REPUBLIKA E SHQIPËRISË

ENERGY REGULATORY AUTHORITY
BOARD

DECISION
No. 268, dated 11.09.2026

ON

THE INITIATION OF THE PROCEDURE FOR THE APPROVAL OF THE REGULATION "ON THE RULES AND PROCEDURES FOR REGISTRATION, ADMINISTRATION OF THE REGISTER AND SUSPENSION OF THE STATUS OF RENEWABLE ENERGY COMMUNITIES"

Pursuant to Article 16 of Law No. 59/2026 *"On the Electricity Sector"*; Article 21(6) of Law No. 24/2023 *"On the Promotion of the Use of Energy from Renewable Sources"*; Instruction No. 4 of the Minister of Infrastructure and Energy, dated 29 June 2026, *"On Renewable Energy Communities"*; and Article 15 of the *"Regulation on ERE Organisation, Operation and Procedures"*, approved by ERE Board Decision No. 96, dated 17 June 2016, the ERE Board, at its meeting of 11 September 2026, having reviewed the report registered under Protocol No. 2559, dated 9 September 2026, prepared by the Working Group established by Order No. 138 of the ERE Chairman, dated 18 August 2026, and the submitted draft regulation, entitled *"On the Initiation of the Procedure for the Approval of the Regulation On the Rules and Procedures for Registration, Administration of the Register and Suspension of the Status of Renewable Energy Communities"*,

found that:

- Law No. 24/2023 "On the Promotion of the Use of Energy from Renewable Sources" establishes the legal framework for renewable energy communities, while Instruction No. 4 of the Minister of Infrastructure and Energy, dated 29 June 2026, "On Renewable Energy Communities", specifically sets out ERE's responsibilities for the registration of these communities and the administration of the relevant Register. Chapter VI of the Instruction provides that ERE shall establish and administer the Register within 3 (three) months of its entry into force and that the rules for the registration and suspension of renewable energy communities, including the registration fee, shall be approved by ERE within the same period.
- Instruction No. 4, dated 29 June 2026, published in Official Gazette No. 161, dated 28 July 2026, sets out the main elements of the registration procedure with ERE, the documentation to accompany the application, the review of the application within 20 (twenty) days and the decision to register or refuse registration. It also specifies the circumstances in which ERE is entitled to suspend a community from the Register, providing for notification of the community of the infringements identified and allowing 30 (thirty) days for the relevant measures to be taken.
- The Working Group established by Order No. 138 of the ERE Chairman, dated 18 August 2026, has prepared the draft regulation "On the Rules and Procedures for Registration, Administration of the Register and Suspension of the Status of Renewable Energy Communities".
- The draft regulation aims to set out in detail the procedures for submitting and reviewing applications, registration, administration and updating of the Register, the obligations to notify changes and update data, and the procedure for suspending and restoring the active status of renewable energy communities (RECs), in accordance with the legal and regulatory framework in force.

- Following the initiation of the procedure, the draft regulation shall be subject to public consultation with stakeholders in accordance with the provisions of the Regulation on the Procedures for Notification and Public Consultation of Acts Approved by the Energy Regulatory Authority, approved by ERE Board Decision No. 162, dated 20 October 2020.

For all the above reasons, the ERE Board

DECIDED:

1. To initiate the procedure for the approval of the Regulation "On the Rules and Procedures for Registration, Administration of the Register and Suspension of the Status of Renewable Energy Communities", as set out in the draft regulation attached to this Decision.
2. The Working Group established by Order No. 138 of the ERE Chairman, dated 18 August 2026, shall manage and review the comments and proposals submitted during the consultation process, hold hearings with stakeholders where necessary and, upon completion of the consultation process, prepare the final version of the draft regulation for submission to the ERE Board for review and approval.
3. The Working Group shall notify stakeholders of this ERE Board Decision in accordance with the rules on notification and public consultation.

This Decision shall enter into force immediately.

Any party involved in this procedure may request ERE to review the Board Decision within 7 (seven) calendar days of the date on which it became aware of the Decision, if it has obtained new evidence that may lead the Board to adopt a decision different from its previous decision, or on the grounds of material errors identified. An appeal against this Decision may be lodged with the Administrative Court of Tirana within 45 (forty-five) calendar days of the date of its publication in the Official Gazette. The filing of an appeal shall not suspend the validity of the Decision unless the court decides otherwise in accordance with the legislation in force.

This Decision shall be published in the Official Gazette.

ERE CHAIRMAN
Petrit AHMETI

REPUBLIKA E SHQIPËRISË

ENERGY REGULATORY AUTHORITY

Approved by ERE Board Decision No. 268, dated 11.09.2026

DRAFT REGULATION

ON THE RULES AND PROCEDURES FOR REGISTRATION, ADMINISTRATION OF THE REGISTER AND SUSPENSION OF THE STATUS OF RENEWABLE ENERGY COMMUNITIES

Article 1
Subject matter

1. This Regulation establishes the rules and procedures to be applied by the Energy Regulatory Authority (ERE) for:
   a) the submission, review and approval of applications for the registration of Renewable Energy Communities (RECs);
   b) the criteria to be met and the documentation to be submitted by entities applying for registration as RECs;
   c) the establishment, administration and updating of the Register of Renewable Energy Communities;
   d) the conditions and procedure for the suspension and restoration of the active status of a REC;
   e) the obligations of RECs concerning the maintenance of registered data and cooperation with ERE in the exercise of its regulatory functions.

Article 2
Legal basis

This Regulation is drafted in accordance with:

a) Law No. 59/2026 “On the Electricity Sector”;
b) Article 21 of Law No. 24/2023 “On the Promotion of the Use of Energy from Renewable Sources”;
c) Chapter VI, point 1, of Instruction No. 4, dated 29 June 2026, “On Renewable Energy Communities”;
ç) other secondary legislation in force governing activities in the electricity sector.

Article 3
Definitions

For the purposes of this Regulation, the following definitions shall apply:

1. **"Renewable Energy Community (REC)"** means a legal entity established and operating in accordance with the legal framework for energy from renewable sources, based on the open and voluntary participation of its members, for the purpose of carrying out the activities provided for by the legislation in force.
2. **"Register of Renewable Energy Communities"** means the electronic register administered by ERE, in which registered RECs and their relevant data are recorded.
3. **"Suspension"** means an administrative measure taken by ERE whereby a REC temporarily loses its active status in the Register until the grounds giving rise to that measure have been remedied.

Article 4
Obligation to register

1. Every renewable energy community seeking to exercise the rights and carry out the activities provided for by the legal framework governing RECs shall register with ERE.
2. Registration with ERE is a separate administrative procedure for record-keeping and administrative purposes and does not constitute licensing or authorisation to carry out activities requiring a licence or authorisation under the legislation in force, including electricity generation, supply, transmission or distribution.

Article 5
Submission of the application for registration

1. The application for registration shall be submitted to ERE by the legal representative of the REC.
2. The application for registration of a REC shall be submitted using the Registration Form attached to and forming an integral part of this Regulation.
3. The form shall be completed and signed by the legal representative of the REC, shall be accompanied by the documentation specified in Instruction No. 4, dated 29 June 2026, "On Renewable Energy Communities", and shall contain:
   a) the name and legal form of the REC;
   b) the unique identification number;
   c) the address of the registered office and contact details;
   ç) a description of the activity, including, but not limited to, the forms and methods of generation, consumption, storage, sharing and sale of renewable energy and the provision of aggregation services;
   d) the list of founding members;
   dh) a description of the generating plant and the equipment planned for installation;
   e) the installed capacity and location of the facilities;
   ë) a declaration of compliance with the legal criteria and requirements governing the operation of the REC;
   f) the declaration of the members of the REC, in accordance with the template set out in Annex 2, which forms an integral part of this Regulation.

Article 6
Supporting documentation

The application for registration shall be accompanied by the following documentation:

a) the articles of association and the deed of establishment;

b) the agreement with the system operator for use of the network;

c) a description of the activity, including, but not limited to, the forms and methods of generation, consumption, storage, sharing and sale of renewable energy and the provision of aggregation services;

ç) a description of the generating plant and the planned equipment and installations;

d) a location map of the planned equipment and installations;

dh) renewable energy communities with an installed capacity exceeding 100 kW shall also submit a business plan including a technical and financial assessment for the first five years;

e) the registration fee, which shall be approved by ERE in accordance with the principle of not hindering the establishment of renewable energy communities;

ë) the expected date of commencement of operation;

f) a document confirming payment of the registration fee in accordance with the fee approved by ERE.

Article 7
Review of the application for registration

1. ERE shall review the compliance of the submitted documentation with the applicable requirements within 10 working days of the date of submission of the application.
2. Where the submitted documentation is incomplete or requires additional clarification, ERE shall notify the applicant to remedy the identified deficiencies.
3. The applicant shall submit the supplementary documentation or information within 20 working days of the date of receipt of the notification.
4. Upon expiry of the specified period, ERE shall decide whether to approve or reject the application.

Article 8
Decision on registration

1. Upon completion of the verification process, ERE shall decide to:
   a) register the REC in the Register of Renewable Energy Communities; or
   b) reject the application for registration, providing the relevant legal and factual grounds.

Where the application is approved, ERE shall, within 3 (three) working days, assign a registration number to the REC and enter the REC in the Register of Renewable Energy Communities.

2. The registration decision shall be published in the electronic Register of RECs administered by ERE.
3. A REC shall be deemed to be registered upon its entry in the Register of Renewable Energy Communities, following the adoption of the ERE Board Decision approving the application.
4. Each registered REC shall be assigned a unique registration number, which shall not be assigned to any other REC.

Article 9
Contents of the Register of RECs

1. ERE shall establish and administer the Register of Renewable Energy Communities in electronic form.
2. The Register of RECs shall contain at least the following information:
   a) the name of the community;
   b) the number and date of the registration decision;
   c) the address of the registered office and contact details;
   ç) the number of members;
   d) data on generation capacities;
   dh) the registration status (active/suspended);
   e) the date of suspension and, where applicable, the date of restoration of active status;
3. ERE shall update the data in the Register on the basis of Board decisions, notifications submitted by RECs and information obtained in accordance with this Regulation.
4. Personal data, confidential commercial information and other data which, under the legislation in force, are not subject to publication shall not be made public in the Register.
5. Data shall be published pursuant to this Article in accordance with the legislation in force on personal data protection, the right to information and the protection of the confidentiality of information.

Article 10
Obligation to notify changes

1. A REC shall notify ERE of any changes to the data declared during the registration process, including:
   a) the organisational structure;
   b) the composition of its membership;
   c) the administrator or legal representative;
   ç) generation capacities;
   d) contact details.
2. The notification shall be submitted within 30 calendar days from the date on which the change occurs.
3. Where the changes referred to in paragraph 1 may affect compliance with the conditions applicable to the REC, the notification shall be accompanied by documentation demonstrating continued compliance with those conditions.

4. Where the review of the changes reveals that the REC no longer meets the conditions applicable to its operation, ERE shall act in accordance with the provisions of this Regulation governing the suspension of status.
5. ERE shall review the notified changes and update the data in the Register where necessary.

Article 11
Continued compliance with the registration conditions

1. A REC shall comply at all times throughout the registration period with the conditions established by the legislation in force governing renewable energy communities.
2. A REC shall maintain and manage the documentation and information necessary to demonstrate continued compliance with the registration conditions and shall make that documentation and information available to ERE upon request and in accordance with the legislation in force.

Article 12
Grounds for suspension

ERE may decide to suspend the active status of a REC where:

a) it is established that the legal criteria for registration are no longer met;
b) the REC fails to fulfil its reporting or information submission obligations;
c) inaccurate, incomplete or false data are submitted;
ç) the verification or inspection process carried out by ERE is obstructed;
the REC breaches the market rules and Network Codes;
d) breaches of the obligations laid down in the legislation in force or in this Regulation are identified.

Article 13
Suspension procedure

1. Before adopting a suspension decision, ERE shall notify the REC of the grounds and facts giving rise to the initiation of the procedure.
2. The REC shall be granted a period of not less than 7 calendar days to submit explanations or remedy the identified deficiencies.
3. If the deficiencies are not remedied within the specified period, the ERE Board shall decide on the suspension of the active status of the REC.

Article 14
Consequences of suspension

1. During the suspension period:
   a) the status of the REC in the Register shall be changed to "suspended";
   b) the REC may not exercise the rights or benefit from the mechanisms requiring active registration status. The REC shall take the necessary measures to restore compliance with the registration conditions and shall notify ERE of compliance with those conditions, submitting the relevant documentation.
2. During the suspension period, the REC may not exercise the rights or benefit from the mechanisms which, under the legislation in force, are conditional upon active registration status.

Article 15
Restoration of active status

1. Once the grounds for suspension have been remedied, the REC shall submit an application to ERE for restoration of its active status.
2. ERE shall review the application within 15 working days of the date of its submission.
3. Where it is determined that the relevant requirements have been fulfilled, ERE shall adopt a decision and change the status of the REC to "active".

Article 16
Removal from the Register

1. Where, following notification of the decision to suspend its status, the REC fails to restore compliance with the registration conditions, ERE shall initiate the procedure for its removal from the Register of Renewable Energy Communities.
2. ERE shall notify the REC of its removal from the Register at least 3 (three) working days before the decision is adopted.
3. If the REC fails to demonstrate that compliance with the registration conditions has been restored, the ERE Board shall decide to remove it from the Register of Renewable Energy Communities.
4. The decision on removal from the Register shall be notified to the REC and recorded in the Register of Renewable Energy Communities.

Article 17
Appeals

Decisions adopted by the ERE Board pursuant to this Regulation may be appealed in accordance with the legislation in force.

Article 18
Inspection and monitoring

ERE shall carry out inspections and monitor the implementation of this Regulation through:

a) the review of documentation submitted by the REC;

b) administrative verifications;

c) requests for additional information;

ç) any other means provided for by the legal framework in force.

Article 19
Periodic reporting

1. By 31 January of each year, a REC shall report to ERE the data and information for the preceding year, in accordance with the requirements set out in Instruction No. 4, dated 29 June 2026, "On Renewable Energy Communities".
2. The reported data and information shall be complete, accurate and up to date.
3. ERE may request clarifications or supplementary information from the REC where necessary to verify compliance with the requirements of the legislation in force.
4. ERE shall publish the data reported by RECs in aggregated form in accordance with Instruction No. 4, dated 29 June 2026, "On Renewable Energy Communities", while complying with the requirements of the legislation in force concerning data protection and confidential information.

Article 20
Entry into force

This Regulation shall enter into force following its approval by the ERE Board and publication in accordance with the legal and regulatory procedures in force.