

LUŠTICA BAY ELECTRICITY COMPANY DOO TIVAT, društvo sa ograničenom odgovornošću, koje je osnovano i postoji u skladu sa zakonima Crne Gore, registrovano u Centralnom registru Privrednih subjekata u Podgorici, pod registarskim brojem 50857862, PIB 03223108, sa sjedištem i poslovnom adresom u Novom Naselju, Radovići bb, 85323 Tivat, Crna Gora, u svojstvu Operatora Zatvorenog distributivnog sistema Lustica Bay, čiji je zastupnik za svrhu ovog Ugovora g-din Slobodan Sekulić, u svojstvu Direktorice i g-din Mohamed AbouArab, u svojstvu Ovlašćenog zastupnika (“**Društvo**“ ili “**LBEC**“), u skladu sa članom 118 Zakona o energetici (“Službeni list Crne Gore”, br. 5/16, 51/17,82/20,29/22, 152/22) (“**Zakon o energetici**”), dana **14.6.2024. godine** donosi sledeću:

ODLUKU

o utvrđivanju cijena i drugih naknada za priključenje i korišćenje Zatvorenog Distributivnog sistema Lustica Bay

Ovom Odlukom o utvrđivanju cijena i drugih naknada za priključenje i korišćenje Zatvorenog Distributivnog sistema Lustica Bay („**Odluka**“) utvrđuju se cijene i druge naknade za priključenje i korišćenje zatvorenog distributivnog sistema Lustica Bay preko kojeg se distribuira električna energija na području Lustica Bay resorta u Tivtu (“**Zatvoreni Distributivni Sistem**“) i objavljuju cijene i naknade koje je Korisnik dužan da plaća Društvu u skladu sa članom 118 stav 7 Zakona o energetici, na sledeći način:

1. Odlukom se utvrđuju naknade za priključenje i korišćenje Zatvorenog Distributivnog Sistema, koje će se primenjivati počev od **1.7.2024. godine** na sledeći način:

a) Naknada za priključenje na Zatvoreni Distributivni Sistem. i to:

(i) Kategorija potrošnje T4 (domaćinstva) i T4a (mali kupci koji ne pripadaju kategoriji domaćinstava):

T4/ T4a	Naknada	30	€/m ²
	Limit	1500	EUR

LUŠTICA BAY ELECTRICITY COMPANY DOO, a limited liability company incorporated and existing under the laws of Montenegro, registered with the Central Registry of the Commercial Entities in Podgorica under registration number 50857862,, tax number 03223108, with its corporate seat and its business address at business address at Novo Naselje, Radovići b.b, 85323 Tivat, Montenegro, in its power as Operator of Lustica Bay Closed Distribution System, represented for the purpose of this Agreement by Mr Slobodan Sekulić, in his power as Executive Director, and Mr Mohamed AbouArab, in his power as Authorized Representative (“**Company**“ or “**LBEC**“), in accordance with Art 118 of Energy Law (“Official Gazette of Montenegro“ no 5/16, 51/17,82/20,29/22, 152/22) (“**Energy Law**”), on **14 June 2024** issues the following:

DECISION

on determining the prices and other fees for the connection and use of the Closed Distribution System Lustica Bay

This Decision on determining the prices and other fees for the connection and use of the Closed Distribution System Lustica Bay (hereinafter: “**Decision**“) establishes the prices and other fees for the connection and use of the closed distribution system Lustica Bay through which electricity is distributed in the Lustica Bay resort in Tivat (“**Closed Distribution System**“) and publishes the prices and fees, which the Consumer is obliged to pay to the Company in accordance with article 118 paragraph 7 of the Energy Law, as follows:

1. The Decision establishes the fees for the connection and use of the Closed Distribution System, which shall apply starting from **1 July 2024**, as follows:

a) The fee for connection to the Closed Distributive System. as follows:

(i) Consumer categories T4 (households) and T4a (small consumers, which don't belong to household category) :

T4/T4a	Fee	30	€/ m ²
	Limit	1500	EUR

- (ii) Kategorija potrošnje T3 (standardni potrošač na nivou 0,4 kV, bez mjerenja snage):

T3	Naknada	30	€/ m ²
	Limit	1500	EUR

- (iii) Kategorija potrošnje T2 (veliki potrošači na nivou 0,4 kV, sa mjerenjem snage):

T2	Naknada	30	€/ m ²
	Limit	1500	EUR

- (iv) Kategorija potrošnje T1 (veliki potrošači na nivou 10 kV, sa mjerenjem snage):

T1	Naknada	30	€/ m ²
	Limit	1500	EUR

Prilikom obračuna Naknade za priključenje na Zatvoreni Distributivni Sistem iz stava 1 tačka 1 a) Odluke uzima se u obzir ukupna površina jedinice u vlasništvu Korisnika registrovana kod Uprave za nekretnine Cme Gore.

Naknada za priključenje na Zatvoreni Distributivni Sistem iz stava 1 tačka 1 a) ove Odluke se neće naplaćivati u pogledu onih jedinica u vlasništvu Korisnika, koje su priključene na Zatvoreni Distributivni Sistem prije stupanja na snagu ove Odluke.

- b) Naknada za korišćenje Zatvorenog distributivnog Sistema, i to:

- (i) Kategorija potrošnje T4 (domaćinstva) i T4a (mali kupci koji ne pripadaju kategoriji domaćinstava):

T4/T4a	Fiksna mjesečna naknada	3,21 EUR
	Varijabilna mjesečna naknada	0,0012€/kWh

- (ii) Kategorija potrošnje T3 (standardni potrošači na nivou 0,4 kV, bez mjerenja snage):

T3	Fiksna mjesečna naknada	4,12 EUR
	Varijabilna mjesečna naknada	0,0012€/kWh

- (ii) Consumer category T3 (standard consumer at 0,4 kV level, without electrical capacity measurement):

T3	Fee	30	€/ m ²
	Limit	1500	EUR

- (iii) Consumer category T2 (big consumers at 0,4 kV level, with electrical capacity measurement):

T2	Fee	30	€/ m ²
	Limit	1500	EUR

- (iv) Consumer category T1 (big consumers at 10 kV level, with electrical capacity measurement):

T1	Fee	30	€/ m ²
	Limit	1500	EUR

The Fee for connection to the Closed Distribution System referred to in paragraph 1 item 1 a) of the Decision, will be calculated taking into account the total area of the unit owned by the User registered with the Real Estate Directorate of Montenegro.

The Fee for connection to the Closed Distribution System referred to in paragraph 1 item 1 a) of this Decision shall not be charged in respect of those units owned by the User, which are connected to the Closed Distribution System before the entry into force of this Decision..

- b) Closed Distribution System use fee:

- c) Consumer categories T4 (households) and T4a (small consumers, which don't belong to household category):

T4/T4a	Monthly Fixed Fee	3,21 EUR
	Monthly Variable Fee	0,0012€/kWh

- (ii) Consumer category T3 (standard consumers at 0,4 kV level, without electrical capacity measurement):

T3	Monthly Fixed Fee	4,12 EUR
	Monthly Variable Fee	0,0012€/kWh

(iii) Kategorija potrošnje T2 (veliki potrošači na nivou 0,4 kV, sa mjerenjem snage):

(iv)

T2	Fiksna mjesečna naknada	10 EUR
	Varijabilna mjesečna naknada	0,0012€/kWh

(iii) Consumer category T2 (big consumers at 0,4 kV level, with electrical capacity measurement):

T2	Monthly Fixed Fee	10 EUR
	Monthly Variable Fee	0,0012€/kWh

(v) Kategorija potrošnje T1 (veliki potrošači na nivou 10 kV, sa mjerenjem snage):

T1	Fiksna mjesečna naknada	10 EUR
	Varijabilna mjesečna naknada	0,0012€/kWh

(iv) Consumer category T1 (Big consumers at 10 kV level, with electrical capacity measurement):

T1	Monthly Fixed Fee	10 EUR
	Monthly Variable Fee	0,0012€/kWh

2. Odlukom se objavljuju naknade za korišćenje sistema na koji je ZDS priključen, odnosno upotrebu prenosnog sistema i upotrebu distributivnog sistema u skladu sa nivoom napona i druge naknade koje je Korisnik dužan da plaća Društvu u skladu sa članom 118 stav 7 Zakona o energetici i koje su uključene u ukupan iznos koji Korisnik plaća operatoru Zatvorenog distributivnog sistema, i to:

2. The Decision publishes the fees for use of the system to which the CDS is connected, i.e. use of transmission System and use of Distribution System in line with the voltage level and all other applicable fees which the Consumer is obliged to pay to the Company in accordance with article 118 paragraph 7 of the Energy Law and which are included in the total amount which the Consumer pays to the operators of the Closed Distributive System

(i) Kategorija potrošnje T4 (domaćinstva) i T4a (mali kupci koji ne pripadaju kategoriji domaćinstava):

(i) Consumer category T4 (households) and T4a (small consumers, which don't belong to household category):

T4/T4a	Fiksna mjesečna naknada	1,406 EUR
	Varijabilna mjesečna naknada VT	0,032555 €/kWh
	Varijabilna mjesečna naknada NT	0,016278 €/kWh

T4/T4a	Monthly Fixed Fee	1,406 EUR
	Monthly Variable Fee HT	0,032555 €/kWh
	Monthly Variable Fee LT	0,016278 €/kWh

(ii) Consumer category T3 (standardni potrošač na nivou 0,4 kV bez mjerenja snage):

(ii) Consumer category T3 (standard consumers at 0,4 kV level without electrical capacity measurement):

T3	Fiksna mjesečna naknada	1,406 EUR
	Varijabilna mjesečna naknada VT	0,032555 €/kWh
	Varijabilna mjesečna naknada NT	0,016278€/kW

T3	Monthly Fixed Fee	1,406 EUR
	Monthly Variable Fee HT	0,032555 €/kWh
	Monthly Variable Fee LT	0,016278 €/kW

(iii) Kategorija potrošnje T2 (veliki potrošači na nivou 0,4 kV, sa mjerenjem snage):

T2	Fiksna mjesečna naknada	n/a
	Varijabilna mjesečna naknada	15,4233 €/kW

(iii) Consumer category T2. (big consumers at 0,4 kV level with electrical capacity measurement):

T2	Monthly Fixed Fee	n/a
	Monthly Variable Fee	15,4233 €/kW

(iv) Kategorija potrošnje T1 (veliki potrošači na nivou 10 kV, sa mjerenjem snage):

T1	Fiksna mjesečna naknada	n/a
	Varijabilna mjesečna naknada	6,7982 €/kW

(iv) Consumer category T1 (big consumers at 10 kV level with electrical capacity measurement):

T1	Monthly Fixed Fee	n/a
	Monthly Variable Fee	6,7982 €/kW

Varijabilne mjesečne naknade iz stava 1 tačka 3 (iii) i (iv) ove Odluke obračunavaju se po osnovu najviše izmjerene snage u kW, na mjesečnom nivou.

Monthly Variable Fee from paragraph 1 point 3 (iii) and (iv) of this Decision will be applied based on the electrical capacity peak measured in kW, on monthly basis.

3. Odlukom se objavljuju cijene gubitaka na distributivnoj mreži sistema na koji je ZDS priključen, koje je Korisnik dužan da plaća Društvu u skladu sa članom 118 stav 7 Zakona o energetici i koje su uključene u ukupan iznos koji Korisnik operatoru Zatvorenog distributivnog Sistema, i to:

3. The Decision publishes the prices for the network losses on distribution network to which CDS is connected which the Consumer is obliged to pay to the Company in accordance with article 118 paragraph 7 of the Energy Law, and which are included in the total amount which the Consumer pays to the operator of the Closed Distribution System, as follows:

(i) Kategorija potrošnje T4 (domaćinstva) i T4a (mali kupci koji ne pripadaju kategoriji domaćinstava) :

T4/T4a	VT	0,019374 €/kWh
	NT	0,009687 €/kWh

(i) Consumer category T4 (households) and T4a (small consumers, which don't belong to household category):

T4/T4a	HT	0,019374 €/kWh
	LT	0,009687 €/kWh

(iii) Kategorija potrošnje T3 (standardni potrošači na nivou 0,4 kV bez mjerenja snage):

T3	VT	0,019374 €/kWh
	NT	0,009687 €/kWh

(ii) Consumer category T3 (standard consumers at 0,4 kV level without electrical capacity measurement):

T3	HT	0,019374 €/kWh
	LT	0,009687 €/kWh

(iii) Kategorija potrošnje T2 (veliki potrošači na nivou 0,4 kV, sa mjerenjem snage):

T2	VT	0,019374 €/kWh
	NT	0,009687 €/kWh

(iii) Consumer category T2 (big consumers entities at 0,4 kV level with electrical capacity measurement):

T2	HT	0,019374 €/kWh
	LT	0,009687 €/kWh

(iv) Kategorija potrošnje T1 (veliki potrošač na 10 kV, sa mjerenjem snage):

T1	VT	0,010746 €/kWh
	NT	0,005373 €/kWh

4. Naknada za podsticanje obnovljivih izvora električne energije primjenjuje se u skladu sa važećom odlukom ministarstva nadležnog za poslove energetike

5. Odlukom se utvrđuju sledeće kategorije potrošnje
T1 – potrošači na 10kV, sa mjerenjem snage
T2- potrošači na 0,4kV, sa mjerenjem snage
T3 – standardni potrošač na 0,4kV
T4 – domaćinstva
T4a – mali kupci koji ne pripadaju kategoriji domaćinstava

Društvo zadržava pravo da, izmjeni naknade iz stava 1 tačka 1 ove Odluke, donošenjem Odluke o izmenama i dopunama Odluke.

U skladu sa članom 205 Zakona o energetici, cijene i naknade iz stava 1 ove Odluke objavljuju se na zvaničnoj internet stranici Društva.

Ova Odluka stupa na snagu dana **14.6.2024.** godine.

O b r a z l o ž e n j e

Lustica Development AD Tivat, u skladu sa odredbama Ugovora o dugoročnom zakupu i izgradnji od 23. oktobra 2009. godine, koji je zaključen između Vlade Crne Gore, Opštine i društva Lustica Development, je nosilac ekskluzivnog prava da, bilo neposredno ili putem povezanog društva, distribuirati i prodaje korisnicima komunalne usluge, kao što je električna energija u okviru projekta Luštica Bay.

Lustica Development je za potrebe distribucije i prodaje električne energije korisnicima zatvorenog distributivnog sistema električne energije Lustica Bay, osnovala svoje povezano društvo Lustica Bay Electricity company doo Tivat.

(iv) Consumer category T1 (Big consumers at 10 kV level with electrical capacity measurement):

T1	HT	0,010746 €/kWh
	LT	0,005373€/kWh

4. Renewable Energy Sources Fee is applied based on the valid decision of the ministry responsible for energy

5. The decision determines following consumer categories
T1 – consumers at 10kV, with capacity measurement
T2- consumers at 0,4kV, with capacity measurement
T3 – standard consumer at 0,4kV
T4 – households
T4a – small consumers, which don't belong to household category

The Company reserves the right to amend the fees referred to in paragraph 1 point 1 of this Decision, by issuing the Decision on amendments to the Decision.

In accordance with article 205 of the Energy Law, prices and fees pursuant to paragraph 1 of this Decision shall be published on the official website of the Company.

This Decision shall enter into force on **14 June 2024.**

R e a s o n i n g

Lustica Development AD Tivat in accordance with the provisions of the Lease and Development Agreement dated 23rd October 2009 executed between the Government of Montenegro, the Municipality of Tivat and Lustica Development, is the beneficiary of the exclusive right to, either directly or through an affiliate, distribute and sell utilities to customers, such as electricity as part of the Lustica Bay project;

Lustica Development, for the purpose of distribution and sale of electric power and distribution to the users of the closed electricity distribution system Lustica Bay, has established its affiliate Lustica Bay Electricity company doo Tivat;

Regulatorna agencija za energetiku Crne Gore, rješenjem broj 19/2203-7, od 01.08.2019. godine, utvrdila je status zatvorenog distributivnog sistema električne energije u vlasništvu društva Lustica Development AD Tivat, preko kojeg se distribuira električna energija na području Lustica Bay resorta u Tivtu imenujući istovremeno Društvo za operatera Zatvorenog distributivnog sistema Lustica Bay.

Zakonom o energetici, u članu 118 predviđeno da je operator zatvorenog distributivnog sistema jedini operator sistema i jedini subjekat koji utvrđuje cijenu i naplaćuje naknadu za korišćenje zatvorenog distributivnog sistema u skladu sa ugovorom opriključenju i korišćenju zatvorenog distributivnog sistema zaključenim sa korisnikom.

U skladu sa gore navedenim zakonskim ovlašćenjem, kompanija LBEC, kao jedini i isključivi operator Zatvorenog Distributivnog Sistema, je utvrdila cijene i druge naknade za priključenje i korišćenje Zatvorenog Distributivnog Sistema, u iznosima određenim u stavu 1, tačka dispozitiva ove Odluke.

Zakonom o energetici je, u članu 118 stav 7, predviđeno da je korisnik dužan da operatoru zatvorenog distributivnog sistema plaća korišćenje sistema na koji je zatvoreni distributivni sistem priključen, odnosno korišćenje prenosnog sistema i korišćenje distributivnog sistema u skladu sa naponskim nivoom, kao i druge naknade predviđene tim zakonom u skladu sa ugovorom o priključenju.

U skladu sa gore navedenim zakonskim ovlašćenjem, cijene i naknade, koje su uključene u ukupan iznos koji Korisnik plaća operatoru Zatvorenog Distributivnog Sistema, objavljene su u stavu 1 tačke 3, 4, 5 i 6 dispozitiva ove Odluke.

Montenegro Energy Regulatory Agency by its Decision No. 19/2203-7 dated 01.08.2019. established the status of a closed distribution system of electric energy owned by Lustica Development AD Tivat, through which electricity is distributed in the Lustica Bay resort in Tivat, appointing at the same time the Company, as the operator of the Lustica Bay Closed Distribution System.

Energy Law in the Article 118 provides that operator of a closed distribution system is the exclusive system operator and the only entity that determines the price and charges for the use of the closed distribution system in accordance with the agreement for the connection and use of the closed distribution system executed with the user.

In accordance with the above legal authorisation, LBEC, as the sole and exclusive operator of the Closed Distribution System has determined the prices and other fees for the use of the Closed Distribution System, in the amounts as it is determined in paragraph 1 point 2 of the disposition of this Decision.

Energy Law in the Article 118 paragraph 7 provides that the user of the closed distributive system pays the use of the system on which the closed distribute system is connected, i.e. the usage of the trasmission system and usage of the distribution system in accordance with the voltage level, as well as other fees established by that law, in accordance with the agreement on the connection.

In accordance with the above legal authorisation, prices and fees, which are included in the amount which Consumer pays to the operator of the Closed Distributive System, have been published in paragraph 1 items 3, 4, 5 and 6 of the dispositive of this Decision.

LUŠTICA BAY ELECTRICITY COMPANY DOO TIVAT

Slobodan Sekulić, Executive Director / Izvršni Direktor

Mohamed AbouArab, Authorized Representative / Ovlašćeni zastupnik