



REPUBLIKA E SHQIPËRIË

ENERGY REGULATORY AUTHORITY

BOARD

DECISION

No. 102, Dated 16.04.2021

“ON NOT OPENING THE PROCEDURE TO REVIEW TRANSMISSION SYSTEM OPERATOR (TSO) COMPANY PROPOSAL ON SOME AMENDMENTS IN THE ALBANIAN ELECTRICITY BALANCING MARKET RULES.”

Based on articles 16,19,62,98,99 and 100 of Law no.43/2015 “On Power Sector”, as amended and also articles 15,19 and 26 of the “Rules on ERE organization, operation and procedures” approved with ERE Board Decision no.96,dated 17.06.2016, article 3,point 3.3 of the Albanian Electricity Balancing Market Rules, approved with ERE Board Decision no.106, dated 02.07.2020, ERE Board on their meeting dated 16.04.2021, after reviewing the proposal of Transmission System Operator (TSO) company, on some amendments in the “Albanian Electricity Balancing Market Rules”,

Observed that:

- TSO company with official letter Protocol no. 1384, dated 25.02.2021, submitted the Evaluation Report on the implementation of the Rules for the Balancing Mechanism for January 2021, where among others proposed some amendments to the Albanian Electricity Balancing Market Rules and relevant annexes, approved with ERE board decision no. 106, dated 02.07.2020.
- The Albanian Electricity Balancing Market Rules approved with ERE board decision no. 106, dated 02.07.2020 stipulate that the Rules may be amended based on reasons argued by TSO company. The proposals submitted through official letter Protocol no.1384 , dated 25.02.2021, regarding the form of the document and its content are not accompanied by relevant arguments, thus the need for an amendment can not be identified.
- The proposals that are submitted do not fulfill the obligations deriving from point 3.3, in article 3 (Approval and Review) of the Albanian Electricity Balancing Market Rules. TSO company in the capacity of proposing amendments in this document, should create a Committee responsible for amending the Rules, which shall initiate their amendment. This proposed amendment is then formally submitted by TSO company at ERE for approval.
- With official letter Protocol no.1384 / 2 dated 18.03.2021, in response to ERE official letter Protocol no. 397/1,dated 09.03.2021, TSO company informed that, quoted “No procedure was opened for consultation with the interested parties and the Energy Secretariat ”regarding the proposals for amendments in the Albanian Electricity Balancing Market Rules

• ERE board decision no. 89, dated 31.03.2021 « On the proposal of the Transmission System Operator (TSO) company “On the Albanian electricity balancing market rules from 1 April 2021 ”, decided to apply the financial effects of Albanian Electricity Balancing Market Rules, approved with ERE board decision no. 106, dated 02.07.2020, “On approving the Albanian Electricity Balancing Market Rules” to the parties responsible for balancing.

For all of the above mentioned, ERE Board

Decided:

1. To not open the procedure to review Transmission System Operator (TSO) company proposal on some amendments in the Albanian Electricity Balancing Market Rules” approved with ERE Board decision no. 106, dated 02.07.2020.
2. The Legal Directory shall inform TSO company about ERE Board decision.

This decision enters immediately into force.

For this decision may be required its review within 7 calendar days and may be complained on Tirana Administrative Court, within 30 calendar days from the publication in the Official Gazette.

This decision shall be published on the Official Gazette.

ERE CHAIRMAN

Petrit AHMETI