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INSTITUCIONET E PËRKOHSHME VETËQEVERISËSE  
PRIVREMENE INSTITUCIJE SAMOUPRAVLJANJA  
PROVISIONAL INSTITUTIONS OF SELF-GOVERNMENT

QEVERIA E KOSOVËS

VLADA KOSOVA

GOVERNMENT OF KOSOVO

MINISTRIA E ENERGJISË  
DHE MINIERAVE

MINISTARSTVO ENERGIJE  
I RUDARSTVA

MINISTRY OF ENERGY  
AND MINING

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## DETAILED GAS ROAD MAPFOR KOSOVO

Pristina, November 2007

## **1 BACKGROUND**

According to PHLG Conclusion 21 each Contracting Party (CP) including Kosovo was invited to present a “Detailed Gas Road Map”, indicating the steps it intends to take to overcoming the delays. These should focus on all relevant issues, including market opening. The draft roadmap was requested to be sent to the EnCT Secretariat in Vienna at the latest by 1<sup>st</sup> December 2007.

## **2 PURPOSE**

The Detailed Road Map on Gas shall indicate the steps intended to be taken to overcome the delays – based on the progress achieved yet in accordance with the Gas Road Map (Action Plan). This Detailed Road Map on Gas aims to commit UNMIK/Kosovo to undertake actions under a specific deadline.

## **3 TIME HORIZON**

The Detailed Road Map on Gas should be sent to the EnCT Secretariat latest by 1<sup>st</sup> December 2007. The adoption and implementation of the Detailed Road Map for Gas is foreseen to be agreed on at the upcoming Ministerial Council, on 18<sup>th</sup> December 2007 but the stipulated deadline for implementation is 1<sup>st</sup> July 2008.

## **4 DETAILED ROAD MAP ON GAS**

- An Explanatory Note in support of the preparation of Detailed Road Map on Electricity was prepared and circulated by the EnCT Secretariat. The Detailed Road Maps - which are in fact Action Plans - follow the chapters of the Road Maps sent to UNMIK/Kosovo and other EnCT Contracting Parties (CPs) last autumn.
- The template of the Detailed Road Map on Gas is divided into six chapters. The first chapter addresses the Chapter 1 - Acquis Communautaire – of the Electricity Directive 2003/55/EC. Chapters from two to five address the measures needed to open the gas national market to competition (Chapter 2 - Market Structure; Chapter 3 - Wholesale Market; Chapter 4 - Retail Market; Chapter 5 - Tariff Reform and Affordability). Finally, the sixth chapter (Chapter 6 - Market Integration) contains those elements necessary for the regional level.
- The Detailed Road Map on Gas is looked at in conjunction with the third part (Part 3 – CHECKLIST/GUIDELINES FOR EACH ACTION) of the Kosovo Road Map on Gas. The Detailed Road Map on Gas singles out a list of actions which are missing in order to fulfill the requirements of the above mentioned EC Directive.

## **5 COMPLETION OF DETAILED ROAD MAP FROM UNMIK/KOSOVO**

The necessary measures to be adopted by Kosovo are listed/described in the column “Missing provisions”. These measures are essentially the objectives that need to be achieved not later than by certain deadline, which will be determined by the Ministerial Council to take place on 18<sup>th</sup> December 2007 but – as stated at the

6<sup>th</sup> PHLG-meeting on 17<sup>th</sup> October in Vienna, the stipulated deadline is 1<sup>st</sup> July 2008.

Kosovo has filled in the respective fields – which are namely:

1. “Man month”;
2. “Length of the period for the development respectively implementation of the provisions” and
3. “Remarks by CP”

The column “Man month” indicates the number of people multiplied by the number of months – needed to develop, respectively to implement the provisions for each missing subchapter.

Kosovo has filled in the starting point and the period till the point of completion by filling in the boxes under the columns - indicating the months of the year – with the colour blue (“fill colour”).

## **6 KOSOVO STATUS OF GAS INFRASTRUCTURE NETWORKS AND IMPLICATIONS FOR DEVELOPING DETAILED GAS ROAD MAP**

No operational gas network infrastructures exist in UNMIK/Kosovo, and it is unlikely that any of these will be built in the near future.

A draft law on gas, in line with the Directive 2003/55/EC, is already prepared by the Ministry of Energy and Mining (MEM). MEM plans to proceed with stakeholder discussions and submission of a final draft law on gas to the Government and then to the Assembly of Kosovo for approval by end of June 2008. The actions/comments provided in the detailed roadmap will be undertaken in the framework of the abovementioned Law on Gas for Kosovo.

The Treaty establishing the Energy Community requires all of its Contracting Parties, including Kosovo, to elaborate and implement the entire primary and secondary legislation for the gas sector in order for eligible customers to be able to switch. However, as no gas infrastructure exists no customers are waiting to be eligible to switch. Furthermore, bearing in mind that technical capacities to develop secondary legislation and regulations in Kosovo by 1<sup>st</sup> July 2008 are not available, UNMIK/Kosovo is not committing to develop any gas secondary legislation and regulations by 1<sup>st</sup> July 2008; however UNMIK/Kosovo commits to doing so in the medium term.

On the other hand, the secondary legislation could be developed and implemented when tendering/construction of the gas infrastructure starts. By doing so, also costs could be saved for the time being.

It should be mentioned that the Kosovo Energy Strategy (KES) 2005-2015 will be reviewed and updated in 2008. The revised KES and its implementation programme will include the results regarding Kosovo of the recent regional gas study presented in Maribor in November 2007.

Detailed Road Map for Gas follows.

## Detailed Gas Roadmap for Kosovo

Title Chapter/Subchapter	Missing provisions	Remarks by CP*	Man-Month	Length of the period for the development respectively implementation of the provisions							
				Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08
<b>1</b> Acquis communautaire (Directive 2003/55/EC)											
<b>General rules</b>											
1.1. Imposition on undertakings		Art 3 of the Law 2004/8 - Definitions	0.5								
1.2. Customer protection		Art 52 and 53 of the Law 2004/9	0.5								
1.3. Public Service Obligations		Art. 17.3 of the Law 2004/8 Art 51 and 52 of the Law 2004/9	0.5								
1.4. Authorisation		Art 3, Art 16 of the Law 2004/8 Chapter 7 and 8, the Law 2004/9	0.5								
1.5. Security of Supply		Art 6 of the Law 2004/8	0.5								
1.6. Technical Rules			0.5								
<b>Transmission, Storage and LNG</b>											
1.7. Designation of system operators			0.5								
1.8. Tasks of system operators			0.5								
1.9. Unbundling of TSO		Art 32.4 and Art 49 of the Law 2004/9									
1.10. Confidentiality of TSO		Art 3 and 27 of the Law 2004/9	0.5								
<b>Distribution and Supply</b>											
1.11. Designation of DSOs			0.5								
1.12. Tasks of DSOs			0.5								
1.13. Unbundling of DSOs		Art 32.6 and Art 49 of the Law 2004/9									
1.14. Confidentiality of DSOs		Art 3 and 27 of the Law 2004/9	0.5								
1.15. Combined operator			0.5								
<b>Unbundling/transparency of accounts</b>											
1.16. Rights of access to accounts		Art 15 and Art 51 of the Law 2004/9									
1.17. Unbundling of accounts		Art 49 of the Law 2004/9									
<b>Organisation of access to the system</b>											
1.18. Third Party Access			0.5								
1.19. Access to storage		There is a notice in Art 28 of the Law 2004/9: storage of natural gas as one of activity which could be carry out with license	0.5								
1.20. Access to upstream pipelines	It is not relevant for UNMIK										
1.21. Refusal to access			0.5								
1.22. New infrastructure			0.5								
1.23. Market opening and reciprocity			0.5								
1.24. Direct Lines		Art 15 of the Law 2004/9	0.5								
1.25. Regulatory Authorities		the Law 2004/9	0.5								
<b>Final Provisions</b>											
1.26. Safeguard Measures		Art 25 of the Law 2004/8	0.5								
1.27. Derogations: Take or Pay contracts	It is not relevant for UNMIK										
1.28. Emergent and Isolated Markets											
1.29. Review Procedure	It is not relevant for non EU-country										
1.30. Committee	It is not relevant for non EU-country										
1.31. Reporting	It is not relevant for non EU-country										
1.32. Implementation/Entry in force	Enter in to the force of dir 55 - according the Treaty, relevant date is - 1st July 2007 - DELAY!		0.5								

\* All the remarks/actions provided above will be dealt with in the new Gas Law for UNMIK/Kosovo