

Pursuant to Article 4.2, 4.7 and 7 of the Law on Transmission of Electric Power, Regulator and System Operator of Bosnia and Herzegovina (Official Gazette of BiH, 7/02, 13/03, 76/09 and 1/11), Article 36 of the Rule of Practice and Procedure of the State Electricity Regulatory Commission (Official Gazette of BiH, 2/05) and Article 16 of the Licensing Rule – Consolidated version (Official Gazette of BiH, 63/16), deciding upon the application of ““Petrol BH Oil Company”, d.o.o. Sarajevo number 05-28-12-376-1/19 of 28 October 2019, the State Electricity Regulatory Commission, at the session held on 29 January 2020 passed a

DECISION
ON ISSUANCE OF LICENCE FOR INTERNATIONAL ELECTRICITY TRADING
ACTIVITY

1. The licence for performance of the international electricity trading activity shall be issued to the applicant “Petrol BH Oil Company” d.o.o. Sarajevo.
2. The licence referred to in Item 1 of this Decision shall be issued for the period from 1 March 2020 to 28 February 2025 and used pursuant to the Standard licence conditions for performance of the international electricity trading activity (Official Gazette of BiH, 14/16).
3. The licence for performance of the international electricity trading activity is an integral part of this Decision.
4. The licensee is obligated to pay a regulatory fee during the term of the licence under the terms and conditions as defined by a separate act.
5. This Decision shall come into force on the day of adoption and the disposition of the Decision shall be published in the Official Gazette of BiH and official gazettes of the Entities.

Statement of Rationale

The Company “Petrol BH Oil Company” d.o.o. Sarajevo (hereinafter: the applicant) is a holder of the licence for the international electricity trading activity, recorded in the Licence Register of this Commission under registration number 05-28-12-387-17/14 of 25 February 2015, expiring on 29 February 2020.

In accordance with the right to use a possibility of renewing a licence and fulfilling the obligation referred to in Article 48 of the Licensing Rule - Consolidated version (Official Gazette of BiH, 63/16), to express its intention to continue to perform the international electricity trading activity no later than 120 days before the expiry of the term of the existing licence, the licensee filed an application for the issuance of a new licence that was received under number 05-28-12-376-1/19 of 28 October 2019. The application filed will be decided upon pursuant to SERC internal rules and regulations and Article 7 of the Law on Transmission of Electric Power, Regulator and System Operator of Bosnia and Herzegovina (Official Gazette of BiH, 7/02, 13/03, 76/09 and 1/11).

The application was submitted on the prescribed forms with a proof of previously paid application fee and relevant documents submitted with the application or afterwards, which enabled SERC to understand, consider and decide upon the submitted application of which SERC informed the applicant accordingly by its act number 05-28-12-376-5/19 of 27 November 2019.

Having reviewed and checked all the formal elements of the application, first of all on 28 November 2019 SERC published a short public notice in daily newspapers and on its web site, summarising the application and determining the deadline for submission of public comments on the submitted licence application until 6 December 2019.

SERC concluded that the public had not submitted any comment on the application filed for the issuance of licence nor had any person expressed the interest to participate in the procedure in the capacity of the intervener upon the SERC public invitation.

The applicant fulfils indisputably all the criteria, conditions and standards prescribed by law and SERC rules and regulations to perform international trade in electricity because it constantly proved its technical, legal and financial capacities during the previous five-year period of use of the licence and provided evidence of having ensured resources, organised conditions and established professional standards to continue to perform the same activity.

Monitoring of all aspects of compliance of the applicant's present activities with the conditions and criteria for performance of the international electricity trading activity provided SERC with the basis to initiate the renewal of the licence, i.e. to prepare a draft Decision on issuance of licence for international electricity trading activity which would be valid for another five years and used pursuant to the Standard licence conditions for performance of the international electricity trading activity.

As of 8 January 2020, this document was made available to the applicant as well as all other interested members of the public who were also provided with an opportunity to give their comments during a general public hearing held on 15 January 2020 at the SERC seat in Tuzla preceded by publication of a relevant notice in daily newspapers and publication of the document on the SERC web site.

As the applicant did not point out any disagreement with any provision of the proposal of the Decision, including the last occasion until 24 January 2020 following the SERC letter number 05-28-12-376-16/19 of 17 January 2020, there were sufficient grounds to conclude that it was considered that the SERC's proposal was prepared in accordance with the Law on Transmission of Electric Power, Regulator and System Operator of BiH and secondary legislation dealing with the matters concerned.

In accordance with the aforementioned and also taking into account the evidence that the applicant had been previously granted a new second tier licence for performance of the electricity supply activity by the Regulatory Commission for Energy in the Federation of BiH, which is valid from 19 November 2019 to 18 November 2024, SERC decided as provided in the disposition of this Decision.

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

Number: 05-28-12-376-18/19

29. January 2020

Tuzla

Chairman of the Commission

Suad Zeljković