and taking into consideration ERE instructions.

7. If the applicant submits the new application in conformity with point 6 of this article within 1 month from the decision for not beginning the procedures to review the application, the submitted documentation for the previous application will be considered valid for the new application.
8. In cases when the beginning the procedures for reviewing the application is approved, within 2 working days from taking the decision ERE publishes in the written media for two days the notification for the submitted application, in three daily newspapers delivered in all the country and published in Tirana. Any licensing notification in electricity generation activity shall contain the data regarding the installed capacity, location and the territory where the licensed activity will be carried out.
9. The notification contains;
  - a. a short information for the submitted application;
  - b. a notification that the submission of the objections and complaints from the interested persons may be submitted at ERE within the deadlines defined by this regulation.
10. After the publication the notification in the media, ERE shall ensure that for a 30 working days from the date of the notification for the applications for license in generation activity, the application and all the accompanying documentations or any other information are available for public inspection at its premises.
11. For the plants connected directly with the distribution grid and other licenses in conformity with Law 43/2015 “On Power Sector“ article 39, point 2, and 3, the period defined in point 10, will be 10 working days.
12. With ERE Board Decision, taking into consideration the applicant complaints, may be decided that commercial sensitive information or documents for the applicant, shall be taken as confidential and prevent their inspection from the third parties.
13. In any case ERE informs the applicant for the objections submitted to the application for which have began the licensing procedures and requires clarifications for the objections submitted by the interested parties.

**Article 11**  
**Completing and submitting the additional information**

1. Beginning from the date when the notification for application is published for the first time in the media until the end of the deadlines defined in article 10, point 10 and 11, ERE may require to the applicant to submit additional information, in the respective form and content within a defined period, regarding any issue considered necessary by ERE.
2. If the applicant fails to submit the additional information within the defined deadline, form and content, this shall be the condition for application refusal.

**Article 12**  
**Check up the Accuracy of the Data Submitted by the Applicant**

1. When the objection period has finished according to article 10 point 10 and 11 of this regulation, the Responsible Directory/Directories shall analyse the possible objections sent by the third parties, the filled documentation (the application) from the applicant and any additional information provided upon ERE request, if they are in conformity with the provisions of this regulation.
2. After checking up the documentation, the Person charged from the Responsible Directory/Directories shall submit to ERE Board a report suggesting the acceptance or refusal of the respective application and the justification in conformity with the legislation in force.

### **Article 13** **Board Decision-making**

1. After the deadline termination for submitting the objections or complaints, ERE Board shall review the application and report submitted for this application from the person/persons charged by the Responsible Directory in conformity with the criteria specified on Law No.43/2015 article 38 “On Power Sector” and this regulation.
2. In deciding whether to grant or refuse an application, ERE Board of Commissioners takes into consideration the following criterias:
  - a. the completion and accuracy of the submitted documentation in conformity with this regulation and/or the requirements for ERE additional information
  - b. location and the territories where the activity will be performed
  - c. safe and stable operation of the equipment plant and/or the network
  - d. the demands for primary energy sources type
  - e. the requirements regarding the national security, life of the citizens, their property, health and public order
  - f. financial requirements
  - g. environment protection
  - h. energy efficiency promotion in the power sector
  - i. public services obligations pursuant to the legislation
  - j. promotion of competitive electricity market and the lowest cost principles for electricity supply
  - k. the effect of security and reliability of electricity supply within the Republic of Albania territory
3. In taking its decision ERE Board examines
  - a. The application and any additional information submitted by the applicant
  - b. Any objection or complaint submitted by the interested persons;
  - c. The report drafted by the person/persons charged by the Responsible Directory/Directories.

### **Article 14** **Granting or Refusing the Application**

1. ERE Board of Commissioners shall take the final decision for granting or refusing the applications for license in the generation and trading activity within 60 working days from the date of first publication of the notification for the application in the media, based on the criterias specified in article 13 of this regulation.

2. For the plants directly connected with the distribution network, and for all the other licenses the Board takes the decision not later than 30 working days from the date of first publication of the notification for application in the media, based on the criterias specified in article 13 of this regulation.
3. The Board shall decide for every case for extending the deadline defined in points 1 and 2 of this article when the documentation is not complete but not later than 30 working days.
4. For the other cases of the application there are implemented the deadlines and the procedures described in article 15, 16 and 17.
5. The decision is communicated to the applicant by a written notification and shall contain the justification where the decision is based.
6. ERE decision given according to this regulation is published in the Official Gazette.
7. ERE decision may be appealed to the Court by the applicant or any interested third party.

### **CHAPTER III LICENSE MODIFICATION, RENEWAL AND TRANSFERING**

#### **Article 15**

##### **License Modification**

1. In respond to any licensee request or with its own initiative, ERE may modify the terms and conditions of a license, following the procedures provided in Law No. 43/2015 “On Power Sector” article 43.
2. ERE may decide the license modification in the following cases:
  - a. On its own initiative when there are changes of the circumstances for issuing the license (legal framework, the conditions of the concessionary contract, court decisions) or of some events that substantially affect in electricity generation, transmission, distribution, supply, trading or electricity market,
  - b. on the request of the licensee
3. If ERE decides to modify a license, it shall issue to the licensee a license with the amended content, abrogating the amended parts of the previous license.
4. In case of license modification/amendment on the request of the licensee ERE implements the same deadlines and procedures as for the licensing by requiring the following information.
  - a. a written information where are explained the reasons for license modification request
  - b. the written decision of the licensee governing bodies that express their will to request the license modification

- c. approving the modification of other parameters and conditions of the license when they are conditioned with the approval from other bodies.
- d. The expected impacts of license modification to the licensee obligations according to the legislation in force.
- e. To have made the regulation fees at ERE

**Article 16**  
**License renewal**

1. Not later than 2 months before the termination of the issued license validity, the person may/shall request at ERE the license renewal submitting the following documentations;
  - a. the application form according to article 9, point 1
  - b. the legal, administrative and ownership documentation according to article 9, point 2
  - c. financial and fiscal documentation according to article 9, point 3
  - d. any possible modification or amendment of technical data documentation.
2. ERE may ask from the company any additional information that is considered necessary for the process
3. The criterias for taking the decision by the Board of Commissioners are the same as in the licensing case.
4. ERE shall publish in the written media a notification for the license renewal application according to the same procedures that are applied even for licensing requests in the power sector
5. The Board may take into consideration in case of license renewal to complete the license conditions in the activity licensed by the applicant.
6. The Board shall take the decision to renew or not the license not later than 20 working days from the beginning of the procedures for reviewing an application in conformity with this regulation.
7. To have made the regulation fees at ERE. The failure to complete this condition is the cause validation according to the provisions of article 5 “On imposing the fines and the facilitation from them”.

**Article 17**  
**Full/partial transferring of the license**

1. Upon the request of the licensee ERE and/or with its own initiative may fully/partially transfer the license of a licensee in conformity with Law No 43/2015, “On Power Sector”.
2. In case of full transferring of the assets according to the regulation approved by ERE for this purpose, to the not licensed person to which will be transferred the assets shall be transferred the license after he submits an application to ERE for the license transferring by submitting the following documentations;
  - a. the application format according to article 9, point 1
  - b. legal, administrative and ownership documentation according to article 9, point 2
  - c. financial and fiscal documentation according to article 9, point 3
  - d. any possible modification or amendment of the documentation for the technical data.

3. In case of partial transferring of the assets, ERE implements the same procedures as for full transferring as 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 that has done the partial transferring of the assets.
4. In case of the request from the licensee to transfer the license not according to the case provided in point 2 and 3 of this article, the licensee shall submit at ERE these documents:
  - a. The application format according to article 9, point 1
  - b. A written information where are explained the reasons for the license transferring
  - c. The written decision of the governing bodies of the licensee that express their will for license transferring
5. The company that requires the license transferring from the licensee according to point 4, shall submit an application according to point 2 of this article, after ERE has taken the decision to accept the application according to point 4 submitted by the licensee.
6. After the approval to begin the procedures for the application review to transfer the license ERE publishes in the written media a notification for the application to transfer the license according to the same procedures that are applied even for the licensing applications in the power sector.
7. ERE takes the decision to accept or not the application within 45 working days from the beginning of the procedures to review the application and during this period the licensee shall continue to make the service in conformity with the legal framework.
8. In case of the procedures to transfer the assets the applying company shall make the regulatory fees at ERE

### **Article 18 License Termination**

On ERE initiative, to the interested persons or license holders, ERE initiates the procedure for license termination implementing the provisions of the regulation for the procedures of terminating a license.

## **CHAPTER IV LICENSE ISSUE AND REGISTRATION**

### **Article 19 Registration Form**

1. After ERE has taken the decision for licensing, full/partial transferring, license renewal or modification, to the applicant is issued the respective license.

2. The licenses issued for the performed activities in the power sector shall be registered by ERE in the Licenses Register.
3. The Licenses Register shall be in the written form or electronically from ERE Board Secretary.
4. In the Register are included the following details:
  - a. Licensee registration number and the series;
  - b. The date of approving the license;
  - c. The date of issuing the license;
  - d. Licensee name;
  - e. Licensee location;
  - f. Description of the activity, which is subject to the issued license;
  - g. Duration of the license;
  - h. The Board Decision

## **Article 20**

### **The Right to be informed for the Register's Content**

1. The License Register is open for the public access. The right to inspect the register shall be only at ERE premises.
2. The right to access in the accompanying documents is given to the persons with legal interest as defined in the legislation in force
3. The confidential or business information shall not be available for inspection or public review, since their publication may bring economic damages

## **CHAPTER V FINAL PROVISIONS**

### **Article 21 Transitory Period**

All the applications submitted at ERE before this regulation has entered into force will be handled according to the previous provisions of the regulation.

### **Article 22 Amendment to the Regulation**

These Rules are object of review and amendment with ERE Board decision.

### **Article 23 Entry into Force**

This Regulation enters immediately into force after its approval by ERE Board.

**Annex A****Registration and proceeding fee of an application**

<b>ACTIVITY</b>	<b>LICENSING</b>	<b>MODIFICATION</b>	<b>RENEWAL</b>	<b>TRANSFERRING</b>
Electricity generation;	30 000 ALL / MW	50 000 ALL	50 000 ALL	50 000 ALL
Electricity Transmission System Operation;	1 000 000 ALL	100 000 ALL	100 000 ALL	100 000 ALL
Electricity Distribution System Operation;	1000 000 ALL	100 000 ALL	100 000 ALL	100 000 ALL
Electricity supply;	1000 000 ALL	100 000 ALL	100 000 ALL	100 000 ALL
Electricity Market Operation	1000 000 ALL	100 000 ALL	100 000 ALL	100 000 ALL
Electricity closed distribution systems	1000 000 ALL	100 000 ALL	100 000 ALL	100 000 ALL
Electricity trading	40 000 ALL	30 000 ALL	30 000 ALL	30 000 ALL