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

Date: 09 September 2025

Our Ref: NET/E/JF/1328

Dear Noel,

Application for consent to a longer period for the issuance of a Connection Offer at Killyvally Road, Garvagh, NIE Networks Reference: 25/05590

Thank you for your letter received 26 August 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)** for an Increased Commercial Connection (365kVA), at **Killyvally Road, Garvagh**. The extended period now applied for expires on **12 December 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 9 June 2025, for a Increased Commercial Connection (365kVA), meaning the existing Condition 30 (6) period expires on 9 September 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 12 October 2025.

NIE Networks highlights in the application that a large number of complex demand applications have been received over the past year, with these

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.

applications requiring *“detailed assessment of the high voltage network to determine upstream reinforcement requirements,”* which means the time to make a connection offer is ‘sometimes’ extending beyond the three month period laid out in Condition 30.

Although NIE Networks says the dedicated team for demand connections has been growing and still continuing to grow with new members being trained, along with a new approach to queue management being implemented, NIE Networks says 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 highlights in the application that the application joined the HV design queue at the time of being made compliant, which had a lead time of fifteen weeks due to the high level of complex applications. NIE Networks also comments that in addition to this, there have been *“on going discussions with the applicant regards the proposed substation location required as part of the design solution.”*

NIE Networks therefore says that the period applied for is needed to complete the detailed HV network study, as well as finalise Low Voltage network design and produce an offer package.

Reflecting the points above, NIE Networks explains the rationale, ‘given the complex design and high number of applications’, for seeking the consent sought in the Application as allowing:

1. *NIE Networks time to accurately design and cost connections taking account of the impact of others in the queue ahead of them.*

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 18 August 2025.

The Connection Applicant has not provided a response.

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 Increased Commercial Connection (365kVA) at **Killyvally Road, Garvagh**, is now extended until **12 December 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.

We would also take this opportunity to confirm that the (extended consented to) period ending 12 December 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 Increased Commercial Connection (365kVA) at **Killyvally Road, Garvagh**, “as soon as practicable” and “in any event no later than” 12 December 2025. The Licence obligation is not (now) simply to offer connection terms by 12 December 2025.

⁶ [Electricity Connections Review Decision Paper | Utility Regulator \(uregni.gov.uk\)](https://www.uregni.gov.uk/electricity-connections-review-decision-paper)

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

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,

A handwritten signature in blue ink, reading "Jillian Ferris", is written over a horizontal line.

Jillian Ferris

Head of Networks

Duly authorised by the Authority