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

**Date: 02 March 2026**

**Our Ref: NET/E/JF/1428**

Dear Claire,

**Application for consent to a longer period for the issuance of a Connection Offer at 35 Derryallen Road, NIE Networks Reference: 23/12294.**

Thank you for your letter received 12 February 2026 (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 a Wind Generator (■■■■), at **35 Derryallen Road**. The extended period now applied for expires on **12 March 2026**.

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 comments that it received a valid application for connection of a ■ Wind Generator, into Enniskillen Main, on 19 December 2023, with the Condition 30 License Standard for provision of a Connection Offer therefore being 19 March 2024. NIE Networks then, on the basis of unusually high volumes of applications, and a need for more time to determine if capacity was available, sent an application for extension of the Condition 30 period to 3 November 2024, to the Authority. The application was approved by the Authority on 15 March 2024.<sup>6</sup>

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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.

<sup>6</sup> [2024.08.05 Redacted C30 35 Derryallen Road DL.pdf](#).

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 March 2026.

NIE states in this application, that SONI confirmed to NIE Networks, on 6 March 2024, there was no available capacity at Enniskillen Main. This would have meant the Connection Applicant had no option for an export connection. However, on 1 August 2024, NIE Networks was informed by SONI it was going to reassess Enniskillen Main capacity, via reassessment of its studies and assumptions concerning Bulk Supply Points.

NIE Networks comments that *“as the capacity was to be reassessed it was not reasonable to remove applications from the queue until we heard the outcome from SONI.”* It was highlighted in the application that on 1 July 2024, NIE Networks and SONI both met with the customer first in the queue, due to concerns raised. During this, the issues associated with making the connection offer and the queue process were explained.

The SONI capacity reassessment was sent to NIE Networks on 22 August 2025. It indicated there would be capacity available for the connection applicant at Enniskillen Main. NIE Networks then carried out 33kV Network studies at each primary substation associated with Enniskillen Main and confirmed distribution capacity for the connection applicant on 5 September 2025.

At that time, three months was allocated for the progression of design and quotation of a connection offer to the connection applicant. NIE Networks projected this would occur by 5 December 2025. NIE Networks states the project was placed ‘on hold’ from 11 September 2025 to 9 October 2025, *“to revise the Single Line Diagram.”* NIE Networks then presented the final options to the connection applicant on 18 December 2025, giving them 30 days to decide on the next steps. The customer did not respond within this timeframe, so as of 17 January 2026 NIE Networks progressed the job for a full quote. After a call on 20 January 2026, NIE Networks stated that the customer confirmed to proceed with the quote.

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

1. *“NIE Networks was waiting for Enniskillen Main capacity outcome and was unreasonable to remove projects at this time from the Generation Queue.*

2. *NIE Networks need 3 months to progress design and quotation once capacity was confirmed by SONI*
3. *NIE Networks have kept customer informed and are meeting again with customer on 18th February 2026 on their land to assess 33kV options.”*

NIE Networks states not granting the extension would result in a refusal to connect and would prevent ■■■ connecting to the network.

The Condition 30 period had been extended to 3 November 2024. NIE Networks is wrong in its interpretation of the obligations under Condition 30 and the related “licence standard”. The long stop Condition 30 period – in this case – expires on 3 November 2024, unless and until we grant the Application. Condition 30 (6) states that a connection offer should be refused, or accepted, as soon as practicable, but in no event later than three months after receipt of an application containing all such information in relation to the required connection, as the Licensee may reasonably request.

It is not clear from the wording of the application whether NIE Networks considered the application to be on hold from 6 March 2024 to September 2025, while waiting for the SONI reassessment of capacity. From the information provided, NIE Networks appears instead to treat the ‘on hold’ period as running from 11 September 2025 through to 6 January 2026. However, the Authority does not consider this to be the correct interpretation of Condition 30, given, as per the terms of Condition 30 (6), NIE Networks says it received a valid application on 19 December 2023, implying that all reasonable information had been received from the Connection Applicant. The Condition 30 timeline was later extended to 3 November 2024. Extra time required beyond 3 November 2024, to await the results of the SONI assessment, corrections or further activity relating to the Design and Quotation of a Connection Offer, could have informed an application for extension of the Condition 30 period.

The Condition 30(6)(b) long stop period is fixed, until moved by a written consent or further written consent granted by the Authority, pursuant to an application (or further application) under Condition 30(7). Any such application must proceed based on the existing (Condition 30(6)(b)) long stop period expiry date.

It follows that we can only (and do) consider the Application as an application (under Condition 30(7)) for consent to further extend the Condition 30(6)(b) long stop period (for the making of a Relevant

Connection Offer) out to 12 March 2026, from 3 November 2024. There is no prejudice to the Connection Applicant in proceeding on this basis.

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>7</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 Authority considers that the connection application period (in this case) expires on 3 November 2024, and therefore the submission date (of the Application) of 12 February 2026 does not fulfil the stated expectations. The Application offers no explanation for the departure from the expectations set out in the Guidance.

## **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 15 October 2025 (we note that this consults upon an initial extension of 5 December 2025, with extra days added for being ‘on hold’).

NIE Networks then emailed the applicant on 18 December 2025, laying out the options for the connection and stating, “*This will provide an offer date 12th March 2026.*”

The Connection Applicant has not provided a response at the time of the Letter.

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<sup>7</sup> Electricity Connections Decision FINAL.pdf.

### 3. The Authority's decision

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

- (a) our published Decision Paper Guidance<sup>8</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 connection made by the Connection Applicant for the Wind Generator (■) at **35 Derryallen Road** is now extended until **12 March 2026**. We consider the Application justified for the reasons set out in the Letter.

We would also take this opportunity to confirm that the (extended consented to) period ending 12 March 2026 is a “long stop” date.

The obligation under Condition 30 of the Licence is (now), subject to applicable exceptions,<sup>9</sup> to make a Relevant Connection Offer to the Connection Applicant for the Wind Generator (■) at **35 Derryallen Road**, “as soon as practicable” and “in any event no later than” 12 March 2026. The Licence obligation is not (now) simply to offer connection terms by 12 March 2026.

Although an extension is permitted, the Utility Regulator would expect that all periods of non-compliance occurring between the expiry of the Condition 30 period and the date on which this extension is issued are recorded in the Annual Statement of Licence Compliance.

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

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<sup>8</sup> [Electricity Connections Review Decision Paper | Utility Regulator \(uregni.gov.uk\)](https://www.uregni.gov.uk/decisions/2025/03/03/2025-03-03-001)

<sup>9</sup> 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,



Jillian Ferris

**Head of Networks**

**Duly authorised by the Authority**