

## THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION

### NOTICE UNDER ARTICLE 14(2) OF THE ELECTRICITY (NORTHERN IRELAND) ORDER 1992

#### MODIFICATIONS PROPOSED TO THE LICENCE HELD BY SONI LIMITED AUTHORISING IT TO PARTICIPATE IN THE TRANSMISSION OF ELECTRICITY

The Northern Ireland Authority for Utility Regulation (the **Authority**) hereby gives notice in accordance with Article 14(2) of the Electricity (Northern Ireland) Order 1992 (the **Order**) as follows:

- 1 The Authority proposes to modify the licence granted to SONI Limited (the **Licensee**) under Article 10(1)(b) of the Order authorising it to participate in the transmission of electricity (the **Licence**).
- 2 The proposed modifications are to Condition 42 of the Licence (the **Condition**).
- 3 The modifications proposed are shown in mark-up and strikethrough in the proposed revised version of the Condition at Schedule 1.
- 4 The effect of the proposed modifications will be to:
  - (a) remove the existing provisions in Part F which state that each date specified in the Condition is modified in the event that an (unsuccessful) appeal has been made to the Competition and Markets Authority (**CMA**) by the Licensee under Article 14B of the Order in respect of the Authority's decision to modify the Licence to include Condition 42;
  - (b) introduce a new Part F which enables the Authority to modify the Condition, by giving a direction to the Licensee, to the effect that any date or period of time specified in the Condition is changed to a later date or a longer period (as the case may be); and
  - (c) make certain minor consequential changes to the introductory text of the Condition, the definitions used in the Condition, and its paragraph numbering.
- 5 The reasons why the Authority proposes to modify the Licence are as follows:
  - (a) the existing provisions at Part F of the Condition, referred to in paragraph 4(a) above, are no longer needed as they relate to a situation (namely an appeal to the CMA against the original decision of the Authority to include the Condition in the Licence) which did not occur and cannot now occur;
  - (b) the dates and periods of time currently specified in the Condition are premised on the Licensee having been able to ensure that a new board of the Licensee was constituted in accordance with the requirements of Part A by 1 June 2023;
  - (c) in practice, the new board of the Licensee was not constituted in accordance with the requirements of Part A of Condition 42 until 1 October 2023;
  - (d) the Authority considers it essential that the newly constituted board of the Licensee – given that it will need time to be fully informed on matters relating to the provisions and requirements of the Condition, and given the importance of it bringing its independent

perspective to bear on how best to achieve compliance with those requirements – has an adequate amount of time to consider and make its decisions on such matters;

- (e) given the delay in the appointment of the new board, the current timetable mapped out in the Condition is unlikely to facilitate the board having an adequate amount of time to consider and make its decisions on matters relating to the Condition;
- (f) the Authority considers it necessary and appropriate to take a flexible power to change the dates and time periods (such that they can only be extended and not shortened) by direction, so that it can respond to this delay and ensure that the board has adequate time to carry out its tasks;
- (g) the Authority considers it necessary and appropriate to be able to exercise this power on more than one occasion, so that it can be responsive to any unavoidable future delay in implementation of the Condition; and
- (h) the Authority is provisionally satisfied that the proposed modifications involve changes which are best calculated to meet its statutory objectives and duties at Article 12 of the Energy (Northern Ireland) 2003, most notably because it will be in the interests of consumers in Northern Ireland for the board of the Licensee to have adequate time to consider and make decisions on how best to achieve compliance with the Condition.

6 Representations or objections with respect to the proposed modifications may be made on or before 20 November 2023 at 17.00 to:

Roisin McLaughlin  
The Utility Regulator  
Queens House  
14 Queen Street  
Belfast  
BT1 6ED

e-mail: [Roisin.McLaughlin@uregni.gov.uk](mailto:Roisin.McLaughlin@uregni.gov.uk)

and copying

e-mail: [Electricity\\_Networks\\_Responses@uregni.gov.uk](mailto:Electricity_Networks_Responses@uregni.gov.uk)

7 The Authority has, under and in accordance with Article 14(4) of the Order, sent a copy of this notice (including the Schedule) to the Licensee, the Department for the Economy and the General Consumer Council for Northern Ireland.

8 The proposed modifications can be obtained in hard copy by sending a request to Roisin McLaughlin using any of the contact details above.

Dated: 20 October 2023

Signed



Name

John French

**For and on behalf of the Northern Ireland Authority for Utility Regulation**

**SCHEDULE 1**

**SHOWING IN MARK-UP AND STRIKETHROUGH THE MODIFICATIONS PROPOSED UNDER  
ARTICLE 14(2) OF THE ORDER TO CONDITION 42 OF THE ELECTRICITY TRANSMISSION  
LICENCE HELD BY SONI LIMITED**

See document published on published on UR website alongside this Notice