



Bosnia and Herzegovina

STATE ELECTRICITY REGULATORY COMMISSION

THE REPORT
OF THE STATE ELECTRICITY REGULATORY COMMISSION
ON THE IMPLEMENTATION OF THE LAW ON FREEDOM OF ACCESS TO
INFORMATION AT THE LEVEL OF THE INSTITUTIONS OF BOSNIA AND
HERZEGOVINA IN 2025

Tuzla, December 2025

The State Electricity Regulatory Commission (SERC) is an independent and non-profit institution of Bosnia and Herzegovina, which has jurisdiction over and responsibility for transmission of electricity, transmission system operation and international trade in electricity as well as generation, distribution and supply of electricity for customers in the Brčko District of Bosnia and Herzegovina. SERC was established by the Parliamentary Assembly of BiH by passing 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), and appointment of the Members of the Commission.

The Law on Freedom of Access to Information at the Level of the Institutions of Bosnia and Herzegovina (Official Gazette of BiH, 61/23) stipulates the obligation of the institutions of Bosnia and Herzegovina regarding the creation of an annual report, which has to include records of the number of requests received, the type of information requested, the number of decisions made, the number of non-appealable decisions, the number of requests upon which no decisions were made and the manner in which the BiH institution acted.

In this context, it should be emphasized that **one (1) request for access to information was submitted to the State Electricity Regulatory Commission in the period from 1 January 2025 to 31 December 2025.**

The information on the possibility of connecting new electricity generation facilities to the electricity transmission system of Bosnia and Herzegovina was sought by this request, especially those using renewable energy sources, such as solar and wind power plants, and, if this possibility exists, up to what amount, i.e. generation capacity and according to what tariff system. In the same request, SERC's expert opinion was requested on the readiness of the electricity transmission system to accept the connection of new electricity generation facilities, and if the new electricity generation facilities cannot be connected to the existing electricity transmission system, what this would ultimately mean for the new facilities.

Deciding upon the received request for access to information, SERC conducted the procedure in accordance with the Law and issued a decision rejecting the request for access to information, but it prepared the information on the possibilities of connecting new generation facilities to the electricity transmission network of Bosnia and Herzegovina.

Therefore, in spite of the fact that the submitted request, in accordance with the relevant provisions of the Law, had to be formally and legally rejected, because no information was requested by it, i.e. the content that SERC has recorded in a prepared, materialised form, but an opinion and position on certain issues, in accordance with its permanent commitment to open and public action, SERC created new information and delivered to the applicant, in addition to the Decision of 16 July 2025 by which it rejected the request for access to information, also the Information on the possibilities of connecting new generation facilities to the electricity transmission network of Bosnia and Herzegovina of 16 July 2025 which was created for this occasion, which contains answers to all questions, beyond and outside the scope of the formal procedure prescribed by the Law on Freedom of Access to Information at the Level of the Institutions of Bosnia and Herzegovina.

The aforementioned decision is final, since no appeal was filed against it, nor did the applicant turn to SERC again asking for additional information or clarifications, which indicates that SERC has provided answers to all questions, i.e. complete information.

In addition to this request for access to information, during 2025 a significant number of journalist inquiries were submitted requesting various data from the energy sector or opinions and positions on the current topics, which were answered on the same or the next day at the latest.

The State Electricity Regulatory Commission acts in accordance with the principles of objectivity, transparency and non-discrimination. These fundamental principles are of particular importance in communications with the public - transparency gives credibility which means more stable regulations while stability increases the opportunities for necessary investments. Transparency is more than just simple public decision-making or publishing a written record of a decision.

Transparency implies significant participation and influence by those who are affected by the decisions. Consequently, transparency requires active participation of the public in the decision-making process, not only the possibility of asking questions and commenting but also appropriate access to information in order to enable the submission of substantial comments. Ultimately, the well-informed public, that is, all stakeholders in the sector, understand and use the options offered on the electricity market.

Communication with the public plays a key role in creating perceptions, that is, the ways for the public to understand how institutions function. The method of communication is of particular importance in the period of reforms and structural changes. In the process of sector liberalisation and transition, deregulation and electricity market opening it is necessary both to inform the public in a timely manner of the major phases and to continuously communicate with all key stakeholders about the reform and educate them about the way the sector as a whole functions. It is good practice of regulatory commissions to implement public outreach activities to explain and clarify the changes in the energy sector. In line with this, the State Electricity Regulatory Commission (SERC), the Regulatory Commission for Energy in the Federation of BiH (FERK) and the Regulatory Commission for Energy of Republika Srpska (RERS), which as unbiased organisations protect the interests of customers by regulating relationships in the sector and electricity market, have a key role also in Bosnia and Herzegovina in raising awareness of the changes in the sector and regulators' activities in the liberalisation process. In this context, the State Electricity Regulatory Commission acted in accordance with its *Communications and Public Outreach Plan*, thus making an additional step forward in order to explain very complex energy sector topics in a simple and comprehensible way to all interested parties.

Acknowledging the importance of free access to information as a fundamental characteristic of transparent and accountable action by any public authority, and remaining committed to acting along these lines on a permanent basis, SERC allows the wider public to have a full insight into its work and decision-making processes, going beyond the mandatory framework in this field stipulated by the *Law on Freedom of Access to Information at the level of the Institutions of Bosnia and Herzegovina*. SERC fulfils these commitments by publishing all relevant information on its official website www.derk.ba in a timely manner, including also print media, through the presentation of SERC drafts documents, and notices and invitations to the public to participate in the creation thereof.

Pursuant to Article 4.10. of the Law on Transmission of Electric Power, Regulator and System Operator of Bosnia and Herzegovina, the State Electricity Regulatory Commission prepares its annual report, which is to be submitted to the Parliamentary Assembly of Bosnia and Herzegovina and the Ministry of Foreign Trade and Economic Relations of BiH.

SERC Annual Reports:

- summarise key activities of the State Electricity Regulatory Commission in the relevant year and follows the process of approximation of Bosnia and Herzegovina to the European standards in electricity market functioning,
- provide information on the basic power system indicators, characteristics and changes of and prices in the electricity market both in the region and BiH,

- provide the most important information on the energy associations of particular relevance for regulatory authorities, with a focus on the Energy Community institutions, in whose Regulatory Board and thematic groups SERC is represented,
- presents the public outreach activities carried out by SERC with the aim of explaining and clarifying the changes in the energy sector, and the steps it takes to enable the general public to have full insight into its work and decision-making processes, including the activities related to the fulfilment of the obligations under the Law on Freedom of Access to Information at the Level of the Institutions of Bosnia and Herzegovina.

The Report on Activities of the State Electricity Regulatory Commission follows the reporting approach of regulatory authorities in the European Union and Energy Community requirements, with some adaptations reflecting the characteristics of the regulatory framework in Bosnia and Herzegovina.