

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 (“Official Gazette of BiH”, 87/12), the State Electricity Regulatory Commission, at the session held on 25 February 2015 rendered

## **DECISION**

### **ON ISSUANCE OF LICENSE FOR ACTIVITY OF INTERNATIONAL TRADE IN ELECTRICITY**

1. The license shall be issued to the Company “PETROL BH OIL COMPANY” d.o.o. Sarajevo for the performance of the activity of international trade in electricity.
2. The license referred to in Item 1 of this Decision shall be issued for the period from 1 March 2015 to 29 February 2020.
3. The license for performance of the activity of international trade in electricity containing the Licensing Conditions for the use of the license shall be an integral part of the Decision.
4. This decision shall come into force on the day of the adoption and shall be published in the “Official Gazette of BiH” and official gazettes of the Entities.

#### *Statement of Rationale*

“PETROL BH OIL COMPANY” d.o.o. Sarajevo (hereinafter: the applicant) is a holder of the temporary license for the international electricity trading activity, recorded in the License Register of this Commission under registration number: 05-28-12-412-18/12 of 27 February 2012, expiring on 28 February 2015.

The licensee filed an application for the issuance of a new license which was received under number: 05-28-12-387/14 of 3 December 2014. The application filed shall be decided upon pursuant to SERC’s internal rules and regulations and Article 7 of the Law on Transmission.

The application was filed in the prescribed application forms with a proof of previously paid application fee and the relevant documents which, enclosed to the application or submitted later upon a SERC request, enabled SERC to understand, consider and render a decision upon the application filed of which SERC informed the applicant accordingly by its act number: 05-28-12-387-3/14 of 29 December 2014.

Having reviewed and checked all the formal elements of the application, first of all, on 31 December 2014 SERC published a short public notice in daily newspapers and on its web site, summarizing the license application and determining the deadline for submission of public comments on the license application until 15 January 2015.

SERC concluded that the public had not submitted any comment on the application filed for the issuance of license 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 fulfills indisputably all the criteria, conditions and standards prescribed by law and SERC rules and regulations to perform international electricity trading because it constantly proved its technical, legal and financial capabilities during the past years of use of the license and provided evidence of having ensured resources, organized 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 activity of international electricity trading provided SERC with the basis to initiate the issuance of the license, i.e. to prepare the Draft licensing conditions for the performance of the activity of international electricity trading which would be valid for five years.

As of 31 January 2015, 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 hearing held on 5 February 2015 at the SERC seat in Tuzla with previous publication of an adequate notice in daily newspapers and publication of the documents on the SERC web site.

At the general hearing there were no comments which would instigate any changes to the conditions for the use of the license.

Taking into consideration the aforementioned, a proposal for granting the license was prepared, which was submitted to the applicant by the SERC act under number: 05-28-12-387-15/14 of 9 February 2015.

As, pursuant to Article 16, Para 2 of the Licensing Rule, the applicant's authorized representative stated that the Company waived the right to submit comments, 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 all aforementioned facts and also taking into account the evidence that the applicant had been previously granted the second tier supply license by the Regulatory Commission for Energy in the Federation of Bosnia and Herzegovina valid for five years, registration number: 06-03-389/12/14 of 12 September 2014, SERC decided as provided in the statement 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 against this decision before the Court of Bosnia and Herzegovina by filing a lawsuit within sixty (60) days from the day of publishing this decision.

Number: 05-28-12-387-16/14

25 February 2015

Tuzla

Chairman of the Commission

Nikola Pejić