Decision No. 1/14 of the Board of the Public Utilities Commission

Adopted 23 October 2014

Regulations on the General Authorisation and Registration in the Water Management Sector

Issued pursuant to

Section 18.1, Paragraph two, Paragraph four and Section 25, Paragraph one of the Law On Regulators of Public Utilities

I. General Provision

1. The regulations on the general authorisation and registration in the water management sector (hereinafter – the regulations) prescribe:
   1.1. the requirements for registration of providers of water management services (hereinafter – the operator);
   1.2. the procedures by which the operator shall send a registration notification or a notification on termination of activities to the Public Utilities Commission (hereinafter – the regulator);
   1.3. the information to be included in the registration notification and the notification on termination of activities;
   1.4. the information to be included in the register of operators;
   1.5. the procedures by which an operator shall be excluded from the register of operators and re-registered;
   1.6. the procedures by which the regulator shall inform the submitter of a registration notification regarding the time period within which it will be registered, regarding the right to commence the provision of public utilities, if a decision of the regulator to refuse to register the submitter of a registration notification has not been received within the prescribed period, and regarding the possibilities to appeal the respective decision of the regulator;
   1.7. the provisions of the general authorisation to be complied with by the operator in providing the water management services (hereinafter – provisions of general authorisation).

II. Registration Notification and Notification on Termination of Activities

2. The operator shall send a notification to the regulator on registration, which is drawn up in accordance with Annex 1.

3. The operator shall submit information to the regulator regarding changes in the name, legal address, zone of activity of the operator, as well as in other information included in the register of operators within 30 days after making the respective changes.

4. If the operator ceases to provide the water management service, it shall send a notification to the regulator on termination of activities in accordance with Annex 2.

5. The operator shall be liable for the veracity of the provided information.

6. The regulator has the right to request the operator to clarify the information included in the registration notification and the notification on termination of activities.
7. If the notification is submitted electronically, electronic copies of documents supporting the notification shall be attached and attested with a safe electronic signature and time stamp in accordance with the laws and regulations regarding drawing up of electronic documents.

8. After receipt of the registration notification, the regulator shall send the following information to the e-mail address indicated by the operator in the registration notification within five working days:
   8.1. the time period within which the operator will be registered with the register;
   8.2. the right to commence the provision of public utilities, if a decision of the regulator to refuse to register the operator with an indication of the possibility of appealing the decision has been received within the prescribed period.

III. Register of Operators

9. The regulator shall maintain and update the register of operators on its website www.sprk.gov.lv, indicating the last date of updating the register.

10. The register of operators shall include the following information:
   10.1. name;
   10.2. unified registration number;
   10.3. legal address;
   10.4. amount of the provided water management service (m³ per year);
   10.5. territory where the water management services are provided;
   10.6. registration date;
   10.7. if the operator has been excluded from the register of providers of water management services, the date when the operator was excluded from the register.

IV. Procedures for Excluding the Operator and Suspending Its Activities

11. The operator shall notify the regulator regarding suspending activities of the operator no later than 30 days in advance.

12. The operator shall notify the regulator regarding termination of the provision of the water management service no later than 90 days in advance.

13. The regulator shall exclude the operator from the register:
   13.1. after receipt of a written notification from the operator, if the operator has paid the State fee for the regulation of public utilities and submitted information to the regulator related to the calculation of the State fee;
   13.2. if the operator has been excluded from the Commercial Register;
   13.3. if it has been detected that the activities of the operator are not subject to the Law On Regulators of Public Utilities anymore or other laws and regulations of the respective field.

14. If the regulator detects a violation of the provisions of general authorisation in activities of the operator, the regulator shall send a warning to the operator in a registered mail to its legal address, indicating therein the detected violation, and shall request the operator to provide an explanation, provide recommendations for elimination of the detected violation, and shall determine a deadline by which the operator must eliminate the detected violation.
15. If the operator fails to eliminate the violation detected by the regulator in the warning letter within the prescribed period, the regulator shall initiate proceedings within the framework of an administrative violation case.

16. If the operator fails to eliminate a similar violation committed repeatedly within a year (hereinafter – the repeat violation) within the period determined in the warning letter of the regulator, the regulator shall:
   16.1. initiate an administrative violation case;
   16.2. take a decision binding to the operator, in which the repeatedly detected violation is indicated, and impose a duty to eliminate the repeat violation, determine a deadline by which the repeat violation must be eliminated and warn regarding exclusion of the operator from the register.

17. If the operator fails to eliminate the repeatedly detected violation within the period determined in the binding decision referred to in Sub-paragraph 16.2 of this Regulation, the regulator shall take a decision to exclude the operator from the register.

18. For re-registration the operator shall send a notification to the regulator in accordance with Paragraph 2 of this Regulation.

19. The regulator shall make a note in the register on suspending economic activities of the operator on the basis of a mandatory requirement of the State Revenue Service, which has been sent to the regulator in accordance with the Law On Taxes and Fees.

20. The regulator shall make a note in the register on suspending activities of the operator on the basis of an entry in the Commercial Register on suspending activities of the operator.

V. Provisions of General Authorisation

21. The operator has the right and a duty to perform commercial activities in provision of water management services in accordance with the Law On Regulators of Public Utilities, special laws and regulations of the regulated field and the decisions of the regulator.

22. The operator must ensure and maintain the objects necessary for the provision of water management services.

23. The operator must ensure continuous provision of public utilities, conformity with the safety requirements of public utilities laid down in the regulated field, as well as the quality of public utilities in accordance with the Law On Regulators of Public Utilities, and laws and regulations, technical regulations, standards and contractual provisions in the regulated field.

24. The operator shall inform the regulator on a regular basis regarding its activities and changes therein in accordance with laws and regulations and decisions of the regulator.

25. The operator shall provide information in accordance with the regulations regarding the information to be submitted to the regulator.

26. The operator shall ensure the regulator with an opportunity to monitor the quality of the provision of public utilities and conformity with the provisions of general authorisation. The operator shall ensure the regulator with information regarding the results of economic and financial activities of the operator, as well as ensure the regulator with access to performing inspections.
27. The operator shall arrange separate accounting for each type of public utilities in accordance with the special laws and regulations of the regulated field.

28. In case of force majeure circumstances, the operator has a duty to take all the necessary measures to continue to conform to and fulfil the provisions of general authorisation.

29. The operator shall pay the State fee for regulation of public utilities in the amount and in accordance with the procedures laid down in laws and regulations.

30. The operator has the right to suspend, cease or terminate the provision of public utilities in accordance with the procedures laid down in laws and regulations.

VI. Final Provisions

31. Operators, which have a valid licence to provide water management services on the day of coming into force of this Regulation, need not submit a registration notification. The regulator shall register such operators with the register of operators upon its own initiative.

32. This Regulation shall come into force on the day following the publication thereof in the official gazette Latvijas Vēstnesis.

Acting in the capacity of the chairperson of the Public Utilities Commission
Member of the Council                        R. Irklis
**Notification on Registration of the Provider of the Water Management Service**

**General information regarding the operator**

<table>
<thead>
<tr>
<th>Name of the operator:</th>
<th>Unified registration number:</th>
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<tbody>
<tr>
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</table>

<table>
<thead>
<tr>
<th>Given name, surname of person entitled to represent the operator:</th>
<th>Phone, fax, e-mail:</th>
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</thead>
<tbody>
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</table>

<table>
<thead>
<tr>
<th>Legal address:</th>
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</table>

Please register ____________________________

(name of the operator)

for the provision of public service – provision of water management services.

**Information regarding provision of water management services**

<table>
<thead>
<tr>
<th>1. Water management services:</th>
<th>2. Planned quantity of extracted water and planned quantity of water supplied to users (m³ per year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1. extraction, accumulation and preparation of water for use up to input in the water supply system;</td>
<td></td>
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<tr>
<td>1.2. supply of water from the input site in the water supply system to the user of the service;</td>
<td></td>
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<tr>
<td>1.3. collection and drainage of wastewater to wastewater treatment plants;</td>
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<tr>
<td>1.4. wastewater treatment and drainage in surface water bodies</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Planned quantity of wastewater collected from users and planned total quantity of treated wastewater (m³ per year)</th>
<th>4. Territory for the provision of water supply services</th>
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</table>

<table>
<thead>
<tr>
<th>5. Territory for the provision of wastewater services</th>
<th>6. Delegation contract, which has been entered into with a local government regarding provision of water management services</th>
</tr>
</thead>
</table>
(indicate the local government, the type of water management services, the territory of provision and the term of the contract)

7. Number, date of issuance, and term of the permit for use of water resources or polluting activity of the State Environmental Service

I hereby confirm that the operator has the fixed assets in the ownership or property thereof, which may ensure the continuity and quality of the provision of registered water management services in accordance with the requirements of laws and regulations.

I hereby confirm that the information provided is true.

Date*____ ____________________ 20____

Person entitled to represent the operator

________________________________________

/signature* and full name/

Note
* – the details of the document “date” and “signature” need not be completed, if the electronic document has been drawn up in accordance with the laws and regulations regarding drawing up of electronic documents.

Acting in the capacity of the chairperson of the Public Utilities Commission
Member of the Council

R. Irklis
### Notification on Termination of Activities

<table>
<thead>
<tr>
<th>Name of the operator:</th>
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</tbody>
</table>

Please exclude ________________________________ (name of the operator) from the register of providers of water management services from _____ 20__ *

Indicate the grounds for exclusion** ________________________________

State fee in the amount of EUR _____ for regulation of public utilities in _____ [year] was paid on ____ 20__.

I hereby acknowledge that the respective local government(s) is (are) informed.

Date*** ____ 20__

Person entitled to represent the operator
________________________________________________________

/signature*** and full name/

Notes
* – if the operator has indicated a date before which the regulator may exclude the operator from the register, the regulator shall exclude the operator from the register on the date indicated by the operator, indicating it in the register.
** – need not be indicated, if the operator is excluded from the Commercial Register. In cases when the operator ceases to provide the water management services, indicate the operator which will provide this service.
*** – the details of the document “date” and “signature” need not be completed, if the electronic document has been drawn up in accordance with the laws and regulations regarding drawing up of electronic documents.

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Member of the Council
R. Irklis