



Republika e Kosovës – Republika Kosova – Republic of Kosovo

ZYRA RREGULLATORE PËR UJËSJELLËS DHE MBETURINA
REGULATORNI URED ZA VODOVOD I OTPAD
WATER AND WASTE REGULATORY OFFICE



**WATER AND WASTE REGULATORY OFFICE (“WWRO”)
(R-03/W&W)**

**RULE
FOR MINIMUM SERVICE STANDARDS
FOR WATER SERVICE PROVIDERS IN KOSOVO**

May,31 2011

TABLE OF CONTENT

PART I: GENERAL PROVISIONS	4
Section 1: Authority for this Rule	4
Section 2: Scope	4
Section 3: Purpose	4
Section 4: Definitions	4
Section 5: Rules of Interpretation	7
PART II: GENERAL PRINCIPLES	7
Section 6: Applicability	7
Section 7: General Principles for Service Standards	7
PART III: PROCEDURES	8
Section 8: Compliance with Service Standards Set By Regulator	8
Section 9: Exemption from Service Standards	8
Section 10: Regulator Review of Service Standards	9
PART IV: SERVICE STANDARDS AGREEMENT	9
Section 11: Service Standards Agreement	9
Section 12: Negotiation of a Service Standards Agreement	10
Section 13: Entering Into a Service Standards Agreement	11
Section 14: Legal Nature and Enforceability of Service Standards Agreement	11
Section 15: Compliance with Service Standards Agreement	11
PART V: SERVICE STANDARDS	12
1: Technical Standards of Water Services	12
Section 16: Supply with the Water Services 24 hours	12
Section 17: Interruption of Water Service	12
Section 30 Article 18: Restricted Regime of Water Services	13
Section 19: Drinking Water Quality	13
Section 20: Water Pressure in Water Network	14
Section 21: Separation of Water and Wastewater Pipes	14
Section 22: Measurement of Water Consumption	15
Section 23: Installation, Replacement, and Displacement of Water Meter	15
Section 24: Location and Protection of Water Meter	15
Section 25: Damage of Water Meter and the Seal	15
Section 26: Reading of Water Meter	16
Section 27: Accuracy Verification and Water Meter Calibration	17
Section 28 : Service Application and Installation of Service Connections	17
Section 29 : Installation of Service Connections	18
Section 30: Displacement of Service Connection	18
Section 31: Disconnection of illegal connection to the Services	19
Section 32: 24 hours with Wastewater Services	19
Section 33: Inspection and repair of manholes	19
Section 34: Cleaning of Waste Water Network	20
Section 35: Damages to the Waste Water Network	20
Section 36: Consumer Bill	20
Section 37: Billing without Water meters	20
Section 38: Billing in Collective Residential Buildings	21

Chapter 4 : Service Standards for Customer Response
Section 39: Review of Complaints and Claims for Water Services
Section 40: Review of Complaints and Claims of Customer in Bills
Section 41: Appointment of Meeting with the Water Services Provider

PART VI: ENFORCEMENT

Chapter 5: Enforcement of Service Standards

Section 42: Enforcement of Service Standards

Chapter 6: Reports and Record's Maintenance on Service Standards

Section 43: Reports and Record's Maintenance

Chapter 7: Offenses and Penalties

Section 44: Offences and Penalties

Chapter 8: Appeals

Section 45: Appeals

Chapter 9: Miscellaneous

Section 46: Languages

Section 47: Entry into Force

APPENDIX

Section 1 Definitions

Section 3 Charges in billing

Section 4 The rights and obligations of customers.

Section 5 The rights and obligations of the water services provider

Section 6 Implementation of of this guide

PART I: GENERAL PROVISIONS

Section 1: Authority for this Rule

Regulator issues this Rule under the authority granted by UNMIK Regulation No. 2004/49, on the Activities of Water and Waste Service Providers in Kosovo, and under the Law on Amending of Regulation 2004/49 (Law No. 03/L-086) of the date 15 June 2008, adopted by the Assembly of Kosovo.

Section 2: Scope

The scope of this Rule of WWRO is to determine the Minimum Service Standards that Water Service Providers in Kosovo must achieve in order to provide drinking water and maintain the wastewater collection system capable for ensuring of minimum standards of quality, safety, and reliability of Water and Wastewater Services.

Section 3: Purpose

The purpose of this Rule is to improve water and wastewater services by providing basic Minimum Service Standards.

Section 4: Definitions

The terms and expressions used in this Rule shall bear the following meanings:

Business Day means any day other than Saturday, Sunday, or a day which is an official holiday in Kosovo;

Invoice means a written official document (financial) to pay for Water or Wastewater Services, which specifies the amount of debt that is payable, and the period for which the service was provided, issued by the Water Service Provider to a Customer in Albanian and Serbian languages;

Customers' Charter means the written document issued by Water Service Provider that establishes the rights and obligations of the Water Service Providers and their Customers;

Water Services Contract means an agreement between the Water Service Provider and its Customers referred to this Rule, if there is no such agreement, the terms issued by Water Service Provider regarding the Provision with Water Supply and Wastewater will be into power in accordance to this Rule;

Customer means a Person who has entered into a contract with Water Service Provider or has received services provided by the Water Service Provider;

Customer Category means the category of Customer defined as follows:

- i. **Institutional customer** means a legal entity classified by the Service Provider as governmental authority, local authority, an international organization or institution that carries out activities of common and public interest and that is not registered as a business organization in accordance with the Law on Commercial Trade ;
- ii. **Commercial/Industrial Customer** means any person, legal entity or business organization classified by the Service Provider, as the customer who uses the Services for or in connection with the exercise of commercial or industrial activity of any kind;
- iii. **Domestic Customer** means the customer classified by the Service Provider as a person who uses services at his/her residence or household;

Customer Consultative Commission means the commission established by the Law from Regulator in conjunction with the relevant Municipality, the relevant Water and Waste Service Providers , in order to investigate and resolve customer complaint's received by the Regulator; .

Review Commission means the Commission established by the Law, in order to review Decisions taken by the Regulator;

Customer Connection pipe means the pipe from the water distribution network of water service providers to the customer water meter or to the customer's facility, (in cases when the water meter is within the customer facility) , which is consisted of two parts:

- **Service Pipe** means the section of connection pipe that lies from distribution pipe to the customer property boundary, and its maintenance is the responsibility of the Service Provider ;
- **"Supply Pipe"** means the pipe section from the customer property boundary to the Customer's water meter or facility, (in cases when there is no water meter or the water meter is located within the Customer's facility) and its maintenance is the responsibility of the Customer;

Unlawful Connection means a link between the Customer property with the distribution network for Water Services provided by a Water Service Provider that has not been established by that Water Service Provider under the applicable law, and "Unlawfully Connected" shall have a similar meaning;

Service License means the legal instrument (permission) issued by the Regulator to Water Service Provider, who determines provisions and terms upon which Water Services may be provided in Kosovo;

Law means the Law Nr.03/L-086 on Amending of UNMIK Regulation no. 2004/49, on the Activities of the Waste Water, Sewage and Water Service Providers;

Service Agreement means the agreement signed by Municipalities and Water Service Providers under the control and supervision of the Regulator for the provision of Water and Wastewater Services within the area of each particular Municipality,

where are determined the rights and obligations of both parties with respect to the provision of the Water and Wastewater Services;

Interruption means a scheduled or unscheduled pause in Water Services, whereby at least ten (10) Customers have no Water Service for six (6) or more hours;

Facility means a location where are performed and provided Water Services and/or Wastewater Services ;

Water Services Provider means a legal entity licensed by the Regulator that provides water services;

Stakeholders means a person who has an interest in water supply services;

Person means an individual, legal entity, including corporation, partnership, trust, an incorporated organization, government or agency or subsector;

Regulator means the authority responsible for the economic regulation of Water and Waste Services Providers. Also abbreviated to the "Water and Waste Regulatory Office ("WWRO") established under the UNMIK Regulation No. 2004/49, on the Activities of Water and Waste Service Providers in Kosovo or its other successor organization;

Wastewater Network means a pipe system and its complementary elements (such as: manholes etc), that are used for and/or in connection with the provision and receipt of Wastewater Services that are operated by Water Service Providers;

Water Network means a pipe system and its complementary elements (such as: various valves and manholes) that are used for and/or in connection with the provision and receipt of Water Services that are operated by Water Service Providers;

Main Water Network means a water network, other than a Service Pipe, which is owned, operated, and maintained by a Water Service Provider, and is used for the transmission or water distribution.

Wastewater Services means abstraction, treatment, and disposal of wastewater from Wastewater public system operated by Water Service Provider ;

Water Supply Services means the extraction, processing, and distribution of water for human consumption and operating of the network and facilities for such purpose;

Water Services means Water supply and Wastewater Services provided by Water Service Provider;

Service Standard means the numeric value of operating and maintenance parameters set at a level to ensure quality, safety, and reliability in (a) water supply with water pipe system for customer and operation and maintenance of water ; or (b) collection of wastewater from Customers and operation and maintenance of the Wastewater Services System;

Water Meter means any device or instrument used by a Water Service Provider to measure for billing purposes for the amount of distributed water. The water meter shall clearly indicate unit and volume of water passing through;

Service Tariff Order means the document issued by the Regulator, involving all Service Tariff's for the service areas by type, location and category of customers and tariffs for water and sewerage services provided.

Section 5: Rules of Interpretation

In this Rule:

- (a) Any terms and expressions used in these Rules, which are not specifically defined herein and that might be unclear, shall bear the meanings as defined in the legal acts referred to in the Preamble of these Rules and/or in any other law applicable in Kosovo;
- (b) References to a Rule shall be construed by the meaning of any Rule issued, modified, amended, supplemented, and/or replaced by the Regulator from time to time as per the powers that have been granted to the Regulator
- (c) The singular includes the plural and vice versa; and
- (d) Words of any gender used shall include any other gender; and
- (e) References to Parts, Chapters, and Sections are, unless otherwise expressly stated, references to Parts, Chapters and Sections of these Rules.

PART II: GENERAL PRINCIPLES

Section 6: Applicability

All Water Service Providers in Kosovo are obliged to comply with the provisions of this Rule, including amendments that may sought by the Regulator from time to time.

Section 7: General Principles for Service Standards

- 7.1 The Water Service Provider shall at all times fulfil its obligations in a prompt, professional, efficient, and safe manner.
- 7.2 All inhabitants within the Service Area served by the Water Service Provider are entitled to receive regular services when is technically and financially feasible.
- 7.3 The Water Service Provider is responsible for providing of trainings, supervision, and monitoring to ensure its employees are courteous and professional in their interactions with the Customers and the public.
- 7.4 Specific numerical standards of minimum service levels prescribed in this Rule are deemed as a requirement and shall be included as an obligation in the Service License issued to Water Service Providers.
- 7.5 Minimum Service Standards as determined in this Rule shall not be construed as to:
 - (a) Reduce current Service Standards if the service is currently being provided at

- standards more demanding than the Minimum Service Standards imposed under this Rule;
- (b) Preclude any Water Service Provider to agree to higher Service Standards in any Service Agreements entered with any Municipalities.

PART III: PROCEDURES

Section 8: Compliance with Service Standards Set By Regulator

All Water Service Providers should comply with Service Standards set by the Regulator unless they enter into a written agreement with the Regulator amending, altering, modifying, supplementing, or replacing any of the Service Standards determined by this Rule.

Section 9: Exemption from Service Standards

- 9.1 A Water Service Provider unable to comply with any or several Service Standards shall apply in writing to the Regulator to be exempt from compliance with one or more particular Service Standards as established in this Rule.
- 9.2 The request from the Water Service Provider should be in writing and should include the Service Standard, the current level of compliance, reasons for inability to comply, the estimated timescale to comply, and, if applicable, suggest a Service Standard level at which compliance could be sustained.
- 9.3 The Regulator shall review Water Service Provider's written request, and determine if a time limited exemption from compliance with any given Service Standard should be provided to the Water Service Provider, or if the Service Standards in question is to be modified. Results of Regulator's review shall be communicated in writing to Water and Service Provider within one (1) month of receiving the request for exemption from compliance with any Service Standard filed as per Sub-sections 9.1 and 9.2 above.
- 9.4 Any exemption from compliance with any Service Standard approved by the Regulator at request of a Water Service Provider shall be reviewed on the anniversary date such exemption that was granted, or at any such other time as the Regulator may decide to call the matter to review.
- 9.5 Any renewal or extension of an exemption from compliance and/or any changes to the exempted Service Standard shall be communicated to the Water Service Provider in writing within one (1) month from the date when the matter has been called for review by the Regulator.

Section 10: Regulator Review of Service Standards

- 10.1 The Regulator shall review on an annual basis the Service Standards determined in this Rule.
- 10.2 Two (2) months before the anniversary of the effective date of this Rule, the Regulator shall contact the Water Service Provider to inform them of the scope of the review and to request their comments on current and proposed Service Standards.
- 10.3 Regulator's review shall include comments and compliance reports from Water Service Providers; communications, complaints and recommendations from Stakeholders; and results of Regulator's on-site inspections, studies and surveys.
- 10.4 Apart from the annual review of Service Standards made as per Sub-sections 10.1 to 10.3 above, the Regulator may, at its own discretion, at any times adjust the minimum Service Standards for reasons based on geographic factors, technical and economic conditions, and complaints from Stakeholders.
- 10.5 When adjustments to Service Standards are made either within the annual review of such Service Standards made pursuant to Sub-section 10.1 or in the case foreseen under Sub-section 10.4, the Regulator shall inform the Water Service Provider in writing and allow one (1) month to comply or to request an exemption from compliance with such revised or adjusted Service Standards.

PART IV: SERVICE STANDARDS AGREEMENT

Section 11: Service Standards Agreement

- 11.1 The Regulator may enter into a written agreement with any Water Service Provider for the purposes of amending, altering and/or supplementing any Service Standard established under this Rule.
- 11.2 Service Standards Agreements may be entered given any conditions precedent as determined by the Regulator and proposed by the Water Service Provider, including, without limitation, the entering into of other binding agreements with the Water Service Provider on:
 - (a) Issue, renewal, extension, amendment, alteration and supplement to a Service License
 - (b) Establishment, review and/or modification of Service Tariffs;
 - (c) Extension of the territorial scope of the Service Area;
 - (d) Increase of expansion of Water Supply Network or Wastewater Network;
 - (e) Establishment, alteration, extension, modification and/or supplement to any Customer-related provisions as outlined in the Rule on Customers' Charter as issued, amended, modified and/or supplemented by the Regulator from time to time.

- 11.3 Service Standards to be subject to a Service Standards Agreement shall not, in any event, be less strict or demanding than the Service Standards imposed under this Rule as amended and/or supplemented by the Regulator from time to time.
- 11.4 For the avoidance of doubt, Water Service Providers have the right but not the obligation to propose to the Regulator to enter into a Service Standards Agreement as per the provisions of Section 12.

Section 12: Negotiation of a Service Standards Agreement

- 12.1 Water Service Provider who wish to enter into a Service Standards Agreement shall submit a written request to the Regulator, requesting the opening of negotiations to enter into such an agreement justifying the reasons why they deem that both public interest and their legitimate rights and legal expectations would be best served if the Regulator would accept to enter into a Service Standard Agreement.
- 12.2 The Regulator shall respond in writing within fifteen (15) Business Days from the date of receipt of the request referred to sub-section 12.1 of this section, either agreeing to enter into negotiations or refusing to do so.
- 12.3 If the Regulator decides to refuse to start negotiations to enter into a Service Standards Agreement, it shall provide its reasons for such a refusal.
- 12.4 If the Regulator agrees to start negotiations to enter into a Service Standards Agreement, it shall also grant to the Water Service Provider a reasonable period of time, in any event of no less than 30 (thirty) Business Days, to allow the Water Services Provider to submit to the Regulator a draft Services Standard Agreement.
- 12.5 Within ten (10) Business Days of receiving the draft Services Standard Agreement, the Regulator shall notify in writing the Water Service Provider of the scheduling of a first meeting to start negotiate the Agreement.
- 12.6 The Regulator may also determine a maximum period of time for the conclusion of the negotiations to enter into a Service Standards Agreement, that cannot be less than twenty (20) Business Days from the date of the first negotiation meeting scheduled as per sub-section 12.5 of this Section.
- 12.7 For the avoidance of doubt, the Regulator has the right but not the obligation to enter into a Service Standards Agreement and, therefore, either its refusal to enter into negotiations to enter into such an agreement or any failure to successfully complete the said negotiations are deemed as contractual decisions and not as administrative acts or decisions subject to any administrative and/or judicial review.

Section 13: Entering Into a Service Standards Agreement

- 13.1 In case of successful conclusion of the negotiations conducted as per Section 12 above, the Regulator and the Water Services Provider shall enter into the Service Standards Agreement in writing.
- 13.2 Service Standards Agreement shall be signed in three versions in each of the following official languages in use in Kosovo:
 - (a) Albanian; and
 - (b) Serbian;
- 13.3 In case of any discrepancies between any of the versions in which the Service Standards Agreement is signed, the Albanian version shall prevail.
- 13.4 Except insofar as any fact, information and/or document could be deemed to contain any privileged or confidential information as the Regulator may justify in a written decision, the Service Standards Agreement, its Appendices and all information used for the negotiation and entering of such agreement shall be published or made public by the means the Regulator may determine from time to time and available at all times for public consultation.
- 13.5 Any amendments, alterations, modifications or supplementary provisions pertaining to Service Standards Agreements shall require the consent of both the Regulator and the signatory Water Service Provider and must be entered into in writing, published and made public as per the provisions of the sub-sections above of this Section.

Section 14: Legal Nature and Enforceability of Service Standards Agreement

- 14.1 Service Standard Agreement is deemed as an administrative contract for all intended legal purposes being the Regulator obliged to negotiate, enter and execute such an agreement with strict observance of the general legal principles, rules and procedures governing the exercise of the prerogatives and duties of a public authority.
- 14.2 Service Standard Agreement, as a bilateral legal act, is legally binding, enforceable and executable as per its terms for both parties and can only be amended, extended, modified, supplemented, reviewed, or terminated in light of its own provisions and the law applicable in Kosovo.

Section 15: Compliance with Service Standards Agreement

The Water Service Providers are obliged to respect and to comply with the Service Standards established in general terms in this Rule:

- (a) While the negotiations for entering into a Service Standards Agreement are pending until the date of the entering into force of such Agreement;

- (b) Immediately upon the termination, cancellation, revocation and/or expiration of the Service Standards Agreement insofar as any rights and obligations contained in the Service Standards Agreement are not agreed upon to survive when it ceases to be in full force and effect for whatever legal cause;
- (c) In all respects where the Service Standards Agreement does not otherwise stipulated and/or in all respects not specifically contemplated in such an agreement

PART V: SERVICE STANDARDS

1:Technical Standards of Water Services

Section 16: Supply with the Water Services 24 hours

- 16.1 Water Services Provider is obliged to provide consistently quality drinking water in terms of health and hygienic, with sufficient amount , without interruption 24 (twenty four) hours, and under the same conditions for all categories customers.
- 16.2 Water supply can not be terminated to customer , except in the cases and conditions determined by the Law no. 03/L-086 with this Rule, and Rule for disconnection of water by Water Service Provider in Kosovo ("R05 / U & K"), as amended from time to time

Section 17: Interruption of Water Service

- 17.1 Water Service Provider for planned interruptions of Water Services, which affects to more than 50 (fifty) Customer , due to the works that are planned to be undertaken, should publish the Notice in written or electronic media, which cover the service area of WWRO at least 48 (forty eight) hours before commencement of works.
- 17.2 Customer Notice for unplanned interruptions of Water Services, should be done as soon as possible.
- 17.3 If the interruptions of Water Services continue more than 6 (six) hours, the Water Service Provider should provide the minimal amount of water through the water tankers for the customer's needs affected by interruption of services.
- 17.4 When interruption of Water Services is performed due to the planned works in the water or wastewater systems , such works should be carried out while there are less difficulties or obstacles for Customers.

- 17.6. Each Water Service Provider should keep records for all interruptions of Water Services that last more than 6 (six) hours, and affect on any part of the distribution system, where suffer 50 (fifty) or more customers. In the records of the interruptions of Water Service should be included:
- (a) Date, time and method of notification about the findings of interruption;
 - (b) The approximate number of affected customers;
 - (c) Date and time of restoration of service;
 - (d) The cause of such interruption if is known; and
 - (e) Steps taken to avoid repetition.

Section 30 Article 18: Restricted Regime of Water Services

- 18.1. If the Water Service Provider considers as necessary to restrict water use, he should in advance notify the customers in writing and Regulator as well five (5) working days before this limitation becomes effective, except in emergency conditions. The written notice shall be sent to Regulator by mail, meanwhile the customer notification through publication in newspaper, printed advertising, or broadcast on television or radio, or on both networks.

- 18.2 Such notice shall specify:

- (a) Reason for the restriction;
- (b) The nature of the restriction;
- (c) Area covered by restrictions;
- (d) Schedule of restriction ;
- (e) The date when a such a restriction will come into force, and
- (f) The probably date of interruption of such a restriction

Section 19: Drinking Water Quality

- 19.1 Water Service Providers who distribute the water, should fully comply with drinking water standards that are applicable in Kosovo, and determined by the National Public Health Institution in Kosovo. (NPHIK).
- 19.2 If for any reason, the drinking water quality falls below the applicable standards, the Water Service Provider should immediately inform the NPHIK, and shall follow the instructions and regulations issued by NPHIK for customer information and necessary action undertaken to correct the situation.
- 19.3 The Regulator should ensure that the Water Service Providers to provide drinking water by NPHI standards.

Section 20: Water Pressure in Water Network

- 20.1 Under the ordinary conditions of water use, the hydraulic pressure at the Customer's ground level Service Connection shall be not less than twenty five (25) metres not more than seventy (70) metres pressure measured at the Service Connection.
- 20.2 It is the responsibility of Water Service Providers to install equipment in order to regulate the pressure, and this pressure to be under the restriction determined in Article 20.1.
- 20.3 The average working pressure should be determined by calculating the arithmetic average, at least 24 (twenty four) continuously of pressure measurement, made at selected locations throughout the system for a period of 6 (six) months.
- 20.4 It is not the responsibility of the Water Service Provider to provide an adequate pressure for high-rise buildings. This is the responsibility of the building owners, and can be achieved by a pressure pumping set, the installation of which shall be approved by the Water Service Provider. The Customer shall pay all the expenses related to the installation of devices and device maintenance for a pressure pumping set.
- 20.5 Variations in pressure under normal operating conditions shall not exceed by one-third, either above or below, the average operating pressure.
- 20.6 Pressure variations outside the limits specified in sub-section 20.4 will not be considered a violation of this Rule when they:
- (a) Arise from unusual or extraordinary conditions;
 - (b) Are infrequent fluctuations not exceeding five (5) minutes duration; or
 - (c) Arise from the operation of the Customer's equipment
- 20.6 The Water Service Provider shall maintain pressure test and pressure log records that show date, time, and location that shall be kept for at least two (2) years for purposes of inspection by the Regulator.

Section 21: Separation of Water and Wastewater Pipes

- 21.1 When Water and Wastewater networks are in proximity, a Water Service Provider shall place wastewater pipes below the elevation of water mains or Water connection pipes.
- 21.2 The horizontal separation between water and wastewater pipes shall be one hundred (100) centimetres, measured from most proximity points of external walls between both pipes.
- 21.3 The vertical separation between water and wastewater pipes shall be fifty (50) centimetres measured from most proximity points of external walls between both

pipes

Section 22: Measurement of Water Consumption

- 22.1 Water that is consumed by customers should be measured by water meters, except in cases when water is used from the water system for fire hydrants, and cases under this Rule.
- 22.2 Water Service Provider shall determine the diameter and type of water meters, which is installed in each case.

Section 23: Installation, Replacement, and Displacement of Water Meter

Water Meters have to be installed, replaced, or displaced only by an authorized employee of Water Service Providers. No other person has the right to install, replace or displace the water meter without a written permission from the Water Service Provider

Section 24: Location and Protection of Water Meter

- 24.1 Water Service Provider shall determine the location for installation of Water Meter. If the Customer does not provide a suitable location for installation of Water Meter in compliance with Water Service Provider requirements, consequently the first one may refuse service provision or may suspend services for that Customer.
- 24.2 Service Provider shall provide and require from customers technical standards for construction and maintenance of premises where water meters is located.
- 24.3 The Customer has the responsibility to undertake measures for protection of Water Meter from any physical damage or temperature impacts.

Section 25: Damage of Water Meter and the Seal

- 25.1 Every Customer will be responsible for damages of Water Meter and the Water Meter seal that might have been caused due to the negligence, warm water leakage, freezing or any other reason that is not caused by Water Service Provider or its employees. The repairing cost or Water Meter replacement or the seal is to be paid by Customer according to the Tariff Order of the Water Service Provider.
- 25.2 No unauthorized person shall manipulate or damage the Water Meter or the Water

Meter seal.

- 25.3 In case if the Water Meter or the Water Meter seal is damaged or manipulated, the Water Service Provider after ascertaining such action shall disconnect that Customer from Water Services. Also, the Water Service Provider shall undertake the following measures against the Customer who has damaged or manipulated the Water Meter or the Water Meter seal:
- (a) Charge the consumers with repair costs of water meters and / or seals;
 - (b) Charge the Customer with estimated consumption that is considered to have consumed by the Customer which is not registered in the Water Meter. Estimation of water consumed will be carried out upon previous consumption of the corresponding period;
 - (c) Initiate claim in the Court with competent jurisdiction

Section 26: Reading of Water Meter

- 26.1 Unless otherwise expressly stated in this Rule, the Water Service Provider shall bill the Customers upon the metered consumption with the Water Meter.
- 26.2 Reading of the Water Meter is carried out from Water Meter Reader or an Inspector of Water Service Provider, these persons should have an appropriate identification form (uniform and identity card) issued by Water Service Provider.
- 26.3 Reading of water meters should be made within business hours and days of Service Provider, while the Customer should enable to the water meters readers approach to the water meters within this time.
- 26.4 Reading of water meters should be carried out from the Service Provider once a month and at least every three months.
- 26.5 Reading of Water Meter may be carried out from Customer as well, if Water Service Provider and Customer reach such an agreement. In these circumstances, Water Service Provider shall verify the Water Meter status in certain time periods, when considered necessary, but at least once (1) within a year.
- 26.6 In cases when Customers are living in a collective premises, and the billing is carried out according to the main Water Meter (collective), and they wish to install individual Water Meters, the Water Service Provider shall enable this service only if it is technically feasible. All the expenses related to Water Meter installation in these circumstances are to be paid by Customer.
- 26.7 In cases when Water Meter is not functional for any reason and the billing can not be carried out upon metered consumption in the Water Meter, hereupon the billing shall be carried out based upon an assessment of Water Service Provider for the period

when the Water Meter was not functional this assessment shall be based in the corresponding period of previous realized consumption of that Customer.

Section 27: Accuracy Verification and Water Meter Calibration

- 27.1 Water Service Provider shall regularly monitor and test the Water Meters' accuracy and shall carry out the calibration in compliance with standards and norms that are applicable with the Law on Metodology and legal acts issued for this purpose. Costs for these regular activities will bear the Service Provider .
- 27.2 Water Service Provider shall verify the metering accuracy of Water Meters, if requested by Customer through filing a written request to the Water Service Provider. The metering accuracy of Water Meter is verified with report.
- 27.3 The verification and calibration cost of the Water Meter in circumstances when is requested by Customer is paid by:
 - (a) Water Service Provider, when is ascertained that metering inaccuracy of the Water Meter has harmed the Customer,
 - (b) Customer, if ascertained that the Water Meter has metered accurately the Water consumption or it has harmed the Water Service Provider.
- 27.4 If the verification and calibration of water meters are determined as failed by the customer, within the given deadline, the Water Service Provider shall carried out the billing for consumed water,using the rate and method specified by the Service Provider.

Section 28 : Service Application and Installation of Service Connections

- 28.1 The Water Service Provider shall process a Service Application within ten (10) Business Days. The result of the application review shall be in writing and shall be either approval or refusal of Service Application. If the application is refused, the Water Service Provider shall state the reasons for refusal and conditions for reapplication.
- 28.2 The Water Service Provider should inform the applicants that submitted the Service Applications, and the Applicants waiting for Installation of Service Connections of their right to complain to the Customer Consultative Committee when any Service Application has not been replied within the period foreseen under sub-section 28.1, or whenever an Installation of a Service connection has not been completed within the deadline foreseen under sub-section 28.1 , unless otherwise have been agreed upon with the applicant.

- 28.3 Water Service Provider and customer should sign the service contract , where are specified all the rights and mutual obligations.
- 28.4 Water Service Provider is obliged to register as a new customer every person who is connected illegally, when he appears voluntarily during the amnesty period which provides the Service Provider, if the connection is accepted by the Water Service Provider.
- 28.5 Every illegal connection of water services is prohibited strictly .

Section 29 : Installation of Service Connections

- 29.1 After Service Application is approved and fees are paid, and unless other arrangements are agreed, the Water Service Provider shall complete installation of a Water Service Connection within twenty (20) Business Days. If this does not happen, then the Water Service Provider should inform the Applicant in writing as to the reason for the delay in the Installation of Service Connections.
- 29.2 Installation of Service Connection (Connection Pipe) is carried out by Water Service Provider or an independent contractor engaged by a Customer with the permission of Water Service Provider. If the work is carried out by the independent contractor, this shall be conducted under the supervision of Water Service Provider who has already given the permission for this.
- 29.3 All the expenditures in execution of Connection Pipe (ground work, material, water installation works) are to be paid by the applicant for Services in accordance to the tariff into power approved by the Regulator.
- 29.4 Setting of connection point in the Water Network and in the Wastewater network as well as setting of the diameter of Connection Pipe and Water Meter is carried out by the Water Service Provider.
- 29.5 Water Service Provider should have written procedures and necessary technical conditions for service connection and use of water service in accordance with the certain fees and special expenses determined in the Tariff Order of Service.

Section 30: Displacement of Service Connection

Service Connection may be displaced only with the permission of Water Service Provider. If the permission is granted for its displacement, expenses for the displacement are to be paid by Customer or person who has requested displacement.

Section 31: Disconnection of illegal connection to the Services

- 31.1 Any Illegal Connection should be disconnected within five (5) Business Days from the date of discovery, unless the person connected illegally signs Contract for Water Services with the Water Services Provider, and pay all charges invoiced by Water Service Provider according to Tariff Order of Service.
- 31.1 In case the person is not subjected to Section 31.1, then the Water Service Provider could undertake the following measures:
- (a) a fine under the Tariff Order of Service;
 - (b) Charge the person with the reaping aexpense of ilegal connection,
 - (c) Charge the person with the expense of consumption of consumed water, if there is a water meter , if there is no water meter in accordance with the assessment of water consumption of the same category of customers,
 - (d) Initiation of a lawsuit in Court Offenses

Punishment from Article 31.2 may be applied after a transitional period of 3 (three) months allowed from the date of entry into force of this rule, during which period the customers will be entitled to be connected legally, but if they fullfil conditions in the service network, whether if they have or not a building permit from the authorities.

Chapter 2: Technical Standards for Wastewater Services

Section 32: 24 hours with Wastewater Services

- 32.1 Water Services Provider is obliged to provide Wastewater Services consistently , that are safe in terms of hygiene and health without interruption 24 (twenty four) hours under the same conditions for all categories of customers.
- 32.2 Waste water Services can not be interrupted for customers, except in the cases and conditions stipulated by laws, rules and various works in the field.

Section 33: Inspection and repair of manholes

Water Service Provider shall inspect each mandole of Wastewater Network once a year and should make their own repairs if needed

Section 34: Cleaning of Waste Water Network

- 34.1 Water Service Provider should develop and implement a program to clean the pipes of the wastewater network.
- 34.2 The entire network of Wastewater should be cleaned at least once every two (2) year.

Section 35: Damages to the Waste Water Network

- 35.1 Every Person - Customer is responsible for damage caused to the Waste Water Network (damage of the pipeline, the pipeline dysfunction, damage of manholes, etc.) which are not caused by Water Service Provider. The repair cost will be compensated according to the Service Tariff Order of Water Service Provider
- 35.2 The compensation is initiated by the injured person, and if such value is not accorded between related parties, the same should be attempted to be settled by determined expert, in advance by agreement.
- 35.3 If related parties are not accorded under the section 35.2, then the contest should be transferred to the Court with competent jurisdiction.

Chapter 3: Commercial Standards of Water Services

Section 36: Consumer Bill

Water Service Provider should send to each customer a bill for Water Services and Wastewater Services for each month until the date 20 of the current month, for services provided in the preceding month. This results in twelve (12) bills in years

Section 37: Billing without Water meters

- 37.1 All Customers who do not currently have water meters and are billed without water meters (presumptive), are obliged in cooperation and under the guidelines of the Water Service Providers to install water meters in deadline.

- (a) four (4) months from the date of entry into force of this Rule for Commercial and Institutional Customers,
 - (b) one (1) year from date of entry into force of this Rule for Domestic Customers,
- 37.2 After expiration of the date under the paragraph 37.1, the Water Service Provider shall quit to provide the services for customers, who have not acted in accordance with Article 37.1.
- 37.3 Customers who resist and / or oppose billing by reading (placement) of water meters, until compliance, shall be billed in accordance with WWRO guidance for Determination of charge of customers without water metters(Appendix).
- 37.4 From the obligation under Article 37.1 are released only domestic customers who live in collective accommodation facilities, to which there is no technical possibility for placement of water meters.

Section 38: Billing in Collective Residential Buildings

In residential buildings where live 2 (two) or more customers, billing for water consumption is as follows:

- (a) Based on the reading of individual water meters, in cases when there are water meters installed under the rules of the Water Service Provider;
- (b) In residential collective buildings where there is no technical possibilities for placement of individual water meters for each customer, the billing of water consumption is calculated based on the main water meter (common) , and is distributed to all customers of that building by number of family members .
- (c) For billing purposes under the paragraph b) shall be valid and processed by a representative of the collective building in accordance with the Law on the use, management and maintenance of the building of the customer with the corresponding number of the family members ,and which is signed by all customers. The proceeded list by the representative of collective building may be updated, depending by the to innovations of the Water Service Provider.
- (e) Service Provider and customer must necessarily sign the Service Agreement, where among others shpold be stated that they agree with this form of billing.

Chapter 4 : Service Standards for Customer Response

Section 39: Review of Complaints and Claims for Water Services

- 39.1 Water Service Provider should respond to customer complaints or reports or to the third party regarding the potential problems relating to (i) the Water Services as inadequate quality of water, inadequate quantity of water, inadequate water pressure , the water flow in the streets, and similar and (II) Waste Water Services as blocking of manholes, leaking of sewage and similar , within six (6) hours from the moment of notice.
- 39.2 If avoidance of the problem or repairs can not be completed within four (4) hours from the time when it is inspected and identified the problem, the Water Service Provider should provide protection for pedestrians and motor vehicles, and to place a sign for stating of problem, date and expected completion time of repair.
- 39.3 Water Service Provider should be able to arrange to receive telephone notification 24 hours a day, 7 days a week and to dispatch inspectors to investigate notifications of:
- (a) Water supply failure or leakage in Water Supply Network;
 - (b) Pressure reductions of Water Supply Network;
 - (c) Problems related to drinking water quality in Water Supply Network; and
 - (d) Blockages and Wastewater flooding ;
 - (e) Any other incidents affecting the provision of Water Supply and Wastewater Services.
- 39.4 The Water Service Provider shall organize staff and equipment in order to respond on site to a situation described in above subsection 39.1 of this Section.
- 39.5 Telephone number that must be available for the service of the Customer shall be:
- (a) published in two daily newspapers of the widest circulation in the Service Area; on correspondence from Water Service Provider; and on call sheets for Police, Fire, and other agencies that respond to emergencies;
 - (b) Visibly displayed on each Water Service Provider vehicle; and
 - (c) Printed on each invoice issued by the Water Service Provider.
- 39.6 The Water Service Provider shall keep a log of telephone calls, messages, and communications and details of responses including;

- (a) Who contacted the Customers' Service Centre.
 - (b) When (day and time) did they make this contact.
 - (c) What action did the Customers' Service Centre take.
 - (d) What were the findings or results of the action.
 - (e) When (day and time) was the matter responded to.
 - (f) What and when was any necessary follow-up actions taken.
- 39.7 Telephone calls received after the business hours shall be returned before the end of day.
- 39.8 To protect customers and to enable the quality provision of services , Water Services Provider shall allow the public provision of informations or advertisements for services offered free by phone during regular working hours.
- 39.9 The Regulator shall on a periodic basis audit the Customers' Service activities and appraise the effectiveness of its response to issues, problems, and complaints conveyed by the Customer and the average time taken to respond to Customers.

Section 40: Review of Complaints and Claims of Customer in Bills

Water Service Provider should respond in writing for bill's complaints , allegations concerning the billing, requests for change of address, and other commercial applications and complaints made in writing by the customers , within ten (10) Business Days . In this case should be given the answer to the customer immediately, or if is required research , the customer should be notified of this matter. However, most of issues raised by the customers should be resolved within twenty (20) Business Days from the moment of filing the complaint or suspicion by the Customer.

Section 41: Appointment of Meeting with the Water Services Provider

When the customer either / or person seek admission or a meeting with the Water Services Provider, the Water Service Provider should assign it within ten (10) Business Days, but not later than fifteen future (15) calendar days . Date and time of the meeting should be otherwise released to the Customer.

PART VI: ENFORCEMENT

Chapter 5: Enforcement of Service Standards

Section 42: Enforcement of Service Standards

- 42.1 Monitoring of compliance with Service Standards shall be made on the basis of the records and reports prepared and kept by the Water Service Provider as per the rules that the Regulator shall determine from time to time, or by on-site inspections undertaken by the Water Service Provider.
- 42.2 The Regulator may undertake enforcement actions or Service Tariff's decisions, based on performance of a Water Service Provider related to the level of compliance with Service Standards.

Chapter 6: Reports and Record's Maintenance on Service Standards

Section 43: Reports and Record's Maintenance

- 43.1 Reports of the Regulator Each Water Service Provider shall prepare and file reports to the Regulator in prescribed form and within the intervals specified by the Regulator from time to time.
- 43.2 Report on Compliance With Service Standards Each Water Service Provider shall prepare and file reports to the Regulator until 20 (twenty) of the following month, required information respecting its compliance with these Service Standards.
- 43.3 Annual Compliance Report summarizing results for the period January until December will be submitted by 31st of March of the reporting year using the format prepared and proceeded by Regulator from time to time.
- 43.4 Reports for Interruption of Service Reports Each Water Service Provider shall file a report within ten (10) days with the Regulator, describing any accident or interruption of service , that affects to (50) or more people for six (6) hours or longer.
- 43.5 Report for Telephone Call Logs Each Water Service Provider shall compile its daily telephone call log related to Customer inquiries, reports, and complaints by year, and

make it available to the Regulator for inspection for at least one full year after.

- 43.6 Location and Preservation of Records All records shall be kept at the primary office (headquarters, head office) of the Water Service Provider, and shall be available during the regular business hours for examination by the Regulator.

Chapter 7: Offenses and Penalties

Section 44: Offences and Penalties

- 44.1 Failure to comply with any of the Service Standards determined under this Rule shall constitute an offence and may subject the defaulting Water Service Provider to a fine levied by WWRO due to the failure in compliance with provisions of this Rule .
- 44.2 Fines for the breach of any Service Standards shall also be levied as per the procedures established under the Rules on levying of fines and with any other procedural Rules as determined by the Regulator from time to time.

Chapter 8: Appeals

Section 45: Appeals

- 45.1 Water Service Provider may appeal to the Review Committee established pursuant to the Law, on any specific decisions of the Regulator ,on the enforcement of the Service Standards established under this Rule.
- 45.2 Water Service Provider may appeal to the Courts of Kosovo with competent jurisdiction for any decision of the Review Committee, taken on any specific decisions as to the enforcement of the Service Standards established under this Rule referred to in paragraph 45.1 of this Article.

Chapter 9: Miscellaneous

Section 46: Languages

- 46.1. This Rule is issued and published in three (3) written language versions:
- (a) Albanian;
 - (b) Serbian; and.
 - (c) English;

46.2. In case of any discrepancy between any versions in which this Rule has been issued, the Albanian version shall prevail.

Section 47: Entry into Force

47.1 This Rule shall enter into force immediately after its signing



.....
Raif Preteni
Director
Water and Waste Regulatory Office.

APPENDIX



Republika e Kosovës - Republika Kosova - Republic of Kosova

ZYRA RREGULLATORE PËR UJËSJELLËS DHE MBETURINA
REGULATORNI URED ZA VODOVOD I OTPAD
WATER AND WASTE REGULATORY OFFICE



Water and Waste Regulatory Office in accordance with the mandate given by the Law Nr.03/L-086, on amending of UNMIK Regulation 2004/49, on the Activities of Water and Waste Service Providers.

In order to eliminate the application of different methods of billing for water supply and wastewater services without water meters of Water Service Providers, By the existence of immediate needs for harmonization of tariffs for billing without customer watermeter,

In order to apply the same principles on the occasion of billing without water meters, the Water and Waste Regulatory Office issues this:

Guideline for Determination of Billing for Customers without Water Meters

Section 1 Definitions

"Billing" means the monetary burden on customer bills from Water Service Provider in accordance with this Guideline,

"Law" means the Law Nr.03/L-086, on amending of UNMIK Regulation 2004/49 on the Activities of Water, Wastewater and Waste Service Providers,

"Water Services Provider" means the Regional Water Company, respectively;

"R03 /W&W" means the Rule for Service Minimum Standards of Water Service Provider in Kosovo,

"WWRO" means the Water and Waste Regulatory Office established by the Law.

Section 2 Base Principles

2.1 The billing system for customers without water meters should be unique for all Water Service Providers,

2.2 The billing system should be designed to promote "customer desire to have water meters,"

2.3 If the water meter is non-functional, then shall be applied R03 / U & K, issued by WWRO,

2.4 Non-domestic customers should be treated case by case and should be left to be resolved without intervention of WWRO, while the latter one is not called to do this.

Section 3 Charges in Billing

It is recommended to be implemented the following guidelines by all Water Service Providers.

3.1 – Domestic customers without water meters who has yet to install water meters. Customer category 1

Water Service Providers should analyze the monthly average of measured consumption, according to the type of house based on the following three categories:

1. Apartments
2. House with the small garden or without that (urban house), and
3. Large houses with large gardens (rural / half -rural).

This analysis can be undertaken based on a representative sample or a complete billing data.

- 3.1.1 Results of analysis should be submitted to WWRO and subjected for approval by WWRO. Water Service Providers should enable access for WWRO to all analysis, calculations, etc., undertaken in determination of average of measured consumption
- 3.1.2 Customer without water meter should be defined according to one of the three categories mentioned above. The estimated volume of monthly consumption for the purpose of loading shall be 1.5 x of the average of measured load for that category.
- 3.1.3 The average of measured consumption should be re-analysed.

3.2 – Domestic customers without water meters on the occasions when water meter is non-functional, (when Water Service Provider is convinced that water meter is damaged not intentionally by the customer), the customer category 2.

- 3.2.2 When the data for previous consumption, historical consumption exist for that customer, should be the basis for evaluation of consumption without water meter, by the time when the water meter is repaired or replaced, unless the Water Services Providers have strong evidence to suggest that consumption is higher than that the other one which was recorded earlier.
- 3.2.2 If no data, then, the guideline of water consumption for customers who have never

had water meters should be applied (customer category 1).

3.3 – Domestic customers when the water meter is removed / damaged by the customer. Customer category 3

Water Service Providers should establish a burden, the higher (fine) of water consumption in both cases:

- a) 3 x the volume before the damage when the data of previous water consumption exist , or
- b) 3 x average consumption for the type of house as defined above, in the customer category 1.

3.4 – Non-household customers (regardless of the circumstances, because they do not have water meters). Customer category 4

3.4.1 When the data of previous consumption, historical consumption exist for that customer should be the basis for evaluation of consumption without water meter, by the time when the water meter is repaired or replaced, unless the Water Services Providers have strong evidence to suggest that consumption is higher than that previous one which was recorded earlier.

3.4.2 Water Service Providers should establish assessment, the higher (fine) of water consumption in both cases:

- a) 3 x volume before the damage, in cases when the previous consumption data exist, or
- b) 3 x average of water consumption for the same or similar type to Customer.

3.4.3 Water Service Providers are free in determination of water consumption proper assessment, based on that these should be temporary, because these customers should be the highest priority of the Water Service Providers to have water meters.

3.4.4 If non-domestic customer believes that the water consumption estimation is too high, he should be free and engaged for the installation of water meters as soon as possible in accordance with R03 /W &W.

Section 4 The rights and obligations of Customers.

- 4.1 The Customer who is billed in accordance with this guidance, shall be entitled to apply for instalation of water meter in accordance with R03/U&K.
- 4.2 All Customers have rights and obligations that derive from primary legislation(Law) and secondary legislation (Rules) that regulates this activity.

Section 5 The Rights and Obligations of the Water Services Provider

- 5.1 Water Service Provider should respond to the request for installation of water meters in accordance with R03 /U&K.
- 5.2 All Service Providers have the rights and obligations that derive from primary legislation (Law) and secondary (Rules) that regulate this activity
- 5.3 Service Providers are obliged in any time before they start with the implementation of this guidance, from point 3 to its customers, to make remarks for them for additional load if they do not instal water meter, are read and supervised the same by authorized persons, in certain periods.
- 5.3.1** Reamarks are made in writing, by the same title as a remark for additional load of water consumption, if there is no installation of water meters.
- 5.3.2** Service Providers should always give the necessary and clear explanations and clear for the intention of customers before they make such actions. Service Provider should give the time for customers from at least 30 (thirty) calendar days of notice of proceedings.

Section 6 Implementation of of this Guide

This Guideline shall be applied from the date of entry into force of the R03 / W&W.



.....
Raif Preteni
Director

Water and Waste Regulatory Office.