

Pursuant to Article 4.2, 4.7 and 7 of the Law on Transmission of Electric Power, Regulator and System Operator of Bosnia and Herzegovina (Official Gazette of BiH, 7/02, 13/03, 76/09 and 1/11), Article 36 of the Rule of Practice and Procedure of the State Electricity Regulatory Commission (Official Gazette of BiH, 2/05) and Article 16 of the Licensing Rule (Official Gazette of BiH, 87/12 and 98/15), the State Electricity Regulatory Commission, at the session held on 25 April 2016 adopted

DECISION
ON ISSUANCE OF LICENSE FOR INTERNATIONAL ELECTRICITY TRADING
ACTIVITY

1. The license shall be issued to the Company "Alpiq Energija BH" d.o.o. Sarajevo for performance of the international electricity trading activity.
2. The license referred to in Item 1 of this Decision shall be issued for the period from 1 June 2016 to 31 May 2021 and used pursuant to the Standard licensing conditions for performance of the international electricity trading activity (Official Gazette of BiH, 14/16).
3. This Decision shall come into force on the day of adoption and the statement of the Decision shall be published in the Official Gazette of BiH and official gazettes of the Entities.

Statement of Rationale

The Company "Alpiq Energija BH" d.o.o. Sarajevo (hereinafter: the applicant) is a holder of the license for the international electricity trading activity, recorded in the License Register of this Commission under registration number: 05-28-12-328-22/10 of 11 May 2011, expiring on 31 May 2016.

In accordance with the right to use a possibility of renewing a license and fulfilling the obligation referred to in Article 54 of the Licensing Rule (Official Gazette of BiH, 87/12 and 98/15) to express its intention to continue to perform the international electricity trading activity no later than 120 days before the expiry of the term of the existing license, the licensee filed an application for the granting of a new license that was registered under number: 05-28-12-33-1/16 of 29 January 2016. The application filed shall be decided upon pursuant to internal rules and regulations of SERC and Article 7 of the Law on Transmission of Electric Power, Regulator and System Operator of Bosnia and Herzegovina (Official Gazette of BiH, 7/02, 13/03, 76/09 and 1/11).

The application was submitted in a timely manner, on the prescribed forms with a proof of previously paid application fee and relevant documents which, enclosed to the application, enabled SERC to understand, consider and decide upon the submitted application of which SERC informed the applicant accordingly by its act number: 05-28-12-33-4/16 of 24 February 2016.

Having reviewed and checked all the formal elements of the application, first of all on 25 February 2016 SERC published a short public notice in daily newspapers and on its web site, summarising the application and determining the deadline for submission of public comments on the submitted license application until 3 March 2016.

SERC concluded that the public had not submitted any comment on the application filed for the issuance of license nor had any person expressed the interest to participate in the procedure in the capacity of the intervener upon the SERC public invitation.

The applicant fulfils indisputably all the criteria, conditions and standards prescribed by law and SERC rules and regulations to perform international trade in electricity because it constantly proved its technical, legal and financial capabilities during the past years of use of the license and provided evidence of having ensured resources, organised conditions and established professional standards to continue to perform the same activity.

Monitoring of all aspects of compliance of the applicant's present activities with the conditions and criteria for performance of the activity of international electricity trading provided SERC with the basis to initiate the renewal of the license, i.e. to prepare a draft of the Licensing Conditions for the Performance of the International Electricity Trading Activity which would be valid for another five years and used pursuant to the Standard licensing conditions for performance of the international electricity trading activity.

As of 30 March 2016, this document was made available to the applicant as well as all other interested members of the public who were also provided with an opportunity to give their comments during a general hearing held on 5 April 2016 at the SERC seat in Tuzla preceded by publication of an adequate notice in daily newspapers and publication of the documents on the SERC web site.

As, pursuant to Article 16, Para 2 of the Licensing Rule, at the general hearing the applicant's authorized representative stated that the Company waived the right to submit comments, there were sufficient grounds to conclude that it was considered that the SERC's proposal was prepared in accordance with the Law on Transmission of Electric Power, Regulator and System Operator of BiH and secondary legislation dealing with the matters concerned.

In accordance with the aforementioned and also taking into account the evidence that the applicant had been previously granted the second tier license for performance of the electricity trading and supply activities in the territory of BIH by the Regulatory Commission for Energy in the Federation of Bosnia and Herzegovina, registration number: 06-03-686/23/15 of 29 January 2016, SERC decided as provided in the statement of this Decision.

Pursuant to Article 9.2 of the Law on Transmission of Electric Power, Regulator and System Operator of Bosnia and Herzegovina, proceedings may be initiated before the Court of Bosnia and Herzegovina by filing a lawsuit within sixty (60) days from the day of publishing this decision.

No: 05-28-12-33-16/16

25 April 2016

Tuzla

Chairman of the Commission

Milorad Tuševljak