



Republika e Kosovës - Republika Kosova - Republic of Kosovo

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WATER AND WASTE REGULATORY OFFICE



**WATER AND WASTE REGULATORY OFFICE (“ WWRO ”)
(R-08/W&W)**

**RULE OF
CUSTOMER ADVISORY COMMISSION FOR WATER AND
WASTE SERVICES IN KOSOVO**

March, 2011

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PART I: GENERAL PROVISIONS

Article 1: Authority for this Rule

Regulator issues this rule under authority granted of the UNMIK Regulation No. 2004/49 on the activities of Water and Waste Service Providers in Kosovo, amended by the Law Nr.03/L-086, of the date 15 June 2008, approved by the Assembly of Kosovo.

Article 2: Scope

Regulator shall establish the Customer Advisory Commission in cooperation with the respective Municipalities and Service Providers.

Article 3: Purpose

The purpose of this Rule is to define the formation, duties, composition, appointment and procedures of Customer Advisory Commission.

Article 4: Definitions

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

Complaint means a written or oral statement given by any person to any Service Provider, and submitted to Service Provider on the basis of any justifiable reason, or, because is not satisfied with the services of Service Provider determined under this Rule, or any other applicable Rule issued by the Regulator;

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

Invoice means the (financial) official document in writing, to pay for Water and Waste Services, which determines the amount that should be paid, respectively the period for offered services and other relevant informations issued to the Customer by the Water and Waste Service Providers, in accordance with the Law for use of official languages in Kosovo.

Customers' Charter means the written document compiled by the Water and Waste Service Provider, where are described the rights and obligations of Service Providers and their Customers in mutual manner ;

Customer means a Person who has entered into a contract for services of Service Providers, or has received services , or has applied for services to Service Provider;

Category of costumer means the customer category defined as follows:

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

Customer Advisory Commission means the commission established by the Regulator in conjunction with the relevant Municipality, relevant Water and Waste Service Providers, in order to investigate and resolve customer complaints, to conduct tests for Water and Waste Services, and to advise and recommend Regulator for making of decisions ;

Service contract means a standard contract, which should be entered into between Service Provider and Customer, and which regulates the service provision , rights and obligations of contracting parties;

Municipality means any of the basic territorial units of government in Kosovo, which is established and operates under the current Law in Kosovo;

Law means the Law No. 03/L-086 on amendment of UNMIK Regulation 2004/49, on the activities of Water and Waste Service Providers;

Service Provider means the Water Service Provider or Waste Service Provider licensed by the Regulator, where together are called "Service Providers";

Water Services Provider means a person licensed by the Regulator that provides Water and Wastewater services;

Waste Service Provider means any person licensed by the Regulator who provides waste collection and transportation services ;

Person means an individual, legal or public entity including a corporation, a partnership, a trust, an incorporated organization, a government or any agency or subdivision;

Consolidation Plan means the restructuring of service providers or Water and Waste Service Sector ammended from time to time in accordance with the current policies and legislation;

Regulator means the authority, who is responsible for economic regulation of Water and Waste Service Providers. It is also referred as "Water and Waste Regulatory Office ("WWRO"), or its other successor organization established under the UNMIK Regulation 2004/49 on the activities of Water and Wastewater Service Providers amended by the Law;

Service Standards means the standards of services applied for that service in conformity with Law and secondary legislation for standards;

Social Assistance Scheme means the program, which is administered by the Ministry of Labour and Social Welfare ("MPMS") of Kosovo, where are set the criteria, and also proves-certifies the acceptability of persons who are economically poor and unable to work in accordance with the applicable legislation;

Service means any Waste Collection or Water Services along services;

Wastewater Services means the collection, treatment and discharge of wastewater from the public system of wastewater operated by the Water Service Provider;

Water and Waste Services means the Water and Wastewater Services, and solid waste services by Service Provider;

Water Services means Water and Wastewater Services Means offered by the Water Services Provider;

Waste collection services means the collection of municipal solid waste and their transportation to landfills;

Water Services means the extraction, processing, and distribution of water for human consumption and operation of the network and facilities for that purpose as well;

Disconnection means the termination of the link between the Customer object and distribution network for Water Services, and enables the customer to receive those services from the Water Services;

"Disconnect", "Disconnecting" and "Disconnected" shall have the similar meanings;

Service Area means the service license for services, Region or Municipality, where the relevant service provider could offer its services within these areas;

Article 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 in the Preamble of these Rules and/or in any other Law applicable in Kosovo;
- b) References in this Rule shall be interpreted according to any Rule issued, modified, amended, supplemented, and/or replaced by the Regulator from time to time, in compliance with the competencies 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 for Parts, Chapters, and Sections are expressly stated.

PART II: GENERAL PRINCIPLES

Article 6: Applicability

All Customer Advisory Commissions should be appointed in compliance with the provisions of this rule, including amendments that may sought by the Regulator from time to time.

Chapter 1: Organization, Appointments and Tasks

Article 7: Organization of Customer Advisory Commissions

- 7.1 Regulator in each determined service area , shall establish a relevant Customer Advisory Commission in compliance with the consolidation plan of service providers.
- 7.2 Each Municipality within the determined service shall have a representative in the Customer Advisory Commission.
- 7.3 Members of Customer Advisory Commission should live and work within the Municipality where are appointed, and should be the Customer of Water and Wastewater Service Provider that offer services in the that Municipality.
- 7.4 Members of Customer Advisory Commission shall represent the different categories of customer, and shall reflect the gender and ethnic base of customers in compliance with the applicable law in Kosovo.

- 7.5 Municipality , Service Provider in cooperation with the Regulator shall provide the meeting room for the Customer Advisory Commission members, nessesity equipments of work (computer for temporary use) in order to research and review complaints as required by this Rule.

Article 8: Regulatory and Customer Advisory Commission support

- 8.1 A member from the permanent staff of Regulator should participate to the meetings as observer and supporter of Customer Advisory Commission.
- 8.2 The Regulator shall provide the space in his web site, in order to inform the Customer Advisory Commission ,including phone contact details, email addresses, methodology of complaint's management , and the possibility of connection with websites of Service Providers that deal with these complaints.
- 8.3 The Regulator shall support any activity , in order to promote the public awareness of the Customer Advisory Commission and the right of appeal (through radio, TV advertising, campaigns, posters, etc.).

Article 9: Customer Advisory Commission Support

The service provider should provide;

- a) The person who is responsible for receiving and updating of customers'complaints;
- b) Complaints' Office in its premises ;
- c) Contact phone 24:00 hours;
- d) Sowtare devices with special modules for complaints;
- e) To place the notifications in order to inform the customers regarding the responsible person that deal with the appeal of complanints;
- f) Email adress for complaints
- g) Each complainer should be suggested that upon completion of the appeal to attach the Service Contract;
- h) To place of the appeal and contact number of relevant members of Customer Advisory Commission on the website space of information;
- b) To place the posters in their offices in order to learn about their rights how to complain and how to adress complaints;
- c) Service Provider should provide the customer how to put in their bills the rights for appeal and where to adress that appeal;

Article 10: Customer Advisory Commission Duties

- 10.1 The duties of Customer Advisory Commission are as following:
- a) To advice and recommend the Regulator on any important matter regarding the provision of services without excluding the matters referred in Article 20.5 of this Rule;
 - b) To review and select customers'complaints that are not properly treated in compliance with the legal provisions in force by the Service Provider;
 - c) Makes decisions on reviewed complains.
- 10.2 When an issue is being discussed or investigated by the Customer Advisory Commission , the relevant parties will be invited to make personally representation or in writing, including and civil society groups, business organizations, NGOs or other institutions.
- 10.3 Customer Advisory Commission can invite in the meetings members of civil society, government representatives and Service Providers or their Boards of Directors.
- 10.4 Upon request of Regulator, the Customer Advisory Commission shall conduct surveys and opinion polls regarding the service standards, tariffs, the ability and willingness of customer to pay services and other relevant issues for the role of Regulator and Service Provider.
- 10.5 Head of Customer Advisory Commission should make a formal presentation twice a year on customer complaints' before the Board of Directors and relevant Service Providers.

Article 11: Customer Advisory Commission Appoitment

- 11.1 Members of Customer Advisory Commission will be selected from the list which contain at least two candidates proposed by the Municipal Assembly in accordance with the Law on Gender Equality in Kosovo, and Law Against Discrimination appointed by the Regulator based on interviews and verified references.
- 11.2 Rregulator shall select the members of the Customer Advisory Commission, who will represent each category of customers and should not be appointed by any political criteria.

- 11.3 Members of the Director's Board, management staff of Service Providers and family relatives might not be selected as members of Customer Advisory Commission.
- 11.4 Members of Customer Advisory Commission might not be the Customer that did not pay bills of uncontested service providers for illegal connection or misuse of services.
- 11.5 Members of Customer Advisory Commission are appointed for a term of three (3) years and might not be re-selected again.

Article 12: Selection and Duties of the Head of Customer Advisory Commission

- 12.1 Members of Customer Advisory Commission shall select the Head of the Commission.
- 12.2 Head of Customer Advisory Commission shall have the mandate of 4 years, and can not be reappointed again.
- 12.3 Head of Commission shall coordinate with the Regulator or his appointed representative, to prepare the agenda of meetings, to invite participants in the meeting, to keep and prepare minutes of the meeting, and to undertake other necessary activities for their proper function.
- 12.4 Head of Commission shall be ex-officio the member of the Director's Board, in order to represent the Customer's views, but he/she will participate in the meetings only when the agenda includes a relevant matter for customer without voting rights

Article 13: Compensation for Customer Advisory Commission members

- 13.1 The compensation amount of reasonable expenditures due to the travel, food and other activities of Customer Advisory Commission members shall be determined by the decision of the Regulator.
- 13.2 The compensation of reasonable expenditures of Customer Advisory Commission members', will be performed by submitting the proper form of application for compensation set by the Regulator from time to time.
- 13.3 All members of Customer Advisory Commission shall be compensated with travel expenses by private vehicles for official purposes in conformity with the decision of the Regulator, by completing the statement of costs which are approved by the Head of Customer Advisory Commission

- 13.4 Payment of compensation shall be made after the end of monthly activities.
- 13.5 Head of Customer Advisory Commission shall be compensated with 20%, which means more than value of compensation of other members, under section 12.
- 13.6 Members who do not participate in the meetings of the Customer Advisory Commission, shall not rights for compensation.

Article 14: Replacement of Members of Customer Advisory Commission

- 14.1 Each member of the Customer Advisory Commission should be replaced if he/she:
- a) Does not live in the Municipality where he / she represents;
 - b) Is not employed or become a member of the Director's Board of any Service Provider, regardless of whether the Service Provider operates in the same region or not;
 - c) Is absent four or more time in the meetings for any period of time during the twelve (12) consecutive months.
 - d) Is unprepared for meetings, not collaborative, and does not perform the function as an effective member according to the laws and regulations in force.
- 14.2 Regulator who is informed about one or more conditions of replacement listed above, shall send a letter to the member who has affected to disrupt the member services of the Customer Advisory Commission in question. In that letter is required response within (1) week, if he/she accepts the situation or gives clarifications. A copy of the letter shall be sent to the Head of the Customer Advisory Commission.
- 14.3 Within one (1) week after the letter was sent to the member, regardless of whether he response or not, the Regualtor shall make the decision to replace the member and shall present this written decision to the replaced member and to the Head of the Customer Advisory Commission.
- 14.4 Replacement will be performed by using the same procedures in Article 11. The remainig members of the Customer Advisory Commission may continue with the mettings.
- 14.5 In case of replacement of the Head of Customer Advisory Commission, files, documents and records should be submitted to the Regulator and to the new selected Head.

Chapter 2: Meetings

Article 15: Meetings of the Customer Advisory Commission

- 15.1 Customer Advisory Commissions will be met on a regular basis at least once a month at the request of the Head, while in emergency cases at the request of Regulator or Service Provider.
- 15.2 Head of Customer Advisory Commission shall invite the members for meeting in writing at least 10 (ten) calendar days before is assigned the date of the meeting.
- 15.3 Customers and Service Providers who ask or need to be consulted, or to participate in the meeting of the Customer Advisory Commission on relevant issues such as complaints and problems raised by Service Providers, should also be informed in writing at least 10 (ten) days before the meeting.
- 15.4 At any meeting initiated by the Head of the Customer Advisory Commission, a representative of respective region should attend the meeting.
 - a) The authorized representative of Service Provider should report the Customer Advisory Commission regarding the number of complaints of the previous month, and should inform about the number of reviewed complaints.
 - b) The Service Provider representative is obligated to prepare the annual report of customer complaints' for the previous year until the end of February of the following year;
 - c) All reports of Service Provider representatives should be in writing in two copies, where one copy should be submitted to the Head of Customer Advisory Commission, while another one to the representative of the Regulator who participates in any meeting.
- 15.5 Meetings of Customer Advisory Commission are opened for the public, and the public will be informed through the daily newspapers at least 10 (ten) calendar days before the planned date of the meetings.
- 15.6 Meetings, communication and record should be in Albanian or in any language spoken by the majority in that region, in conformity with the Law for use of official languages in Kosovo.
- 15.7 A member of Customer Advisory Commission can not represent any member who is absent from regular meetings of the Customer Advisory Commission.
- 15.8 Attendance at meetings will reach the required quorum for discussion, if more than half of the members are present in the meeting. .

- 15.9 If the meeting of Customer Advisory Commission does not take place due to quorum, the present members shall be notified verbally for the next meeting, while other members shall be notified in writing.
- 15.10 Meetings convened at the second invitation may take place validly, and approve every review regardless the number of present members.
- 15.11 Decisions are taken by simple majority of counted votes
- 15.12 Any Customer Advisory Commission may establish sub-groups of the Commission members for specific tasks: research on a specific complaint or issue. Each of the members of such sub-groups should reflect the issue or region in question.

Article 16: Minutes of the meeting

- 16.1 Minutes of the meeting should be made in writing by the Head of Customer Advisory Commission, and should include:
- a) The names of all participating members;
 - b) The agenda;
 - c) Approval of agenda;
 - d) Approval of the minutes of last meeting;
 - e) Taken decisions;
 - f) Any vote that is done by including the results;
 - g) Location, time and date of the meeting.
- 16.2 Minutes shall be drawn in Albanian language and in all official languages according to the applicable law, and that same one should be signed by the Head of Commission.
- 16.3 Head of the Customer Advisory Commission should submit to all members of the Customer Advisory Commission, Service Providers and Regulator copies of the minutes within two (2) weeks after the assigned meeting.
- 16.4 Over the next meeting, the Customer Advisory Commission decides to approve the minutes from the last meeting.

Chapter 3: Complaints and Contacts

Article 17: Complaint Procedure of Service Provider

- 17.1 The Service Provider should establish the written procedures, forms and review for submission, and should also respond to customer complaints and / or of any

- person, including these submission without limitation by any person who has applied to enter with Service Contract.
- 17.2 The procedures and forms for complaint's resolution of customer should be available in all official languages of Kosovo according to the Law on the use of languages, and should also :
- a) Be published on the website of Service Provider, and
 - b) Be available for customer in the Admission Office of Complaints.
- 17.3 Service Providers should notify the Customer Advisory Commission of any change regarding the procedures of customer complaints.
- 17.4 Each year, the Customer Advisory Commission should review the Service Provider's procedures for receiving, reviewing and resolving of complaints regarding the clarity, fairness, and courtesy shown by the Service Provider during the review of complaints.
- 17.5 In case of procedural infringements, the Customer Advisory Commission shall notify the Service Provider in writing for its decision, and shall recommend regarding the improvement of procedures. This review should include:
- a) Written procedures;
 - b) The records of complaints;
 - c) Interviews or written questions with the percentage of representation of persons who have filed complaints.
- 17.6 Complaints that have not been resolved within the deadline set by the Service Provider and / or in satisfactory manner for complainer, should be brought to the Customer Advisory Commission in accordance with the law, and should be resolved in accordance with the procedures set in Article 18 of this Rule.

Article 18: Procedural Rules for complaints in Customer Advisory Commission

- 18.1 If the Service Provider can not resolve a dispute with a customer and / or any person with personal legitimate and direct interest in any matter concerning the complaint, and / or has decided to cancel that complaint, the Service Provider should inform in writing the person who have brought that complaint with his/her right to complain before the Customer Advisory Commission .
- 18.2 The Service Provider also should proceed the decision, informing with all details: location, contact person of Customer Advisory Commission, the site of complaint's boxes, websites and Regulator.
- 18.3 Customer Advisory Commission shall proceed the received complaints with the date of receipt, and shall complete the complaint form of customer according to the form attached as an appendix to this Rule, or otherwise as may be

determined by the Regulator from time to time. It should contain a full copy of the file with all data of Service Provider, and take an opinion regarding the issue of that copy by Service Provider

- 18.4 Customer Advisory Commission shall verify that the complaint is sent to the relevant Service Provider, by examining the response that should be attached, or delivered within the time of complaint. If it is not attached, the Consumer Advisory Committee shall inform the person and put the complaint in a temporary folder for thirty (30) calendar days.
- 18.5 Customer Advisory Commission may list complaints on the agenda of next meeting, and if is recorded, to inform the Service Provider about the date, time and place of the meeting.
- 18.6 Decisions on reviewed complaints should be recorded in the minutes of the meeting. This decision should be delivered to both parties, while details should be recorded in the Register of correspondence. The decision should contain the legal advice in order to notify the parties that they may complain to the Competent Court of Kosovo within 15 calendar days.
- 18.7 Copies and files of documents related to complaints should be kept by the Head of the Customer Advisory Commission, who shall be responsible to ensure that each complaint has a special number and a copy of this documentation that has to be sent to the Regulator for its needs.
- 18.8 Responses on complaints should be made in conformity with the Law on languages use that are applicable in the Republic of Kosovo.
- 18.9 Response on the complaints should be in writing within 30 (thirty) calendar days from the date of its receipt as a full complain, or if the complain is extremely urgent, the response on the complain should be faster.
- 18.10 If the Customer Advisory Commission finds that decision is implemented without any reason within a reasonable time, then the Customer Advisory Commission can make a recommendation in writing, and address to the Regulator related to the relevant Service Provider.

Article 19: Summary and Statistical Report of Complaints

- 19.1 All Customer Advisory Commission shall compile Statistical Report, and then should send it to the Regulator for review at least once a year. This report should contain:
 - a) Number of complaints submitted to the Customer Advisory Commission during the reporting period;
 - b) Number of selected complaints during the reporting period;

- c) The number of complaints that are pending during the reporting period;
 - d) The nature of complaints by subject;
 - e) Distribution according to the nature of complaints in the Service Area;
 - f) Services provided or offered by the Service Provider according to the subject of the complaint;
 - g) Customer category that submit complaints;
 - h) Details of the agreements and any change in the measures for the introduction and treatment of initial complaints to/ from Service Provider;
 - i) Any other informative element or fact as determined by the Regulator from time to time, that relates with agreements between Service Provider and Regulator;
- 19.2 The Regulator should provide format of Statistical Report and instructions for its preparation.
- 19.3 Customer Advisory Commission is obliged to save all documents and evidences and copies as well of any report for 3 (three) years, in conformity with the applicable Law for the archive cases and Archives.
- 19.4 The Regulator also needs to compile a summary report regarding the work of Customer Advisory Commission, summarizing all the work under section 19.1 of this Rule, and to evaluate the performance of the Customer Advisory Commission.

Chapter 4: Research-Surveys

Article 20: Research-surveys conducted on behalf of the Regulator

- 20.1 At the request of the Regulator, the Customer Advisory Commission shall lead the research-opinion polls related to the customer needs, attitudes, and problems relating to service standards, level of tariffs, the possibility of all relevant categories of customers, payment of services and other relevant issues regarding the role of Service Provider and Regulator.
- 20.2 The regulator shall provide conceptual paper, aims and necessary methodology of research-survey, any question and collection of information and /or analytical tools that Regulator may consider as appropriate and effective for keeping of researches and surveys.
- 20.3 Customer Advisory Commissions shall organize and conduct research-survey and shall send the results to the Regulator as determined by the latest one.
- 20.4 The Regulator shall compile and evaluate results of research-survey and shall inform the public about results .

- 20.5 The Regulator shall inform the Customer Advisory Commission, and shall demand from Regulator for non-obligative opinion when is necessary for:
- a) Tariff's which are approved, reviewed or changed;
 - b) Drafts of the rules or amendments in existing rules which will be issued by the Regulator on any matter that is on the interest of customer;
 - c) Drafts of laws which the Regulator prepares and comments about them.
 - d) Drafts of any other regulatory acts anticipated by the Regulator that have significant and direct impact on Customer, as are drafts of any recommendations which will be issued by the Regulator, drafts of reports that Regulator is obliged by the law to subjugate them for public review;

PART III: EFFECTIVE DATE AND DURATION

Article 21: Languages

- 21.1 This rule is adopted and published in three (3) written language versions:
- a) Albanian;
 - b) Serbian and
 - c) English.
- 21.2 In case of no consistency between the versions in which this rule is issued, the Albanian language version shall prevail.

Article 22: Entry into Force

This Rule shall enter into force immediately upon its signing.



Raif Preteni

Director of WWRO

APPENDIX

APPENDIX 1
THE CUSTOMER COMPLAINT FORM

ADMISSION DATE BY CUSTOMER.			
SERVICE	Water Supply	Wastewater	Waste Collection
FROM	Name		
	Adress		
	Village or Town		
	Municipality		
	Name of Service Provider		
ORIGINAL COMPLAINT	Date of registration by the Service Provider Attached	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	No
SERVICE PROVIDER RESPONSE	Date of response by the Service Provider Attached	<input type="checkbox"/>	<input type="checkbox"/>
		Yes	No
TYPE OF COMPALINT (writte one or more)	Invoice of service is very high.		
	Price of Tariff and structure.		
	There is no water and low preassure.		
	Water quality (appearance, taste)		
	Water Service Disconnection		
	Solid wastes are not collected according to schedule or agreement.		
	Damage of the building is caused by leakage of break of pipes or accumulation of solid waste or irregullary collected.		
	Blockades, obstacles, injuries are caused by construction or repairs by the Service Provider.		
	Restrictions placed on services by the Service Provider.		
	Issues / problems with the new service or connection.		
	Other		
SUMMARY	There are no further actions.		

OF CONCLUSIONS		
	Actions which should be taken by the Service Provider	
	Reasons for a such decision	
	Date when is informed the customer.	
	Date when is informed Service Provider.	
	Data for subsequent confirmation (if necessary)	
	Each party who is dissatisfied with the decision taken above, may file a complaint before the Court with the competent jurisdiction of Kosovo within 30 days since the above decision making.	