

Pursuant to Articles 4.2 point (2), 4.7 and 7 of the Law on Transmission of Electric Power, Regulator and System Operator of Bosnia and Herzegovina (Official Gazette of BIH 7/02, 13/03, 76/09 and 1/11), Article 36 of the Rule of practice and procedure of the State Electricity Regulatory Commission (Official Gazette of BIH, 2/05) and Article 4 paragraph (2) point d) and Article 16 of the Licencing Rule – Consolidated Version (Official Gazette of BIH, 63/16), deciding upon the application of legal person “Ekoenergija” d.o.o., Brčko District of Bosnia and Herzegovina of 31 March 2025, which was supplemented on 16 May 2025 and 27 June 2025, at its session held on xx. September 2025 the State Electricity Regulatory Commission passed a

## **DECISION**

### **ON ISSUANCE OF PRELIMINARY PERMIT FOR CONSTRUCTION OF POWER GENERATION FACILITY**

1. The preliminary permit for the construction of a power generation facility shall be issued to legal person “Ekoenergija” d.o.o., Brčko District of Bosnia and Herzegovina – for the construction of the photovoltaic power plant “Brezovo Polje” in the location of the urban area of Brezovo, Brčko District of Bosnia and Herzegovina, with installed capacity of (DC) 10 224 kWp and (AC) 7 500 kVA.
2. The preliminary permit referred to in point 1 of this decision shall be issued for the period from xx September 2025 to xx September 2031 and used pursuant to the Preliminary permit conditions for the construction of a power generation facility, which are an integral part of this decision.
3. The preliminary permit holder is obligated to start the construction of the power plant referred to in point 1 of this decision within two year at the latest. Otherwise, the preliminary permit shall cease to be valid.
4. The preliminary permit holder is obliged to notify the State Electricity Regulatory Commission about the start and completion of the construction, and to obtain an electricity generation license before commissioning the power plant referred to in point 1 of this decision.
5. This decision shall come into force on the day of adoption and its operative part shall be published in the *Official Gazette of BIH* and the official gazettes of the Entities and the Brčko District of Bosnia and Herzegovina.

#### ***Statement of Rationale***

(upon completion of the procedure)

Number: 05-28-12-139-xx/25

xx. September 2025

Tuzla

Chairman of the Commission

Suad Zeljković



**DRAFT**

## **PRELIMINARY PERMIT CONDITIONS FOR THE CONSTRUCTION OF A POWER GENERATION FACILITY**

Number: 05-28-12-139-\*/25

Name of the preliminary license holder: “Ekoenergija” d.o.o., Brčko District of Bosnia and Herzegovina

Technical characteristics of the generation facility:

- Nominal voltage: 0.8 kV
- Transformer: 2.5 MVA
- MV facility: ABB
- Number of panels: 14 400
- Number of inverters: 25
- Installed capacity: (DC) 10 224 kWp, (AC) 7 500 kVA

### **1. General Provisions**

- 1.1. The preliminary permit for the construction of a generation facility – the photovoltaic power plant “Brezovo Polje” (hereinafter: “the preliminary permit”), is issued in accordance with the Decision of the State Electricity regulatory Commission (SERC) number 05-28-12-139-\*/25 of \*\*. September 2025, pursuant to the Licensing Rule – Consolidated Version (“Official gazette of BiH”, 63/16).
- 1.2. The preliminary permit shall be valid in the period from \*\* September 2025 to \*\* September 2031. The preliminary permit holder is obligated to start the construction of the power plant within two year at the latest. Otherwise, the preliminary permit shall cease to be valid.
- 1.3. Before commissioning the power generation facility, the preliminary permit holder is obligated to obtain from SERC approval for trial operation and then a generation licence as well.

### **2. The Process of Constructing a Power Generation Facility**

- 2.1. The preliminary permit holder is obligated to maintain compliance with the Law on Transmission of Electric Power, Regulator and System Operator of Bosnia and Herzegovina (Official Gazette of BiH 7/02, 13/03, 76/09 and 1/11), rules and regulations of the State Electricity Regulatory Commission as well as these conditions.
- 2.2. Obligations defined by these conditions shall not affect other obligations of the preliminary permit holder which are defined by the law.

### **3. Obligations and Rights of the Preliminary Permit Holder**

- 3.1. In the process of constructing a power generation facility, the preliminary permit holder is obligated to maintain compliance with the applicable regulations in the field of civil engineering, performance of power activities and environmental protection.
- 3.2. During the construction of the power generation facility, the preliminary permit holder is obligated to permanently fulfil the criteria defined in the provisions of Article 46 of the Licensing Rule based on which the preliminary permit was issued and provide SERC with relevant evidence thereof.

- 3.3. In case of a change in any of the criteria from Article 46 of the Licensing Rule, the preliminary license holder is obliged to notify SERC thereof without delay.
  - 3.4. The preliminary license holder is obligated to regularly, or at the SERC request, submit financial, technical and other reports or data in the form and the scope as specified by these conditions or SERC request.
  - 3.5. The preliminary license holder is obligated to prepare financial reports and keep accounting records in a transparent manner in accordance with the applicable regulations and accounting standards applicable in Bosnia and Herzegovina and SERC rules.
  - 3.6. In case of any restrictions regarding the location and use of land for the construction of a power generation facility, the preliminary license holder is obligated to notify the SERC without delay.
  - 3.7. The preliminary license holder is obligated to achieve energy efficiency in the use of primary energy sources, as defined by the planning and project documentation.
  - 3.8. The preliminary license holder is obligated to remove all waste caused and generated during the construction of the generation facility.
  - 3.9. If the construction of the generation facility is not completed within the period specified in the Decision on issuance of the preliminary permit number 05-28-12-139-\*/25 of \*\* September 2025 and the approval for trial operation and the power generation license are not obtained, the preliminary license holder is obliged to dismantle and remove all equipment and material, and restore the land to its original condition.
4. Monitoring Performance of the Construction of the Power Generation Facility
    - 4.1. SERC shall monitor all aspects of compliance of the preliminary permit holder's activities with these conditions, as well as with all provisions of the relevant laws and SERC regulations.
    - 4.2. SERC may initiate emergency proceedings in order to respond to any reasonable doubt pertaining to violation of obligations from the preliminary permit, on SERC's own initiative or in response to a request of any person.
    - 4.3. SERC shall perform announced and unannounced inspections of the facilities and documents related to the activities from the preliminary permit. SERC shall be entitled to access to any facilities owned or operated by the preliminary license holder, premises of the preliminary license holder, its equipment, documents, business records and archive in order to inspect the construction for which the preliminary license was issued. The preliminary license holder shall provide any form of assistance requested by SERC during the inspection.
    - 4.4. The preliminary license holder shall inform SERC of any violation of these conditions no later than seven (7) days after the preliminary license holder discovers that the violation has occurred.
5. Submission of Data and Reports
    - 5.1. The preliminary permit holder shall submit reports to SERC in the manner as defined in these conditions and reports at a special SERC request, in the manner and format prescribed by SERC.
    - 5.2. No later than ninety (90) days after the completion of the fiscal year, the preliminary permit holder shall submit its annual report on performance during that fiscal year. Audited annual financial report shall be submitted no later than 180 days upon the completion of the fiscal year. The preliminary permit holder shall also submit the financial report on activities for which the preliminary permit was issued within the same deadlines.

6. Term of the Preliminary Permit

- 6.1. The preliminary permit holder is obligated to start the construction of the power generation facility – the photovoltaic power plant “Brezovo Polje” no later than two years from the date of entry into force of the decision by which the preliminary permit was issued.
- 6.2. The preliminary permit is issued for a six-year period, i.e., from \*\* September 2025 to \*\* September 2031.
- 6.3. Before commissioning the power generation facility, the preliminary permit holder is obligated to obtain from SERC approval for trial operation and then a generation licence as well.

7. Sanctions

- 7.1. Penalty provisions stipulated by law shall be applied if the preliminary permit holder does not comply with the applicable regulations or these conditions.
- 7.2. SERC may submit an administrative notice to the preliminary permit holder on any violation, and may summon the preliminary permit holder to an administrative settlement due to the violation of the permit by the preliminary permit holder before the penalty provisions are applied.
- 7.3. Prior to the application of the measure from point 7.2, when the circumstances permit, SERC shall warn the preliminary permit holder in writing, and shall determine deadlines for removal of shortcomings.

8. Notification Provisions

- 8.1. The preliminary permit holder’s address used for the submission of notifications is: “Ekoenergija” d.o.o., Brčko Distrikt Bosne i Hercegovine, Bulevar mira 8A, zgrada “Delta” I, 76100 Brčko.
- 8.2. Notifications shall be submitted to the preliminary permit holder’s address.
- 8.3. The preliminary permit holder may change its address used for submission of notifications, but SERC has to be informed of it in advance.