

APPENDIX E

**Electricity Distribution Licence held
by Northern Ireland Electricity
Networks Limited**

Decision: Licence modifications

This appendix sets out the decision on licence modifications to the electricity distribution licence.

Deletions are indicated by ~~red text~~ which has been struck through.

Additions are indicated by red text which has been underlined.

This appendix only includes those conditions (in whole or in part) to which modifications have been decided.

**THE NORTHERN IRELAND AUTHORITY FOR UTILITY REGULATION
DECISION NOTICE UNDER ARTICLE 14(8) OF THE ELECTRICITY
(NORTHERN IRELAND) ORDER 1992**

**MODIFICATIONS TO THE ELECTRICITY DISTRIBUTION LICENCE HELD BY
NORTHERN IRELAND ELECTRICITY NETWORKS LIMITED**

In accordance with Article 14(2) of the Electricity (Northern Ireland) Order 1992 (the **Order**) the Northern Ireland Authority for Utility Regulation (the **Authority**) published on 13 May 2025 a notice (the **Consultation Notice**) of its intention to modify the electricity distribution licence (the **Licence**) granted or treated as granted by the Authority under and in accordance with Article 10(1)(bb) of the Order and held by Northern Ireland Electricity Networks Limited (Registered Company Number: NI026041) (the **Licensee**).

In accordance with Article 14(5) of the Order the Authority has considered all of the representations duly made to it in response to the Consultation Notice. The Authority has decided to proceed with the making of modifications of the conditions of the Licence in exercise of its power under Article 14(1) of the Order.

In accordance with Article 14(8) of the Order the Authority gives notice as follows:

1. Condition 8 of the Licence shall be modified in the manner set out in redline format in Schedule 1 to this notice (which also forms Appendix E of the decision document published on the same date and entitled Combined Notice and Decision on Licence Modification for Provision of Information (the **Notice and Decision Paper**)).
2. Further details of the modifications and of their effects are set out in sections 2, 3 and 4 of the Notice and Decision Paper which shall incorporate by reference into this notice and shall be considered an integral part of it. Those sections –
 - a) state the effect of the licence modifications;

- b) explain how the Authority has taken account of the representations made to it in response to the Consultation Notice; and
 - c) set out the reasons for the licence modifications, including in particular the reason for any differences between the modifications now being made and those set out in the Consultation Notice.
3. The Authority has, pursuant to Article 14(8)(a) of the Order published this notice on its website. In addition, the Authority has sent a copy of this notice to the Licensee, the Department for Economy (DfE), and the General Consumer Council for Northern Ireland.
4. In accordance with Article 9 and 10 of the Order, the modifications made in accordance with this notice shall have effect on and from **18 November 2025**.
5. A copy of the modifications can be obtained in hard copy form by sending a request to:

Karen Shiels and Liz Wilkin
Utility Regulator
Millennium House
Great Victoria Street
Belfast BT2 7AQ

Email:

karen.shiels@uregni.gov.uk

liz.wilkin@uregni.gov.uk

Dated this 23 day of September 2025



John French
Chief Executive
For and on behalf of the Utility Regulator

SCHEDULE 1

Final modifications to Condition 8 of the electricity distribution licence held by Northern Ireland Electricity Networks Limited.

Condition 8. Provision of Information to the Authority

- 1 The Licensee shall, after receiving a request from the Authority for Information that the Authority may reasonably require or that it considers may be necessary to enable it to perform any of its functions relating to electricity as conferred, assigned, or transferred to it by or under any legislation, give that Information to the Authority when and in the form requested.
- ~~1 Subject to paragraphs 6 and 7, the Licensee shall furnish to the Authority, in such manner and at such times as the Authority may require, such information and shall procure and furnish to it such reports, as the Authority may consider necessary in the light of the Conditions or any Schedule or as it may require for the purpose of performing any of its functions relating to electricity conferred on, or assigned or transferred to, it by or under any legislation.~~
- 2 The Licensee shall, within 7 days after the date when ~~these modifications~~^{this paragraph 2} first becomes effective or after the person in question becomes an ultimate controller (as the case may be), procure, from each person which the Licensee knows (or reasonably should know) is at any time an ultimate controller of the Licensee, a legally enforceable undertaking in favour of the Licensee in a form specified by the Authority, which ~~undertaking~~^{information} shall provide that that ultimate controller will give to the Licensee, and will procure that each subsidiary of that ultimate controller (other than the Licensee and its subsidiaries) will give to the Licensee, all such ~~information~~^{information} as may be necessary to enable the Licensee to comply fully with paragraph 1 of this Condition. Such undertaking shall remain in force for as long as the Licensee remains the holder of this Licence and the giver of the undertaking remains an ultimate controller of the Licensee.
- 3 The Licensee shall:

- (a) deliver to the Authority evidence (including a copy of each such undertaking) that the Licensee has complied with the obligation to procure any undertakings required pursuant to paragraph 2;
 - (b) inform the Authority immediately in writing, if the directors of the Licensee become aware that any such undertaking has ceased to be legally enforceable or that its terms have been breached; and
 - (c) comply with any direction from the Authority to enforce any such undertaking.
- 4 The Licensee shall not, save with the prior consent in writing of the Authority, enter (directly or indirectly) into any contract or arrangement with an ultimate controller of the Licensee or any of the subsidiaries of that ultimate controller (other than the subsidiaries of the Licensee) at a time when:
- (a) an undertaking complying with paragraph 2 is not in place in respect of that ultimate controller; or
 - (b) there is an unremedied breach of such an undertaking; or
 - (c) the Licensee is in breach of the terms of any direction issued by the Authority under paragraph 3 in respect of such an undertaking.
- ~~5—Without prejudice to the generality of paragraph 1, the Authority may call for the furnishing of accounting information which is more extensive than or differs from that required to be prepared and supplied to the Authority under Condition 2.~~
- ~~6—The Licensee may not be required by the Authority to furnish it under this Condition with information for the purpose of the exercise of its functions under Article 7 of the Energy Order.~~
- ~~7—5 The Licensee may not be required by the Authority to furnish it under this Condition with any information in relation to an enforcement matter which the Licensee could not be compelled to produce or give in evidence in civil proceedings in the High Court.~~ The Licensee is not required to comply

with paragraph 1 if the Licensee could not be compelled to produce or give the Information in evidence in civil proceedings in the High Court.

8 6 The power of the Authority to ~~request call for~~ information under paragraph 1 is in addition to the power of the Authority to ~~request call for~~ information under or pursuant to any other Condition or any Schedule.

7 The Licensee shall, after receiving a request from the Authority for reasoned comments on the accuracy and text of any Information (including that which has been provided by the Licensee in accordance with paragraph 1) relating to the Licensee's activities under or pursuant to this Licence which the Authority proposes to publish under Article 7 of the Energy Order, give such comments to the Authority when and in the form requested.

9 8 In this Condition:

~~“information”~~ ~~shall include~~ means information (other than information subject to legal privilege) in any form or medium and of any description specified by the Authority and includes any documents, accounts, estimates, returns, records or reports and data of any kind (whether or not prepared specifically at the request of the Authority) ~~of any description specified by the Authority~~; and

“ultimate controller” means:

- a. any person which is a holding company of the Licensee, and which is not itself a subsidiary of another company; and/or
- b. any person who (whether alone or with a person or persons connected with him) is in a position to control, or to exercise significant influence over, the policy of the Licensee, or any holding company of the Licensee, by virtue of:
 - i. rights under contractual arrangements to which he is a party or of which he is a beneficiary;

- ii. rights of ownership (including rights attached to or deriving from securities or rights under a trust) which are held by him or of which he is a beneficiary,

but shall exclude any director or employee of a corporate body in his capacity as such and any minister, ministry, department, agency, authority, official or statutory person; and

a person shall be considered to be connected with another person if he is party to any arrangement regarding the exercise of any such rights as are described in paragraph (b) above.