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**By Email Only: Noel.Gormley@nienetworks.co.uk**

**Date: 25 June 2025**

**Our Ref: NET/E/JF/1248**

Dear Noel,

**Application for consent to a longer period for the issuance of a Connection Offer at Clonmore Road, NIE Networks Reference: 25/02770**

Thank you for your letter received 13 June 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 10 kVA Street Lighting at **Clonmore Road**. The extended period now applied for expires on **31 July 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 background<sup>1</sup> to the Application. Reference is made to Condition 30 of NIE Networks' licence authorising participation in the activity of distribution **(the Licence)**.<sup>2</sup>

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<sup>1</sup> 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.

<sup>2</sup> [NIE Distribution Licence](#).

Condition 30 (6) (of the Licence) provides that (barring specified exceptions)  
<sup>3</sup> 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 Authority<sup>4</sup> (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 obligation<sup>5</sup> (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 13 March 2025, for the connection of 10 kVA Street Lighting, meaning the existing Condition 30 (6) period expired on 13 June 2025.

The Application (made in the Letter) is for consent – under Condition 30(7) - for a longer substituted Condition 30 (6)(b) period out to 31 July 2025.

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

<sup>4</sup> 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.

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

We note, also, that whilst the Application was submitted to the Authority with the necessary information - as per the Authority's 2017 Electricity Connections Decision<sup>6</sup> (the **Decision Paper Guidance**) – it was not received in line with the expectations set out in the Decision Paper Guidance.

The Decision Paper Guidance states that the Authority “*would expect to receive a request from the licensee at least two weeks before the end of the three month connection application period.*” The connection application period expired on 13 June 2025, with the application submission date of 13 June 2025 not fulfilling the stated expectations. In follow up response to enquiry from the Authority, NIE Networks stated that “*we are working through a backlog of requests,*” and some of this backlog would already be outside the Condition 30 Licence Standard.

NIE Networks highlights in the application that a large number of complex demand applications have been received over the past year, with these applications requiring “*detailed assessment of the high voltage network to determine upstream reinforcement requirements.*” Although NIE Networks says the dedicated team for demand connections has been growing and continuing to grow, with new members being trained, and a new approach to queue management being implemented, the volume of applications have had a knock-on effect to the number of applications NIE Networks can process within the three month Condition 30 period.

NIE Networks also highlights that this connection application is linked to a housing development designed under two separate applications, and that a connection offer could not be issued for the street lighting until an LV network was installed at the location, which did not exist prior to the housing development. Construction works are now underway at the housing development, with the LV mains network in place, meaning NIE Networks are now in a position to complete the design for the street lighting application, but require ‘adequate time’, beyond 13 June 2025, to do so.

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

*“Given the complexity of managing multiple applications within one development, an extension will allow NIE Networks time to accurately*

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<sup>6</sup> [Electricity Connections Decision FINAL.pdf](#).

*design and cost this connection taking account of the impact of others in the queue ahead of them.*

NIE Networks says that not granting the extension “*would result in NIE Networks failing 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 12 June 2025.

NIE Networks has not yet received a written response from the Connection Applicant, however says they have provided verbal support to the application.

We note that, although the Condition 30 period is referred to as lasting until 13 June 2025 in the application, the consultation to the Connection Applicant refers to the Condition 30 period running until 17 June 2025. In follow up communication, NIE Networks have confirmed the 13 June 2025 is the correct date.

## **3. The Authority’s decision**

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

- (a) our published Decision Paper Guidance<sup>7</sup>
- (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

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<sup>7</sup> [Electricity Connections Review Decision Paper | Utility Regulator \(uregni.gov.uk\)](https://www.uregni.gov.uk/electricity-connections-review-decision-paper)

connection made by the Connection Applicant for the 10 Kva Street Lighting) is now extended until **31 July 2025**. We consider the Application justified for the reasons set out in the Letter.

The Authority notes that NIE Networks has described expanding the team responsible for demand connections and applying a new approach to queue management. The Authority hopes these changes will reduce the present level of extensions for demand connections and will monitor the level of these types of applications over the near future.

NIE Networks is asked to reflect on our observations (above) as to the proper interpretation of the Condition 30 obligations, and the timing of submissions to the Authority.

We would also take this opportunity to confirm that the (extended consented to) period ending 31 July 2025 is a “long stop” date. The obligation under Condition 30 of the Licence is (now), subject to applicable exceptions,<sup>8</sup> to make a Relevant Connection Offer to the Connection Applicant for the 10 kVA Street Lighting at **Clonmore Road** “as soon as practicable” and “in any event no later than” 31 July 2025. The Licence obligation is not (now) simply to offer connection terms by 31 July 2025.

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

Please do return to us should you require any clarification.

Yours sincerely,



Jillian Ferris

**Head of Networks**

**Duly authorised by the Authority**

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<sup>8</sup> Consonant with NIE Networks' licence obligations and its statutory duties set out in Articles 12 and 19 of the Electricity Order.