



REPUBLIKA E SHQIPËRISË
ENERGY REGULATORY AUTHORITY
BOARD

DECISION

No. 247, Dated 29.09.2022

ON

**LICENSING THE "ALBANIAN POWER EXCHANGE - ALPEX" COMPANY IN
ELECTRICITY MARKET OPERATION ACTIVITY**

Based on article 16, article 37, point 2 letter “dh” and article 58 of Law no.43/2015 “On Power Sector”, as amended; article 4, point 1, letter “f”, article 5, point 1, letter “f” and article 13 of the *Regulation on the Procedures and Terms for License Issue, Modification, Transferring, Renewal or License Termination in the Power Sector*, approved with ERE Board decision no.109, dated 29.06.2016, as amended; as well as article 15 of the *Regulation for ERE Organization, Operation and Procedures*, approved with ERE Board decision no.96, dated 17.06.2016, ERE Board on their meeting dated 29.09.2022, after reviewing the report Protocol no. 1625/5, dated 27.09.2022 prepared by the License, Authorisation and Supervision Directory “*On licensing the “Albanian Power Exchange- ALPEX” company in electricity market operation activity*”,

Observed that:

- ERE Board with decision no. 183, dated 13.07.2022, decided to open the procedure to license the “Albanian Power Exchange-ALPEX” company.
 - ERE made the announcement in the written media regarding this decision, which was published on 15.07.2022 and 16.07.2022 and at the end of the waiting period for possible comments or objections from third parties (date 28.07.2022) and it resulted that there weren't any.
 - Given that there was a need to clarify the status of the approval of documents for the exercise of Transmission Operator activity, ERE board with decision no. 214, dated 24.08.2022, decided to extend the decision on the licensing of the "Albanian Power Exchange - ALPEX" company in electricity market operation activity.
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- Following the above, on 12.09.2022, a hearing session was held with the representatives of "ALPEX" company and it was given the task of conveying in written form the explanations that were provided in the session.
- As requested, "ALPEX" company submitted at ERE through official letter Protocol no. 966/5 dated 20.09.2022, the relevant clarifications/documents.
- Pursuant to the provisions of the Regulation on the Procedures and and Terms for License Issue, Modification, Transferring, Renewal or License Termination in the Power Sector as amended, the applicant must submit at ERE: The form and documentation for the application; Legal and administrative documentation; Financial and fiscal documentation; as well as the technical documentation for the operation of the electricity market. As a result of this application, the company has completely submitted the documentation required by the regulation.
- Given that the Draft Regulation for the protection and security of confidential and internal information, submitted at ERE, has not yet been approved, it is estimated that the company shall submit it after approval.
- The Albanian Power Exchange - ALPEX" company, was established based on Law no. 43/2015 "On Power Sector", as amended; Law no. 9901, dated 14.04.2008, "On Entrepreneurs and Companies as amended, Council of Ministers Decision no. 519, dated 13.7.2016, "On approving the electricity market model"; Council of Ministers Decision no. 609, dated 11.09.2019 "On defining the criteria and procedures for the selection of participants in the market operator's share capital". This company shall operate the Albanian electricity market and has also opened its branch in Kosovo, according to Decision No. 1, dated 27.01.2021 "On approving the opening of the Branch of the Albanian Power Exchange in Kosovo".
- The company concluded the application payment in accordance with the provisions of Annex A of the Regulation on the Procedures and and Terms for License Issue, Modification, Transferring, Renewal or License Termination in the Power Sector, approved with ERE Board decision no. 109, dated 29.06.2016, as amended.

For all of the above mentioned, ERE Board,

Decided:

1. To license the "Albanian Power Exchange-ALPEX" company, in the electricity market operation activity for a 5-year term.
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2. The License, Authorisation and Supervision Directory shall inform the applicant about ERE Board decision.

This decision enters immediately into force.

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

This decision shall be published in the Official Gazette.

ERE CHAIRMAN
Petrit AHMETI
