



Republika e Kosovës - Republika Kosova - Republic of Kosova

AUTORITETI RREGULLATOR PËR SHËRBIMET E UJIT
REGULATORNI AUTORITET ZA USLUGE VODE
WATER SERVICES REGULATORY AUTHORITY



**RULE No.02/2016
FOR MINIMUM SERVICE STANDARDS
FOR WATER SERVICE PROVIDERS IN KOSOVO**

July 2016

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Pursuant to Section 4, paragraph 3.6, Section 21 paragraph 1 and Section 47, of the Law No.05/L-042 for regulation of Water Services (Official Gazette of the Republic of Kosovo, No 4/2016, of 14 January 2016) Water Service Regulatory Authority issues:

**RULE No.02/2016
FOR MINIMUM SERVICE STANDARDS
FOR WATER SERVICE PROVIDERS IN KOSOVO**

PART I: GENERAL PROVISIONS

Section 1: Purpose

The purpose of this Rule is to improve water services, setting Minimum Standards of Services.

Section 2: Scope

The scope of this Rule is to determine Minimum Standards of Services that water service providers in Kosovo should meet whilst providing water service for the period they are licensed.

Section 3: Definitions

1. The terms and expressions used in this Rule shall bear the following meanings:
 - 1.1. **Authority** - Water Services Regulatory Authority (WSRA) as an independent authority, responsible for regulating the activities of service providers in Kosovo. Established with this Law;
 - 1.2. **Business day** - any day other than Saturday, Sunday, or a day which is an official holiday in Kosovo;
 - 1.3. **Invoice** - the commercial document to pay for the service provided, which specifies at least amount of debt to be paid, respectively the period for offered services issued to the Customer by the Service Providers, in official languages of the Republic of Kosovo;
 - 1.4. **Customer's pipe connection** - the pipe of the distribution network of the Service Provider to the customer's water meter, or to the Customer's establishment (in

case when water meter is located inside the customer's building) that consists of two parts:

- 1.4.1. **Service pipe** – the pipe connection portion that extends from the distribution pipe section unto the property line of the Customer's establishment and its maintenance is the responsibility of the Service Provider;
 - 1.4.2. **Supply pipe** – the pipe section from the Customer's property line (within the property line) and its maintenance is responsibility of the Customer.
- 1.5. **Category of customers** - the customer category defined as follows:
- 1.5.1. **Domestic Customer** - a customer classified by the Service Provider, as a person who uses services at his/her residence for household needs;
 - 1.5.2. **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;
 - 1.5.3. **Institutional Customer** means any legal entity classified 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 organization in accordance with the Law for Commercial Society No. 02/L-123;
- 1.6. **Customer Consultative Committees** - the committees described and established in accordance with Section 26 of the Law No. 05/L-042;
- 1.7. **Review Committee** – the committee that may review the decision of the Authority pursuant to the Law No. 05/L -042;
- 1.8. **Customer** - a Person who has entered into a contract for services of Service Providers and/or has received services from Service Provider;
- 1.9. **Passive Customer** – a customer who for various reasons proves that temporarily does not use water and wastewater services but remains connected to the water supply and wastewater services;
- 1.10. **Service Contract** – a standard contract agreed between Service Provider and Customer, which regulates the provision of services, the rights and obligations of the contracting parties;
- 1.11. **Service Licence** – a permission issued by water service providers and the customer to pay an amount due and owing to a Service Provider;

- 1.12. **Unauthorised Connection** - a link between the Customer facilities and distribution network of Water and Wastewater Service, that was not provided by Water and Wastewater Services Provided pursuant to this Law;
- 1.13. **Service Agreement** - the agreement signed by Municipalities and Water Service Providers under the control and supervision of the Authority for the provision of Water and Wastewater Services within the area of each particular Municipality and in which are determined the rights and duties of both parties;
- 1.14. **Termination** – the termination of the provision of services by the Service Provider for safety reasons, operational, nonpayment of invoices by customer or for other reasons determined by the Law No. 05/L -042;
- 1.15. **Establishment** - a location at which service is sought or is being provided;
- 1.16. **Service Provider** – any water and wastewater service provider, and bulk water supplier;
- 1.17. **Stakeholders** – a person who has interest in the sector of water supply provision;
- 1.18. **Person** – a natural or legal person that might be public or private;
- 1.19. **Wastewater network** – all assets used by the service provider for the wastewater service provision;
- 1.20. **Water network** - all assets used by the service provider for the water supply service provision;
- 1.21. **Service Standards** – the standards of service that apply to that Service in the accordance with the current legislation;
- 1.22. **Wastewater service** - the services in physical infrastructure that serve to convey the wastewater;
- 1.23. **Water Supply Services** – collection, processing and distribution of water for human consumption and network and facilities operation for that purpose;
- 1.24. **Water services** – the water and wastewater services and bulk water supply;

- 1.25. **Water meter** – any device or instrument used by a Service Provider to measure for billing purposes the amount of water used by the customer.

Section 4: Rules of Interpretation

In this Rule:

1. 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 or in any other Law applicable in Kosovo;
2. References in this Rule shall be interpreted according to any Rule issued, modified, amended, supplemented, and/or replaced by the Authority from time to time, in compliance with the competencies that have been granted to the Authority;
3. Words of any gender used shall include any other gender;

PART II: GENERAL PRINCIPLES

Section 5: Applicability

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

Section 6: General Principles for Service Standards

1. The Service Provider shall at all times fulfil its obligations in a prompt, professional, efficient, and safe manner.
2. All residents in the service area that are served by the Service provider have the right to receive regular services when this is technically and economically feasible.
3. The Service Provider is responsible for providing training, supervision, and monitoring to ensure its employees are courteous and professional in their interactions with the Customers and the public.
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 Service Providers.

5. Minimum Service Standards as determined in this Rule shall not be construed as to:
 - 5.1. Reduce current Service Standards if the service is currently being provided at standards more demanding than the minimum Service Standards imposed under this Rule;
 - 5.2. Preclude any Service Provider that is committed to raising service standards to any service agreement made with the Municipality.

PART III: PROCEDURES

Section 7: Compliance with service standards set by Autoriteti

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

Section 8: Exemption from Service Standards

1. A Service Provider unable to comply with any or several Service Standards shall apply in writing to the Authority to be exempt from compliance with one or more specific Service Standards as established in this Rule.
2. The request from the Service Provider must be in writing and must include:
 - 2.1. Service standards for which is requested exemption from compliance;
 - 2.2. The current level of compliance;
 - 2.3. Reasons for inability to comply;
 - 2.4. Dynamic Plan (including the actions and timeframe) for achieving compliance;
 - 2.5. Suggestions for the level of service standards to which compliance can be sustained.
3. The Authority will review Water Service Provider's written request and determine if the 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 the Authority's review shall be communicated in writing to Service Provider within one (1) month of receiving the request for exemption from compliance with any Service Standard filed, in accordance with paragraph 1 and 2 of this Law.

4. Any exemption from compliance with any Service Standard approved by the Authority at request of a Service Provider shall be reviewed on an annual basis or at any such other time as the Authority may decide to call the matter to review.
5. Any renewal or extension of an exemption from compliance and/or any changes to the exempted service standard will be communicated to the Service Provider in writing within one (1) month from the date when the matter has been called for review by the Authority.

Section 9: Authority Review of Service Standards

1. The Authority shall review on an annual basis the Service Standards determined in this Rule.
2. Two (2) months before the anniversary of the effective date of this Rule, the Regulator will contact Service Providers to inform them of the scope of the review and to request their comments on current and eventually proposed Service Standards.
3. Authority's review will include comments and compliance reports from Service Providers; communications, complaints and recommendations from Stakeholders; and results of Authority's on-site inspections, studies and surveys.
4. Apart from the annual review of Service Standards made as per paragraph 1 and 3 of this Section, the Authority 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.
5. When adjustments to Service Standards are made either within the annual review of such Service Standards made pursuant to paragraph 1 of this Section, or in the case provided for in the paragraph 4 of this Section, the Authority shall inform the 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, if there is no possibility for their fulfillment.

PART IV: SERVICE STANDARDS AGREEMENT

Section 10: Service Standards Agreement

1. The Authority may enter into a written agreement with any Service Provider for the purposes of amending, altering and/or supplementing any Service Standard established under this Rule.
2. Service Standards Agreements may be entered given any conditions precedent as determined by the Authority and proposed by the Service Provider, including, without limitation, the entering into of other binding agreements with the Service Provider on:
 - 2.1. Issue, renewal, extension, amendment, alteration and supplement to a Service License;
 - 2.2. Establishment, review and/or modification of Service Tariffs;
 - 2.3. Extension of the territorial scope of the Service Area;
 - 2.4. 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 Authority from time to time.
3. For the avoidance of doubt, Service Providers have the right but not the obligation to propose to the Authority to enter into a service standards agreement as per the provisions of Section 11.

Section 11: Negotiation of a service standards agreement

1. Service Providers wishing to enter into a Service Standards Agreement shall submit a written request to the Authority requesting the opening of negotiations to enter into such an agreement. The request shall include a clear explanation, i.e causes, benefits and their legitimate right to enter into an agreement to service standards.
2. Authority shall respond in writing within twenty (20) working days from the date of receipt referred to paragraph 1 of this Section, either agreeing to enter into negotiations or refusing to do so.
3. If the Authority decides to refuse to start negotiations to enter into a Service Standards Agreement, it shall provide its reasons for such a refusal.
4. If the Authority agrees to start negotiations to enter into a Service Standards Agreement, it shall also grant to the Service Provider a reasonable period of time, in any event of no less than thirty (30) working days, to allow the Services Provider to submit to the Authority a detailed proposal of agreement to service standards.

5. Within ten (10) working days of receiving the draft Services Standard Agreement, the Authority shall notify in writing the Service Provider of the scheduling of a first meeting to start negotiate such an agreement.
6. The Authority 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) working days from the date of the first negotiation meeting scheduled as per paragraph 5 of this Section.
7. For the avoidance of doubt, the Authority has the right but not the obligation to enter into a service standards agreement and, therefore, either his 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 12: Entering into a service standards agreement

1. In case of successful conclusion of the negotiations conducted as per Section 11 above, the Authority and the Services Provider shall enter into the service standards agreement in writing.
2. Service standards agreement shall be signed in official languages in use in Kosovo.
3. In case of any discrepancies between any of the versions in which the service standards agreement is signed, the Albanian version shall prevail.
4. Except insofar as any fact, information and/or document could be deemed to contain any privileged or confidential information as the Authority 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 Authority may determine from time to time and available at all times for public by the means the Authority may determine from time to time and available at all times for public consultation.
5. Any amendments, alterations, modifications or supplementary provisions pertaining to service standards agreements shall require the consent of both the Authority and the signatory of Service Provider and must be entered into in writing, published and made public as per the provisions of the paragraphs above of this Section.

Section 13: Legal nature and enforceability of service standards agreement

1. Service Standard Agreement is deemed as an administrative contract for all intended legal purposes being the Authority 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.
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 14: Compliance with service standards agreement

1. Service Providers are obliged to respect and to comply with the Service Standards established in general terms in this Rule:
 - 1.1. While the negotiations for entering into a Service Standards Agreement are pending until the date of the entering into force of such agreement;
 - 1.2. 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;
 - 1.3. 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: TECHNICAL AND COMMERCIAL SERVICE STANDARDS

Neni 15: Drinking water quality

1. Service Provider is responsible and takes appropriate measures for regulat control of water quality in accordane with the standards set forth in the applicable legislation.
2. If for any reason drinking water standards fall below the applicable standards, the service provider shall immediately inform the NIPHK and the Authority and shall follow instructions and rules issued by NIPHK for (i) informing the immediate affected customers and (ii) undertaking necessary action in fixing the problem.

Section 16: Environmental Protection and wastewater treatment

Service Provider is responsible and takes appropriate measures for processing and discharge of wastewater in compliance with the standards set forth in legislation in force to protect the public environment.

Section 17: Water pressure in water network

1. Në Under ordinary conditions of use of water, the hydraulic pressure at the Customer's ground level Service Connection shall be not less than one-half (1.5) bar and not more than seven (7) bar.
2. It is the responsibility of the Service Provider to set regulating pressure device in order the pressure to be at limit referred to in paragraph 1 of this Section.
3. The average operating pressure shall be determined by computing the arithmetical average of at least twenty-four (24) consecutive hourly pressure readings made at selected locations in the entire system over a six-month (6) period.
4. It is not the responsibility of the Service Provider to provide adequate pressure to deliver water to high-rise buildings. This is the responsibility of the building owners, namely customer. In these cases adequate pressure can be achieved by a pressure pumping set, the installation of which shall be approved by the Service Provider. The building owner, namely the Customer shall pay all the expenses related to installation of devices and device maintenance for pressure pumping set.
5. Variations in pressure under normal operating conditions shall not exceed by one-third, either above or below, the average operating pressure.
6. Pressure variations outside the limits specified in paragraph 5 of this Section will not be considered a violation of this Rule when they:
 - 6.1. Arise from unusual or extraordinary conditions;
 - 6.2. Are infrequent fluctuations not exceeding five (5) minutes duration; or
 - 6.3. Arise from the operation of the Customer's equipment.

Section 18: Continuity of drinking water supply

1. Service Provider is obliged to continuously provide drinking water in sufficient quantities without interruption twenty-four (24) hours in the same conditions for all categories of customers and with no racial or ethnic difference.

2. The water service cannot be interrupted to customer, except in the cases and conditions stipulated by relevant laws and rules issued, amended and supplemented from time to time by the Authority.
3. If the service provider considers it necessary to restrict the water supply, temporarily or for a longer period, when demand for water exceeds supply, he must prepare a program of limited water supply which must be approved by the Authority. This program must specify the exact:
 - 3.1. Water restriction schedule for each area including the restriction;
 - 3.2. Date when such a restriction will enter into force; and
 - 3.3. Possible termination date of such restriction.

Section 19: Interruptions of water service

1. The Service Provider for any planned interruption of Water Services, affecting more than fifty (50) customers, due to scheduled work, shall publish in electronic or press media, and notify the Authority, at least forty eight (48) hours in advance of works.
2. The notification of customers regarding planned shuts of Water Services must be done as soon as possible.
3. When the Water Service is interrupted for more than 6 (six) hours, the Water Service Provider shall provide minimal amount of water through water tanks for the needs of Customers affected due to service interruptions.
4. When Water Service is interrupted to perform scheduled work on Water Networks or Wastewater, such work shall be done at a time causing minimum inconvenience to Customers.
5. Each Service Provider shall keep a record of all interruptions to Water Service of over six (6) hours duration affecting any portion of the distribution system where fifty (50) or more Customers are impacted. Record of Water Service interruptions should include:
 - 5.1. Date, time, and method of notification or discovery of interruption;
 - 5.2. Number of Customers affected;
 - 5.3. The date and time of Water Service restoration;
 - 5.4. The cause of such interruption when known; and
 - 5.5. Steps taken to prevent its recurrence

Section 20: Construction and maintenance of water supply

1. Service provider shall build, operate and maintain the water supply network by internal procedures which are based on guidelines, standards and applicable technical rules. In the absence of standards and technical rules, procedures of construction, operation and maintenance of the water supply network should be based on internationally accepted standards and practices.
2. Service provider to the extent deemed possible must project the distribution network in a way that avoids “locked endings” in the main pipe. When locked endings are inevitable service provider shall provide the flushing hydrant with rapid flows of main pipe in order to maintain adequate quality of drinking water.
3. In order to enable optimal operation of system in the distribution network valves should be placed in all branches, and in the right section in a distance not exceeding 250 meters.
4. During new distribution network construction a network system (grid) should be extended, so that in case of repairs to that network number of water interruptions to be kept in minimum.
5. Service Provider shall enter into an agreement with relevant public authorities for firefighting, to specification, location, installation and maintenance of fire hydrants. The service provider shall inspect fire hydrants at least once every tw (2) years, and in case of need of repair or replace within five (5) working days.

Section 21: Separation of water and wastewater pipes

1. Where water conveyance systems are in proximity, a Water Service Provider shall place wastewater pipes below the elevation of water mains or Water connection pipes.
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.
3. It is not allowed that water pipes pass through manholes. Water pipes should be placed at least one hundred (100) centimeters away from manholes, measured from the proximity points of between the external walls of water pipes and manholes.

4. 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: Construction and maintenance of wastewater network

1. Service provider shall build, operate and maintain the wastewater network by internal procedures which are based on guidelines, standards and applicable technical rules. In the absence of standards and technical rules, procedures of construction, operation and maintenance of the water supply network should be based on internationally accepted standards and practices.
2. Service provider shall develop and implement a program to clean the pipes of wastewater network. The entire wastewater network should be cleaned at least once every five (5) years.
3. Service provider shall develop and implement a program to inspect manholes. All manholes should be inspected at least once every two (2) years and should be repaired depending on their needs.

Section 23: Service Application and Installation of Service Connection

1. Service provider shall review the application of services within ten days (10) business days. Results of the review of the application will be returned to the applicant in writing and will result in the approval or rejection of the application for service. When the application is rejected, the service provider shall state the reasons and conditions for reapplication.
2. Service provider shall inform the applicant who has submitted an application for services and waiting to connect services for their right to complain to the Customer Consultative Committee, when an application for the service is not responding within the period prescribed in paragraph 1 of this Section or whenever an application for the installation of the connection service is not completed within the timeframe provided in paragraph 1 of this Section, unless otherwise agreed with the applicant.

Section 24: Installation of Service Connections

1. After Service Application is approved and fees paid, and unless other arrangements are agreed, the Service Provider will complete installation of a water service connection within twenty (20) business days. If this does not happen, then Service Provider shall inform the applicant in writing as to the reason for the delay in the installation of service connections.

2. Installation of Service Connection (Connection Pipe) is carried out by Service Provider. If the work is carried out by the independent contractor this shall be conducted under the supervision of Service Provider.
3. All the expenditures in execution of Connection Pipe (ground work, material, water installation works) are to be paid by the applicant in accordance to the tariff into power approved by the Authority.
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.

Section 25: 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 a person who has requested displacement.

Section 26: Disconnection of unauthorised service connection

1. Interventions and unauthorised connections i.e. non-approved by Service Providers to the water and wastewater systems and damages of any kind constitute a criminal offense and is punishable, under a legislation in force in Kosovo.
2. Any unauthorised connection to the water or wastewater systems shall be disconnected within five (5) business days of discovery unless the Person with the unauthorized Connection signs a Services Contract with the Service Provider and pay all the charges billed by the service provider, according to Rules and tariffs issued by the Authority.

Section 27: Installation and Replacement of Water meter

1. Water Meters have to be installed, replaced, or displaced only by the authorized employees of Water Service Providers or any other person under the supervision of the Water Service Provider.
2. The costs of buying water meter for the first time bears the customer even in case of:
 - 2.1. Purchase of water meter by the customer, complying with definitions in paragraph 4 of this Section;

- 2.2. Purchase as detailed specified in the Tariff Order issued by the Autoriteti.
3. Water meter replacement costs are managed through the tariff process.
4. Only the service provider is authorised to determine the diameter and type of water meter which is installed in each case. The type of water meter should be based in relevant regulation issued by the Kosovo Metrology Agency.
- 5.
6. The Service Provider shall adopt a standard method of installing water meters. This standard method must describe, in the most simple and clear way as possible, using drawings where necessary, to illustrate the description, design and installation steps of the water meter. Through this description every customer can understand the requirements for a standard installation of water meters.
7. The service provider must notify the Customer and agrees with the date and time of replacement of water meter in:
 - 7.1. In cases when the water meter is not functional;
 - 7.2. When the lifespan of water meter is at the end, according to the list that has been compiled by Service Provider based on its water meter plan management;
 - 7.3. If the Service Provider, with the approval of the Authority (during the tariff process), replacing the existing water meter with a more economical and efficient one.
8. Service Provider is solely authorised to sealing the installed water meters.

Section 28: Location and Safeguarding of Water Meter

1. Water Service Provider assigns 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 latter may refuse service provision or may suspend services for that Customer.
2. Water Service Provider should require customers to meet technical standards for building and maintaining the location where water meter is placed, the standards which must possess the Service Provider.
3. The Customer has the responsibility to undertake measures in safeguarding the Water Meter from any physical damage or temperature impacts.

Section 29: Maintenance of water meter and stamp (seal)

1. Service Provider is obliged to develop and implement a program for managing the water meter that includes regular maintenance of water meters, the cost of which is covered by regular monthly tariffs of water services.
2. No unauthorized person shall manipulate or damage the Water Meter or the Water Meter seal.
3. 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 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 of the Service Provider.
4. 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 within five (5) Business days of discovery. Also, the Water Service has the right to initiate a lawsuit to the competent court where the fine will be determined on customers for coverage:
 - 4.1. Costs of repairs of water meter and/or seal;
 - 4.2. Billing for water consumption that is considered to be consumed by the customer is not registered in water meter. Evaluation of water consumed will be based on the consumption of correspondence period in previous year.

Section 30: Treated and distributed water measurement

1. Service Provider shall install the appropriate device for water measurement at the exit of (i) drinking water treatment plant and access to (ii) and wastewater processing plant in order to monitor the amount of processing of drinking water (i) and (ii) wastewater.
2. Service Provider shall install the appropriate equipment (zonal water meter) for measurement the water at all entry points in distributed networks in order to monitor the amount of drinking water distributed.
3. Service Provider within one year (1), from the entry into force of this Rule, should install water meters in the shared collective building, customers who do not have individual water meters, in order to monitor the amount of drinking water distributed.

Section 31: Measurement of water consumption

Water consumed by customers should be measured with water meters, unless otherwise provided by this Rule or respective Laws.

Section 32: Reading of Water Meter

1. Unless otherwise expressly stated in this Rule, the Service Provider shall bill the Customers upon the metered consumption with the Water Meter.
2. Reading of the Water Meter is carried out from Water Meter Reader or an Inspector of Water Service Provider or an Inspector of Water Service Provider, these persons must have an appropriate identification form (uniform and identity card) issued by Water Service Provider.
3. Reading of the Water Meter should be done within working hours and days of Service Provider.
4. Reading of the Water Meter from Service Provider should be done at regular intervals, at calendar days related to cycle reader, no more frequently than (1) month and no less than three (3) months.
5. Reading of the Water Meter may be carried out from Customer as well, if Service Provider and Customer reach such an agreement in writing. The written agreement included all terms and conditions. Service Provider in this case shall verify the meter reading at certain intervals of time, when considered necessary, but at least once (1) within a year.

Section 33: Accuracy Verification and Water Meter Calibration

1. Service Provider shall regularly inspect and verify the water meters' accuracy and shall carry out the calibration according to standards and norms applicable to the Law on metrology and bylaws to be adopted for this purpose.
2. Verification and calibration of the water meters must be done only by the responsible authority.
3. Service Provider shall verify the metering accuracy of Water Meters, if requested by Customer through filing a written request to the Water Service Provider within twenty (20) business days from the date of application. The Customer must be given an opportunity of being present during the verification of the water of the customer requests it. Accuracy of water meter measurement is verified by the record which shall be sent within five (5) business days after completion of the test.

4. Water meter is replaced if the meter verification test shows that the error in measurement exceeds standard deviation determined by the Kosovo Metrology Agency.
5. The data for verification and calibration must be stored by Service Provider up to five (5) years and shall be made available for inspection Authority.
6. The cost of verifying the water meter when is requested by the customer, to be covered by:
 - 6.1. Service Provider, when is ascertained that metering inaccuracy of the Water Meter has affected the Customer;
 - 6.2. Customer, if ascertained that the Water Meter has metered accurately the Water consumption or it has affected the Service Provider.

Section 34: Billing customers for services provided

Service Providers shall send to each customer a bill for water and wastewater services, every month, at the latest up to date twenty (20) of the current month, for services provided in the previous month. This results in twelve (12) bills per year.

Section 35: Billing in cases with water meter

1. Billing is carried out upon metered consumption in the water meter.
2. 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 will 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. In this case the billing based upon an assessment shall not exceed (i) more than three (3) months for commercial and institutional customers; and (ii) more than six (6) months for households. If after this period the customer resists regulation or installation of the new water meter then billing the customer must be carried out under Section 36.
3. In cases when the customer is passiv, with the functional water meter, billing shall cover only fixed tariff according to tariffs set by the Authority, while at least one (1) per year will be charged with consumption spending during the year.

4. In cases when the customer is passiv, with the functional water meter, the billing shall be made as in paragraph 2 of this Section.

Section 36: Billing in cases without water meter

1. In case when customer has no water meter, or it is dysfunctional, until fulfilling his/her obligation to buy a new water meter, billing of this customer is carried out as following:
 - 1.1. For domestic customers:
 - 1.1.1. Service Providers need to analyse the monthly measurement of average consumption by house type according to the following three categories:
 - 1.1.1.1. Apartments;
 - 1.1.1.2. House with small garden or without it (urban property), and
 - 1.1.1.3. Large house with large garden (rural/semy -rural).
 - 1.1.2. This analyse can be conducted based on a representative sample or completed billing data.
 - 1.1.3. The results of analyses must be submitted and shall be subject to the approval of Authority. Service Providers need to enable the Authority access to all analyses, calculation, etc. conducted during determining average of measured consumption.
 - 1.1.4. Customer without water meter should be defined under the one of three categories mentioned above. The estimated volume of monthly consumption for the purpose of charging should be 1.5 x of average charging measured for that category.
 - 1.1.5. The average of measured consumption should be re-examined every three (3) years.
 - 1.2. For commercial and industrial customers:
 - 1.2.1. Service providers are free to determine poper assessment of water consumptionfor each sub-category of commercial & institucional customer, since it is estimated that these customers in a short period, after the entry into force of this Regulation shall be provided with water meter.
 - 1.2.2. Customer without water meter should be defined under the category it belongs. The estimated volume of monthly consumption for the purpose of charging should be 3 x of average charging measured for that category.
2. In cases where the customer is passiv, without water meter, billing will be carried out as in the paragraph 1 of this Section.

3. All customers, who currently have no water meter and are billed without water meter are obliged that in cooperation and under the instruction of the service provider to install the water meter within:
 - 3.1. Six (6) months from the date when this Rule for commercial and institutional customers enters into force; and
 - 3.2. One (1) year from the date when this Rule for domestic customers enters into force.
4. After the deadline under paragraph 1 of this Section, the service provider will terminate the provision of services to customers who have not complied with provisions of paragraph 1 of this Section.
5. Paragraph 1 of this Section does not apply in cases when it is technically impossible to install water meter. In this case the customer should be defined under one of three categories specified in 1.1.1. of this Section. The estimated volume of monthly consumption for the purpose of charging should be 1 x of average charging measured for that category.

Section 37: Billing in cases with shared water meter (collective establishments)

1. In collective establishments where are living two (2) or more customers, the billing for water consumption is carried out based upon of reading the main water meter (shared) billing of consumed water is carried out as following:
 - 1.1. Based upon reading of individual Water Meters in cases when there is an individual Water Meter;
 - 1.2. Until the installation of individual water meter (under paragraph 2 of this Section), in cases when consumption is measured through shared water meter, or when technically it is not possible to realize the separation of the connection between the properties of the same building in order to implement the paragraph 3 of this Section, the shared consumption (measured water amount in m3) is allocated to each property (customer) based on:
 - 1.2.1. The first option: the number of household members, as evidenced through the list proceeded by the representative of the collective settlement, in accordance with the Law on use, management and maintenance of the shared settlement. The list is considered valid when is signed by all customers of collective settlement. The list can be updated depending on the innovations based on customer and service provider demand.
 - 1.2.1.1. Besides the service contract, service provider with this category of customers shall sign the agreement of compliance in this way of billing.

In cases of failure of this paragraph application the billing will be carried out according to the paragraph 1.2.2, of this Section.

- 1.2.2. Alternative option: number of residents planned for the property area (according to standards of dimensionin of residential space). In this case, these steps are followed:
 - 1.2.2.1. Determining the number of residents per property (residential space) based on m2 of property. Planned space according to the standards starts from 40 m2 to 1 (one) resident and added 1 (one) resident for every 12 m2;
 - 1.2.2.2. Determining the total number of residents throughout the facility;
 - 1.2.2.3. Estimating consumption per 1 inhabitant (m3), (water amount measured (m3) in the shared water meter/divide the total number of inhabitants);
 - 1.2.2.4. Billing calculation is carried out taking into account: number of inhabitants per property x calculated consumption per capita (m3) X tariff for the relevant category, respectively households charged with domestic tariff, while those commercial & industrial with non-domestic tariff.
2. All costumors of that are living in collective establishments that currently are billed through the main meter (shared) within to (2) years from the entry into force of this Rule should install the individual water meters.
3. After the deadline under the paragraph 2 of this Section, the service provider will terminate provision of services to customers who have not acted in accordance with paragraph 2 of this Section.

Section 38: Handling of Customer Complaints and technical Inquiries

1. Service Provider shall respond to reports or complaints of customers or third party regarding the possible problems relating to (i) the water supply as inadequate quality of water, inadequate quantity of water, inadequate water pressure, water flow on the road, the similar and, (ii) wastewater services such as: sewage blockage, wastewater flooding within six (6) hours from the time of notification, and the similar.
2. If repairs can not be completed within four (4) hours from the time when the problem was inspected and identified, the service provider must post a sign stating the problem and expected date and time for completing repairs.

3. Service Provider shall establish the infrastructure for receiving the notification about the customers' complaints twenty four (24) hours per day, seven (7) days a week and send inspectors to investigate reports of:
 - 3.1. Lack of water supply or damages (leaks) in the water supply network;
 - 3.2. Decreased water pressure in the water network;
 - 3.3. Problems related to the quality of drinking water in the water supply network;
 - 3.4. Blockages and flooding from wastewater; and
 - 3.5. Another incident that has any impact on the provision of water and wastewater.
4. Service provider shall organize staff and equipment in order to respond to the scene situation described in paragraph 1 of this Section.
5. Phone number that must be available for the service of the Customer shall be:
 - 5.1. Published in two dailies newspaper with the largest circulation in the service area; in correspondence with service provider; and on call sheets for Police, Fire, and other public agencies that respond to emergencies;
 - 5.2. Printed on each Invoice issued by the Water Service Provider.
6. The Service Provider shall keep a log of telephone calls, messages, and communications and details of responses including:
 - 6.1. Who contacted the Customer Response Centre;
 - 6.2. When (day and time) did they make this contact;
 - 6.3. What action did the Customer Response Centre take;
 - 6.4. What were the findings or results of the action;
 - 6.5. When (day and time) was the matter responded to;
 - 6.6. What and when was any necessary follow-up actions taken.
7. Telephone calls received after business hours shall be returned before the end of the next Business Day.
8. The Authority shall on a periodic basis audit customer response 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 39: Handling of Customer Complaints and commercial Inquiries

1. The Service Provider shall respond in written to invoice complaints, queries related to billing, changes of address and other commercial inquiries and complaints made by Customers in writing must be responded within ten (10) Business Days, and the Customer either given an answer, or if investigation is required, a substantive holding reply.

However, all queries made by Customers must be resolved in twenty (20) Business Days from the moment when the complaint or query was filed by Customer.

2. When a Customer requests a visit or an appointment with Water Service Provider, the Water Service Provider shall assign the appointment in ten (10) Business Days. A date and time must be given to the Customer.

Section 40: Development and updating of the management information system

1. The Service Provider shall develop and regularly update a system for maintaining all commercial and financial information by centres of revenue and expenditure.
2. The Service Provider shall develop and regularly update a system for maintaining a geographic information to include:
 - 2.1. Size, characteristics and location of the processing equipment drinking water/wastewater;
 - 2.2. Size and location of all major pumping stations;
 - 2.3. Size and location of water main pipeline and distribution network including and water hydrant and valves.
3. The Service Provider shall maintain records referred to in paragraphs 1 and 2 of this Section in a sophisticated electronic system.

CHAPTER VI: IMPELEMENTATION AND PENALTIES

Section 41: Implementation and service standards

1. The Service Providers shall draft rules and internal procedures for all required standards by this Rule.
2. Monitoring of compliance with service standards shall be carried out based on (i) data and periodic reports prepared and submitted by Service Provider to the Authority based on Rules that the Authority determines and updates time after time, and (ii) regular inspections and ad-hoc that the Authority undertakes in the field.

3. The Authority may undertake enforcement actions or decisions on utility tariffs adjustment based on the results of the work achieved by the service providers about the level of compliance of service standards.

Section 42: Reports and records maintenance

1. Each Service Provider shall maintain records of all the standards mentioned in this Rules and preserve them for at least 5 years. The records shall be made available to the Authority for inspection.
2. Each Service Provider shall prepare and file reports to the Authority in prescribed form and within the intervals specified by the Authority from time to time. Reports shall include absolute data and explanations for (non) achievement of service standards. Requested reports should be filed no later than twenty (20) calendar days from the date of sending the request for reporting.
3. Report on interruption of services: Each service provider shall file a report within ten (10) business days to the Authority from the day of interruption, describing any accident or service interruption that affects in fifty days (50) or more customers for six (6) hours or longer.
4. Telephone Call Logs: Each service provider shall maintain its call logs by year and make it available to the Authority for inspection.
5. All records should be maintained in the main Office of service provider and make it available during regular working hours to the Authority for inspection..

Section 43: Penalty and administrative provisions

1. Failure to meet any of service standards defined in this Rule will failure to comply with any of the Service Standards determined under this Rule shall constitute an offence and may subject the defaulting Service Provider to a fine, due to the failure in compliance with provisions of this Rule under the Rule and the Law in force.
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 Authority from time to time.

Section 44: Appeals

1. Service Provider may appeal to the Review Committee on any specific decision of the Authority on the enforcement of the service standards established under this Rule.
2. Service Provider may appeal to the court of competent jurisdiction, for any decision of the Review Committee taken on any specific case for the implementation of service standards.

CHAPTE IX: MISCELLANEOUS

Section 45: Languages

1. This Rule shall be adopted and published in official languages of the Republic of Kosovo.
2. In case of any discrepancy between any versions in which this Rule has been issued, the Albanian version shall prevail.

Section 46: Repealing Provisions

1. This Rule repeals:
 - 1.1. Rule for Minimum Standards of Water Service Providers in Kosovo (R – 03/ W&W) of 31 May 2011 and,
 - 1.2. Decision on correction of minimum standards No 166 of 26 March 2013.

Section 47: Entry into force

This Rule shall enter into force fifteen (15) days upon signing it by the the Director of the Authority.



Raif Preteni
Director of WSRA