



REPUBLIKA E SHQIPËRIË

ENERGY REGULATORY AUTHORITY

BOARD

DECISION

No. 72, Dated 12.03.2021

ON APPROVING THE “OPERATIONAL RULES FOR THE SUPPLIER CHARGED WITH PUBLIC SERVICE OBLIGATION FOR THE NATURAL GAS SECTOR”

Based on article 16, of Law no.43/2015 “On Power Sector”, as amended; articles 16 and 92, point 3, of Law no.102/2015 “On Natural Gas Sector”, as amended; Council of Ministers Decision no. 533, dated 25.07.2019 “*On approving the conditions for imposing public service obligation that shall be implemented to the licensees on natural gas sector that perform the natural gas transmission, distribution and supply activity*”; articles 15 and 26 of the *Rules on ERE Organization, Operation and Procedures* , approved with ERE Board Decision, no. 96, dated 17.06.2016, the Energy Regulatory Authority Board (ERE), on their meeting dated 12.03.2021, after reviewing the report Protocol no. 35/5 dated 09.03.2021, prepared by the Natural Gas Directory, to approve the draft on the “Operational rules for the supplier charged with public service obligation for the Natural Gas Sector”,

Observed that:

- Based on ERE authority and in accordance with the provisions of Article 92, point 3, of Law no. 102/2015 "On Natural Gas Sector", as amended, ERE approves the “Operational rules for the supplier charged with public service obligation for the Natural Gas Sector”.
- ERE Board Decision no. 267, dated 28.12.2020, decided to open the procedure to approve the “Conditions for the licensee charged with public service obligation for the Natural Gas Sector”.
- Following this decision, publications were made on ERE official website, the announcement in the print media with official letter Protocol no. 6/2 dated 08.01.2021, as well as the announcement for publication in the Official Gazette no.8, dated 18.01.2021.
- With official letter Protocol no. 34 dated 11.01.2021, ERE requested from the interested parties : the Ministry of Infrastructure and Energy, the Competition Authority, Albanian Consumer Association (ACA) , Customer Protection Office, Consumer Association in Focus, Commissioner for the Right to Information and Protection of Personal Data, "ALBPETROL"

company, "ALBGAZ" company, "TAP AG Albania" company, "BALKGAZ" company, "Phoenix Petroleum" company, "CGC" company, "GSA" company, and the Energy Community Secretariat, to express their opinions and comments regarding the draft Regulation, within 30 days of becoming aware.

- At the end of the term agreed to receive comments and objections from the parties, it resulted that with official letter Protocol no. 80/1 dated 29.01.2021, protocolled at ERE with official letter Protocol no.34 / 2, dated 02.02.2021, the Commissioner for the Right to Information and Protection of Personal Data, expressed that the entire Regulation is considered drafted in accordance with the applicable legislation on personal data protection.
- With official letter Protocol no.7 / 1 dated 25.01.2021, protocolled at ERE with official letter Protocol no.34 / 1, dated 25.01.2021, the Natural Gas Combined Operator "Albgaz" company suggested that Articles (1,4,5,9 and 11) of the draft Regulation, shall specify the definitions of the conditions only for suppliers charged with public service obligation and not for all the operators providing public service, pursuant to Article 92, point 3, of Law no. 102/2015 "On Natural Gas Sector", as amended. Suggestions received from the Natural Gas Combined Operator "Albgaz" company are reflected in the final draft of the "Operational rules for the supplier charged with public service obligation for the Natural Gas Sector".
- It results there are no comments, remarks or suggestions from the other interested parties regarding the content of the draft – "Operational rules for the supplier charged with public service obligation for the Natural Gas Sector", for which ERE board opened the procedure.

For all of the above mentioned ERE Board,

Decided:

1. To approve the "Operational rules for the supplier charged with public service obligation for the Natural Gas Sector". (Attached)
2. The Natural Gas Directory, shall inform the interested parties about ERE Board Decision.

This decision enters into force after its publication in the Official Gazette.

For this decision may be required its review at ERE within 7 calendar days and may be complained on Tirana Administrative Court, within 45 calendar days from the publication date in the Official Gazette.

This decision is published on the Official Gazette.

ERE CHAIRMAN

Petrit AHMETI