



**Republika e Kosovës- Republika Kosova-Republic of Kosovo
Komisioni Kosovar i Konkurrencës
The Kosovo Competition Commission
Kosovska Komisija za Konkurenciju**

PA/XVI- 05.05.2011

Pristine 05 May 2011

DECISION

Nr. 16 dated 05.05.2011

“On verbal agreement or coordinated practices of price equation of the fuel derivatives in the Vushtrri municipality”

The Kosovo Competition Authority consisting of the following members:

Mr. Osman Ejupi Chairman
Mr. Ahmet Krasniqi member,
Mr. Halit Shabani member,
Mr. Gani Asllani member,

In the meeting held on 05.05.2011 discussed the following:

Subject: Annulment of the verbal agreement or coordinated practices for determining and leveling of the prices of the petroleum derivatives

Legal basis: Articles 28.1 and 29 of the Law on Competition Protection nr. 03/L-229 dated 07 October 2010, Official Gazette nr. 88/25 November 2010,

The Kosovo Competition Commission, during the administrative procedure, on 07.02. 2011, decided to discuss the initiation of investigation for the coordinated practices of determining of the petroleum derivative prices.

The Kosovo Competition Commission, after looking at and carrying out investigations in several fuel stations in the Vushtrri municipality and the hearing session held with the owners and representatives of the fuel stations respectively, on 05.05.2011, in the subsequent meeting

NOTICED THAT:

I. The relevant market of petroleum derivatives in the Vushtrri municipality is the Vushtrri municipality.

The owners of the fuel stations in the Vushtrri municipality have equal prices of the petroleum derivatives.

II. Procedures followed

The Kosovo Competition Authority, in line with the official duty and based on the information from the consumers and public information, concluded to undertake a thorough investigation on 07.02.2011 and on 29.04.2011 decided that Mr. Deniz Jonuzi and Mr. Gani Asllani to investigate several fuel stations and verify the price list of their petroleum derivatives.

The commissioners found that at the fuel station "Graniti Petrol" from Stanovci i Ulët, owned by Mr. Remzi Shaqiri the price of diesel was 1.27 € per liter and 1.25 € for petrol and the price was also the same at the following fuel stations: "Bajraktari petrol" Maxhunaj owned by Ms. Mustaqe Bajraktari, "Merctras petrol" Maxhunaj owned by Mr. Hamit Merovci, "BT petrol" Nadakovc owned by Mr. Albert Beqiri, "Iliri com" Vushtrri owned by Mr. Jeton Vershevc, "Unikonzum" Vushtrri owned by Mr. Tasim Merovci, "Vicianum petrol" Vushtrri owned by Ms. Vjollca Zeka, "BTP-Holding" Vushtrri owned by Mr. Ali Hasani, "Kosova petrol" Vushtrri owned by Mr. Avni Zeka, "Elan petrol" Vushtrri owned by Mr. Avdi Azemi, "Berisha petrol" Shitaric, Vushtrri owned by Mr. Fitim Berisha, "Bajgora Trans" Vushtrri owned by Mr. Avni Musa, and "Fati petrol" Vushtrri owned by Mr. Rifat Mustafa. During the conversation we had with them they admit that they verbally agreed that the price should be the same at the all fuel stations.

III. Hearing session

In order to enable the parties to explain themselves which can help in taking the meritorious decision, the Commission pursuant to the Article 47 of the Law on Competition Protection nr. 03/L-229 dated 07 October 2010, Official Gazette nr. 88/25 November 2010 invited the representatives of the fuel stations that on Thursday, 05.05.2011 at 10:00 hrs in the hall nr. 301 of the Kosovo Assembly take part in a hearing session. Fourteen representatives responded to the invitation and after a debate we had and hearing of their opinions, we came to a mutual agreement that this agreement and practice be annulled and that the petroleum price should be free and competitive.

DUE TO THE REASONS MENTIONED ABOVE

The Authority for protection of competition in accordance with the Article 142.1 of the Constitution of Republic of Kosovo and Article 28.1 of the Law on Competition Protection nr. 03/L-229 dated 07 October 2010, Official Gazette nr. 88/25 November 2010 in the subsequent meeting held on 13.06.2011 took this:

D E C I S I O N

The agreement among the owners of the fuel stations for retail sale of fuel in the Vushtrri municipality for determining and leveling of the petroleum prices is annulled.

Legal advice:

The appeal is not allowed since the agreement was reached.

To be informed with this decision:

1. Media,
2. Owners of the fuel stations in the Vushtrri region.

This decision enters into force immediately.

THE KOSOVO COMPETITION COMMISSION

Ahmet Krasniqi	Halit Shabani	Gani Asllani	Deniz Jonuzi
Member-----	Member -----	Member -----	Member -----

Osman Ejupi

Chairman