

Conclusions of the EU facilitator on the implementation of the 2013 Energy Agreement

In order to implement obligations under the 'Arrangements regarding energy', signed by the two Prime Ministers in September 2013, both parties agree to the following:

Establishment of new trade company

1. Kosovo will allow EPS to establish a power trade company in Kosovo, in line with its non-discriminatory obligations under the Energy Community and in accordance with the Kosovo legal and regulatory framework.
2. EPS will deposit documents to the Kosovan Business Registration Office to apply for a business registration certificate before the end of **August 2015**.
3. In line with Kosovo's own rules and deadlines, this business registration certificate will be granted within 7 days.
4. This company will apply for, and be granted a license that covers import, export and transit.

Establishment of new supply and distribution services company

5. Kosovo will allow EPS to establish a supply company in Kosovo, in line with its non-discriminatory obligations under the Energy Community and in accordance with the Kosovo legal and regulatory framework.
6. EPS will deposit documents to the Kosovan Business Registration Office to apply for a business registration certificate before the end of **August 2015**.
7. In line with Kosovo's own rules and deadlines, this business registration certificate will be granted within 7 days.
8. The name of this company will be 'ElektroSever'.

Supply license

9. This company will apply to the Energy Regulatory Office (ERO) for the necessary license to supply customers, to buy and sell power in the open market and to import and export electricity. This license will be delivered in accordance with Kosovo's own legal and regulatory framework.
10. The supply license will be operational when KOSTT becomes a member of the ENTSO-E.
11. ElektroSever will sign agreements with KOSTT in order to participate in the Kosovo power market and to become balance responsible party.
12. ElektroSever will be entitled to carry out billing and collection, since these are the normal activities of a supply company.
13. Access to KOSTT, KEDS and ERO to the transmission and distribution infrastructure as well as customer data will be provided. This data will be provided via the EU.
14. ElektroSever will enter into discussions with KEDS and KOSTT, to ensure third party access.

Distribution services

15. Both parties will continue to work, with EU facilitation, with a view to allowing ElektroSever to provide distribution services based on the principles of 'Arrangements regarding Energy'.

Other issues

16. Serbia, and EMS, will support KOSTT's application to sign an interconnection agreement with ENTSO-E, including in the appeal process.

17. Both parties agree that all points of these Conclusions will be implemented independently of progress on point 15.

Disclaimer

Kosovo considers that, in accordance with Kosovo Constitution and Laws, and international law, namely UNSCR 1244 and respective UNMIK Regulations, the property within the territory of Kosovo is ownership of Republic of Kosovo.

Serbia considers that, that in accordance with domestic and international law, namely UNSCR 1244, property within the territory of Kosovo is ownership of Serbia, under specific provincial regulation and in full accordance with the Constitution of Serbia.