

Pursuant to Articles 4.2 and 4.7 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 33 of the Rule of Practice and Procedure of SERC (Official Gazette of BiH, 2/05) and Article 51, paragraph 8 of the Licensing Rule - Consolidated Version (Official Gazette of BiH, 63/16), acting upon the request of the Limited Liability Company "ALUMINIJ Trade" Mostar, at its session held on 27 March 2019 the State Electricity Regulatory Commission, adopted a

DECISION

ON SUSPENSION OF TEMPORARY LICENCE FOR PERFORMANCE OF THE INTERNATIONAL ELECTRICITY TRADING ACTIVITY

1. The temporary licence for performance of the international electricity trading activity issued to the Limited Liability Company "ALUMINIJ Trade" Mostar pursuant to the Decision number: 05-28-12-131-18/18 shall be suspended from 1 April 2019 to 31 March 2020 at the latest.
2. The Limited Liability Company "ALUMINIJ Trade" Mostar may request the cancellation of the suspension referred to in point 1 of this Decision as of 1 October 2019.
3. This decision shall come into force on the day of adoption and shall be published in the Official Gazette of BiH and official gazettes of the Entities.

Statement of Rationale

Pursuant to the Decision of the State electricity Regulatory Decision (SERC) under reference number: 05-28-12-131-18/18 of 23 May 2018, the Limited Liability Company "ALUMINIJ Trade" Mostar was granted a temporary license for performance of the international electricity trading activity with the term from 1 June 2018 to 31 May 2020.

The applicant addressed SERC by the letter under reference number 02-3-16/2019 of 13 March 2019, received on the same day under reference number 05-28-12-137-1/19 requesting the suspension of the mentioned licence as of 1 April 2019.

Licensees are free to cease the international electricity trading activity in line with their business interest for a specific period of time, but they are obligated to report the intention to use this right to the regulator and obtain a decision to that effect as prescribed in regulatory rules.

Starting from the indisputable right of the applicant as a holder of the licence to request its suspension within the meaning of Article the Licensing Rule - Consolidated Version, with enclosed evidence of the previously paid fee for deciding upon the request for suspension, it was decided as provided in the statement of this Decision, so the licence is suspended as of 1 April 2019 as required by the request. However, it has been laid down in the mentioned Rule that a suspension at the request of the licensee may be conducted only one time during the term of the license for a six- to 12-month period. Taking into consideration that the applicant did not specify the wanted period of suspension for the issued licence, this Decision provides for the possibility of suspension until the latest possible date specified in the Rule. Furthermore, while passing the decision as provided in the statement, SERC also took into consideration the minimum period of suspension specified in regulatory rules, so the applicant has been limited in terms of the right to reactivate the suspended licence until 1 October 2019.

Taking into consideration the aforesaid, pursuant to Article 51, paragraph 1, point a) of the Licensing Rule – Consolidated Version, it has been decided as provided in the statement of this Decision.

The fact of requesting the licence suspension will be taken into consideration when assessing the technical, economic and financial capacities of the licensee and other criteria in case of the issuance of a new licence. SERC will monitor the legal status of the suspended licence and if the licensee shows no intention to continue to perform the international electricity trading activity during the period of suspension, decide on the legal status of the licence for the period following the expiry of the suspension as the applicant is no longer in possession of the second tier supply licence granted by the Regulatory Commission for Energy in the Federation of Bosnia and Herzegovina.

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 the decision.

Number: 05-28-12-137-7/19

27 March 2019

Tuzla

Chairman

Milorad Tuševljak