

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 – Consolidated Version (Official Gazette of BiH, 63/16), deciding upon the application of “Elektroprenos Bosne i Hercegovine” a.d., Banja Luka, number 06-8968-12/2022 of 6 July 2022, which was supplemented by act number 06-8968-15/2022, the State Electricity Regulatory Commission, at the session held on 13 December 2022 passed a

DECISION

ON ISSUANCE OF LICENCE FOR ELECTRICITY TRANSMISSION ACTIVITY

1. The licence for performance of the electricity transmission activity shall be issued to “Elektroprenos Bosne i Hercegovine” a.d., Banja Luka (Company for Transmission of Electric Power in Bosnia and Herzegovina).
2. The licence referred to in Item 1 of this Decision shall be issued for the period from 1 February 2023 to 31 January 2033 and used pursuant to the Licence conditions for performance of the electricity transmission activity.
3. The licence and the Licence conditions for performance of the electricity transmission activity are an integral part of this Decision.
4. The licensee is obligated to pay a regulatory fee during the term of the licence under the terms and conditions as defined by a separate act.
5. This Decision shall come into force on the day of adoption and its operative part shall be published in the Official Gazette of BiH, the official gazettes of the Entities and the Brčko District of Bosnia and Herzegovina.

Statement of Rationale

“Elektroprenos Bosne i Hercegovine” a.d., Banja Luka (hereinafter: the applicant) is established in accordance with the Law Establishing the Company for Transmission of Electric Power in Bosnia and Herzegovina (Official Gazette of BiH, 35/04, 76/09 and 20/14) and its activity is electricity transmission and all activities concerning electricity transmission, including, but not limited to electricity transmission, maintenance, construction and expansion of the electricity transmission network in Bosnia and Herzegovina.

The applicant holds a licence for the performance of the electricity transmission activity, recorded in the Licence Register of the State Electricity Regulatory Commission (SERC) under the registration number 05-28-12-341-20/12 of 17 January 2013, expiring on 31 January 2023.

In accordance with the right to use a possibility of renewing a licence and fulfilling the obligation referred to in Article 48 of the Licensing Rule – Consolidated Version (Official Gazette of BiH, 63/16) to express its intention to continue to perform the electricity transmission activity, the licensee filed an application for the granting of a new licence that was received under number 05-28-12-191-1/22 of 8 July 2022. 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 is submitted on the prescribed forms with a proof of the previously paid application fee and relevant documents which, enclosed to the application or submitted to SERC

later upon a SERC request, enabled SERC to understand, consider and decide upon the application filed of which SERC informed the applicant accordingly by its act number: 05-28-12-191-5/22 od 15 September 2022.

Having reviewed and checked all the formal elements of the application, first of all on 20 September 2022 SERC published a short public notice in daily newspapers and on its web site, summarizing the application and determining the deadline for submission of public comments on the filed licence application until 28 September 2022.

SERC concluded that the public had not submitted any comment on the application filed for the granting of the licence 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 the electricity transmission activity because it has constantly proven its technical, legal and financial capabilities in the past years of the use of the licence during which it provided the valid proofs.

Monitoring of all aspects of compliance of the applicant's present activities with the conditions and criteria for performance of the electricity transmission activity provided SERC with the basis to initiate the renewal of the licence, i.e. to prepare the initial version of the Licence Conditions which would be valid for the next ten years. As of 3 November 2022, 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 9 November 2022 at the SERC seat in Tuzla with previous publication of an appropriate notice in daily newspapers and publication of the documents on the SERC web site.

As even on the last occasion, following the SERC document number 05-28-12-191-17/22 of 11 November 2022, the applicant did not point out any disagreement with any provision of the proposal of the Decision, 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.

Having reviewed the status of application of all components of relevance for the granting of the licence and obtained the convincing indicators that the applicant has the ensured resources, organised conditions and established professional standards to continue to perform the same activity, SERC decided as provided in the operative part of the 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 against this Decision by filing a lawsuit within 60 days of receipt thereof.

Number: 05-28-12-191-20/22

13 December 2022

Tuzla

Chairman of the Commission

Suad Zeljković