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By Email Only: Claire.Whiteside@nienetworks.co.uk

Date: 6 June 2025

Our Ref: NET/E/JF/1238

Dear Claire,

Application for consent to a longer period for the issuance of a Connection Offer at Site adjacent to 14 Lismoney Road, NIE Networks Reference: 25/01344

Thank you for your letter received 23 May 2025 (the **Letter**) setting out an application **(the Application)** made by NIE Networks Limited **(NIE Networks)** for an extension to the period within which NIE Networks is required to make a connection offer **(the relevant Connection Offer)** concerning a [REDACTED] Anaerobic Digestion (AD) Unit at **14 Lismoney Road**. The extended period now applied for expires on **24 September 2025**.

In this letter we shall refer to the person making the application for the relevant Connection Offer as the **Connection Applicant**.

1. The Application

The Letter describes the relevant background¹ to the Application. Reference is made to Condition 30 of NIE Networks' licence authorising participation in the activity of distribution **(the Licence)**.²

¹ What follows is a summary of the Application. It is not intended to be a complete rehearsal. All parts of the Application have been considered in making the decision set out in this correspondence. Failure to mention parts of the Application (or related correspondence) should not be taken as representing any failure to have regard to those parts.

² [NIE Distribution Licence](#).

Condition 30 (6) (of the Licence) provides that (barring specified exceptions)
³ NIE Networks is obliged to make an offer for connection to the distribution system *as soon as practicable* and (by operation of Condition 30 (6)(b)) *in any event within 3 months*

“after receipt by [NIE Networks] of an application containing all such information in relation to the required connection as [NIE Networks] may reasonably request.”

Condition 30 (6) is to be read alongside and reflects the provision made in Article 20(3) through to Article 20(5) of the Electricity (NI) Order 1992 (the **Electricity Order**).

Condition 30 (7) of the Licence allows NIE Networks to make an application to the Authority⁴ (following requisite consultation) for a consent (in writing) that the period specified in Condition 30 (6)(b) shall be substituted by a longer period and subject to any conditions as specified in the consent.

Significantly, the making – or grant - of a Condition 30(7) type application does not alter NIE Networks’ licence obligation⁵ (under Condition 30(6)(a)) to make a connection offer *as soon as practicable*. The primary obligation (recorded in Condition 30(6)(a) of the Licence and Article 20 the Electricity Order) - to make a connection offer *as soon as practicable* - remains.

NIE Networks states as part of the Application, that it received a valid application (for the Relevant Connection Offer) from the Connection Applicant on 7 March 2025, for the connection of a [REDACTED] AD.

The Application (made in the Letter) is for consent – under Condition 30(7) - for a longer substituted Condition 30 (6)(b) period out (from 7 June 2025) to 24 September 2025.

³ Recorded in Article 21 of the [Electricity \(NI\) Order 1992](#) (the **Electricity Order**): see Condition 30(6) (d) of the Licence.

⁴ In this correspondence we use the words “us” “we” “our” “UR” “Utility Regulator” and “Authority” interchangeably to refer to the Northern Ireland Authority for Utility Regulation.

⁵ Which aligns with the statutory duties reflected in Articles 19 and 20 of the Electricity Order.

The Application refers to NIE Networks receiving a large number of applications in the past year. NIE Networks says *“Export applications coupled with a surge in zero applications has made the demand to reach the 3-month licence standard much greater.”*

NIE Networks states that *“The large numbers and knock on effect as described has led to NIE Networks seeking an extension of time”* and cites this as a reason for requesting more time to facilitate related liaison with SONI and (if capacity is available) to complete design work to produce a relevant Connection Offer.

NIE states that *“These large volumes have had a knock-on effect to the Generation Queue and how we process jobs in order of their competent queue date.”*

The Application further records that:

“Extension request timescales are reducing and NIE Networks are striving that the connection offers for export jobs will be issued in 3 months as per the Licence Standard by the end of the year.”

The Application also states NIE Networks will issue the relevant Connection Offer before 24 September 2025 should it be in a position to do so but acknowledges that a further C30(7) type application might be required *“if other complex issues arise during NIE Networks’ or SONI’s analysis.”*

Reflecting the points above, NIE Networks explains the rationale for seeking the consent sought in the Application as follows:

- *“This extension would allow a connection offer to be issued in line with our licence standard.*
- *This extension would facilitate a fair and transparent network capacity allocation and queueing process for all applicants.*
- *This extension will enable SONI and NIE Networks to determine if capacity is available, complete connection design and production of a connection offer subject to capacity becoming available.”*

NIE Networks says that not granting the extension “would result in NIE Networks not being able to meet its licence standard.”

2. Consultation associated with the Application

Condition 30(7)(a) of the Licence provides that NIE Networks must consult with the Connection Applicant when making an application (for extension) under Condition 30(7).

The Application sets out such consultation with the Connection Applicant, via email of 20 May 2025. The Connection Applicant responded via email of 2 June 2025, saying they accepted the extension request.

So far as affected parties’ consultation is concerned, the Application says this:

“Affected Parties Consultation

In line with the process outlined in NIE Networks’ ‘Distribution Generation Application and Offer Process Statement’ NIE Networks are engaging with SONI in determining if there is Transmission Capacity available for this applicant.

As highlighted earlier NIE Networks still need to determine alongside SONI how each applicant affects others in the queue ahead. NIE Networks therefore have not been able to consult with individual applicants about the impacts of those ahead of them in the queue as it may not be a true reflection. For that reason, NIE Networks does not consider it appropriate to engage with any further parties in consultation at this stage of the process. When NIE Networks becomes aware of which applicants affect others we will assess if individual extensions have had a determinantal impact on them and whether we need to consult with them at that stage.”

3. The Authority's decision

In making our decision on the Application we have regard to:

- (a) our published Decision Paper Guidance⁶
- (b) our principal objective (and related statutory objectives) under Article 12 of the Energy (NI) Order 2003
- (c) the contents of the Application
- (d) the consultation with the Connection Applicant

Having considered the matter fully, the Authority hereby confirms that it provides the consent sought in the Application. It follows that the period under Condition 30(6)(b) of the Licence (in respect of the application for connection made by the Connection Applicant for the [REDACTED] AD) is now extended until **24 September 2025**. We consider the Application justified for the reasons set out in the Letter.

The Authority welcomes the commitment of NIE Networks to work with SONI in progressing the relevant connection applications to include that of the Connection Applicant.

The Authority also welcomes that NIE Networks has updated wording concerning extension request timescales and the mitigating measures NIE Networks is taking. The Authority has noted NIE Networks says it is working to be in a position to issue connection offers, for export connections, within the three month licence standard, by the end of the year. The Authority will monitor if NIE Networks achieves this target.

We would also take this opportunity to confirm that the (extended consented to) period ending 24 September 2025 is a “long stop” date. The obligation under Condition 30 of the Licence is (now), subject to applicable exceptions,⁷ to make a Relevant Connection Offer to the Connection Applicant for the [REDACTED] AD at **Lismoney Road** “as soon as practicable” and “in any event no later than” 24 September 2025. The Licence obligation is not (now) simply to offer connection terms by 24 September 2025.

This decision will be published and placed on the Register in the normal way.

⁶ [Electricity Connections Review Decision Paper | Utility Regulator \(uregni.gov.uk\)](#)

⁷ Consonant with NIE Networks' licence obligations and its statutory duties set out in Articles 12 and 19 of the Electricity Order.

Please do return to us should you require any clarification.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Jillian Ferris', is written over a horizontal line.

Jillian Ferris

Head of Networks

Duly authorised by the Authority