

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“, No. 7/02, 13/03, 76/09 and 1/11), Article 36 of the Rule of Practice and Procedure of SERC („Official Gazette of BiH“, No. 2/05) and Article 16 and 38 of the Licensing Rule („Official Gazette of BiH“, No. 87/12), the State Electricity Regulatory Commission, at its session held on 17 January 2013, rendered

## **DECISION**

### **ON ISSUANCE OF LICENSE FOR THE ACTIVITY OF ELECTRICITY TRANSMISSION**

1. The license shall be issued to the “Elektroprijenos Bosne i Hercegovine” Stock Company Banja Luka for the performance of the electricity transmission activity.
2. The license referred to in Item 1 of this decision shall be issued for the period from 1 February 2013 to 31 January 2023.
3. Licensing Conditions for performance of the electricity transmission activity shall be part of the license.
4. This decision shall come into force on the day of issuance and shall be published in the “Official Gazette of BiH” and official gazettes of the Entities.

### **Statement of Rationale**

“Elektroprijenos Bosne i Hercegovine” Stock Company Banja Luka (hereinafter: the applicant) is established in accordance with the Law Establishing the Company for Transmission of Electric Power in Bosnia and Herzegovina (“Official Gazette of BiH“, No. 35/04 and 76/09) and its activity is electricity transmission and all activities concerning electricity transmission, including, but not limited to electricity transmission, maintenance, construction and expansion of the electricity transmission network in Bosnia and Herzegovina.

The applicant holds a license for the performance of the electricity transmission activity, recorded in the License Register of this Commission under the registration number: 05-28-323-16/01 of 28 June 2007, expiring on 31 January 2013.

In accordance with the right to use a possibility of renewing a license and fulfilling the obligation referred to in Article 28 of the Licensing Rule („Official Gazette of BiH“, No. 38/05) to express its intention to continue to perform the electricity transmission activity, the license owner filed an application for the granting of a new license that was registered under number: 05-28-12-341/12 of 26 September 2012. The application filed shall be decided upon pursuant to internal rules and regulations of SERC and Article 7 of the Law on Transmission.

The application is submitted on the prescribed forms with a proof of the previously paid application fee and relevant documents which, enclosed to the application or submitted to SERC later upon a SERC request, enabled SERC to understand, consider and decide upon the application filed of which SERC informed the applicant accordingly by its act number: 05-28-12-341-1/12 of 1 November 2012.

Having reviewed and checked all the formal elements of the application, first of all on 8 November 2012 SERC published a short public notice in daily newspapers and on its web site, summarizing the application and determining the deadline for submission of public comments on the filed license application until 22 November 2012.

SERC concluded that the public had not submitted any comment on the application filed for the granting of the 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 the electricity transmission activity because it has constantly proven its technical, legal and financial capabilities in the past years of the use of the license during which it provided the valid proofs.

Monitoring of all aspects of compliance of the applicant's present activities with the conditions and criteria for performance of the electricity transmission activity provided SERC with the basis to initiate the renewal of the license, i.e. to prepare the initial version of the Licensing Conditions which would be valid for ten years. As of 13 December 2012, 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 18 December 2012 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.

The applicant used the opportunity to submit some suggestions, observations and comments, verbally at the general hearing and in writing under the number: 05-28-12-341-15/12 of 19 December 2012, which did not substantially affect the final versions of the Licensing conditions for performance of the electricity transmission activity that was submitted to the applicant with a proposal to grant the requested license by the SERC act number: 05-28-12-341-18/12 of 24 December 2012. The absence of any new comment by the applicant within the given deadline until 3 January 2013 made grounds for the conclusion that it considered that the proposal was prepared in accordance with the applicable laws and secondary legislation of Bosnia and Herzegovina dealing with the matters concerned.

Having reviewed the status of application of all components of relevance for the granting of the license and obtained the convincing indicators that the applicant has the ensured resources, organized conditions and established professional standards to continue to perform the same activity, supporting the principle of gradation while determining the term of this

*Promulgated in the "Official Gazette of BiH", No. 5/13 of January 22, 2013  
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license before using the right to grant the license with the maximum term to the same entity, SERC decided as provided in the statement of the 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.

No: 05-28-12-341-19/12  
17 January 2013  
Tuzla

Chairman of the Commission  
Milorad Tuševljak