

Pursuant to Article 4.2, 4.7 and 7 of the Law on Transmission, Regulator and System Operator of Bosnia and Herzegovina (Official Gazette of BiH, 7/02, 13/03, 76/09 and 1/11) and Article 33 of the Rule of Practice and Procedure of the State Electricity Regulatory Commission (Official Gazette of BiH, 2/05), at its session held on 28 June 2017 the State Electricity Regulatory Commission, adopted a

CONCLUSION
on cessation of procedure

1. The procedure for issuance of a license for performance of the international electricity trading activity initiated at the request of the Company „INTEH“, d.o.o. Banja Luka shall cease due to the withdrawal by the applicant.
2. The Company „INTEH“, d.o.o. Banja Luka shall not be entitled to a refund of the fee paid when the license application was filed.
3. This Conclusion shall enter into force on the day of its adoption and it shall be published in the Official Gazette of BiH and official gazettes of the Entities.

Statement of Rationale

The Company “INTEH”, d.o.o. Banja Luka (hereinafter. the applicant) filed with the State Electricity Regulatory Commission (hereinafter: SERC) the application under reference number: 05-28-12-112-1/17 of 7 March 2017 for issuance of a license for performance of the international electricity trading activity.

Pursuant to Article 8 of the Licensing Rule – consolidated version (Official Gazette of BiH, 63/16), SERC went through the application and determined that it had to be completed by the missing document which proves the fulfilment of the specific criterion referred to in Article 30 Item d), which the applicant did not submit, of which it was informed accordingly by a letter under reference number: 05-28-12-112-4/10 of 25 April 2017 and given a 60-day deadline to complete the documentation.

Within the deadline given for obtaining and submitting the missing documentation, the applicant sent SERC a letter under reference number: 05-28-12-112-5/10 of 15 June 2017 by which it withdrew its previously filed application for issuance of the license.

As there are no obstacles for an applicant to withdraw its licence application throughout the procedure until the merit-based decision-making about the application, it was decided as provided in the statement of this Conclusion. The adoption of this Conclusion does not preclude the Company “INTEH” d.o.o. Banja Luka from filing a license application again.

As SERC reviewed the licence application, analysed the accompanying documentation, specified the formal shortcomings and informed the applicant of them leaving a reasonable deadline for completing the application, that is, undertook all the steps ensuring the removal of those shortcomings in order to enable merit-based decision-making about the application until the day of sending the notification on withdrawal of the application, the applicant is not entitled to a refund of the fee paid when the license application was filed pursuant to the SERC Decision on one-off fee for carrying out the procedure pursuant to the Licensing Rule (Official Gazette of BiH, 41/13 and 17/16).

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

Ref. number: 05-28-12-112-6/17

28 June 2017

Tuzla

Chairman of the Commission

Suad Zeljković