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

**Date: 01 September 2025**

**Our Ref: NET/E/JF/1324**

Dear Claire,

**Application for consent to a longer period for the issuance of a Connection Offer at 150 Pomeroy Road, NIE Networks Reference: 25/05172**

Thank you for your letter received 22 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, under Condition 30 of its electricity distribution licence (the licence)<sup>1</sup> to make a connection offer in response to an application for a connection to its distribution system (the **Network**) a [REDACTED] PV at **Pomeroy Road**.

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>2</sup> to the Application. Reference is made to Condition 30 of the Licence.

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<sup>1</sup> [NIE Distribution Licence](#).

<sup>2</sup> What follows includes the most relevant aspects of the Application. 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.

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 (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 *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 (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 (including by reference to a specific date) and subject to any conditions as specified in the consent.

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 10 June 2025, for the connection of a ■■■ PV, meaning the existing Condition 30 (6) period expires on 10 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 November 2025.

The Application refers to NIE Networks receiving a large number of

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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.

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 *“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.”* Is cited 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.

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

1. *“This extension would allow a connection offer to be issued in line with our licence standard.”*
2. *“This extension would facilitate a fair and transparent network capacity allocation and queueing process for all applicants.”*
3. *“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.”*

The Authority does acknowledge NIE Networks’ comments concerning a large number of Export applications coupled with a surge in zero applications. While we acknowledge that a large and sudden increase in applications could theoretically affect NIE Networks’ ability to fulfil Condition 30 timescales, the Authority has not been provided with additional evidence as such.

While we note that request 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, it has not been explained how a PV unit of the size of ■ would affect the capacity and the transmission system.

While the application notes volume and sensitivity of the queue position, the application does not indicate where in the queue this application is, nor the impacts of those ahead of them in the queue, so we cannot determine the effect of approving or not approving this request on the queue position.

It does not appear to the Authority there are specific reasons why this application requires more than the three month timeline. Citing large numbers and knock on effect of applications is not considered a valid reason for non compliance with the three month licence condition. References in the application to work that, in NIE Networks' view, cannot be completed within the three months, were not accompanied by reasoning as to why this work could not be completed within the three month timeline.

The paragraphs above provide a framework for our Decision, which is given in Section 3 of this Decision Letter.

## **2. Consultation associated with the Application**

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

The Application sets out consultation with the Connection Applicant, via email of 20 August 2025. The Connection Applicant provided response on 20 August 2025, saying "*cheers!!! Happy to wait till Nov.*"

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 detrimental 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 had regard to:

- (a) our published decision document on extension applications dated 31 May 2017<sup>6</sup>
- (b) our principal objective (and related statutory objectives) under Article 12 of the Energy (NI) Order 2003<sup>7</sup>
- (c) the contents of the Application
- (d) the consultation with the Connection Applicant

Having considered the matter fully, the Authority hereby decides, that it does not provide the consent sought in the Application, to extend the period under Condition 30(6)(b) of the Licence (in respect of the application for connection made by the Connection Applicant for the ■■■ PV at Pomeroy Road). The timeline for the issue of a connection offer therefore remains at **10 September 2025**. We would continue to encourage NIE Networks to issue a Connection Offer as soon as practicable.

The Authority has decided not to grant the extension applied. If the 10 September 2025 date cannot be met, we would ask that NIE Networks consider this potential conflict, provide the Authority with a full set of reasons why the Condition 30 licence standard cannot be complied with, and record this on the Statement of Licence Compliance (SoLC) report. This record should include identification of when the connection applicant applied, why NIE Networks could not comply with the Condition 30 licence standard, and confirmation that the Connection Applicant has received a payment under the licence guarantee standards.

The Authority also notes that future extension applications similar to this one, will be considered through the same framework as in this Decision Letter. In assessing the reasonableness of an extension request, sufficient

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

<sup>7</sup> [The Energy \(Northern Ireland\) Order 2003.](#)

detailed information must be provided within the extension request itself for example what makes this application more complex or novel than others together with what mitigation measures have been taken to avoid having to make the extension request both in the presented request and in the future.

Please do return to us should you require any clarification.

Yours sincerely,



Jillian Ferris

**Head of Networks**

**Duly authorised by the Authority**