



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria - Vlada - Government

Ministria e Ekonomisë
Ministarstvo Ekonomije – Ministry of Economy

Option/possible alternative:

1. Title of the normative act: Draft law on Electricity
2. Proposing body: Ministry of Economy
3. Table:18.03.2026.
4. List of relevant EU legislation (full title of the act and number) with which the normative act of the Republic of Kosovo is compliant Directive (EU) 2019/944 of 5 June 2019 on common rules for the internal market for electricity Incorporated and adapted by the Decision of the Ministerial Council of the Energy Community No 2021/13/MC-EnC of 30 November 2021 amending Annex I to the Treaty Establishing the Energy Community (Energy Community Treaty) and incorporating Directive (EU) 2019/944 and Regulation (EU) 2019/941 in the Energy Community acquis communautaire. Regulation (EU) 2019/943 of 5 June 2019 on the internal market for electricity Regulation (EU) 2019/941 of 5 June 2019 on risk-preparedness in the electricity sector and repealing Directive 2005/89/EC Regulation (EU) 2019/942 establishing a European Union Agency for the Cooperation of Energy Regulators (ACER)
5. The level of compliance: Partially compliant

Republic of Kosovo – European Union

a) Provisions of the normative act of Kosovo (Article, paragraph, sub-paragraph, etc.)	b) The EU normative act (Article, paragraph, sub-paragraph, etc.)	c) Compliance of Kosovo legislation with EU legislation (fully compliant, partially compliant, non-compliant or not applicable)	d) Comments on reasons for partial compliance or non-compliance and the period foreseen for achieving full compliance
Assembly of the Republic of Kosovo; Based on Article 65 (1) of the Constitution of the Republic of Kosovo, Adopts: LAW ON ELECTRICITY CHAPTER I GENERAL PROVISIONS Article 1 Purpose 1. The purpose of this law is to establish rules and measures for the electricity sector, ensuring secure, reliable, and quality electricity supply at affordable and transparent prices for final customers, while addressing the country's climate targets. 2. This law is in compliance with Directive (EU) 2019/944 on common rules for the internal market for electricity, incorporated and adapted by the Energy Community Ministerial Council Decision 2021/13/MC-EnC and Decision 2022/03/MC-EnC, the Regulation (EU) 2019/943 on the internal market for electricity, incorporated and adapted by the		Not applicable	

Energy Community Ministerial Council Decision 2022/03/MC-EnC, the Regulation (EU) 2019/941 on risk-preparedness in the electricity sector, incorporated and adapted by the Energy Community Ministerial Council Decision 2021/13/MC-EnC and Decision 2022/03/MC-EnC, and the Regulation (EU) 2019/942 establishing a European Union Agency for the Cooperation of Energy Regulators, incorporated and adapted by the Energy Community Ministerial Council Decision 2022/03/MC-EnC, as well as the European Commission Regulations establishing network codes and guidelines relevant for the electricity sector that are incorporated and adapted in the Energy Community legislation as specified in this law.			
Article 2 Scope of the law 1. The scope of this law includes electricity activities, the rights and obligations of electricity generators, energy storage operators, the operation of the transmission and distribution system, resource adequacy assessment, trading and supply of electricity, organization of the electricity market, customer's protection, universal supply service and last resort supply as well as electricity crisis management.		Not applicable	
Article 3 Definitions 1. Terms used in this law shall have the following meaning: 1.1 European Union Agency for			

Cooperation of the Energy Regulators (ACER) – is an European Union Agency established based on the Energy Package conditions;			
1.2 Balancing - means all actions and processes, in all timelines, through which transmission system operators ensure, in an ongoing manner, maintenance of the system frequency within a predefined stability range and compliance with the amount of reserves needed with respect to the required quality;	Directive (EU) 2019/944 45) ‘balancing’ means all actions and processes, in all timelines, through which transmission system operators ensure, in an ongoing manner, maintenance of the system frequency within a predefined stability range and compliance with the amount of reserves needed with respect to the required quality. Regulation (EU) 2019/943 Article 2 p (10) ‘balancing’ means all actions and processes, in all timelines, through which transmission system operators ensure, in an ongoing manner, maintenance of the system frequency within a predefined stability range and compliance with the amount of reserves needed with respect to the required quality;	Fully compliant	
Imbalance Settlement - means a financial settlement mechanism for charging or paying balance responsible parties for their imbalances;		Not applicable	
1.4 Cogeneration – means simultaneous Generation in one process of thermal energy and electricity and/or mechanical energy;			
1.5 High-efficiency cogeneration – for the purpose of this law, means simultaneous generation of thermal energy and electricity in cogeneration units that provide primary energy savings of at least 10% compared with separate generation	Regulation (EU) 2019/943 ARTICLE 2 p. (23) ‘high-efficiency cogeneration’ means cogeneration which meets the criteria laid down in Annex II to Directive 2012/27/EU of the European Parliament and of the Council, as adapted	Fully compliant	

and, for the units with an electrical capacity larger than 25MW, have overall efficiency of at least 70%;	by Ministerial Council Decision 2015/08/MC-EnC;		
1.6 Energy Community Regulatory Board (ECRB) - is an independent regional entity of energy regulators in the Energy Community and not only for coordination, exchange knowledge and develop the best practices for regulated electricity and gas markets in the Energy Community;		will be transposed in the Energy Regulatory Draft Law	
1.7 Dispatching –management of electricity flows in the network so that supply and demand for electricity are in balance;			
1.8 Balancing energy - means energy used by transmission system operator to perform balancing;	(Directive (EU) 2019/944 46) ‘balancing energy’ means energy used by transmission system operators to carry out balancing ⁷ ; Regulation (EU) 2019/943 Article (11) ‘balancing energy’ means energy used by transmission system operators to carry out balancing	Fully compliant	
Flexibility - means capability of the electricity transmission or electricity distribution system to sustain the power balance in response to variability and unpredictability of renewable energy generation or to other transitional disruptions;			
1.10 Force majeure - an act or natural or social event, such as earthquakes, lightning, cyclones, floods, volcanic eruptions, fires or wars, armed conflicts, rebellion, terrorist or military acts, which prevent the permit holder to comply with its obligations under the permit, as well as			

other acts or events that are beyond the reasonable control and that did not happen as a fault of the permit holder and the permit holder has been unable to avoid such act or event through the exercise of will, effort, skill and their reasonable care;			
1.11 Market coupling operator (MCO) function – means the task of matching orders from the day-ahead and intraday markets for different bidding zones and simultaneously allocating cross-zonal capacities			
1.12 Supply – sale, including resale, of electricity to customers;	Directive (EU) 2019/944 (12) ‘supply’ means the sale, including the resale, of electricity to customers; Regulation (EU) 2019/943 (41) ‘supply’ means supply as defined in point (12) of Article 2 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC;	Fully compliant	
1.13 Supplier – energy enterprise performing the electricity supply activity;			
1.14 Billing information - means the information provided on the final customer's bill, apart from a request for payment	Directive (EU) 2019/944 (21) ‘billing information’ means the information provided on a final customer’s bill, apart from a request for payment;	Fully compliant	
1.15 Interconnector - a transmission line which crosses or spans a border with neighboring countries and connects the domestic electricity transmission systems with that of the neighboring countries	Directive (EU) 2019/944 (39) ‘interconnector’ means equipment used to link electricity systems; Regulation (EU) 2019/943 ‘interconnector’ means a transmission line which crosses or spans a border between Contracting Parties of the Energy Community or between Contracting	Fully compliant	

	Parties and Member States of the European Union and which connects the national transmission systems of the Contracting Parties of the Energy Community or of the Contracting Parties of the Energy Community and the Member States of the European Union;		
1.16 Imbalance - means an energy volume calculated for a balance responsible party and representing the difference between the allocated volume attributed to that balance responsible party and the final position of that balance responsible party, including any imbalance adjustment applied to that balance responsible party, within a given imbalance settlement period;	Directive (EU) 2019/94 (25) ‘imbalance settlement period’ means time unit for which the imbalance of the balance responsible parties is calculated;	Fully compliant	
1.17 Balancing capacity - means a volume of reserve capacity that a balancing service provider has agreed to hold and in respect to submit bids for a corresponding volume of balancing energy to the transmission system operator for the duration of the contract;	Regulation (EU) 2019/943 article 2 paragraph (13) ‘balancing capacity’ means a volume of capacity that a balancing service provider has agreed to hold and in respect to which the balancing service provider has agreed to submit bids for a corresponding volume of balancing energy to the transmission system operator for the duration of the contract;	Fully compliant	
1.18 Congestion - means a situation in which all requests from market participants to trade between network areas cannot be accommodated because they would significantly affect the physical flows on network elements which cannot accommodate those flows;	Directive (EU) 2019/944 44) ‘congestion’ means congestion as defined in point 2(c) of Article 2 of Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision No 2011/02/MC-EnC of 6 October 2011 Regulation (EU) 2019/943 (4) ‘congestion’ means a situation in which all requests from market participants to trade between network areas cannot be accommodated because they would significantly affect the	Fully compliant	

	physical flows on network elements which cannot accommodate those flows;		
1.19 Structural congestion - means congestion in the electricity transmission system that is capable of being unambiguously defined, is predictable, appears regularly in the same geographical area, and reoccurs under normal electricity system conditions;	Regulation (EU) 2019/943 6) ‘structural congestion’ means congestion in the transmission system that is capable of being unambiguously defined, is predictable, is geographically stable over time, and frequently reoccurs under normal electricity system conditions	Fully compliant	
1.20 Active customer - means a final customer, or a group of jointly acting final customers, who consumes or stores electricity generated within its premises located within confined boundaries or within other premises, or who sells self-generated electricity or participates in flexibility or energy efficiency schemes, provided that those activities do not constitute its primary commercial or professional activity;	Directive (EU) 2019/944 (8) ‘active customer’ means a final customer, or a group of jointly acting final customers, who consumes or stores electricity generated within its premises located within confined boundaries or, where permitted by a Contracting Party, within other premises, or who sells self-generated electricity or participates in flexibility or energy efficiency schemes, provided that those activities do not constitute its primary commercial or professional activity; Regulation (EU) 2019/943 Article 2 paragraph (39) ‘active customer’ means active customer as defined in point (8) of Article 2 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC;	Fully compliant	
1.21 Fully integrated network components - means network components that are integrated in the transmission or distribution system, including storage facilities, and that are used for a secure and reliable operation of the transmission or	Directive (EU) 2019/944 (51) ‘fully integrated network components’ means network components that are integrated in the transmission or distribution system, including storage facilities, and that are used for the sole purpose of ensuring a	Fully compliant	

distribution system, and not for balancing or congestion management;	secure and reliable operation of the transmission or distribution system, and not for balancing or congestion management;		
1.22 Crisis Coordinator – a person, a team composed of respective national representatives to manage the electricity crisis acting as a contact point and coordinating the information flow in the course of Electricity Crisis;	Regulation (EU) 2019/941 (13) ‘crisis coordinator’ means a person, a group of persons, a team composed of the relevant national electricity crisis managers or an institution tasked with acting as a contact point and coordinating the information flow during an electricity crisis;	Fully compliant	
1.23 Electricity Crisis – a present or imminent situation in which there is a significant shortage of electricity or it is impossible to supply electricity to customers;			
1.24 Connection to network/system – means physical connection of the facilities of an energy enterprise with the electricity transmission or distribution network;			
1.25 Capacity mechanism- means a temporary measure to ensure the achievement of the necessary level of resource adequacy by remunerating resources for their availability, excluding measures relating to ancillary services or congestion management;	Regulation (EU) 2019/943 (22) Article 2 p. ‘capacity mechanism’ means a temporary measure to ensure the achievement of the necessary level of resource adequacy by remunerating resources for their availability, excluding measures relating to ancillary services or congestion management;	Fully compliant	
1.26 Ministry – Ministry of the Republic of Kosovo responsible for energy;		Not applicable	
1.27 Electricity enterprise - means a natural or legal person who carries out at least one of the following energy activities: generation, transmission, distribution, aggregation, demand response, energy storage, supply, trading of electricity, and	Directive (EU) 2019/944 57) ‘electricity undertaking’ means a natural or legal person who carries out at least one of the following functions: generation, transmission, distribution, aggregation, demand response, energy storage, supply	Fully compliant	

electricity market operation who is responsible for the commercial, technical or maintenance tasks related to those functions, excluding the final customers;	or purchase of electricity, and who is responsible for the commercial, technical or maintenance tasks related to those functions, but does not include final customers;		
1.28 Countertrading - means a cross-zonal exchange initiated by system operators between two bidding zones to relieve physical congestion;	Regulation (EU) 2019/943 Article 2 paragraph (27) 'countertrading' means a cross-zonal exchange initiated by system operators between two bidding zones to relieve physical congestion;	Fully compliant	
1.29 Interoperability - means, in the context of smart metering, the ability of two or more energy or communication networks, systems, devices, applications or components to interwork to exchange and use information in order to perform required functions;	Directive (EU) 2019/944 (24) 'interoperability' means, in the context of smart metering, the ability of two or more energy or communication networks, systems, devices, applications or components to interwork to exchange and use information in order to perform required functions; Regulation 2019/943 (46) 'interoperability' means interoperability as defined in point (24) of Article 2 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC	Fully compliant	
1.30 Conventional meter - means an analogue, electronic or electromechanical meter with no capability to both transmit and receive data;	Directive (EU)2019/944 (22) 'conventional meter' means an analogue or electronic meter with no capability to both transmit and receive data;	Fully compliant	
1.31 Balancing service provider - means a market participant that provides one or both balancing energy and balancing capacity to transmission system operator;	Regulation (EU) 2019/943 Article 2 p. (12) 'balancing service provider' means a market participant providing either or both balancing energy and balancing	Fully compliant	

1.32 Distribution system operator – means the natural or legal person responsible for the operation, maintenance and, as needed, the development of the distribution network in a given area including, whenever possible, the interconnectors with other systems, to safeguard the long-term capacity of the network to meet the requirements for the distribution of electricity;	capacity to transmission system operators; Directive (EU)2019/944 (29) ‘distribution system operator’ means a natural or legal person who is responsible for operating, ensuring the maintenance of and, if necessary, developing the distribution system in a given area and, where applicable, its interconnections with other systems, and for ensuring the long-term ability of the system to meet reasonable demands for the distribution of electricity; Regulation (EU) 2019/943 (48) ‘distribution system operator’ means distribution system operator as defined in point (29) of Article 2 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC;	Fully compliant	
1.33 Transmission System Operator – means the physical or legal person responsible for the operation, maintenance and, as needed, the development of the transmission network in a certain area including, whenever possible, the interconnectors with other systems, and to safeguard the long-term ability of the network to meet the requirements for the transmission of electricity;	Directive (EU)2019/944 (35) ‘transmission system operator’ means a natural or legal person who is responsible for operating, ensuring the maintenance of and, if necessary, developing the transmission system in a given area and, where applicable, its interconnections with other systems, and for ensuring the long-term ability of the system to meet reasonable demands for the transmission of electricity; Regulation(EU) 2019/943 (53) ‘transmission system operator’ means transmission system operator as defined in point (35) of Article 2 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/	Fully compliant	

	MC-EnC. Regulation(EU) 2019/943 (2) ‘transmission system operator’ means transmission system operator as defined in point (35) of Article 2 of Directive (EU) 2019/944 as adapted and adopted by Ministerial Council Decision 2021/13/ MC-EnC of 30 November 2021;		
1.34 Balance responsible party - means a market participant or its chosen representative responsible for its imbalances in the electricity market;	Directive (EU)2019/944 (47) ‘balance responsible party’ means a market participant or its chosen representative responsible for its imbalances in the electricity market;	Fully compliant	
1.35 Balance responsibility - means obligation of market participant to balance generation, consumption, purchase and sale of electricity in accordance with the accepted physical schedules (nominations) and to be financially responsible for caused imbalances;	Regulation (EU) 2019/943 Article 2 p. (14) ‘balance responsible party’ means a market participant or its chosen representative responsible for its imbalances in the electricity market;	Fully compliant	
1.36 Demand response - means the change of electricity load by final customers from their normal or current consumption patterns, whether alone or through aggregation, in response to market signals, including in response to time-variable electricity prices or incentive payments, or in response to the acceptance of the final customer’s bid to sell demand reduction or increase, at a price in an organized market;	Directive (EU)2019/944 (20) ‘demand response’ means the change of electricity load by final customers from their normal or current consumption patterns in response to market signals, including in response to time-variable electricity prices or incentive payments, or in response to the acceptance of the final customer’s bid to sell demand reduction or increase at a price in an organised market as defined in point (4) of Article 2 of Commission Implementing Regulation (EU) No 1348/2014, whether alone or through aggregation;	Fully compliant	

	Regulation 2019/943 p.(44) ‘demand response’ means demand response as defined in point (20) of Article 2 of Directive (EU)2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC- EnC		
1.37 Recharging points for electric vehicles - means an interface that is capable of charging one electric vehicle at a time or exchanging the battery of one electric vehicle at a time;	Directive (EU)2019/944 (33) ‘recharging point’ means an interface that is capable of charging one electric vehicle at a time or exchanging the battery of one electric vehicle at a time;	Fully compliant	
1.38 Electricity producer – means natural or legal person that produces electricity;	Directive (EU)2019/944 (30) ‘energy efficiency’ means the ratio of output of performance, service, goods or energy, to input of energy;	Fully compliant	
1.39 Distributed generation - means generating installations connected to the distribution system	Directive (EU)2019/944 32) ‘distributed generation’ means generating installations connected to the distribution system;	Fully compliant	
1.40 Regional Coordination Centre (RCC) – the regional coordination centre with which the Transmission System Operator has entered into a cooperation agreement in the domains of security of electricity supply, system operation and capacity calculation;	Regulation 2019/943 article 2 p. (63) ‘regional coordination centre’ means regional coordination centre established pursuant to Article 35 to this Regulation;	Fully compliant	
1.41 Capacity Calculation Region (CCR) – a group of Energy Community Contracting Parties which participate in the common mechanism for coordinated capacity calculation;	Regulation (EU) 2019/943 article 2 p. (21) ‘capacity calculation region’ means the geographic area in which the coordinated capacity calculation is applied;	Fully compliant	
1.42 System Operation Region (SOR) – a group of Energy Community Contracting Parties with which the Transmission System Operator shares the same Regional Coordination Centre; with responsibilities which are relevant for system operation,			

such as, but not limited to: assessment of needed remedial actions to ensure security of the whole system, coordination of all the outages to ensure security and efficiency, adequacy assessment and tasks related to the provision of system balancing;			
1.43 Redispatching - means a measure, including curtailment, that is activated by the transmission system operator or distribution system operator by altering the generation, load pattern, or both, in order to change physical flows in the electricity system and relieve a physical congestion or otherwise ensure system security;	Regulation 2019/943 article 2 p. (26) ‘redispatching’ means a measure, including curtailment, that is activated by one or more transmission system operators or distribution system operators by altering the generation, load pattern, or both, in order to change physical flows in the electricity system and relieve a physical congestion or otherwise ensure system security;	Fully compliant	
1.44 European Network of Transmission System Operators for Electricity (ENTSO-E) – means the European network of transmission system operators for electricity in order; to promote the completion and functioning of the internal market in electricity and cross-border trade and to ensure the optimal management, coordinated operation and sound technical evolution of the European electricity transmission network.		will be transposed in the Energy Regulatory Draft Law	
1.45 Regulator – Energy Regulatory Office of the Republic of Kosovo, established as an independent agency, pursuant to the relevant Law on Energy Regulator;		will be transposed in the Energy Regulatory Draft Law	
1.46 Balancing services - means balancing energy or balancing capacity, or both;		will be transposed in the Energy Regulatory Draft Law	
1.47 Ancillary service - means a service	Directive (EU)2019/944 (48) ‘ancillary	Fully compliant	

necessary for the operation of a transmission or distribution system, including balancing and non-frequency ancillary services, but not including congestion management;	service’ means a service necessary for the operation of a transmission or distribution system, including balancing and non-frequency ancillary services, but not including congestion management; Regulation 2019/943 article 2 p. (60) ‘ancillary service’ means ancillary service as defined in point (48) of Article 2 of Directive (EU) 2019/944 as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC		
1.48 Flexibility service – means prompt adjustment of the actual generation or consumption pattern by electricity producer, energy storage facility or demand response asset aimed to increase the flexibility of the system;			
1.49 Non-frequency ancillary service – a service used by a Transmission System Operator or Distribution System Operator for steady state voltage control, fast reactive current injections, inertia for local grid stability, short-circuit current, black start capability and island operation capability;	Directive (EU) 2019/944 (49) ‘non-frequency ancillary service’ means a service used by a transmission system operator or distribution system operator for steady state voltage control, fast reactive current injections, inertia for local grid stability, short-circuit current, black start capability and island operation capability; Regulation 2019/943 (61) ‘non-frequency ancillary service’ means non-frequency ancillary service as defined in point (49) of Article 2 of Directive (EU) 2019/944 as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC;	Fully compliant	
1.50 Interconnected system - means a	Directive (EU) 2019/944 (40)	Fully compliant	

number of electricity transmission and distribution systems linked together by means of one or more interconnectors	‘interconnected system’ means a number of transmission and distribution systems linked together by means of one or more interconnectors; Regulation 2019/943 (57) ‘interconnected system’ means interconnected system as defined in point (40) of Article 2 of Directive (EU) 2019/944 as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC		
1.51 Smart metering system - means an electronic system that is capable of measuring electricity delivered to the grid or electricity consumed from the grid, providing more information than a conventional meter, and that is capable of transmitting and receiving data for information, monitoring and control purposes, using a form of electronic communication;	Directive (EU) 2019/944 (23) ‘smart metering system’ means an electronic system that is capable of measuring electricity fed into the grid or electricity consumed from the grid, providing more information than a conventional meter, and that is capable of transmitting and receiving data for information, monitoring and control purposes, using a form of electronic communication; Regulation 2019/943 article 2 p.(45) ‘smart metering system’ means smart metering system as defined in point (23) of Article 2 of Directive(EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC	Fully compliant	
1.52 Electricity distribution – means the transport of electricity on medium-voltage and low-voltage distribution systems with a view to its delivery to			

customers, but does not include supply;			
1.53 System user or network user - means a natural or legal person who supplies to, or is supplied by, an electricity transmission system or an electricity distribution system;	Directive (EU) 2019/944 36) ‘system user’ means a natural or legal person who supplies to, or is supplied by, a transmission system or a distribution system; Regulation (EU) 2019/943 (54) ‘system user’ means system user as defined in point (36) of Article 2 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC- EnC	Fully compliant	
1.54 Security of electricity supply – the ability of an electricity system to guarantee the supply of electricity to customers with a clearly established level of performance as provided for in in this law;	Regulation (EU) 2019/941 Article 2 p. 1) ‘security of electricity supply’ means the ability of an electricity system to guarantee the supply of electricity to customers with a clearly established level of performance, as determined by the Contracting Parties concerned;		
1.55 Electricity transmission – means the transport of electricity high-voltage interconnected system with a view to its delivery to final customers or to operators of distribution system, but does not include supply;	Directive (EU) 2019/944 (34) ‘transmission’ means the transport of electricity on the extra high-voltage and high-voltage interconnected system with a view to its delivery to final customers or to distributors, but does not include supply; Regulation 2019/943 52) ‘transmission’ means transmission as defined in point (34) of Article 2 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC- EnC;	Fully compliant	
1.56 Balancing market - means the entirety of institutional, commercial and			

operational arrangements that establish market-based management of balancing;			
1.57 Electricity market - means market for electricity, including bilateral market and electricity exchanges, markets for the trading of electricity, capacity, balancing and ancillary services in all timeframes, including forward, day-ahead and intraday markets;	Directive (EU) 2019/944 (9) ‘electricity markets’ means markets for electricity, including over-the-counter markets and electricity exchanges, markets for the trading of energy, capacity, balancing and ancillary services in all timeframes, including forward, day-ahead and intraday markets; Regulation 2019/943 p. (40) ‘electricity markets’ means electricity markets as defined in point (9) of Article 2 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC- EnC	Fully complaint	
1.58 Organized electricity market – means an institutionally organized market between supply and demand from electricity market participants with predetermined standardized products, as well as physical and financial settlements, which are determined day ahead or on intraday;			
1.59 Allocated volume - means the volume of energy injected or withdrawn from the system and attributed to a responsible balancing party, for the calculation of the imbalance of the responsible balancing party;			
1.60 Value of lost load - means an	Regulation (EU) 2019/943 (9) ‘value of	Fully compliant	

estimation in EUR/MWh, of the maximum electricity price that customers are willing to pay to avoid an electricity outage;	lost load' means an estimation in euro/MWh, of the maximum electricity price that customers are willing to pay to avoid an outage;		
Article 4 Electricity Sector Activities 1. Electricity sector activities according to this law are the following: 1.1 electricity generation; 1.2 energy storage; 1.3 electricity transmission; 1.4 electricity distribution; 1.5 organization and operation of the electricity market; 1.6 electricity supply; 1.7 electricity wholesale supply (trading) and, 1.8 aggregation. 2. In order to perform electricity sector activities, as per paragraph 1 of this Article, electricity enterprises need to obtain a permit issued by the Regulator, except activities exempted in accordance with this Law or the relevant Law on Energy Regulator. 3. In order to avoid discrimination, cross-subsidization and distortion of competition, electricity enterprises performing transmission or distribution system operation or electricity market operation, and any other electricity sector activity, shall keep in their internal accounting separate accounts for each of their system or market operation activity in line with the relevant Law on Accounting, Financial Reporting and Auditing if those activities were carried out by separate	Directive (EU) 2019/94 Article 3 Competitive, consumer-centred, flexible and non-discriminatory electricity markets 1. Contracting Parties shall ensure that their national law does not unduly hamper cross-border trade in electricity, consumer participation, including through demand response, investments into, in particular, variable and flexible energy generation, energy storage, or the deployment of electromobility or new interconnectors between Contracting Parties, and shall ensure that electricity prices reflect actual demand and supply. 2. When developing new interconnectors, Contracting Parties shall take into account the electricity interconnection targets set out in point (1) of Article 4(d) of Regulation (EU) 2018/1999, as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC of 30 November 2021. 3. Contracting Parties shall ensure that no undue barriers exist within the internal market for electricity as regards market entry, operation and exit, without prejudice to the competence that Contracting Parties retain in relation to third countries. 4. Contracting Parties shall ensure a level playing field where electricity	Fully compliant	

companies, and separate accounts, which may be consolidated, for the other energy activities and/or non-energy activities, as applicable. Electricity enterprises shall submit the audited report to the Regulator for review. 4. In order to enable activities of all electricity facilities linked with the Kosovo transmission or distribution system, they shall be operated within a unique electricity system, with the common and constant function of generating, transmitting, distributing, storing, supplying, and trading electricity. 5. In order electricity sector activities to be performed, the Republic of Kosovo's electricity system shall operate in a coordinated manner and shall be interconnected to electricity systems of other countries in the regional electricity market, and with electricity systems of other countries, in compliance with the Energy Community Treaty.	undertakings are subject to transparent, proportionate and non-discriminatory rules, fees and treatment, in particular with respect to balancing responsibility, access to wholesale markets, access to data, switching processes and billing regimes and, where applicable, licensing. 5. Contracting Parties shall ensure that market participants from third countries, when operating within the internal market for electricity, comply with applicable Energy Community and national law, including that concerning environmental and safety policy. Directive (EU) 2019/744 Article 56 Unbundling of accounts. 1. Contracting Parties shall take the necessary steps to ensure that the accounts of electricity undertakings are kept in accordance with paragraphs 2 and 3. 2. Electricity undertakings, whatever their system of ownership or legal form, shall draw up, submit to audit and publish their annual accounts in accordance with the rules of national law concerning the annual accounts of limited liability companies < ... >. Undertakings which are not legally obliged to publish their annual accounts shall keep a copy of these at the disposal of the public in their head office. 3. Electricity undertakings shall, in their internal accounting, keep separate accounts for each of their transmission		
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	and distribution activities as they would be required to do if the activities in question were carried out by separate undertakings, with a view to avoiding discrimination, cross-subsidisation and distortion of competition. They shall also keep accounts, which may be consolidated, for other electricity activities not relating to transmission or distribution. Revenue from ownership of the transmission or distribution system shall be specified in the accounts. Where appropriate, they shall keep consolidated accounts for other, non-electricity activities. The internal accounts shall include a balance sheet and a profit and loss account for each activity. 4. The audit referred to in paragraph 2 shall, in particular, verify that the obligation to avoid discrimination and cross-subsidisation referred to in paragraph 3 is respected.		
Article 5 Electricity Generation 1. Electricity generation activities are performed by enterprises that obtained a permit for electricity generation issued by the Regulator, or by natural or legal persons who are exempted from holding such permits in accordance with this Law or the relevant Law on the Energy Regulator. 2. Electricity generator holding electricity generation permit may generate electricity for base load or variable regimes, including for covering transmission and distribution network losses, energy for system balancing and ancillary services.	Directive (EU)2019/944 Article 8 Authorisation procedure for new capacity 1. For the construction of new generating capacity, Contracting Parties shall adopt an authorisation procedure, which shall be conducted in accordance with objective, transparent and non-discriminatory criteria 2. Contracting Parties shall lay down the criteria for the grant of authorisations for the construction of generating capacity in their territory. In determining appropriate criteria, Contracting Parties shall	Fully compliant	

3. Generation of electricity is not considered an electricity activity as per Article 4 of this Law and shall not require authorization for construction nor permit for behind-the-meter self-generation installations with a capacity of up to 1 MW.	consider: (a) the safety and security of the electricity system, installations and associated equipment; (b) the protection of public health and safety; (c) the protection of the environment; (d) land use and siting; (e) the use of public ground; (f) energy efficiency; (g) the nature of the primary sources; (h) the characteristics particular to the applicant, such as technical, economic and financial capabilities; (i) compliance with measures adopted pursuant to Article 9; (j) the contribution of generating capacity to meeting the Contracting Party's share in contributing to the Energy Community target for 2030 target referred to in Article 3(1) of Directive (EU) 2018/2001, as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC of 30 November 2021; (k) the contribution of generating capacity to reducing emissions; and		
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	(l) the alternatives to the construction of new generating capacity, such as demand response solutions and energy storage. 3. Contracting Parties shall ensure that specific, simplified and streamlined authorisation procedures exist for small decentralised and/or distributed generation, which take into account their limited size and potential impact. Contracting Parties may set guidelines for that specific authorisation procedure. Regulatory authorities or other competent national authorities, including planning authorities, shall review those guidelines and may recommend amendments thereto. Where Contracting Parties have established particular land use permit procedures applying to major new infrastructure projects in generation capacity, Contracting Parties shall, where appropriate, include the construction of new generation capacity within the scope of those procedures and shall implement them in a non-discriminatory manner and within an appropriate time frame. 4. The authorisation procedures and criteria shall be made public. Applicants shall be informed of the reasons for any refusal to grant an authorisation. Those reasons shall be objective, non-discriminatory, well-founded and duly substantiated. Appeal procedures shall be made available to applicants.		
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Article 6 Rights and obligations of electricity producers 1. Electricity producers, in accordance with the provisions of this law, the relevant Law on the Energy Regulator, and the relevant codes and rules approved by the Regulator, as well as the issued permits have the right to: 1.1 use energy sources that are considered suitable for the production process in their facilities, provided that such use is made in accordance with all relevant technical, environmental and energy efficiency criteria; 1.2 connect their stations in the transmission or distribution system; 1.3 have access to transmission and distribution systems; 1.4 sell electricity, capacity and ancillary services; 1.5 buy electricity for their needs and, 1.6 participate in ancillary services and balancing services market 1.7 participate in the organized electricity market; and 1.8 bill and collect payments, according to the contracts signed for the sale of electricity, ancillary services and other contracted services. 2. Electricity producers are obliged to: 2.1 to adhere to all conditions defined		Not applicable	

in the permit to carry out production activity; 2.2 provide their capacities in a transparent, non-discriminatory and market-based manner; 2.3 all technical and operational criteria are met , as well as the conditions defined in the Transmission Network Code and the Distribution Network Code, according to the applicable technical rules and standards; 2.4 act in accordance with the rules for the protection of competition, when participating in the electricity market; 2.5 maintain production facilities and guarantee their operational safety and stability, in accordance with technical rules and standards; 2.6 sign contracts based on the agreements reached for the activities defined in this article, as well as based on the contract, deliver the production capacity at the request of the Transmission System Operator and the Distribution System Operator for balancing purposes, system operation and security; 2.7 act in accordance with the relevant legislation for environmental protection; 2.8 are equipped with adequate meters for measuring the electricity entering the system; 2.9 provide the necessary data for the operation and management of the relevant system defined in the relevant Network Codes, rules and other procedures, at the request of the Transmission System Operator or the Distribution System			
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Operator; 2.10 provide the necessary data for the preparation of the Indicative Energy Balance, or for publication in the Transparency Platform operated by ENTSO-E, at the request of the authority responsible for preparing the Indicative Energy Balance or providing data for the transparency platform; 2.11 to adhere to all obligations resulting from the implementation of this law, rules, codes and relevant legislation in force; and 2.12 in cases where at least one of the production assets, owned or operated by the producer has an installed capacity of at least 1 MW, store all hourly production data for the plant. 3. Electricity producers draw up and implement the program of measures undertaken with the aim of increasing energy efficiency in the production process reducing greenhouse gas emissions and environmental pollution, according to the relevant Law on Energy Efficiency and relevant legislation for environment protection. 4. Producers connected to the transmission network or the distribution network that provide ancillary services must meet the technical conditions for the provision of ancillary services to operators, in accordance with the principles and conditions defined in the Transmission Network Code and the Distribution Network Code.			
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Article 7 Fuel reserves for electricity production 1. Electricity producers who have permission to carry out energy production activities, and which use fossil fuels as the primary source of energy for electricity production must at all times maintain sufficient amounts of fossil fuel ready-to-use reserves to ensure continuous and reliable production of electricity. 2. The fulfillment of the obligation set out in paragraph 1 of this Article shall be based on the principles and conditions set out in the applicable legislation for state aid. . 3. The costs of a producer's fossil fuel ready-to-use reserves are operational costs. 4. The Ministry issues a bylaw determining the level and timeframe of fossil fuel ready-to-use reserves that electricity producers must maintain, as well as the elements to determine the amount of compensation of electricity producers.			
Article 8 Energy storage 1. The energy storage activity is carried out by enterprises that have an energy conservation permit, unless otherwise provided in this law. 2. Energy storage is not considered an electricity sector activity for the purposes of this law, in cases where: 2.1 the energy storage facility is used exclusively for personal needs, where electricity is not delivered to the grid; and 2.2 the Transmission System Operator		Not applicable	

and Distribution System Operator uses energy storage to fulfill needs for ancillary services in accordance with the provisions of this law. 3. Legal or natural persons can carry out the energy storage activity without obtaining a permit, provided that they have ensured the professional management and handling of the energy storage facilities in accordance with the technical regulations, requirements and conditions, for carrying out the activity of energy storage in cases: 3.1 when the total installed power of the electricity storage facility is up to 1 MW; or 3.2 during the trial operation of the energy storage facility and during the commissioning period from the end of the trial operation to the issuance of the permit, but not more than thirty (30) days from the end of the testing operation. 4. The energy storage operator has the right to: 4.1 use the technologies it considers the most favorable within their energy storage facilities for the conversion and storage of energy, in accordance with the technical requirements determined by the Ministry according to paragraph 7 of this article; 4.2 sell and buy electricity in the bilateral market and/or organized electricity market according to the terms defined by the provisions of this law and relevant by-laws; 4.3 offer and provide ancillary services, flexibility services and balancing			
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services according to the terms defined by this law and relevant by-laws, based on the contracts concluded with the system operator; and 4.4 have access to the network and use the transmission and distribution network according to the terms defined by the provisions of this law and relevant by-laws. 5. The energy storage operator is obliged to: 5.1 fulfill all conditions for energy storage defined in the permit; 5.2 fulfill all the technical and operating conditions, defined by the Network Codes of the transmission and/or distribution system, as well as the relevant technical regulations and norms; 5.3 fulfills the defined conditions regarding energy efficiency and environmental protection; 5.4 acts in accordance with the rules of competition protection, including the prohibition of unjustified reduction of the available storage capacity, withdrawal of energy by storage facilities and the prohibition of unjustified reduction of electricity supply to the network or unjustified reduction of electricity uptake from the network; 5.5 in case of declared electricity crisis at the request of the Transmission System Operator and the Distribution System Operator, provide ancillary services, flexibility services or balancing services as part of the emergency procedures foreseen by security standards and requirements;			
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5.6 at the request of the Transmission System Operator or the Distribution System Operator, to provide the necessary data for the operation and management of these systems or for publication on the transparency platform operated by ENTSO-E; 5.7 at the request of the Electricity Market Operator, the Ministry or the Regulator, provide the necessary data for determining the energy storage balance for an individual energy storage facility. 6. In relation to the payment of network charges, the energy storage operator is treated as a consumer when buying electricity and when selling electricity it is treated as a producer. 7. The Ministry determines the minimum level of efficiency for certain technologies that must be achieved during the construction of a new energy storage facility, the reconstruction of an existing energy storage facility, the terms and conditions for the management and professional handling of the energy storage facility. 8. Tariffs for the connection of energy storage facilities to the grid should be based on the actual costs of technical connection to the grid, without being subject to disproportionate administrative procedures or costs. The Regulator approves the methodology for calculating connection costs for energy storage facilities proposed by each grid operator.			
CHAPTER III ELECTRICITY TRANSMISSION		Not applicable	

Article 9 Transmission System Operator 1. The Transmission System Operator of the Republic of Kosovo is an energy enterprise, established and organized as a joint stock company and the shareholder's rights shall be exercised by the responsible Ministry for Finance. 2. The Electricity Transmission System Operator owns, operates, manages and develops the electricity transmission system throughout the territory of the Republic of Kosovo. The Transmission System Operator provides electricity transmission services to the users of the system and those connected to the interconnected transmission systems, under the conditions stipulated in this Law, the Transmission Grid Code, codes and other rules that regulate transmission of electricity. 3. The electricity transmission system is operated, developed and managed by the Transmission System Operator, in line with this law and the permit issued by the Regulator. 4. The Transmission System Operator functions in accordance with the relevant Law on Public Enterprises and other legislation in force.			
Article 10 Unbundling of Transmission System Operator 1. The Transmission System Operator is the owner of the transmission system assets. Activities of Transmission System Operator must be independent from		Not applicable	

electricity generation, electricity supply and trade, and gas supply, in accordance with the principles and requirements as set forth in the provisions of this law. 2. The independence of the Transmission System Operator according to paragraph 1 of this Article is considered when: 2.1 a person or persons that exercise direct or indirect control over enterprises that perform electricity generation, trading or supply functions do not exercise control or exercise any right, directly or indirectly, over the Transmission System Operator or over the Transmission System; 2.2 a person or persons that exercise direct or indirect control over the Transmission System Operator or over the Transmission System do not exercise control or any right, directly or indirectly, over enterprises that perform electricity generation, trading or supply functions; 2.3 a person or persons that appoint members of the Board of Directors of a Transmission System Operator are not entitled to directly or indirectly exercise control or any right over an undertaking performing any of the functions of electricity generation, trading or supply; 2.4 the same person is not entitled to be a member of the supervisory board, administrative board or other bodies that legally represent enterprises that perform functions of electricity generation, trading or supply and of bodies of the Transmission System Operator; 2.5 the rights determined to in sub-			
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paragraphs 2.1, 2.2 and 2.3 of this Article, shall include, in particular: 2.5.1 authority to exercise voting rights; 2.5.2 authority to appoint members of the supervisory board, administrative board or bodies legally representing the enterprise; or 2.5.3 holding majority of shares. 3. Energy enterprise that performs electricity generation, storage, trading or supply activities shall not have the right to directly or indirectly exercise control or any right over the Transmission System Operator and vice versa. 4. When the person referred to in sub-paragraphs 2.1, 2.2 and 2.3 of this article is a public body, may not exercise control over an energy enterprise that performs electricity generation, storage, trading and/or supply of electricity. 5. Subject to fulfilment of the conditions stipulated in this article and upon approval by the Transmission System Operator's shareholder, the Transmission System Operator may create a joint venture with one or more enterprises that own transmission systems in other Energy Community Contracting Parties, which shall act as the transmission system operator of the Republic of Kosovo. No enterprise of any Energy Community Contracting Party may be part of the joint venture unless it has been approved as an Independent System Operator or as an Independent Transmission Operator in another Energy Community Contracting Party.			
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Article 11 Certification of the Transmission System Operator 1. The Transmission System Operator that has been certified to fulfill the unbundling criteria according to Article 10 of this law shall comply with the established unbundling conditions. 2. The Transmission System Operator certified or the officer responsible for compliance shall notify the Regulator of any planned property transaction, or change in the ownership structure or in the management structure of the Transmission System Operator which requires a reassessment of their compliance with the unbundling and decision-making independence criteria set forth in this law. 3. The assessment and reassessment of compliance with the criteria determined in paragraph 2 of this Article and the process of certification of the Transmission System Operator is implemented by the Regulator, according to the rules defined in the relevant Law on Energy Regulator.	Directive (EU) 2019/744 Article 52 Designation and certification of transmission system operators 1. Before an undertaking is approved and designated as transmission system operator, it shall be certified in accordance with the procedures laid down in paragraphs 4, 5 and 6 of this Article and in Article 3 of Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011. 2. Undertakings which have been certified by the regulatory authority as having complied with the requirements of Article 43 pursuant to the certification procedure below, shall be approved and designated as transmission system operators by Contracting Parties. The designation of transmission system operators shall be notified to the Energy Community Secretariat and published in the Website of the Energy Community. 3. Transmission system operators shall notify to the regulatory authority any planned transaction which may require a reassessment of their compliance with the requirements of Article 43. 4. Regulatory authorities shall monitor the continuing compliance of transmission system operators with the requirements of Article 43. They shall open a certification procedure to ensure such compliance: (a) upon notification by the transmission system operator pursuant to paragraph 3; (b) on their own initiative where they	Fully compliant	
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	have knowledge that a planned change in rights or influence over transmission system owners or transmission system operators may lead to an infringement of Article 43, or where they have reason to believe that such an infringement may have occurred; or (c) upon a reasoned request from the Energy Community Secretariat. 5. The regulatory authorities shall adopt a decision on the certification of a transmission system operator within four months of the date of the notification by the transmission system operator or from the date of the Energy Community Secretariat request. After expiry of that period, the certification shall be deemed to be granted. The explicit or tacit decision of the regulatory authority shall become effective only after conclusion of the procedure set out in paragraph 6. 6. The explicit or tacit decision on the certification of a transmission system operator shall be notified without delay to the Energy Community Secretariat by the regulatory authority, together with all the relevant information with respect to that decision. The Energy Community Secretariat shall act in accordance with the procedure laid down in Article 3 of Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011. 7. The regulatory authorities and the Energy Community Secretariat may request from transmission system		
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	operators and undertakings performing any of the functions of generation or supply any information relevant for the fulfilment of their tasks under this Article. 8. Regulatory authorities and the Energy Community Secretariat shall preserve the confidentiality of commercially sensitive information. Regulation 2019/943 Article 51 Certification of transmission system operators 1. The Energy Community Secretariat shall examine any notification of a decision on the certification of a transmission system operator as laid down in Article 52(6) of Directive (EU) 2019/944, as adopted and adapted by Ministerial Council Decision 2021/13/MC-EnC as soon as it is received. Within two months of receipt of such notification, the Energy Community Secretariat shall deliver its opinion to the relevant regulatory authority as to its compatibility with Article 43 and either Article 52(2) or Article 53 of Directive (EU) 2019/944. When preparing the opinion referred to in the first subparagraph, the Energy Community Secretariat may request the Energy Community Regulatory Board to provide its opinion on the regulatory authority's decision. In such a case, the two-month period referred to in the first subparagraph shall be extended by two		
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	further months. In the absence of an opinion by the Energy Community Secretariat within the periods referred to in the first and second subparagraphs, the Energy Community Secretariat shall be considered not to raise objections to the regulatory authority's decision. 2. Within two months of receipt of an opinion of the Energy Community Secretariat, the regulatory authority shall adopt its final decision regarding the certification of the transmission system operator, taking the utmost account of that opinion. The regulatory authority's decision and the Energy Community Secretariat's opinion shall be published together. 3. At any time during the procedure, regulatory authorities or the Energy Community Secretariat may request from a transmission system operator or an undertaking performing any of the functions of generation or supply any information relevant to the fulfilment of their tasks under this Article. 4. Regulatory authorities and the Energy Community Secretariat shall protect the confidentiality of commercially sensitive information. 5. Where the Energy Community Secretariat has received notification of the certification of a transmission system operator under Article 43(9) of Directive (EU) 2019/944, as adapted and adopted by the Ministerial Council Decision 2021/13/MC-EnC, the Energy		
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	Community Secretariat shall issue an opinion relating to certification. The regulatory authority shall take the utmost account of that opinion. Where the final decision diverges from the Secretariat's opinion the regulatory authority concerned shall provide and publish, together with that decision, the reasoning underlying its decision. Diverging decisions shall be included in the agenda of the first meeting of the Ministerial Council following the date of the decision, for information and discussion.		
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Article 12 Board of Directors of the Electricity Transmission System, Market Operator 1. The Board of Directors of the Electricity Transmission System, and Market Operator, is composed of five (5) members, one of whom is the Chairperson of the Board. 2. The criteria for appointment and dismissal for members of the Board including their terms in office and professional requirements that they have to fulfill are laid down in accordance with the relevant Law on Public Enterprises and Law on Gender Equality.		Not applicable	
Article 13 Duties and Responsibilities of the Transmission System Operator 1. The duties and responsibilities of the Transmission System Operator are: 1.1 the transmission of electricity in accordance with the conditions provided for in the permit, in an objective, transparent and non-discriminatory manner, throughout the territory of the Republic of Kosovo and along the lines of interconnection with other systems, so as to ensure the transmission of electricity to cover the demand of all consumers and users of the network; 1.2 the development and maintenance of the Transmission System of the Republic of Kosovo in order to provide long-term	CHAPTER V GENERAL RULES APPLICABLE TO TRANSMISSION SYSTEM OPERATORS Article 40 Tasks of transmission system operators 1. Each transmission system operator shall be responsible for: (a) ensuring the long-term ability of the system to meet reasonable demands for the transmission of electricity, operating, maintaining and developing under economic conditions secure, reliable and efficient transmission system with due regard to the environment, in close cooperation with neighbouring	Fully compliant	

security of the system's operation and security in the supply of electrical energy, taking into account the protection of the environment; 1.3 operation of the transmission system in accordance with the Transmission Grid Code, codes and other applicable rules approved by the Regulator, in order to achieve uninterrupted transmission of electricity, economic use of the transmission network and interconnection lines with the systems others, as well as providing security of electricity supply through adequate transmission capacity and system stability; 1.4 management and measurement of electricity flows in the transmission system and connection points with other interconnected systems, distribution systems and network users, in order to maintain the balance between the supply and demand of electricity and the operational parameters of the system; 1.5 ensuring the availability of ancillary services, including those provided by demand response and energy storage facilities, to the extent that availability is independent of any other interconnected system, and providing the necessary ancillary services to ensure operational security; 1.6 operation of energy storage facilities owned by the Transmission System Operator for the needs of balancing and ancillary services, according to the rules prepared by the Transmission System Operator and approved by the Regulator.	transmission system operators and distribution system operators; (b) ensuring adequate means to meet its obligations; (c) contributing to security of supply through adequate transmission capacity and system reliability; (d) managing electricity flows on the system, taking into account exchanges with other interconnected systems. To that end, the transmission system operator shall be responsible for ensuring a secure, reliable and efficient electricity system and, in that context, for ensuring the availability of all necessary ancillary services, including those provided by demand response and energy storage facilities, insofar as such availability is independent from any other transmission systems with which its system is interconnected; (e) providing to the operator of other systems with which its system is interconnected sufficient information to ensure the secure and efficient operation, coordinated development and interoperability of the interconnected system; (f) ensuring non-discrimination as between system users or classes of system users, particularly in favour of its related undertakings;		
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1.7 dispatch of production units and loads on interconnection lines based on objective, transparent and non-discriminatory criteria provided for in this Law and the Transmission Grid Code; 1.8 planning of electricity system operation, maintenance and development in cooperation with the Market Operator, neighboring transmission system operators in the interconnection, Distribution System Operator and network users, as well as participation in the ten-year European network development plan defined in the relevant Energy Law; 1.9 ensuring the availability of adequate means and all human, technical and financial resources necessary for the safe, reliable and stable operation, maintenance and development of the transmission system and interconnection lines with other systems, as well as carrying out assessments of national adequacy and participation in the assessment of European adequacy, in accordance with Article 25 of this Law; 1.10 granting and managing access to third parties in the transmission system, ensuring non-discrimination between system users or categories of system users, as well as providing reasoned explanations when such access is refused, which is monitored by the Regulator; 1.11 providing network users with the information they need to access and efficiently use the transmission network;; 1.12 the allocation of cross-border transmission capacities, in cooperation with	(g) providing system users with the information they need for efficient access to the system; (h) collecting congestion rents and payments under the inter-transmission system operator compensation mechanism, in accordance with Article 49 of Regulation (EU) 2019/943, granting and managing third-party access and giving reasoned explanations when it denies such access, which shall be monitored by the regulatory authorities; in carrying out their tasks under this Article transmission system operators shall primarily facilitate market integration; (i) procuring ancillary services to ensure operational security; (j) < ... > (k) participating in the establishment of the European and national resource adequacy assessments pursuant to Chapter IV of Regulation (EU) 2019/943; (l) the digitalisation of transmission systems; (m) data management, including the development of data management systems, cybersecurity and data protection, subject to the applicable rules, and without prejudice to the competence of other authorities 2. Contracting Parties may provide that one or several responsibilities listed in paragraph 1 of this Article be assigned to		
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the Transmission System Operators of other interconnected systems, applying the available mechanisms with bilateral or regional coordination, or joint procedures and methodologies for the calculation and allocation of available transmission capacities, in compliance with network codes and guidelines adopted within the Energy Community, and approved by the Regulator; 1.13 providing sufficient, effective and timely information for operators of interconnected transmission systems, regarding the Operation of the Transmission System of the Republic of Kosovo, to ensure safe and efficient operation, coordinated development and interoperability of transmission systems interconnected; 1.14 exchange of all necessary information and coordination of activities with the Distribution System Operator to ensure optimal utilization of resources and safe and efficient operation of the system, as well as to facilitate market development; 1.15 implementation of regulations for the use of transmission capacity, as well as collection and payment of expenses for the use of the network within the compensation mechanism between transmission system operators, in accordance with Article 36 of this law, as and for congestion management, in accordance with Article 34 of this Law; 1.16 participation in the activity of development and implementation of the mechanisms of risks preparedness and	a transmission system operator other than the one which owns the transmission system to which the responsibilities concerned would otherwise be applicable. The transmission system operator to which the tasks are assigned shall be certified under the ownership unbundling, the independent system operator or the independent transmission system operator model, and fulfil the requirements provided for in Article 43, but shall not be required to own the transmission system it is responsible for. The transmission system operator which owns the transmission system shall fulfil the requirements provided for in Chapter VI and be certified in accordance with Article 43. This shall be without prejudice to the possibility for transmission system operators which are certified under the ownership unbundling, the independent system operator or the independent transmission system operator model to delegate, on their own initiative and under their supervision, certain tasks to other transmission system operators which are certified under the ownership unbundling, the independent system operator or the independent transmission system operator model where that delegation of tasks does not endanger the effective and independent decision-making rights of the delegating transmission system operator. 3. < ... >		
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management of electricity crises, in; 1.17 concluding contractual agreements with one or more Regional Coordination Centers and creating cooperation mechanisms for coordinated capacity calculation, system adequacy, security services and participation in risk mitigation and electricity crisis management activities in the respective region of the Regional Coordination Center, in accordance with Article 35 of this law; 1.18 cooperation with the Nominated Operator of the Electricity Market for the organization of the daily management of the day-ahead and intra-day market integration in accordance with the network codes and guidelines, approved within the Energy Community; 1.19 digitalization of the transmission system, application of smart metering technologies and smart networks, use of systems, rules, standards and data management technologies, data protection and cyber security and, 1.20 facilitating the integration of the electricity market. 2. The Transmission System Operator is responsible to: 2.1 prepare the Transmission Network Code and publish it after the approval of the Regulator, in accordance with the network codes and guidelines adopted within the Energy Community, including: 2.1.1 guideline on capacity allocation and congestion management; 2.1.2 guideline on forward capacity allocation;			
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2.1.3 guideline on electricity balancing; 2.1.4 guideline on electricity transmission system operation; 2.1.5 network code on electricity emergency and restoration; 2.1.6 network code on requirements for grid connection of generators; 2.1.7 network code on demand connection, and 2.1.8 network code on requirements for grid connection of high voltage direct current systems and direct current-connected power park modules,; 2.2 develop and implemented , relevant terms and conditions or methodologies stipulated in the network codes or guidelines stipulated in subparagraph 2.1 approved by Regulator as needed, according to the following criteria: 2.2.1 the Transmission System Operator shall adopt without modification, publish on its website and apply the pan-European terms and conditions or methodologies, or their modifications, that have been approved by ACER, and notify the Regulator and the Regional Coordination Center about the adoption and the starting time of the application; 2.2.2 the Transmission System Operator shall draft proposals for the terms and conditions or methodologies of regional relevance, indicated in a network code or a guideline or requested by notification from the Regional Coordination Center. Drafts proposals shall be subjected to consultations with the transmission system operators from the Capacity Calculation			
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Region, System Operation Region, or corresponding regions of coordinated balancing, load and frequency control or system security, as applicable, supported by the Regional Coordination Center. The terms and conditions or methodologies that have received coordinated approval, after the approval by the Regulator, of Transmission System Operator publishes in its website; 2.2.3 the Transmission System Operator shall draft as required, the terms and conditions or methodologies of relevance for the electricity transmission system of the Republic of Kosovo and after the approval by the Regulator, publishes them on its website. 2.3 maintain an appropriate level of technical reserve transmission capacity for the operational security of the network, as well as cooperate and coordinate the operational security of the network with the operators of the transmission system of the interconnected systems and the Parties in the Energy Community in question; 2.4 exchange information with the relevant system operators in the interconnected systems regarding the operation of the network, in a timely and effective manner, in accordance with the minimum operational criteria; 2.5 use and improve the infrastructure, facilities and equipment of the transmission system, in accordance with technical rules and security standards, including cyber security; 2.6 finance, based on the studies			
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carried out, the construction of new transmission lines, interconnectors and other facilities necessary for the operation, maintenance, development and management of the transmission system in Kosovo; 2.7 prepare ten (10) year network development plans, as defined by the relevant Law on Energy; 2.8 develop and publish the Investment Plan for the regulatory period that is submitted for review and approval to the Regulator, during the periodical review process for the regulatory period, harmonized with the ten (10) year development plan of the transmission network; 2.9 taking measures for the implementation of obligations and policies for the protection of the environment; 2.10 proposes tariffs for access and connection to the transmission system, which are approved by the Regulator and published on the website of the Transmission System Operator no later than fifteen (15) days before the date of their application; 2.11 balance the electricity system in accordance with the Transmission Grid Code and Balancing Market Rules; 2.12 procurement of balancing services, based on the principles of the market and the principles of transparency and non-discrimination; 2.13 utilization of balancing energy in accordance with the Market Rules, and the rules for the operation of energy storage			
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facilities owned by the Transmission System Operator; 2.14 frequency-power adjustment in the transmission system; 2.15 ensure the availability, purchase and activation of all necessary ancillary services, including those provided by demand response and energy storage facilities; 2.16 analyze losses in the transmission network on an annual basis, develop and implement measures to reduce them, as appropriate; 2.17 prepare, within any regulated period, the implementation plan for measures to reduce transmission losses for the following years, as well as submit for approval to the Regulator the necessary investments to reduce losses, together with the report with the results for the corresponding previous period; 2.18 maintain a register of commercial measuring points at the border of the transmission network for all parties responsible for balance, in accordance with Article 45 of this law; 2.19 maintain the metering systems, the collect and process all data for the metering points of network users, pursuant to Article 62 of this law, and in accordance with the Metering Code; 2.20 measuring electricity taken up and delivered at the connection points between the transmission network and distribution network, transmission system users, neighboring systems and other significant points, and their reciprocal exchange with			
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the Distribution System Operator and operators of the interconnected systems of neighboring countries, and ensuring their availability to the Regulator; 2.21 submission of metering data from commercial metering points and connection points with neighboring interconnected transmission systems, in accordance with the metering code or in accordance with bilateral agreements between the Transmission System Operator and parties connected to the transmission network; 2.22 determine the technical criteria and installation costs of smart measuring devices, in accordance with article 88 and 89 of this law; 2.23 connect the transmission network users and establish the technical conditions for the connection; 2.24 publish important information for users of the transmission system, including: cross-border capacities, bottlenecks in the interconnections and in the transmission system, as well as other information necessary for the organization of the electricity market; 2.25 apply ENTSO-E codes and guidelines, as well as international standards for security, including cyber security and quality of service, and act in accordance with the rules for supply quality standards and system security standards defined or approved by the regulator; 2.26 constantly take into account the recommendations issued by the Regional Coordination Center responsible for security coordination in the relevant region;			
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2.27 provide necessary instructions for the transmission system and production units, in order to ensure the operation of the system in compliance with the reliability and safety criteria of the transmission system defined in the Risk Preparedness Plan, in accordance with Article 95 of this law and Transmission Grid Code; 2.28 coordinate the calculation and allocation of cross-border capacities with other transmission system operators and Regional Coordination Centers relevant, as well as platforms for the coordinated allocation of capacities; 2.29 manage congestion for all transactions in interconnection lines with neighboring systems and in the transmission network of the Republic of Kosovo, based on market rules, as well as the application of capacity calculations and congestion management mechanisms, which are defined and implemented jointly with other operators in the regional electricity market and in the Energy Community, as the case may be; 2.30 give priority to the dispatch of electricity production from renewable energy sources and high efficiency cogeneration, in accordance to Article 18 of this law; 2.31 activate the balancing energy offers according to the balancing merit order, together with the parties that have offered the balancing services and all imbalances settlement determined with the balance responsible parties; 2.32 perform other actions provided by			
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this law and other laws in force. 3. The Transmission System Operator reports to the Regulator, as provided in their permit and the relevant Law on the Energy Regulator, as well as provides information on matters requested by the Regulator. 4. The Transmission System Operator provides the necessary information to its local government units, the Distribution System Operator, whenever the case requires, the energy citizen communities and other significant users of the network for the purposes of energy development planning within of the responsibility of the municipalities as provided by the relevant Law on Energy, respecting the confidentiality of the data and of the individual users of the network. 5. The Transmission System Operator is responsible for the implementation of the Transmission Grid Code and proposes to the Regulator any necessary adjustments or modifications to the Code. 6. The Transmission System Operator manages the collection of payments owed by the parties for connection, as well as fees for access and use of the transmission system and network, in a non-discriminatory and transparent manner.	Directive 2019/744 Article 40 6. Transmission system operators, subject to approval by the regulatory authority, or the regulatory authority itself, shall, in a transparent and participatory process that includes all relevant system users and the distribution system operators, establish the specifications for the < ... > ancillary services procured and, where appropriate, standardised market products for such services at least at national level. The specifications shall ensure the effective and non-discriminatory participation of all market participants, including market participants offering energy from renewable sources, market participants engaged in demand response, operators of energy storage facilities and market participants engaged in aggregation. Transmission system operators shall exchange all necessary information and shall coordinate with distribution system operators in order to ensure the optimal utilisation of resources, to ensure the secure and efficient operation of the system and to facilitate market development. Transmission system operators shall be adequately remunerated for the procurement of such services to allow them to recover at least the reasonable corresponding costs, including the necessary information and communication technology expenses and infrastructure costs. 7 The obligation to procure non-		
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7. The Transmission System Operator is responsible for payments from the executed contracts for the services provided by the responsible Regional Coordination Center in accordance with Article 35 paragraph 1 of this law, the Mechanism of Coordinated Capacity Calculation for the relevant region in accordance with Article 35 paragraph 3 of this law, as well as other bilateral or regional services, as well as including expenses related to their participation in international organizations and related services that may be obligated through international agreements and European Union legislation.	frequency ancillary services referred to in paragraph 5 does not apply to fully integrated network components. 8. Contracting Parties or their designated competent authorities may allow transmission system operators to perform activities other than those provided for in this Directive and in Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011 where such activities are necessary for the transmission system operators to fulfil their obligations under this Directive or Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011, provided that the regulatory authority has assessed the necessity of such a derogation. This paragraph shall be without prejudice to the right of the transmission system operators to own, develop, manage or operate networks other than electricity networks where the Contracting Party or the designated competent authority has granted such a right.		
Article 14 Transmission Grid Code 1. Operation and management of the	Directive (EU) 2019/944 Article 41 Confidentiality and transparency	Fully compliant	

transmission network shall be governed by Transmission Grid Code. 2. The Transmission Grid Code determines: 2.1 technical criteria for access and connection of the user to the transmission network; 2.2 technical requirements for the safe transmission of electricity from generators and other systems and the safe operation of the transmission system for the required reliability and quality of supply of electricity to final customers; 2.3 technical requirements for dispatching of electric power generation units and loads and management of electricity generation and consumption; 2.4 technical requirements for the maintenance of the transmission network; 2.5 technical responsibilities of the transmission network users; 2.6 operational planning and management of the transmission system; 2.7 protected area and special conditions within the protected area of power facilities; 2.8 types and technical conditions for provision of ancillary services, energy storage services, and other services for flexibility of the transmission system; 2.9 technical and other conditions for interconnection and operation of the networks; 2.10 methodology and criteria for development planning of transmission network; and 2.11 technical design and operational	requirements for transmission system operators and transmission system owners 1. Without prejudice to Article 55 or another legal duty to disclose information, each transmission system operator and each transmission system owner shall preserve the confidentiality of commercially sensitive information obtained in the course of carrying out its activities, and shall prevent information about its own activities which may be commercially advantageous from being disclosed in a discriminatory manner. In particular it shall not disclose any commercially sensitive information to the remaining parts of the undertaking, unless such disclosure is necessary for carrying out a business transaction. In order to ensure the full respect of the rules on information unbundling, Contracting Parties shall ensure that the transmission system owner and the remaining part of the undertaking do not use joint services, such as joint legal services, apart from purely administrative or IT functions		
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requirements for connection to the system that shall ensure the interoperability of systems and shall be objective and non-discriminatory. 3. The Transmission System Operator develops and submits the Transmission Grid Code for approval to the Regulator. During the development of the Transmission Grid Code, the Transmission System Operator is obligated to provide for adequate participation of all stakeholders and network users, organize a public consultation and take into account their proposals and comments for the content of draft Grid Code. The approved Transmission Grid Code shall be published on the Transmission System Operator web site.			
Article 15 Metering Code for Electricity Transmission 1. Installation, operation, reading and management of the metering system and metering equipment on the connection points of the transmission network shall be governed by the Metering Code. 2. The Metering Code determines: 2.1 characteristics of the metering equipment at the metering point of network users; 2.2 the properties of metering devices		Not applicable	

or the standards that must be met by the metering devices to enable demand management and the metering of electricity consumption in time intervals; 2.3 characteristics of the measuring equipment, standards to be met by the measuring equipment at the metering point, with regard to: 2.3.1 functional requirements, accuracy of measuring devices and method of measurement of electricity; 2.3.2 installation method, acceptance and calibration, protection, testing and maintenance of measuring equipment; 2.3.3 access to meters, collection method, meter readings and other data reading at the measuring point; and 2.3.4 storage, processing and transfer of meter readings and other data to the Transmission System Operator or data users, as well as the collection and archiving of data. 2.4 obligations for the Transmission System Operator for standard technical solution for network connections including metering points for the network users; 2.5 non-discriminatory and			
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transparent rules securing methods and means for access to metering data and data exchange procedures between electricity entities related to consumption management through aggregation and the use of flexibility services, protection of commercially sensitive data pursuant to article 20 of this law; 2.6 technical standards, procedures and solutions for installation and use of metering systems of transmission network users in a smart meters environment. 3. The Transmission System Operator develops and submits the Metering Code for approval to the Regulator. In the development of the Metering Code the Transmission System Operator shall provide for the adequate participation of all stakeholders and network users by organizing public consultation and take into account their proposals and comments on the content of the draft metering code. The approved Metering Code shall be published on the Transmission System Operator's web site.			
Article 16 Ownership and use of energy storage facilities by the Transmission System Operator 1. The Transmission System Operator shall not own, develop, manage or	Directive (EU) 2019/744 Article 54 Ownership of energy storage facilities by transmission system operators 1. Transmission system operators shall not own, develop, manage or operate	Fully compliant	

operate energy storage facilities. 2. The Transmission System Operator may own, develop, manage or operate energy storage facilities if it is a fully integrated network component and the Regulator has granted its approval. 3. Notwithstanding paragraph 1 of this Article, the Regulator, may decide to allow the Transmission System Operator to own, develop, manage or operate energy storage facilities if the following conditions are met: 3.1 the Regulator has carried out an ex-ante review of the conditions of the tendering procedure that will be carried out by the Transmission system operator, has assessed the necessity of a derogation from paragraph 1 of this Article and has granted its approval; 3.2 following an open, transparent and non-discriminatory tendering procedure carried out by the Transmission system operator, no party has been awarded a right to own, develop, manage or operate compatible energy storage facilities, or the participants at the tender bid to deliver those services at less favorable conditions and prices than those present on the market; and 3.3 energy storage, or corresponding ancillary services are deficient and necessary for the Transmission System Operator for efficient, reliable and secure operation of the transmission system and the energy storage facilities are not used to buy or sell electricity on the markets, including for balancing.	energy storage facilities. 2. By way of derogation from paragraph 1, Contracting Parties may allow transmission system operators to own, develop, manage or operate energy storage facilities, where they are fully integrated network components and the regulatory authority has granted its approval, or where all of the following conditions are fulfilled: (a) other parties, following an open, transparent and non-discriminatory tendering procedure that is subject to review and approval by the regulatory authority, have not been awarded a right to own, develop, manage or operate such facilities, or could not deliver those services at a reasonable cost and in a timely manner; (b) such facilities or non-frequency ancillary services are necessary for the transmission system operators to fulfil their obligations under this Directive for the efficient, reliable and secure operation of the transmission system and they are not used to buy or sell electricity in the electricity markets; and (c) the regulatory authority has assessed the necessity of such a derogation, has carried out an ex ante review of the applicability of a tendering procedure, including the conditions of the tendering procedure, and has granted its approval. The regulatory authority may draw up guidelines or procurement clauses to help transmission system operators ensure a fair tendering procedure.		
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4. The Regulator shall communicate, without delay, the decision from paragraph 3 of this article to the Energy Community Secretariat and to the Energy Community Regulator Board, along with reasoned justification. 5. The Regulator performs periodic surveys, including through public consultations, at intervals no longer than five (5) years, of the potential availability of the existing energy storage facilities of providing the services of subparagraph 3.3 of this article and the interest of other parties to invest in such energy storage facilities. 6. In case the survey of paragraph 5 of this Article indicates that the required services are already available, or that other parties are able and interested to develop, own, operate or manage such energy storage facilities in a cost-effective manner, the Regulator shall ensure that such activity of the Transmission System Operator are phased-out within a period of eighteen (18) months. In such a case the Regulator may decide to allow the Transmission System Operator to compensate the residual costs of its investments in the energy storage facilities. 7. Paragraph 6 of this Article does not apply to energy storage facilities which: 7.1 are fully integrated network components; or 7.2 for any energy storage facility in the course of the usual depreciation period applicable for new battery energy storage facilities for which a final investment	3. The decision to grant a derogation shall be notified to the Energy Community Secretariat and Energy Community Regulatory Board together with relevant information about the request and the reasons for granting the derogation. 4. The regulatory authorities shall perform, at regular intervals or at least every five years, a public consultation on the existing energy storage facilities in order to assess the potential availability and interest of other parties in investing in such facilities. Where the public consultation, as assessed by the regulatory authority, indicates that other parties are able to own, develop, operate or manage such facilities in a cost-effective manner, the regulatory authority shall ensure that transmission system operators' activities in this regard are phased-out within 18 months. As part of the conditions of that procedure, regulatory authorities may allow the transmission system operators to receive reasonable compensation, in particular to recover the residual value of their investment in the energy storage facilities. 5. Paragraph 4 shall not apply to fully integrated network components or for the usual depreciation period of new battery storage facilities with a final investment decision until 2026, provided that such battery storage facilities are: (a) connected to the grid at the latest two years thereafter; (b) integrated into the transmission system;		
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decision is taken no later than first of January 2026, provided that such storage facilities are: 7.2.1 connected to the grid no later than two (2) years thereafter; 7.2.2 integrated into the transmission system; 7.2.3 used only for the reactive instantaneous restoration of network security in the case of network contingencies, where such restoration measure starts immediately and ends when regular re-dispatch can solve the issue; and 7.2.4 not used to buy or sell electricity on the electricity markets, including balancing market.	(c) used only for the reactive instantaneous restoration of network security in the case of network contingencies where such restoration measure starts immediately and ends when regular re-dispatch can solve the issue; and (d) not used to buy or sell electricity in the electricity markets, including balancing.		
Article 17 Procurement of Electricity and Capacities by the Transmission System Operator and Distribution System Operator 1. The Transmission System Operator and the Distribution System Operator shall not supply energy to customers or make a profit from the resale of energy on the market. 2. The Transmission System Operator and the Distribution System Operator shall procure energy and capacity according to transparent, non-discriminatory, competitive and market-based procedure, only for the purposes of: 2.1 covering the network losses; 2.2 congestion management; 2.3 system balancing; 2.4 provision of ancillary services; and	Directive 2019/944. In performing the task referred to in point (i) of paragraph 1, transmission system operators shall procure balancing services subject to the following: (a) transparent, non-discriminatory and market-based procedures; (b) the participation of all qualified electricity undertakings and market participants, including market participants offering energy from renewable sources, market participants engaged in demand response, operators of energy storage facilities and market participants engaged in aggregation. For the purpose of point (b) of the first subparagraph, regulatory authorities and transmission system operators shall, in close cooperation with all market participants, establish technical requirements for participation in those	Fully compliant	

2.5 operation of energy storage facilities owned by the Transmission System Operator in accordance with this law. 3. The Transmission System Operator and the Distribution System Operator shall purchase energy required for covering losses in the corresponding network in the organized electricity market or through a transparent, non-discriminatory and competitive procedure approved by the Regulator. The Regulator allows adequate compensation for the purchased energy in the amount estimated as required to cover the losses in the network. 4. Subject to approval by the Regulator, the Transmission System Operator and the Distribution System Operator may sell on the market surpluses of the energy purchased for covering the losses. The income from the sales of surpluses shall notified to the Regulator and shall be calculated by the Regulator when determining the transmission and distribution network tariffs. 5. If the Transmission System Operator or the Distribution System Operator provides the Regulator with evidence for each individual case that purchases of energy for covering the respective network losses on the market are physically not possible, inefficient, was unsuccessful or insufficient, the Regulator may give consent to the Transmission System Operator or the Distribution System Operator to organize a competitive and	markets, on the basis of the technical characteristics of those markets. 5. Paragraph 4 shall apply to the provision of non-frequency ancillary services by transmission system operators, unless the regulatory authority has assessed that the market-based provision of non-frequency ancillary services is economically not efficient and has granted a derogation. In particular, the regulatory framework shall ensure that transmission system operators are able to procure such services from providers of demand response or energy storage and shall promote the uptake of energy efficiency measures, where such services cost-effectively alleviate the need to upgrade or replace electricity capacity and support the efficient and secure operation of the transmission system Directive article 40 p. 8 8. Contracting Parties or their designated competent authorities may allow transmission system operators to perform activities other than those provided for in this Directive and in Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011 where such activities are necessary for the transmission system operators to fulfil their obligations under this Directive or Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision		
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non-discriminatory procedure to select generators that will provide the electricity required for covering the transmission network losses or the distribution network losses, respectively. In case the procedure is unsuccessful, based on reports of the Transmission System Operator or the Distribution System Operator, the Government or the Regulator may impose public service obligation to generators, suppliers and other entities to ensure that the energy for transmission network losses or distribution network losses is offered and available. 6. The Transmission System Operator procures balancing services in a transparent and non-discriminatory market-based procedure pursuant to article 50 of this law, and shall ensure the participation of all qualified undertakings and market participants, including those offering energy from renewable sources, demand response services, energy storage services, and energy obtained through aggregation. 7. For the market-based procurement of balancing services the Transmission System Operator establishes and applies technical requirements for participation in the balancing market, which shall be: 7.1 based on the balancing market rules; 7.2 determined and implemented commonly with other operators in accordance with the network codes and guidelines adopted within the Energy Community, and 7.3 aimed at efficient operation of	2011/02/MC-EnC of 6 October 2011, provided that the regulatory authority has assessed the necessity of such a derogation. This paragraph shall be without prejudice to the right of the transmission system operators to own, develop, manage or operate networks other than electricity networks where the Contracting Party or the designated competent authority has granted such a right.		
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such a market, established through consultation with all market participants, and approved by the Regulator. 8. Paragraphs 5 and 6 of this article shall also apply for procurement of non-frequency ancillary services by the Transmission System Operator and the Distribution System Operator, unless the Regulator has granted a derogation provided for in paragraph 13 of this article. 9. The obligation to procure ancillary services or balancing services in the market in accordance with provisions of this law does not apply to fully integrated network components or for the energy storage facilities and systems owned by the Transmission System Operator, in so far as such storage facilities meet the needs of the Transmission System Operator. 10. While procuring non-frequency ancillary services, the Transmission System Operator and the Distribution System Operator prioritize the procurement of services from demand response or energy storage providers, where such services are cost-effective, sustainable, support the efficient and secure operation of the system, and alleviate the need to upgrade or replace power generation capacity. 11. The Transmission System Operator shall publish a list of specifications for the standardized products and procurement process for the ancillary services procured by each system operator on the market, established in a transparent and inclusive process with participation of the Distribution System Operator and all			
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relevant system users or service providers, which shall be approved by the Regulator. The specifications define various standardized market products for all categories of such services, enabling the effective and non-discriminatory participation in the ancillary services market of all qualified undertakings and market participants, including those offering energy from renewable sources, demand response services, energy storage services, and energy obtained through aggregation. 12. The Transmission System Operator shall establish, publish, and maintain separate registries of the qualified service providers for the balancing and ancillary services available for both operators, according to paragraphs 6 and 8 of this Article. 13. In case the Transmission System Operator or the Distribution System Operator provides evidence that market-based procurement of non-frequency ancillary services in accordance to paragraph 8 of this Article is economically inefficient, the Regulator may grant a temporary derogation from the obligation for market-based procurement of such services for a period of no more than six (6) months. 14. The electricity generators, operators of energy storage facilities and other service providers who own devices or operate facilities which can provide ancillary services on-demand according to paragraph 13 of this Article are obliged, at	Directive 2009/744 Article 40 Tasks of transmission system operators 4. In performing the task referred to in point (i) of paragraph 1, transmission system operators shall procure balancing services subject to the following: (a) transparent, non-discriminatory and market-based procedures; (b) the participation of all qualified electricity undertakings and market participants, including market participants offering energy from renewable sources, market participants engaged in demand response, operators of energy storage facilities and market participants engaged in aggregation. For the purpose of point (b) of the first subparagraph, regulatory authorities and transmission system operators shall, in close cooperation with all market participants, establish technical requirements for participation in those markets, on the basis of the technical characteristics of those markets. Directive article 48 p.8 8. Paragraph 3 shall apply to the majority of the persons responsible for the management and/or members of the administrative bodies of the transmission system operator. The persons responsible for the management and/or members of the administrative bodies of the transmission system operator who are not		
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the request of the Transmission System Operator or the Distribution System Operator, to provide the requested services without delay in order to achieve safe and reliable operation of the electricity system. The service providers shall be duly financially compensated. Mutual rights and obligations shall be regulated by the contract on the provision of ancillary services following the format, content and conditions approved by the Regulator. 15. Based on information provided by the Transmission System Operator and the Distribution System Operator, the Regulator shall reflect in the respective tariff an adequate remuneration for the ancillary services procured, sufficient to recover the corresponding costs, including the costs of specific infrastructure and expenses for the necessary information and communication technology. 16. The Transmission System Operator and the Distribution System Operator may enter into agreement which shall be approved by the Regulator, for mutual sale and purchase of surpluses of energy purchased for covering the network losses and balancing and ancillary	subject to paragraph 3 shall have exercised no management or other relevant activity in the vertically integrated undertaking for a period of at least six months before their appointment. The first subparagraph of this paragraph and paragraphs 4 to 7 shall be applicable to all the persons belonging to the executive management and to those directly reporting to them on matters related to the operation, maintenance or development of the network.		
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Article 18 Dispatching of electricity generation and demand response 1. The Transmission System Operator and the Distribution System Operators shall dispatch electricity generation and demand response facilities connected to the corresponding network directly or through an aggregator, following the transmission Grid Code or distribution Grid Code as applicable, in a transparent manner and, if not otherwise provided under paragraphs 2 to 6 of this Article, under non-discriminatory and market-based conditions. 2. When dispatching electricity generation installations, the system operators shall give priority to specific categories of generation facilities based on transparent and non-discriminatory criteria, to the extent permitted by the rules for safe and secure operation of the electricity system, under conditions that such priority does not adversely affect, prevent, restrict or distort competition, and if such installations are either: 2.1 generation facilities producing electricity from renewable energy sources and:		Not applicable	

2.1.1 till 1 January 2026, have installed capacity of less than 400 kW, or 2.1.2 as of 1 January 2026, have installed capacity of less than 200 kW; or 2.2 demonstration projects for innovative technologies approved by the Regulator, provided that such priority is limited to the time and extent necessary for achievement of the demonstration purposes. 3. The Regulator may adopt a decision not to apply priority dispatch to generation facilities as referred to in subparagraph 2.1 of this Article starting at least six (6) months after adoption of the decision, or to apply a lower minimum capacity than set out under subparagraph 2.1, under condition that all of the following applies: 3.1 the day-ahead, the intraday and the balancing market are operational and fully accessible for all market participants; 3.2 adopted re-dispatching and congestion management rules are transparent and inclusive for all market participants; 3.3 the achieved national contribution of the Republic of Kosovo towards the target for share of energy from renewable sources in gross final energy consumption in 2030 is not lower than the level adopted in the Energy Community Ministerial Council Decision 2022/02/MC-EnC; 3.4 the Regulator has notified the Energy Community Secretariat on the scheduled derogation from the priority dispatch of subparagraph 2.1 of this Article along with arguments on how the			
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conditions under subparagraphs 3.1, 3.2 and 3.3 of this Article are fulfilled, and 3.5 the Regulator has published the planned derogation along with detailed reasoning for the granted derogation and the potential impact on the electricity market and the investments in new renewable generation capacities, taking due account of the protection of commercially sensitive information where required. 4. Any derogations from the priority dispatch shall not retroactively affect the generation facilities already benefiting from priority dispatch at the time when a decision pursuant to paragraph 3 of this Article comes into force. 5. Notwithstanding paragraph 4 of this Article, any operator of a generation facility using renewable energy sources which is eligible for priority dispatch pursuant to subparagraph 2.1 of this Article may at any time waive its right for priority dispatch through a voluntary agreement with the respective system operator. The Regulator may decide to introduce incentives aiming for the generation facilities eligible for priority dispatch to voluntarily waive such rights. Such waiver shall not adversely prevent, restrict or distort competition. 6. The Regulator may adopt a decision to apply priority dispatch for electricity generated in generation facilities using high-efficiency cogeneration with installed electric power capacity of less than 400 kW. Subsequently the Regulator shall adopt and publish the eligibility			
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criteria and rules of procedure for granting such rights in a transparent and non-discriminatory manner. 7. Priority dispatch shall not cause or justify any direct curtailment of the available cross-border capacity on an interconnector with a neighboring bidding zone			
Article 19 Redispatching 1. For the management of physical congestion in their networks, the Transmission System Operator and the Distribution System Operator carry out the redispatching of electricity generation and demand response facilities based on objective, transparent and non-discriminatory criteria, applying market based mechanisms. 2. The provision of redispatch services shall be open to all providers of redispatch services that use generation, energy storage or demand response facilities, including those located in other Contracting Parties of the Energy Community or EU member States, unless it is technically not possible. 3. The Transmission System Operator and the Distribution System Operator may conclude agreements with any other transmission system operator, distribution system operator or redispatch service provider, for cross-border exchanges of redispatch services from electricity generation, energy storage or demand response facilities located on their territories, through market-based or non-	Regulation (EU) 2019/943 Article 12 Dispatching of generation and demand response 1. The dispatching of power-generating facilities and demand response shall be non- discriminatory, transparent and, unless otherwise provided under paragraphs 2 to 6, market based. 2. Without prejudice to Articles 18 and 19 of Energy Community Treaty, Contracting Parties shall ensure that when dispatching electricity generating installations, system operators shall give priority to generating installations using renewable energy sources to the extent permitted by the secure operation of the national electricity system, based on transparent and non-discriminatory criteria and where such power-generating facilities are either: (a) power-generating facilities that use renewable energy sources and have an installed electricity capacity of less than 400 kW; or (b) demonstration projects for innovative technologies, subject to approval by the regulatory authority, provided that such priority is limited to the time and extent necessary for achieving the demonstration	Fully compliant	

market-based mechanisms, if such cooperation is technically feasible and approved by the regulatory authorities of both parties involved. 4. The resources participating in the redispatching are selected among generation facilities, energy storage facilities or demand response facilities using market-based mechanisms and are financially compensated according to their bidding price. Balancing energy offered for redispatching shall not impact the price of balancing energy on the balancing market. 5. Without prejudice to paragraph 1 of this article, the Transmission System Operator or the Distribution System Operator may create and use a common non-market-based redispatching mechanism with all relevant categories of service providers included, which is used only when one or more of the following conditions apply: 5.1 no market-based resource is available for the requested service type; 5.2 all available market-based resources have been used, or the total available redispatch capacity is insufficient; 5.3 the number of available power generation, energy storage or demand response facilities is too low to ensure effective competition in the area where facilities suitable for the required service are located 5.4 the problem with interconnection flows leads to congestion in a regular and predictable way causing the market-based redispatching to provoke the redispatching	purposes.		
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service providers in regular strategic bidding that increases the level of internal congestion; or 5.5 The Ministry approves the action plan defined in Article 31 or ensures that the minimum capacity for inter-regional trade to be made available in accordance with Article 32 paragraph 7 of this law. 6. The Transmission System Operator and the Distribution System Operator submit annual reports to the Regulator on their redispatching activities, including: 6.1 the number and intensity of redispatching measures applied, the background and impact of the network events that provoked the redispatch, both in market based and non-market based conditions; 6.2 cases of downward redispatching based on the market, of production facilities, according to paragraph 5 of this article, together with the appropriate justification; 6.3 the level of development and effectiveness of market-based redispatching mechanisms, including electricity generation, energy storage and demand response facilities; 6.4 the reasons, volumes in MWh and type of electricity generation sources involved in market-based and non-market-based redispatching; 6.5 the context and impact of network problems or system cases that cause repeated or foreseeable congestion in accordance with paragraph 5 of this article,			
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as well as the measures planned or taken to address the problem and to enable the implementation of redispatching mechanisms market based; 6.6 measures taken to reduce the need for downstream redispatching of electricity production installations using renewable energy sources or high-efficiency cogeneration in the future, including investments in the digitalization of network infrastructure and services to increase flexibility. 7. The regulator submits to the ECRB the reports for re-dispatch according to paragraph 6 of this article and publishes a summary of the data in sub-paragraphs 6.3, 6.4 and 6.6. 8. Where non-market-based downward redispatching is used, the Transmission System Operator or Distribution System Operator must apply the following principles : 8.1 electricity production facilities using renewable energy sources are subject to downward redispatch only if there is no other redispatch measure or alternative or if any alternative solution causes significant disproportionate costs or serious risks to network security; 8.2 power generation plants using high-efficiency cogeneration are subject to downward redispatching only if there is no other measure or redispatching alternative than downward redispatching of power generation plants using renewable energy sources, or if any alternative solution causes significant disproportionate costs or			
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serious risks to network security; 8.3 self-production of electricity from installations using renewable energy sources or high-efficiency cogeneration that is not fed into the transmission network or the distribution network is subject to downward redispatching only if no other solution solves the problems or risks of network security; 8.4 any downward re-dispatch according to subsection 8.1, 8.2 and 8.3 of this article must be justified in an orderly and transparent manner and reported to the Regulator without delay and included in the report according to paragraph 6 of this article. 9. The Transmission System Operator and the Distribution System Operator must provide financial compensation for each case of non-market-based redispatching to the redispatched generation operator, energy storage facility or demand response facility, except in cases of redispatching of producers who have accepted a connection agreement according to which there is no guaranteed distribution of produced electricity. 10. The Transmission System Operator and the Distribution System Operator include the Redispatching Procedure within the Transmission Grid Code and the Distribution Grid Code, which is approved by the Regulator. 11. The procedure according to paragraph 10 of this article regulates market-based redispatching, the operation of the non-market-based redispatching			
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mechanism according to paragraph 5 of this article, operational measures related to the network and the market for flexibility, the impact from renewable energy sources and co-generation with high efficiency in the allowed redispatching capacity, network development planning, as well as financial compensation for downward and non-market-based redispatching.			
Article 19 Redispatching 1. For the management of physical congestion in their networks, the Transmission System Operator and the Distribution System Operator carry out the redispatching of electricity generation and demand response facilities based on objective, transparent and non-discriminatory criteria, applying market based mechanisms. 2. The provision of redispatch services shall be open to all providers of redispatch services that use generation, energy storage or demand response facilities, including those located in other Contracting Parties of the Energy Community or EU member States, unless it is technically not possible. 3. The Transmission System Operator and the Distribution System Operator may conclude agreements with any other transmission system operator, distribution system operator or redispatch service provider, for cross-border exchanges of redispatch services from electricity generation, energy storage or demand response facilities located on their	Directive (EU) 2019/944 Article 41 Confidentiality and transparency requirements for transmission system operators and transmission system owners 1. Without prejudice to Article 55 or another legal duty to disclose information, each transmission system operator and each transmission system owner shall preserve the confidentiality of commercially sensitive information obtained in the course of carrying out its activities, and shall prevent information about its own activities which may be commercially advantageous from being disclosed in a discriminatory manner. In particular it shall not disclose any commercially sensitive information to the remaining parts of the undertaking, unless such disclosure is necessary for carrying out a business transaction. In order to ensure the full respect of the rules on information unbundling, Contracting Parties shall ensure that the transmission system owner and the remaining part of the undertaking do not use joint services,	Fully compliat	

territories, through market-based or non-market-based mechanisms, if such cooperation is technically feasible and approved by the regulatory authorities of both parties involved. 4. The resources participating in the redispatching are selected among generation facilities, energy storage facilities or demand response facilities using market-based mechanisms and are financially compensated according to their bidding price. Balancing energy offered for redispatching shall not impact the price of balancing energy on the balancing market. 5. Without prejudice to paragraph 1 of this article, the Transmission System Operator or the Distribution System Operator may create and use a common non-market-based redispatching mechanism with all relevant categories of service providers included, which is used only when one or more of the following conditions apply: 5.1 no market-based resource is available for the requested service type; 5.2 all available market-based resources have been used, or the total available redispatch capacity is insufficient; 5.3 the number of available power generation, energy storage or demand response facilities is too low to ensure effective competition in the area where facilities suitable for the required service are located 5.4 the problem with interconnection flows leads to congestion in a regular and predictable way causing the market-based	such as joint legal services, apart from purely administrative or IT functions. Regulation (EU) 2019/943 Article 13 Redispatching 1. The redispatching of generation and redispatching of demand response shall be based on objective, transparent and non-discriminatory criteria. It shall be open to all generation technologies, all energy storage and all demand response, including those located in other Member States or Contracting Parties unless technically not feasible. 2. The resources that are redispatched shall be selected from among generating facilities, energy storage or demand response using market-based mechanisms and shall be financially compensated. Balancing energy bids used for redispatching shall not set the balancing energy price 3. Non-market-based redispatching of generation, energy storage and demand response may only be used where: (a) no market-based alternative is available; 14 (b) all available market-based resources have been used; (c) the number of available power generating, energy storage or demand		
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redispatching to provoke the redispatching service providers in regular strategic bidding that increases the level of internal congestion; or 5.5 The Ministry approves the action plan defined in Article 31 or ensures that the minimum capacity for inter-regional trade to be made available in accordance with Article 32 paragraph 7 of this law. 6. The Transmission System Operator and the Distribution System Operator submit annual reports to the Regulator on their redispatching activities, including: 6.1 the number and intensity of redispatching measures applied, the background and impact of the network events that provoked the redispatch, both in market based and non-market based conditions; 6.2 cases of downward redispatching based on the market, of production facilities, according to paragraph 5 of this article, together with the appropriate justification; 6.3 the level of development and effectiveness of market-based redispatching mechanisms, including electricity generation, energy storage and demand response facilities; 6.4 the reasons, volumes in MWh and type of electricity generation sources involved in market-based and non-market-based redispatching; 6.5 the context and impact of network problems or system cases that cause repeated or foreseeable congestion in	response facilities is too low to ensure effective competition in the area where suitable facilities for the provision of the service are located; or (d) the current grid situation leads to congestion in such a regular and predictable way that market-based redispatching would lead to regular strategic bidding which would increase the level of internal congestion and the Contracting Party concerned either has adopted an action plan to address this congestion or ensures that minimum available capacity for cross-zonal trade is in accordance with Article 16(8) 4. The transmission system operators and distribution system operators shall report at least annually to the competent regulatory authority, on: (a) the level of development and effectiveness of market-based redispatching mechanisms for power generating, energy storage and demand response facilities; (b) the reasons, volumes in MWh and type of generation source subject to redispatching; (c) the measures taken to reduce the need for the downward redispatching of generating installations using renewable energy sources or high-efficiency cogeneration in the future including investments in digitalisation of the grid infrastructure and in services that increase flexibility. The regulatory authority shall submit the		
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accordance with paragraph 5 of this article, as well as the measures planned or taken to address the problem and to enable the implementation of redispatching mechanisms market based; 6.6 measures taken to reduce the need for downstream redispatching of electricity production installations using renewable energy sources or high-efficiency cogeneration in the future, including investments in the digitalization of network infrastructure and services to increase flexibility. 7. The regulator submits to the ECRB the reports for re-dispatch according to paragraph 6 of this article and publishes a summary of the data in sub-paragraphs 6.3, 6.4 and 6.6. 8. Where non-market-based downward redispatching is used, the Transmission System Operator or Distribution System Operator must apply the following principles : 8.1 electricity production facilities using renewable energy sources are subject to downward redispatch only if there is no other redispatch measure or alternative or if any alternative solution causes significant disproportionate costs or serious risks to network security; 8.2 power generation plants using high-efficiency cogeneration are subject to downward redispatching only if there is no other measure or redispatching alternative than downward redispatching of power generation plants using renewable energy sources, or if any alternative solution	report to the Energy Community Regulatory Board and shall publish a summary of the data referred to in points (a), (b) and (c) of the first subparagraph together with recommendations for improvement where necessary. 5. Subject to requirements relating to the maintenance of the reliability and safety of the grid, based on transparent and non-discriminatory criteria established by the regulatory authorities, transmission system operators and distribution system operators shall: (a) guarantee the capability of transmission networks and distribution networks to transmit electricity produced from renewable energy sources or high-efficiency cogeneration with minimum possible redispatching, which shall not prevent network planning from taking into account limited redispatching where the transmission system operator or distribution system operator is able to demonstrate in a transparent way that doing so is more economically efficient and does not exceed 5 % of the annual generated electricity in installations which use renewable energy sources and which are directly connected to their respective grid, unless otherwise provided by a Contracting Party in which electricity from power-generating facilities using renewable energy sources or high-efficiency cogeneration represents more		
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causes significant disproportionate costs or serious risks to network security; 8.3 self-production of electricity from installations using renewable energy sources or high-efficiency cogeneration that is not fed into the transmission network or the distribution network is subject to downward redispatching only if no other solution solves the problems or risks of network security; 8.4 any downward re-dispatch according to subsection 8.1, 8.2 and 8.3 of this article must be justified in an orderly and transparent manner and reported to the Regulator without delay and included in the report according to paragraph 6 of this article. 9. The Transmission System Operator and the Distribution System Operator must provide financial compensation for each case of non-market-based redispatching to the redispatched generation operator, energy storage facility or demand response facility, except in cases of redispatching of producers who have accepted a connection agreement according to which there is no guaranteed distribution of produced electricity. 10. The Transmission System Operator and the Distribution System Operator include the Redispatching Procedure within the Transmission Grid Code and the Distribution Grid Code, which is approved by the Regulator. 11. The procedure according to paragraph 10 of this article regulates market-based redispatching, the operation	than 50 % of the annual gross final consumption of electricity; (b) take appropriate grid-related and market-related operational measures in order to minimise the downward redispatching of electricity produced from renewable energy sources or from high-efficiency cogeneration; (c) ensure that their networks are sufficiently flexible so that they are able to manage them 6. Where non-market-based downward redispatching is used, the following principles shall apply: (a) power-generating facilities using renewable energy sources shall only be subject to downward redispatching if no other alternative exists or if other solutions would result in significantly disproportionate costs or severe risks to network security; (b) electricity generated in a high-efficiency cogeneration process shall only be subject to downward redispatching if, other than downward redispatching of power-generating facilities using renewable energy sources, no other alternative exists or if other solutions would result in disproportionate costs or severe risks to network security; (c) self-generated electricity from generating installations using renewable energy sources or high-efficiency cogeneration which is not fed into the transmission or distribution network shall not be subject to downward redispatching unless no other solution would resolve		
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of the non-market-based redispatching mechanism according to paragraph 5 of this article, operational measures related to the network and the market for flexibility, the impact from renewable energy sources and co-generation with high efficiency in the allowed redispatching capacity, network development planning, as well as financial compensation for downward and non-market-based redispatching.	network security issues; (d) downward redispatching under points (a), (b) and (c) shall be duly and transparently justified. The justification shall be included in the report under paragraph 3. 7. Where non-market based redispatching is used, it shall be subject to financial compensation by the system operator requesting the redispatching to the operator of the redispatched generation, energy storage or demand response facility except in the case of producers that have accepted a connection agreement under which there is no guarantee of firm delivery of energy. Such financial compensation shall be at least equal to the higher of the following elements or a combination of both if applying only the higher would lead to an unjustifiably low or an unjustifiably high compensation: (a) additional operating cost caused by the redispatching, such as additional fuel costs in the case of upward redispatching, or backup heat provision in the case of downward redispatching of power-generating facilities using high-efficiency cogeneration; (b) net revenues from the sale of electricity on the day-ahead market that the power-generating, energy storage or demand response facility would have generated without the redispatching request; where financial support is granted to power-generating, energy storage or demand		
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	response facilities based on the electricity volume generated or consumed, financial support that would have been received without the redispatching request shall be deemed to be part of the net revenues.		
Article 20 Obligation of the Transmission System Operator for protection of Data Confidentiality 1. The Transmission System Operator shall preserve confidentiality and prevent the disclosure of commercially sensitive information obtained in the course of performing its activities. The Transmission System Operator shall prevent information about its own activities which may be commercially advantageous from being disclosed in a discriminatory manner. 2. Transmission system operator shall not, in the context of sales or purchases of electricity by related undertaking, misuse commercially sensitive information obtained from third parties in the context of providing or negotiating access to the system. 3. Notwithstanding the obligation of paragraph 1 of this article, the Regulator, in exercising its powers, functions and duties, may require the Transmission System Operator to provide it with it access to the commercially sensitive information, which shall be used solely for internal processing by the Regulator and shall have the same level of protection from disclosure. 4. Notwithstanding the obligation of	Directive (EU) 2019/944 Article 41 Confidentiality and transparency requirements for transmission system operators and transmission system owners 1. Without prejudice to Article 55 or another legal duty to disclose information, each transmission system operator and each transmission system owner shall preserve the confidentiality of commercially sensitive information obtained in the course of carrying out its activities, and shall prevent information about its own activities which may be commercially advantageous from being disclosed in a discriminatory manner. In particular it shall not disclose any commercially sensitive information to the remaining parts of the undertaking, unless such disclosure is necessary for carrying out a business transaction. In order to ensure the full respect of the rules on information unbundling, Contracting Parties shall ensure that the transmission system owner and the remaining part of the undertaking do not use joint services, such as joint legal services, apart from purely administrative or IT functions. . Transmission system operators shall not, in the context of sales or purchases of	Fully compliant	

paragraph 1 of this article, the information necessary for energy security and efficient operation of the system, effective competition and efficient functioning of the electricity market , shall be made public.	electricity by related undertakings, misuse commercially sensitive information obtained from third parties in the context of providing or negotiating access to the system. 3. Information necessary for effective competition and the efficient functioning of the market shall be made public. That obligation shall be without prejudice to preserving the confidentiality of commercially sensitive information.		
Article 21 Connection of new electricity generation and energy storage facilities to the transmission system 1. The Transmission System Operator shall provide non-discriminatory connections of new electricity generation installations and energy storage facilities to the transmission system, applying transparent and efficient procedures approved by the Regulator that are published on the web sites of the Regulator and the Transmission System Operator. 2. The Transmission System Operator must not refuse the connection of a new electricity generation installation or energy storage facility of paragraph 1 of this Article on the basis of possible future limitations of the available network capacity or congestion in remote parts of the transmission network. If the refusal is done on the ground of prevailing public interest, the Transmission System Operator must provide alternative solution to the new electricity generation installation or energy storage facility.	Directive 2019/944 Article 42 Decision-making powers regarding the connection of new generating installations and energy storage facilities to the transmission system 1. The transmission system operator shall establish and publish transparent and efficient procedures for non-discriminatory connection of new generating installations and energy storage facilities to the transmission system. Those procedures shall be subject to approval by the regulatory authorities. . The transmission system operator shall not be entitled to refuse the connection of a new generating installation or energy storage facility on the grounds of possible future limitations to available network capacities, such as congestion in distant parts of the transmission system. The transmission system operator shall supply necessary information. The first subparagraph shall be without prejudice to the possibility for transmission system	Fully compliant	

3. The Transmission System Operator is obliged to provide the potential network user or investor all the necessary technical information related to the possibility to connect to the transmission system and connection procedure, in advance. 4. Notwithstanding paragraph 1 of this article, the Transmission System Operator may limit the connection capacity or offer connections subject to operational limitations, in order to ensure economic efficiency regarding the new generation facilities or energy storage facilities, provided that such limitations have been approved by the Regulator. The Regulator shall ensure that any limitations in connection capacity or operational limitations are introduced on the basis of transparent and non-discriminatory procedures and do not create undue barriers to market entry. 5. The owners of the new electricity generation installations or energy storage facilities requesting connection shall bear any costs incurred by the Transmission System Operator related to limitations in the guaranteed connection capacity or operational limitations in accordance with the rules on congestion management in the transmission system, with respect to each new connection. 6. The Transmission System Operator shall not refuse to grant a new connection on the grounds that it would lead to additional costs resulting from the need for capacity increase of system	operators to limit the guaranteed connection capacity or to offer connections subject to operational limitations, in order to ensure economic efficiency regarding new generating installations or energy storage facilities, provided that such limitations have been approved by the regulatory authority. The regulatory authority shall ensure that any limitations in guaranteed connection capacity or operational limitations are introduced on the basis of transparent and non-discriminatory procedures and do not create undue barriers to market entry. Where the generating installation or energy storage facility bears the costs related to ensuring unlimited connection, no limitation shall apply. 3. The transmission system operator shall not be entitled to refuse a new connection point, on the ground that it would lead to additional costs resulting from the necessary capacity increase of system elements in the close-up range to the connection point.		
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components in the vicinity range of the connection point. Where the new electricity generation installation or energy storage facility bears the costs related to ensuring unlimited connection conditions, no limitations shall be applied.			
Article 22 Charges for access and use of networks 1. The Transmission System Operator and the Distribution System Operator shall determine and propose to the Regulator for approval, the network charges for the transmission and distribution network to be applied to the system users respectively, including charges for connection to the corresponding network, tariffs for use of the network and, as applicable, charges for expansion, upgrades, and reinforcements of the network. 2. The charges of paragraph 1 of this Article shall be cost-reflective, transparent, and take into account: 2.1 the costs of network and system security, operational security and system adequacy, data transparency and data security including cybersecurity of system and network infrastructure and its resilience to threats; 2.2 the costs of network flexibility including access to balancing services, energy storage and non-frequency ancillary services, costs of redispatching and associated remunerations; and 2.3 the costs of any system services provided to network users permitting implementation of energy efficiency	Regulation 209/943 SECTION 2 Network charges and congestion income Article 18 Charges for access to networks, use of networks and reinforcement 1. Charges applied by network operators for access to networks, including charges for connection to the networks, charges for use of networks, and, where applicable, charges for related network reinforcements, shall be cost-reflective, transparent, take into account the need for network security and flexibility and reflect actual costs incurred insofar as they correspond to those of an efficient and structurally comparable network operator and are applied in a non-discriminatory manner. Those charges shall not include unrelated costs supporting unrelated policy objectives. Without prejudice to Article 15(1) and (6) of Directive 2012/27/EU, as adopted and adapted by Ministerial Council Decision 2015/08/MC-EnC, and the criteria in Annex XI to that Directive the method used to determine the network charges shall neutrally support overall system efficiency over the long run through price signals to customers and producers and in particular be applied in a way which does not discriminate positively or negatively	Fully complaint	

improvements and continuous deployment of smart systems, as defined by the respective network operator and taking care to not adversely impact the system security. 3. In setting the tariffs for the use of the transmission network, the Transmission System Operator shall: 3.1 take into account the due payments and compensated claims under the Inter-transmission system operators compensation mechanism of Article 36 of this Law, 3.2 make consideration of actual payments made and collections received, as well as those expected for future periods estimated on the basis of previous periods, and 3.3 make no prejudice to any charges resulting from the congestion management in accordance to Article 34 of this Law. 4. The charges of paragraph 1 of this article shall reflect costs of required network performances insofar as they correspond to those of an efficient and stable network. 5. The charges of paragraph 1 of this article, should be determined in accordance with the methodologies developed by the respective system operator and approved by the Regulator. 6. The methodologies used by the Transmission System Operator and the Distribution System Operator to determine the charges and tariffs of paragraph 1 of this Article shall: 6.1 not discriminate, either positively or negatively, between the generation	between production connected at the distribution level and production connected at the transmission level. The network charges shall not discriminate either positively or negatively against energy storage or aggregation and shall not create disincentives for self-generation, self-consumption or for participation in demand response. Without prejudice to paragraph 3 of this Article, 23 those charges shall not be distance-related. 2. Tariff methodologies shall reflect the fixed costs of transmission system operators and distribution system operators and shall provide appropriate incentives to transmission system operators and distribution system operators over both the short and long run, in order to increase efficiencies, including energy efficiency, to foster market integration and security of supply, to support efficient investments, to support related research activities, and to facilitate innovation in interest of consumers in areas such as digitalisation, flexibility services and interconnection. 3. Where appropriate, the level of the tariffs applied to producers or final customers, or both shall provide locational signals at Energy Community level and take into account the amount of network losses and congestion caused, and investment costs for infrastructure. 4. When setting the charges for network access, the following shall be taken into		
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capacities connected at the transmission level and generation capacities connected at the distribution level; 6.2 not discriminate, either positively or negatively, against energy storage, aggregation, self-generation, self-consumption, or participation in demand response, or participation in a citizen energy community, and shall not create disincentives for these activities; 6.3 neutrally support, in a balanced and non-discriminatory manner, overall system efficiency over the long run through price signals to customers and generators; 6.4 not be distance-related, except in cases of paragraph 7 of this Article; 6.5 be without prejudice to the charges resulting from congestion management measures referred to in article 34 of this law and, 6.6 shall not include any specific charges on individual transactions for cross-zonal trading of electricity, as applicable. 7. The level of transmission network charges shall provide location signals at the level of the Capacity Calculation Region to be used in the Action Plan referred to in Article 31 of this law and the Transmission Network Development Plan from the relevant Energy Law, and shall take into account the amount of network losses, the congestions and the costs of investments for new infrastructure. 8. Without prejudice to the other applicable criteria provided in this article, the distribution tariffs shall take into	account: (a) payments and receipts resulting from the inter-transmission system operator compensation mechanism; (b) actual payments made and received as well as payments expected for future periods, estimated on the basis of previous periods. 5. Setting the charges for network access under this Article shall be without prejudice to charges resulting from congestion management referred to in Article 16. 6. There shall be no specific network charge on individual transactions for cross-zonal trading of electricity. 7. Distribution tariffs shall be cost-reflective taking into account the use of the distribution network by system users including active customers. Distribution tariffs may contain network connection capacity elements and may be differentiated based on system users' consumption or generation profiles. Where Contracting Parties have implemented the deployment of smart metering systems, regulatory authorities shall consider time-differentiated network tariffs when fixing or approving transmission tariffs and distribution tariffs or their methodologies in accordance with Article 59 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC, and, where appropriate, time-differentiated network tariffs may be introduced to reflect the use		
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account the modes of use of the distribution network by system users including active customers. Distribution tariffs may: 8.1 contain network connection capacity elements; 8.2 be differentiated based on the consumption or generation profile of the system user; 8.3 subject to successful deployment of smart metering, may be time-differentiated to reflect the use of the network, in a transparent, cost efficient and foreseeable way for the final customers; 8.4 shall provide incentives to the Distribution system Operator for cost-efficient operation and development of their networks and procurement of required flexibility services. 9. For the purpose of providing the incentives in accordance to subparagraph 8.4 of this Article, the Regulator shall assess and recognize the costs of relevant services as eligible and shall include those costs in distribution tariffs. The Regulator may bring a decision to introduce performance targets aimed to provide incentives to the distribution system operator to increase efficient network operation, including through decreasing of network losses, applying energy efficiency and energy storage services, and deployment of smart metering systems.	of the network, in a transparent, cost efficient and foreseeable way for the final customer. 8. Distribution tariff methodologies shall provide incentives to distribution system operators for the most cost-efficient operation and development of their networks including through the procurement of services. For that purpose regulatory authorities shall recognise relevant costs as eligible, shall include those costs in distribution tariffs, and may introduce performance targets in order to provide incentives to distribution system operators to increase efficiencies in their networks, including through energy efficiency, flexibility and the development of smart grids and intelligent metering systems. 9. By 5 October 2023 in order to mitigate the risk of market fragmentation the Energy Community Regulatory Board shall provide a best practice report on transmission and distribution tariff methodologies while taking account of national specificities. That best practice report shall address at least: (a) the ratio of tariffs applied to producers and tariffs applied to final customers; (b) the costs to be recovered by tariffs; (c) time-differentiated network tariffs; (d) locational signals; (e) the relationship between transmission tariffs and distribution tariffs; (f) methods to ensure transparency in the setting and structure of tariffs;		
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	(g) groups of network users subject to tariffs including, where applicable, the characteristics of those groups, forms of consumption, and any tariff exemptions; (h) losses in high, medium and low-voltage grids. The Energy Community Regulatory Board shall take into account the best practice report developed by the Agency for the Cooperation of Energy Regulators for that purpose. The Energy Community Regulatory Board shall update the best practice report at least once every two years. 10. Regulatory authorities shall duly take the best practice report into consideration when fixing or approving transmission tariffs and distribution tariffs or their methodologies in accordance with Article 59 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC		
Article 23 Promotion of Regional Cooperation 1. The Transmission System Operator operates within the Control Area that includes the territory of Republic of Kosovo and cooperates with ENTSO-E to ensure conformed duties and obligations that has been allocated. 2. The Transmission System Operator enters into agreement for all elements of cooperation and available services provided by ENTSO-E, as applicable and approved by ENTSO-E, as	Regulation 2019/943 Article 27 Approval procedure < ... > CHAPTER V TRANSMISSION SYSTEM OPERATION 33 Article 28 European network of transmission system operators for electricity 1. Transmission system operators shall	Fully compliant	

well as for covering any additional costs resulting from the extension of the tasks of ENTSO-E due to the provision of these services. The agreed costs shall be assessed by the Regulator with respect to the level they are reasonable and proportionate and shall be taken into consideration in the calculation of the transmission tariffs. 3. The Transmission System Operator shall: 3.1 cooperate with the other transmission system operators of the Energy Community Contracting Parties and EU Member States through the ENTSO-E in order to facilitate the participation of the Republic of Kosovo in the regional integration of the electricity markets, to promote the cross-border trade, and the coordinated operation and harmonized development of the European electricity transmission network; 3.2 cooperate with the ENTSO-E in the development of a biannual (2 year) regional investment plan in correlation with the EU Ten (10) Year Network Development Plan, and shall take into account that regional investment plan as basis for its investment decisions; 3.3 promote operational arrangements in order to ensure the optimal management of the network and shall promote and participate in the development of energy exchanges, the coordinated allocation of cross-zonal capacity through non-discriminatory market-based solutions, including implicit auctions for short-term allocations and the integration of balancing mechanism and reserve capacity;	cooperate at Energy Community level through the ENTSO for Electricity, in order to promote the completion and functioning of the internal market for electricity and cross-zonal trade and to ensure the optimal management, coordinated operation and sound technical evolution of the European electricity transmission network. 2. < ... > Transmission system operators which are not members of the ENTSO for Electricity shall enter into agreements with the ENTSO for Electricity, to cover the additional costs resulting from the extension of the tasks of the ENTSO for Electricity to these transmission system operators. Article 29 The ENTSO for Electricity < ... > Article 30 Tasks of the ENTSO for Electricity < ... > Article 31 Consultations < ... > Article 32 Monitoring by ACER < ... > Article 33 Costs The costs related to the activities of the ENTSO for Electricity referred to in Articles 4 to 12, as well as the costs referred to in Article		
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4. Transmission System Operator shall take into account the opinions and recommendations and shall implement the decisions of institutions established in the Energy Community, or the European Union, where such organizations are mandated by regulations or international agreements binding on Kosovo 5. The Transmission System Operator cooperates with transmission system operators of the Energy Community Contracting Parties in ensuring the necessary information regarding network development plans, use and development of interconnection lines and regional cooperation.	28, shall be borne by the transmission system operators and shall be taken into account in the calculation of tariffs. Regulatory authorities shall approve those costs only if they are reasonable and proportionate. Article 34 Regional cooperation of transmission system operators 1. Transmission system operators shall establish regional cooperation, to the extent possible, within the ENTSO for Electricity <...>. In particular, they shall publish a regional investment plan biennially, and may take investment decisions based on that regional investment plan. <...> 2. Transmission system operators shall promote operational arrangements in order to ensure the optimum management of the network and shall promote the development of energy exchanges, the coordinated allocation of cross-border capacity through non-discriminatory market-based solutions, paying due attention to the specific merits of implicit auctions for short-term allocations, and the integration of balancing and reserve power mechanisms. 3. For the purposes of achieving the goals set in paragraphs 1 and 2, the geographical area covered by each regional cooperation structure <...> is defined by Annex IV. Each Contracting Party may promote cooperation in more than one		
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	geographical area. <...>		
Article 24 Resource Adequacy 1. TheRegulator shall monitor resource adequacy within the territory of the Republic of Kosovo on the basis of the European resource adequacy assessment. 2. For the purpose of complementing the European resource adequacy assessment, the Transmission System Operator shall carry out national resource adequacy assessment of the Republic of Kosovo, pursuant to article 25 of this law. 3. When the European assessment of the adequacy of resources or the national resource assessment identifies a resource adequacy concern, the Regulator identifies any regulatory distortion or market non-performance that caused or contributed to emergence of the concern and obliges the Electricity Transmission System Operator to prepare an implementation plan with a timeline for adopting measures to eliminate any identified regulatory distortions, or market non-performance and upon its approval by the Regulator to publish on TSO website.. 4. If the proposed implementation plan referred to in paragraph 3 of this article foresees the introduction of capacity mechanism, the Regulator shall submit the plan to the state aid Commission for the purpose of obtaining approval. 5. The Regulator shall submit the proposed implementation plan referred to in		Fully compliant	

paragraph 3 of this article to the Energy Community Secretariat for review and, if necessary, shall amend the plan according to the opinion of the Energy Community Secretariat on whether the proposed measures are sufficient to eliminate the regulatory distortions or market non-performance that were identified pursuant to paragraph 3 of this Article. 6. When the electricity Transmission System Operator develops the implementation plan determined to in paragraph 3 of this article takes into account the principles based on which Kosovo's electricity market operates, including: 6.1 removing regulatory distortions; 6.2 removing any technical limit for wholesale electricity prices pursuant to Article 52 of this law; 6.3 introducing a mechanism for determining the price for the shortage of the balance energy as an additional settlement mechanism separate from the imbalance settlement, to settle the procurement costs of balancing capacity; 6.4 increasing interconnection and internal grid capacity with a view to reaching at least interconnection target that the Republic of Kosovo has in the National Energy and Climate Plans; 6.5 enabling self-generation, energy storage and demand side measures by adopting measures to eliminate any identified regulatory amendments; 6.6 ensuring cost-efficient and market-based procurement of balancing and			
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ancillary services; 6.7 removing regulated prices, where required by the relevant Law on Energy, and encourage market-based price formation. 7. The Regulator shall monitor the application of the implementation plan from the paragraph 3 of this article and shall publish the results of the monitoring in an annual report. The Regulator shall submit that report to the Energy Community Secretariat to obtain an opinion on whether the implementation plan has been successfully implemented and whether the resource adequacy concerns have been resolved. 8. The implementation plan shall continue to be applicable after the identified resource adequacy concern has been resolved.			
Article 25 National and European Resource Adequacy Assessments 1. The Transmission System Operator shall provide ENTSO-E with the data it needs to carry out the European resource adequacy assessment. Generators and other market participants shall provide the Transmission System Operator with data regarding the expected utilization of the generation resources, taking into account the availability of primary resources and appropriate scenarios of forecasted demand and supply. 2. At the request of the Regulator and in line with the respective methodologies used by the ENTSO-E for	Regulation (EU) 2019/943 Article 23 European resource adequacy assessment 1. The European resource adequacy assessment shall identify resource adequacy concerns by assessing the overall adequacy of the electricity system to supply current and projected demands for electricity at European level, at the level of the Member States and Contracting Parties, and at the level of individual bidding zones, where relevant. The European resource adequacy assessment shall cover each year within a period of 10 years from the date of that	Fully compliant	

the preparation of the European resource adequacy assessment, the Transmission System Operator shall prepare the national resource adequacy assessment and submit it for approval to the Regulator. 3. The national resource adequacy assessment shall have a regional scope and shall be based on appropriate scenarios of projected demand and supply including an economic assessment of the likelihood of retirement, mothballing, new-build of generation assets, and measures to reach energy efficiency and electricity interconnection targets and appropriate sensitivities on extreme weather events, hydrological conditions, wholesale prices, and carbon price developments. 4. The national resource adequacy assessment may take into account additional sensitivities to those referred in the paragraph 3 of this Article and in such cases, may: 4.1 make assumptions taking into account the particularities of national electricity demand and supply; 4.2 use tools and consistent recent data that are complementary to those used by the ENTSO-E for the preparation of the European resource adequacy assessment. 5. When assessing the contribution of capacity providers located in another Energy Community Contracting Party or EU Member State to the security of supply of the bidding zones that they cover, the Transmission System Operator shall use the methodology for calculating the maximum entry capacity for cross-border participation	assessment. 2. The ENTSO for Electricity, acting in accordance with Article 3 of Procedural Act No 2022/01/MC-EnC, shall include the Contracting Parties in the European resource adequacy assessment based on Article 23 of Regulation (EU) No 2019/943. Before conducting the European resource adequacy assessment, the ENTSO for Electricity shall consult the transmission system operators of the Contracting Parties and the Energy Community Secretariat. Transmission system operators shall provide the ENTSO for Electricity the data it needs to carry out the resource adequacy assessment. Producers and other market participants shall provide transmission system operators with data regarding expected utilisation of the generation resources, taking into account the availability of primary resources and appropriate scenarios of projected demand and supply. 3. <...> 4. <...>. 5. <...> 6. <...> 7. The results of the Energy Community and European resource adequacy assessment under paragraph 2 shall be subject to the prior consultation of Contracting Parties, the Security of Supply Group for Electricity and relevant stakeholders in		
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developed by the ENTSO-E and approved by the ACER. 6. The Regulator shall publish the national resource adequacy assessments and, where applicable, the European resource adequacy assessment and the opinion of the Energy Community Secretariat pursuant to paragraph 7 of this article. 7. Where the national resource adequacy assessment identifies an adequacy concern with regard to a bidding zone that was not identified in the European resource adequacy assessment, the national resource adequacy assessment shall include the reasons for the divergence between the two resource adequacy assessments, including details of the sensitivities used and the underlying assumptions. The Regulator shall publish that opinion and submit it to the Energy Community Secretariat for an opinion on whether the differences between the two resource adequacy assessments are justified. 8. The Regulator shall take due account of the Energy Community Secretariat's opinion, and where necessary shall amend its opinion. If the Regulator decides not to take the Energy Community Secretariat's opinion fully into account, it shall publish a report with detailed reasons.	the Energy Community <...>. Regulation 2019/943 Article 24 National resource adequacy assessments 1. National resource adequacy assessments shall have a regional scope and shall be based on the methodology referred in <...> Article 23(5) of Regulation (EU) 2019/943. National resource adequacy assessments shall contain the reference central scenarios as referred to in point (b) of Article 23(5). National resource adequacy assessments may take into account additional sensitivities to those referred in point (b) of Article 23(5). In such cases, national resource adequacy assessments may: (a) make assumptions taking into account the particularities of national electricity demand and supply; (b) use tools and consistent recent data that are complementary to those used by the ENTSO for Electricity for the European resource adequacy assessment. In addition, the national resource adequacy assessments, in assessing the contribution of capacity providers located in another Member State or Contracting Party to the security of supply of the bidding zones that they cover, shall use the methodology developed by the ENTSO for Electricity in accordance with point (a) of Article 26(11) of Regulation (EU) 2019/943 and approved by the Agency for the		
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	Cooperation of Energy Regulators. 2. National resource adequacy assessments and, where applicable, the European resource adequacy assessment and the opinion of the Energy Community Regulatory Board pursuant to paragraph 3 shall be made publicly available. 3. Where the national resource adequacy assessment identifies an adequacy concern with regard to a bidding zone that was not identified in the European resource adequacy assessment, the national resource adequacy assessment shall include the reasons for the divergence between the two resource adequacy assessments, including details of the sensitivities used and the underlying assumptions. Contracting Parties shall publish that assessment and submit it to the Energy Community Secretariat. Within four months of the date of the receipt of the report, the Energy Community Secretariat shall provide an opinion on whether the differences between the national resource adequacy assessment and the European resource adequacy assessment are justified. When preparing its opinion, the Energy Community Secretariat shall request the Energy Community Regulatory Board to provide its opinion on the report and shall consult the Agency for Cooperation of Energy Regulators. The body that is responsible for the national resource adequacy assessment shall take due account of the Energy Community Secretariat's opinion, and		
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	where necessary shall amend its assessment. Where it decides not to take the Energy Community Secretariat's opinion fully into account, the body that is responsible for the national resource adequacy assessment shall publish a report with detailed reasons.		
Article 26 General principles of the capacity mechanism 1. In order to eliminate the identified deficiencies in the adequacy of the resources identified in the resources adequacy assessment, the Government, at the proposal of the Ministry, may make a decision to introduce capacity mechanisms, as a last resort when implementing the measures contained in the implementation plan from article 24 paragraph 3 of this law. 2. Capacity mechanisms shall not be introduced where both, the European resource adequacy assessment and the national resource adequacy assessment, or in the absence of a national resource adequacy assessment, the European resource adequacy assessment have not identified a resource adequacy concern. 3. The Government's decision from paragraph 1 of this article taking into account the findings of the analysis of the effects of the introduction of the capacity mechanism on the electricity transmission systems and electricity markets in the neighboring contracting parties of the Energy Community and member states of the European Union, which is drawn up by the Transmission System Operator at the	Regulation (EU) 2019/943 CHAPTER IV RESOURCE ADEQUACY Article 20 Resource adequacy in the internal market for electricity 1. Contracting Parties shall monitor resource adequacy within their territory on the basis of the European resource adequacy assessment referred to in Article 23. For the purpose of complementing the European resource adequacy assessment, Contracting Parties may also carry out national resource adequacy assessments pursuant to Article 24. 2. Where the European resource adequacy assessment referred to in Article 23 or national resource adequacy assessment referred to in Article 24 identifies a resource adequacy concern, the Contracting Parties concerned shall identify any regulatory distortions or market failures that caused or contributed to the emergence of the concern. 3. Contracting Parties with identified resource adequacy concerns shall develop and publish an implementation plan with a timeline for adopting measures to eliminate any identified regulatory	Fully compliant	

request of the Regulator, after previously conducted consultations with the Operators of Transmission Systems and the electricity markets of those countries. 4. The Government, based on the opinion from the Regulator and the Transmission System Operator, assesses whether the capacity mechanism in the form of a strategic reserve is sufficient to remove the identified deficiencies in the adequacy of resources, and if this is not the case, the Government with decision introduces another form of capacity mechanism. 5. The capacity mechanism determined by the decision from paragraph 1 of this article shall be an integral part of the Implementation plan from article 24 paragraph 3 of this law. 6. The Government, by decision shall determine the type of capacity mechanism, the entities with which the Transmission System Operator concludes contracts for providing capacity, the method of determining the amount of compensation for the provided capacity as well as the mandatory requirements in terms of CO2 emission limits pursuant to Article 27 paragraph 5 of this Law. 7. The Regulator shall approve the amount of capacity that will be procured by the Transmission System Operator when applying the capacity mechanism. 8. The Government shall submit the decision from paragraph 1 of this article to the Competition Authority of the Republic of Kosovo and to the Energy Community	distortions or market failures and submit it to the competent national State aid authority when notifying a capacity mechanism for the purpose of Article 21(8), as well as to the Energy Community Secretariat. When addressing resource adequacy concerns, the Contracting Parties shall in particular take into account the principles set out in Article 3 and shall consider: (a) removing regulatory distortions; (b) removing price caps in accordance with Article 10; (c) introducing a shortage pricing function for balancing energy as referred to in Article 44(3) of Regulation (EU) 2017/2195 as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC; (d) increasing interconnection and internal grid capacity with a view to reaching at least their interconnection targets as referred in point (d)(1) of Article 4 of Regulation (EU) 2018/1999, as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC; (e) enabling self-generation, energy storage, demand side measures and energy efficiency by adopting measures to eliminate any identified regulatory distortions; (f) ensuring cost-efficient and market-based procurement of balancing and ancillary services; (g) removing regulated prices where required by Article 5 of Directive (EU) 2019/944, as adapted and		
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Secretariat, whereby the capacity provision mechanism will not start to be applied before the receipt of the opinion from the Energy Community Secretariat. 9. The Competition Authority of the Republic of Kosova approves the capacity mechanism and informs the Energy Community Secretariat. 10. The capacity mechanism cannot start to be applied if the reliability standard from article 28 of this law has not been introduced. 11. After the start of the application of the capacity mechanism determined in the decision from paragraph 1 of this article, the Transmission System Operator will conclude capacity provision agreements with electricity generators, energy storage operators and service providers for demand management. 12. The capacity mechanism is temporary and cannot be applied for a period longer than ten (10) years. 13. If in the European and National Resource Adequacy Assessments prepared after the introduction of the capacity mechanism, there are no identified deficiencies in the resources adequacy in the Republic of Kosovo, the Government, on the proposal of the Regulator may decide to abolish the application of the capacity mechanism or reduce the number of capacities to which the mechanism applies. 14. The implementation plan from article 24 paragraph 3 of this law is also applied after the introduction of the	adopted by Ministerial Council Decision 2021/13/MC-EnC. 4. The Contracting Parties concerned shall submit their implementation plans to the Energy Community Secretariat for review. 5. Within four months of receipt of the implementation plan, the Energy Community Secretariat shall issue an opinion on whether the measures are sufficient to eliminate the regulatory distortions or market failures that were identified pursuant to paragraph 2, and may invite the Contracting Parties to amend their implementation plans accordingly. 6. The Contracting Parties concerned shall monitor the application of their implementation plans and shall publish the results of the monitoring in an annual report and shall submit that report to the Energy Community Secretariat. 7. The Energy Community Secretariat shall issue an opinion on whether the implementation plans have been sufficiently implemented and whether the resource adequacy concern has been resolved. 8. Contracting Parties shall continue to adhere to the implementation plan after the identified resource adequacy concern has been resolved. Article 21 General principles for capacity mechanisms 1. To eliminate residual resource adequacy concerns, Contracting Parties		
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capacity mechanism.	may, as a last resort while implementing the measures referred to in Article 20(3) of this Regulation in accordance with Articles 18 and 19 of the Treaty introduce capacity mechanisms. 2. Before introducing capacity mechanisms, the Contracting Parties concerned shall conduct a comprehensive study of the possible effects of such mechanisms on the neighbouring Member States and Contracting Parties by consulting at least its neighbouring Member States and Contracting Parties to which they have a direct network connection and the stakeholders of those Member States and Contracting Parties. 3. Contracting Parties shall assess whether a capacity mechanism in the form of strategic reserve is capable of addressing the resource adequacy concerns. Where this is not the case, Contracting Parties may implement a different type of capacity mechanism. 4. Contracting Parties shall not introduce capacity mechanisms where both European resource adequacy assessment and the national resource adequacy assessment, or in the absence of a national resource adequacy assessment, the European resource adequacy assessment have not identified a resource adequacy concern. 5. Contracting Parties shall not introduce capacity mechanisms before the implementation plan as referred to in		
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	Article 20(3) has received an opinion by the Energy Community Secretariat as referred to in Article 20(5). 6. Where a Contracting Party applies a capacity mechanism, it shall review that capacity mechanism and shall ensure that no new contracts are concluded under that mechanism where both the European resource adequacy assessment and the national resource adequacy assessment, or in the absence of a national resource adequacy assessment, the European resource adequacy assessment have not identified a resource adequacy concern or the implementation plan as referred to in Article 20(3) has not received an opinion by the Energy Community Secretariat as referred to in Article 20(5). 7. When designing capacity mechanisms Contracting Parties shall include a provision allowing for an efficient administrative phase-out of the capacity mechanism where no new contracts are concluded under paragraph 6 during three consecutive years. 8. Capacity mechanisms shall be temporary. They shall be approved by the competent national State aid authority upon informing the Energy Community Secretariat, no longer than 10 years. They shall be phased out or the amount of the committed capacities shall be reduced on the basis of the implementation plans referred to in Article 20. Contracting Parties shall continue to apply the		
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	implementation plan after the introduction of the capacity mechanism		
Article 27 Design principles for Capacity Mechanisms 1. Any capacity mechanism shall: 1.1 be temporary; 1.2 not create undue market distortions and not limit cross-zonal trade; 1.3 address the adequacy concerns determined in article 24 of this law; 1.4 set out the technical conditions for the participation of capacity providers in advance of the selection process 1.5 select capacity providers by means of a transparent, non-discriminatory and competitive process; 1.6 provide incentives for capacity providers to be available in times of expected exceptional variability of the loads in the system; 1.7 ensure that the remuneration is determined through the competitive process; 1.8 be open to participation of all resources that are capable of providing the required technical performance, including energy storage and demand response; 1.9 apply appropriate penalties to capacity providers that are not available in times of system stress. 2. The design of strategic reserves shall meet the following requirements: 2.1 where a capacity mechanism has been designed as a strategic reserve, the resources thereof are to be dispatched only if the Transmission System Operator is	Regulation (EU) 2019/943 Article 22 Design principles for capacity mechanisms 1. Any capacity mechanism shall: (a) be temporary; (b) not create undue market distortions and not limit cross-zonal trade; (c) not go beyond what is necessary to address the adequacy concerns referred to in Article 20; (d) select capacity providers by means of a transparent, non-discriminatory and competitive process; (e) provide incentives for capacity providers to be available in times of expected system stress; (f) ensure that the remuneration is determined through the competitive process; (g) set out the technical conditions for the participation of capacity providers in advance of the selection process; (h) be open to participation of all resources that are capable of providing the required technical performance, including energy storage and demand side management; (i) apply appropriate penalties to capacity providers that are not available in times of system stress. 2. The design of strategic reserves shall meet the following requirements: (a) where a capacity mechanism has been designed as a strategic reserve, the	Fully complaint	Transposes provisions for capacity mechanisms other than strategic reserves, including limitations on strategic reserves, categories and features of alternative mechanisms for mitigating resource adequacy gaps and addressing associated emissions.

likely to exhaust its balancing resources to establish an equilibrium (balance) between demand and supply; 2.2 during imbalance settlement periods where resources in the strategic reserve are dispatched, imbalances in the market are to be settled at least at the value of lost load or at a higher value than the day ahead or intraday technical price limit defined by the Nominated Electricity Market Operator pursuant to article 53 paragraph 2 of this law, whichever is higher; 2.3 the output of the strategic reserve following dispatch is to be attributed to balance responsible parties through the imbalance settlement mechanism; 2.4 the resources taking part in the strategic reserve are not to receive remuneration from the wholesale electricity markets or from the balancing markets; 2.5 the resources in the strategic reserve are to be held outside the market for at least the duration of the contractual period. 3. The requirement determined in sub-paragraph 2.1 of this article shall be without prejudice to the activation of resources before actual dispatch in order to respect the dynamic requirements of the network for engagement of a new power resource and operating requirements of the resources. The output of the strategic reserve during activation shall not be attributed to balance groups through wholesale markets and shall not change their imbalances.	resources thereof are to be dispatched only if the transmission system operators are likely to exhaust their balancing resources to establish an equilibrium between demand and supply; (b) during imbalance settlement periods where resources in the strategic reserve are dispatched, imbalances in the market are to be settled at least at the value of lost load or at a higher value than the intraday technical price limit as referred in Article 10(1), whichever is higher; (c) the output of the strategic reserve following dispatch is to be attributed to balance responsible parties through the imbalance settlement mechanism; (d) the resources taking part in the strategic reserve are not to receive remuneration from the wholesale electricity markets or from the balancing markets; (e) the resources in the strategic reserve are to be held outside the market for at least the duration of the contractual period. The requirement referred to in point (a) of the first subparagraph shall be without prejudice to the activation of resources before actual dispatch in order to respect the ramping constraints and operating requirements of the resources. The output of the strategic reserve during activation shall not be attributed to balance groups through wholesale markets and shall not change their imbalances. 3. In addition to the requirements laid down in paragraph 1, capacity		
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4. In addition to the requirements laid down in paragraph 1 of this article, capacity mechanisms other than strategic reserves shall: 4.1 be constructed so as to ensure that the price paid for availability automatically tends to zero when the level of capacity supplied is expected to be adequate to meet the level of capacity demanded; 4.2 remunerate the participating resources only for their availability and ensure that the remuneration does not affect decisions of the capacity provider on whether or not to generate and, 4.3 ensure that capacity obligations are transferable between eligible capacity providers. 5. In addition to the requirements laid down in paragraph 1 of this article, contracts for capacity mechanism shall not be concluded nor payments for securing capacity shall be made with the generation facilities that: 4.1 commenced commercial operation on or after December 15, 2022, and which emit more than 550 grams of carbon dioxide from fossil fuels per kilowatt hour of electricity produced and, 4.2 commenced commercial operation on or after July 1, 2025, and which emit more than 550 grams of fossil fuel carbon dioxide per kilowatt hour of electricity produced and more than 350 grams of fossil fuel carbon dioxide on average over a year for each kilowatt installed power. 6. The Regulator shall take into	mechanisms other than strategic reserves shall: (a) be constructed so as to ensure that the price paid for availability automatically tends to zero when the level of capacity supplied is expected to be adequate to meet the level of capacity demanded; (b) remunerate the participating resources only for their availability and ensure that the remuneration does not affect decisions of the capacity provider on whether or not to generate; (c) ensure that capacity obligations are transferable between eligible capacity providers. 4. Capacity mechanisms shall incorporate the following requirements regarding CO2 emission limits: (a) from the date of entry into force of this Regulation at the latest, generation capacity that started commercial production on or after that date and that emits more than 550 g of CO2 of fossil fuel origin per kWh of electricity shall not be committed or to receive payments or commitments for future payments under a capacity mechanism; (b) from 1 July 2025 at the latest, generation capacity that started commercial production before the date of entry into force of this Regulation and that emits more than 550 g of CO2 of fossil fuel origin per kWh of electricity and more than 350 kg CO2 of fossil fuel origin on average per year per installed kWe shall not be committed or receive payments or		
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account the ACER opinion providing technical guidance related to calculation of emission values specified in paragraph 5 of this article.	commitments for future payments under a capacity mechanism. The emission limit of 550 g CO₂ of fossil fuel origin per kWh of electricity and the limit of 350 kg CO₂ of fossil fuel origin on average per year per installed kW_e referred to in points (a) and (b) of the first subparagraph shall be calculated on the basis of the design efficiency of the generation unit meaning the net efficiency at nominal capacity under the relevant standards provided for by the International Organization for Standardization. For the purpose of implementing the first subparagraph, Contracting Parties shall take into account the opinion providing technical guidance published by the Agency for the Cooperation of Energy Regulators in accordance with Article 22(4) of Regulation (EU) 2019/943. 5. Contracting Parties that apply capacity mechanisms on the date of entry into force of this Regulation shall adapt their mechanisms to comply with Chapter 4 without prejudice to commitments or contracts concluded by 31 December 2022. Regulation (EU)2018/942 Article 6 Tasks of ACER as regards the regulatory authorities 1. ACER shall adopt individual decisions on technical issues where those decisions are provided for in Regulation (EU)		
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	2019/943, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC, Regulation (EC) No 715/2009, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC, Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC or Directive 2009/73/EC, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC. 2. ACER may, in accordance with its work programme, at the request of the Energy Community Secretariat, the European Commission or on its own initiative, make recommendations to assist regulatory authorities and market participants in sharing good practices. 3. <...> 4. <...> 5. <...> 6. <...> 7. <...> 8. <...> 9. ACER shall submit opinions to the relevant regulatory authority and to the Energy Community Secretariat and the European Commission pursuant to Article 16(3) of Regulation (EU) 2019/943 as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC. 10. ACER shall be competent to adopt individual decisions on regulatory issues having effects on cross-border trade or cross-border system security which		
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	require a joint decision by at least two regulatory authorities, where such competences have been conferred on the regulatory authorities under a Decision adopted by the Ministerial Council under both Title II and Title III of the Treaty: <...> ACER shall be competent to adopt individual decisions as specified in the first subparagraph in the following situations: (a) where the competent regulatory authorities have not been able to reach an agreement within six months of referral of the case to the last of those regulatory authorities, or within four months in cases under Article 4(7) of this Regulation or under point (c) of Article (59)(1) or point (f) of Article 62(1) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC; or (b) on the basis of a joint request from the competent regulatory authorities. The competent regulatory authorities may jointly request that the period referred to in point (a) of the second subparagraph of this paragraph be extended by a period of up to six months, except in cases under Article 4(7) of this Regulation or under point (c) of Article 59(1) or point (f) of Article 62(1) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC. Where the competences to decide on cross-border issues referred to in the first subparagraph have been conferred on the		
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	regulatory authorities in new network codes or guidelines adopted <...> after 15 December 2022, ACER shall only be competent on a voluntary basis pursuant to point (b) of the second subparagraph of this paragraph, upon a request from at least 60 % of the competent regulatory authorities. Where only two regulatory authorities are involved, either one may refer the case to ACER. <...> 11. When preparing its decision pursuant to paragraph 10, ACER shall consult the regulatory authorities and transmission system operators concerned and shall be informed of the proposals and observations of all the transmission system operators concerned. 12. Where a case has been referred to ACER under paragraph 10, ACER: (a) shall issue a decision within six months of the date of referral, or within four months thereof in cases pursuant to Article 4(7) of this Regulation or point (c) of Article (59)(1) or point (f) of Article 62(1) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC; and (b) may, if necessary, provide an interim decision to ensure that security of supply or operational security is protected. 13. Where the regulatory issues referred to in paragraph 10 include exemptions within the meaning of Article 63 of Regulation (EU) 2019/943,		
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	as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC, or Article 36 of Directive 2009/73/EC, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC the deadlines provided for in this Regulation shall not be cumulative with the deadlines provided for in those provisions.		
Article 28 Reliability Standard 1. The Ministry, on the proposal of the Regulator shall oblige the Electricity Transmission System Operator to set the reliability standard that will indicate the necessary level of security of supply in the Republic of Kosovo in a transparent manner. In the case of cross-border bidding zones, the electricity transmission system operator shall establish such reliability standards jointly with the relevant authorities of the concerned zone. 2. The reliability standard shall be set based on the methodology for calculating reliability standard developed by the ENTSO-E and approved by the ACER. The reliability standard shall be calculated using at least the value of lost load and the cost of new entry over a given timeframe and shall be expressed as ‘expected energy not	Regulation 2019/943 Article 25 Reliability standard 1. When applying capacity mechanisms Contracting Parties shall have a reliability standard in place. A reliability standard shall indicate the necessary level of security of supply of the Contracting Parties in a transparent manner. In the case of cross-border bidding zones, such reliability standards shall be established jointly by the relevant authorities. 2. The reliability standard shall be set by the Contracting Party or by a competent authority designated by the Contracting Party, following a proposal by the regulatory authority. The reliability standard shall be based on the methodology developed by the ENTSO for Electricity in accordance with Article 23(6) of Regulation (EU) 2019/943 and approved by the Agency for the Cooperation of Energy Regulators. 3. The reliability standard shall be calculated using at least the value of lost load and the cost of new entry over a given timeframe and shall be expressed as ‘expected energy not served’ and ‘loss of	Fully compliant	Transposes provisions from Regulation 943 on the reliability standard indicating the necessary level of security of supply established through the Methodology for the calculation of the reliability standard developed by ENTSO-E, approved by ACER and applied to the assessment of a single load value lost to the bidding area of Kosovo

delivered' and 'loss of load expectation'. 3. When applying capacity mechanisms, the parameters determining the amount of capacity procured in the capacity mechanism shall be approved by the Regulator.	load expectation'. 4. When applying capacity mechanisms, the parameters determining the amount of capacity procured in the capacity mechanism shall be approved by the Contracting Party or by a competent authority designated by the Contracting Party, on the basis of a proposal of the regulatory authority.		
Article 29 Cross-border participation in capacity mechanism 1. Capacity mechanisms other than strategic reserves and where technically feasible, strategic reserves shall be open to direct cross-border participation of capacity providers located in another EU Member State or Energy Community Contracting Party. 2. Foreign capacity capable of providing equivalent technical performance to domestic capacities shall have the opportunity to participate in the same competitive process as domestic capacity. A requirement for foreign capacity to be located in an EU Member State or Energy Community Contracting Party that has a direct network connection with the Republic of Kosovo may be included in the selection criteria. 3. In case the review of paragraph 2 of this Article has identified a structural congestion in the electricity transmission system of the Republic of Kosovo, within six (6) months from the receipt of the review report, the Ministry shall bring a decision whether to:	Regulation (EU) 2019/943 Article 26 Cross-border participation in capacity mechanisms 1. Capacity mechanisms other than strategic reserves and where technically feasible, strategic reserves shall be open to direct cross-border participation of capacity providers located in another Member State or Contracting Party, subject to the conditions laid down in this Article. 2. Member States and Contracting Parties shall ensure that foreign capacity capable of providing equivalent technical performance to domestic capacities has the opportunity to participate in the same competitive process as domestic capacity. In the case of capacity mechanisms in operation on the date of entry into force of this Regulation, Member States and Contracting Parties may allow interconnectors to participate directly in the same competitive process as foreign capacity for a maximum of four years from the date of entry into force of this Regulation. Contracting Parties may require foreign capacity to be located in a	Fully complaint	Transposes provisions from Regulation 943 to open strategic reserves and other mechanisms for mitigating resource adequacy deficiencies to system operators across the borders of other countries and obtaining reciprocal treatment - including conditions, rights and obligations, reimbursement of costs, limitations, verification and administration

3.1 establish a national or international action plan for increase of the cross-zonal capacity of the current Bidding Zone configuration pursuant to article 32 of this law or, 3.2 review and adjust the Bidding Zone configuration. 4. Cross-border participation in capacity mechanisms shall not change, alter or otherwise affect cross-zonal schedules or physical flows between the Republic of Kosovo and EU Member States or Energy Community Contracting Parties. Those schedules and flows shall be determined solely by the outcome of capacity allocation pursuant to Article 32 of this Law. 5. Capacity providers should be able to participate in more than one capacity mechanism. When capacity providers participate in more than one capacity mechanism within the same delivery period, they participate until there is expected availability of the interconnection as well as until the possible matching of exceptional volatility of system loads between the system of the Republic of Kosovo and the system in which the foreign capacity is located, in accordance with the methodology for calculating the maximum input capacity for cross-border participation, developed by ENTSO-E and approved by ACER. 6. Capacity providers shall be required to make non-availability payments where their capacity is not available. Where capacity providers participate in more than	Member State or Contracting Party that has a direct network connection with the Contracting Party applying the mechanism. 3. Member States and Contracting Parties shall not prevent capacity which is located in their territory from participating in capacity mechanisms of other Member States or Contracting Parties. 4. Cross-border participation in capacity mechanisms shall not change, alter or otherwise affect cross-zonal schedules or physical flows between Member States or Contracting Parties. Those schedules and flows shall be determined solely by the outcome of capacity allocation pursuant to Article 16. 5. Capacity providers shall be able to participate in more than one capacity mechanism. Where capacity providers participate in more than one capacity mechanism for the same delivery period, they shall participate up to the expected availability of interconnection and the likely concurrence of system stress between the system where the mechanism is applied and the system in which the foreign capacity is located, in accordance with the methodology developed by the ENTSO for Electricity in accordance with point (a) of Article 26(11) of Regulation (EU) 2019/943 and approved by the Agency for the Cooperation of Energy Regulators. 6. Capacity providers shall be required to make non-availability payments where their capacity is not available. Where		
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one capacity mechanism for the same delivery period, they shall be required to make multiple non-availability payments where they are unable to fulfil multiple commitments. 7. The Transmission System Operator shall set the maximum entry capacity available for the participation of foreign capacity based on the recommendation of the Regional Coordinating Centre on an annual basis. 8. The entry capacity referred in paragraph 7 of this Article shall be allocated to eligible capacity providers in a transparent, non-discriminatory and market-based manner. 9. Where capacity mechanisms allow for cross-border participation in two neighboring EU Member States or Energy Community Contracting Parties, any revenues arising through the allocation referred to in paragraph 8 of this article shall accrue to the transmission system operators concerned and shall be shared between them in accordance with the methodology, developed by ENTSO-E and approved by the ACER, or in accordance with a common methodology approved by the Regulator and the other relevant regulatory authority. If the neighboring EU Member State or Contracting Party does not apply a capacity mechanism or applies a capacity mechanism which is not open to cross-border participation, the share of revenues shall be approved by the Regulator after having sought the opinion of the regulatory authorities of the	capacity providers participate in more than one capacity mechanism for the same delivery period, they shall be required to make multiple non-availability payments where they are unable to fulfil multiple commitments. 7. For the purposes of providing a recommendation to transmission system operators, regional coordination centres established pursuant to Article 35 shall calculate on an annual basis the maximum entry capacity available for the participation of foreign capacity. That calculation shall take into account the expected availability of interconnection and the likely concurrence of system stress in the system where the mechanism is applied and the system in which the foreign capacity is located. Such a calculation shall be required for each bidding zone border. Transmission system operators shall set the maximum entry capacity available for the participation of foreign capacity based on the recommendation of the regional coordination centre on an annual basis. 8. Contracting Parties shall ensure that the entry capacity referred to in paragraph 7 is allocated to eligible capacity providers in a transparent, non-discriminatory and market-based manner. 9. Where capacity mechanisms allow for cross-border participation in two neighbouring Member States or Contracting Parties, any revenues arising through the allocation referred to in paragraph 8 shall accrue to the		
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neighboring EU Member States or Energy Community Contracting Parties. The Transmission System Operator shall use such revenues in a manner determined in Article 34 paragraphs 4 and 5 of this Law. 10. The relevant capacity provider shall notify, without delay, the Transmission System Operator of its participation in a foreign capacity mechanism. In case when a capacity provider located in the Republic of Kosovo participates in a cross-border capacity mechanism, the Transmission System Operator, upon request from a foreign transmission system operator, shall: 10.1 establish whether interested capacity provider located in the Republic of Kosovo can provide the technical performance as required by the capacity mechanism in which the capacity provider intends to participate, and register that capacity provider as an eligible capacity provider in a registry set up for that purpose by ENTSO-E; 10.2 carry out availability checks; and 10.3 notify the transmission system operator in the EU Member State or Energy Community Contracting Party applying the capacity mechanism of the information it acquired under subparagraphs 1 and 2 of this article without delay. 11. The Regulator in cooperation with the regulatory authority concerned shall verify whether the entry capacities have been calculated in accordance with the methodology referred to in paragraph 5 of this article.	transmission system operators concerned and shall be shared between them in accordance with the methodology developed by the ENTSO for Electricity in accordance with point (b) of Article 26(11) of Regulation (EU) 2019/943 and approved by the Agency for the Cooperation of Energy Regulators, or in accordance with a common methodology approved by both relevant regulatory authorities. If the neighbouring Member State or Contracting Party does not apply a capacity mechanism or applies a capacity mechanism which is not open to cross-border participation, the share of revenues shall be approved by the competent national authority of the Member State or Contracting Party in which the capacity mechanism is implemented after having sought the opinion of the regulatory authorities of the neighbouring Member States or Contracting Parties. Transmission system operators shall use such revenues for the purposes set out in Article 19(2). 10. The transmission system operator where the foreign capacity is located shall: (a) establish whether interested capacity providers can provide the technical performance as required by the capacity mechanism in which the capacity provider intends to participate, and register that capacity provider as an eligible capacity provider in a registry set up for that purpose by the ENTSO for Electricity in		
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12. The Regulator shall ensure that cross-border participation in capacity mechanisms is organized in an effective and non-discriminatory manner, in particular by providing for adequate administrative arrangements for the enforcement of non-availability payments across borders. 13. The capacities allocated in accordance with paragraph 8 of this article shall be transferable between eligible capacity providers. Eligible capacity providers shall notify the registry as referred to in subparagraph 10.1 of this article of any such transfer.	accordance with Article 26 of Regulation (EU) 2019/943; (b) carry out availability checks; (c) notify the transmission system operator in the Member State or Contracting Party applying the capacity mechanism of the information it acquires under points (a) and (b) of this subparagraph and the second subparagraph. The relevant capacity provider shall notify the transmission system operator of its participation in a foreign capacity mechanism without delay. 11. < ... > 12. The regulatory authorities concerned shall verify whether the capacities have been calculated in accordance with the methodology developed by the ENTSO for Electricity in accordance with point (a) of Article 26(11) of Regulation (EU) 2019/943 and approved by the Agency for the Cooperation of Energy Regulators. 13. Regulatory authorities shall ensure that cross-border participation in capacity mechanisms is organised in an effective and non-discriminatory manner. They shall in particular provide for adequate administrative arrangements for the enforcement of non-availability payments across borders. 14. The capacities allocated in accordance with paragraph 8 shall be transferable between eligible capacity providers. Eligible capacity providers shall notify the registry as referred to in point (a) of		
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	paragraph 10 of any such transfer. 15. <...> The registry referred to in point (a) of paragraph 10 <...> shall be open to all eligible capacity providers, the systems implementing capacity mechanisms and their transmission system operators.		
CHAPTER IV CROSS-BORDER ELECTRICITY FLOWS Article 30 Bidding zone configuration 1. The Transmission System Operator together with the Regulator shall take all appropriate measures to address congestions. The Bidding Zone borders of the organized market shall be defined or modified in order to eliminate long-term structural congestions in the transmission network of the Republic of Kosovo, or to maximize economic efficiency and cross-zonal trading opportunities for the bidding zones in the Capacity Calculation Region, while maintaining the security of supply. The Bidding Zone shall not contain such structural congestions unless they have no impact on neighbouring bidding zones or, as a temporary exemption, their impact on neighbouring bidding zones is mitigated through the use of remedial actions and those structural congestions do not lead to reductions of cross-zonal trading capacity as required in Article 32 of this law. 2. The Transmission System Operator, in cooperation with the Regulator shall provide the required data and, as applicable participate in the: 2.1 reporting of ENTSO-E on	CHAPTER III NETWORK ACCESS AND CONGESTION MANAGEMENT SECTION 1 Capacity Allocation Article 14 Bidding zone review 1. Contracting Parties shall take all appropriate measures to address congestions. Bidding zone borders shall be based on long-term, structural congestions in the transmission network. Bidding zones shall not contain such structural congestions unless they have no impact on neighbouring bidding zones, or, as a temporary exemption, their impact on neighbouring bidding zones is mitigated through the use of remedial actions and those structural congestions do not lead to reductions of cross-zonal trading capacity in accordance with the requirements of Article 16. The configuration of bidding zones shall be designed in such a way as to maximise economic efficiency and to maximise cross-zonal trading opportunities in accordance with Article 16 for bidding zones in the same capacity calculation region established in accordance with Article 15 of Regulation (EU) 2015/1222, as adapted and adopted	Fully compliant	The new article partially transposes the provisions from Regulation 943 for identifying the boundaries of the bidding area, supporting the congestion review of ENTSO-E and bringing and implementing a decision to alleviate congestion by regulating the bidding area. The full transposition includes the drafting of a Procedure for reviewing and adjusting the boundary of the bidding area, as part of the Transmission Network Code.

structural congestions and other major physical congestions between and within bidding zones, which includes the location and frequency of such congestions, and 2.2 bidding zone review aimed to ensure optimal configuration of the bidding zones, carried out in the Capacity Calculation Region no later than six (6) months after the ENTSO-E report of subparagraph 2.1 of this Article and no later than 31 December 2025, identifying all structural congestions and including an analysis of different bidding zone configuration scenarios, in a coordinated manner and with the involvement of affected stakeholders from all relevant Energy Community Contracting Parties and EU Member States. 3. In case a structural congestion in the transmission network of the Republic of Kosovo or in its cross-zonal interconnection lines has been identified in the ENTSO-E report pursuant to subparagraph 2.1 of this Article, or in the bidding zone review report pursuant to subparagraph 2.2 of this Article, or in the control areas of one or more transmission system operators from the Capacity Calculation Region or neighbouring bidding zones provided in a report approved by the competent regulatory authority, within six (6) months from the receipt of the report the Government, in cooperation with the Transmission System Operator and the Regulator, shall bring a decision whether to: 3.1 establish a national or	by Ministerial Council Decision 2022/03/MC-EnC, while maintaining security of supply. 2. When reporting on structural congestions and other major physical congestions between and within bidding zones, including the location and frequency of such congestions, in accordance with Regulation (EU) 2015/1222 as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC, the ENTSO for Electricity, acting in accordance with Article 3 of Procedural Act No 2022/01/MC-EnC, shall extend this report to include the Contracting Parties. To the extent the report covers bidding zones located outside the Continental Europe synchronous area, the Energy Community Secretariat shall <...> coordinate the contributions by the transmission system operators concerned to the report. 3. In order to ensure an optimal configuration of bidding zones, a bidding zone review shall be carried out for the Contracting Parties for bidding zones in the same capacity calculation region established in accordance with Article 15 of Regulation (EU) 2015/1222, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC, at the latest six months following the first report by the ENTSO for Electricity in accordance with paragraph 2, but not later than 31 December 2025. That review shall identify all structural congestions and shall include an analysis of different		
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multinational action plan for increase of the cross-zonal capacity of the current Bidding Zone configuration pursuant to article 31 of this law or, 3.2 review and adjust the Bidding Zone configuration causing structural congestions. 4. The decision from paragraph 3 of this Article shall be notified to the Energy Community Secretariat and the ECRB without delay. 5. In case the Government decides to adjust the Bidding Zone configuration pursuant to subparagraph 3.2. of this Article, the Transmission System Operator and the Regulator shall apply the Procedure for Biding Zone border definition, review and adjustment, approved by the Government, with a view, within six (6) months from the notification referred to in paragraph 4 of this Article, to reach a unanimous decision with the affected and interested Contracting Parties in the Capacity Calculation Region on the modified Biding Zone borders configuration. Any comments on the Biding Zone modification submitted by other Contracting Parties or EU Members States in the Capacity Calculation Region shall be taken into account. The relevant stakeholders and network users shall be consulted before adopting a decision on the new Biding Zone configuration. The decision shall specify the date of implementation taking into consideration the forward trade of electricity, and establish appropriate transitional	configurations of bidding zones in a coordinated manner with the involvement of affected stakeholders from all relevant Contracting Parties and Member States, in accordance with Articles 32 and 33 of Regulation (EU) 2015/1222, as adapted and adopted by Ministerial Council Decision 2022/03/ MC-EnC. Before performing any of its tasks pursuant to those provisions, the Agency for the Cooperation of Energy Regulators, acting in accordance with Article 2 of Procedural Act No2022/01/MC-EnC, shall consult the Energy Community Regulatory Board. <....> 4. <....> 5. The bidding zone review shall take into account the methodology and assumptions developed pursuant to Article 14 paragraph 5 of Regulation (EU) 2019/943. <....> 6. <.... 7. Where structural congestion has been identified in the report pursuant to paragraph 2 of this Article or in the bidding zone review pursuant to this Article or by one or more transmission system operators in their control areas in a report approved by the competent regulatory authority, the Contracting Party with identified structural congestion shall, in cooperation with its transmission system operators, decide, within six months of receipt of the report, either to establish national or multinational action plans pursuant to Article 15, or to review		
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arrangements. 6. The Decision on the Biding Zone borders configuration shall be notified to the Energy Community Secretariat and the ECRB. In case the decision of paragraph 5 of this Article is not reached within the indicated period, the Regulator shall without delay notify the ECRB. Any corresponding decision on the Biding Zone borders modification adopted by the Energy Community Secretariat, ECRB or ACER, received within a period of six (6) months from the notification on the failure, shall be duly considered, adopted and applied.	and amend its bidding zone configuration. Those decisions shall be immediately notified to the Energy Community Secretariat and to the Energy Community Regulatory Board. 8. For those Contracting Parties that have opted to amend the bidding zone configuration pursuant to paragraph 7, the relevant Contracting Parties in the same capacity calculation region established in accordance with Article 15 of Regulation (EU) 2015/1222, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC, shall reach a unanimous decision within six months of the notification referred to in paragraph 7. Other Members States and Contracting Parties in the same capacity calculation region may submit comments to the relevant Contracting Parties, who should take account of those comments when reaching their decision. The decision shall be reasoned and shall be notified to the Energy Community Secretariat and the Energy Community Regulatory Board. In the event that the relevant Contracting Parties fail to reach a unanimous decision within those six months, they shall immediately notify the Energy Community Regulatory Board thereof. As a measure of last resort, the Energy Community Regulatory Board and after consulting the Energy Community Secretariat, shall adopt a decision whether to amend or maintain the bidding zone configuration in and between those Contracting Parties by six months after		
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	receipt of such a notification. 9. Contracting Parties and the Energy Community Regulatory Board shall consult relevant stakeholders before adopting a decision under this Article. 10. Any decision adopted under this Article shall specify the date of implementation of any changes. That implementation date shall balance the need for expeditiousness with practical considerations, including forward trade of electricity. The decision may establish appropriate transitional arrangements. 11. <....> Regulation (EU) 2019-942 Article 3 General tasks 1. <...> 2. At ACER's request, the regulatory authorities, the ENTSO for Electricity, the ENTSO for Gas, the regional coordination centres, the Coordination Group of the Energy Community Distribution System Operators established by Procedural Act No 2018/01/MC-EnC, the transmission system operators and the nominated electricity market operators shall provide to ACER the information necessary for the purpose of carrying out ACER's tasks under this Regulation, unless ACER has already requested and received		
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	such information. For the purpose of information requests as referred to in the first subparagraph, ACER shall have the power to issue decisions. In its decisions, ACER shall specify the purpose of its request, shall make a reference to the legal basis under which the information is requested, and shall state a time limit within which the information is to be provided. That time limit shall be proportionate to the request. ACER shall use confidential information received pursuant to this Regulation only for the purpose of carrying out the tasks assigned to it in this Regulation. ACER shall ensure the appropriate data protection of the information pursuant to Article 41 of Regulation (EU) 2019/942.		
Article 31 Action plan for increase of cross-zonal capacity 1. In case the Government brings a decision pursuant to article 30 subparagraph 3.1. of this law, to increase the cross-zonal capacity in the Biding Zone without modification of Biding Zone borders configuration, on the proposal of the Transmission System Operator and in cooperation with the Regulator, it shall adopt an action plan to reduce the identified structural congestions in the transmission network or the interconnection lines with a concrete timetable for implementing the corresponding measures within a period of four (4) years from the adoption of the decision.	Regulation (EU)2019/943 Article 15 Action plans 1. Following the adoption of a decision pursuant to Article 14(7), the Contracting Party with identified structural congestion shall develop an action plan in cooperation with its regulatory authority. That action plan shall contain a concrete timetable for adopting measures to reduce the structural congestions identified within four years of the adoption of the decision pursuant to Article 14(7). 2. Irrespective of the concrete progress of the action plan, Contracting Parties shall ensure that without prejudice to derogations granted under Article 16(9) or	Fully compliant	The new article partially transposes the provisions from Regulation 943 for the establishment and implementation of an action plan for the management of congestion by increasing the interzonal transmission capacity in the interconnectors following a linear trajectory to reach the set objective of the minimum level by 2027, including cooperation his with RCC. Full transposition requires the development and adoption of a Procedure for the coordinated linear increase of interzonal capacity, as part of the Transmission Network Code.

2. Irrespective of the implementation of the action plan of paragraph 1 of this Article, the Regulator, together with the Transmission System Operator shall implement measures to ensure that the cross-zonal capacity on the borders of the Republic of Kosovo available for trade is increased, on annual basis, in such a way to reach the minimum capacity threshold determined in Article 32 paragraph 7 of this law by 31 December 2027. 3. The annual increases referred to in paragraph 2 of this Article shall be achieved by means of a linear trajectory, with a starting point being the higher value between the allocated capacity on the critical border or the critical network element in the year before the adoption of the action plan, and the average capacity during the period of three (3) years before adoption of the action plan. In the course of the implementation of the action plan the capacity made available for cross-zonal trade pursuant to Article 32 paragraph 7 of this law shall be at least equal to the values of the linear trajectory, including by use of remedial actions in the Capacity Calculation Region. The Transmission System Operator shall bear the costs for the remedial actions necessary to achieve the linear trajectory or to make available cross-zonal capacity at the borders or on critical network elements concerned by the action plan. 4. In the course of the implementation of the action plan and within six (6) months from its expiry, the	deviations under Article 16(3), the cross-zonal trade capacity is increased on an annual basis until the minimum capacity provided for in Article 16(8) is reached. That minimum capacity shall be reached by 31 December 2027. Those annual increases shall be achieved by means of a linear trajectory. The starting point of that trajectory shall be either the capacity allocated at the border or on a critical network element in the year before adoption of the action plan or the average during the three years before adoption of the action plan, whichever is higher. Contracting Parties shall ensure that, during the implementation of their action plans the capacity made available for cross-zonal trade to be compliant with Article 16(8) is at least equal to the values of the linear trajectory, including by use of remedial actions in the capacity calculation region. 3. The cost of the remedial actions necessary to achieve the linear trajectory referred to in paragraph 2 or make available cross-zonal capacity at the borders or on critical network elements concerned by the action plan shall be borne by the Contracting Party or Contracting Parties implementing the action plan. 4. On an annual basis, during the implementation of the action plan and within six months of its expiry, the relevant transmission system operators shall assess for the previous 12 months whether the available cross-border capacity has reached the linear trajectory		
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Transmission System Operator shall assess, on annual basis, if during the previous 12 months the referent available cross-zonal capacity from paragraph 3 of this Article complied with the linear trajectory target and if, from 1 January 2028, the minimum capacity threshold determined in Article 32 paragraph 7 of this Law has been achieved. The assessment shall be presented in a report along with all the relevant data, approved by the Regulator and submitted to the ECRB. 5. The Transmission System Operator may accomplish the activities of this Article and compile and share the action plan of paragraph 1 of this Article in cooperation with one or more transmission system operators from the Capacity Calculation Region. In this case, the Transmission System Operator shall fulfil its part of the obligations indicated in paragraph 4 of this Article, develop independent contributions related to the transmission network of the Republic of Kosovo and, after their approval by the Regulator, contribute to the common action plan and targets within the Bidding Zone. The Regulator and the Transmission System Operator shall cooperate respectively with the regulatory authorities and Transmission System Operators from the Capacity Calculation Region, as stipulated in the Procedure for coordinated increase of cross-zonal capacity, developed and defined in the Transmission Grid Code. 6. In case the assessment referred to in paragraph 4 of this Article shows that the	or, from 1 January 2028, the minimum capacities provided for in Article 16(8) have been achieved. They shall submit their assessments to the Energy Community Regulatory Board and to the relevant regulatory authorities. Before drafting the report, each transmission system operator shall submit its contribution to the report, including all the relevant data, to its regulatory authority for approval. 5. For those Contracting Parties for which the assessments referred to in paragraph 4 demonstrate that a transmission system operator has not complied with the linear trajectory, the relevant Contracting Parties shall, within six months of receipt of the assessment report referred to in paragraph 4, decide unanimously whether to amend or maintain the bidding zone configuration within and between those Contracting Parties. In their decision, the relevant Contracting Parties should take account of any comments submitted by other Member States or Contracting Parties. The relevant Contracting Parties' decision shall be substantiated and shall be notified to the Energy Community Secretariat and the Energy Community Regulatory Board. The relevant Contracting Parties shall notify the Energy Community Secretariat immediately if they fail to reach a unanimous decision within the timeframe laid down. Within six months of receipt of such notification, the Energy Community Secretariat, as a last resort and after		
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Transmission System Operator has failed to comply with the linear trajectory the Regulator and the Transmission System Operator shall cooperate with the competent authorities and transmission system operators from those Contracting Parties which has also failed the same obligations, aiming to reach, within six (6) months of the receipt of the assessment report of paragraph 4 of this Article, an unanimous decision of all concerned parties whether to amend or withhold the Bidding Zone configuration in a procedure as indicated in Article 30, paragraph 5 of this Law. In the decision the Regulator should take into account any comments submitted by other EU Member States or Contracting Parties. The decision shall be substantiated and submitted to the Energy Community Secretariat and to the ECRB. 7. In case the Regulator and the Transmission System Operator fail to reach the unanimous decision of paragraph 6 of this Article within the specified timeframe, The Regulator shall, without delay notify the Energy Community Secretariat, and apply any decision whether to amend or withhold the bidding zone configuration adopted by the Secretariat within a period of six (6) months from the notification. 8. In case a structural congestion in the transmission network of the Republic of Kosovo is identified within the period of six months before the expiry of the timeframe of the action plan referred to in paragraph 1 of this Article, upon a proposal provided by the Transmission System	consulting the Agency for the Cooperation of Energy Regulators, the Energy Community Regulatory Board and the relevant stakeholders shall adopt a decision whether to amend or maintain the bidding zone configuration in and between those Contracting Parties. 6. Six months before the expiry of the action plan, the Contracting Parties with identified structural congestion shall decide whether to address remaining congestion by amending its bidding zone or whether to address remaining internal congestion with remedial actions for which it shall cover the costs. 7. Where no action plan is established within six months of identification of structural congestion pursuant to Article 14(7), the relevant transmission system operators shall, within 12 months of identification of such structural congestion, assess whether the available cross-border capacity has reached the minimum capacities provided for in Article 16(8) during the previous 12 months and shall submit an assessment report to the relevant regulatory authorities and to the Energy Community Regulatory Board. Before drafting the report, each transmission system operator shall send its contribution to the report, including all relevant data, to its national regulatory authority for approval. Where the assessment demonstrates that a transmission system operator has not complied with the minimum capacity, the		
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Operator, the Regulator shall decide whether to make an attempt to address the remaining congestion by amending the Bidding Zone configuration in a procedure pursuant to Article 30, or to address remaining internal congestion with temporary remedial actions for which the costs shall be covered by the Transmission System Operator. 9. In case no action plan is established within the period of six (6) months from the identification of structural congestions pursuant to Article 30, paragraph 3 of this Law, the Transmission System Operator shall, within 12 months from the identification of the congestion, assess whether, during the previous 12 months, the available cross-zonal capacity has reached the minimum capacity threshold determined in Article 32, paragraph 7 of this Law, and shall submit a report to the Regulator. The Regulator shall without delay notify the Energy Community Secretariat and the ECRB. 10. In case the assessment referred to in paragraph 9 demonstrates that transmission system operators have not complied with the minimum capacity, the decision-making process laid down in paragraph 6 of this Article shall apply.	decision-making process laid down in paragraph 5 of this Article shall apply. Regulation (EU) 2018/942 Article 3 General tasks 1. <...> 2. At ACER's request, the regulatory authorities, the ENTSO for Electricity, the ENTSO for Gas, the regional coordination centres, the Coordination Group of the Energy Community Distribution System Operators established by Procedural Act No 2018/01/MC-EnC, the transmission system operators and the nominated electricity market operators shall provide to ACER the information necessary for the purpose of carrying out ACER's tasks under this Regulation, unless ACER has already requested and received such information. For the purpose of information requests as referred to in the first subparagraph, ACER shall have the power to issue decisions. In its decisions, ACER shall specify the purpose of its request, shall make a reference to the legal basis under which the information is requested, and shall state a time limit within which the information is to be provided. That time limit shall be proportionate to the request. ACER shall use confidential information received pursuant to this Regulation only for the purpose of carrying out the tasks assigned to it in this Regulation. ACER		
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	shall ensure the appropriate data protection of the information pursuant to Article 41 of Regulation (EU) 2019/942.		
Article 32 General principles of capacity allocation and congestion management 1. The Transmission System Operator shall offer to the market participants maximum available capacity on the interconnectors and in the parts of the transmission network of the Republic of Kosovo most affected by the cross-border flows, subject to compliance with the applied security and safety standards for transmission system operation in accordance with this law, the Market Rules and other legislative acts developed on the basis of this Law and the international agreements binding for the Republic of Kosovo including the Energy Community Treaty and the agreements and obligations from the cooperation within the ENTSO-E, while not threatening the security of electricity supply in the Republic of Kosovo or any other Energy Community Contracting Party or EU Member State. 2. The Transmission System Operator shall address network congestions by applying: 2.1 non-discriminatory and market-based measures, including redispatching and countertrading, designed to provide economic signals to market participants and other transmission system operators involved; 2.2 non-transaction-based methods, such that do not involve prioritization or	Regulation 2019/943 Article 16 General principles of capacity allocation and congestion management 1. Network congestion problems between the Parties to the Energy Community shall be addressed with non-discriminatory market-based solutions which give efficient economic signals to the market participants and transmission system operators involved. Network congestion problems shall be solved by means of non-transaction-based methods, namely methods that do not involve a selection between the contracts of individual market participants. When taking operational measures to ensure that its transmission system remains in the normal state, the transmission system operator shall take into account the effect of those measures on neighbouring control areas and coordinate such measures with other affected transmission system operators as provided for in Regulation (EU) 2015/1222, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC. 2. Transaction curtailment procedures shall be used only in emergency situations, namely where the transmission system operator must act in an expeditious manner and redispatching or countertrading is not possible. Any such procedure shall be	Partially compliant	Important amendment of Article 57 of the existing law (Management of cross-border flow) Partially transposes the provisions from Regulation 943 on criteria and measures for congestion management including cooperation with the RCC, and sets a target for 70% of the net interconnection capacity to be available on the market until 2027. The article partially transposes the criteria for the distribution of interzonal capacity in both explicit and implicit auctions. The full transposition requires the development and approval of a Procedure for cross-border congestion corrective actions and the Procedure for the distribution of interzonal capacities and congestion management, as part of the Transmission Network Code.

selection between contracts of individual market participants; 2.3 operational measures to ensure normal state of operation of the transmission system taking into account the effect of those measures on the neighbouring control areas, in coordination with the other affected transmission system operators; 2.4 transaction curtailments of the allocated capacity only in emergency situations when the Transmission System Operator must act in expeditious manner, and when redispatching or countertrading is not available, provided that any such procedure is applied in a proportionate and non-discriminatory manner; 2.5 financial compensation, except in cases of force majeure, to the affected market participants that have been allocated transmission capacity, for any curtailment referred to in subparagraph 2.4. of this article. 3. The Transmission System Operator shall provide the Regional Coordination Centre all the data required for calculation of the cross-zonal capacities, including data on the technical availability of any remedial actions for congestion management not including load shedding 4. Where the Regional Coordination Centre has reported that those available remedial actions provided in the Capacity Calculation Region including from the neighbouring capacity calculation regions are not sufficient to reach the linear trajectory pursuant to Article 31, paragraph	applied in a non-discriminatory manner. Except in cases of force majeure, market participants that have been allocated capacity shall be compensated for any such curtailment. 3. Regional coordination centres shall carry out coordinated capacity calculation in accordance with paragraphs 4 and 8 of this Article, as provided for in point (a) of Article 37(1) and in Article 42(1). Regional coordination centres shall calculate cross-zonal capacities respecting operational security limits using data from transmission system operators including data on the technical availability of remedial actions, not including load shedding. Where regional coordination centres conclude that those available remedial actions in the capacity calculation region or between capacity calculation regions are not sufficient to reach the linear trajectory pursuant to Article 15(2) or the minimum capacities provided for in paragraph 8 of this Article while respecting operational security limits, they may, as a measure of last resort, set out coordinated actions reducing the cross-zonal capacities accordingly. Transmission system operators may deviate from coordinated actions in respect of coordinated capacity calculation and coordinated security analysis only in accordance with Article 42(2). By 3 months after the entry into operation of the regional coordination centres		
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3 of this Law or the minimum capacities provided for in paragraph 7 of this Article while respecting operational security limits and, as a measure of last resort, has set out coordinated actions reducing the cross-zonal capacities, the Transmission System Operator may decide, upon approval and under supervision from the Regulator, to deviate from the coordinated actions set out by the Regional Coordination Centre. The Transmission System Operator may deviate with respect to the coordinated capacity calculation and coordinated security analysis only in accordance with Article 38 of this Law. 5. Provided that every three (3) months the Transmission System Operator and the Regulator receive from the Regional Coordination Centre a report on the reduction of capacity or deviation from coordinated actions pursuant to paragraph 4 of this Article, which assesses the incidences and provides recommendations on how to avoid such deviations, and if ACER, acting in accordance with its powers conferred under the Energy Community legislative framework has submitted to the Regulator, directly or through the ECRB, an opinion that the prerequisites for a deviation pursuant to paragraph 4 of this Article are not fulfilled, or are of a structural nature, the Regulator shall verify the opinion of ACER and shall take appropriate action against the Transmission System Operator, or the Regional Coordination Centre, pursuant to this Law and the relevant Law on Energy	pursuant to Article 35 of this Regulation and every three months thereafter, the regional coordination centres shall submit a report, corresponding to the reports submitted pursuant to Article 16(3) of the Regulation (EU) 2019/943, to the relevant regulatory authorities, to the Energy Community Regulatory Board and, to the extent Member States are affected, to the Agency for the Cooperation of Energy Regulators on any reduction of capacity or deviation from coordinated actions pursuant to the second subparagraph and shall assess the incidences and make recommendations, if necessary, on how to avoid such deviations in the future. If the Agency for the Cooperation of Energy Regulators, acting in accordance with Article 2 of Procedural Act No 2022/01/MC-EnC, or the Energy Community Regulatory Board concludes that the prerequisites for a deviation pursuant to this paragraph are not fulfilled or are of a structural nature, the Agency for the Cooperation of Energy Regulators, acting in accordance with Article 2 of Procedural Act No 2022/01/MC-EnC, or the Energy Community Regulatory Board shall submit an opinion to the relevant regulatory authorities, to the European Commission and to the Energy Community Secretariat. Before issuing an opinion, the Energy Community Regulatory Board and the Agency for the Cooperation of Energy Regulators shall consult each other. The competent		
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Regulator. Any deviations of a structural nature shall be addressed in an action plan referred to in Article 32 paragraph 1 of this Law, or in an update of an existing action plan. 6. The Transmission System Operator shall use countertrading and redispatch, including cross-border redispatch, to maximize available capacities and reach the minimum capacity threshold provided for in the paragraph 7 of this Article. A coordinated and non-discriminatory procedure for cross-border congestion remedial actions shall be applied to enable such maximization, following the implementation of a redispatching and counter-trading cost-sharing methodology, developed by the Transmission System Operator and approved by the Regulator. The Transmission System Operator shall not limit the volume of available interconnection capacity as a means for solving congestions inside its bidding zone or for managing flows resulting from internal transactions within the bidding zone 7. Without prejudice to the deviations from paragraph 4 of this Article, the derogations from paragraph 10 of this Article, and the exemptions from Article 38 of this Law, the maximum transmission capacity threshold criteria are considered to be met where the following minimum levels of available capacity for cross-zonal trade are reached: 7.1 for borders using coordinated net-	regulatory authorities shall take appropriate action against transmission system operators or regional coordination centres pursuant to Article 59 or 62 of Directive EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC, if the prerequisites for a deviation pursuant to this paragraph were not fulfilled. Deviations of a structural nature shall be addressed in an action plan referred to in Article 14(7) or in an update of an existing action plan. 4. The maximum level of capacity of the interconnections and the transmission networks affected by cross-border capacity between Parties to the Energy Community shall be made available to market participants complying with the safety standards of secure network operation. Counter-trading and redispatch, including cross-border redispatch, shall be used to maximise available capacities to reach the minimum capacity provided for in paragraph 8. A coordinated and non-discriminatory process for cross-border remedial actions shall be applied to enable such maximisation, following the implementation of a redispatching and counter-trading cost-sharing methodology. 5. Capacity shall be allocated by means of explicit capacity auctions or implicit auctions including both capacity and energy. Both methods may coexist on the same interconnection. For intraday trade, continuous trading, which may be		
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transmission-capacity auctions, the minimum capacity shall be 70% of the transmission capacity, respecting the operational security limits after deduction of contingencies; 7.2 for borders using a flow-based capacity calculation approach, the minimum capacity shall be a margin set in the capacity calculation process as available for flows induced by cross-zonal exchange. The margin shall be 70 % of the capacity respecting operational security limits of internal and cross-zonal critical network elements, taking into account contingencies; 7.3 the total amount of 30% of the capacity can be used for the reliability margins, loop flows and internal flows on each critical network element. 8. Capacity shall be allocated through explicit auctions, or implicit auctions including both transmission capacity and energy, or both. Both methods may be applied on the same interconnection simultaneously and complementarily, including for the purpose of continuous intraday trading. Capacity may be traded on secondary market, provided that the Transmission System Operator is informed sufficiently in advance, under conditions which are defined in the Procedure of paragraph 16 of this Article. The Transmission System Operator may refuse a secondary capacity transaction, in which case the refusal shall be clearly and transparently communicated and justified to all market participants dully in advance,	complemented by auctions, shall be used. 6. In the case of congestion, the valid highest value bids for network capacity, whether implicit or explicit, offering the highest value for the scarce transmission capacity in a given timeframe, shall be successful. Other than in the case of new interconnectors which benefit from an exemption under Article 7 of Regulation (EC) No 1228/2003, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC, Article 17 of Regulation (EC) No 714/2009, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC, or Article 63 of this Regulation, establishing reserve prices in capacity-allocation methods shall be prohibited. 7. Capacity shall be freely tradable on a secondary basis, provided that the transmission system operator is informed sufficiently in advance. Where a transmission system operator refuses any secondary trade (transaction), this shall be clearly and transparently communicated and explained to all the market participants by that transmission system operator and notified to the regulatory authority. 8. Transmission system operators shall not limit the volume of interconnection capacity to be made available to market participants as a means of solving congestion inside their own bidding zone or as a means of managing flows resulting from transactions internal to bidding zones. Without prejudice to the		
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and notified to the Regulator. The Transmission System Operator shall offer to the market any capacity that has not been used in the primary or secondary market , in an open, transparent and non-discriminatory manner in a different timeframe. 9. In case of congestion, the valid highest value bids for network capacity, whether implicit or explicit, offered in a given timeframe, shall be successful. Other than in the case of new interconnectors which benefit exemption from third-party access under Article 38 of this Law, establishing reserve capacity prices in a capacity allocation methods shall be prohibited. As far as it is technically possible, the Transmission System Operator shall net-out the capacity requirements of electricity flows in opposite directions over the congested interconnection line, in order to use that line to its maximum capacity. Having full regard to network security, transactions that relieve the congestion shall not be refused. 10. Upon request from the Transmission System Operator, with a consent from all the regulators of the Capacity Calculation Region and a published reasoned justification, the Regulator may grant a derogation from the requirement for minimum level of available capacity of paragraph 7 of this article, for a limited period of time of no more than one (1) year at a time or, provided that the extent of the derogation decreases significantly after the first year, up to a	application of the derogations under paragraphs 3 and 9 of this Article and to the application of Article 15(2), this paragraph shall be considered to be complied with where the following minimum levels of available capacity for cross-zonal trade are reached: (a) for borders using a coordinated net transmission capacity approach, the minimum capacity shall be 70 % of the transmission capacity respecting operational security limits after deduction of contingencies, as determined in accordance with Regulation (EU) 2015/1222, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC; (b) for borders using a flow-based approach, the minimum capacity shall be a margin set in the capacity calculation process as available for flows induced by cross-zonal exchange. The margin shall be 70 % of the capacity respecting operational security limits of internal and cross- zonal critical network elements, taking into account contingencies, as determined in accordance with Regulation (EU) 2015/1222, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC. The total amount of 30 % can be used for the reliability margins, loop flows and internal flows on each critical network element. 9. At the request of the transmission system operators in a capacity calculation region, the relevant regulatory authorities may grant a derogation from paragraph 8		
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maximum of two (2) years. The extent of such derogations shall be limited to what is strictly necessary to maintain operational security, and shall avoid discrimination between internal and cross-zonal exchanges. Specific conditions and steps for application of a derogation shall be defined in the procedure of paragraph 16 of this article. 11. Before granting a derogation pursuant to paragraph 10 of this Article, the Regulator shall consult the regulatory authorities of other EU Member States and Energy Community Contracting Parties from the affected Capacity Calculation Region. Where a regulatory authority disagrees with the proposed derogation, the Regulator shall address the ECRB and, to the extent EU Member States are affected, the ACER, to decide whether the derogation should be granted. The justification and reasons for the derogation shall be published. Pursuant to a granted derogation, the Transmission System Operator shall develop and publish a methodology and define projects that shall provide a long-term solution to the issue that the derogation seeks to address. The derogation shall expire when its time limit is reached or when a solution to the issue is applied, whichever is earlier. 12. As far as it is technically possible, the Transmission System Operator shall net-out the capacity requirements of electricity flows in opposite directions over the congested interconnection line, in order to use that line to its maximum capacity.	on foreseeable grounds where necessary for maintaining operational security. Such derogations, which shall not relate to the curtailment of capacities already allocated pursuant to paragraph 2, shall be granted for no more than one-year at a time, or, provided that the extent of the derogation decreases significantly after the first year, up to a maximum of two years. The extent of such derogations shall be strictly limited to what is necessary to maintain operational security and they shall avoid discrimination between internal and cross-zonal exchanges. Before granting a derogation, the relevant regulatory authority shall consult the regulatory authorities of other Member States and Contracting Parties forming part of the affected capacity calculation regions. Where a regulatory authority disagrees with the proposed derogation, the Energy Community Regulatory Board and, to the extent Member States are affected, the Agency for the Cooperation of Energy Regulators, acting in accordance with Article 2 of Procedural Act No 2022/01/MC-EnC, shall decide whether it should be granted pursuant to Article 62(1)(f) of Directive (EU) 2019/944, including as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC. The justification and reasons for the derogation shall be published. Before taking a decision, the Energy Community Regulatory Board and		
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Having full regard to network security, transactions that relieve the congestion shall not be refused. 13. The market participants shall confirm to the Transmission System Operator their intention to use the allocated transmission capacity within a deadline sufficiently in advance of the activation time. The Transmission System Operator shall make available to the market, in an open, transparent and non-discriminatory manner, any capacity for which the intention to be used is not duly confirmed. 14. The financial consequences of a failure to fulfill the obligations related to the allocation of capacity shall be attributed to the Transmission System Operator or the NEMO, depending on who is responsible for such a failure. The market participant who fails to use the allocated transmission capacity that has been confirmed for activation pursuant to paragraph 13 of this Article, or fails to trade on the secondary market or to return back to the Transmission System Operator the unused allocated capacity in due time, shall lose any outstanding rights to the use of that capacity and shall pay a cost-reflective, justified and proportionate charge. In case the Transmission System Operator does not provide the confirmed transmission capacity it shall pay the market participant due compensation for the loss of capacity rights, but not for any consequential losses. The concrete reimbursement rules and calculation methodology in respect of the financial consequences shall be laid out by	the Agency for the Cooperation of Energy Regulators shall consult each other. Where a derogation is granted, the relevant transmission system operators shall develop and publish a methodology and projects that shall provide a long-term solution to the issue that the derogation seeks to address. The derogation shall expire when the time limit for the derogation is reached or when the solution is applied, whichever is earlier. 10. Market participants shall inform the transmission system operators concerned within a reasonable period in advance of the relevant operational period whether they intend to use allocated capacity. Any allocated capacity that is not going to be used shall be made available again to the market, in an open, transparent and non-discriminatory manner. 11. As far as technically possible, transmission system operators shall net the capacity requirements of any power flows in opposite directions over the congested interconnection line in order to use that line to its maximum capacity. Having full regard to network security, transactions that relieve the congestion shall not be refused. 12. The financial consequences of a failure to honour obligations associated with the allocation of capacity shall be attributed to the transmission system operators or NEMOs who are responsible for such a failure. Where market participants fail to use the capacity that they have committed to use, or, in the		
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the Transmission System Operator in advance, approved by the Regulator and published. 15. When allocating the costs of a remedial actions between the involved transmission system operators, the Regulator in coordination with the other respective regulatory authorities, shall analyze to what extent the flows resulting from transactions internal to a bidding zone observed contribute to the congestion on the interconnector with a neighbouring bidding zone, and allocate the costs based on the contribution of the flows to the congestion, to the transmission system operators of the bidding zone creating such flows, except for the costs induced by flows resulting from transactions internal to a bidding zone that are below the level that could be expected without any structural congestion in the bidding zone. That level is jointly analyzed by all transmission system operators in a Capacity Calculation Region and defined for each individual bidding zone border and approved by all regulatory authorities in the Capacity Calculation Region. 16. In order to closely define and regulate the activities from this Article, the Transmission System Operator shall develop rules and procedures which shall implement the relevant terms and conditions or methodologies provided by the network codes and guidelines of Article 13 subparagraph 2.1 of this Law as appropriate, and which shall be approved by the Regulator and published.	case of explicitly auctioned capacity, fail to trade capacity on a secondary basis or give the capacity back in due time, those market participants shall lose the rights to such capacity and shall pay a cost-reflective charge. Any cost-reflective charges for the failure to use capacity shall be justified and proportionate. If a transmission system operator does not fulfil its obligation of providing firm transmission capacity, it shall be liable to compensate the market participant for the loss of capacity rights. Consequential losses shall not be taken into account for that purpose. The key concepts and methods for the determination of liabilities that accrue upon failure to honour obligations shall be set out in advance in respect of the financial consequences, and shall be subject to review by the relevant regulatory authority. 13. When allocating costs of remedial actions between transmission system operators, regulatory authorities shall analyse to what extent flows resulting from transactions internal to bidding zones contribute to the congestion between two bidding zones observed, and allocate the costs based on the contribution to the congestion to the transmission system operators of the bidding zones creating such flows except for costs induced by flows resulting from transactions internal to bidding zones that are below the level that could be expected without structural		
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	congestion in a bidding zone. That level shall be jointly analysed and defined by all transmission system operators in a capacity calculation region for each individual bidding zone border, and shall be subject to the approval of all regulatory authorities in the capacity calculation region.		
Article 33 Allocation of cross-zonal capacity across timeframes 1. The Transmission System Operator shall develop and apply and submit it to the Regulator for approval an appropriate structure for efficient allocation of cross-zonal capacity across the day-ahead, intraday and balancing timeframes.. 2. The Transmission System Operator shall recalculate available cross-zonal transmission capacity after each day-ahead gate closure and after each intraday gate closure times. Based on the calculations, in the following capacity allocation process the Transmission System operator shall offer the whole available capacity including capacity dedicated to the corresponding timeframe, plus any remaining capacity not previously allocated and any capacity released by physical transmission right holders from previous allocations 3. In developing the allocation structure, the Transmission System Operator shall take into account: 3.1 the characteristics of the markets; 3.2 the operational conditions of the electricity system, such as the implications	Regulation (EU) 2019/943 Article 17 Allocation of cross-zonal capacity across timeframes 1. Transmission system operators of Member States and Contracting Parties shall recalculate available cross-zonal capacity at least after day-ahead gate closure times and after intraday cross-zonal gate closure times. Transmission system operators shall allocate the available cross-zonal capacity plus any remaining cross-zonal capacity not previously allocated and any cross-zonal capacity released by physical transmission right holders from previous allocations in the following cross-zonal capacity allocation process. 2. Transmission system operators shall propose an appropriate structure for the allocation of cross-zonal capacity across timeframes, including day-ahead, intraday and balancing. That allocation structure shall be subject to review by the relevant regulatory authorities. In drawing up their proposal, the transmission system operators shall take into account:	Partially compliant	The new article Transposes the provisions from Regulation 943 on the criteria for the effective use of the remaining transmission capacities in the allocation process in different time frames such as future time frames, one day before and intraday and balancing (in real time). More details will be transposed in the Procedure for the allocation of interzonal capacities and congestion management.

of netting firmly declared schedules; 3.3 the level of harmonization of the percentages allocated to different timeframes and the timeframes adopted for the different cross-zonal capacity allocation mechanisms that are already in place. 4. Where cross-zonal day-ahead transmission capacity is available after the day-ahead gate closure, the Transmission System Operator shall use such capacity for allocation in the intraday timeframe. Where cross-zonal intraday transmission capacity is available after the intraday cross-zonal gate closure time, the Transmission System Operator shall use such capacity for the exchange of balancing energy or for imbalance netting. 5. Where cross-zonal capacity is allocated for the exchange of balancing capacity or for sharing reserves in accordance with Article 50, the Transmission System Operator shall use methodologies developed in accordance with the provisions from the Guideline on electricity balancing, indicated in Article 13 subparagraph 2.1 of this Law. The Transmission System Operator shall not increase the reliability margin calculated pursuant to the methodology developed in accordance with the provisions from the Guideline on capacity allocation and congestion management, indicated in Article 13, subparagraph 2.1 of this Law, due to the exchange of balancing capacity or sharing of reserves.	(a) the characteristics of the markets; (b) the operational conditions of the electricity system, such as the implications of netting firmly declared schedules; (c) the level of harmonisation of the percentages allocated to different timeframes and the timeframes adopted for the different cross-zonal capacity allocation mechanisms that are already in place. 3. Where cross-zonal capacity is available after the intraday cross-zonal gate closure time, transmission system operators shall use the cross-zonal capacity for the exchange of balancing energy or for the operation of the imbalance netting process. 4. Where cross-zonal capacity is allocated for the exchange of balancing capacity or sharing of reserves pursuant to Article 6(8) of this Regulation, transmission system operators shall use the methodologies developed in accordance with Regulation (EU) 2017/2195, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC. 5. Transmission system operators shall not increase the reliability margin calculated pursuant to Regulation. (EU) 2015/1222, as adapted and adopted by Ministerial Council Decision		
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	2022/03/MC-EnC, due to the exchange of balancing capacity or sharing of reserves		
Article 34 Congestion income 1. The Transmission System Operator shall develop a procedure for the calculation and distribution of congestion income which shall neither distort the allocation process in favor of any party requesting capacity or energy, nor provide a disincentive to reduce congestion. The procedure shall be subject to review and approval by the Regulator. 2. Congestion management associated with a specified timeframe may generate revenues only in the event of congestion which arises in the transmission capacity allocated for use within that timeframe. Congestion fees shall not be calculated or charged for congestion caused by new interconnectors which benefit from an exemption from third party access under article 38 of this law. 3. In the allocation of any income resulting from congestion of cross-zonal transmission capacity priority shall be given to: 3.1 guaranteeing the actual availability of the allocated capacity including compensation for the guaranteed capacity not delivered; 3.2 maintaining or increasing cross-zonal capacities by optimizing the usage of existing interconnections through coordinated remedial actions of article 31, paragraph 3 of this law or, 3.3 covering the costs from network	Regulation 2019/943 Congestion income 1. Congestion-management procedures associated with a pre-specified timeframe may generate revenue only in the event of congestion which arises for that timeframe, except in the case of new interconnectors which benefit from an exemption under Article 63 of this Regulation, Article 17 of Regulation (EC) No 714/2009, as adapted by Ministerial Council Decision 2011/02/MC- EnC or Article 7 of Regulation (EC) No 1228/2003, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC. The procedure for the distribution of those revenues shall be subject to review by the regulatory authorities and shall neither distort the allocation process in favour of any party requesting capacity or energy nor provide a disincentive to reduce congestion. 2. The following objectives shall have priority with the respect to the allocation of any revenues resulting from the allocation of cross-zonal capacity: (a) guaranteeing the actual availability of the allocated capacity including firmness compensation; or (b) maintaining or increasing cross-zonal capacities through optimization of the usage of existing interconnectors by	Partially compliant	The new Article Transposes the provisions of Regulation 943 on the sources and treatment of congestion income and the principles of their disbursement and reporting. More details are expected to be transposed in a Procedure for the disbursement of congestion revenue which should be approved as an appendix to the Transmission Network Code.

investments that are relevant for the reduction of congestions or increase of the capacity on the interconnectors pursuant to article 32 of this law, as applicable. 4. In case all the priority expenses of paragraph 3 of this article have been adequately accomplished, the residual revenues may be taken into account by the Regulator as income when applying the methodology for calculating or fixing the network tariffs. 5. Any residual income shall be placed on a separate internal account of the Transmission System Operator until such a time as it can be used for the purposes set out in paragraph 3 of this article. 6. The distribution of the residual congestion incomes of paragraph 5 of this Article shall be determined through the procedure of paragraph 1 of this Article and by applying the Congestion Income Distribution Methodology adopted by ACER, in accordance with the provisions from the Guideline on capacity allocation and congestion management, indicated in Article 13, subparagraph 2.1 of this Law. The Transmission System Operator shall establish in advance, on annual basis, a plan on how the congestion income will be used in the forthcoming period and shall provide report to the Regulator on the actual use of that income. 7. The Regulator shall develop a report on the use of the congestion income, including: 7.1 the amount of income collected during the previous 12-month period	means of coordinated remedial actions, where applicable, or covering costs resulting from network investments that are relevant to reduce interconnector congestion 3. Where the priority objectives set out in paragraph 2 have been adequately fulfilled, the revenues may be used as income to be taken into account by the regulatory authorities when approving the methodology for calculating network tariffs or fixing network tariffs, or both. The residual revenues shall be placed on a separate internal account line until such a time as it can be spent for the purposes set out in paragraph 2. 4. The use of revenues in accordance with point (a) or (b) of paragraph 2 shall be subject to the methodology adopted by the Agency for the Cooperation of Energy Regulators in accordance with Article 19(4) of Regulation (EU) 2019/943. <...>¹ 5. Transmission system operators shall clearly establish, in advance, how any congestion income will be used, and shall report to the regulatory authorities on the actual use of that income. By 1 March each year, the regulatory authorities shall inform the Energy Community Regulatory Board and shall publish a report setting out: (a) the amount of revenue collected for the 12-month period ending on 31 December of the previous year; (b) how that revenue was used pursuant to paragraph 2, including the specific		
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ending on 31 December previous year; 7.2 how the income was disbursed in the context of paragraph 3 of this Article, including the specific projects it has been used for, and the amount placed on the separate account pursuant to paragraph 5 of this Article; 7.3 the amount used in the calculation of the transmission network tariffs pursuant to paragraph 4 of this Article and, 7.4 verification that the amount in subparagraph 7.3 of this Article complies with this Law and the rules and methodologies developed pursuant to paragraph 6 of this Article. 8. Where some of the congestion income are used when calculating network tariffs, the report from paragraph 7 of this Article shall set out how the Transmission System Operator fulfilled the priority objectives set out in paragraph 3 of this Article, where applicable. 9. The Regulator shall submit the report from paragraph 7 of this Article to the ECRB by 1 March each year.	projects the income has been used for, and the amount placed on a separate account line; (c) the amount that was used when calculating network tariffs; and; (d) verification that the amount referred to in point (c) complies with this Regulation and the methodology developed pursuant to paragraphs 3 and 4. Where some of the congestion revenues are used when calculating network tariffs, the report shall set out how the transmission system operators fulfilled the priority objectives set out in paragraph 2 where applicable. Regulation (EU) 2018/942 Article 4 Tasks of ACER as regards the cooperation of transmission system operators and distribution system operators 1. <...> 2. <...> 3. <...> 4. ACER, where appropriate, after requesting updates to the drafts submitted by transmission system operators, shall approve the methodology regarding the use of revenues from congestion income pursuant to Article 19(4) of Regulation (EU) 2019/943, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC. 5. <...>		
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	6. The relevant regulatory authorities shall coordinate in order to jointly identify whether there is non-compliance of <...> regional coordination centres with their obligations under Energy Community law and shall take appropriate action in accordance with point (c) of Article 59(1) and point (f) of Article 62(1) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC. At the request of one or more regulatory authorities or at its own initiative, ACER shall issue a reasoned opinion as well as a recommendation to <...> regional coordination centres with regard to compliance with their obligations. 7. Where a reasoned opinion of ACER identifies a case of potential non-compliance of <...> a regional coordination centre with their respective obligations, the regulatory authorities concerned shall unanimously take coordinated decisions establishing whether there is non-compliance with the relevant obligations and, where applicable, determining the measures to be taken by the <...> regional coordination centre to remedy that non-compliance. Where the regulatory authorities fail to take such coordinated decisions unanimously within four months of the date of receipt of ACER's reasoned opinion, the matter shall be referred to ACER for a decision pursuant		
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	to Article 6(10).		
Article 35 Regional Coordination Centre 1. Within six (6) months upon the establishment of the System Operation Region, the Transmission System Operator shall participate in the establishment, as applicable, and support the management and operation of the Regional Coordination Center established for the respective System Operation Region which includes the Bidding Zone of the Republic of Kosovo. 2. The Regional Coordination Centre complements the role of the Transmission System Operator on regional level by performing the tasks of regional relevance assigned to it as indicated in paragraph 3 of this Article, whereas the Transmission System Operator is responsible for managing the electricity flows in the transmission network and the interconnections and providing a secure, reliable and efficient electricity transmission system. In performing its tasks, the Regional Coordination Center acts independently from the national interests and the interests of participating	Regulation 2019/943 Article 35 Establishment and mission of regional coordination centres 1. <...> 2. <...> The regional coordination centres shall replace the regional security coordinators established pursuant to the system operation guideline adopted on the basis of Article 18 of Regulation (EC) No 714/2009 and shall enter into operation in accordance with Annex IV. 3. Regional coordination centres shall have a legal form referred to in Annex II to Directive (EU) 2017/1132 of the European Parliament and of the Council. 4. In performing their tasks under Energy Community and Union law, regional coordination centres shall act independently of individual national interests and independently of the interests of transmission system operators. 5. Regional coordination centres shall complement the role of transmission system operators by performing the tasks of regional relevance assigned to them in accordance with Article 37. Transmission system operators shall be responsible for managing electricity flows and ensuring a secure, reliable and efficient electricity system in accordance with	Partially compliant	The new article partially transposes the provisions from Regulation 943 on the scope of topics for the cooperation of the OST with the RCC and the obligations to coordinate its actions, the provision of information, the monitoring of the RCC by the Regulator and the obligations, including the coverage of costs for RCC services. Full transposition should be ensured by the development and adoption of a Procedure for implementing the calculation of regional coordinated capacities and corrective actions in congestion management, as part of the Transmission Network Code.

transmission system operators. 3. The Transmission System Operator shall provide the Regional Coordination Centre all the information necessary to carry out its tasks and shall apply all the received information needed for the coordinated actions, regionally relevant terms, conditions or methodologies and other tasks, notification or recommendations issued by the Regional Coordination Centre. The Transmission System Operator shall use the services provided by the Regional Coordination Centre in the System Operation Region and the Capacity Calculation Region, in the following areas of regional significance: 3.1 coordinated cross-zonal capacity calculation; 3.2 coordinated security analysis; 3.3 coordinated remedial actions in congestion management; 3.4 creation of the common grid model; 3.5 seasonal system adequacy assessment if, and to the extent it is delegated to the Regional Coordination Centre;	point (d) of Article 40(1) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC. Regulation 2019/943 Article 36 Geographical scope of regional coordination centres 1. The system operation regions defined by Annex V shall cover transmission system operators, bidding zones, bidding zone borders, capacity calculation regions and outage coordination regions <...> 35 2. Within six months upon the establishment of a system operation region in line with Annex V, each transmission system operator shall participate in any of the regional coordination centres defined by Annex IV. In exceptional circumstances, where the control area of a transmission system operator is part of various synchronous areas, the transmission system operator may participate in two regional coordination centres. <...>. <...> Where the activities of two or more regional coordination centres may overlap in a system operation region, the transmission system operators of that system operation region shall decide to either designate a single regional coordination		
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3.6 regional week-ahead, to at least day-ahead system adequacy forecasts and preparation of risk mitigation measures; 3.7 consistency assessment of the Transmission System Operator's defense plans and restoration plans; 3.8 regional outage planning coordination; 3.9 restoration of the regional systems operation in case of outage, as requested by the transmission system operators of the System Operation Region; 3.10 post-operational and post-disturbance analysis and reporting; 3.11 regional quantification of the security reserve generation capacity margin; 3.12 regional procurement of balancing energy; 3.13 optimization of the inter-transmission system operation settlement, as requested by the transmission system operators of the System Operation Region; 3.14 identification of regional electricity crisis scenarios, if and to the extent they are delegated to the Regional	centre in that region or that the two or more regional coordination centres carry out some or all of the tasks of regional relevance in the entire system operation region on a rotational basis in coordination, while other tasks are carried out by a single designated regional coordination centre. 3. <...> 4. <...> Regulation 2019/943 Article 37 Tasks of regional coordination centres 1. Each regional coordination centre shall carry out at least all the following tasks of regional relevance in the system operation region for which it is established and cooperate with regional coordination centres carrying out tasks in the same system operation regions 1. Each regional coordination centre shall carry out at least all the following tasks of regional relevance in the system operation region for which it is established and cooperate with regional coordination centres carrying out tasks in the same system operation regions: (a) carrying out the coordinated capacity calculation in accordance with the methodologies developed pursuant to Regulation (EU) 2015/1222, as adopted and adapted by Ministerial		
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Coordination Centre; 3.15 calculation of the maximum entry generation capacity available for the participation of foreign capacity in the capacity mechanism for the purposes of issuing a recommendation pursuant to Article 29 paragraph 7 of this Law; 3.16 identification of the needs for new transmission capacity and/or upgrade of existing transmission capacity, as applicable, to be coordinated within the System Operation Region and included in the ten (10)year network development plan; and 3.17 training and certification of the staff working for the Regional Coordination Centre. 4. The Transmission System Operator shall implement the coordinated actions issued by the Regional Coordination Centre with respect to the tasks referred to in subparagraphs 3.1, 3.2 and 3.3 of this Article, except where the implementation of the coordinated actions would result in violation of its operational security limits defined by the Transmission System Operator in accordance with Transmission Grid Code. The Transmission System Operator shall take into account	Council Decision 2022/03/MC-EnC; (b) carrying out the coordinated security analysis in accordance with the methodologies developed pursuant to Regulation (EU) 2017/1485, as adopted and adapted by Ministerial Council Decision 2022/03/MC-EnC; (c) creating common grid models in accordance with the methodologies and procedures developed pursuant to Regulation (EU) 2017/1485, as adopted and adapted by Ministerial Council Decision 2022/03/MC-EnC; (d) supporting the consistency assessment of transmission system operators' defence plans and restoration plans in accordance with the procedure set out in Regulation (EU) 2017/2196, as adopted and adapted by Ministerial Council Decision 2022/03/MC-EnC; (e) carrying out regional week ahead to at least day-ahead system adequacy forecasts and preparation of risk reducing actions in accordance with the methodology set out in Article 8 of Regulation (EU) 2019/941, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC, and the procedures set out in Regulation (EU) 2017/1485, as adopted and adapted by Ministerial Council Decision 2022/03/MC-EnC; (f) carrying out regional outage planning coordination in accordance with the procedures and methodologies set out in		
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any recommendations issued by the Regional Coordination Centre in relation to the tasks listed in subparagraphs 3.4 to 3.16 of this Article. 5. The Transmission System Operator, in cooperation with the Transmission System Operators in the Capacity Calculation Region or the System Operation Region, shall develop and apply a procedure for the adoption, revision and implementation of the coordinated actions issued by the Regional Coordination Centre. The procedure shall also regulate the refusal to take actions, modifications of the set of actions and possible deviations, review of the actions and recommendations and their coordinated adjustment by the Regional Coordination Centre. 6. In case the Transmission System Operator decides not to implement a coordinated action as set out in this Article, it shall transparently report the detailed reasons to the Regional Coordination Centre and the transmission system operators of the System Operation Region as soon as possible.. The Transmission System Operator shall follow any assessment provided by the Regional Coordination Centre related to the impact of that decision on the other transmission system operators of the System Operation	Regulation (EU) 2017/1485, as adopted and adapted by Ministerial Council Decision 2022/03/MC-EnC; (g) training and certification of staff working for regional coordination centres; (h) supporting the coordination and optimisation of regional restoration as requested by transmission system operators; (i) carrying out post-operation and post-disturbances analysis and reporting; (j) regional sizing of reserve capacity; (k) facilitating the regional procurement of balancing capacity; (l) supporting transmission system operators, at their request, in the optimisation of inter- transmission system operators settlements; (m) carrying out tasks related to the identification of regional electricity crisis scenarios if and to the extent they are delegated to the regional coordination centres pursuant to Article 6(1) of Regulation (EU) 2019/941, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC; (n) carrying out tasks related to the seasonal adequacy assessments if and to the extent that they are delegated to the regional coordination centres pursuant to Article 9(2) of Regulation (EU) 2019/941, as adapted and adopted by Ministerial Council Decision 2021/13/MC- EnC; (o) calculating the value for the maximum entry capacity available for the participation of foreign capacity in		
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Region and any proposal of a different set of coordinated actions, following the procedure set out in paragraph 5 of this Article. 7. In case the Transmission System Operator decides to deviate from the recommendations as referred to in paragraph 4 of this Article it shall, without delay, submit a justification for its decision to the Regional Coordination Centre and to the transmission system operators of the System Operation Region and consider following any proposal received from the Regional Coordination Centre. 8. The Transmission System Operator alone, or in coordination with other transmission system operators from the System Operation Region, may initiate a review of the coordinated actions or recommendations referred to in paragraph 4 of this Article, by submitting a request to the Regional Coordination Centre. Following the findings in the review, the Regional Coordination Centre may recommend to preserve or modify the coordinated measures. The request for review shall not suspend the application of the coordinated actions in the course of the review, except where the implementation of the coordinated action would result in violation of the operational security limits	capacity mechanisms for the purposes of issuing a recommendation pursuant to Article 26(7); (p) carrying out tasks related to supporting transmission system operators in the identification of needs for new transmission capacity, for upgrade of existing transmission capacity or their alternatives, to be submitted to the regional groups established pursuant to Regulation (EU) No 347/2013, as adapted and adopted by Ministerial Council Decision 2015/09-EnC-MC and included in the ten-year network development plan referred to in Article 51 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC. the tasks referred to in the first subparagraph are set out in more detail in Annex I. 2. 2. <...> 3. Transmission system operators shall provide their regional coordination centres with the information necessary to carry out its tasks. 4. Regional coordination centres shall provide transmission system operators of the system operation region with all information necessary to implement the coordinated actions and recommendations issued by regional coordination centres. 5. The tasks set out in this Article and not already covered by the relevant network codes or guidelines shall be performed by the regional coordination centres on the basis of the decision adopted by the		
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defined by each transmission system operator. 9. The Transmission System Operator, jointly with other transmission system operators in the System Operation Region may decide to grant the Regional Coordination Centre the competence to issue coordinated actions instead of recommendations for one or more of the tasks provided in subparagraphs 3.4 to 3.17 of this Article. 10. The Regulator shall coordinate with the relevant regulatory authorities of the System Operation Region to jointly identify possible non-compliance of the Regional Coordination Centre with its obligations, and submit request to ACER for a reasoned opinion and respective recommendation to the Regional Coordination Centre with regard to compliance with its obligations. Where a reasoned opinion of ACER identifies a case of potential non-compliance the Regulator, together with the relevant regulatory authorities concerned shall unanimously take coordinated decision establishing non-compliance with the relevant obligations and, where applicable, determining the measures to be taken by the Regional Coordination Centre to remedy that non-compliance. Where the regulatory	Agency for the Cooperation of Energy Regulators pursuant to Article 37(5) of Regulation (EU) 2019/943. Regulation 2019/943 Article 42 Adoption and review of coordinated actions and recommendations 1. The transmission system operators in a system operation region defined by Annex V shall develop a procedure for the adoption and revision of coordinated actions and recommendations issued by regional coordination centres in accordance with the criteria set out in paragraphs 2, 3, and 4. 2. Regional coordination centres shall issue coordinated actions to the transmission system operators in respect of the tasks referred to in points (a) and (b) of Article 37(1). Transmission system operators shall implement the coordinated actions except where the implementation of the coordinated actions would result in a violation of the operational security limits defined by each transmission system operator in accordance with Regulation (EC) 2017/1485, as adopted and adapted by Ministerial Council Decision 2022/03/MC-EnC. Where a transmission system operator decides not to implement a coordinated action for the reasons set out in this paragraph, it shall transparently report the detailed reasons to the regional		
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authorities fail to take such coordinated decisions unanimously within four (4) months from the date of receipt of ACER's reasoned opinion, the matter shall be referred to ACER for a decision. The Procedure of paragraph 4 of this article shall provide the conditions and responsibilities in that respect. 11. The Transmission System Operator shall cover the share of expenses and other liabilities related to the execution of the tasks of the Regional Coordination Centre relevant for its operation. The method employed to provide the coverage shall take into account the legal status of the Regional Coordination Centre and the level of commercial insurance.	coordination centre and the transmission system operators of the system operation region without undue delay. In such cases, the regional coordination centre shall assess the impact of that decision on the other transmission system operators of the system operation region and may propose a different set of coordinated actions subject to the procedure set out in paragraph 1. 3. Regional coordination centres shall issue recommendations to the transmission system operators in relation to the tasks listed in points (c) to (p) of Article 37(1) or assigned in accordance with Article 37(2). Where a transmission system operator decides to deviate from a recommendation as referred to in paragraph 1, it shall submit a justification for its decision to regional coordination centres and to the other transmission system operators of the system operation region without undue delay. 4. The review of coordinated actions or a recommendation shall be triggered at the request of one or more of the transmission system operators of the system operation region. Following the review of the coordinated action or recommendation, regional coordination centres shall confirm or modify the measure. 5. Where a coordinated action is subject to review in accordance with paragraph 4 of this Article, the request for review shall not suspend the coordinated action except		
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	where the implementation of the coordinated action would result in a violation of the operational security limits defined by each individual transmission system operator in accordance with Regulation (EC) 2017/1485 as adopted and adapted by Ministerial Council Decision 2022/03/MC-EnC. 6. Upon the proposal of a Member State or Contracting Party in a system operation region defined by Annex V, <...>, the Member States or Contracting Parties in a system operation region may jointly decide to grant the competence to issue coordinated actions to their regional coordination centre for one or more of the tasks provided for in points (c) to (p) of Article 37(1) of this Regulation. Article 46 Monitoring and reporting 40 REGULATION (EU) 2019/943 OF 5 JUNE 2019 1. Regional coordination centres shall establish a process for the continuous monitoring of at least: (a) their operational performance; (b) the coordinated actions and recommendations issued, the extent to which the coordinated actions and recommendations have been implemented by the transmission system operators and the outcome achieved; (c) the effectiveness and efficiency of each of the tasks for which they are responsible and, where applicable, the rotation of those tasks. 2. Regional coordination centres shall account for their costs in a transparent		
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	manner and report them to the Energy Community Regulatory Board, and to the extent that Member States are involved, to the Agency for the Cooperation of Energy Regulators, and to the regulatory authorities in the system operation region. 3. Regional coordination centres shall submit an annual report on the outcome of the monitoring provided for in paragraph 1 and information on their performance to the ENTSO for Electricity, the Agency for the Cooperation of Energy Regulators, the Energy Community Regulatory Board, the regulatory authorities in the system operation region and the Security of Supply Group. 4. Regional coordination centres shall report any shortcomings that they identify in the monitoring process under paragraph 1 to the ENTSO for Electricity, the regulatory authorities in the system operation region, the Agency for the Cooperation of Energy Regulators, the Energy Community Regulatory Board, the Security of Supply Group and the other competent authorities of Member States and Contracting Parties responsible for the prevention and management of crisis situations. On the basis of that report, the relevant regulatory authorities of the system operation region may propose measures to address the shortcomings to the regional coordination centres. 5. Without prejudice to the need to protect security and the confidentiality of commercially sensitive information, regional coordination centres shall make public the reports referred to		
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	in paragraphs 3 and 4. Regulation 2019/43 Article 47 Liability In proposals for the establishment of regional coordination centres in accordance with Article 35, the transmission system operators in the system operation region shall include the necessary steps to cover liability related to the execution of regional coordination centres' tasks. The method employed to provide the cover shall take into account the legal status of regional coordination centres and the level of commercial insurance cover available Regulation 2018/942 Article 4 Tasks of ACER as regards the cooperation of transmission system operators and distribution system operators 1. <...> 2. <...> 3. <...> 4. ACER, where appropriate, after requesting updates to the drafts submitted by transmission system operators, shall approve the methodology regarding the use of revenues from congestion income pursuant to Article 19(4) of Regulation (EU) 2019/943, as adapted and adopted by Ministerial Council		
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	Decision 2022/03/MC-EnC. 5. <...> 6. The relevant regulatory authorities shall coordinate in order to jointly identify whether there is non-compliance of <...> regional coordination centres with their obligations under Energy Community law and shall take appropriate action in accordance with point (c) of Article 59(1) and point (f) of Article 62(1) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC. At the request of one or more regulatory authorities or at its own initiative, ACER shall issue a reasoned opinion as well as a recommendation to <...> regional coordination centres with regard to compliance with their obligations. 7. Where a reasoned opinion of ACER identifies a case of potential non-compliance of <...> a regional coordination centre with their respective obligations, the regulatory authorities concerned shall unanimously take coordinated decisions establishing whether there is non-compliance with the relevant obligations and, where applicable, determining the measures to be taken by the <...> regional coordination centre to remedy that non-compliance. Where the regulatory authorities fail to take such coordinated decisions unanimously within four months of the date of receipt of ACER's reasoned		
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	opinion, the matter shall be referred to ACER for a decision pursuant to Article 6(10).		
Article 36 Compensation mechanism between Transmission system operators 1. The Transmission System Operator shall participate in the Inter-Transmission system operators' Compensation mechanism (ITC mechanism) between the transmission system operators within the Continental Europe synchronous area of the ENTSO-E network and shall pay and receive compensations for the costs incurred by hosting the cross-border flows of electricity in the transmission network of the Republic of Kosovo. The corresponding compensation shall be paid to, or received from, the transmission system operators of the systems from which the flows originated and the systems where the flows ended. 2. The Transmission system Operator shall receive compensations for the costs incurred by hosting cross-border flows of electricity transiting the network of the Republic of Kosovo. The corresponding compensations shall be paid by the Transmission System Operators of the systems from which the flows have originated and the systems where the flows ended. 3. The Transmission System Operator shall pay compensations for the	Regulation (EU) 2019/943 Article 49 Inter-transmission system operator compensation mechanism 1. Transmission system operators shall receive compensation for costs incurred as a result of hosting cross-border flows of electricity on their networks. 2. The compensation referred to in paragraph 1 shall be paid by the operators of national transmission systems from which cross-border flows originate and the systems where those flows end. 3. Compensation payments shall be made on a regular basis with regard to a given period in the past. Expost adjustments of compensation paid shall be made where necessary, to reflect costs actually incurred.² <...> 4. <...> 5. The magnitude of cross-border flows hosted and the magnitude of cross-border flows designated as originating or ending in national transmission systems shall be determined on the basis of the physical flows of electricity actually measured during a given period. 6. The costs incurred as a result of hosting	Partially compliant	Article 56 of the existing law (Compensation mechanism between transmission system operators) has been completed with the transposition of the provisions from Regulation 943 on the rights and obligations in the payment of transit fees, for the calculation of costs (methodology) and for the distribution of revenues . Full transposition requires the development and adoption of a Procedure for the implementation of the ITC mechanism, in addition to the Transmission Network Code, which will also ensure the full transposition of Regulation (EU) 838/2010

cross-border electricity flows that originated or ended on the territory of the Republic of Kosovo, to the corresponding transmission system operators of the systems that have supported the transit of the flows. 4. The magnitude of the cross-border flows pursuant to paragraph 1 of this Article shall be determined on the basis of the physical flows of electricity measured on the borders with the neighboring systems during the given period. 5. Compensation payments shall be made on a regular basis with regard to a given period of time in the past. Ex-post adjustments of compensation paid shall be made where necessary, to reflect costs actually incurred. 6. The costs incurred as a result of hosting cross-border flows are established on the basis of the forward-looking long-run average incremental costs, taking into account losses, investment in new infrastructure, and an appropriate proportion of the cost of existing infrastructure, in so far as such infrastructure is used for the transmission of cross-border flows, in particular taking into account the need to guarantee security of supply. When establishing the costs incurred, recognized standard-costing methodologies are used. Benefits that a network incurs as a result of hosting cross-border flows shall be taken into account to reduce the compensation received. 7. The Transmission System Operator shall apply a procedure for	cross-border flows shall be established on the basis of the forward-looking long-run average incremental costs, taking into account losses, investment in new infrastructure, and an appropriate proportion of the cost of existing infrastructure, in so far as such infrastructure is used for the transmission of cross-border flows, in particular taking into account the need to guarantee security of supply. When establishing the costs incurred, recognised standard-costing methodologies shall be used. Benefits that a network incurs as a result of hosting cross-border flows shall be taken into account to reduce the compensation received. 7. For the purpose of the inter-transmission system operator compensation mechanism only, where transmission networks of two or more Member States or Contracting Parties form part, in whole or in part, of a single control block, the control block as a whole shall be considered as forming part of the transmission network of one of the Member States or Contracting Parties concerned, in order to avoid flows within control blocks being considered as cross-border flows under point (b) of Article 2(2) and giving rise to compensation payments under paragraph 1 of this Article. The regulatory authorities of the Member States or Contracting Parties concerned may decide which of the Member States or Contracting Parties concerned shall be		
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implementing the ITC mechanism defining in required detail the conditions, the guarantees for security of supply and the use of revenues.. 8. For the purpose of the inter-transmission system operator compensation mechanism only, where transmission networks of the Republic of Kosovo and one or more other Contracting Parties form parts, in whole or in part, of a single control block, the control block as a whole shall be considered as part of the transmission network of one of the Contracting Parties concerned, in order to avoid flows within control blocks being considered as cross-border flows and giving rise to compensation payments under paragraph 1 of this Article. The Regulator, together with regulatory authorities of the Contracting Parties concerned, shall decide which of the Contracting Parties concerned shall be that of which the control block as a whole is to be considered to form part.	that of which the control block as a whole is to be considered to form part		
Article 37 Provision of information by the Transmission System Operator 1. The Transmission System Operator shall establish a mechanism for exchange of information to ensure security of the networks in the context of congestion management. The information published in that context shall include: 1.1 the safety, operational and planning standards used by the Transmission System Operator and, 1.2 the general scheme applied for calculation of the total transmission	Regulation (EU) 2019/943 Article 50 Provision of information 1. Transmission system operators shall put in place coordination and information exchange mechanisms to ensure the security of the networks in the context of congestion management. 2. The safety, operational and planning standards used by transmission system operators shall be made public. The information published shall include a general scheme for the calculation of the	Partially complaint	new article, article 59 of the existing law (Important information for cross-border flows) has been replaced with an expanded article that transposes the provisions from Regulation 943 for the accurate and timely provision of data by the TSO to market participants about the transmission capacity in availability and all data required for the performance of the system, together with the obligation for market participants to provide the data, and confidentiality criteria. Full

capacity and the transmission reliability margin, based upon the electrical and physical features of the network, as approved by the Regulator. 2. The Transmission System Operator shall publish a set of data and forecasts aimed to ensure transparency on the electricity market, including: 2.1 estimates of the available transmission capacity for each day indicating any available transmission capacity already reserved, made at specified intervals before the day of physical transport and including week-ahead and month-ahead estimates, as well as quantitative indication of the expected reliability of the available capacity; 2.2 relevant data on aggregated forecasted and actual demand, on availability and actual use of generation and load assets, and on availability and use of the networks and interconnections; 2.3 relevant data on balancing power and reserve capacity, and aggregated estimate data on the availability of flexibility, including storage capacity, and demand response; and 2.4 estimated aggregated data on the availability and actual use of small generation and load assets, including renewable generation assets aggregated per type of technology. 3. The Transmission System Operator shall provide the data to the ENTSO-E identified in paragraph 2 of this article, as well as other required data, in a structured and timely manner following the	total transfer capacity and the transmission reliability margin based upon the electrical and physical features of the network. Such schemes shall be subject to approval by the regulatory authorities. 3. Transmission system operators shall publish estimates of available transfer capacity for each day, indicating any available transfer capacity already reserved. Those publications shall be made at specified intervals before the day of transport and shall include, in any event, week-ahead and month-ahead estimates, as well as a quantitative indication of the expected reliability of the available capacity. 4. Transmission system operators shall publish relevant data on aggregated forecast and actual demand, on availability and actual use of generation and load assets, on availability and use of the networks and interconnections, on balancing power and reserve capacity and on the availability of flexibility. For the availability and actual use of small generation and load assets, aggregated estimate data may be used. 5. The market participants concerned shall provide the transmission system operators with the relevant data. 6. Generation undertakings which own or operate generation assets, where at least one generation asset has an installed capacity of at least 250 MW, or which have a portfolio comprising at least 400		transposition requires the development of the Rules and procedure for the collection and publication of data and their approval as part of the Transmission Network Code, which will ensure the full transposition of Regulation (EU) 543/2013.
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applied methodology published by ENTSO-E, to be published on its Transparency Platform. 4. The Regulator shall assess and approve the rules and procedures for collection and publication of data developed by the Transmission System Operator pursuant to paragraphs 2 and 3 of this article, applying the respective methodology of ENTSO-E. 5. The concerned market participants, network users, customers, and other stakeholders that own the information are obliged to provide the Transmission System Operator with the relevant data in a timely and regular manner. 6. Energy enterprise that performs electricity generation and owns or operates generation assets, where at least one generation unit has an installed capacity of at least 1 MW, shall keep at the disposal of the Regulator, the Competition Authority of the Republic of Kosovo and the Energy Community Secretariat, for five (5) years all hourly data per plant, that is necessary to verify all operational dispatching decisions and the bidding behaviour at power exchanges, interconnection auctions, power reserve markets and bilateral markets. The per-plant and per hour information to be stored shall include, but shall not be limited to, data on available generation capacity and committed reserves, including allocation of those committed reserves on a per-plant level, at the times the bidding is carried out and when production takes place.	MW of generation assets, shall keep at the disposal of the regulatory authority, the national competition authority and the Energy Community Secretariat, for five years all hourly data per plant that is necessary to verify all operational dispatching decisions and the bidding behaviour at power exchanges, interconnection auctions, reserve markets and over-the-counter- markets. The per-plant and per hour information to be stored shall include, but shall not be limited to, data on available generation capacity and committed reserves, including allocation of those committed reserves on a per-plant level, at the times the bidding is carried out and when production takes place. 7. Transmission system operators shall exchange regularly a set of sufficiently accurate network and load flow data in order to enable load flow calculations for each transmission system operator in its relevant area. The same set of data shall be made available to the regulatory authorities, and to the Energy Community Secretariat, Member States and Contracting Parties upon request. The regulatory authorities, Member State and Contracting Parties and the Energy Community Secretariat shall treat that set of data confidentially, and shall ensure that confidential treatment is also given by any consultant carrying out analytical work on their request, on		
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7. The data preserved according to paragraph 6 is necessary to verify all operational dispatching decisions and the bidding behavior at power exchanges, interconnection auctions, reserve markets and bilateral markets, as well as data on available generation capacity and committed reserves and their allocation at the times the bidding is carried out and when generation takes place. 8. The Transmission System Operators and the Regulator shall treat the data received pursuant paragraphs 5 and 6 of this article according to the rules for confidentiality and shall ensure that confidential treatment is also applied by any third party having access to the data for carrying out analytical work on the basis of those data. 9. When required by the Regional Coordination Centre, the Transmission System Operator shall exchange regularly with the other transmission system operators a set of sufficiently accurate network and load flow data, in order to enable application of the load flow method for capacity calculations for transmission system operators in the Capacity Calculation Region. The same set of data shall be made available to the regulatory authorities in the respective area, to the Energy Community Secretariat, and to the transmission system operators in other Contracting Parties upon request.	the basis of those data.		
Article 38 Exemptions for new interconnections of electricity	CHAPTER VII NETWORK CODES AND GUIDELINES	Partially compliant	Article 60 of the existing law (New direct current interconnections) has been amended with provisions from

1. New direct current interconnectors, or such interconnectors undergoing significant enlargement of their transmission capacity, which were not completed before entry into force of this law, at the request of the investor submitted to the Regulator, may be exempted for a limited period of time from third party access defined in the relevant Law on Energy, and from payment of a congestion fee under article 34 of this law, if: 1.1 interconnector improves competition in electricity supply; 1.2 risk levels related to the investment are such that the investment could not be carried out if exemption is not granted; 1.3 interconnector is owned by a natural or legal person which is separate, at least in terms of its legal form, from the system operators in whose systems that interconnector is to be built; 1.4 charges are levied on users of the interconnector; 1.5 since the entry into force of this law, no part of the capital or operating costs of the interconnector has been recovered through any tariff component applied for the use of transmission or distribution networks linked to the interconnector; and 1.6 the exemption does not harm competition or effective functioning of the internal electricity market of the Republic of Kosovo or the market of another Energy Community Contracting Party or EU member State, if applicable, to which the interconnector is linked.	45 Article 58 Adoption of network codes and guidelines The Energy Community shall transpose and implement the network codes and guidelines developed at European Union level and as adapted by the Ministerial Council. Article 59 Establishment of network codes <...> Article 60 Amendments of network codes <...> Article 61 Guidelines <...> Article 62 Right of Contracting Parties to provide for more detailed measures This Regulation shall be without prejudice to the rights of Contracting Parties to maintain or introduce measures that contain more detailed provisions than those set out in this Regulation, in the guidelines referred to in Article 61 or in the network codes referred to in Article 59, provided that those measures are compatible with Energy Community law. Regulation (EU) 2019/943 CHAPTER VIII FINAL PROVISIONS Article 63 New interconnectors		Regulation 943 partially transposing Article 63 - in the context of the derogation of new HVDC lines (RrVTL) (and eventually RrV) from third-party access and congestion revenue, including terms, procedure, notices, limitations, oversight and reporting. The full transposition of Article 63 of Regulation 943 requires the development and approval of a Procedure for granting exemptions from derogations for third-party access and congestion charges for electricity interconnectors, and its approval by the Regulator.
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2. In special cases, paragraph 1 of this article is applicable also for interconnectors with alternating power, under condition that costs and risks of the said investment are especially high in comparison to costs and risks normally incurred when connecting two neighboring national transmission systems through an alternating power interconnector. 3. Exemptions from paragraph 1 of this Article may cover a portion or entire capacity of the interconnector. 4. The decision granting the exemption under this Article shall be applied on a case-by-case basis by the Regulator, in coordination with one or more regulatory authorities of the EU Member States or Energy Community Contracting Parties concerned. Upon receiving a request for granting of a derogation, the Regulator shall notify without delay the Energy Community Secretariat and the ECRB and, to the extent EU Member States are affected, the ACER, and submit a copy of the request. Within two (2) months following the last notification for the request submitted by a concerned regulatory authority the Regulator may receive an advisory opinion from the ECRB or, to the extent EU Member States are affected, from ACER, and may take a decision based on that opinion. 5. When taking decisions on granting exemptions from non-discriminatory third-party access for a new interconnector, the Regulator shall coordinate with the regulatory authority of the concerned	1. New direct current interconnectors may, upon request, be exempted, for a limited period, from Article 19(2) and (3) of this Regulation and from Articles 6 and 43, Article 59(7) and Article 60(1) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC provided that the following conditions are met: (a) the investment enhances competition in electricity supply; (b) the level of risk attached to the investment is such that the investment would not take place unless an exemption is granted; (c) the interconnector is owned by a natural or legal person which is separate, at least in terms of its legal form, from the system operators in whose systems that interconnector is to be built; (d) charges are levied on users of that interconnector; (e) since 1 July 2007, no part of the capital or operating costs of the interconnector has been recovered from any component of charges made for the use of transmission or distribution systems linked by the interconnector; and (f) an exemption would not be to the detriment of competition or the effective functioning of the internal market for electricity, or the efficient functioning of the regulated system to which the interconnector is linked.		
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country and agree on the length of the exemption, as well as on the manner of functioning of the interconnector during and after the elapse of the exemption phase. In imposing these conditions special consideration shall be paid to enable: 5.1 new transmission capacities to be developed, 5.2 enhancement of existing transmission capacities, 5.3 sustainable and feasible project timeframes, and 5.4 specific circumstances in each of the involved systems. 6. Prior to granting the exemption, the Regulator shall decide on the rules and mechanisms for capacity management and allocation, in mutual agreement with the regulatory authority concerned. Rules on restricted capacity management shall include the obligation to offer unutilized capacities on the market and the possibility for the users of the transmission facility to trade their contracted capacities on the secondary market. In the assessment of the criteria indicated in sub-paragraphs 1.1, 1.2 and 1.6 of paragraph 1 of this Article, the results of the capacity allocation procedure shall be taken into consideration. 7. Where the Regulator, together with other concerned regulatory authorities, have reached an agreement on the decision to grant the exemption, within six (6) months from the decision, the Regulator shall notify the ECRB and, to the extent EU Member States are affected, the ACER on the decision, including any conditions	2. Paragraph 1 shall also apply, in exceptional cases, to alternating current interconnectors provided that the costs and risks of the investment in question are particularly high when compared with the costs and risks normally incurred when connecting two neighbouring national transmission systems by an alternating current interconnector. 3. Paragraph 1 shall also apply to significant increases of capacity in existing interconnectors. 4. The decision granting an exemption as referred to in paragraphs 1, 2 and 3 shall be taken on a case-by-case basis by the regulatory authorities of the Member States and Contracting Parties concerned. An exemption may cover all or part of the capacity of the new interconnector, or of the existing interconnector with significantly increased capacity. Within two months of receipt of the request for exemption by the last of the regulatory authorities concerned, Energy Community Regulatory Board or, to the extent Member States are affected, the Agency for the Cooperation of Energy Regulators, acting in accordance with Article 2 of Procedural Act No 2022/01/MC-EnC, may provide those regulatory authorities with an opinion. The regulatory authorities may base their decision on that opinion. In deciding to grant an exemption,		
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referred to in paragraph 5 of this Article, and publish it accordingly. 8. Notwithstanding paragraph 7 of this Article, the Regulator shall notify the Energy Community Secretariat, the ECRB and, to the extent EU Member States are affected, the European Commission and ACER on every request for exemption received. The adopted decision shall be notified, without delay, to the Energy Community Secretariat, and, to the extent EU Member States are affected, to the European Commission, together with all the relevant information with respect to the decision. That information may be submitted in aggregated form and shall enable the Energy Community Secretariat and, to the extent EU Member States are affected, the European Commission, to reach a well-founded opinion. 9. In particular, the information of paragraph 8 of this Article shall contain information on the: 9.1 reasons based on which the exemption was granted or rejected, including financial information justifying the need for such exemption; 9.2 analysis on the effect of granted exemption on competition and effective functioning of the internal market; 9.3 reasons related to the timeframe and the share of capacity for which the exemption is granted and, 9.4 results of the consultation process of the concerned regulatory authorities . 10. The Regulator shall apply any invitation to modify or withdraw the	regulatory authorities shall take into consideration, on a case- by-case basis, the need to impose conditions regarding the duration of the exemption and non- discriminatory access to the interconnector. When deciding on those conditions, regulatory authorities shall, in particular, take account of additional capacity to be built or the modification of existing capacity, the time-frame of the project and national circumstances. Before granting an exemption, the regulatory authorities of the Contracting Parties and Member States concerned shall decide on the rules and mechanisms for management and allocation of capacity. Those congestion-management rules shall include the obligation to offer unused capacity on the market and users of the facility shall be entitled to trade their contracted capacities on the secondary market. In the assessment of the criteria referred to in points (a), (b) and (f) of paragraph 1, the results of the capacity-allocation procedure shall be taken into account. Where all the regulatory authorities concerned have reached agreement on the exemption decision within six months of receipt of the request, they shall inform the Energy Community Regulatory Board or, to the extent Member States are affected, the Agency for the Cooperation of Energy Regulators of that decision. The exemption decision, including any conditions referred to in the third		
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decision regarding the granting of the derogation received, within fifty (50) working days from the day following the submission of the notification under paragraph 9 of this Article, from the Energy Community Secretariat and, to the extent Member States are affected, from the European Commission. This term may be extended by an additional fifty (50) working days in case update of the information has been requested by the Energy Community Secretariat and, to the extent Member States are affected, by the European Commission. The additional period shall begin on the day following the submission of the updated information. The initial period may also be extended by consent of the Regulator, the concerned regulatory authorities, and the Energy Community Secretariat and, to the extent Member States are affected, the European Commission. 11. Where the requested information of paragraph 10 of this Article is not provided within the period set out in the Energy Community Secretariat's or, to the extent Member States are affected, the European Commission's request, the notification from the Regulator shall be deemed to be withdrawn unless, before the expiry of that period, either the period is extended by consent of the Regulator, the concerned regulatory authorities and the Energy Community Secretariat or, to the extent Member States are affected, the European Commission, or when the Regulator and the concerned regulatory	subparagraph of this paragraph, shall be duly reasoned and published. 5. The decision referred to in paragraph 4 shall be taken by the Energy Community Regulatory Board or, to the extent Member States are affected, the Agency for the Cooperation of Energy Regulators, acting in accordance with Article 2 of Procedural Act No 2022/01/MC-EnC,: (a) where the regulatory authorities concerned have not been able to reach an agreement within six months from the date on which the last of those regulatory authorities received the exemption request; or (b) upon a joint request from the regulatory authorities concerned. Before taking such a decision, the Energy Community Regulatory Board or, to the extent Member States are affected, the Agency for the Cooperation of Energy Regulators, acting in accordance with Article 2 of Procedural Act No 2022/01/MC-EnC, shall consult the regulatory authorities concerned and the applicants. 6. Notwithstanding paragraphs 4 and 5, Contracting Parties may provide for the regulatory authority or the Energy Community Regulatory Board or, to the extent Member States are affected, the Agency for the Cooperation of Energy Regulators, as the case may be, to submit, for a formal decision, to the relevant body in the Contracting Parties, its opinion on the request for an exemption. That opinion shall be published together with		
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authorities, in a duly reasoned statement, inform the Energy Community Secretariat and, to the extent Member States are affected, the European Commission that they consider the notification to be valid and complete. 12. The Regulator shall take into consideration the opinion of the Energy Community Secretariat or, to the extent Member States are affected, the opinion of the European Commission, that recommends to withdraw or amend the exemption decision. In the event when the Regulator's final decision differs from the opinion issued by the Energy Community Secretariat or, to the extent Member States are affected, the European Commission, the Regulator shall ensure its publication accompanied by the reasons on which such a decision was grounded. 13. The Regulator shall implement any decision on exemption pursuant to this Article brought by the ECRB or, to the extent Member States are affected, the ACER, acting in accordance with its powers conferred to it under the Energy Community legislative framework, issued in the case where the Regulator and the regulatory authorities involved failed to issue such a decision within six (6) months from the date on which the last of those regulatory authorities received the exemption request, or upon a prior joint request by the Regulator and the regulatory authorities concerned. 14. The Regulator, in cooperation with the Transmission System Operator and in	the decision. 7. A copy of every request for exemption shall be transmitted for information without delay by the regulatory authorities to the Energy Community Secretariat and Energy Community Regulatory Board, and to the extent Member States are affected to the European Commission and the Agency for the Cooperation of Energy Regulators on receipt. The decision shall be notified, without delay, by the regulatory authorities concerned or by Energy Community Regulatory Board and, to the extent Member States are affected, by the Agency for the Cooperation of Energy Regulators (the notifying bodies), to the Energy Community Secretariat and, to the extent Member States are affected, to the European Commission, together with all the relevant information with respect to the decision. That information may be submitted to the Energy Community Secretariat, and to the extent Member States are affected, to the European Commission in aggregate form, enabling the Energy Community Secretariat or, to the extent Member States are affected, the European Commission to reach a well-founded decision. In particular, the information shall contain: (a) the detailed reasons on the basis of which the exemption was granted or refused, including the financial information justifying the need for the exemption;		
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coordination with the energy regulatory authorities of the Capacity Calculation Region, shall adopt a procedure for granting exemptions from third party access and congestion fee for electricity interconnectors, which shall identify the responsibilities and define the conditions for derogation and steps taken by the stakeholders and responsible bodies involved in the process of derogation, including the notification obligations and timing. 15. The Energy Community Secretariat's or, to the extent Member States are affected, the European Commission's approval of an exemption decision shall expire two (2) years after the date of its adoption in case the construction of the interconnector has not started by that date, and five (5) years after the date of its adoption if the interconnector has not become operational by that date, unless the Energy Community Secretariat or, to the extent Member States are affected, the European Commission decides, on the basis of a prior reasoned request submitted by the Regulator, together with the concerned regulatory authorities notifying that any delay is due to major obstacles beyond the control of the person to whom the exemption has been granted. 16. In case the Regulator decides to modify an exemption decision, it shall notify such a decision to the Energy Community Secretariat and, to the extent Member States are affected, the European Commission, together with all the relevant	(b) the analysis undertaken of the effect on competition and the effective functioning of the internal market for electricity resulting from the grant of the exemption; (c) the reasons for the time period and the share of the total capacity of the interconnector in question for which the exemption is granted; and (d) the result of the consultation of the regulatory authorities concerned. 8. Within 50 working days of the day following that of receipt of the notification under paragraph 7, the Energy Community Secretariat or, to the extent Member States are affected, the European Commission may issue an opinion inviting the notifying bodies to amend or withdraw the decision to grant an exemption. That period may be extended by an additional 50 working days where further information is requested by the Energy Community Secretariat or, to the extent Member States are affected, the European Commission. The additional period shall begin on the day following receipt of the complete information. The initial period may also be extended by consent of both the Energy Community Secretariat, or, to the extent Member States are affected, the European Commission and the notifying bodies. Where the requested information is not provided within the period set out in the Energy Community Secretariat's, or, to the extent Member States are affected, the		
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information with respect to the decision. Conditions set forth in this Article apply to the decision to modify an exemption decision, taking into account the particularities of the existing exemption. 17. Conditions and procedures for granting authorizations for the construction of new interconnectors, shall be approved by means of a Decision of the Regulator issued within one (1) year from the entry into force of this law. Authorizations shall enter into force upon obtaining necessary permits and authorizations envisaged in the relevant legislation in force for construction of electricity transmission lines, including ownership rights on the parcel needed for the construction of the line. 18. The Energy Community Secretariat or, to the extent Member States are affected, the European Commission may, upon request from the Regulator or on its own initiative, to reopen proceedings relating to an exemption request where: 18.1 it is taking due account of the legitimate expectations of the parties and of the economic balance achieved in the original exemption decision, there has been a material change in any of the facts on which the decision was based; 18.2 the undertakings act contrary to their commitments or, 18.3 the decision was based on incomplete, incorrect or misleading information, which was provided by the parties.	European Commission's request, the notification shall be deemed to be withdrawn unless, before the expiry of that period, either the period is extended by consent of both the Energy Community Secretariat, or, to the extent Member States are affected, the European Commission and the notifying bodies, or the notifying bodies, in a duly reasoned statement, inform the Energy Community Secretariat and, to the extent Member States are affected, the European Commission that they consider the notification to be complete. The notifying bodies shall take the utmost account of a Secretariat's or, to the extent Member States are affected, the European Commission's opinion that recommends to amend or withdraw the exemption decision. Where the final decision diverges from the Secretariat's, or, to the extent Member States are affected, the European Commission's opinion, the regulatory authority concerned shall provide and publish, together with that decision, the reasoning underlying its decision. Diverting decisions shall be included in the agenda of the first meeting of the Ministerial Council following the date of the decision, for information and discussion. The Energy Community Secretariat and the European Commission shall protect the confidentiality of commercially sensitive information. he Energy Community Secretariat's or, to the extent Member States are affected, the European Commission's opinion on an		
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	exemption decision shall expire two years after the date of its adoption in the event that construction of the interconnector has not started by that date, and five years after the date of its adoption if the interconnector has not become operational by that date, unless the Energy Community Secretariat or, to the extent Member States are affected, the European Commission decides, on the basis of a reasoned request by the notifying bodies, that any delay is due to major obstacles beyond the control of the person to whom the exemption has been granted. 9. Where the regulatory authorities of the Contracting Parties and Member States concerned decide to modify an exemption decision, they shall notify their decision to the Energy Community Secretariat or, to the extent Member States are affected, the European Commission without delay, together with all the relevant information with respect to the decision. Paragraphs 1 to 8 shall apply to the decision to modify an exemption decision, taking into account the particularities of the existing exemption. 10. The Energy Community Secretariat or, to the extent Member States are affected, the European Commission may, on request or on its own initiative, reopen proceedings relating to an exemption request where: (a) taking due account of the legitimate expectations of the parties and of the economic balance- achieved in the original exemption decision, there has		
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	been a material change in any of the facts on which the decision was based; (b) the undertakings concerned act contrary to their commitments; or (c) the decision was based on incomplete, incorrect or misleading information, which was provided by the parties. 11. <...>		
CHAPTER V ORGANIZATION OF THE ELECTRICITY MARKET Article 39 Principles regarding the operation of electricity markets 1. Electricity market shall operate in accordance with the following principles: 1.1 prices shall be formed on the basis of demand and supply; 1.2 customers shall be enabled to benefit from market opportunities and competition on retail markets and shall be empowered to act as market participants in the energy market and the energy transition; 1.3 market participation of final customers and small enterprises by enabling:	Regulation (EU) 2019/943 CHAPTER II GENERAL RULES FOR THE ELECTRICITY MARKET Article 3 Principles regarding the operation of electricity markets Contracting Parties, regulatory authorities, transmission system operators, distribution system operators, market operators and delegated operators shall ensure that electricity markets are operated in accordance with the following principles: (a) prices shall be formed on the basis of demand and supply; (b) market rules shall encourage free price formation and shall avoid actions which prevent price formation on the basis of demand and supply; (c) market rules shall facilitate the development of more flexible generation, sustainable low carbon generation, and more flexible demand; (d) customers shall be enabled to benefit from market opportunities and increased competition on retail markets and shall be empowered to act as market participants	Partially compliant	The new article partially transposes the provisions of Regulation 943 for the principle of operation of the electricity market with a focus on competition, empowering suppliers and protecting against price fluctuations.

1.3.1 customers to participate in the electricity market; 1.3.2 participation to the electricity market by the electricity transmission and electricity distribution system users through aggregation of electricity production capacities or demand response; 1.3.3 equal market participation of all participants, including electricity producers, storage operators and demand response, in accordance with the conditions provided by this law; 1.4 safe and sustainable generation, energy storage and demand response shall participate on equal footing in the market, under the requirements provided for in the this law; 1.5 barriers to cross-border electricity flows between Contracting Parties and cross-border transactions on electricity markets and related services markets shall be progressively removed; 1.6 all generators shall be directly or indirectly responsible for selling the electricity they generate; 1.7 in order to allow market participants to be protected against price volatility risks on a market basis, and	in the energy market and the energy transition; (e) market participation of final customers and small enterprises shall be enabled by aggregation of generation from multiple power-generating facilities or load from multiple demand response facilities to provide joint offers on the electricity market and be jointly operated in the electricity system, in accordance with Energy Community competition law; (f) market rules shall enable the decarbonisation of the electricity system and thus the economy, including by enabling the integration of electricity from renewable energy sources and by providing incentives for energy efficiency; (g) market rules shall deliver appropriate investment incentives for generation, in particular for long-term investments in a decarbonised and sustainable electricity system, energy storage, energy efficiency and demand response to meet market needs, and shall facilitate fair competition thus ensuring security of supply; (h) barriers to cross-border electricity flows between bidding zones or Parties to the Energy Community and cross-border transactions on electricity markets and related services markets shall be progressively removed; (i) market rules shall provide for regional cooperation where effective; (j) safe and sustainable generation, energy storage and demand response shall		
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mitigate uncertainty on future returns on investment, long-term hedging products shall be tradable on power exchanges in a transparent manner and long-term electricity supply contracts shall be negotiable and concluded outside of the power exchanges directly between the supplier and the customer or through a broker; 1.8 market participants shall have a right to obtain access to the transmission networks and distribution networks on objective, transparent and non-discriminatory terms.	participate on equal footing in the market, under the requirements provided for in the Union law; (k) all producers shall be directly or indirectly responsible for selling the electricity they generate; (l) market rules shall allow for the development of demonstration projects into sustainable, secure and low-carbon energy sources, technologies or systems which are to be realised and used to the benefit of society; (m) market rules shall enable the efficient dispatch of generation assets, energy storage and demand response; (n) market rules shall allow for entry and exit of electricity generation, energy storage and electricity supply undertakings based on those undertakings' assessment of the economic and financial viability of their operations; (o) in order to allow market participants to be protected against price volatility risks on a market basis, and mitigate uncertainty on future returns on investment, long-term hedging products shall be tradable on exchanges in a transparent manner and long-term electricity supply contracts shall be negotiable over the counter, subject to compliance with Energy Community competition law; (p) market rules shall facilitate trade of products across the Energy Community		
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	and regulatory changes shall take into account effects on both short-term and long-term forward and futures markets and products; (q) market participants shall have a right to obtain access to the transmission networks and distribution networks on objective, transparent and non-discriminatory terms.		
Article 40 Electricity Market 1. The electricity market includes wholesale electricity market, retail electricity market and other electricity markets. Electricity markets are organized in accordance with this law, the electricity market rules and the respective European regulations adopted within the Energy Community framework. 2. The wholesale electricity market includes: 2.1 bilateral electricity market and 2.2 organized electricity market. 3. The bilateral electricity market is a market where the purchase and sale of electricity is carried out directly between the participants of the electricity market through a bilateral contract for the purchase and sale of electricity. 4. Energy entities that are publicly owned and those entities that provide public services, trading (buying and selling) electricity, required to meet the obligations and rights according to the permit, carry it out in compliance with the procedures for trading electricity, which are proposed by	Regulation (EU)2019/943 CHAPTER II GENERAL RULES FOR THE ELECTRICITY MARKET Article 3 Principles regarding the operation of electricity markets Contracting Parties, regulatory authorities, transmission system operators, distribution system operators, market operators and delegated operators shall ensure that electricity markets are operated in accordance with the following principles: (a) prices shall be formed on the basis of demand and supply; (b) market rules shall encourage free price formation and shall avoid actions which prevent price formation on the basis of demand and supply; (c) market rules shall facilitate the development of more flexible generation, sustainable low carbon generation, and more flexible demand; (d) customers shall be enabled to benefit from market opportunities and increased	Partially complaint	Article 22 of the existing law (electricity market) has been partially transposed and amended with provisions from Article 3 of Regulation 943 that define the types of market and the obligations and responsibilities of OST, OT and publicly owned producers in the operation of different markets.

the Transmission System Operator, and approved and published by the Regulator. In order to ensure cost efficiency and the lowest possible price, given the specifics of the electricity market, these procedures are not subject to the requirements of the relevant Law on Public Procurement. 5. The organized electricity market is a market where the purchase and sale of electricity between electricity market participants is carried out through the electricity exchange, which is responsible for it. The organized electricity market can be forward, day-ahead and intraday. 6. Publicly owned electricity generators, to which a public service obligation is imposed, are obliged to offer on the organized electricity market their electricity generation available after the fulfillment of their public service obligation whereas suppliers with public service obligation are obliged to purchase their electricity demand from the organized electricity market, after meeting their contractual obligation to purchase from publicly owned electricity generators, unless it is otherwise determined in the respective public service obligation. 7. The retail electricity market includes the purchase and sale of electricity between electricity suppliers and customers who are not participants in the wholesale electricity market. 8. Other electricity markets include the balancing market and the ancillary services market. 9. Unless otherwise provided in this	competition on retail markets and shall be empowered to act as market participants in the energy market and the energy transition; (e) market participation of final customers and small enterprises shall be enabled by aggregation of generation from multiple power-generating facilities or load from multiple demand response facilities to provide joint offers on the electricity market and be jointly operated in the electricity system, in accordance with Energy Community competition law; (f) market rules shall enable the decarbonisation of the electricity system and thus the economy, including by enabling the integration of electricity from renewable energy sources and by providing incentives for energy efficiency; (g) market rules shall deliver appropriate investment incentives for generation, in particular for long-term investments in a decarbonised and sustainable electricity system, energy storage, energy efficiency and demand response to meet market needs, and shall facilitate fair competition thus ensuring security of supply; (h) barriers to cross-border electricity flows between bidding zones or Parties to the Energy Community and cross-border transactions on electricity markets and related services markets shall be progressively removed; (i) market rules shall provide for regional cooperation where effective;		
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law, trading of electricity in the frame of the electricity market is done freely and based on the economic interests of each participant. 10. The Market Operator is responsible for the organization and management of the bilateral electricity market. 11. The Nominated Electricity Market Operator is responsible for the organization and management of the organized electricity market, day-ahead and intraday electricity market for physical trading of electricity in the entire territory of the Republic of Kosovo, and for its coupling with other electricity markets. 12. The Transmission System Operator is responsible for the development, organization and operation of the balancing market.	(j) safe and sustainable generation, energy storage and demand response shall participate on equal footing in the market, under the requirements provided for in the Union law; (k) all producers shall be directly or indirectly responsible for selling the electricity they generate; (l) market rules shall allow for the development of demonstration projects into sustainable, secure and low-carbon energy sources, technologies or systems which are to be realised and used to the benefit of society; (m) market rules shall enable the efficient dispatch of generation assets, energy storage and demand response; (n) market rules shall allow for entry and exit of electricity generation, energy storage and electricity supply undertakings based on those undertakings' assessment of the economic and financial viability of their operations; (o) in order to allow market participants to be protected against price volatility risks on a market basis, and mitigate uncertainty on future returns on investment, long-term hedging products shall be tradable on exchanges in a transparent manner and long-term electricity supply contracts shall be negotiable over the counter, subject to compliance with Energy Community competition law;		
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	(p) market rules shall facilitate trade of products across the Energy Community and regulatory changes shall take into account effects on both short-term and long-term forward and futures markets and products; (q) market participants shall have a right to obtain access to the transmission networks and distribution networks on objective, transparent and non-discriminatory terms.		
Article 41 Electricity Market Operator 1. The Market Operator performs the activity of organizing the electricity market in the entire territory of the Republic of Kosovo based on a permit issued by the Regulator and in compliance with the Market Rules adopted by the Regulator. 2. The Market Operator shall prepare Market Rules and review them regularly in relation to changes considered reasonable and necessary. The rules, including amendment proposals, shall be submitted for approval to the Regulator. Upon approval, the Market Rules shall be published on the Regulator and Market Operator website. 3. Tariffs for electricity market operation and organization shall be developed and proposed by the Market Operator based on the Tariff Methodology for electricity market operation and shall be approved by the Regulator. 4. The Market Operator drafts the Rules for the Wholesale Electricity Market, and regularly reviews them in relation to		Not applicable	

the changes that are considered reasonable and necessary. The Market Operator submits these Rules, including proposals for amendments, to the Regulator for approval. After the approval, Market Rules are published on the web site of the Regulator and Market Operator.			
Article 42 Rights, duties and responsibilities of the Market Operator 1. The Market Operator: 1.1 manages the bilateral electricity market, to the benefit and good of electricity market participants; 1.2 keeps records of contracts concluded on the electricity market in accordance with market rules 1.3 timely submits to the Transmission System Operator of daily electricity sale and purchase programs; 1.4 verifies harmonization of contractual cross-border sale and purchase programs, with allocated cross-border capacities; 1.5 publishes the information necessary for the smooth organization and management of the electricity market; 1.6 timely submits to the electricity transmission system operator of all information for the registered electricity market participants; 1.7 concludes contracts with responsible parties for balancing and balancing group; 1.8 analyses electricity market and proposal of measures for its advancement; 1.9 management of final financial		Not applicable	

settlement process, allocation of interconnection capacities, balancing mechanism, obligations related to access in the transmission system, based on the data received from system operators; 1.10 manages the customer transfer process, in accordance with Rule on Switching the Supplier approved by the Regulator and, 1.11 publishes all market-relevant data and information and other obligations deriving from Market Rules. 2. The Market Operator shall perform its tasks while respecting principles of transparency, objectivity and independence, under the supervision of the Regulator. 3. The electricity market operator must not trade electricity, except in the case of trading with electricity generated by privileged producers, in accordance with the relevant Law on Promotion of Use of Renewable Energy Sources. 4. The electricity market operator shall cooperate with the electricity markets operators of other countries and all regional and international organizations and associations. 5. The electricity market operator shall keep records of the physical electricity transactions, which are regulated by the electricity market rules. 6. The Regulator decides to provide electricity market participants with access to the information referred to in paragraph 5 of this article, provided that business sensitive information for individual market participants or for individual transactions is			
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not disclosed. 7. The electricity market operator shall be responsible for recording the participants in the electricity market. 8. The electricity market operator shall be obliged to provide confidentiality of the business data that the electricity market participants must submit to it. 9. Participants of the electricity market are obligated to provide the Market Operator with unrestricted and continuous access to data it may require to implement its activities, in compliance with the Market Rules.			
Article 43 Separation of Activities 1. The entity that holds a permit to perform the activity of the organization and management of the electricity market cannot be a permit holder and cannot participate in the generation, distribution, trade, electricity supply. 2. In order to ensure the independence of the Market Operator, the persons responsible for its management cannot participate in any structure or any decision-making process of the Ministry, Regulator or any energy entity responsible for electricity generation, supply, distribution or coal mines or other fuel supplies.		Not applicable	
Article 44 Electricity Market Participants 1. Participants in the electricity market may be legal or natural persons that purchase, sell or generate electricity, in-and outside Kosovo, who are engaged in		Not applicable	

aggregation or who is an operator of demand response or energy storage services, including through the placing of orders to trade, in one or more electricity markets, including in balancing energy markets in accordance with the provisions of this Law and the Market rules. 2. Market participants are obliged to conclude respective agreements, including a market participation contract with the Market Operator before entering into transactions on the market. 3. Mutual obligations of electricity market participants are regulated with contracts, in compliance with this law and Market Rules. 4. The Transmission System Operator, Distribution System Operator and Closed Distribution System Operator, are electricity market participants only for electricity purchases for covering losses in the transmission and distribution network, and purchases and sale of balancing energy. With the view of achieving energy market competition and with the aim of meeting electricity demand in Kosovo, under the provisions of this law and other relevant laws in force, electricity market participants may execute contracts for the sale and purchase of electricity with: 4.1 other energy enterprises and customers within Kosovo and, 4.2 other energy enterprises and customers in the system of another Contracting Party of the Energy Community, as long as the supplier follows the applicable trading and balancing rules			
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of Kosovo.			
Article 45 Balance responsibility of electricity market participants 1. Each electricity market participant from Article 44 of this Law shall have a full balance responsibility, except privileged producers and demonstration projects for innovative renewable technologies which have partial balance responsibility as defined in the relevant Law on Promotion of Use of Renewable Energy Sources and Market Rules. 2. The electricity market participant may contractually delegate its balance responsibility to a balance responsible party on its choice, thus becoming the member of the balance group of that balance responsible party. 3. Each balance responsible party shall be financially responsible for its imbalances and shall strive to be balanced or shall help the electricity system to be balanced, except when the responsibility for imbalances is entirely or partially assumed by another market participant as provided for in the relevant Law on Promotion of Use of Renewable Energy Sources and Market Rules. 4. The electricity market participant may arrange its balance responsibility by concluding balance responsibility contract with the Transmission System Operator, thus acquiring status of balance responsible party. 5. The Market Rules shall specify procedures and requirements for	Regulation (EU)2019/953 Article 5 Balance responsibility 1. All market participants shall be responsible for the imbalances they cause in the system ('balance responsibility'). To that end, market participants shall either be balance responsible parties or shall contractually delegate their responsibility to a balance responsible party of their choice. Each balance responsible party shall be financially responsible for its imbalances and shall strive to be balanced or shall help the electricity system to be balanced 2. Contracting Parties may provide derogations from balance responsibility only for: (a) demonstration projects for innovative technologies, subject to approval by the regulatory authority, provided that those derogations are limited to the time and extent necessary for achieving the demonstration purposes; (b) power-generating facilities using renewable energy sources with an installed electricity capacity of less than 400 kW; (c) installations benefitting from support approved by the competent authorities under Energy Community State aid rules pursuant to Articles 18 and 19 of Energy Community Treaty, and commissioned before the date of entry into force of this Regulation. Contracting Parties may, without prejudice to Annex III of Energy	Partially compliant	Article 25 (Balancing responsibility of participants in the electricity market) of the existing law has been adapted and amended through the partial transposition of Article 5 of Regulation 943 that defines the aspects of balancing responsibility for market participants including producers from RES. No conditions are provided for derogation from the balancing responsibility

establishing balance responsibility of electricity market participants, balance responsibility contract and responsibility for keeping register of balance responsible parties	Community Treaty, provide incentives to market participants which are fully or partly exempted from balancing responsibility to accept full balancing responsibility. 3. When a Contracting Party provides a derogation in accordance with paragraph 2, it shall ensure that the financial responsibility for imbalances is fulfilled by another market participant. 4. For power-generating facilities commissioned from 1 January 2026, point (b) of paragraph 2 shall apply only to generating installations using renewable energy sources with an installed electricity capacity of less than 200 kW.		
Article 46 Electricity Market Rules 1. The Market Operator in cooperation with the Transmission System Operator drafts and the Regulator adopts Electricity Market Rules based on the principles of transparency, non-discrimination and competitiveness, which shall regulate, in particular, determine: 1.1 the terms and conditions to be met by electricity market participants; 1.2 obligations of market participants; 1.3 the elements of the contracts for participation in the electricity market; 1.4 the bilateral electricity market operation; 1.5 purchase of electricity from privileged producer and its sale to suppliers or traders or organized market;	Regulation (EU)2019/943 CHAPTER II GENERAL RULES FOR THE ELECTRICITY MARKET Article 3 Principles regarding the operation of electricity markets Contracting Parties, regulatory authorities, transmission system operators, distribution system operators, market operators and delegated operators shall ensure that electricity markets are operated in accordance with the following principles: (a) prices shall be formed on the basis of demand and supply; (b) market rules shall encourage free price	Partially compliant	The Article completes the definition of the structure and content of the Market Rules as required by the articles of the law that refer to the electricity market and partially transposes the provisions from Article 3 of Regulation 943 regarding the market rules

1.6 the responsibilities of the balance responsible parties, including the conclusion of the balance responsibility contracts; 1.7 procedures and requirements for establishing balance responsibility of electricity market participants; 1.8 responsibility for keeping register of balance responsible parties; 1.9 manner of calculation of all imbalances of balance responsible parties and calculation of the final settlement price for the deviations of the balance responsible parties; 1.10 final financial settlement with the providers and users of balancing services; 1.11 standards and procedures for recording transactions on the electricity market; 1.12 the method of publishing data necessary for the functioning of the market; except for commercially sensitive information; and 1.13 form and content of bank guarantee and way of payment. 2. The Market Rules shall: 2.1 encourage free price formation and shall avoid actions which prevent price formation on the basis of demand and supply; 2.2 facilitate the development of more flexible generation, sustainable low carbon generation, and more flexible demand; 2.3 enable the de-carbonization of the electricity system , including by enabling the integration of electricity from renewable energy sources and by providing	formation and shall avoid actions which prevent price formation on the basis of demand and supply; (c) market rules shall facilitate the development of more flexible generation, sustainable low carbon generation, and more flexible demand; (d) customers shall be enabled to benefit from market opportunities and increased competition on retail markets and shall be empowered to act as market participants in the energy market and the energy transition; (e) market participation of final customers and small enterprises shall be enabled by aggregation of generation from multiple power-generating facilities or load from multiple demand response facilities to provide joint offers on the electricity market and be jointly operated in the electricity system, in accordance with Energy Community competition law; (f) market rules shall enable the decarbonisation of the electricity system and thus the economy, including by enabling the integration of electricity from renewable energy sources and by providing incentives for energy efficiency; (g) market rules shall deliver appropriate investment incentives for generation, in particular for long-term investments in a decarbonised and sustainable electricity system, energy storage, energy efficiency and demand response to meet market needs, and shall facilitate fair competition thus ensuring security of supply;		
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incentives for energy efficiency; 2.4 provide smooth implementation of the support measures for renewable energy generation facilities, especially for long-term investments that achieve the goals of decarbonization of the electricity system, energy storage, energy efficiency and demand response to meet market needs and facilitate fair competition, which will ensure security of supply; 2.5 facilitate fair competition thus ensuring security of supply; 2.6 provide regional cooperation; 2.7 allow for the development of demonstration projects into sustainable, secure and environmentally friendly energy sources, technologies or systems which are to be realized and used to the benefit of society; 2.8 enable the efficient dispatch of generation assets, energy storage and demand response; 2.9 enable equal participation in the market of generators of electricity from renewable energy sources, storage operators and demand management based on those enterprises' assessment of the economic and financial viability of their operations, and 2.10 facilitate the trading of energy products in the region taking into account the effects on short-term and long-term future markets. 3. Electricity Market Rules are mandatory for all participants in the electricity market in Kosovo.	(h) barriers to cross-border electricity flows between bidding zones or Parties to the Energy Community and cross-border transactions on electricity markets and related services markets shall be progressively removed; (i) market rules shall provide for regional cooperation where effective; (j) safe and sustainable generation, energy storage and demand response shall participate on equal footing in the market, under the requirements provided for in the Union law; (k) all producers shall be directly or indirectly responsible for selling the electricity they generate; (l) market rules shall allow for the development of demonstration projects into sustainable, secure and low-carbon energy sources, technologies or systems which are to be realised and used to the benefit of society; (m) market rules shall enable the efficient dispatch of generation assets, energy storage and demand response; (n) market rules shall allow for entry and exit of electricity generation, energy storage and electricity supply undertakings based on those undertakings' assessment of the economic and financial viability of their operations; (o) in order to allow market participants to be protected against price volatility risks on a market basis,		
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	and mitigate uncertainty on future returns on investment, long-term hedging products shall be tradable on exchanges in a transparent manner and long-term electricity supply contracts shall be negotiable over the counter, subject to compliance with Energy Community competition law; (p) market rules shall facilitate trade of products across the Energy Community and regulatory changes shall take into account effects on both short-term and long-term forward and futures markets and products; (q) market participants shall have a right to obtain access to the transmission networks and distribution networks on objective, transparent and non-discriminatory terms.		
Article 47 Nominated Electricity Market Operator 1. The Nominated Electricity Market Operator is an entity designated by the Regulator, which meets the requirements prescribed in the network code on capacity allocation and congestion management in accordance to Rule adopted by Regulator within the framework of the Energy Community. 2. The Nominated Electricity Market Operator shall act as Operator of the organized electricity market in Kosovo to perform, in cooperation with the Transmission System Operator and regional transmission system operators and other Nominated Electricity Market Operators, the day-ahead and intraday market	Regulation (EU) 2019/943 Article 2 p. (8) ‘nominated electricity market operator’ or ‘NEMO’ means a market operator designated by the competent authority to carry out tasks related to single day-ahead or single intraday coupling;	partially compliant	

coupling. Its tasks shall include receiving orders from market participants, having overall responsibility for matching and allocating orders in accordance with the day-ahead and intraday market coupling results, publishing prices and settling and clearing the contracts resulting from the trades according to relevant participant agreements and regulations. 3. With regard to day-ahead and intraday coupling, NEMO shall in particular be responsible for the following tasks: 3.1 implementing the Market coupling operator (MCO) functions set out in paragraph 4 of this Article in coordination with other NEMOs; 3.2 applying the requirements for the day-ahead and intraday market coupling, requirements for MCO functions and the price coupling algorithm as set and applied at the EU-level with respect to all matters related to electricity market functioning in accordance with paragraph 4 of this Article; 3.3 applying maximum and minimum prices as set at the EU level or regional level; 3.4 making anonymous, such that it cannot be attributed to a single market participant, and sharing the received order information necessary to perform the MCO functions provided for in paragraph 4 of this Article; 3.5 assessing the results calculated by the MCO functions set out in paragraph 4 of this Article, allocating the orders based			
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on these results, validating the results as final if they are considered correct and deliver the results to the Transmission System Operator, who should validate them in accordance with the allocation constraints and validated cross-zonal capacity; 3.6 informing the market participants on the results of their orders without unjustifiable delay; 3.7 acting as central counter party for clearing and settlement of the exchange of energy resulting from day-ahead and intraday market coupling in line with the methodology developed at the EU level; 3.8 implementing jointly with relevant NEMOs and transmission system operators back-up procedures for national or regional market operation if no results are available from the MCO functions, taking account of fallback procedures agreed by the Transmission System Operator. These back-up procedures shall on a national and regional level allow for the allocation of capacity in the event when coupling processes are unable to produce results; 3.9 providing day-ahead and intraday market coupling cost forecasts to the Regulator and the Transmission System Operator if NEMO costs for establishing, amending and operating day-ahead and intraday market coupling are to be covered by the Transmission System Operator's contribution; 3.10 where applicable, coordinate with the Transmission System Operator to establish arrangements concerning more			
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than one NEMO within a bidding zone and perform day-ahead and/or intraday coupling in line with the approved arrangements. These arrangements shall be in line with best practices in regard to multiple NEMO arrangements. These arrangements shall contain proposals for cross-zonal capacity calculation and allocation and other necessary arrangements for such bidding zones in cooperation with concerned TSOs and NEMOs as well as to ensure that the relevant TSOs and NEMOs provide the necessary data and financial coverage for such arrangements to allow for efficient consideration of several NEMOs in one bidding zone. These arrangements shall allow additional TSOs and NEMOs to join these arrangements in the future. 4. NEMO shall, jointly with other NEMOs, perform the following MCO functions: 4.1 implementing the algorithms, systems and procedures for day-ahead and/or intraday market coupling as set at the EU level. If market coupling between two or more bidding zones does not initially involve an EU Member State, a temporary solution may be agreed and implemented, subject to the approval of the Regulator and in close cooperation with TSOs and other NEMOs involved, that mimics the algorithms, systems, and procedures for day-ahead and/or intraday market coupling applicable in the EU as far as possible while allowing for the peculiarities of the two bidding zones;			
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4.2 processing input data on cross-zonal capacity and allocation constraints provided in the process of coordinated capacity calculation by the transmission system operators or coordinated capacity calculator acting on behalf of transmission system operators. Such input data should be submitted to relevant NEMOs no later than one hour before the day-ahead market closing time and no later than 15min before the intraday cross-zonal gate opening time; 4.3 operating the price coupling and continuous trading matching algorithms as set by on EU level. If market coupling between two or more bidding zones does not initially involve an EU Member State, a temporary solution may be agreed and implemented subject to the approval of Regulator and in close cooperation with transmission system operators and other NEMOs involved, that mimics the algorithms applicable in the EU as far as possible while allowing for the peculiarities of the two bidding zones; 4.4 validating and sending day-ahead and intraday market coupling results to the NEMOs and transmission system operators. 5. Cooperation between the NEMO shall be strictly limited to what is necessary for the efficient and secure design, implementation and operation of day-ahead and intraday market coupling. The joint performance of MCO functions shall be based on the principle of non-discrimination. No NEMO can benefit from unjustified economic advantages through participation in MCO functions, which			
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prohibits the use of proprietary information that is not available to the public by the NEMO which would give it unfair advantage over existing or potential competitors or for use to maximize economic profit. 6. Once designated, the NEMO shall: 6.1 allow market participants to trade energy as close to real time as possible and at least up to the intraday cross-zonal gate closure time; 6.2 provide market participants with the opportunity to trade in energy in time intervals which are at least as short as the imbalance settlement period for both day-ahead and intraday markets; and 6.3 provide products for trading in day-ahead and intraday markets which are sufficiently small in size, with minimum bid sizes of 500 kW or less, to allow for the effective participation of demand-side response, energy storage and small-scale renewables including direct participation by customers. 7. The imbalance final settlement period shall not exceed 30 minutes unless an exemption has been granted by all the regulatory authorities within a synchronous area.			
Article 48 Organized Electricity Market (Power Exchange) 1. Day-ahead and intraday electricity market shall operate on the following principles: 1.1 organize trading activity in non-discriminatory manner;	Regulation (EU) 2019/943 Article 7 Day-ahead and intraday markets 1. Transmission system operators and NEMOs shall jointly organise the management of the integrated dayahead and intraday markets in accordance with	Partially compliant	

1.2 maximize the ability of all market participants to manage imbalances; 1.3 maximize the opportunities for all market participants to participate in cross-zonal trade in as close as possible to real-time across all bidding zones; 1.4 provide prices that reflect market fundamentals, including the real-time value of energy, on which market participants can rely when agreeing on longer-term hedging products; 1.5 be transparent while at the same time protecting the confidentiality of commercially sensitive information and ensuring trading occurs in an anonymous manner; 1.6 make no distinction between trades made within a bidding zone and across bidding zones; and 1.7 be organized in such a way as to ensure that all market participants can access the market individually or through aggregation. 2. Organized electricity market carried out through the electricity exchange provides supply and demand matching services, in accordance with the rules drafted by the entity that operates it and approved by the Regulator. 3. The rules referred to in paragraph 2 of this article determine the procedures, principles and standards for organizing and functioning of the electricity exchange, principles and rules of financial settlement, the method of publishing data required for the functioning of the market and other issues necessary for its functioning.	Regulation (EU) 2015/1222, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC. Transmission system operators and NEMOs shall cooperate at Energy Community level or, where more appropriate, at a regional level in order to maximise the efficiency and effectiveness of Energy Community electricity day-ahead and intraday trading. The obligation to cooperate shall be without prejudice to the application of competition law. In their functions relating to electricity trading, transmission system operators and NEMOs shall be subject to regulatory oversight by the regulatory authorities pursuant to Article 59 of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC, and the Energy Community Regulatory Board <...>. 2. Day-ahead and intraday markets shall: (a) be organised in such a way as to be non-discriminatory; (b) maximise the ability of all market participants to manage imbalances; (c) maximise the opportunities for all market participants to participate in cross-zonal trade in as close as possible to real time across all bidding zones; (d) provide prices that reflect market fundamentals, including the real time value of energy, on which market participants are able to rely when agreeing on longer-term hedging products; (e) ensure operational security while		
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4. The entity that operates the power exchange decides on the admission of participants to the electricity exchange. 5. The entity that operates the power exchange is obliged to provide the services in a competitive, transparent and non-discriminatory manner, and to ensure their availability to all electricity exchange participants who meet the conditions for participation in the organized market. 6. The entity that operates the power exchange has the status of a counterparty in contracts on the purchase and sale of electricity on the electricity exchange. 7. The entity that operates the power exchange publishes the rules from paragraph 2 of this article on its website.	allowing for maximum use of transmission capacity; (f) be transparent while at the same time protecting the confidentiality of commercially sensitive information and ensuring trading occurs in an anonymous manner; (g) make no distinction between trades made within a bidding zone and across bidding zones; and (h) be organised in such a way as to ensure that all markets participants are able to access the market individually or through aggregation. Regulation 2019/943 Article 8 Trade on day-ahead and intraday markets 1. Once designated in accordance with Articles 4 to 6 of Regulation (EU) 2015/1222, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC, NEMOs shall allow market participants to trade energy as close to real time as possible and at least up to the intraday cross-zonal gate closure time. 2. NEMOs shall provide market participants with the opportunity to trade in energy in time intervals which are at least as short as the imbalance settlement period for both day-ahead and intraday markets. 3. NEMOs shall provide products for trading in day-ahead and intraday markets		
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	which are sufficiently small in size, with minimum bid sizes of 500 kW or less, to allow for the effective participation of demand-side response, energy storage and small-scale renewables including direct participation by customers. 4. By 1 January 2023, the imbalance settlement period shall be 15 minutes in all scheduling areas, unless regulatory authorities have granted a derogation or an exemption. Derogations may be granted only until 31 December 2024. From 1 January 2027, the imbalance settlement period shall not exceed 30 minutes where an exemption has been granted by all the regulatory authorities within a synchronous area.		
Article 49 Balancing Market 1. Transmission system operator performs the activity of organizing the balancing market in the entire territory of the Republic of Kosovo. 2. Transmission system operator shall ensure that the balancing market, including prequalification processes, is organized in such a way as to: 2.1 ensure effective non-discrimination between market participants taking account of the different technical needs of the electricity system and the different technical capabilities of generation sources, energy storage and demand response; 2.2 ensure that services are defined in	Regulation (EU) 2019/943 Article 6 Balancing market 1. Balancing markets, including prequalification processes, shall be organised in such a way as to: (a) ensure effective non-discrimination between market participants taking account of the different technical needs of the electricity system and the different technical capabilities of generation sources, energy storage and demand response; (b) ensure that services are defined in a transparent and technologically neutral manner and are procured in a transparent, market-based manner; (c) ensure non-discriminatory access to all	Partially compliant	

a transparent and technologically neutral manner and are procured in a transparent, market-based manner; 2.3 ensure non-discriminatory access to all market participants, individually or through aggregation, including for electricity generated from variable renewable energy sources, demand response and energy storage, as well as for the market participants based in countries that the Republic of Kosovo has coupled its electricity market; 2.4 respect the need to accommodate the increasing share of variable generation, increased demand responsiveness and the new technologies. 3. The price of balancing energy shall not be pre-determined in contracts for balancing capacity. Procurement processes shall be transparent in accordance with balancing rules, while protecting the confidentiality of commercially sensitive information. 4. Balancing markets shall ensure operational security whilst allowing for maximum use and efficient allocation of cross-zonal capacity across timeframes in accordance with Article 33 of this Law. 5. The pricing of balancing energy for standard balancing products and specific balancing products shall be based on marginal pricing (pay-as-cleared) unless the Regulator approve an alternative pricing method on the basis of a joint proposal by all transmission system operators following an analysis demonstrating that that alternative pricing method is more efficient.	market participants, individually or through aggregation, including for electricity generated from variable renewable energy sources, demand response and energy storage; (d) respect the need to accommodate the increasing share of variable generation, increased demand responsiveness and the advent of new technologies. 2. The price of balancing energy shall not be pre-determined in contracts for balancing capacity. Procurement processes shall be transparent in accordance with Article 40(4) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC, while protecting the confidentiality of commercially sensitive information. 3. Balancing markets shall ensure operational security whilst allowing for maximum use and efficient allocation of cross-zonal capacity across timeframes in accordance with Article 17. 4. The settlement of balancing energy for standard balancing products and specific balancing products shall be based on marginal pricing (pay-as-cleared) unless all regulatory authorities approve an alternative pricing method on the basis of a joint proposal by all transmission system operators following an analysis demonstrating that that alternative pricing method is more efficient. Market participants shall be allowed to		
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6. Market participants shall be allowed to bid as close to real time as possible and balancing energy gate closure time shall not be before the intraday cross-zonal gate closure time. The imbalances shall be settled at a price that reflects the real-time value of energy. 7. Each imbalance price area shall be equal to a bidding zone, except in the case of a central dispatching model where an imbalance price area may constitute a part of a bidding zone. 8. The dimensioning of reserve capacity shall be performed by the transmission system operators and shall be facilitated at regional level. 9. The procurement of balancing capacity shall be performed by the Transmission System Operator and may be facilitated at a regional level. Reservation of cross-border capacity to that end may be limited. The procurement of balancing capacity shall be market-based and organized in such a way as to be non-discriminatory between market participants in the prequalification process in accordance with balancing rules, whether market participants participate individually or through aggregation. 10. Procurement of balancing capacity shall be based on a primary market unless and to the extent that the Regulator has provided for a derogation to allow the use of other forms of market-based procurement on the grounds of a lack of competition in the market for balancing services. Derogations from the obligation to	bid as close to real time as possible, and balancing energy gate closure times shall not be before the intraday cross-zonal gate closure time. Transmission system operators applying a central dispatching model may establish additional rules in accordance with Regulation (EU) 2017/2195, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC. 5. The imbalances shall be settled at a price that reflects the real-time value of energy. 6. Each imbalance price area shall be equal to a bidding zone, except in the case of a central dispatching model where an imbalance price area may constitute a part of a bidding zone. 7. The dimensioning of reserve capacity shall be performed by the transmission system operators and shall be facilitated at regional level. 8. The procurement of balancing capacity shall be performed by the transmission system operator and may be facilitated at a regional level. Reservation of cross-border capacity to that end may be limited. The procurement of balancing capacity shall be market-based and organised in such a way as to be non-discriminatory between market participants in the prequalification process in accordance with Article 40(4) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council	Partially compliant	
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base the procurement of balancing capacity on use of primary markets shall be reviewed every three (3) years. 11. The procurement of upward balancing capacity and downward balancing capacity shall be carried out separately, unless the Regulator approves a derogation from this principle on the basis that this would result in higher economic efficiency as demonstrated by an evaluation performed by the transmission system operator. Contracts for balancing capacity shall not be concluded more than one day before the provision of the balancing capacity and the contracting period shall be no longer than one day, unless and to the extent that the regulatory authority has approved the earlier contracting or longer contracting periods to ensure the security of supply or to improve economic efficiency. 12. Where a derogation is granted, for at least 40% of the standard balancing products and a minimum of 30 % of all products used for balancing capacity, contracts for the balancing capacity shall be concluded for no more than one day before the provision of the balancing capacity and the contracting period shall be no longer than one day. The contracting of the remaining part of the balancing capacity shall be performed for a maximum of one month in advance of the provision of balancing capacity and shall have a maximum contractual period of one month. 13. At the request of the Transmission System Operator, the Regulator may decide to extend the	Decision 2021/13/ MC-EnC whether market participants participate individually or through aggregation. Procurement of balancing capacity shall be based on a primary market unless and to the extent that the regulatory authority has provided for a derogation to allow the use of other forms of market- based procurement on the grounds of a lack of competition in the market for balancing services. Derogations from the obligation to base the procurement of balancing capacity on use of primary markets shall be reviewed every three years. 9. The procurement of upward balancing capacity and downward balancing capacity shall be carried out separately, unless the regulatory authority approves a derogation from this principle on the basis that this would result in higher economic efficiency as demonstrated by an evaluation performed by the transmission system operator. Contracts for balancing capacity shall not be concluded more than one day before the provision of the balancing capacity and the contracting period shall be no longer than one day, unless and to the extent that the regulatory authority has approved the earlier contracting or longer contracting periods to ensure the security of supply or to improve economic efficiency. Where a derogation is granted, for at least 40 % of the standard balancing products and a minimum of 30 % of all products used for balancing capacity, contracts for		
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contractual period of the remaining part of balancing capacity in paragraph 11 of this Article to a maximum period of twelve (12) months provided that such a decision is limited in time, and the positive effects in terms of lowering of costs for final customers exceed the negative impacts on the market. From 1 January 2026, the contract period shall not be longer than six months. The request shall include: 13.1 the specific period during which the exemption would apply; 13.2 the specific volume of balancing capacity to which the exemption would apply; 13.3 an analysis of the impact of the exemption on the participation of balancing resources; and 13.4 a justification for the exemption demonstrating that such an exemption would lead to lower costs to final customers. 14. The Regulator shall inform the Energy Community Secretariat and the ECRB on the share of the total capacity covered by contracts with a duration or a procurement period of longer than one day. 15. Transmission System Operator or its delegated operator shall publish, as close to real time as possible but not more than thirty (30) minutes after supply, the current system balance of their scheduling areas, the estimated imbalance prices and the estimated balancing energy prices. 16. The Transmission System Operator may, where standard balancing products are not sufficient to ensure	the balancing capacity shall be concluded for no more than one day before the provision of the balancing capacity and the contracting period shall be no longer than one day. The contracting of the remaining part of the balancing capacity shall be performed for a maximum of one month in advance of the provision of balancing capacity and shall have a maximum contractual period of one month. 10. At the request of the transmission system operator, the regulatory authority may decide to extend the contractual period of the remaining part of balancing capacity referred to in paragraph 9 to a maximum period of twelve months provided that such a decision is limited in time, and the positive effects in terms of lowering of costs for final customers exceed the negative impacts on the market. The request shall include: (a) the specific period during which the exemption would apply; (b) the specific volume of balancing capacity to which the exemption would apply; (c) an analysis of the impact of the exemption on the participation of balancing resources; and (d) a justification for the exemption demonstrating that such an exemption would lead to lower costs to final customers. 11. Notwithstanding paragraph 10, from 1 January 2026 contract periods shall not be		
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operational security or where some balancing resources cannot participate in the balancing market through standard balancing products, propose, and the Regulator may approve, derogations from paragraphs 3 and 5 of this Article for specific balancing products which are activated locally without exchanging them with other transmission system operators. Proposals for derogations shall include a description of measures proposed to minimize the use of specific products, subject to economic efficiency, a demonstration that the specific products do not create significant inefficiencies and distortions in the balancing market either inside or outside the scheduling area, as well as, where applicable, the rules and information for the process for converting the balancing energy bids from specific balancing products into balancing energy bids from standard balancing products. 17. The Transmission System Operator, based on the approval from the Regulator, may delegate all or part of any tasks with which it is entrusted under this Article, to one or more third parties, including the Market Operator, in case the third party proves that it can carry out the respective function at least as effectively as the Transmission System Operator. The Transmission System Operator shall remain responsible for ensuring compliance with the obligations under this Law, including ensuring access to information necessary for monitoring by the Regulator.	longer than six months. 12. By 1 January 2028, regulatory authorities shall report to the Energy Community Secretariat and the Energy Community Regulatory Board on the share of the total capacity covered by contracts with a duration or a procurement period of longer than one day. 13. Transmission system operators or their delegated operators shall publish, as close to real time as possible but with a delay after delivery of no more than 30 minutes, the current system balance of their scheduling areas, the estimated imbalance prices and the estimated balancing energy prices. 14. Transmission system operators may, where standard balancing products are not sufficient to ensure operational security or where some balancing resources cannot participate in the balancing market through standard balancing products, propose, and the regulatory authorities may approve, derogations from paragraphs 2 and 4 for specific balancing products which are activated locally without exchanging them with other transmission system operators. Proposals for derogations shall include a description of measures proposed to minimise the use of specific products, subject to economic efficiency, a demonstration that the specific products do not create significant inefficiencies and distortions in the balancing market either inside or outside the scheduling area, as		
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	well as, where applicable, the rules and information for the process for converting the balancing energy bids from specific balancing products into balancing energy bids from standard balancing products. Regulation 2019/943 article 2 p. (29) ‘central dispatching model’ means a scheduling and dispatching model where the generation schedules and consumption schedules as well as dispatching of power-generating facilities and demand facilities, in reference to dispatchable facilities, are determined by a transmission system operator within an integrated scheduling process;		
Article 50 Balancing Market Rule 1. The Transmission System Operator shall prepare the balancing rules and after approval by the Regulator shall publish them on its website. 2. The balancing rules shall be objective, transparent, non-discriminatory and market-oriented and shall regulate, in particular, the following: 2.1 procedures, principles and standards for organizing and functioning of the balancing electricity market; 2.2 pre-qualification process and registration of participants in the balancing electricity market; 2.3 the rights and obligations of the balancing service providers including the	Regulation (EU) 2019/943 Article 6 Balancing market 1. Balancing markets, including prequalification processes, shall be organised in such a way as to: (a) ensure effective non-discrimination between market participants taking account of the different technical needs of the electricity system and the different technical capabilities of generation sources, energy storage and demand response; (b) ensure that services are defined in a transparent and technologically neutral manner and are procured in a transparent, market-based manner; (c) ensure non-discriminatory access to all	Partially compliant	The new article transposes the provisions from Regulation 943 for the operation of a balancing market, including the role of the TSO, market functions and conditions for operation and settlement, procurement of balancing capacities (services), the role of the Regulator, and the conditions for derogation and outsourcing the operation of the balancing market or the provision of balancing capacities

conclusion of the contracts; 2.4 standard and specific products on the balancing market; 2.5 procedures for submitting and selecting bids; 2.6 the pricing methodology for the balancing services, as well as the procedure for their calculation, invoicing and collection, which should be non-discriminatory, should reflect the real costs incurred and should allow for the minimization of balancing costs; 2.7 activation or procurement of balancing energy or balancing services and the manner of determining the activated or procured amounts of balancing energy or balancing services; 2.8 financial settlement with the balancing service providers, including the contracts and financial guarantees required by the providers in relation to the settlement of balancing services; 2.9 application of common methodologies for the allocation of cross-zonal transmission capacity for balancing purposes; 2.10 standards and procedures for performing and recording transactions on the balancing market of electricity; 2.11 standards and procedures for creating, maintaining and updating the database for the needs of the electricity balancing market; and 2.12 the method of publishing data required for the functioning of the balance market, except for commercially sensitive information.	market participants, individually or through aggregation, including for electricity generated from variable renewable energy sources, demand response and energy storage; (d) respect the need to accommodate the increasing share of variable generation, increased demand responsiveness and the advent of new technologies. 2. The price of balancing energy shall not be pre-determined in contracts for balancing capacity. Procurement processes shall be transparent in accordance with Article 40(4) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC, while protecting the confidentiality of commercially sensitive information. 3. Balancing markets shall ensure operational security whilst allowing for maximum use and efficient allocation of cross-zonal capacity across timeframes in accordance with Article 17. 4. The settlement of balancing energy for standard balancing products and specific balancing products shall be based on marginal pricing (pay-as-cleared) unless all regulatory authorities approve an alternative pricing method on the basis of a joint proposal by all transmission system operators following an analysis demonstrating that that alternative pricing method is more efficient. Market participants shall be allowed to		
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	bid as close to real time as possible, and balancing energy gate closure times shall not be before the intraday cross-zonal gate closure time. Transmission system operators applying a central dispatching model may establish additional rules in accordance with Regulation (EU) 2017/2195, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC. 5. The imbalances shall be settled at a price that reflects the real-time value of energy. 6. Each imbalance price area shall be equal to a bidding zone, except in the case of a central dispatching model where an imbalance price area may constitute a part of a bidding zone. 7. The dimensioning of reserve capacity shall be performed by the transmission system operators and shall be facilitated at regional level. 8. The procurement of balancing capacity shall be performed by the transmission system operator and may be facilitated at a regional level. Reservation of cross-border capacity to that end may be limited. The procurement of balancing capacity shall be market-based and organised in such a way as to be non-discriminatory between market participants in the prequalification process in accordance with Article 40(4) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council		
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	Decision 2021/13/ MC-EnC whether market participants participate individually or through aggregation. Procurement of balancing capacity shall be based on a primary market unless and to the extent that the regulatory authority has provided for a derogation to allow the use of other forms of market- based procurement on the grounds of a lack of competition in the market for balancing services. Derogations from the obligation to base the procurement of balancing capacity on use of primary markets shall be reviewed every three years. 9. The procurement of upward balancing capacity and downward balancing capacity shall be carried out separately, unless the regulatory authority approves a derogation from this principle on the basis that this would result in higher economic efficiency as demonstrated by an evaluation performed by the transmission system operator. Contracts for balancing capacity shall not be concluded more than one day before the provision of the balancing capacity and the contracting period shall be no longer than one day, unless and to the extent that the regulatory authority has approved the earlier contracting or longer contracting periods to ensure the security of supply or to improve economic efficiency. Where a derogation is granted, for at least 40 % of the standard balancing products and a minimum of 30 % of all products used for balancing capacity, contracts for		
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	the balancing capacity shall be concluded for no more than one day before the provision of the balancing capacity and the contracting period shall be no longer than one day. The contracting of the remaining part of the balancing capacity shall be performed for a maximum of one month in advance of the provision of balancing capacity and shall have a maximum contractual period of one month. 10. At the request of the transmission system operator, the regulatory authority may decide to extend the contractual period of the remaining part of balancing capacity referred to in paragraph 9 to a maximum period of twelve months provided that such a decision is limited in time, and the positive effects in terms of lowering of costs for final customers exceed the negative impacts on the market. The request shall include: (a) the specific period during which the exemption would apply; (b) the specific volume of balancing capacity to which the exemption would apply; (c) an analysis of the impact of the exemption on the participation of balancing resources; and (d) a justification for the exemption demonstrating that such an exemption would lead to lower costs to final customers. 11. Notwithstanding paragraph 10, from 1 January 2026 contract periods shall not be		
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	longer than six months. 12. By 1 January 2028, regulatory authorities shall report to the Energy Community Secretariat and the Energy Community Regulatory Board on the share of the total capacity covered by contracts with a duration or a procurement period of longer than one day. 13. Transmission system operators or their delegated operators shall publish, as close to real time as possible but with a delay after delivery of no more than 30 minutes, the current system balance of their scheduling areas, the estimated imbalance prices and the estimated balancing energy prices. 14. Transmission system operators may, where standard balancing products are not sufficient to ensure operational security or where some balancing resources cannot participate in the balancing market through standard balancing products, propose, and the regulatory authorities may approve, derogations from paragraphs 2 and 4 for specific balancing products which are activated locally without exchanging them with other transmission system operators. Proposals for derogations shall include a description of measures proposed to minimise the use of specific products, subject to economic efficiency, a demonstration that the specific products do not create significant inefficiencies and distortions in the balancing market either inside or outside the scheduling area, as		
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	well as, where applicable, the rules and information for the process for converting the balancing energy bids from specific balancing products into balancing energy bids from standard balancing products.		
Article 51 Forward markets 1. The Transmission System Operator shall issue long-term transmission rights or have equivalent measures in place to allow for market participants, including owners of power-generating facilities using renewable energy sources, to hedge price risks across bidding zone borders, unless the Regulator and the competent regulatory authorities of the bidding zone border have adopted coordinated decisions not to issue long-term transmission rights on the bidding zone border. The decision shall be based on an assessment, which shall identify whether the electricity forward market provides sufficient hedging opportunities in the concerned bidding zones. 2. Long-term transmission rights shall be allocated in a transparent, market based and non- discriminatory manner through a single allocation platform. 3. Subject to compliance with the relevant e competition law, the market operator shall be free to develop forward hedging products, including long-term forward hedging products, to provide market participants, including owners of power-generating facilities using renewable	Regulation (EU) 2019/943 Article 9 Forward markets 1. In accordance with Regulation (EU) 2016/1719, as adapted and adopted Ministerial Council Decision 2022/03/MC-EnC, transmission system operators shall issue long-term transmission rights or have equivalent measures in place to allow for market participants, including owners of power-generating facilities using renewable energy sources, to hedge price risks across bidding zone borders, unless an assessment of the forward market on the bidding zone borders performed by the competent regulatory authorities shows that there are sufficient hedging opportunities in the concerned bidding zones. 2. Long-term transmission rights shall be allocated in a transparent, market based and non- discriminatory manner through a single allocation platform in accordance with Article 2(4) and chapter IV of Regulation (EU) 2016/1719, as adapted and adopted by Ministerial Council Decision 2022/03/ MC-EnC.	Fully compliant	

energy sources, with appropriate possibilities for hedging financial risks against price fluctuations. The hedging activity shall not be limited to trades within the Kosovo bidding zone.	3. Subject to compliance with Energy Community competition law, market operators shall be free to develop forward hedging products, including long-term forward hedging products, to provide market participants, including owners of power-generating facilities using renewable energy sources, with appropriate possibilities for hedging financial risks against price fluctuations. Contracting Parties shall not require that such hedging activity be limited to trades within a Contracting Party or bidding zone.		
Article 52 Technical bidding limits 1. There shall be neither a maximum nor a minimum limit to the wholesale electricity price. This provision shall apply, inter alia, to bidding and clearing in all timeframes and shall include balancing energy and imbalance prices, without prejudice to the technical price limits which may be applied in the balancing timeframe and in the day-ahead and intraday timeframes in accordance with paragraph 2 of this Article. 2. The Nominated Electricity Market Operator may apply harmonized limits on maximum and minimum clearing prices for day-ahead and intraday timeframes. Those limits shall be sufficiently high so as not to unnecessarily restrict trade, shall be harmonized for the internal market and shall take into account the maximum value of lost load. The Nominated Electricity	Article 10 Technical bidding limits\ 1. There shall be neither a maximum nor a minimum limit to the wholesale electricity price. This provision shall apply, inter alia, to bidding and clearing in all timeframes and shall include balancing energy and imbalance prices, without prejudice to the technical price limits which may be applied in the balancing timeframe and in the day-ahead and intraday timeframes in accordance with paragraph 2. 2. NEMOs may apply harmonised limits on maximum and minimum clearing prices for day- ahead and intraday timeframes. Those limits shall be sufficiently high so as not to unnecessarily restrict trade, shall b harmonised for the internal market and shall take into account the maximum	Fully compliant	

Market Operator shall implement a transparent mechanism to adjust automatically the technical bidding limits in due time in the event that the set limits are expected to be reached. The adjusted higher limits shall remain applicable until further increases under that mechanism are required. 3. The Transmission System Operator shall not take any measures for the purpose of changing wholesale prices. 4. The Regulator shall identify policies and measures applied within the territory of the Republic of Kosovo that could contribute to indirectly restricting wholesale price formation, including limiting bids relating to the activation of balancing energy, capacity mechanisms, measures by the transmission system operator, measures intended to challenge market outcomes, or to prevent the abuse of dominant positions or inefficiently defined bidding zones. 5. Where the Regulator has identified a policy or measure which could serve to restrict wholesale price formation it shall take all appropriate actions to eliminate or, if not possible, to mitigate the impact of that policy or measure on bidding behaviour. The Ministry shall provide a report to the Energy Community Secretariat detailing the measures and actions that have been taken or intended to take.	value of lost load. NEMOs shall implement a transparent mechanism to adjust automatically the technical bidding limits in due time in the event that the set limits are expected to be reached. The adjusted higher limits shall remain applicable until further increases under that mechanism are required. 3. Transmission system operators shall not take any measures for the purpose of changing wholesale prices. 4. Regulatory authorities or, where a Contracting Party has designated another competent authority for that purpose, such designated competent authorities, shall identify policies and measures applied within their territory that could contribute to indirectly restricting wholesale price formation, including limiting bids relating to the activation of balancing energy, capacity mechanisms, measures by the transmission system operators, measures intended to challenge market outcomes, or to prevent the abuse of dominant positions or inefficiently defined bidding zones. 5. Where a regulatory authority or designated competent authority has identified a policy or measure which could serve to restrict wholesale price formation it shall take all appropriate actions to eliminate or, if not possible, to mitigate the impact of that policy or measure on bidding behaviour. Contracting Parties shall provide a report to the Energy Community Secretariat by 5 January 2023 detailing the measures		
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	and actions they have taken or intend to take.		
Article 53 Value of lost load 1. For the purpose of setting a reliability standard in accordance with Article 28 of this law, the Regulator shall determine a single estimate of the value of lost load for the territory of the Republic of Kosovo and make it publicly available. 2. If the Republic of Kosovo is part of the bidding zone, the Regulator shall jointly with other competent authorities from the bidding zone determine a single estimate of the value of lost load for the bidding zone. 3. Value of lost load shall be determined by applying methodology for calculating the value of lost load developed by ENTSO-E and adopted by ACER. 4. The Regulator shall update its estimate of the value of lost load at least every five (5) years, or earlier where it observes a significant change.	Regulation (EU) 2019/943 Article 11 Value of lost load 1. By 5 July 2023 where required for the purpose of setting a reliability standard in accordance with Article 25 regulatory authorities or, where a Contracting Party has designated another competent authority for that purpose, such designated competent authorities shall determine a single estimate of the value of lost load for their territory. That estimate shall be made publically available. Regulatory authorities or other designated competent authorities may determine different estimates per bidding zone if they have more than one bidding zone in their territory. Where a bidding zone consists of territories of more than one Contracting Party, the concerned regulatory authorities or other designated competent authorities shall determine a single estimate of the value of lost load for that bidding zone. In determining the single estimate of the value of lost load, regulatory authorities or other designated competent authorities shall apply the methodology referred to in Article 23(6) of Regulation (EU) 2019/943. 2. Regulatory authorities and designated competent authorities shall update their estimate of the value of lost load at least every five years, or earlier where they observe a significant change.	Partially compliant	The new article transposes the provision of Regulation 943 that prevents the establishment of maximum or minimum limits for wholesale prices, except under limited conditions in organized markets, and indicates the role of NEMO, OST and the Regulator in this regard. The provisions for the value of lost cargo have not been transposed.

CHAPTER VI ELECTRICITY DISTRIBUTION Article 54 Distribution System Operator 1. The Distribution System Operator conducts the activity of electricity distribution, in line with specific conditions set forth in the permit and principles of objectivity, transparency and nondiscrimination, in the entire territory of the Republic of Kosovo, in compliance with provisions of this law and other applicable legislation. 2. The Distribution System Operator owns the distribution network assets only based on a legally binding agreement with the Government of Kosovo and is independent in operational decision-making and planning from the generation and supply activities. 3. The Distribution System Operator shall manage, operate, maintain, develop and construct the distribution network, with the aim of providing electricity distribution in safe, reliable and long-term manner.	Directive 2009/744 CHAPTER IV DISTRIBUTION SYSTEM OPERATION Article 30 Designation of distribution system operators Contracting Parties shall designate or shall require undertakings that own or are responsible for distribution systems to designate one or more distribution system operators for a period of time to be determined by the Contracting Parties, having regard to considerations of efficiency and economic balance. Regulation 2019/943 Article 27 Approval procedure < ... > CHAPTER V TRANSMISSION SYSTEM OPERATION 33 Article 28 European network of transmission system operators for electricity 1. Transmission system operators shall cooperate at Energy Community level through the ENTSO for Electricity, in order to promote the completion and functioning of the internal market for electricity and cross-zonal trade and to ensure the optimal management, coordinated operation and sound technical	Fully compliant	
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	evolution of the European electricity transmission network. 2. < ... > Transmission system operators which are not members of the ENTSO for Electricity shall enter into agreements with the ENTSO for Electricity, to cover the additional costs resulting from the extension of the tasks of the ENTSO for Electricity to these transmission system operators. Article 29 The ENTSO for Electricity < ... > Article 30 Tasks of the ENTSO for Electricity < ... > Article 31 Consultations < ... > Article 32 Monitoring by ACER < ... > Article 33 Costs The costs related to the activities of the ENTSO for Electricity referred to in Articles 4 to 12, as well as the costs referred to in Article 28, shall be borne by the transmission system operators and shall be taken into account in the calculation of tariffs. Regulatory authorities shall approve those costs only if they are reasonable and proportionate.		
Article 55	Directive 2019/744 Article 51	Fully compliant	The new changes in this article is that with the new draft of this law,

Separation of Activities 1. The entity that holds a permit for performing electricity distribution activity shall not have a permit and shall not participate in the performance of the activities of generation, transmission, organization and management of the electricity market, trade and/or electricity supply. 2. When the Distribution System Operator is part of a vertically integrated undertaking, it shall be independent from all other activities not relating to distribution, at least in terms of its legal form, organization and decision making. Those rules shall not create an obligation to separate the ownership of assets of the distribution system operator from the vertically integrated undertaking. 3. In order to ensure the independence of the Distribution System Operator, in line with paragraph 2 of this Article, the following minimum criteria shall be applied: 3.1 persons responsible for the management of a Distribution System Operator must not participate in the structures of any vertically integrated enterprise responsible, directly or	Network development and powers to make investment decisions 1. At least every two years, transmission system operators shall submit to the regulatory authority a ten-year network development plan based on existing and forecast supply and demand after having consulted all the relevant stakeholders. That network development plan shall contain efficient measures in order to guarantee the adequacy of the system and the security of supply. The transmission system operator shall publish the ten-year network development plan on its website. Directive 20019/744 Article 35 Unbundling of distribution system operators 1. Where the distribution system operator is part of a vertically integrated undertaking, it shall be independent at least in terms of its legal form, organisation and decision-making from other activities not relating to distribution. Those rules shall not create an obligation to separate the ownership of assets of the distribution system operator from the vertically integrated undertaking. 2. In addition to the requirements under paragraph 1, where the distribution system operator is part of a vertically integrated undertaking, it shall be independent in terms of its organisation and decision-making from the other activities not related to distribution. In order to achieve this, the following		it is required to organize a public consultation by the operators for PZHOS and to publish the same comments. The opinion of the Ministry is also requested in advance for development plans
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indirectly, for the day-to-day operation of the generation, transmission or supply of electricity; 3.2 persons participating in the management of the electricity distribution system operator are independent in their work and decision-making from the vertically integrated company; 3.3 Distribution System Operator shall have effective decision-making rights, independent from the vertically integrated enterprise, with respect to assets necessary to operate, maintain and develop the distribution system in a reliable and efficient manner that ensures long-term safety; 3.4 the Distribution System Operator drafts and submits for approval to the Regulator its Compliance Program, which delineates measures to be undertaken with the aim of eliminating discriminatory behavior and that ensure its adequate monitoring. In order to achieve its objective, the Compliance Program shall stipulate specific obligations of the staff of the Distribution System Operator. The responsible person or bodies for monitoring the Compliance Program, the Compliance Officer shall submit to the Regulator an annual report, which shall be published and	minimum criteria shall apply: (a) the persons responsible for the management of the distribution system operator must not participate in company structures of the integrated electricity undertaking responsible, directly or indirectly, for the day-to-day operation of the generation, transmission or supply of electricity; (b) appropriate measures must be taken to ensure that the professional interests of the persons responsible for the management of the distribution system operator are taken into account in a manner that ensures that they are capable of acting independently; (c) the distribution system operator must have effective decision-making rights, independent from the integrated electricity undertaking, with respect to assets necessary to operate, maintain or develop the network. In order to fulfil those tasks, the distribution system operator shall have at its disposal the necessary resources including human, technical, physical and financial resources. This should not prevent the existence of appropriate coordination mechanisms to ensure that the economic and management supervision rights of the parent company in respect of return on assets, regulated indirectly in accordance with Article 59(7), in a subsidiary are		
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shall describe measures undertaken. The compliance officer shall be fully independent and shall have access to all the necessary information of the Distribution System Operator and any its affiliated undertaking to fulfil their task. 4. In case the Distribution System Operator is part of a vertically integrated undertaking, The parent enterprise: 4.1 may approve the annual financial plan, or any equivalent instrument, of the distribution system operator and to set global limits on the levels of indebtedness of its subsidiary; 4.2 shall not give instructions regarding day-to-day operations of the distribution system operator, nor with respect to individual decisions concerning the construction or upgrading of distribution lines, that do not exceed the terms of the approved financial plan, or any equivalent instrument. 5. Activities of the Distribution System Operator shall be continuously monitored by the Regulator, in consultation with the Competition Authority of the Republic of Kosova. Any agreements aiming to prevent, limit or distort competition, shall be prohibited, as well as	protected. In particular, this shall enable the parent company to approve the annual financial plan, or any equivalent instrument, of the distribution system operator and to set global limits on the levels of indebtedness of its subsidiary. It shall not permit the parent company to give instructions regarding day-to-day operations, nor with respect to individual decisions concerning the construction or upgrading of distribution lines, that do not exceed the terms of the approved financial plan, or any equivalent instrument; and (d) the distribution system operator must establish a compliance programme, which sets out measures taken to ensure that discriminatory conduct is excluded, and ensure that observance of it is adequately monitored. The compliance programme shall set out the specific obligations of employees to meet that objective. An annual report, setting out the measures taken, shall be submitted by the person or body responsible for monitoring the compliance programme, the compliance officer of the distribution system operator, to the regulatory authority referred to in Article 57(1) and shall be published. The compliance officer of the distribution system operator shall be fully independent and shall have access to all the necessary information of the distribution system operator and any affiliated undertaking to fulfil its task. 3. Where the distribution system operator		
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the abuse of its dominant position, including prohibition of the Distribution System Operator that is part of a vertically integrated enterprise, in its communication and branding, to create confusion in respect of the separate identity of the supply branch of the vertically integrated enterprise. 6. Where, on the basis of monitoring, or reports and/or any other information received by Distribution System Operator or any other party, the Regulator considers that the Distribution System Operator is not fully complying with the provisions of this Article, the Distribution System Operator shall, within seven (7) days provide any further information that the Regulator may require. The Regulator, based on a justified request from the Distribution System Operator, can extend the deadline for provision of additional information, but not longer than fourteen (14) days. Where it considers it is necessary to ensure compliance with provisions of this Article, the Regulator shall take all necessary further action to ensure compliance with these respective provisions and with the Distribution System Operator's permit.	is part of a vertically integrated undertaking, the Contracting Parties shall ensure that the activities of the distribution system operator are monitored by regulatory authorities or other competent bodies so that it cannot take advantage of its vertical integration to distort competition. In particular, vertically integrated distribution system operators shall not, in their communication and branding, create confusion with respect to the separate identity of the supply branch of the vertically integrated undertaking. 4. Contracting Parties may decide not to apply paragraphs 1, 2 and 3 to integrated electricity undertakings which serve less than 100 000 connected customers, or serving small isolated systems. Regulation 2019/943 Article 35 Establishment and mission of regional coordination centres 1. <...> 2. <...> The regional coordination centres shall replace the regional security coordinators established pursuant to the system operation guideline adopted on the basis of Article 18 of Regulation (EC) No 714/2009 and shall enter into operation in accordance with Annex IV. 3. Regional coordination centres shall have a legal form referred to in Annex II to Directive (EU) 2017/1132 of the European Parliament and of the		
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	Council. 4. In performing their tasks under Energy Community and Union law, regional coordination centres shall act independently of individual national interests and independently of the interests of transmission system operators. 5. Regional coordination centres shall complement the role of transmission system operators by performing the tasks of regional relevance assigned to them in accordance with Article 37. Transmission system operators shall be responsible for managing electricity flows and ensuring a secure, reliable and efficient electricity system in accordance with point (d) of Article 40(1) of Directive (EU) 2019/944, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC.		
Article 56 Rights, duties and responsibilities of Distribution System Operator 1. The Distribution System Operator shall have available all necessary human, technical, physical and financial sources for safe, reliable and long-term operation of the distribution system. 2. Rights, duties and responsibilities of the Distribution System Operator shall	Directive 2019/744 Article 31 Tasks of distribution system operators 1. The distribution system operator shall be responsible for ensuring the long-term ability of the system to meet reasonable demands for the distribution of electricity, for operating, maintaining and developing under economic conditions a secure, reliable and efficient electricity distribution system in its area with due regard for the environment and energy	Fully compliant	

be: 2.1 distribution system operation; 2.2 provision of coordinated functioning of the distribution system connected to networks of other operators and network user facilities; 2.3 ensuring the long-term ability of the system to meet reasonable demands for the distribution of electricity, for operating, maintaining and developing a secure, reliable and efficient electricity distribution system in its area with due regard for the environment and energy efficiency; 2.4 provision of connections in the distribution network, in accordance with this law, for all system users requiring such connection, in accordance with the connection requirements defined in the Distribution Grid Code; 2.5 provision of access to the distribution network, in accordance with regulatory, transparent and non-discriminatory principles, for system users or categories of system users, especially by not favouring its subsidiaries or shareholders; 2.6 act in compliance with supply quality and distribution system safety	efficiency. 2. In any event, the distribution system operator shall not discriminate between system users or classes of system users, particularly in favour of its related undertakings. 3. The distribution system operator shall provide system users with the information they need for efficient access to, including use of, the system. 4. A Contracting Party may require the distribution system operator, when dispatching generating installations, to give priority to generating installations using renewable sources or using high-efficiency cogeneration, in accordance with Article 16 of Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011. 5. Each distribution system operator shall act as a neutral market facilitator in procuring the energy it uses to cover energy losses in its system in accordance with transparent, non-discriminatory and market-based procedures, where it has such a6. Where a distribution system operator is responsible for the procurement of products and services necessary for the efficient, reliable and secure operation of the distribution system, rules adopted by the distribution system operator for that purpose shall be objective, transparent and non-discriminatory, and shall be developed in coordination with transmission system		
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standards, as approved by the Regulator; 2.7 ensure in emergency situations, stipulated in this law, that interruptions of supply are conducted based on predetermined, non-discriminatory and transparent criteria; 2.8 give priority to dispatch of electricity generation from renewable energy resources and high efficiency co-generation in accordance with Article 18 of this Law, subject to limits specified for purposes of system security by the Transmission Grid Code and Distribution Grid Code; 2.9 establish and after approval from the Regulator, publish standard rules on cost coverage for technical adaptations in its distribution system, such as network connections or network reinforcements, which are necessary to integrate new electricity generation facilities of generators connected in the distribution system; 2.10 provide any new system user wishing to be connected to the distribution system with a comprehensive and detailed description of the costs associated with the connection. For this service the Distribution System Operator may levy a charge that	operators and other relevant market participants. The terms and conditions, including rules and tariffs, where applicable, for the provision of such products and services to distribution system operators shall be established in accordance with Article 59(7) in a non-discriminatory and cost-reflective way and shall be published 7. In performing the tasks referred to in paragraph 6, the distribution system operator shall procure the non-frequency ancillary services needed for its system in accordance with transparent, non-discriminatory and market-based procedures, unless the regulatory authority has assessed that the market-based provision of non-frequency ancillary services is economically not efficient and has granted a derogation. The obligation to procure non-frequency ancillary services does not apply to fully integrated network components function. 8. The procurement of the products and services referred to in paragraph 6 shall ensure the effective participation of all qualified market participants, including market participants offering energy from renewable sources, market participants engaged in demand response, operators of energy storage facilities and market participants engaged in aggregation, in particular by requiring regulatory authorities and distribution system operators in close cooperation with all market participants, as well as transmission system operators, to		
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reflects its reasonable costs; 2.11 establish and after approval from the Regulator publish standards and rules relating to the sharing of costs of system installations, such as grid connections and reinforcements, between all system users benefiting from the system; 2.12 draft tariff methodologies for access and connection to the distribution system and application of tariffs for use of the distribution system and connection charges, in accordance with transparent and non-discriminatory principles that provide efficient economic signals for system users. The methodologies, tariffs, charges and calculation methodology shall be approved by the Regulator, and shall be published in the web site of the Distribution System Operator, fifteen (15) days prior to the date of their application, in accordance with rules and procedures set forth in the relevant Law on Energy Regulator; 2.13 provide data from metering points of generators and suppliers connected in the distribution network, to the aggregator if one is involved, to the Transmission System Operator and/or to the Nominated Electricity Market Operator if they directly participate in the market, for final	establish the technical requirements for participation in those markets on the basis of the technical characteristics of those markets and the capabilities of all market participants. 9. Distribution system operators shall cooperate with transmission system operators for the effective participation of market participants connected to their grid in retail, wholesale and balancing markets. Delivery of balancing services stemming from resources located in the distribution system shall be agreed with the relevant transmission system operator in accordance with < ... > Article 182 of Commission Regulation (EU) 2017/1485. 10. Contracting Parties or their designated competent authorities may allow distribution system operators to perform activities other than those provided for in this Directive and in Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011, where such activities are necessary for the distribution system operators to fulfil their obligations under this Directive or Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011, provided that the regulatory authority has assessed the necessity of such a derogation. This paragraph shall be without prejudice to the right of the distribution system operators to own, develop, manage or operate networks other than electricity networks where the		
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calculation settlement purposes; 2.14 ensure availability of distribution capacities for electricity distribution for system users connected in the distribution network; 2.15 provide information to energy entities and distribution network users, which is necessary for effective access to the network and use of the distribution network, in a transparent and non-discriminatory manner; 2.16 provide information on electricity demand forecast and other information required by the Transmission System Operator, the Regulator or Ministry; 2.17 implement measures to improve efficiency of energy distribution; 2.18 protect the environment; 2.19 reach an agreement and implement the corresponding obligations for provision of ancillary services with the Transmission System Operator, with the view of providing transmission system services; 2.20 purchase electricity for covering losses in the distribution system and for ancillary services in the distribution network, in accordance with the principles	Contracting Party or the designated competent authority has granted such a right.		
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of electricity market, transparency and non-discrimination, pursuant to Article 17 of this law. 2.21 reach an agreement with distribution system users and implement the corresponding obligations on provision of ancillary services, with the view of providing ancillary services in the distribution network in an economical and efficient manner; 2.22 maintain a register of metering points for all respective parties for imbalance in the delivery points in the distribution network; 2.23 analyze losses in the distribution network on annual basis, including assessment of technical losses and unauthorized electricity consumption and, if necessary, development and implementation of measures for loss reduction; 2.24 prepare within every regulated tariff period the implementation plan on the measures to reduce distribution losses for the forthcoming years, and submit it for approval of the required investments for the decrease of losses to the Regulator, along with a report on the results for the previous respective period. The Losses Reduction			
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Plan shall include an assessment of technical losses and unauthorized electricity consumption; 2.25 maintain metering systems, collect and process data from commercial metering points of network users, in compliance with this law and Metering Code; 2.26 support municipalities in preparing their local development plans, programs and strategies on matters affecting the distribution system; 2.27 comply all actions with the Transmission Grid Code, Distribution Grid Code and all other codes and rules in force. 3. The Distribution System Operator is responsible for the procurement of energy products and network services necessary for the efficient, reliable and secure operation of the distribution system. To the level the Transmission System Operator does not supply these services, the Distribution System Operator shall apply market-based mechanisms for their purchase according to Article 17 of this law and adopt corresponding rules developed in coordination with transmission system operator and approved by the Regulator. 4. The procurement of the products			
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and services referred to in paragraph 3 of this Article, shall ensure the effective participation of all qualified market participants, including market participants offering energy from renewable sources, market participants engaged in demand response, operators of energy storage facilities and market participants engaged in aggregation. 5. The Distribution System Operator in close cooperation with the Transmission System Operator, shall establish the technical requirements for participation in the market for the products and services referred to in paragraph 3 of this Article, on the basis of the technical characteristics of those markets and the capabilities of all market participants. 6. The Distribution System Operator shall cooperate with the Transmission System Operators for the effective participation of market participants connected to their grid in retail, wholesale and balancing markets. Delivery of balancing services stemming from resources located in the distribution system shall be agreed with the Transmission System Operator in accordance with Article 50 of this Law. 7. The Regulator may allow the			
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Distribution System Operator to perform activities other than those provided for in this Law, where such activities are necessary for the Distribution System Operator to fulfil its obligations under this Law or other energy-sector relevant laws, provided that the Regulator has assessed the necessity of such a derogation. This paragraph shall be without prejudice to the right of the Distribution System Operator to own, develop, manage or operate networks other than electricity networks where the Regulator has granted such a right. 8. The Distribution System Operator shall report to the Regulator, as provided in its permit and the relevant Law on the Energy Regulator and provide information on such matters it may specify, in such form and at such intervals as may be required by the latter. 9. The Distribution System Operator shall provide information to local governance units necessary for local development planning within the responsibility of municipalities as indicated in the relevant Law on Energy, while respecting the confidentiality of individual network users. 10. The Distribution System Operator shall be entitled to bill for and collect the			
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remuneration due to it under the contracts for use of its system and for all other services provided. The terms and conditions, including rules and tariffs, for the provision of services by the Distribution System Operator shall be established in a non-discriminatory and cost-reflective way, and shall be submitted for approval to the Regulator. Upon approval by the Regulator, the Distribution System Operator shall publish them on its web site.			
Article 57 Incentives for the use of flexibility services in distribution networks 1. In the ten (10)year network development plan, the distribution system operator, based on the cost-benefit analysis presents in an understandable and simple manner the needs for the use of flexibility, consumption management, congestion management in the distribution network, including energy storage and energy efficiency measures and in what way and to what extent the use of those measures reduces or postpones the need to upgrade or replace power capacity in the distribution network. 2. Based on the cost-benefit analysis from paragraph 1 of this article, the	Directive 2019/744 Article 32 Incentives for the use of flexibility in distribution networks 1. Contracting Parties shall provide the necessary regulatory framework to allow and provide incentives to distribution system operators to procure flexibility services, including congestion management in their areas, in order to improve efficiencies in the operation and development of the distribution system. In particular, the regulatory framework shall ensure that distribution system operators are able to procure such services from providers of distributed generation, demand response or energy storage and shall promote the uptake of energy efficiency measures, where such services cost-effectively alleviate the need to upgrade or replace electricity capacity and support the efficient and secure operation of the distribution system. Distribution	Fully compliant	

Regulator determines if: 2.1 the procurement of flexibility services is economically efficient; 2.2 the procurement of flexibility services reduces the need to upgrade or replace power capacity in the distribution network; 2.3 the procurement of flexibility services supports the efficient and safe operation of the distribution system and, 2.4 the procurement of flexibility services leads to serious disturbances on the market or to greater congestion in the distribution network. 3. If, on the basis of the analysis from paragraph 1 of this article, the Regulator determines that the effects of the procurement and use of flexibility services are positive, the distribution system operator procures services from flexibility service providers based on transparent, non-discriminatory and market-based procedures and standardized market products for flexibility services. 4. The Regulator facilitates the procurement of flexibility services by distribution system operator and the use of the measures from paragraph 1 of this	system operators shall procure such services in accordance with transparent, non-discriminatory and market-based procedures unless the regulatory authorities have established that the procurement of such services is not economically efficient or that such procurement would lead to severe market distortions or to higher congestion. 2. Distribution system operators, subject to approval by the regulatory authority, or the regulatory authority itself, shall, in a transparent and participatory process that includes all relevant system users and transmission system operators, establish the specifications for the flexibility services procured and, where appropriate, standardised market products for such services at least at national level. The specifications shall ensure the effective and non-discriminatory participation of all market participants, including market participants offering energy from renewable sources, market participants engaged in demand response, operators of energy storage facilities and market participants engaged in aggregation. Distribution system operators shall exchange all necessary information and shall coordinate with transmission system operators in order to ensure the optimal utilisation of resources, to ensure the secure and efficient operation of the system and to facilitate market development. Distribution system operators shall be adequately remunerated for the procurement of such services to		
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article by providing regulatory framework for availability of those measures through: 4.1 procurement of flexibility services on market principles; 4.2 tariffs for electricity distribution; 4.3 connection agreements and network usage agreements with the possibility of limiting the connection power; 4.4 procurement of flexibility services under the conditions and in accordance with a procedure approved by the Regulator. 5. When procuring and activating flexibility services in the distribution network, the distribution system operator and the transmission system operator exchange all necessary information and coordinate in accordance with the network rules of the distribution system in order to ensure optimal use of resources for the provision of flexibility services, safe and efficient operation of the system and facilitated the development of the electricity market and flexibility services market. 6. In accordance with the methodology for determining the tariffs for	allow them to recover at least their reasonable corresponding costs, including the necessary information and communication technology expenses and infrastructure costs 3. The development of a distribution system shall be based on a transparent network development plan that the distribution system operator shall publish at least every two years and shall submit to the regulatory authority. The network development plan shall provide transparency on the medium and long-term flexibility services needed, and shall set out the planned investments for the next five-to-ten years, with particular emphasis on the main distribution infrastructure which is required in order to connect new generation capacity and new loads, including recharging points for electric vehicles. The network development plan shall also include the use of demand response, energy efficiency, energy storage facilities or other resources that the distribution system operator is to use as an alternative to system expansion.		
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the electricity distribution, the distribution system operator shall be adequately compensated for costs incurred for the procurement of flexibility services, including the costs of necessary information and communication technologies and infrastructure costs. 7. The distribution system operator in the distribution grid code prescribes the technical conditions for the provision of ancillary services and flexibility services.			
Article 58 Distribution Grid Code 1. The operation and management of the distribution network shall be governed by Distribution Grid Code. 2. The Distribution Grid Code shall, at least, include: 2.1 the method and procedure for connecting users to the distribution system, which includes non-discriminatory procedures for connecting different types of users to the system; 2.2 the minimum rules for design and operation of the distribution system, including obligations for maintaining an appropriate level of system security and reserve capacity; 2.3 the technical rules establishing the minimum technical design and operational criteria for connection to the transmission system and interconnection and operation of other systems; 2.4 the procedures applicable for		Not applicable	

system operations in contingency situations. 2.5 the planning, maintenance and development of the electricity distribution system; 2.6 the manner of harmonization with the electricity distribution system users in cases of planned interruptions; 2.7 the measures, activities and procedures in cases of outages and major accidents; 2.8 the methodology for determining the fee for connection to the electricity distribution network; 2.9 the quality of electricity delivered through the electricity distribution system; 2.10 the quality of services that electricity distribution system operator provides for the users; 2.11 the method of delivering data and information to the transmission system operator and other energy entities that are necessary for their work; and 2.12 the manner and procedure of provision of information to system users. 3. The Distribution Grid Code shall be based on principles of interoperability of systems, objectivity and non-discrimination, and shall be applied and made public based on such principles. 4. The Distribution System Operator shall be responsible for implementation of the Distribution Grid Code and reports on an annual basis to the Regulator on its implementation. 5. The Distribution System Operator drafts the Distribution Grid Code and			
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submits it to the Regulator for approval. In drafting the Grid Code, the Distribution System Operator must ensure the adequate participation of all stakeholders and network users, organize a public consultation, and take into account their proposals and comments on the content of the draft Distribution Grid Code. The approved Distribution Grid Code is published on the website of the Distribution System Operator.			
Article 59 Electricity Distribution System Planning 1. The electricity distribution system operator is obliged, to develop: 1.1 every two (2) years a distribution network development plan for the period of next ten (10) years, as provided in the relevant Energy Law; 1.2 a distribution network investment plan for the five (5) year regulatory period, which shall be harmonized with the ten (10) year distribution network development plan and with spatial planning documentation. 2. The distribution network investment plan should in particular show the expected increase in the efficiency of the operation of the electricity distribution system by reducing the losses of electricity and improving the quality of the delivered electricity from the electricity distribution network as a result of the envisaged investments. The Plan shall contain a technical and economic assessment of all costs and benefits for the market and for the individual customers, as well as for increasing energy efficiency from the	Directive 2019/744 Article 32 Incentives for the use of flexibility in distribution networks 1. Contracting Parties shall provide the necessary regulatory framework to allow and provide incentives to distribution system operators to procure flexibility services, including congestion management in their areas, in order to improve efficiencies in the operation and development of the distribution system. In particular, the regulatory framework shall ensure that distribution system operators are able to procure such services from providers of distributed generation, demand response or energy storage and shall promote the uptake of energy efficiency measures, where such services cost-effectively alleviate the need to upgrade or replace electricity capacity and support the efficient and secure operation of the distribution system. Distribution system operators shall procure such services in accordance with transparent, non-discriminatory and market-based	Fully compliant	

introduction of smart metering systems and smart networks.	procedures unless the regulatory authorities have established that the procurement of such services is not economically efficient or that such procurement would lead to severe market distortions or to higher congestion. 2. Distribution system operators, subject to approval by the regulatory authority, or the regulatory authority itself, shall, in a transparent and participatory process that includes all relevant system users and transmission system operators, establish the specifications for the flexibility services procured and, where appropriate, standardised market products for such services at least at national level. The specifications shall ensure the effective and non-discriminatory participation of all market participants, including market participants offering energy from renewable sources, market participants engaged in demand response, operators of energy storage facilities and market participants engaged in aggregation. Distribution system operators shall exchange all necessary information and shall coordinate with transmission system operators in order to ensure the optimal utilisation of resources, to ensure the secure and efficient operation of the system and to facilitate market development. Distribution system operators shall be adequately remunerated for the procurement of such services to allow them to recover at least their reasonable corresponding costs, including the necessary information and		
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	communication technology expenses and infrastructure costs 3. The development of a distribution system shall be based on a transparent network development plan that the distribution system operator shall publish at least every two years and shall submit to the regulatory authority. The network development plan shall provide transparency on the medium and long-term flexibility services needed, and shall set out the planned investments for the next five-to-ten years, with particular emphasis on the main distribution infrastructure which is required in order to connect new generation capacity and new loads, including recharging points for electric vehicles. The network development plan shall also include the use of demand response, energy efficiency, energy storage facilities or other resources that the distribution system operator is to use as an alternative to system expansion.		
Article 60 Integration of electromobility into the electricity network 1. Distribution System Operator is obliged to cooperate on a non-discriminatory basis with any undertaking that owns, develops, operates or manages recharging points for electric vehicles, including with regard to connection to the grid. 2. The Distribution System Operator shall not own, develop, manage or operate recharging points for electric vehicles,	Directive 2009/744 Article 33 Integration of electromobility into the electricity network 1. < ... > Contracting Parties shall provide the necessary regulatory framework to facilitate the connection of publicly accessible and private recharging points to the distribution networks. Contracting Parties shall ensure that distribution system operators cooperate on a non-discriminatory basis with any	Fully compliant	

except where the Distribution System Operator owns private recharging points solely for its own use. 3. By way of derogation from paragraph 2 of this Article, the Regulator may allow the Distribution System Operator to own, develop, manage or operate recharging points for electric vehicles, provided that all of the following conditions are fulfilled: 3.1 the Regulator has carried out an ex-ante review of the conditions of the tendering procedure that will be carried out by the Distribution system operator and has granted its approval; 3.2 following an open, transparent and non-discriminatory tendering procedure carried out by the Distribution system operator, no party have been awarded a right to own, develop, manage or operate recharging points for electric vehicles, or the participants at the tender offered to deliver those services at a price less favorable than the market prices; and 3.3 the Distribution system operator operates the recharging points in accordance with third party access provisions provided in the relevant Energy Law and does not discriminate between system users or classes of system users, and in particular in favor of its related undertakings. 4. The Regulator shall draw up guidelines for preparing and conducting the tendering procedure referred to in paragraph 3 of this article. 5. If the Distribution system operator	undertaking that owns, develops, operates or manages recharging points for electric vehicles, including with regard to connection to the grid. 2. Distribution system operators shall not own, develop, manage or operate recharging points for electric vehicles, except where distribution system operators own private recharging points solely for their own use. 3. By way of derogation from paragraph 2, Contracting Parties may allow distribution system operators to own, develop, manage or operate recharging points for electric vehicles, provided that all of the following conditions are fulfilled: (a) other parties, following an open, transparent and non-discriminatory tendering procedure that is subject to review and approval by the regulatory authority, have not been awarded a right to own, develop, manage or operate recharging points for electric vehicles, or could not deliver those services at a reasonable cost and in a timely manner; (b) the regulatory authority has carried out an ex ante review of the conditions of the tendering procedure under point (a) and has granted its approval; (c) the distribution system operator operates the recharging points on the basis of third-party access in accordance with Article 6 and does not discriminate between system users or classes of system		
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has been granted the right to own, develop, manage or operate recharging points for electric vehicles in accordance with paragraph 3 of this Article, the Regulator, at regular intervals or at least every three (3) years, carries out public consultations in order to re-assess the potential interest of other parties in owning, developing, operating or managing recharging points for electric vehicles. 6. Where the results of the public consultations determined in paragraph 5 of this article indicate that other parties are able to own, develop, operate or manage such points, the Regulator shall impose the Distribution system operator to cease its activities in development of recharging points and within a period of eighteen (18) months to cease the operation of the existing recharging point or to sell them. In case of cease the operations, the Regulator may allow the Distribution system operator to recover the residual value of its investment in recharging infrastructure.	users, and in particular in favour of its related undertakings. The regulatory authority may draw up guidelines or procurement clauses to help distribution system operators ensure a fair tendering procedure. 4. Where Contracting Parties have implemented the conditions set out in paragraph 3, Contracting Parties or their designated competent authorities shall perform, at regular intervals or at least every five years, a public consultation in order to re-assess the potential interest of other parties in owning, developing, operating or managing recharging points for electric vehicles. Where the public consultation indicates that other parties are able to own, develop, operate or manage such points, Contracting Parties shall ensure that distribution system operators' activities in this regard are phased-out, subject to the successful completion of the tendering procedure referred to in point (a) of paragraph 3. As part of the conditions of that procedure, regulatory authorities may allow the distribution system operator to recover the residual value of its investment in recharging infrastructure.		
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Article 61 Metering Code for electricity distribution 1. Installation, operation, reading and management of the metering system in the distribution network, and metering devices at the electricity metering points of customer, generators, prosumers, energy storage facilities as well as at the points of electricity exchange between the Distribution System and the Transmission System is regulated by the Distribution Metering Code. 2. The Distribution Metering Code regulates at least: 2.1 characteristics of the metering devices at the metering point of network users; 2.2 the properties of the metering devices or the standards that must be complied by the metering devices to enable demand management and flexibility, intermittent and time-interval metering of the load profile, metering of all metering parameters, net metering and self-consumption of electricity being metered; 2.3 the properties of the metering equipment or the standards that the		Not applicable	

metering equipment must meet at the metering point, in terms of: 2.3.1 functional criteria, accuracy of metering devices and the method of electricity Metering; 2.3.2 method of installation, approval and calibration, protection, testing and maintenance of metering equipment; 2.3.3 access to meters, collection method, meter readings and reading of other data at the metering point and, 2.3.4 storage, processing and transfer of meter readings and other data to the Distribution System Operator, Supplier or data users, as well as data collection and archiving. 2.4 obligations of the Distribution System Operator to define standard technical solutions for network connections including Metering points for network users; 2.5 non-discriminatory and transparent rules and safe methods and tools for access to metering data and data exchange procedures between electricity entities in relation to consumption management through aggregation and use of flexibility services, along with full protection of sensitive commercial data in accordance with Article 64 of this law; 2.6 technical standards, procedures and solutions for the installation and use of metering systems of distribution network of smart meters. 3. The Distribution System Operator drafts the Distribution Metering Code and submits it to the Regulator for approval. In			
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drafting the Metering Code, the Distribution System Operator must ensure the adequate participation of all stakeholders and network users, organize a public consultation, and take into account their proposals and comments on the content of the draft Distribution Metering Code. The approved Distribution Metering Code is published on the website of the Distribution System Operator.			
Article 62 Metering of Electricity 1. The Transmission System Operator and Distribution System Operator shall be obliged to measure the electricity received and delivered to users connected to the transmission and distribution network respectively, by means of metering devices, pursuant to this Law, the respective Grid Codes and Metering Codes. 2. Metering devices used in the transmission and distribution systems shall be owned by the Transmission System Operator and Distribution System Operator respectively, including the newly installed metering devices, which replace the existing ones. 3. The Transmission System Operator and Distribution System Operator respectively shall bear the costs for the installation and replacement of meters and such costs shall be recovered through the electricity transmission and/or distribution tariffs. 4. Location of the metering devices shall be determined by the Transmission System Operator and Distribution system		Not applicable	

Operator, depending on the technical possibilities at the site and any such device can be located on or outside the property belonging to the users connected to the respective network. If the Transmission System Operator or the distribution system operator determines that when replacing an existing metering device it is necessary to dislocate the metering point, it shall be obliged to carry out a dislocation at its own expense with minimal disturbance of the service provision to the user, and with minimal damage to the property of the user. The Transmission System Operator and distribution system operator respectively shall be obliged to reimburse any damages caused to the property of the user as a result of the dislocation of the metering point. 5. If the metering device is located on the property of the system user, the user shall be obliged to enable the authorized person of the Transmission System Operator or Distribution System Operator the right to access at every part of the property or the facility where the metering device is, for the purposes of: 5.1 reading metering devices, control, installation, supervision, change and maintenance of metering devices owned by Transmission System Operator or Distribution System Operator; 5.2 reading and controlling metering devices owned by the system user; 5.3 disconnecting the system user, when it has acted contrary to the terms and conditions governing the use of the respective electricity system, as stipulated			
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in the respective Grid Code and, 5.4 disconnecting the final customer, on the request from the supplier, pursuant to the provisions of the Rule on General Conditions of Supply with Electricity. 6. The Transmission System Operator and/or Distribution system operator are obliged to deliver the collected and processed data from the measuring points to: 6.1 the market operator; 6.2 the supplier or aggregator from the measuring points of the final customers that it supplies, with the data needed for balancing; 6.3 the generator connected to the distribution system, from its own metering point; 6.4 at the customer's request, data related to their consumption without delays and free of charge, in an easily comprehensible and comparable form approved by the Regulator and, 6.5 other eligible parties, including citizens energy communities and active customers. 7. Transmission System Operator and Distribution System Operator are obliged to share between each other the collected and processed data from the measuring points.			
Article 63 Ownership of energy storage facilities by Distribution System Operator 1. The Distribution System Operator shall not own, develop, manage or operate energy storage facilities.	Directive 2019/744 Article 36 Ownership of energy storage facilities by distribution system operators 1. Distribution system operators shall not own, develop, manage or operate energy	Fully compliant	

2. By way of derogation from paragraph 1 of this Article, Distribution System Operator may own, develop, manage or operate energy storage facilities, where they are fully integrated network components and the Regulator has granted its approval, or where all of the following conditions are fulfilled: 2.1 other parties, following an open, transparent and non-discriminatory tendering procedure that is subject to review and approval by the Regulator, have not been awarded a right to own, develop, manage or operate such facilities, or could not deliver those services at a reasonable cost and in a timely manner; 2.2 such facilities are necessary for the Distribution System Operator to fulfil their obligations under this Law for the efficient, reliable and secure operation of the distribution system and the facilities are not used to buy or sell electricity in the electricity markets; and 2.3 the Regulator has assessed the necessity of such a derogation and has carried out an assessment of the tendering procedure, including the conditions of the tendering procedure, and has granted its approval. 3. The Regulator shall draw up or approve guidelines or procurement clauses to help Distribution System Operator ensure a fair tendering procedure. 4. If conditions set out in paragraph 2 of this Article are implemented, the Regulator, at regular intervals or at least every five years, a public consultation on	storage facilities. 2. By way of derogation from paragraph 1, Contracting Parties may allow distribution system operators to own, develop, manage or operate energy storage facilities, where they are fully integrated network components and the regulatory authority has granted its approval, or where all of the following conditions are fulfilled: (a) other parties, following an open, transparent and non-discriminatory tendering procedure that is subject to review and approval by the regulatory authority, have not been awarded a right to own, develop, manage or operate such facilities, or could not deliver those services at a reasonable cost and in a timely manner; (b) such facilities are necessary for the distribution system operators to fulfil their obligations under this Directive for the efficient, reliable and secure operation of the distribution system and the facilities are not used to buy or sell electricity in the electricity markets; and (c) the regulatory authority has assessed the necessity of such a derogation and has carried out an assessment of the tendering procedure, including the conditions of the tendering procedure, and has granted its approval. The regulatory authority may draw up guidelines or procurement clauses to help distribution system operators ensure a fair tendering		
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the existing energy storage facilities in order to assess the potential availability and interest in investing in such facilities. If the public consultation, as assessed by the Regulator, indicates that third parties are able to own, develop, operate or manage such facilities in a cost-effective manner, the Regulator shall ensure that the Distribution System Operator's activities in this regard are phased out within eighteen (18) months. As part of the conditions of that procedure, the Regulator may allow the Distribution System Operator to receive reasonable compensation, in particular to recover the residual value of their investment in the energy storage facilities. 5. Paragraph 4 of this Article shall not apply to fully integrated network components or for the usual depreciation period of new battery storage facilities with a final investment decision until 31 December 2023, provided that such battery storage facilities are: 5.1 connected to the grid at the latest two (2) years thereafter; 5.2 integrated into the distribution system; 5.3 used only for the reactive instantaneous restoration of network security in the case of network contingencies where such restoration measure starts immediately and ends when regular redispatch can solve the issue; and 5.4 not used to buy or sell electricity in the electricity markets, including balancing.	procedure. 3. The regulatory authorities shall perform, at regular intervals or at least every five years, a public consultation on the existing energy storage facilities in order to assess the potential availability and interest in investing in such facilities. Where the public consultation, as assessed by the regulatory authority, indicates that third parties are able to own, develop, operate or manage such facilities in a cost-effective manner, the regulatory authority shall ensure that the distribution system operators' activities in this regard are phased out within 18 months. As part of the conditions of that procedure, regulatory authorities may allow the distribution system operators to receive reasonable compensation, in particular to recover the residual value of their investment in the energy storage facilities. 4. Paragraph 3 shall not apply to fully integrated network components or for the usual depreciation period of new battery storage facilities with a final investment decision until the date of entry into force of this Directive in the Energy Community, provided that such battery storage facilities are: (a) connected to the grid at the latest two years thereafter; (b) integrated into the distribution system;		
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	(c) used only for the reactive instantaneous restoration of network security in the case of network contingencies where such restoration measure starts immediately and ends when regular re-dispatch can solve the issue; and (d) not used to buy or sell electricity in the electricity markets, including balancing		
Article 64 Obligation of the Distribution System Operator for protection of Data Confidentiality 1. The Distribution System Operator must preserve the confidentiality of commercially sensitive information obtained in the course of carrying out its business, and shall prevent information about its own activities which may be commercially advantageous being disclosed in a discriminatory manner. 2. The Distribution System Operator shall report to the Regulator, as stipulated in its permit and in the relevant Law on Energy Regulator, and shall provide information on issues that may be required by the latter, in the determined form and intervals. 3. Notwithstanding paragraph 1 of this Article, the Ministry or the Regulator may request from the Distribution System Operator to provide confidential information that is necessary for the conduct of their functions, powers and duties.	Directive 2019/744 Article 37 Confidentiality obligation of distribution system operators Without prejudice to Article 55 or another legal requirement to disclose information, the distribution system operator shall preserve the confidentiality of commercially sensitive information obtained in the course of carrying out its business, and shall prevent information about its own activities which may be commercially advantageous from being disclosed in a discriminatory manner.	Fully compliant	

Article 65 Cooperation of network operators 1. The Transmission System Operator and the Distribution System Operator shall cooperate in order to ensure cost-efficient, secure and reliable development and operation of their networks, in particular: 1.1 in the planning of network development, investments and expansion of the transmission and distribution capacity and connection of new network users; 1.2 in the exchange of information on the daily operation of the electricity networks and on the performance of the connected generation facilities and demand response service providers; 1.3 in achieving coordinated access to shared resources and services including distributed generation, energy storage or demand response services which may service the needs of both kinds of networks. 2. The Distribution System Operator shall cooperate with the distribution system operators of the other Energy Community Contracting Parties through the Coordination Group of the Energy Community Distribution System Operators, aiming to: 2.1 promote and support the completion and functioning of the common electricity market; 2.2 promote optimal management and coordinated operation of the distribution and transmission systems 2.3 representation and cooperation within the association of the European	Regulation 2019/943 Coordination Group of the Energy Community Distribution System Operators 1. Distribution system operators shall cooperate at Contracting Party level through the Coordination Group of the Energy Community Distribution System Operators established by Procedural ActNo 2018/01/MC-EnC in order to promote the completion and functioning of the single market for electricity, and to promote optimal management and a coordinated operation of distribution and transmission systems, and in accordance with the tasks and terms of reference adopted by Procedural Act No 2018/01/MC-EnC. Energy Community Distribution System Operators shall be represented by the Energy Community Secretariat in all activities aimed to enhance cooperation with the EU DSO entity established in accordance with Regulation (EU) 943/2019. This is without prejudice to distribution system operators joining the EU DSO entity individually based on common agreement. 2. <...> As an expert entity working for the common Energy Community interest, the Coordination Group of the Energy Community Distribution System Operators shall neither represent particular interests nor seek to influence the decision-making process to promote specific interests.	Partially complaint	It ensures closer cooperation between network operators and defines the special situations where cooperation should exist. It also sets the basis for cooperation between the TSO and TSOs of other countries.
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Distribution System Operators	3. <...> Article 53 Establishment of the EU DSO entity <...> Article 54 Principal rules and procedures for the EU DSO entity <...> Article 55 Tasks of the EU DSO entity <...> Article 56 Consultations in the network code development process <...> Regulation 2019/943 Article 57 Cooperation between distribution system operators and transmission system operators 1. Distribution system operators and transmission system operators shall cooperate with each other in planning and operating their networks. In particular, distribution system operators and transmission system operators shall exchange all necessary information and data regarding, the performance of generation assets and demand side response, the daily operation of their networks and the long-term planning of network investments, with the view to ensure the cost-efficient, secure and reliable development and operation of their networks.		
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	2. Distribution system operators and transmission system operators shall cooperate with each other in order to achieve coordinated access to resources such as distributed generation, energy storage or demand response that may support particular needs of both the distribution system operators and the transmission system operators.		
CHAPTER VII ELECTRICITY TRADING AND SUPPLY Article 66 Electricity Trading 1. Electricity trading is an energy activity independent from activities of electricity transmission and distribution and it covers electricity purchase and sale, including resale, to wholesale customers. 2. Electricity trading may be performed by an energy enterprise to whom the Regulator has issued permit to perform electricity trading or decision for registration of foreign traders of electricity who can carry out energy activities in the Republic of Kosovo, in compliance with the relevant Law on Energy Regulator and in accordance with Market Rules.	Directive 2009/744 Article 27 Universal service 1. Contracting Parties shall ensure that all household customers, and, where Contracting Parties deem it to be appropriate, small enterprises, enjoy universal service, namely the right to be supplied with electricity of a specified quality within their territory at competitive, easily and clearly comparable, transparent and non-discriminatory prices. To ensure the provision of universal service, Contracting Parties may appoint a supplier of last resort. Contracting Parties shall impose on distribution system operators an obligation to connect customers to their network under terms, conditions and tariffs set in accordance with the procedure laid down in Article 59(7). This Directive does not prevent Contracting Parties from strengthening the market position of the household customers and small and medium-sized	Fully compliant	

	non-household customers by promoting the possibilities for the voluntary aggregation of representation for that class of customers. 2. Paragraph 1 shall be implemented in a transparent and non-discriminatory way, and shall not impede the free choice of supplier provided for in Article 4. Directive (EU) 2029/944 Article 5 Market-based supply prices 1. Suppliers shall be free to determine the price at which they supply electricity to customers. Contracting Parties shall take appropriate actions to ensure effective competition between suppliers. 2. Contracting Parties shall ensure the protection of energy poor and vulnerable household customers pursuant to Articles 28 and 29 by social policy or by other means than public interventions in the price setting for the supply of electricity. 3. By way of derogation from paragraphs 1 and 2, Contracting Parties may apply public interventions in the price setting for the supply of electricity to energy poor or vulnerable household customers. Such public interventions shall be subject to the conditions set out in paragraphs 4 and 5 Article 10 of Directive Basic contractual rights 1. Contracting Parties shall ensure that all		
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	final customers are entitled to have their electricity provided by a supplier, subject to the supplier's agreement, regardless of the Party to the Energy Community in which the supplier is registered, provided that the supplier follows the applicable trading and balancing rules. In that regard, Contracting Parties shall take all measures necessary to ensure that administrative procedures do not discriminate against suppliers already registered in another Party to the Energy Community. Directive Article 59 Duties and powers of the regulatory authorities 1. The regulatory authority shall have the following duties: (a) fixing or approving, in accordance with transparent criteria, transmission or distribution tariffs or their methodologies, or both; (b) ensuring the compliance of transmission system operators and distribution system operators and, where relevant, system owners, as well as the compliance of any electricity undertakings and other market participants, with their obligations under this Directive, Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011, the network codes and the guidelines adopted pursuant to Articles 6 and 7 of Regulation (EC) 714/2009 as adapted and adopted by Ministerial		
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	Council Decision 2011/02/MC-EnC of 6 October 2011, and other relevant Energy Community law, including as regards cross-border issues, as well as with Energy Community Regulatory Board 's decisions; (c) < ... > (d) approving products and procurement process for < ... > ancillary services; (e) implementing the network codes and guidelines adopted pursuant to Articles 6 and 7 of Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MCEnC of 6 October 2011 through national measures or, where so required, coordinated regional or Energy Community-wide measures; (f) cooperating in regard to cross-border issues with the regulatory authority or authorities of the Contracting Parties concerned and with the Energy Community Regulatory Board < ... >; 39 (g) complying with, and implementing, any relevant legally binding decisions of the Energy Community Secretariat and of Energy Community Regulatory Board; (h) ensuring that transmission system operators make available interconnector capacities to the utmost extent pursuant to Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011; (i) reporting annually on its activity and the fulfilment of its duties to the relevant authorities of the Contracting Parties, the Energy Community Secretariat and		
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	Energy Community Regulatory Board, including on the steps taken and the results obtained as regards each of the tasks listed in this Article; (j) ensuring that there is no cross-subsidisation between transmission, distribution and supply activities or other electricity or non-electricity activities; (k) monitoring investment plans of the transmission system operators and providing in its annual report an assessment of the investment plans of the transmission system operators as regards their consistency with the Energy Community-wide network development plan; such assessment may include recommendations to amend those investment plans; (l) monitoring and assessing the performance of transmission system operators and distribution system operators in relation to the development of a smart grid that promotes energy efficiency and the integration of energy from renewable sources, based on a limited set of indicators, and publish a national report every two years, including recommendations; (m) setting or approving standards and requirements for quality of service and quality of supply or contributing thereto together with other competent authorities and monitoring compliance with and reviewing the past performance of network security and reliability rules; (n) monitoring the level of transparency, including of wholesale prices, and		
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	ensuring compliance of electricity undertakings with transparency obligations; (o) monitoring the level and effectiveness of market opening and competition at wholesale and retail levels, including on electricity exchanges, prices for household customers including prepayment systems, the impact of dynamic electricity price contracts and of the use of smart metering systems, switching rates, disconnection rates, charges for maintenance services, the execution of maintenance services, the relationship between household and wholesale prices, the evolution of grid tariffs and levies, and complaints by household customers, as well as any distortion or restriction of competition, including by providing any relevant information, and bringing any relevant cases to the relevant competition authorities; (p) monitoring the occurrence of restrictive contractual practices, including exclusivity clauses which may prevent customers from contracting simultaneously with more than one supplier or restrict their choice to do so, and, where appropriate, informing the national competition authorities of such practices; (q) monitoring the time taken by transmission system operators and distribution system operators to make connections and repairs; (r) helping to ensure, together with other relevant authorities, that the consumer		
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	protection measures are effective and enforced; (s) publishing recommendations, at least annually, in relation to compliance of supply prices with Article 5, and providing those recommendations to the competition authorities, where appropriate; (t) ensuring non-discriminatory access to customer consumption data, the provision, for optional use, of an easily understandable harmonised format at national level for consumption data, and prompt access for all customers to such data pursuant to Articles 23 and 24; (u) monitoring the implementation of rules relating to the roles and responsibilities of transmission system operators, distribution system operators, suppliers, customers and other market participants pursuant to Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011; (v) monitoring investment in generation and storage capacities in relation to security of supply; (w) monitoring technical cooperation between Energy Community and third-country transmission system operators; (x) contributing to the compatibility of data exchange processes for the most important market processes at regional level; (y) monitoring the availability of comparison tools that meet the requirements set out in Article 14;		
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	(z) monitoring the removal of unjustified obstacles to and restrictions on the development of consumption of self-generated electricity and citizen energy communities.		
Article 67 Performance of Supply Activities 1. Electricity supply is an activity independent from electricity transmission and distribution activities and is related to the purchase, sale and resale of electricity to customers. 2. Electricity supply may be performed by an energy enterprise to whom the Regulator has issued permit to perform electricity supply or decision for registration of foreign suppliers of electricity who can carry out energy activities in the Republic of Kosovo, in compliance with the relevant Law on Energy Regulator and in accordance with Market Rules. 3. Suppliers may supply electricity to all customers in-and outside Kosovo. 4. Suppliers with the public service obligation must offer supply with electricity as stipulated in the relevant Energy Law and the decision for imposing public service obligation. 5. All suppliers purchase electricity for the supply of their customers in the bilateral market and in the organized market at unregulated prices. Suppliers are free to determine the price for electricity supply.	Directive (EU) 2019/944 Article 43 Ownership unbundling of transmission systems and transmission system operators 1. Contracting Parties shall ensure that: (a) each undertaking which owns a transmission system acts as a transmission system operator; (b) the same person or persons are not entitled either: (i) directly or indirectly to exercise control over an undertaking performing any of the functions of generation or supply, and directly or indirectly to exercise control or exercise any right over a transmission system operator or over a transmission system; or (ii) directly or indirectly to exercise control over a transmission system operator or over a transmission system, and directly or indirectly to exercise control or exercise any right over an undertaking performing any of the functions of generation or supply;	Fully compliant Partially	

6. Notwithstanding paragraph 5 of this article, a supplier may be subject to a public service obligation imposed in accordance with this Law and the relevant Law on Energy.	(c) the same person or persons are not entitled to appoint members of the supervisory board, the administrative board or bodies legally representing the undertaking, of a transmission system operator or a transmission system, and directly or indirectly to exercise control or exercise any right over an undertaking performing any of the functions of generation or supply; and (d) the same person is not entitled to be a member of the supervisory board, the administrative board or bodies legally representing the undertaking, of both an undertaking performing any of the functions of generation or supply and a transmission system operator or a transmission system. 3. For the purpose of point (b) of paragraph 1, the notion ‘undertaking performing any of the functions of generation or supply’ shall include ‘undertaking performing any of the functions of production and supply’ within the meaning of Directive 2009/73/EC, and the terms ‘transmission system operator’ and ‘transmission system’ shall include ‘transmission system operator’ and ‘transmission system’ within the meaning of that Directive. 4. The obligation set out in point (a) of paragraph 1 shall be deemed to be fulfilled in a situation where two or more undertakings which own		
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	transmission systems have created a joint venture which acts as a transmission system operator in two or more Contracting Parties for the transmission systems concerned. No other undertaking may be part of the joint venture, unless it has been approved under Article 44 as an independent system operator or as an independent transmission operator for the purposes of Section 3. 5. For the implementation of this Article, where the person referred to in points (b), (c) and (d) of paragraph 1 is the Contracting Party or another public body, two separate public bodies exercising control over a transmission system operator or over a transmission system on the one hand, and over an undertaking performing any of the functions of generation or supply on the other, shall be deemed not to be the same person or persons. 6. Contracting Parties shall ensure that neither commercially sensitive information referred to in Article 41 held by a transmission system operator which was part of a vertically integrated undertaking, nor the staff of such a transmission system operator, is transferred to undertakings performing any of the functions of generation and supply. 7. Where on 6 October 2011, the transmission system belongs to a vertically integrated undertaking a Contracting Party may decide not to apply		
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	paragraph 1. In such case, the Contracting Party concerned shall either: (a) designate an independent system operator in accordance with Article 44; or (b) comply with Section 3. 8. Where, on 6 October 2011, the transmission system belongs to a vertically integrated undertaking and there are arrangements in place which guarantee more effective independence of the transmission system operator than Section 3, a Contracting Party may decide not to apply paragraph 1. 9. Before an undertaking is approved and designated as a transmission system operator under paragraph 8 of this Article, it shall be certified in accordance with the procedures laid down in Article 52(4), (5), and (6) of this Directive and in Article 3 of Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011, pursuant to which the Energy Community Secretariat shall verify that the arrangements in place clearly guarantee more effective independence of the transmission system operator than Section 3 of this Chapter. 10. Vertically integrated undertakings which own a transmission system shall not in any event be prevented from taking steps to comply with paragraph 1. 11. Undertakings performing any of the functions of generation or supply shall not in any event be able to directly or		
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	indirectly take control over or exercise any right over unbundled transmission system operators in Contracting Parties which apply paragraph 1. Article 10 p. 1 Directive 2019/944 Article 10 Basic contractual rights 1. Contracting Parties shall ensure that all final customers are entitled to have their electricity provided by a supplier, subject to the supplier's agreement, regardless of the Party to the Energy Community in which the supplier is registered, provided that the supplier follows the applicable trading and balancing rules. In that regard, Contracting Parties shall take all measures necessary to ensure that administrative procedures do not discriminate against suppliers already registered in another Party to the Energy Community.		
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	Article 5 Market-based supply prices 1. Suppliers shall be free to determine the price at which they supply electricity to customers. Contracting Parties shall take appropriate actions to ensure effective competition between suppliers.		
Article 68 Supplier's Obligations 1. The Supplier shall be obligated to: 1.1 conclude agreements on access to the system with the operator of the system in which the facilities of its customers are connected and 1.2 conclude agreements that stipulate balancing responsibilities, on behalf of households and small enterprises and non-household customers for which supplier has taken over these responsibilities. 2. The Supplier shall inform its customers free of charge: 2.1 in a clear and transparent manner on applicable prices and standard conditions and terms for the access to and use of electricity services; 2.2 on the option of different payment methods, which do not discriminate among customers. Prepayment systems shall be fair and reflect at an adequate extent the forecast of possible consumption. Any difference in conditions and terms must reflect the suppliers' expenses related to the different payment systems;	Directive (EU) 2019/944 CHAPTER III CONSUMER EMPOWERMENT AND PROTECTION Article 10 Basic contractual rights 1. Contracting Parties shall ensure that all final customers are entitled to have their electricity provided by a supplier, subject to the supplier's agreement, regardless of the Party to the Energy Community in which the supplier is registered, provided that the supplier follows the applicable trading and balancing rules. In that regard, Contracting Parties shall take all measures necessary to ensure that administrative procedures do not discriminate against suppliers already registered in another Party to the Energy Community. 11. Suppliers shall provide household customers with adequate information on alternative measures to disconnection sufficiently in advance of any planned disconnection. Such alternative measures may refer to sources of support to avoid disconnection, prepayment systems,	Fully compliant	

2.1 alternative planned disconnection measures including cases of non-payment, information on alternative sources to avoid disconnection, prepayment systems, alternative payment options, and information on not including the additional costs of these measures for consumers facing disconnection; 2.3 on their rights to select and change the supplier; 2.4 on the possibility of using simple and cost-effective procedures for addressing appeals; moreover, every supplier shall provide that its customers are entitled to a good standard of service and treatment of appeals, with possibilities for resolving disputes in a fair manner and within reasonable timeframes, within three (3) months from the day of receipt of the appeal; 2.5 about the present electricity consumption and expenditure to enable the customers to manage their electricity consumption without additional expenditure of final consumers for such services; 2.6 on any changes in contract conditions, at least fifteen (15) days prior to their application, including their right to withdraw upon such notice. Suppliers notify their customers directly on any increase in expenditure, and on their right to withdraw from the contract in the event they do not accept the new conditions offered in the notice; 2.7 through bills and promotional	energy audits, energy consultancy services, alternative payment plans, debt management advice or disconnection moratoria and not constitute an extra cost to the customers facing disconnection 12. Suppliers shall provide final customers with a final closure account after any switch of supplier no later than six weeks after such a switch has taken place.		
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materials provided to final customers in relation to: 2.7.1 contribution of each energy source in the overall mixture of fuel used by the supplier in the preceding year in a comprehensive manner, and at the state level, in a clearly comparable manner, 2.7.2 at least references to existing information sources, such as internet pages, in which information on environmental impact of the supply can be found, from at least the aspect of CO2 emissions and radioactive waste that derive from electricity generated from the overall mixture of fuels used during the preceding year by the supplier, 2.7.3 their rights related to resolution of disputes available in the event of any disagreements; 2.7.4 data on their consumption, which enable them, with their consent and free of charge, to provide the registered supply enterprise access to metering data; 2.7.5 their obligation of final payments, by delivering to customers the final closing account upon any change of electricity supplier, no later than forty-five (45) days after such change of supplier has taken effect. 3. The Supplier shall also: 3.1 publish and maintain qualitative parameters of contracted electricity supply for customers, in accordance with Rules on Quality of energy Supply; 3.2 supply customers with electricity, in compliance with the concluded contract; 3.3 maintain separate data in			
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commercial registers on supply of customers at unregulated prices, and supply of customers at regulated prices, for supply under the framework of universal service and last resort supply; 3.4 define supplier conditions, and make them public in an appropriate manner, no later than thirty (30) days prior to the commencement of electricity supply activities; 3.5 perform energy activities of supply in a safe, reliable and efficient manner; and 3.6 provide final customer, with a summary of the key contractual conditions in a prominent manner and in concise and simple language. 4. Prior to the commencement of supply, every supplier shall also be obliged to: 4.1 conclude contracts on balance responsibility with the Transmission System Operator, or conclude membership contracts in a balancing group with the leader of this group, in compliance with Market Rules; 4.2 conclude contracts for purchase of electricity with at least one other electricity trader, supplier or producer, and conclude supply contracts with final customers, and, if necessary, procure cross-border transmission capacities. 5. The Regulator shall undertake all necessary steps to ensure that information provided by the supplier to its customers shall be reliable and easily comparable. 6. Requirements on the form, type			
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and amount of the financial guarantee that electricity market participants have to submit shall be determined in the Market Rules. 7. The Supplier may supply through metering devices for common spaces, only if a natural or legal person concludes a contract with it and accepts to pay for the entire capacity, electricity, distribution services and transmission services delivered through the metering device. The Regulator may regulate terms and conditions on the basis of which the payment shall be conducted from the person that takes over the payment on behalf of common space users, and may levy charges on other persons that benefit from the said electricity. 8. Any person connected to the distribution system and using electricity without a contract with the supplier shall be disconnected from the distribution system, in line with disconnection rules established by the Regulator.			
Article 69 Record Keeping 1. All electricity traders and suppliers are obliged to keep record of the relevant five (5) year data related to contractual transactions on the electricity trading and supply and with the Transmission System Operator, Distribution System Operator and Market Operator, including the financial market derivatives and to make them available upon request to the Regulator, the Competition Authority of Republic of	Directive Article 64 Record keeping 1. Contracting Parties shall require suppliers to keep at the disposal of the national authorities, including the regulatory authority, the national competition authorities and the Energy Community Secretariat, for the fulfilment of their tasks, for at least five years, the relevant data relating to all transactions in electricity supply contracts and electricity derivatives with wholesale customers and transmission system operators.		

Kosova and, in compliance with international obligations of the Republic of Kosovo, and to the Energy Community Secretariat. 2. Relevant data from paragraph 1 of this Article include details of characteristics of relevant transactions, including delivery timeframe and conditions, amounts, dates and time of execution and transaction prices, means of identifying the wholesale customer and other necessary information. 3. The Regulator may decide to provide upon request to the market participants partial information provided that commercially sensitive information on individual market participants or individual transactions is not released.	2. The data shall include details on the characteristics of the relevant transactions such as duration, delivery and settlement rules, the quantity, the dates and times of execution and the transaction prices and means of identifying the wholesale customer concerned, as well as specified details of all unsettled electricity supply contracts and electricity derivatives. 3. The regulatory authority may decide to make available to market participants elements of that information provided that commercially sensitive information on individual market players or individual transactions is not released. This paragraph shall not apply to information about financial instruments which fall within the scope of Directive 2014/65/EU. 4. This Article shall not create additional obligations towards the authorities referred to in paragraph 1 for entities falling within the scope of Directive 2014/65/EU. 5. In the event that the authorities referred to in paragraph 1 need access to data kept by entities falling within the scope of Directive 2014/65/EU, the authorities responsible under that Directive shall provide them with the required data.		
Article 70 The Right to Switching of Supplier and Rules on Switching 1. Every final customer, household or non-household, shall be entitled to change its supplier or market participant engaged in aggregation, within a maximum period of twenty one (21) days.	Directive (EU) 2019/744 Article 12 Right to switch and rules on switching-related fees 1. Switching supplier or market participant engaged in aggregation shall be carried out within the shortest possible time. Contracting Parties shall ensure that a customer wishing to switch suppliers or	Fully compliant	

2. Whenever the Regulator determines that technical conditions allow so, the technical process of switching of supplier shall be performed within twenty four (24) hours and shall be possible on any working day from the working day the notice to the present supplier or market participant engaged in aggregation was received, in a non-discriminatory manner as regards cost, effort and time. 3. The Regulator shall approve rules on switch of suppliers and market participants engaged in aggregation that shall contain: 3.1 procedures for changing the supplier and market participant engaged in aggregation; 3.2 conditions to be fulfilled by the new supplier and market participant engaged in aggregation, especially related to balance responsibility, in compliance with electricity system balancing rules; 3.3 obligations of the supplier and market participant engaged in aggregation which is terminating the contract with the customer which wishes to change the supplier; 3.4 duties of the respective operator of the network to which the customer switching the supplier is connected to; 3.5 rights and obligations of the new supplier and market participant engaged in aggregation, from the perspective of access to and use of the network of the system operator in which the customer that wishes to switch the supplier and market participant engaged in aggregation is	market participants engaged in aggregation, while respecting contractual conditions, is entitled to such a switch within a maximum of three weeks from the date of the request. By no later than 2026, the technical process of switching supplier shall take no longer than 24 hours and shall be possible on any working day 2. Contracting Parties shall ensure that at least household customers and small enterprises are not charged any switching-related fees. 3. By way of derogation from paragraph 2, Contracting Parties may permit suppliers or market participants engaged in aggregation to charge customers contract termination fees where those customers voluntarily terminate fixed-term, fixed-price electricity supply contracts before their maturity, provided that such fees are part of a contract that the customer has voluntarily entered into and that such fees are clearly communicated to the customer before the contract is entered into. Such fees shall be proportionate and shall not exceed the direct economic loss to the supplier or the market participant engaged in aggregation resulting from the customer's termination of the contract, including the costs of any bundled investments or services that have already been provided to the customer as part of the contract. The burden of proving the direct economic loss shall be on the supplier or market participant		
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connected; 3.6 rights of the supplier and market participant engaged in aggregation in relation to the present customer, from the perspective of remedying all liabilities to date and, 3.7 remedies for all prior financial liabilities and other liabilities of the final customer. 4. Rules on switching of supplier and market participant engaged in aggregation also establish: 4.1 procedures for switching the supplier and market participant engaged in aggregation in situation of last resort supply; 4.2 procedures for switching the supplier and market participant engaged in aggregation in the event of change of ownership over the building; 4.3 conditions and manner of functioning of collective switching schemes and, 4.4 procedures for changing contractual reports in the event of interim transfer of final customer supply or aggregation contracts and contracts on the use of network by the final customer to third parties. 5. Household consumers and small enterprises shall have no payment obligation to the supplier or market participant involved in the aggregation in relation to switching, except in cases where they have voluntarily terminated the fixed-term, fixed-price contract, before maturity,	engaged in aggregation, and the permissibility of contract termination fees shall be monitored by the regulatory authority, or by another competent national authority 4. Contracting Parties shall ensure that the right to switch supplier or market participants engaged in aggregation is granted to customers in a non-discriminatory manner as regards cost, effort and time. 5. Household customers shall be entitled to participate in collective switching schemes. Contracting Parties shall remove all regulatory or administrative barriers for collective switching, while providing a framework that ensures the utmost consumer protection to avoid any abusive practices.		
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provided that those obligations are part of a contract that has been entered into voluntarily and where such charges have been clearly communicated to them prior to entering into the contract. 6. Such obligations in accordance to paragraph 5 of this article must be divided proportionally and must not exceed the direct economic loss to the supplier or market participant involved in the aggregation, which results from the termination of the contract by the consumer, including the costs of each investment or service of related that were offered to the consumer as part of the contract. The burden of proving direct economic loss will fall on the supplier or market participant involved in the aggregation, while termination fees will be monitored by the Regulator. 7. The Regulator monitors the implementation of the rules on switching of suppliers and market participants engaged in aggregation.			
Article 71 Obligations of supplier under public service obligation 1. Supplier to whom public service obligation was imposed, in addition to other obligations of suppliers stipulated in this Law and obligations stemming from the imposition of public service obligation as stipulated in the relevant Energy Law, shall: 1.1 inform customers on their rights and on conditions of supply under public service obligation;	Directive (EU) 2019/944 Article 9 Public service obligations 1. Without prejudice to paragraph 2, Contracting Parties shall ensure, on the basis of their institutional organisation and with due regard to the principle of subsidiarity, that electricity undertakings operate in accordance with the principles of this Directive with a view to achieving a competitive, secure and environmentally sustainable market for electricity, and shall not discriminate between those	Fully compliant	

1.2 supply electricity under a public service obligation in accordance with conditions determined in the respective decision and the permit; 1.3 supply electricity of a certain quality set in the Rule on quality of supply, within territory and/or for customers for which it has been appointed to provide supply as public service obligation; 1.4 bill electricity delivered in accordance with reasonable prices, easily and clearly comparable, transparent and non-discriminatory; 1.5 publish its prices and tariffs on its web-page, no later than fifteen (15) days prior to the commencement of their application.	undertakings as regards either rights or obligations. 2. Having full regard to the relevant provisions of the < ... > Energy Community Treaty, Contracting Parties may impose on undertakings operating in the electricity sector, in the general economic interest, public service obligations which may relate to security, including the security of supply, regularity, quality and price of supplies and environmental protection, including energy efficiency, energy from renewable sources and climate protection. Such obligations shall be clearly defined, transparent, non-discriminatory and verifiable, and shall guarantee equality of access for electricity undertakings of the Energy Community to national consumers. Public service obligations which concern the price setting for the supply of electricity shall comply with the requirements set out in Article 5 of this Directive. 3. Where financial compensation, other forms of compensation and exclusive rights which a Contracting Party grants for the fulfilment of the obligations set out in paragraph 2 of this Article or for the provision of universal service as set out in Article 27 are provided, this shall be done in a non-discriminatory and transparent way,. 4. Contracting Parties shall, upon implementation of this Directive, inform the Energy Community Secretariat of all measures adopted to fulfil universal		
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	service and public service obligations, including consumer protection and environmental protection, and their possible effect on national and international competition, whether or not such measures require a derogation from this Directive. They shall subsequently inform the Energy Community Secretariat every two years of any changes to those measures, whether or not they require a derogation from this Directive. 5. Contracting Parties may decide not to apply Articles 6, 7 and 8 of this Directive insofar as their application would obstruct, in law or in fact, the performance of the obligations imposed on electricity undertakings in the general economic interest and insofar as the development of trade would not be affected to such an extent as would be contrary to the interests of the Energy Community. The interests of the Energy Community include, inter alia, competition with regard to customers in accordance with < ... > Annex III of the Energy Community Treaty and this Directive.		
Article 72 Rights and obligations stemming from the universal service 1. The right from universal service to be supplied with electricity of a specified quality within the territory of the Republic of Kosovo at competitive, easily and clearly comparable, transparent and non-discriminatory prices shall be enjoyed by all household customers and, where	Directive 2019/944 Article 27 Universal service 1. Contracting Parties shall ensure that all household customers, and, where Contracting Parties deem it to be appropriate, small enterprises, enjoy universal service, namely the right to be supplied with electricity of a specified quality within their territory at	Fully compliant	

deemed it to be appropriate, small enterprises. Universal service shall be implemented in a transparent and non-discriminatory way, and shall not impede the free choice of supplier provided for in Article 78 of this Law. 2. The universal service shall be provided by the universal service supplier who is obliged to: 2.1 provide the supply and protection of eligible customers under paragraph 1 of this article; 2.2 provide the supply and protection of vulnerable customers, in line with the provisions of relevant Law on Energy; 2.3 determine the universal service prices for electricity by applying provisions from Article 74 of this Law and the relevant Law on Energy Regulator; 2.4 inform customers about their rights and the conditions under which they can be supplied by a universal supplier, conditions and prices for supply of electricity, as well as about the right to change the supplier; 2.5 conduct procedures for procurement of electricity at market terms by selecting the most favourable bid and, 2.6 publish the universal service supply prices on its website.	competitive, easily and clearly comparable, transparent and non-discriminatory prices. To ensure the provision of universal service, Contracting Parties may appoint a supplier of last resort. Contracting Parties shall impose on distribution system operators an obligation to connect customers to their network under terms, conditions and tariffs set in accordance with the procedure laid down in Article 59(7). This Directive does not prevent Contracting Parties from strengthening the market position of the household customers and small and medium-sized non-household customers by promoting the possibilities for the voluntary aggregation of representation for that class of customers. 2. Paragraph 1 shall be implemented in a transparent and non-discriminatory way, and shall not impede the free choice of supplier provided for in Article 4.		
Article 73 Selection or appointment of universal service supplier 1. The Government, or the Regulator, depending on their areas of responsibility, shall adopt a decision to conduct a tender procedure for selection of		Not applicable	

a universal service supplier by adequately applying the public procurement rules. 2. In the decision referred to in paragraph 1 of this Article, the following shall be determined: 2.1 the criteria for selecting a universal supplier; 2.2 the tender terms and conditions; and 2.3 the time frame for which the universal supplier shall be appointed. 3. In the tender procedure for selection of a universal service supplier, bids may be submitted by energy enterprises that have permit for electricity supply issued by the Regulator. 4. In the event when a universal service supplier is not selected after the tender procedure is conducted, the Government or the Regulator, shall designate a universal service supplier in which it shall determine all the conditions for fulfilling the universal service obligation, and the time frame for which the universal service supplier has been designated. 5. The selected or designated universal service supplier is at the same time a supplier of last resort			
Article 74 Prices applied by the universal service supplier 1. The universal service supplier shall apply prices for supply of electricity to the final customers which are determined based on the methodology adopted by the Regulator.	Directive (EU) 2019/944 Article 5 p.6 6. For the purpose of a transition period to establish effective competition for electricity supply contracts between suppliers, and to achieve fully effective market-based retail pricing of electricity in accordance with paragraph 1,	Fully compliant	

2. Notwithstanding paragraph 1 of this article, the Regulator may regulate electricity prices for final customers that enjoy the right of supply under universal service. 3. In the event that Regulator regulates the electricity price for final customers, it shall offer a detailed explanation and justification, linking such regulation to extraordinary circumstances in the electricity market, and providing a justification on the necessity of preserving electricity price regulation for final customers, as a public obligation that is in compliance with conditions stipulated under this Article. 4. Regulator shall ensure that various customer categories shall not benefit from the same treatment of safeguard measures, and that price regulation for final customers with rights to enjoy supply as a universal service will be made available only to ensure the provision of universal services for household and, if applicable, small enterprises that enjoy such rights. 5. The Regulator shall ensure that electricity prices that are subject to regulation, for the purposes of ensuring universal service, are easily and clearly comparable, transparent and non-discriminatory. Electricity prices shall cover the real costs of electricity supply, including production cost, balancing cost, short-term marginal cost, reflecting the full production portfolio, necessary investments, appropriate rate of return, cost of imports, cost of supply services, bad	Contracting Parties may apply public interventions in the price setting for the supply of electricity to household customers and to microenterprises that do not benefit from public interventions pursuant to paragraph 3 Draft law on Electricity Article 5 paragraph 6 (g) not lead to direct cross-subsidisation between customers supplied at free market prices and those supplied at regulated supply prices		
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debts, as well as other reasonable costs, while prices are set at a level that is above cost, at a level where effective price competition can exist. 6. In its decision to regulate prices for final customers, Regulator shall determine a final date for the withdrawal of regulation of prices for final customers, as well as an action plan for performing, while clearly depicting the interim nature of price regulation for final customers. 7. Regulator shall perform annual reviews of methodologies and of the approved level of prices for final customers, as of the existing necessity to regulate prices for certain categories, based on public service objectives pursued. Such reviews are submitted to the Energy Community Secretariat, which, on the basis of regional market analyses, may propose other measures for the withdrawal of price regulation for certain categories.			
Article 75 Supply of Last Resort 1. The supplier of last resort shall be obliged to supply customers which remain without a supplier in the following cases: 1.1 their supplier has went bankrupt or is under liquidation; 1.2 the permit of the previous supplier has been permanently or provisionally revoked, or has expired; 1.3 the customer has failed in selecting a new supplier upon termination of the contract with the previous one. 2. Supplier unable to supply electricity to final customers, as per	Directive 2019/744 Article 27 Universal service 1. Contracting Parties shall ensure that all household customers, and, where Contracting Parties deem it to be appropriate, small enterprises, enjoy universal service, namely the right to be supplied with electricity of a specified quality within their territory at competitive, easily and clearly comparable, transparent and non-discriminatory prices. To ensure the provision of universal service,	Fully compliant	

subparagraph 1.1 of this Article, shall be obliged to inform in due time the supplier of last resort, final customer, Regulator, the Transmission System Operator and the Distribution System Operator, on the date of suspension of supply. In such events, the customer is immediately supplied from the supplier of last resort. 3. The Regulator shall inform the supplier of last resort, final customer the Transmission System Operator and the Distribution System Operator, on suppliers falling under subparagraph 1.2 of this Article, on the same day when the permit has expired, or from the date of entry into force of Regulator decision to provisionally or permanently revoke the permit. 4. Contracts on supply of last resort for final customers shall be considered concluded on the date when conditions for exercising the right for supply in last resort, as per sub-paragraphs 1.1 and 1.2 of this Article, have been fulfilled. 5. Supply of last resort in cases determined in sub-paragraph 1.3 of this Article shall commence upon termination of the contract with the previous supplier or upon commencement of supply for the new customers, subject, however, to the contract not being signed with another supplier. 6. Supply of last resort shall not last more than sixty (60) days. 7. In the event the final customer from sub-paragraphs 1.3 of this Article supplied by the supplier of last resort fails to enter into agreement with the new supplier within the term determined in	Contracting Parties may appoint a supplier of last resort. Contracting Parties shall impose on distribution system operators an obligation to connect customers to their network under terms, conditions and tariffs set in accordance with the procedure laid down in Article 59(7). This Directive does not prevent Contracting Parties from strengthening the market position of the household customers and small and medium-sized non-household customers by promoting the possibilities for the voluntary aggregation of representation for that class of customers.		
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paragraph 6 of this Article, the system operator shall terminate supply of electricity. 8. The Transmission System Operator and Distribution System Operator shall hand over information on the supplier of last resort to customers transferred to last resort supply, within five (5) days of the notice given according to paragraphs 2 and 3 of this Article. 9. Prices at which the supplier of last resort supplies electricity are determined on the basis of the methodology adopted by the Regulator, and shall be higher than the average market price or the price for similar customer supplied in the market. The methodology may foresee that the pricing of comparable suppliers abroad may be used for establishing adequate level of prices for the supply of last resort. 10. The supplier of last resort shall publish in its website, at least once (1) per year, information on the number of customers supplied, total amount of electricity delivered, and average supply period, separately for household and non-household customers that were supplied in last resort cases.			
Article 76 Obligations of the Supplier of Last Resort 1. In addition to obligations of other suppliers, the supplier of last resort shall: 1.1 inform the customers on terms and conditions of electricity supply, termination of the contract and prices, and publish such information in its web-page;	Directive 2019/744 Article 27 Universal service 1. Contracting Parties shall ensure that all household customers, and, where Contracting Parties deem it to be appropriate, small enterprises, enjoy universal service, namely the right to be	Fully compliant	

1.2 supply final customers as per Article 75 of this Law until customers select a new supplier, but not for longer than sixty (60) days; 1.3 bill final customers as per Article 75 of this Law, in accordance with last resort supply prices approved by Regulator and, 1.4 provide to final customers contracts on last resort supply, no later than eight (8) days upon commencement of such supply.	supplied with electricity of a specified quality within their territory at competitive, easily and clearly comparable, transparent and non-discriminatory prices. To ensure the provision of universal service, Contracting Parties may appoint a supplier of last resort. Contracting Parties shall impose on distribution system operators an obligation to connect customers to their network under terms, conditions and tariffs set in accordance with the procedure laid down in Article 59(7). This Directive does not prevent Contracting Parties from strengthening the market position of the household customers and small and medium-sized non-household customers by promoting the possibilities for the voluntary aggregation of representation for that class of customers.		
CHAPTER VIII THIRD PARTY ACCESS Article 77 Third Party Access to the Electricity Systems 1. Third party access to the electricity systems shall be governed by the provisions of this article and the relevant Energy Law. 2. The Transmission System Operator and the Distribution System Operator shall ensure third party access to the transmission system on the basis of Transmission charging methodologies developed by the Transmission System Operator and third-party access to	Directive 2019/944 Article 6 Third-party access 1. Contracting Parties shall ensure the implementation of a system of third-party access to the transmission and distribution systems based on published tariffs, applicable to all customers and applied objectively and without discrimination between system users. Contracting Parties shall ensure that those tariffs, or the methodologies underlying their calculation, are approved in accordance with Article 59 prior to their entry into force and that those tariffs, and the methodologies — where only methodologies are approved — are	Fully compliant	

distribution system on the basis of distribution charging methodologies developed by the Distribution System Operator, which shall be approved by the Regulator and published on the web site of the respective operator. 3. In determining the extent to which requests for access to the transmission or distribution systems can be permitted, the Transmission System Operator and the Distribution System Operator shall ensure that they offer the maximum capacity of their systems, including interconnectors, subject to complying with applicable safety standards and the need for secure system operation. 4. Tariffs for system use shall be proposed by the Transmission System Operator and the Distribution System Operator, in the manner prescribed by the Regulator, and shall enter into force after being approved and published by the Regulator. The tariffs proposed shall include appropriate economic signals to encourage efficient use of systems and interconnectors.	published prior to their entry into force . 2. The transmission or distribution system operator may refuse access where it lacks the necessary capacity. Duly substantiated reasons shall be given for such refusal, in particular having regard to Article 9, and based on objective and technically and economically justified criteria. Contracting Parties or, where Contracting Parties have so provided, the regulatory authorities of those Contracting Parties, shall ensure that those criteria are consistently applied and that the system user who has been refused access can make use of a dispute settlement procedure. The regulatory authorities shall also ensure, where appropriate and when refusal of access takes place, that the transmission system operator or distribution system operator provides relevant information on measures that would be necessary to reinforce the network. Such information shall be provided in all cases when access for recharging points has been denied. The party requesting such information may be charged a reasonable fee reflecting the cost of providing such information. 3. This Article shall also apply to citizen energy communities that manage distribution networks.		
CHAPTER IX CUSTOMER EMPOWERMENT AND PROTECTION Article 78 Free choice of supplier	Directive (EU) 2019/744 Article 4 Free choice of supplier Contracting Parties shall ensure that all customers are free to purchase electricity from the supplier of their choice and shall	Fully complaint	Introducing the general rule from the Directive that, all consumers are free to buy electricity from the supplier of their choice and are free to have more than one electricity

All customers are free to purchase electricity from the supplier of their choice and are free to have more than one electricity supply contract at the same time, provided that the required connection and metering points are established.	ensure that all customers are free to have more than one electricity supply contract at the same time, provided that the required connection and metering points are established.		supply contract at the same time, provided that they establish special measuring points are also required.
Article 79 Contractual requirements 1. Mutual rights and obligations of suppliers and final customers shall be stipulated in a written and signed contract from both Parties. 2. Suppliers shall offer final customers fair and transparent general terms and conditions, which shall be provided in plain and unambiguous language and shall not include non-contractual barriers to the exercise of customers' rights. 3. Terms, conditions and other elements related to and/or contained in the supply contract shall be regulated in the Rule for General Conditions of Energy Supply adopted by the Regulator. 4. Customers may enter into more than one contract for a given metering point for the same supply period. 5. Nothing in the supply contract shall prejudice customers' rights to change their supplier, whereas the contract shall not impose additional financial obligations for customers that exercise their rights to change the supplier, unless otherwise determined in Article 70 of this law	Directive (EU) 2019/744 Article 10 paragraph 2. Without prejudice to stricter national rules on consumer protection, < ... > Contracting Parties shall ensure that final customers have the rights provided for in paragraphs 3 3. Final customers shall have the right to a contract with their supplier that specifies: (a) the identity and address of the supplier; (b) the services provided, the service quality levels offered, as well as the time for the initial connection; (c) the types of maintenance service offered; (d) the means by which up-to-date information on all applicable tariffs, maintenance charges and bundled products or services may be obtained; (e) the duration of the contract, the conditions for renewal and termination of the contract and services, including products or services that are bundled with those services, and whether terminating	Fully compliant	

	the contract without charge is permitted; (f) any compensation and the refund arrangements which apply if contracted service quality levels are not met, including inaccurate or delayed billing; (g) the method of initiating an out-of-court dispute settlement procedure in accordance with Article 26; (h) information relating to consumer rights, including information on complaint handling and all of the information referred to in this paragraph, that is clearly communicated on the bill or the electricity undertaking's web site. Conditions shall be fair and well known in advance. In any case, this information shall be provided prior to the conclusion or confirmation of the contract. Where contracts are concluded through intermediaries, the information relating to the matters set out in this paragraph shall also be provided prior to the conclusion of the contract. Final customers shall be provided with a summary of the key contractual conditions in a prominent manner and in concise and simple language. 4. Final customers shall be given adequate notice of any intention to modify contractual conditions and shall be informed about their right to terminate the contract when the notice is given. Suppliers shall notify their final		
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	customers, in a transparent and comprehensible manner, directly of any adjustment in the supply price and of the reasons and preconditions for the adjustment and its scope, at an appropriate time no later than two weeks, or no later than one month in the case of household customers, before the adjustment comes into effect. Contracting Parties shall ensure that final customers are free to terminate contracts if they do not accept the new contractual conditions or adjustments in the supply price notified to them by their supplier. 5. Suppliers shall provide final customers with transparent information on applicable prices and tariffs and on standard terms and conditions, in respect of access to and use of electricity services. 6. Suppliers shall offer final customers a wide choice of payment methods. Such payment methods shall not unduly discriminate between customers. Any difference in charges related to payment methods or prepayment systems shall be objective, non-discriminatory and proportionate and shall not exceed the direct costs borne by the payee for the use of a specific payment method or a prepayment system. 7. Pursuant to paragraph 6, household customers who have access to prepayment systems shall not be placed at a disadvantage by the prepayment systems. 8. Suppliers shall offer final customers fair and transparent general terms and conditions, which shall be provided in		
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	plain and unambiguous language and shall not include non-contractual barriers to the exercise of customers' rights, such as excessive contractual documentation. Customers shall be protected against unfair or misleading selling methods.to 12 of this Article. 9. Final customers shall have the right to a good standard of service and complaint handling by their suppliers. Suppliers shall handle complaints in a simple, fair and prompt manner. 10. When accessing universal service under the provisions adopted by Contracting Parties pursuant to Article 27, final customers shall be informed about their rights regarding universal service.		
Article 80 Quality of Electricity Supply 1. Electricity supply quality include: 1.1 service quality; 1.2 continuity of supply; 1.3 voltage quality. 2. The Regulator shall establish the electricity supply criteria, which shall determine: 2.1 electricity supply quality indicators; 2.2 methods for metering, collection and publication of electricity supply quality indicators; 2.3 extraordinary events, from the perspective of electricity supply quality perspective; 2.4 scaled establishment of minimum general standards and guaranteed standards		Not applicable	

of electricity supply; 2.5 manner of regulation of electricity supply quality, depending on the selected tariff regulation method; 2.6 scaled determination of financial compensations for final customers, upon establishment of guaranteed quality of electricity supply, 2.7 manner, dynamics and field of information, and submission of data on the quality of electricity supply to Regulatory; 2.8 contents of the annual Transmission System Operator report on quality of electricity supply; 2.9 contents of the annual Distribution System Operator report on quality of electricity supply; and 2.10 contents of the annual supplier report on the quality of supply services. 3. The Transmission System Operator, Distribution System Operator and all suppliers are obliged to systematically, in compliance with conditions of the quality of electricity supply: 3.1 preserve the quality of electricity supply, 3.2 follow-up on electricity supply quality indicators; and 3.3 maintain a registry of data necessary for verifying electricity supply quality indicators. 4. The Transmission System Operator, Distribution System Operator, and all suppliers, shall once per year publish reports on the quality of electricity supply and submit them to the Regulator with all data related to the quality of			
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electricity supply. Article 81 Entitlement to a dynamic electricity price contract 1. Any supplier is entitled to offer dynamic electricity price contracts to final customer. 2. Any final customer who has a smart meter installed can request to conclude a dynamic electricity price contract with at least one supplier and with every supplier that has more than 50 000 final customers. 3. Suppliers shall obtain each final customer's consent before that customer is switched to a dynamic electricity price contract. 4. The suppliers shall inform the final customers of the opportunities, costs and risks of such dynamic electricity price contracts, and shall be required to provide information to the final customers accordingly, including with regard to the need to have an adequate electricity meter installed. 5. Provisions of this article shall not apply to the universal service supplier. 6. The Regulator monitors market developments and assesses the risks that may be caused by new products and services, and deals with practices that lead to abuse. 7. The Regulator monitors the main changes related to contracts with dynamic prices, including market offers and the impact on customer accounts, especially the level of price volatility, and includes the	Directive (EU) 2019/744 Article 11 Entitlement to a dynamic electricity price contract 1. Contracting Parties shall ensure that the national regulatory framework enables suppliers to offer dynamic electricity price contracts. Contracting Parties shall ensure that final customers who have a smart meter installed can request to conclude a dynamic electricity price contract with at least one supplier and with every supplier that has more than 200 000 final customers. 2. Contracting Parties shall ensure that final customers are fully informed by the suppliers of the opportunities, costs and risks of such dynamic electricity price contracts, and shall ensure that suppliers are required to provide information to the final customers accordingly, including with regard to the need to have an adequate electricity meter installed. Regulatory authorities shall monitor the market developments and assess the risks that the new products and services may entail and deal with abusive practices 3. Suppliers shall obtain each final customer's consent before that customer is switched to a dynamic electricity price contract.	Fully compliant	
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findings in the annual report on the state of energy.			
Article 82 Aggregation contract 1. Customers are free to purchase and sell electricity services directly or through aggregation, other than the public supply service, independently from their electricity supply contract from an electricity enterprise of their choice, subject to fulfillment of the conditions provided in this law. 2. The final customers shall be granted the following rights in a non-discriminatory manner as regards cost, effort or time: 2.1 to conclude Aggregation contract without the need for a consent of the final customer's electricity supply enterprise and without being subject to discriminatory technical and administrative requirements, procedures or charges by their supplier on the basis of having a contract with a market participant engaged in aggregation. 2.2 to be fully informed on the terms and conditions of the contracts that the market participants engaged in aggregation offer to them, and 2.3 to receive all relevant demand response data or data on supplied and sold electricity free of charge at least once every billing period if they request so.	Directive 2019/944 Article 13 Aggregation contract 1. Contracting Parties shall ensure that all customers are free to purchase and sell electricity services, including aggregation, other than supply, independently from their electricity supply contract and from an electricity undertaking of their choice. 2. Contracting Parties shall ensure that, where a final customer wishes to conclude an aggregation contract, the final customer is entitled to do so without the consent of the final customer's electricity undertakings. Contracting Parties shall ensure that market participants engaged in aggregation fully inform customers of the terms and conditions of the contracts that they offer to them. 3. Contracting Parties shall ensure that final customers are entitled to receive all relevant demand response data or data on supplied and sold electricity free of charge at least once every billing period if requested by the customer. 4. Contracting Parties shall ensure that the rights referred to in paragraphs 2 and 3 are granted to final customers in a non-discriminatory manner as regards cost, effort or time. In particular, Contracting Parties shall ensure that customers are not subject to discriminatory technical and administrative requirements, procedures or charges by their supplier on the basis of whether they have a contract with a	Fully compliant	

	market participant engaged in aggregation.		
Article 83 Comparison tool 1. All customers shall have access, free of charge, to the tool comparing the offers of suppliers, including offers for dynamic electricity price contracts. Customers shall be informed of the availability of the tool in or together with their electricity bills. 2. The Regulator operates, maintains and controls the comparison tool, independently from market participants and ensures that: 2.1 the comparison tool is based on clear and objective criteria and electricity enterprises are given equal treatment in search results; 2.2 plain and unambiguous language is used in the tool, as well as accurate and up-to-date information; 2.3 the comparison tool accessible to persons with disabilities; 2.4 display of personal data is limited to the strictly necessary one for the comparison purposes and, 2.5 an effective procedure for reporting incorrect information on published offers is available. 3. The Regulator shall adopt Rules on Comparison Tool that will determine in details the requirements the comparison tool shall meet and the manner the Regulator shall operate, maintain and control the comparison tool.	Directive (EU) 2019/944 Article 14 Comparison tools 1. Contracting Parties shall ensure that at least household customers, and microenterprises with an expected yearly consumption of below 100 000 kWh, have access, free of charge, to at least one tool comparing the offers of suppliers, including offers for dynamic electricity price contracts. Customers shall be informed of the availability of such tools in or together with their bills or by other means. The tools shall meet at least the following requirements: (a) they shall be independent from market participants and ensure that electricity undertakings are given equal treatment in search results; (b) they shall clearly disclose their owners and the natural or legal person operating and controlling the tools, as well as information on how the tools are financed; (c) they shall set out clear and objective criteria on which the comparison is to be based, including services, and disclose them; (d) they shall use plain and unambiguous language; (e) they shall provide accurate and up-to-date information and state the time of the	Fully compliant	

	last update; (f) they shall be accessible to persons with disabilities, by being perceivable, operable, understandable and robust; (g) they shall provide an effective procedure for reporting incorrect information on published offers; and (h) they shall perform comparisons, while limiting the personal data requested to that strictly necessary for the comparison. Contracting Parties shall ensure that at least one tool covers the entire market. Where multiple tools cover the market, those tools shall include, as complete as practicable, a range of electricity offers covering a significant part of the market and, where those tools do not completely cover the market, a clear statement to that effect, before displaying results. 2. The tools referred to in paragraph 1 may be operated by any entity, including private companies and public authorities or bodies. 3. Contracting Parties shall appoint a competent authority to be responsible for issuing trust marks for comparison tools that meet the requirements set out in paragraph 1, and for ensuring that comparison tools bearing a trust mark continue to meet the requirements set out in paragraph 1. That authority shall be independent of any market participants and comparison tool operators. 4. Contracting Parties may require		
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	comparison tools referred to in paragraph 1 to include comparative criteria relating to the nature of the services offered by the suppliers. 5. Any tool comparing the offers of market participants shall be eligible to apply for a trust mark in accordance with this Article on a voluntary and non-discriminatory basis. 6. By way of derogation from paragraphs 3 and 5, Contracting Parties may choose not to provide for the issuance of trust marks to comparison tools if a public authority or body provides a comparison tool that meets the requirements set out in paragraph 1.		
Article 84 Active Customers 1. The final customers are entitled to act as active customers without being subject to disproportionate or discriminatory technical requirements, administrative requirements, procedures and charges, and to network charges that are not cost-reflective. 2. Active customers are entitled to: 2.1 operate either directly or through aggregation; 2.2 sell self-generated electricity, including through power purchase agreements; 2.3 participate in providing flexibility services and energy efficiency services; 2.4 delegate to a third party the management of the installations required for their activities, including installation, operation, data handling and maintenance,	Directive (EU) 2019/944 Article 15 Active customers 1. Contracting Parties shall ensure that final customers are entitled to act as active customers without being subject to disproportionate or discriminatory technical requirements, administrative requirements, procedures and charges, and to network charges that are not cost-reflective 2. Contracting Parties shall ensure that active customers are: (a) entitled to operate either directly or through aggregation; (b) entitled to sell self-generated electricity, including through power purchase agreements; (c) entitled to participate in flexibility	Fully compliant	

without that third party being considered to be an active customer; and 2.5 be subject to cost-reflective, transparent and non-discriminatory network charges that account separately for the electricity delivered into the grid and the electricity consumed from the grid, ensuring that they contribute in an adequate and balanced way to the overall cost sharing of the system. 3. Active customers shall be financially responsible for the imbalances they cause in the electricity system, to that extent they shall be balance responsible parties or shall delegate their balancing responsibility in accordance with the provisions on balancing responsibility in accordance with this Law and the relevant Law on Promotion of Use of Renewable Energy Sources. 4. Active customers owning an energy storage facility: 4.1 have the right to a grid connection within a reasonable time after the request, provided that all necessary conditions, such as balancing responsibility and adequate metering, are fulfilled; 4.2 are not subject to any double charges, including network charges, for stored electricity remaining within their premises or when providing flexibility services to system operators; 4.3 are not subject to disproportionate licensing requirements or fees and, 4.4 are allowed to provide several services simultaneously, if technically feasible.	schemes and energy efficiency schemes; (d) entitled to delegate to a third party the management of the installations required for their activities, including installation, operation, data handling and maintenance, without that third party being considered to be an active customer; (e) subject to cost-reflective, transparent and non-discriminatory network charges that account separately for the electricity fed into the grid and the electricity consumed from the grid, in accordance with Article 59(9) of this Directive and Article 14 of Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011, ensuring that they contribute in an adequate and balanced way to the overall cost sharing of the system; (f) financially responsible for the imbalances they cause in the electricity system; to that extent they shall be balance responsible parties or shall delegate their balancing responsibility in accordance with Article 5 of Regulation (EU) 2019/943. 3. Contracting Parties may have different provisions applicable to individual and jointly-acting active customers in their national law, provided that all rights and obligations under this Article apply to all active customers. Any difference in the treatment of jointly-acting active		
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	customers shall be proportionate and duly justified. 4. Contracting Parties that have existing schemes that do not account separately for the electricity fed into the grid and the electricity consumed from the grid, shall not grant new rights under such schemes after 31 December 2026. In any event, customers subject to existing schemes shall have the possibility at any time to opt for a new scheme that accounts separately for the electricity fed into the grid and the electricity consumed from the grid as the basis for calculating network charges. 5. Contracting Parties shall ensure that active customers that own an energy storage facility: (a) have the right to a grid connection within a reasonable time after the request, provided that all necessary conditions, such as balancing responsibility and adequate metering, are fulfilled; (b) are not subject to any double charges, including network charges, for stored electricity remaining within their premises or when providing flexibility services to system operators; (c) are not subject to disproportionate licensing requirements or fees; (d) are allowed to provide several services simultaneously, if technically feasible.		
Article 85 Citizen Energy Communities 1. Participation in a citizen energy community is open to all categories of entities, provided that effective control over citizen energy community is exercised by	Directive (EU)2019/944 Article 16 Citizen energy communities 1. Contracting Parties shall provide an enabling regulatory framework for citizen energy communities ensuring that:	Fully compliant	In line with efforts to liberalize electricity markets, this provision provides for the creation of citizen energy communities, open to all categories of entities, provided that effective control over the citizen

members or shareholders that are natural persons, local authorities, including municipalities, civil society organizations or small enterprises. 2. Categories of entities referred to in paragraph 1 of this Article may freely decide to join or form a citizen energy community, the primary purpose of which is to provide environmental, economic or social community benefits to its members or shareholders or to the local areas where it operates rather than to generate financial profits. 3. The citizen energy community is organized and operates in accordance with the laws regulating the establishment, financial operations and accounting of non-governmental entities that comply with the eligibility criteria for participation, governance, and purpose of the citizen energy community as provided for in this Law. The citizen energy community may carry out activities in the electricity sector according to this Law and a permit issued by the Regulator for the respective energy activities. 4. The members or shareholders effectively controlling citizen energy community exercise voting rights independently of the ownership share, according to the principle of one member one vote. A shareholder or a member of citizen energy community must not be an owner of more than 40% of the shares in the legal entity of another shareholder or a member of the same community in order to avoid implicit dominance.	(a) participation in a citizen energy community is open and voluntary; (b) members or shareholders of a citizen energy community are entitled to leave the community, in which case Article 12 applies; (c) members or shareholders of a citizen energy community do not lose their rights and obligations as household customers or active customers; (d) subject to fair compensation as assessed by the regulatory authority, relevant distribution system operators cooperate with citizen energy communities to facilitate electricity transfers within citizen energy communities; (e) citizen energy communities are subject to non-discriminatory, fair, proportionate and transparent procedures and charges, including with respect to registration and licensing, and to transparent, non-discriminatory and cost-reflective network charges in accordance with Article 14 of Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011, ensuring that they contribute in an adequate and balanced way to the overall cost sharing of the system 2. Contracting Parties may provide in the enabling regulatory framework that		energy community is exercised by members or shareholders who are natural persons , local authorities, including municipalities, or small enterprises. A CEC's primary purpose is to provide environmental, economic or social community benefits to its members or shareholders or to the local areas in which it operates rather than to generate financial profits. In this sense, they can engage in the following activities: the production of electricity for their own consumption or to be offered to the electricity market, the supply of electricity from their aggregate production for their own consumption, the management of their imbalances , collection, storage, energy efficiency services, including demand management, etc.
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5. Membership in a citizen energy community is voluntary. No later than thirty (30) days before the start of its activities in the electricity sector, the citizen energy community must adopt and publish on its website or make otherwise publicly available to potential members or stakeholders a code of conduct and conditions of participation. A shareholder or a member who is refused participation or who is prevented from leaving the citizen energy community can file a complaint to the Regulator. 6. Members or shareholders are entitled to leave a citizen energy community following the applicable rules and procedure for switching the supplier provided for in this Law. Household customers are allowed to leave citizen energy community, without losing the access to the network operated by that community. 7. During their participation in a citizen energy community, members or shareholders uphold their rights and obligations as household customers or active customer. 8. On the points of individual connection of the members or shareholders of a citizen energy community to the networks that are not owned or operated by the citizen energy community: 8.1 all the connection and access obligations including regular connection fees and tariffs for transmission and distribution services and prices for supply services in accordance with the	citizen energy communities: (a) are open to cross-border participation; (b) are entitled to own, establish, purchase or lease distribution networks and to autonomously manage them subject to conditions set out in paragraph 4 of this Article; (c) are subject to the exemptions provided for in Article 38(2). 3. Contracting Parties shall ensure that citizen energy communities: (a) are able to access all electricity markets, either directly or through aggregation, in a non-discriminatory manner; (b) are treated in a non-discriminatory and proportionate manner with regard to their activities, rights and obligations as final customers, producers, suppliers, distribution system operators or market participants engaged in aggregation; (c) are financially responsible for the imbalances they cause in the electricity system; to that extent they shall be balance responsible parties or shall delegate their balancing responsibility in accordance with Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011; (d) with regard to consumption of self-generated electricity, citizen energy communities		
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methodologies approved by the Regulator shall apply; and 8.2 separate metering of the electricity consumed from, or delivered into such networks, along with corresponding balance responsibility, shall be applied, and such activities of consumption or generation shall be treated as separate activities in accordance with this Law, and the relevant legislation for Energy. 9. The citizen energy community can carry out the following activities: 9.1 generation of electricity, including from renewable energy sources, for own consumption, or to be offered on electricity market; 9.2 supply of electricity from their aggregated generation, from Community facilities or purchased by the Community from the market, for their own consumption, and management of their imbalances; 9.3 aggregation; 9.4 energy storage; 9.5 energy efficiency services, including demand response; 9.6 charging services for electric vehicles; 9.7 provide other energy services to its members or shareholders in accordance with applicable rules regulating the electricity market. 10. The citizen energy community can participate as a single market participant in all electricity markets, including balancing market, directly or through aggregation, in accordance with the corresponding market	are treated like active customers in accordance with point (e) of Article 15(2); (e) are entitled to arrange within the citizen energy community the sharing of electricity that is produced by the production units owned by the community, subject to other requirements laid down in this Article and subject to the community members retaining their rights and obligations as final customers. For the purposes of point (e) of the first subparagraph, where electricity is shared, this shall be without prejudice to applicable network charges, tariffs and levies, in accordance with a transparent cost-benefit analysis of distributed energy resources developed by the competent national authority 4. Contracting Parties may decide to grant citizen energy communities the right to manage distribution networks in their area of operation and establish the relevant procedures, without prejudice to Chapter IV or to other rules and regulations applying to distribution system operators. If such a right is granted, Contracting Parties shall ensure that citizen energy communities: (a) are entitled to conclude an agreement on the operation of their network with the relevant distribution system operator or transmission system operator to which their network is connected; (b) are subject to appropriate network		
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rules. If the citizen energy community participates in the wholesale electricity market it is registered and treated as a single entity. Citizen energy communities are subject to the following: 10.1 the market rules approved by the Regulator shall be applied to citizen energy community in a non-discriminatory and proportionate manner; 10.2 citizen energy community shall assume financial responsibility for the deviations it has caused in the electricity system, by being a balance responsible party itself or delegating its balancing responsibility to a balance responsible party of its choice according to the balancing rules approved by the Regulator; 10.3 it shall be treated in a non-discriminatory and proportionate manner with regard to its rights and obligations as a final customer, generator, supplier, distribution system operator, energy storage operator, demand management operator or market participant engaged in aggregation, as the case may be; 10.4 it shall be treated as a single active customer with regard to consumption of the self-generated electricity and, 10.5 shall be entitled to arrange within the citizen energy community the sharing of electricity generated by the generation installations possessed by the members of the community, subject to the rules and conditions laid down in this Article, as long as the members of the community retain their rights and obligations as final customers pursuant to this Law.	charges at the connection points between their network and the distribution network outside the citizen energy community and that such network charges account separately for the electricity fed into the distribution network and the electricity consumed from the distribution network outside the citizen energy community in accordance with Article 59(7); (c) do not discriminate or harm customers who remain connected to the distribution system.		
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11. As a single, registered market participant connected to the distribution network the citizen energy community shall: be subject to non-discriminatory, proportionate and transparent procedures and charges, including with respect to registration and permitting, and to transparent, non-discriminatory, and cost-reflective network charges in accordance to the methodology approved by the Regulator. 12. The Regulator shall bring a decision in compliance with corresponding rules and conditions on the ability of the citizen energy community to have access to cross-border transmission capacity and participate in cross-border trade. 13. The Regulator shall bring a decision on the obligations of the relevant Distribution System Operator to cooperate with the connected citizen energy communities to facilitate electricity transfers within the community and shall assess and determine a fair compensation. 14. Where electricity is shared among the members of the citizen energy community pursuant to subparagraph 10.5 of this Article, this shall be without prejudice to the applicable network charges and tariffs approved by the Regulator on the basis of a transparent cost-benefit analysis of the efficient use of the distributed energy resources and stability and security of the electricity system. 15. The sharing of electricity pursuant to subparagraph 10.5 of this Article is done in accordance with the obligations and			
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correct timeframes for balancing, metering, and settlement. For the purpose of sharing electricity, the citizen energy community shall submit to the distribution system operator the sharing profiles for all members of the community and corresponding metering points of their network connections. 16. The Regulator may decide to grant a citizen energy community the right to manage the distribution network of its operational dominion, including as a closed distribution system. For that purpose, the Regulator shall adopt relevant rules of procedure which shall be without prejudice to the provisions for distribution system operation provided in this Law. 17. If the right to operate a distribution network of paragraph 16 of this Article is granted, the citizen energy community: 17.1 shall conclude an agreement with the respective distribution system operator on the operation of the network or, as applicable, an agreement with the transmission system operator; 17.2 shall become subject to respective network charges at the connection points between its network and the distribution system outside the community, which account separately for the electricity fed into the distribution system and the electricity consumed from the distribution system outside the citizen energy community; and 17.3 shall not discriminate any customers who decide to remain connected			
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to the distribution system outside the citizen energy community. 18. The regulator shall adopt and publish specific conditions for operation of citizen energy communities, which shall provide models for possible regulatory rules and relations with, and/or within the community, for: 18.1 production, consumption and exchanges of energy; 18.2 development of community-owned generation facilities; 18.3 connection of members and energy facilities to public networks and use of public infrastructure; 18.4 development and operation of closed distribution systems; 18.5 balance responsibility and exchange of balancing and ancillary services; 18.6 aggregation, energy storage and demand response services, 18.7 preferential producers, applied support schemes and competitive provision of incentives or support measures for renewable energy; 18.8 support measures for vulnerable customers; and 18.9 responsibility for environmental and climate protection.			
Article 86 Demand Response through Aggregation 1. The market participants, including final customers, may participate in demand response, either independently or through an aggregator, which can be another service provider , an independent aggregator, or	Directive 2019/744 Article 17 Demand response through aggregation 1. Contracting Parties shall allow and foster participation of demand response through aggregation. Contracting Parties shall allow final customers, including	Fully compliant	To operationalize the potential functions of active consumers, market participants, including end consumers, can participate in demand response, either independently or through an aggregator.

another market participant engaged in aggregation. The Transmission System Operator, the distribution system operator, the electricity market operator and the Regulator shall enable and support each of these mechanisms adequately and in a non-discriminatory manner. 2. The Transmission System Operator and the distribution system operator, when procuring ancillary services, shall treat market participants engaged in aggregation of demand side response in a non-discriminatory manner alongside generators on the basis of their technical capabilities. 3. The market participant engaged in aggregation, including the independent aggregator, shall have the right to enter electricity markets without the consent of other market participants. The Regulator shall bring a decision on the possibility and the conditions for participation of the demand response aggregators in a cross-border exchange of respective services. 4. The market participants engaged in aggregation shall be financially responsible for the imbalances that they have created in the system, either as balance responsible parties or by delegating the balance responsibility to another party pursuant to the Article 50 of this Law and the Balancing Rules. 5. The final customers who have entered into a contract with an independent aggregator or another market participant engaged in aggregation shall not be subject to undue payments, penalties,	those offering demand response through aggregation, to participate alongside producers in a non-discriminatory manner in all electricity markets. 2. Contracting Parties shall ensure that transmission system operators and distribution system operators, when procuring ancillary services, treat market participants engaged in the aggregation of demand response in a non-discriminatory manner alongside producers on the basis of their technical capabilities. 3. Contracting Parties shall ensure that their relevant regulatory framework contains at least the following elements: (a) the right for each market participant engaged in aggregation, including independent aggregators, to enter electricity markets without the consent of other market participants; (b) non-discriminatory and transparent rules that clearly assign roles and responsibilities to all electricity undertakings and customers; (c) non-discriminatory and transparent rules and procedures for the exchange of data between market participants engaged in aggregation and other electricity undertakings that ensure easy access to data on equal and non-discriminatory terms while fully protecting commercially sensitive information and customers' personal data;		
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administrative obstacles, data restrictions save in case of commercially sensitive information, or other undue contractual restrictions by their suppliers. 6. The Regulator shall adopt non-discriminatory and transparent rules that clearly define: 6.1 the roles and responsibilities of demand response aggregators among other electricity enterprises, service providers and market participants; 6.2 the obligations and the procedures for exchange of information between the market participants engaged in aggregation and other electricity enterprises and service providers that ensure access to relevant data in a non-discriminatory manner while protecting commercially sensitive and private information; 6.3 the balance responsibility obligation from paragraph 4 of this Article and, 6.4 rules and mechanism for dispute settlement between the market participants engaged in aggregation and other market participants including disputes on the balance responsibility and disputes with the suppliers. 7. The final customer who participates in providing a demand response service may be obliged to pay financial compensation to the supplier or its balance responsible party who are directly affected by the activation of the demand response. Such a compensation shall be strictly limited to covering the costs of the supplier or its balance responsible party, who is	(d) an obligation on market participants engaged in aggregation to be financially responsible for the imbalances that they cause in the electricity system; to that extent they shall be balance responsible parties or shall delegate their balancing responsibility in accordance with Regulation (EC) 714/2009 as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC of 6 October 2011; (e) provision for final customers who have a contract with independent aggregators not to be subject to undue payments, penalties or other undue contractual restrictions by their suppliers; (f) a conflict resolution mechanism between market participants engaged in aggregation and other market participants, including responsibility for imbalances. 4. Contracting Parties may require electricity undertakings or participating final customers to pay financial compensation to other market participants or to the market participants' balance responsible parties, if those market participants or balance responsible parties are directly affected by demand response activation. Such financial compensation shall not create a barrier to market entry for market participants engaged in aggregation or a barrier to flexibility. In such cases, the financial compensation shall be strictly limited to covering the resulting costs incurred by the suppliers of participating customers or the suppliers'		
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supplying the customer independently participating in demand response or the customer who participates in demand response through aggregation. 8. The Regulator shall bring a decision on the application of the financial compensation from paragraph 7 of this Article and approve the rules for application and the method of determining the compensation. 9. The method and financial compensation from paragraph 7 of this article shall: 9.1 take into account the benefits that other market participants have achieved from the provision of the demand response service, and in that case the aggregator or the customers who have independently participated in the demand response may be required to contribute to this compensation only if, and to the extent that the benefits to all suppliers, final customers and their balance responsible parties do not exceed the direct costs incurred pursuant to paragraph 7 of this Article; and 9.2 not create an obstacle for entering in the market of an independent aggregator, or an obstacle for the provision of flexibility services to the electricity system. 10. The Transmission System Operator, acting in cooperation with the electricity market operator, the Distribution System Operator, and suppliers, market participants, network users and customer, shall establish the technical requirements and develop rules for participation of demand response service providers in all	balance responsible parties during the activation of demand response. The method for calculating compensation may take account of the benefits brought about by the independent aggregators to other market participants and, where it does so, the aggregators or participating customers may be required to contribute to such compensation but only where and to the extent that the benefits to all suppliers, customers and their balance responsible parties do not exceed the direct costs incurred. The calculation method shall be subject to approval by the regulatory authority or by another competent national authority. 5. Contracting Parties shall ensure that regulatory authorities or, where their national legal system so requires, transmission system operators and distribution system operators, acting in close cooperation with market participants and final customers, establish the technical requirements for participation of demand response in all electricity markets on the basis of the technical characteristics of those markets and the capabilities of demand response. Such requirements shall cover participation involving aggregated loads.		
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electricity markets, independently and through aggregation, based on compatibility of the technical requirements of those markets and the demand response services. The rules shall be approved by the Regulator.			
Article 87 Bills and Billing Information 1. The electricity bills shall include accurate, easy to understand and clear data of billing of the energy consumed. The customers shall be provided access, including through web based online platforms to clear, timely, understandable and easily accessible. The billing information shall be presented in a manner that facilitates comparison between the final customers of same and different categories. 2. The Regulator, upon request of a supplier or service provider, may approve the regular billing information to be based on statistical forecasts (historical data) of the consumption, within reasonable margins and periodic settlements, which shall be clearly elaborated in the methodology referred to in paragraph 8 of this Article. 3. No charges shall be applied to the final customers on issuing of the invoices, providing information on the electricity bills or the billing process. 4. The final customers shall have the possibility of functional, easily applicable and safe services for receiving information and bills, access to information and payment of the bills through web-based	Directive (EU) 2019/744 Article 18 Bills and billing information 1. Contracting Parties shall ensure that bills and billing information are accurate, easy to understand, clear, concise, user-friendly and presented in a manner that facilitates comparison by final customers. On request, final customers shall receive a clear and understandable explanation of how their bill was derived, especially where bills are not based on actual consumption. Directive Article 18 p.3 3. Contracting Parties shall ensure that final customers are offered the option of electronic bills and billing information and are offered flexible arrangements for the actual payment of the bills. 4. If the contract provides for a future	Fully compliant	Consumers will be provided access, including through electronic media and the Internet, to clear, timely, understandable and easily accessible explanations of bills. The regulator may approve that regular billing information is based on statistical forecasts (historical data) of consumption, within reasonable limits, and periodic repayments. There are no fees for issuing invoices and providing information on electricity bills. End consumers will have the option, with the express written consent of the supplier, to receive electricity bills in digital form only.

(online) platforms. 5. The final customers shall have the option, upon providing their explicit written consent to the supplier, to receive the electricity bills in digital form. In such case, the supplier has no obligation to issue the bills in hard-copy (paper form) and the bills issued in digital form will have equivalent legal effect as those issued in hard-copy. 6. The final customers shall have the possibility, subject to a written agreement with the supplier, for flexible arrangements for paying of their bills, advanced payment, and reprogramming of debts. 7. If the supply contract foresees changes to the products and prices, including price discounts , then this information, together with the date when the changes are applied, shall be provided in the bill. 8. The Regulator shall approve the methodology for billing, the format and contents of the bills and the billing information, which shall comply with the minimum requirements for billing and billing information,. The Regulator shall consult the customer associations when considering changes to the requirements regarding the contents and format of the bills. 9. The Regulator shall establish a transparent and easily accessible mechanism for complaints from the customers on the electricity bills, and a corresponding dispute settlement mechanism with the suppliers and service providers.	change of the product or price, or a discount, this shall be indicated on the bill together with the date on which the change takes place. 5. Contracting Parties shall consult consumer organisations when they consider changes to the requirements for the content of bills. 6. Contracting Parties shall ensure that bills and billing information fulfil the minimum requirements set out in Annex I.		
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Article 88 Introduction of a smart metering systems 1. The Regulator shall be authorized to take a decision on the introduction of a smart metering system in the Republic of Kosovo based on an economic assessment of all long-term costs and benefits of such a system for the market and individual final customers. 2. The economic assessment referred to in paragraph 1 of this article shall be performed by the Regulator taking into account: 2.1 the input and proposal for the form of the smart metering system and the time frame for its introduction provided by the respective electricity system operator, 2.2 the economically reasonable and cost-effective form of the smart metering system and the time frame for the introduction of the smart metering system that is feasible for the respective electricity system operator, and 2.3 the cost-benefit analysis methodology and the minimum functionality for the smart metering system specified in as per paragraph 4 of this Article of this Law and the best techniques for ensuring the highest level of cyber security and data protection. 3. If the economic assessment referred to in paragraph 1 of this article positively evaluates the introduction of the smart metering system, the Regulator, with the prior opinion of the system operators, adopts a program that is an integral part of	Directive 2019/944 Article 19 Smart metering systems 1. In order to promote energy efficiency and to empower final customers, Contracting Parties or, where a Contracting Party has so provided, the regulatory authority shall strongly recommend that electricity undertakings and other market participants optimise the use of electricity, inter alia, by providing energy management services, developing innovative pricing formulas, and introducing smart metering systems that are interoperable, in particular with consumer energy management systems and with smart grids, in accordance with the applicable Energy Community data protection rules. 2. Contracting Parties shall ensure the deployment in their territories of smart metering systems that assist the active participation of customers in the electricity market. Such deployment may be subject to a cost-benefit assessment which shall be undertaken in accordance with the principles laid down in Annex II. 3. Contracting Parties that proceed with the deployment of smart metering systems shall adopt and publish the minimum functional and technical requirements for the smart metering systems to be deployed in their territories, in accordance with Article 20 and Annex II. Contracting Parties shall ensure the interoperability of those smart metering systems, as well as their ability to provide output for consumer energy management systems. In	Fully compliant	The introduction of the smart meter system with the proposal of the Regulator based on a previously conducted economic analysis of all long-term costs and benefits for the market and consumers.
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the decision referred to in paragraph 1 of this article according to which the introduction of the smart metering system must be achieved within a maximum period of ten (10) years from the date of adoption of the economic assessment. 4. The Regulator, on a proposal from the system operators, shall adopt and publish the minimum functional, technical and security requirements for the smart metering systems to be deployed in the territory of the Republic of Kosovo. Interoperability of those smart metering systems, as well as their ability to provide output for customer energy management systems shall be ensured. When developing the minimum functional and technical requirements, the Regulator shall have due regard to the use of the relevant available standards, including those enabling interoperability, to best practices and to the importance of the development of smart grids and the development of the internal market for electricity. 5. The implementation of the program referred to in paragraph 3 of this article shall be supervised by the Regulator.	that respect, Contracting Parties shall have due regard to the use of the relevant available standards, including those enabling interoperability, to best practices and to the importance of the development of smart grids and the development of the internal market for electricity		
Article 89 Smart metering system deployment 1. The Regulator ensures that the deployment of a smart metering system in the territory of the Republic of Kosovo will contribute to the active participation of final customers in the electricity market. 2. The smart metering system referred in paragraph 1 of this article, the systems used to measure, monitor and	Directive 2019/944 Article 19 4. Contracting Parties that proceed with the deployment of smart metering systems shall ensure that final customers contribute to the associated costs of the deployment in a transparent and non-discriminatory manner, while taking into account the long-term benefits to the whole value chain. The extent of such contribution shall be decided by the	Fully compliant	

control the electricity system, as well as the systems for energy management on the side of the final customers must be harmonized with the appropriate available standards, including interoperability standards, taking into account on best practices, development of smart networks and electricity markets in the Energy Community. 3. The costs of introducing the smart metering system shall be taken into account by the Regulator when approving the development plans of the respective electricity system operators and consideration of justified costs when determining tariffs for electricity transmission and electricity distribution. 4. If, on the basis of the economic assessment from Article 88 of this Law, the deployment of the smart metering system is evaluated negatively, the Regulator shall perform an updated economic assessment after four (4) years from completing the previous one, and shall inform the Ministry and the Energy Community Secretariat on the results.	national regulatory authorities of each Contracting Party. Contracting Parties or, where a Contracting Party has so provided, the designated competent authorities, shall regularly monitor such deployment in their territories to track the delivery of benefits to consumers. 5. Where the deployment of smart metering systems has been negatively assessed as a result of the cost-benefit assessment referred to in paragraph 2, Contracting Parties shall ensure that this assessment is revised at least every four years, or more frequently, in response to significant changes in the underlying assumptions and in response to technological and market developments. Contracting Parties shall notify to the Energy Community Secretariat the outcome of their updated cost-benefit assessment as it becomes available.		
Article 90 The right to a smart meter 1. If, on the basis of the economic assessment from Article 88 of this Law, the deployment of the smart metering system is evaluated negatively, and if the smart metering system is not systematically introduced, the respective electricity system operator is obliged at the request of the final customer or at the request of the supplier, with the consent of the final customer, to install a smart meter in	Directive 2019/944 Article 21 Entitlement to a smart meter 1. Where the deployment of smart metering systems has been negatively assessed as a result of the cost-benefit assessment referred to in Article 19(2) and where smart metering systems are not systematically deployed, Contracting Parties shall ensure that every final customer is entitled on request, while bearing the associated costs, to have	Fully compliant	

accordance with the functional and technical requirements as determined by the Regulator. 2. The respective electricity system operator is obliged to install a smart meter within a reasonable time, and no later than within one hundred and twenty (120) days from the date of submission of the request from paragraph 1 of this article. The Regulator may bring a decision to shorten this deadline for different categories of customers and connections. 3. The cost of purchase and installation of the smart meter referred to in paragraph 1 of this article shall be calculated in accordance with the methodology developed by the respective electricity system operator and approved by the Regulator and shall be borne by the final customer or the supplier respectively. Pursuant to installation, owner of the metering device will be the network operator. Once the smart meter is installed for the household or small enterprise, all costs of its maintenance, calibration, replacement or upgrade are borne by the Distribution System Operator and will be considered as a cost of service in the calculation of the distribution network tariff. The smart meters installed for other categories of customers these costs will be addressed according to the conditions stipulated in the metering code, the grid code for the respective network, and the connection agreement concluded between the customer and the respective network operator.	installed or, where applicable, to have upgraded, under fair, reasonable and cost-effective conditions, a smart meter that: (a) is equipped, where technically feasible, with the functionalities referred to in Article 20, or with a minimum set of functionalities to be defined and published by Contracting Parties at national level in accordance with Annex II; (b) is interoperable and able to deliver the desired connectivity of the metering infrastructure with consumer energy management systems in near real-time. 2. In the context of a customer request for a smart meter pursuant to paragraph 1, Contracting Parties or, where a Contracting Party has so provided, the designated competent authorities shall: (a) ensure that the offer to the final customer requesting the installation of a smart meter explicitly states and clearly describes: (i) the functions and interoperability that can be supported by the smart meter and the services that are feasible as well as the benefits that can be realistically attained by having that smart meter at that moment in time; (ii) any associated costs to be borne by the final customer; (b) ensure that it is installed within a reasonable time, no later than four months		
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4. In the offer for the installation of a smart meter referred to in paragraph 1 of this article, the respective electricity system operator expressly states and clearly describes to the applicant for the installation of a smart meter: 4.1 functions and interoperability supported by the smart meter; 4.2 available services and benefits that can really be realized by using the smart meter and, 4.3 all related costs borne by the applicant. 5. The respective electricity system operator regularly, and at least every two years, reviews and publishes on its web site the costs associated with the method of installing smart meters in accordance with the provisions of this article and monitors the development of these costs in accordance with technological achievements and possible upgrades of the smart metering system.	after the customer's request; (c) regularly, and at least every two years, review and make publicly available the associated costs, and trace the evolution of those costs as a result of technology developments and potential metering system upgrades.		
Article 91 Conventional meters 1. Where final customers do not have smart meters, the respective electricity system operator is obliged to equip each final customer with an individual meter that accurately measures, according to the accuracy class of the meter, the actual consumption at that billing metering point. 2. The final customer must be able to easily read conventional meter, either directly or indirectly through an online interface or through an appropriate interface.	Directive 2019/944 Article 22 Conventional meters 1. Where final customers do not have smart meters, Contracting Parties shall ensure that final customers are provided with individual conventional meters that accurately measure their actual consumption. 2. Contracting Parties shall ensure that final customers are able to easily read their conventional meters, either directly or indirectly through an online interface or through another appropriate interface.	Fully compliant	

Article 92 Unauthorized use of electricity 1. Anyone who by means of deception, deviation or other means uses electricity which is known to be provided only in exchange of compensation and avoids payment for such services, the provisions of the Criminal Code of the Republic of Kosovo shall apply. 2. Unauthorized use of electricity includes, but is not limited to receiving, using, diverting, extracting or benefiting from or through the power transmission grid or the distribution network, without the authorization of the authorized supplier.			
Article 93 Single points of contact 1. The Regulator, the Transmission System Operator, the Distribution System Operator, as well as each electricity supplier must establish single point of contact, which may be part of the contact centers or consumer information points, as applicable. 2. The single point of contact shall provide the customers with all necessary information concerning their rights, the applicable law and dispute settlement mechanisms available to them.	Directive 2019/944 Article 25 Single points of contact Contracting Parties shall ensure the provision of single points of contact, to provide customers with all necessary information concerning their rights, the applicable law and dispute settlement mechanisms available to them in the event of a dispute. Such single points of contact may be part of general consumer information points. Regulation 2019/941 Article 4 Assessment of risks to security of electricity supply Each competent authority shall ensure that all relevant risks relating to security of electricity supply are assessed in accordance with the rules laid down in this Regulation and in Regulation (EU) 2019/943 as adopted and adapted by Ministerial Council Decision	Fully compliant	

	2022/03/MC-EnC. To that end, it shall cooperate with transmission system operators, distribution system operators, regulatory authorities, the ENTSO for Electricity, regional coordination centres and other relevant stakeholders, as required.		
CHAPTER X RISK PREPAREDNESS AND MANAGING ELECTRICITY CRISIS Article 94 Security of Supply 1. The Government shall be the competent authority for maintaining the security of electricity supply in the Republic of Kosovo. 2. Security of electricity supply shall be ensured, in particular, by: 2.1 achieving a balance between supply and demand in the electricity market; 2.2 forecasting the level of expected future electricity demand and the possibilities to address the anticipated need with available energy sources and facilities, especially by promoting and using renewable energy generation facilities, energy storage facilities, demand response and aggregation, including interconnection capacities 2.3 ensuring the availability of generating capacities, by implementing measures for the construction of new energy facilities or by increasing the capacity of existing energy facilities; 2.4 ensuring availability as well as quality and high-level maintenance of	Article 3 Competent authority 1. As soon as possible and in any event by 5 January 2023, each Contracting Party shall designate a national governmental or regulatory authority as its competent authority. The competent authorities shall be responsible for, and shall cooperate with each other for the purposes of, carrying out the tasks provided for in this Regulation. Where appropriate, until the competent authority has been designated, the national entities responsible for the security of electricity supply shall carry out the tasks of the competent authority in accordance with this Regulation. 2. Contracting Parties shall, without delay, notify the Energy Community Secretariat and the Security of Supply Coordination Group and make public the name and the contact details of their competent authorities designated pursuant to paragraph 1 and any changes to their name or contact details. 3. Contracting Parties may allow the competent authority to delegate the operational tasks regarding risk-preparedness planning and risk	Partially compliant	The new article transposes the provisions of Regulation 941 for the determination of the State Emergency Committee as a competent authority, its composition, duties and obligations in risk preparedness and crisis management. It transposes the role of the Technical Committee and the notification obligation of the EnC Secretariat.

electricity transmission and distribution networks; 2.5 improving the usage of existing interconnections and increase the level of interconnection in the electricity networks; 2.6 implementing measures to decrease peak loads; 2.7 approving and monitoring the implementation of measures and activities for the cyber security of networks and information systems that are an integral part of the electricity transmission and distribution system, as well as the management systems of electricity generation facilities, in accordance with the provisions of this law, the National Cyber-Security Strategy and the action plan of the National Cyber-Security Strategy, and other regulations that provide on measures and activities to guarantee cyber security; 2.8 using emergency electricity supply services with neighboring countries coordinated by the Regional Coordination Centre and, 2.9 implementing extraordinary temporary measures in case of failure of the electricity supply, as set in the relevant law for Energy. 3. In order to secure the supply, the Government may impose a public service obligation on some or all suppliers in the Republic of Kosovo, to provide electricity from the generation capacities that use internal energy sources, whereby the part of the purchased electricity not exceeds 50% of the total primary energy used for the generation of electricity consumed in the	management set out in this Regulation to other bodies. Delegate tasks shall be performed under the supervision of the competent authority and shall be specified in the risk-preparedness plan in accordance with point (b) of Article 11(1).		
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Republic of Kosovo during a year. Article 95 State Emergency Committee 1. The Government, upon the proposal of the Ministry, establishes the State Emergency Committee. 2. The State Emergency Committee consists of five (5) members of the Government, the Minister responsible for energy as Chairman of the State Emergency Committee, and other members who must be at the rank of Deputy Prime Minister or Minister, depending on the area of responsibility, including the Office of the Energy Regulator, other relevant institutions and authorities, as well as management level representatives of the Transmission System Operator, Distribution System Operator, electricity generators and Suppliers. 3. By the decision on the establishment of the State Emergency Committee determines: 3.1 composition of State Emergency Committee and Technical Committee; 3.2 duties and responsibilities and, 3.3 mandate. 4 The Technical Committee shall act as a contact point who coordinates and harmonizes the activities as well as the flow of information in the energy crises and serves as the administrative secretariat for the work of the State Emergency Committee. 5 Upon the appointment of the State Emergency Committee according to this article, the Ministry shall:	Regulation (EU) 2019/941 Article 6 Identification of regional electricity crisis scenarios 1. Based on the regional crisis scenarios identified according to Article 6 of Regulation (EU) 2019/941, within six months of the adoption of Ministerial Council Decision 2021/13/MC-EnC, the ENTSO for Electricity shall, on the basis of the methodology developed pursuant to Article 5 of Regulation (EU) 2019/941 and in close cooperation with the Security of Supply Coordination Group, competent authorities and regulatory authorities, identify the most relevant electricity crisis scenarios for each region. 2. The ENTSO for Electricity shall submit the regional electricity crisis scenarios to the relevant transmission system operators, regional coordination centres, competent authorities and regulatory authorities of the Contracting Parties as well as to the Security of Supply Coordination Group. The Security of Supply Coordination Group may recommend amendments. 3. The ENTSO for Electricity shall update the regional electricity crisis scenarios when updating the regional crisis scenarios pursuant to Article 6(3) of Regulation (EU) 2019/941. Regulation 2019/941 Article 8 Methodology for short-term and	Partially compliant	new article partially transposes a number of provisions from Regulation 941, including the role, obligations, rights and powers of the State Emergency Committee in the field of preparatory activities, notification and crisis management, cooperation and notification. This article obliges the Government to adopt a by-law for the management of electricity crises, which will fully transpose Regulation (EU) 2019/941 on risk preparedness in the electricity sector and will define obligations for crisis management, such as and will define tasks related to development. and the adoption of a risk preparedness plan in accordance with the Regulation, which may be delegated.
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5.1 inform immediately the Energy Community Secretariat on the establishment and composition of the State Emergency Committee as the competent authority; and 5.2 publish the composition and tasks of the State Emergency Committee on the Ministry's official website. 6 The State Emergency Committee reports to the Government on risk-preparedness, energy security and crisis management matters, while the Technical Committee reports to the State Emergency Committee and the Minister.	seasonal adequacy assessments < ... > Article 9 Short-term and seasonal adequacy assessments 1. All short-term adequacy assessments, whether carried out at national or regional level, shall be carried out in accordance with the methodology developed pursuant to Article 8 of Regulation (EU) 2019/941. 2. The ENTSO for Electricity shall carry out seasonal adequacy assessments in accordance with the methodology developed pursuant to Article 8. It shall publish the results for the winter adequacy assessment by 1 December each year and for the summer adequacy assessment by 1 June each year. It may delegate tasks relating to the adequacy assessments to regional coordination centres. It shall present the adequacy assessment at a meeting of the Security of Supply Coordination Group, which may make recommendations where appropriate. 3. The regional coordination centres shall carry out week-ahead to at least day ahead adequacy assessments in accordance with Regulation (EU) 2017/1485 on the basis of the methodology adopted pursuant to Article 8 of this Regulation. Regulation (EU) 2019/941 Article 12 Content of risk-preparedness plans as regards regional and bilateral measures		The new article partially transposes a number of provisions from Regulation 941, including the role, obligations, rights and powers of the State Emergency Committee in the field of preparatory activities, notification and crisis management, cooperation and notification. This article obliges the Government to adopt a by-law for the management of electricity crises, which will fully transpose Regulation (EU) 2019/941 on risk preparedness in the electricity sector and will define obligations for crisis management, such as and will define tasks related to development. and the adoption of a risk preparedness plan in accordance with the Regulation, which may be delegated
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	1. In addition to the national measures referred to in Article 11, the risk-preparedness plan of each Contracting Party shall include regional and, where applicable, bilateral measures to ensure that electricity crises with a cross-border impact are properly prevented or managed. Regional measures shall be agreed within the region concerned between Contracting Parties that have the technical ability to provide each other assistance in accordance with Article 15. For that purpose, Contracting Parties may also form subgroups within a region. Bilateral measures shall be agreed between Contracting Parties which are directly connected but are not within the same region. Contracting Parties shall ensure consistency between regional and bilateral measures. Regional and bilateral measures shall include at least: (a) the designation of a crisis coordinator; (b) mechanisms to share information and cooperate; (c) coordinated measures to mitigate the impact of an electricity crisis, including a simultaneous electricity crisis, for the purpose of assistance in accordance with Article 15; (d) procedures for carrying out annual or biennial tests of the risk-preparedness plans; (e) the trigger mechanisms of non-market-based measures that are to be activated in accordance with		
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	Article 16(2). 2. The Contracting Parties concerned shall agree the regional and bilateral measures to be included in the risk-preparedness plan after consulting the relevant regional coordination centres. The Energy Community Secretariat may have a facilitating role in the preparation of the agreement on regional and bilateral measures. The Energy Community Secretariat may request the Energy Community Regulatory Board and the ENTSO for Electricity to provide technical assistance to Contracting Parties with a view to facilitating such an agreement. At least eight months before the deadline for the adoption or the updating of the risk-preparedness plan, the competent authorities shall report on the agreements 7 reached to the Security of Supply Coordination Group. If the Contracting Parties are not able to reach an agreement, the competent authorities concerned shall inform the Energy Community Secretariat of the reasons for such disagreement. In such a case the Energy Community Secretariat shall propose measures including a cooperation mechanism among Contracting Parties for the conclusion of an agreement on regional and bilateral measures.		
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	3. With the involvement of relevant stakeholders, the competent authorities of the Contracting Parties of each region shall periodically test the effectiveness of the procedures developed in risk-preparedness plans for preventing electricity crises, including the mechanisms referred to in point (b) of paragraph 1, and carry out biennial simulations of electricity crises, in particular testing those mechanisms. Regulation (EU) 2019/941 Article 19 Treatment of confidential information 1. Contracting Parties and competent authorities shall implement the procedures referred to in this Regulation in accordance with the applicable rules, including national rules relating to the handling of confidential information and processes. If the implementation of those rules results in information not being disclosed, inter alia as part of risk-preparedness plans, the Contracting Party or authority may provide a non-confidential summary thereof, and shall do so upon request. 2. The Energy Community Secretariat, the Energy Community Regulatory Board, the Security of Supply Coordination Group, the ENTSO for Electricity, Contracting Parties, competent authorities,		
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	regulatory authorities and other relevant bodies, entities or persons, which receive confidential information pursuant to this Regulation, shall ensure the confidentiality of sensitive information.		
Article 96 Duties and responsibilities of State Emergency Committee 1. Duties and responsibilities of the State Emergency Committee are: 1.1 drafting and approving methodologies, and necessary documents for the process of energy crisis management in accordance with this Law and the relevant legislation in force; 1.2 identifying the state scenarios of the electricity crisis with other relevant institutions and authorities; 1.3 coordinating activities related to crisis management in the electricity sector, determined in the present Law, as well as other legal provisions in force; 1.4 identification and crisis early warning in the electricity sector, for the management of the electricity crisis and undertaking relevant actions upon receiving the early warning from the Technical Committee as crisis coordinator for electricity at the relevant Ministry and notifying the Government for the declaration of the crisis by any relevant authority of a contracting party or an EU member state; 1.5 in the event of an electricity supply crisis, receiving or providing assistance in coordinating the provided	Regulation 2019/941 Article 3 Competent authority 1. As soon as possible and in any event by 5 January 2023, each Contracting Party shall designate a national governmental or regulatory authority as its competent authority. The competent authorities shall be responsible for, and shall cooperate with each other for the purposes of, carrying out the tasks provided for in this Regulation. Where appropriate, until the competent authority has been designated, the national entities responsible for the security of electricity supply shall carry out the tasks of the competent authority in accordance with this Regulation. 2. Contracting Parties shall, without delay, notify the Energy Community Secretariat and the Security of Supply Coordination Group and make public the name and the contact details of their competent authorities designated pursuant to paragraph 1 and any changes to their name or contact details. 3. Contracting Parties may allow the competent authority to delegate the operational tasks regarding risk-preparedness planning and risk	Partially compliant	The new article partially transposes a number of provisions from Regulation 941, including the role, obligations, rights and powers of the State Emergency Committee in the field of preparatory activities, notification and crisis management, cooperation and notification. This article obliges the Government to adopt a by-law for the management of electricity crises, which will fully transpose Regulation (EU) 2019/941 on risk preparedness in the electricity sector and will define obligations for crisis management, such as and will define tasks related to development. and the adoption of a risk preparedness plan in accordance with the Regulation, which may be delegated.

assistance, with Contracting Parties within the System Operation Region and other Contracting Parties directly connected or EU Member States and, 1.6 exchange of relevant information, protecting sensitive and confidential information, on risk preparedness measures, risk assessment outcome or critical cases of electricity supply security, with the competent authorities of other Energy Community Contracting Parties or EU Member States and with Regional Coordination Centre and Energy Community Security of Supply Coordination Group. 2. In implementing the tasks defined in paragraph 1 of this article, the State Emergency Committee cooperates and coordinates with other relevant institutions and authorities, as well as consults with the Transmission System Operator, the Distribution System Operator and with the relevant stakeholders in the electricity sector, including important network users, energy companies or customers. 3. The State Emergency Committee cooperates with the authorities in charge for security and crisis management in other sectors of the economy, or national security and crisis management of the Republic of Kosovo, in coordinating specific tasks, proposes bylaws for implementing energy security measures in accordance with the present Law for determining relevant coordination mechanisms as defined in the Risk	management set out in this Regulation to other bodies. Delegate tasks shall be performed under the supervision of the competent authority and shall be specified in the risk-preparedness plan in accordance with point (b) of Article 11(1). Regulation (EU) 2019/941 Article 7 Identification of national electricity crisis scenarios 1. Within four months of the identification of the regional electricity crisis scenarios in accordance with Article 6(1), the competent authority shall identify the most relevant national electricity crisis scenarios. 2. In identifying the national electricity crisis scenarios, the competent authority shall consult the transmission system operators, the distribution system operators that the competent authority considers to be relevant, the relevant producers or their trade bodies, and the regulatory authority where it is not the competent authority. 3. The national electricity crisis scenarios shall be identified on the basis of at least the risks referred to in Article 5(2) of Regulation (EU) 2019/941 and shall be consistent with the regional electricity crisis scenarios identified in accordance with Article 6(1). Contracting Parties shall update the national electricity crisis scenarios every four years, unless circumstances warrant more frequent		The new article Transposes the legal issue regarding the limitation of electricity supply in case of emergency as provided in the existing law on Energy. Partially transposes the provisions of Regulation 941 on non-commercial measures related to the reduction of electricity supply in case of emergency, including the rights and obligations of the Government, as well as the implications on market participants, network operators, producers and consumers, including the obligation to follow relevant crisis scenarios and implement the risk preparedness plan. In order to fully transpose Regulation 941, the sub-legal act from article 96 which must be approved by the
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preparedness plan. 4. The State Emergency Committee coordinates its activities and measures of regional significance with the ENTSO-E, the respective Regional Coordination Centre, the Energy Community Coordinating Group for the Security of Supply, the Energy Community Secretariat and the relevant authorities of other Contracting Parties of the relevant Region or other Contracting Parties directly involved or, according to bilateral agreements, the EU Member States and with other international security bodies, as the case may be. 5. In the crisis management measures, protection for the categories of customers or users of the electricity network, who are exempt from any measures of load shedding and protected from disconnection under the circumstances of the supply crisis, based on public safety, national security or health issues in accordance with the relevant law in force must be defined, as well as to justify the need for such protection in accordance with the legislation in force. 6. The Government, on the proposal of the Ministry, approves a bylaw on electricity crisis management, the duties and responsibilities of the State Emergency Committee, the Technical Committee and content of the Risk preparedness plan.	updates. 4. Within four months of identification of regional electricity crisis scenarios in accordance with Article 6(1), Contracting Parties shall inform the Security of Supply Coordination Group and the Energy Community Secretariat of their assessment of the risks in relation to the ownership of infrastructure relevant for security of electricity supply, and any measures taken to prevent or mitigate such risks, with an indication of why such measures are considered necessary and proportionate. Regulation (EU) 2019/941 CHAPTER III Risk-preparedness plans Article 10 Establishment of risk-preparedness plans 1. On the basis of the regional and national electricity crisis scenarios identified pursuant to Articles 6 and 7, the competent authority of each Contracting Party shall establish a risk-preparedness plan, after consulting distribution system operators considered relevant by the competent authority, the transmission system operators, the relevant producers or their trade bodies, the electricity and natural gas undertakings, the relevant organisations that represent the interests of industrial and non-industrial electricity customers, and the regulatory authority where it is not the competent authority.		Government will define the obligations and procedures for the identification and assessment of relevant scenarios of risk readiness, market-based measures (and other measures non-commercial) for risk mitigation and crisis management, as well as the obligations, structure, content and procedures for the implementation of the risk preparedness plan.
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	2. The risk-preparedness plan shall consist of national measures, regional and, where applicable, bilateral measures as provided for in Articles 11 and 12. In accordance with Article 16, all measures that are planned or taken to prevent, prepare for and mitigate electricity crises shall fully comply with the rules governing the internal electricity market and system operation. Those measures shall be clearly defined, transparent, proportionate and non-discriminatory. 3. The risk-preparedness plan shall be developed in accordance with Articles 11 and 12 and with the template set out in the Annex. If necessary, Contracting Parties may include additional information in the risk-preparedness plan. 4. In order to ensure consistency of risk-preparedness plans, competent authorities shall, before adopting their risk-preparedness plans, submit the draft plans, for consultation, to the competent authorities of the relevant Contracting Parties in the region and, where they are not in the same region, to the competent authorities of directly connected Contracting Parties, as well as to the Security of Supply Coordination Group. 5. Within six months of receipt of the draft risk-preparedness plans, the competent authorities referred to in paragraph 4 and the Security of Supply Coordination Group may issue recommendations relating to the draft plans submitted pursuant to paragraph 4.		
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	6. Within nine months of submitting their draft plans, the competent authorities concerned shall adopt their risk-preparedness plans, taking into account the results of the consultation pursuant to paragraph 4 and any recommendations issued pursuant to paragraph 5. They shall notify their risk-preparedness plans to the Energy Community Secretariat without delay. 7. The competent authorities and the Energy Community Secretariat shall publish the risk-preparedness plans on their websites, while ensuring confidentiality of sensitive information, in particular information on measures relating to the prevention or mitigation of consequences of malicious attacks. The protection of the confidentiality of sensitive information shall be based on the principles determined pursuant to Article 19. 8. The competent authorities shall adopt and publish their first risk-preparedness plans by 5 January 2025. They shall update them every four years thereafter, unless circumstances warrant more frequent updates. Regulation 2019/941 Article 11 Content of risk-preparedness plans as regards national measures 1. The risk-preparedness plan of each Contracting Party shall set out all national measures that are planned or taken to prevent, prepare for and mitigate		
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	electricity crises as identified pursuant to Articles 6 and 7. It shall at least: (a) contain a summary of the electricity crisis scenarios defined for the relevant Contracting Party and region, in accordance with the procedures laid down in Articles 6 and 7; (b) establish the role and responsibilities of the competent authority and describe which tasks, if any, have been delegated to other bodies; (c) describe the national measures designed to prevent or prepare for the risks identified pursuant to Articles 6 and 7; (d) designate a national crisis coordinator and establish its tasks; (e) establish detailed procedures to be followed in electricity crises, including the corresponding schemes on information flows; (f) identify the contribution of market-based measures in coping with electricity crises, in particular demand-side and supply-side measures; (g) identify possible non-market-based measures to be implemented in electricity crises, specifying the triggers, conditions and procedures for their implementation, and indicating how they comply with the requirements laid down in Article 16 and with regional and bilateral measures; (h) provide a framework for manual load shedding, stipulating the circumstances in which loads are to be shed and, with		
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	regard to public safety and personal security, specifying which categories of electricity users are, in accordance with national law, entitled to receive special protection against disconnection, justifying the need for such protection, and specifying how the transmission system operators and distribution system operators of the Contracting Parties concerned are to decrease consumption; (i) describe the mechanisms used to inform the public about electricity crises; (j) describe the national measures necessary to implement and enforce the regional and, where applicable, bilateral measures agreed pursuant to Article 12; (k) include information on related and necessary plans for developing the future grid that will help to cope with the consequences of identified electricity crisis scenarios. 2. National measures shall take full account of the regional and, where applicable, bilateral measures agreed pursuant to Article 12 and shall endanger neither the operational security or safety of the transmission system, nor the security of electricity supply of other Contracting Parties.		
Risk preparedness Article 97 1. The State Emergency Committee is the competent authority for determining the risk-preparedness tasks in the electricity sector as per this Law.	Regulation 2019/941 Article 3 Competent authority 1. As soon as possible and in any event by 5 January 2023, each Contracting Party shall designate a national governmental or		

2. The State Emergency Committee shall ensure that all relevant risks relating to security of electricity supply are assessed in accordance with the provisions of this Law. To that end, State Emergency Committee shall cooperate with Transmission System Operator, Distribution System Operator, the Regulator, the ENTSO-E, Regional Coordination Centre, competent authorities of other Energy Community Contracting Party and other relevant stakeholders, as required. 3. The State Emergency Committee cooperates with ENTSO-E, the regional competent authorities and regulatory authorities in identification and updates of the most relevant regional electricity crisis scenarios. 4. The State Emergency Committee may delegate the operational tasks regarding risk-preparedness planning and risk management set out in this Law to the Transmission System Operator, Distribution System Operator, Electricity Market Operator, electricity producers, suppliers and other relevant bodies. Delegated tasks shall be performed under the supervision of the State Emergency Committee and shall be specified in the risk-preparedness plan.	regulatory authority as its competent authority. The competent authorities shall be responsible for, and shall cooperate with each other for the purposes of, carrying out the tasks provided for in this Regulation. Where appropriate, until the competent authority has been designated, the national entities responsible for the security of electricity supply shall carry out the tasks of the competent authority in accordance with this Regulation. 2. Contracting Parties shall, without delay, notify the Energy Community Secretariat and the Security of Supply Coordination Group and make public the name and the contact details of their competent authorities designated pursuant to paragraph 1 and any changes to their name or contact details. 3. Contracting Parties may allow the competent authority to delegate the operational tasks regarding risk-preparedness planning and risk management set out in this Regulation to other bodies. Delegate tasks shall be performed under the supervision of the competent authority and shall be specified in the risk-preparedness plan in accordance with point (b) of Article 11(1). Regulation 2019/941 Article 4 Assessment of risks to security of electricity supply Each competent authority shall ensure that all relevant risks relating to security		
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	of electricity supply are assessed in accordance with the rules laid down in this Regulation and in Regulation (EU) 2019/943 as adopted and adapted by Ministerial Council Decision 2022/03/MC-EnC. To that end, it shall cooperate with transmission system operators, distribution system operators, regulatory authorities, the ENTSO for Electricity, regional coordination centres and other relevant stakeholders, as required. Regultion 2019/941 CHAPTER III Risk-preparedness plans Article 10 Establishment of risk-preparedness plans 1. On the basis of the regional and national electricity crisis scenarios identified pursuant to Articles 6 and 7, the competent authority of each Contracting Party shall establish a risk-preparedness plan, after consulting distribution system operators considered relevant by the competent authority, the transmission system operators, the relevant producers or their trade bodies, the electricity and natural gas undertakings, the relevant organisations that represent the interests of industrial and non-industrial electricity customers, and the regulatory authority where it is not the competent authority. 2. The risk-preparedness plan shall consist		
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	of national measures, regional and, where applicable, bilateral measures as provided for in Articles 11 and 12. In accordance with Article 16, all measures that are planned or taken to prevent, prepare for and mitigate electricity crises shall fully comply with the rules governing the internal electricity market and system operation. Those measures shall be clearly defined, transparent, proportionate and non-discriminatory. 3. The risk-preparedness plan shall be developed in accordance with Articles 11 and 12 and with the template set out in the Annex. If necessary, Contracting Parties may include additional information in the risk-preparedness plan. 4. In order to ensure consistency of risk-preparedness plans, competent authorities shall, before adopting their risk-preparedness plans, submit the draft plans, for consultation, to the competent authorities of the relevant Contracting Parties in the region and, where they are not in the same region, to the competent authorities of directly connected Contracting Parties, as well as to the Security of Supply Coordination Group. 5. Within six months of receipt of the draft risk-preparedness plans, the competent authorities referred to in paragraph 4 and the Security of Supply Coordination Group may issue recommendations relating to the draft plans submitted pursuant to paragraph 4. 6. Within nine months of submitting their		
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	draft plans, the competent authorities concerned shall adopt their risk-preparedness plans, taking into account the results of the consultation pursuant to paragraph 4 and any recommendations issued pursuant to paragraph 5. They shall notify their risk-preparedness plans to the Energy Community Secretariat without delay. 7. The competent authorities and the Energy Community Secretariat shall publish the risk-preparedness plans on their websites, while ensuring confidentiality of sensitive information, in particular information on measures relating to the prevention or mitigation of consequences of malicious attacks. The protection of the confidentiality of sensitive information shall be based on the principles determined pursuant to Article 19. 8. The competent authorities shall adopt and publish their first risk-preparedness plans by 5 January 2025. They shall update them every four years thereafter, unless circumstances warrant more frequent updates. Regulation 2019/941 Article 13 Energy Community Secretariat assessment of the risk-preparedness plans 1. Within four months of the notification of the adopted risk-preparedness plan by the competent authority, the Energy Community Secretariat shall assess the		
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	plan taking duly into account the views expressed by the Security of Supply Coordination Group. 2. The Energy Community Secretariat shall, after consulting the Security of Supply Coordination Group, issue a non-binding opinion, setting out detailed reasons, and submit it to the competent authority, with a recommendation to review its risk-preparedness plan where that plan: (a) is not effective to mitigate the risks identified in the electricity crisis scenarios; (b) is inconsistent with the electricity crisis scenarios identified or with the risk-preparedness plan of another Contracting Party; (c) does not comply with the requirements laid down in Article 10(2); (d) sets out measures that are likely to jeopardise the security of electricity supply of other Contracting Parties; (e) unduly distorts competition or the effective functioning of the internal market; or (f) does not comply with the provisions of this Regulation or other provisions of Energy Community law. 3. Within three months of receipt of the Energy Community Secretariat's opinion referred to in paragraph 2, the competent authority concerned shall take full account of the Energy Community Secretariat's recommendation and shall either notify the amended risk-		
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	preparedness plan to the Energy Community Secretariat or notify the Energy Community Secretariat of the reasons why it objects to the recommendation. 4. In the event that the competent authority objects to the Energy Community Secretariat's recommendation, the Energy Community Secretariat may, within four months of receipt of the notification of the competent authority's reasons for objection, withdraw its recommendation or convene a meeting with the competent authority and, where the Energy Community Secretariat considers it to be necessary, the Security of Supply Coordination Group, in order to assess the issue. The Energy Community Secretariat shall set out detailed reasons for requesting any modifications to the risk-preparedness plan. Where the final position of the competent authority concerned diverges from the Energy Community Secretariat's detailed reasons, that competent authority shall provide the Energy Community Secretariat with the reasons for its position within two months of receipt of the Energy Community Secretariat's detailed reasons.		
Identification of national electricity crisis scenarios Article 98 1. Within four (4) months of the identification of the regional electricity	Regulation (EU) 2019/941 Article 7 Identification of national electricity crisis scenarios 1. Within four months of the		

crisis scenarios in accordance with Article 97 paragraph 3 of this Law, the State Emergency Committee shall identify the most relevant national electricity crisis scenarios, which shall be consistent with the regional electricity crisis scenarios. 2. In identifying the national electricity crisis scenarios, the State Emergency Committee shall consult the Regulator, the Transmission System Operator, the Distribution System Operator and, where relevant, electricity producers or their associations. 3. The national electricity crisis scenarios shall be identified on the basis of at least the following risks: 3.1 rare and extreme natural hazards; 3.2 accidental hazards going beyond the N-1 security criterion and exceptional contingencies, and 3.3 consequential hazards including the consequences of malicious attacks and of fuel shortages. 4. The State Emergency Committee shall update the national electricity crisis scenarios every four (4) years, unless circumstances warrant more frequent updates. 5. Within four (4) months of identification of regional electricity crisis scenarios in accordance with Article 97 paragraph 3 of this Law, the State Emergency Committee shall inform the Energy Community Secretariat of its assessment of the risks in relation to the ownership of infrastructure relevant for	identification of the regional electricity crisis scenarios in accordance with Article 6(1), the competent authority shall identify the most relevant national electricity crisis scenarios. 2. In identifying the national electricity crisis scenarios, the competent authority shall consult the transmission system operators, the distribution system operators that the competent authority considers to be relevant, the relevant producers or their trade bodies, and the regulatory authority where it is not the competent authority. 3. The national electricity crisis scenarios shall be identified on the basis of at least the risks referred to in Article 5(2) of Regulation (EU) 2019/941 and shall be consistent with the regional electricity crisis scenarios identified in accordance with Article 6(1). Contracting Parties shall update the national electricity crisis scenarios every four years, unless circumstances warrant more frequent updates. 4. Within four months of identification of regional electricity crisis scenarios in accordance with Article 6(1), Contracting Parties shall inform the Security of Supply Coordination Group and the Energy Community Secretariat of their assessment of the risks in relation to the ownership of infrastructure relevant for security of electricity supply, and any measures taken to prevent or mitigate such risks, with		
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security of electricity supply, and any measures taken to prevent or mitigate such risks, with an indication of why such measures are considered necessary and proportionate.	an indication of why such measures are considered necessary and proportionate		
Risk-preparedness plan Article 99 1. On the basis of the regional and national electricity crisis scenarios identified pursuant to Articles 97 paragraph 3 and Article 98 of this Law, the State Emergency Committee shall draft a risk-preparedness plan, after consulting the Regulator, the Transmission System Operator, the Distribution System Operator, the electricity producers or their associations, the electricity enterprises, as well as the relevant organizations that represent the interests of electricity customers. 2. The risk-preparedness plan shall consist of clearly defined, transparent, proportionate and non-discriminatory national measures, regional and, where applicable, bilateral measures, considering that all measures that are planned or taken to prevent, prepare for and mitigate electricity crises shall fully comply with the rules governing the electricity market and system operation. 3. In order to ensure consistency of risk-preparedness plans, the State Emergency Committee shall, before adopting the risk-preparedness plan, submit the draft plan, for a consultation, to the competent authorities of the relevant Energy Community Contracting Parties in	Regulation 2019/941 CHAPTER III Risk-preparedness plans Article 10 Establishment of risk-preparedness plans 1. On the basis of the regional and national electricity crisis scenarios identified pursuant to Articles 6 and 7, the competent authority of each Contracting Party shall establish a risk-preparedness plan, after consulting distribution system operators considered relevant by the competent authority, the transmission system operators, the relevant producers or their trade bodies, the electricity and natural gas undertakings, the relevant organisations that represent the interests of industrial and non-industrial electricity customers, and the regulatory authority where it is not the competent authority. 2. The risk-preparedness plan shall consist of national measures, regional and, where applicable, bilateral measures as provided for in Articles 11 and 12. In accordance with Article 16, all measures that are planned or taken to prevent, prepare for and mitigate electricity crises shall fully comply with the rules governing the internal electricity market and system		

the System Operation Region and, where they are not in the same System Operation Region, to the competent authorities of directly connected Energy Community Contracting Parties, as well as to the Energy Community Secretariat. 4. Within six (6) months of receipt of the draft Risk preparedness plan, the competent authorities referred in paragraph 3 of this Article and the Energy Community Secretariat may submit recommendations regarding the draft Risk preparedness plan. 5. Within nine (9) months of submitting the draft plan for consultation , the Government shall adopt the Risk-preparedness plan, taking into account the results of the consultation pursuant to paragraph 3 of this article and any recommendations received during consultation process in accordance to paragraph 4 of this article.. The State Emergency Committee shall notify the Risk-preparedness plan to the Energy Community Secretariat without delay and shall publish it on its official website. 6. The Ministry, the Regulator and other relevant bodies, entities or persons, which receive confidential information on risk preparedness pursuant to this Law, shall ensure the confidentiality of sensitive information. The State Emergency Committee may, upon request, to provide a non-confidential summary of the risk-preparedness plan. 7. The Government shall adopt and publish its first risk-preparedness plans.	operation. Those measures shall be clearly defined, transparent, proportionate and non-discriminatory. 3. The risk-preparedness plan shall be developed in accordance with Articles 11 and 12 and with the template set out in the Annex. If necessary, Contracting Parties may include additional information in the risk-preparedness plan. 4. In order to ensure consistency of risk-preparedness plans, competent authorities shall, before adopting their risk-preparedness plans, submit the draft plans, for consultation, to the competent authorities of the relevant Contracting Parties in the region and, where they are not in the same region, to the competent authorities of directly connected Contracting Parties, as well as to the Security of Supply Coordination Group. 5. Within six months of receipt of the draft risk-preparedness plans, the competent authorities referred to in paragraph 4 and the Security of Supply Coordination Group may issue recommendations relating to the draft plans submitted pursuant to paragraph 4. 6. Within nine months of submitting their draft plans, the competent authorities concerned shall adopt their risk-preparedness plans, taking into account the results of the consultation pursuant to paragraph 4 and any recommendations issued pursuant to paragraph 5. They shall notify their risk-preparedness plans to the Energy Community Secretariat		
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8. The State Emergency Committee shall update the risk-preparedness plans every four (4) years thereafter, unless circumstances warrant more frequent updates and submits for approval to Government 9. If the State Emergency Committee, within four (4) months of the notification of the adopted risk preparedness plan as per paragraph 4 of this Article, receives a non-binding opinion of the Energy Community Secretariat with a recommendation to review the plan, the State Emergency Committee shall take full account of the recommendation and shall either notify the amended risk-preparedness plan to the Energy Community Secretariat or notify the Energy Community Secretariat of the reasons why it objects to the recommendation within three (3) months of receipt of the Energy Community Secretariat's opinion.	without delay. 7. The competent authorities and the Energy Community Secretariat shall publish the risk-preparedness plans on their websites, while ensuring confidentiality of sensitive information, in particular information on measures relating to the prevention or mitigation of consequences of malicious attacks. The protection of the confidentiality of sensitive information shall be based on the principles determined pursuant to Article 19. 8. The competent authorities shall adopt and publish their first risk-preparedness plans by 5 January 2025. They shall update them every four years thereafter, unless circumstances warrant more frequent updates. Article 13 Energy Community Secretariat assessment of the risk-preparedness plans 1. Within four months of the notification of the adopted risk-preparedness plan by the competent authority, the Energy Community Secretariat shall assess the plan taking duly into account the views expressed by the Security of Supply Coordination Group. 2. The Energy Community Secretariat shall, after consulting the Security of Supply Coordination Group, issue a non-binding opinion, setting out detailed reasons, and submit it to the competent authority, with a recommendation to review its risk-		
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	preparedness plan where that plan: (a) is not effective to mitigate the risks identified in the electricity crisis scenarios; (b) is inconsistent with the electricity crisis scenarios identified or with the risk-preparedness plan of another Contracting Party; (c) does not comply with the requirements laid down in Article 10(2); (d) sets out measures that are likely to jeopardise the security of electricity supply of other Contracting Parties; (e) unduly distorts competition or the effective functioning of the internal market; or (f) does not comply with the provisions of this Regulation or other provisions of Energy Community law. 3. Within three months of receipt of the Energy Community Secretariat's opinion referred to in paragraph 2, the competent authority concerned shall take full account of the Energy Community Secretariat's recommendation and shall either notify the amended risk-preparedness plan to the Energy Community Secretariat or notify the Energy Community Secretariat of the reasons why it objects to the recommendation. 4. In the event that the competent authority objects to the Energy Community Secretariat's recommendation, the Energy Community Secretariat may, within four months of		
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	receipt of the notification of the competent authority's reasons for objection, withdraw its recommendation or convene a meeting with the competent authority and, where the Energy Community Secretariat considers it to be necessary, the Security of Supply Coordination Group, in order to assess the issue. The Energy Community Secretariat shall set out detailed reasons for requesting any modifications to the risk-preparedness plan. Where the final position of the competent authority concerned diverges from the Energy Community Secretariat's detailed reasons, that competent authority shall provide the Energy Community Secretariat with the reasons for its position within two months of receipt of the Energy Community Secretariat's detailed reasons.		
Early warning and declaration of an electricity crisis Article 100 1. Where a seasonal adequacy assessment or other trustworthy source provides concrete, serious and reliable information that an electricity crisis may occur in the Republic of Kosovo, the State Emergency Committee warns the Energy Community Secretariat, the competent authorities of the Energy Community Contracting Parties within the same System Operation Region and, where they are not in the same System Operation Region, the competent authorities of the directly connected Energy Community Contracting	Regulation (EU) 2019/941 CHAPTER IV Managing electricity crises Article 14 Early warning and declaration of an electricity crisis 1. Where a seasonal adequacy assessment or other qualified source provides concrete, serious and reliable information that an electricity crisis may occur in a Contracting Party, the competent authority of that Contracting Party shall, without undue delay, issue an early warning to the Energy Community Secretariat, the competent authorities of the Contracting	Partially	The new article partially transposes a number of provisions from Regulation 941, including the role, obligations, rights and powers of the State Emergency Committee in the field of preparatory activities, notification and crisis management, cooperation and notification. This article obliges the Government to adopt a by-law for the management of electricity crises, which will fully transpose Regulation (EU) 2019/941 on risk preparedness in the electricity sector and will define obligations for crisis management, such as and will define tasks related

Parties. 2. The State Emergency Committee informs on the causes of the possible electricity crisis, on measures planned or taken to prevent an electricity crisis and on the possible need for assistance from other Energy Community Contracting Parties. The information shall include the possible impacts of the measures on the neighbouring electricity market. 3. When confronted with an electricity crisis, the State Emergency Committee proposes to Government to declare an electricity crisis and informs without delay the competent authorities of the Energy Community Contracting Parties within the same System Operation Region and, where they are not in the same System Operation Region, the competent authorities of directly connected Energy Community Contracting Parties, as well as the Energy Community Secretariat, without delay. That information shall include the causes of the deterioration of the electricity supply situation, the reasons for declaring an electricity crisis, the measures planned or taken to mitigate it and the need for any assistance from other Energy Community Contracting Parties. 4. Upon request of the Energy Community Secretariat or the competent authorities of the Energy Community Contracting Parties within the same System Operation Region and, where they are not in the same System Operation Region, the competent authorities of directly connected	Parties within the same region and, where they are not in the same region, the competent authorities of the directly connected Contracting Parties. The competent authority concerned shall also provide information on the causes of the possible electricity crisis, on measures planned or taken to prevent an electricity crisis and on the possible need for assistance from other Contracting Parties. The information shall include the possible impacts of the measures on the neighbouring electricity market. The Energy Community Secretariat shall provide that information to the Security of Supply Coordination Group. 2. When confronted with an electricity crisis, the competent authority shall, after consulting the transmission system operator concerned, declare an electricity crisis and inform the competent authorities of the Contracting Parties within the same region and, where they are not in the same region, the competent authorities of directly connected Contracting Parties, as well as the Energy Community Secretariat, without undue delay. That information shall include the causes of the deterioration of the electricity supply situation, the reasons for declaring an electricity crisis, the measures planned or taken to mitigate it and the need for any assistance from other Contracting Parties. 3. Where they consider the information provided pursuant to paragraph 1 or 2 to		to development. and the adoption of a risk preparedness plan in accordance with the Regulation, which may be delegated
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Energy Community Contracting Parties, the State Emergency Committee shall provide additional information. 5. Where the State Emergency Committee issues an early warning or proposes to Government for declaring s an electricity crisis, takes into account the measures set out in the Risk-preparedness plan.	be insufficient, the Energy Community Secretariat, the Security of Supply Coordination Group or the competent authorities of the Contracting Parties within the same region and, where they are not in the same region, the competent authorities of directly connected Contracting Parties may request the Contracting Party concerned to provide additional information. 4. Where a competent authority issues an early warning or declares an electricity crisis, the measures set out in the risk-preparedness plan shall be followed to the fullest extent possible.		
Bilateral and regional cooperation and assistance Article 101 1. Where the necessary technical ability exist, the Ministry shall offer assistance to the concerned competent authorities by means of regional or bilateral measures that have been agreed pursuant to this Article and to Article 99 of this Law. To that end, and with the purpose of protecting public safety and personal security, the Ministry may enter into agreements on regional or bilateral measures in order to deliver electricity in a coordinated manner. 2. In order to achieve the cooperation from paragraph 1 of this Article, the Ministry agrees with the competent authorities of the Energy Community Contracting Parties on the necessary technical, legal and financial	Regulation (EU) 2019/941 Article 15 Cooperation and assistance among Contracting Parties 1. Contracting Parties shall act and cooperate in a spirit of solidarity in order to prevent or manage electricity crises. 2. Where they have the necessary technical ability, Contracting Parties shall offer each other assistance 9 by means of regional or bilateral measures that have been agreed pursuant to this Article and to Article 12 before that assistance is provided. To that end, and with the purpose of protecting public safety and personal security, Contracting Parties shall agree on regional or bilateral	Fully compliant	

arrangements for the implementation of regional or bilateral measures before the assistance is offered, in particular in relation to: 2.1 the activation of any type of assistance and interruption of assistance provision; 2.2 the maximum amount of electricity to be delivered at the regional or bilateral level and the method of delivery; and 2.3 the fair compensation that is paid for the assistance provided, which consists of: 2.3.1 the costs of providing electricity; 2.3.2 the costs for the transmission of electricity that is delivered to the territory of a Energy Community Contracting Party that requests the assistance; 2.3.3 the costs actually incurred by the Energy Community Contracting Party which provides the assistance, including the costs of provided assistance which has not been activated and; 2.3.4 all costs resulting from court proceedings, arbitration proceedings or similar proceedings and settlements. 3. The Republic of Kosovo is obliged to reimburse all costs for the received assistance to the Energy Community Contracting Party that provides the assistance. 4. When, in the event of an electricity crisis, the Republic of Kosovo has not concluded agreements on regional	measures of their choice in order to deliver electricity in a coordinated manner. 3. Contracting Parties shall agree on the necessary technical, legal and financial arrangements for the implementation of the regional or bilateral measures before assistance is offered. Such arrangements shall specify, inter alia, the maximum quantity of electricity to be delivered at regional or bilateral level, the trigger for any assistance and for suspension of assistance, how the electricity will be delivered, and provisions on fair compensation between Contracting Parties in accordance with paragraphs 4, 5 and 6. 4. Assistance shall be subject to a prior agreement between the Contracting Parties concerned with regard to fair compensation, which shall cover at least: (a) the cost of the electricity delivered into the territory of the Contracting Party requesting assistance as well as the associated transmission costs; and (b) any other reasonable costs incurred by the Contracting Party providing assistance, including as regards reimbursement for assistance prepared without effective activation, as well as any costs resulting from judicial proceedings, arbitration proceedings or similar proceedings and settlements.		
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or bilateral measures and on the necessary technical, legal and financial arrangements for the implementation of the measures, it shall agree on temporary measures with the Energy Community Contracting Party. Before receiving the assistance, the Republic of Kosovo shall assume an obligation to pay the compensation from subparagraph 2.3 of this Article, for the application of those measures.	5. Fair compensation pursuant to paragraph 4 shall include, inter alia, all reasonable costs that the Contracting Party providing assistance incurs from an obligation to pay compensation by virtue of fundamental rights guaranteed by Energy Community law and by virtue of the applicable international obligations when implementing the provisions of this Regulation on assistance and further reasonable costs incurred from the payment of compensation pursuant to national compensation rules. 6. The Contracting Party requesting assistance shall promptly pay, or ensure the prompt payment of fair compensation to the Contracting Party providing assistance. The Commission Recommendation 2020/775 shall be applied as non-binding guidance. 7. < ... > 8. In the event of an electricity crisis in which Contracting Parties have not yet agreed on regional or bilateral measures and technical, legal and financial arrangements pursuant to this Article, Contracting Parties shall agree on ad hoc measures and arrangements in order to apply this Article, including as regards fair compensation pursuant to paragraphs 4, 5 and 6. Where a Contracting Party requests assistance before such ad hoc measures and arrangements have been agreed, it shall undertake, prior to receiving		
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Compliance with market rules Article 102 1. Measures taken to prevent or mitigate electricity crises shall comply with the rules governing the regional electricity market and system operation. 2. Non-market-based measures shall be activated in an electricity crisis only as a last resort if all options provided by the market have been exhausted or where it is evident that market-based measures alone are not sufficient to prevent a further deterioration of the electricity supply situation. 3. Non-market-based measures shall be necessary, proportionate, non-discriminatory and temporary and shall not unduly distort competition and the effective functioning of the regional electricity market. 4. The State Emergency Committee shall inform all interested stakeholders in the Republic of Kosovo of	assistance, to pay fair compensation in accordance with paragraphs 4, 5 and 6. 9. Contracting Parties shall ensure that the provisions of this Regulation on assistance are implemented in accordance with the Energy Community Treaty < ... > and other applicable international obligations. They shall take the necessary measures to that end. Regulation (EU) 2019/941 Article 16 Compliance with market rules 1. Measures taken to prevent or mitigate electricity crises shall comply with the rules governing the internal electricity market and system operation. 2. Non-market-based measures shall be activated in an electricity crisis only as a last resort if all options provided by the market have been exhausted or where it is evident that market-based measures alone are not sufficient to prevent a further deterioration of the electricity supply situation. Non-market-based measures shall not unduly distort competition and the effective functioning of the internal electricity market. They shall be necessary, proportionate, non-discriminatory and temporary. The competent authority shall inform		
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the application of any non-market-based measures. 5. Transaction curtailment including curtailment of already allocated cross-zonal capacity, limitation of provision of cross-zonal capacity for capacity allocation or limitation of provision of schedules shall be initiated only in accordance with Article 32 of this Law.	relevant stakeholders in its Contracting Party of the application of any non-market-based measures. 3. Transaction curtailment including curtailment of already allocated cross zonal capacity, limitation of provision of cross zonal capacity for capacity allocation or limitation of provision of schedules shall be initiated only in accordance with Article 16(2) of Regulation (EU) 2019/943 as adopted and adapted by Ministerial Council Decision 2022/03/MC-EnC, and the rules adopted to implement that provision.		
Ex post evaluation Article 105 1. Within three (3) months of the end of the electricity crisis, the State Emergency Committee prepares, and submits to the Energy Community Secretariat a report on the ex-post evaluation of the electricity crisis, which in particular contains: 1.1 description of the event that caused the electricity crisis; 1.2 description of all preventive, preparatory and mitigation measures undertaken and assessment of their proportionality and effectiveness; 1.3 assessment of the cross-border impact of the measures taken; 1.4 description of the assistance, regardless of its use, which was provided to, or received from, a neighboring Energy	Regulation (EU) 2019/941 CHAPTER V Evaluation and monitoring Article 17 Ex post evaluation 1. As soon as possible and in any event three months after the end of an electricity crisis, the competent authority of the Contracting Party that declared the electricity crisis shall provide the Security of Supply Coordination Group and the Energy Community Secretariat with an ex post evaluation report, after having consulted the regulatory authority, where the regulatory authority is not the competent authority. 2. The ex post evaluation report shall include at least:	Fully compliant	

Community Contracting Party or a third country; 1.5 assessment of the economic impact of the electricity crisis and the impact of the measures taken on the electricity sector to the extent that the data available at the time of the assessment allow, and in particular the quantities of undelivered electricity and the level of manual disconnection of demand, including a comparison between the level of voluntary and forced shutdown of demand; 1.6 reasons that justify the application of measures that are not market-based; 1.7 any possible improvements or proposed improvements to the Risk Preparedness Plan and; 1.8 review of possible improvements in network development in cases where insufficient network development has caused or contributed to the electricity crisis. 2. Upon request from the Energy Community Secretariat or the Coordination Group for Security of Supply of the Energy Community, the State Emergency Committee submits additional information to the report on the ex-post evaluation of the electricity crisis.	(a) a description of the event that triggered the electricity crisis; (b) a description of any preventive, preparatory and mitigating measures taken and an assessment of their proportionality and effectiveness; (c) an assessment of the cross-border impact of the measures taken; (d) an account of the assistance prepared, with or without effective activation, provided to or received from neighbouring Contracting Parties and third countries; (e) the economic impact of the electricity crisis and the impact of the measures taken on the electricity sector to an extent allowed by data available at the time of the assessment, in particular the volumes of energy non-served and the level of manual demand disconnection (including a comparison between the level of voluntary and forced demand disconnection); (f) reasons justifying the application of any non-market-based measures; (g) any possible improvements or proposed improvements to the risk-preparedness plan; (h) an overview of possible improvements to grid development in cases where insufficient network development caused or contributed to the electricity crisis. 3. Where they consider the information provided in the ex post evaluation report to be insufficient, the Security of Supply Coordination Group		
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	and the Energy Community Secretariat may request the competent authority concerned to provide additional information. 4. The competent authority concerned shall present the results of the ex post evaluation at a meeting of the Security of Supply Coordination Group. Those results shall be reflected in the updated risk-preparedness plan		
X. OFFENCES, MISDEMEANORS AND FINES Article 104 Misdemeanor sanctions with a fine 1. By a misdemeanor sanction is fined: 1.1 a generator of electricity that has permit to perform electricity generation activity, does not fulfil their obligations in accordance with Article 6 of this law; 1.2 an electricity generator that has a permit to perform electricity generation activity, does not maintain sufficient stocks of fossil fuel reserves according to article 7 of this law; 1.3 Transmission System Operator does not fulfil the tasks specified in Article 13 of this law; 1.4 Transmission System Operator in the process of developing the Transmission Network Code, does not organize public consultation process or does not publish the Transmission Network Code on its website according to article 14 paragraph 3 of this law;			

1.5 Transmission System Operator or the Distribution System Operator did not purchase the energy to cover the losses in the transmission network or the distribution network in the electricity market according to Article 17 of this law; 1.6 Transmission System Operator does not dispatch electricity according to Article 18 of this law; 1.7 Transmission System Operator acts contrary to article 50 paragraph 1 of this law; 1.8 Transmission System Operator does not preserve confidentiality of information while performing its activities in accordance with Article 20 of this law; 1.9 payments for the use of the network are made in violation of Article 22 of this law. 1.10 Transmission System Operator does not manage the cross-border flows in accordance with article 32 paragraph 1 of this law; 1.11 Market Operator is not independent, in its legal form, property relations, organizational and decision-making structures, from all activities that are not related to the transmission of electricity or organization according to Article 43 paragraph 2 of this law; 1.12 Distribution System Operator carries out interruption of electricity supply in violation of Article 56 subparagraph 2.7 of this law; 1.13 Distribution System Operator			
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does not maintain the confidentiality of commercially sensitive information and does not withhold information on its activities that may create commercial advantages if disclosed in a discriminatory manner according to Article 64 paragraph 1 of this law; 1.14 supplier does not keep records in accordance with Article 69 of this law; 1.15 suppliers with a public service obligation do not provide electricity supply in accordance with Article 71 of this law; 1.16 the universal service supplier does not fulfill the obligations in accordance with Article 72 of this law; 1.17 supply of last resort is carried out in violation of article 75 paragraph 1 of this law; 1.18 the obligations of suppliers of last resort are not performed in accordance with Article 76 of this law; 1.19 third party access is not ensured in accordance with Article 77 of this law; 1.20 transmission system operator, the distribution system operator and each supplier do not fulfill obligations in accordance with the quality requirements for the electricity supply defined in article 80 of this law; 1.21 supplier does not adhere to the contractual requirements as stipulated in Article 79 of this law; 2. For the minor offences from paragraph 1 of this article, a fine of three			
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hundred (300) euros and up to nine hundred (900) euros shall be imposed on the responsible natural person and responsible person of the legal entity. 3. For minor offences from paragraph 1 of this article, a fine of one thousand (1000) euros and up to three thousand (3,000) euros will be imposed on a natural person who runs an individual business. 4. For minor offences from paragraph 1 of this article, a fine of five hundred (500) Euros and up to twenty thousand (20.000) will be imposed to legal entity.			
Article 106 Transitional provisions 1. Members of the Board of the Electricity Transmission System and Market Operator, who were reappointed to their positions under this law will serve in the position of member of the Board until the end of their present mandate but cannot be reappointed again. 2. Members who were appointed to the Board according to this law and who on the date of entry into force of this law, are serving their first mandate, will serve in the position of member of the Board until the end of that mandate and can be reappointed once provided that they fulfill the criteria stipulated in this law. 3. Within sixty (60) days from entering into force of this Law, the Assembly shall initiate the procedure for transfer of the shareholders' right of the Electricity Transmission System and			

Market Operator to the relevant Ministry of Finance. A procedure for reassessment of compliance with unbundling criteria and for certification of the Transmission System Operator due to the new ownership structure shall be carried out pursuant to Article 11 of this Law. 4. The exemption for the duration of the period for imbalance settlement of thirty (30) minutes as stipulated in article 47 paragraph 7 of this law may be granted until 31 December 2024. 5. Until 1 January 2026, contract periods as stipulated in Article 49 paragraph 13 of this law shall not be longer than twelve (12) months. 6. Upon entry into force of this law, the Distribution System Operator will continue to operate its own existing recharging points for electric vehicles, until the Regulator takes a decision in accordance with Article 60 paragraph 6 of this law. 7. The obligation of the Regulator to report to the Energy Community Secretariat and the ECRB on the share of the total capacity covered by contracts with a duration or a procurement period of longer than one day as stipulated in Article 49 paragraph 14 shall apply by 1 January 2028.			
Article 107 Bylaws 1. The bylaws as provided for by this law shall be adopted within nine (9) months after the publication of the law in the			

Official Gazette of the Republic of Kosovo. 2. Until the issuance of bylaws foreseen in paragraph 1 of this Article, the bylaws that are in force at the day of entry into force of this Law shall apply provided that they are not in contradiction with this Law. Article 108 Repeal Law Upon entry into force of this Law, the Law No. 05/l-085 on Electricity (Official Gazette of the Republic of Kosovo / no. 26 / 21 July 2016) is repealed. Article 109 Entry in force This Law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.			
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