

**NOTICE UNDER ARTICLE 10(4)
OF THE ELECTRICITY
(NORTHERN IRELAND) ORDER
1992 (THE ORDER)**

**FOR
DURHAM STREET ENERGY LIMITED**

ABSTRACT

On **6th March 2026**, the Utility Regulator received applications for generation and supply licences from **Durham Street Energy Limited**, to enable it to operate as a Demand Side Unit. This Notice, pursuant to Article 10(4) of the Electricity (Northern Ireland) Order 1992 outlines UR's powers in respect of granting licences, provides details on the consideration of the applications from **Durham Street Energy Limited** and details the reasons for the proposed grant of the licences.

AUDIENCE

Consumers and consumer representatives; electricity industry; statutory bodies; government departments

CONSUMER IMPACT

The consumer impact is considered positive. As a licence holder with an aggregated capacity of **27.92MW**, **Durham Street Energy Limited** will be required to participate in the Single Electricity Market (the SEM). It is expected therefore to assist in securing that all reasonable demands for electricity are met, helping to protect security of supply for consumers.

NOTICE UNDER ARTICLE 10(4) OF THE ELECTRICITY (NORTHERN IRELAND) ORDER 1992

Pursuant to Article 10(4) of the Order, the Northern Ireland Authority for Utility Regulation (the “Authority”), hereby gives notice as follows:

- 1) It proposes, in accordance with Article 10 (1) of the Order, to grant modified electricity generation and electricity supply licences to Durham Street Energy Limited, a limited company having its registered office at Acton House, Acton Road, Poyntzpass, Newry, BT35 6TA, United Kingdom (the “Proposed Licensee”). Such licences would enable the Proposed Licensee to operate as a Demand Side Unit, during the period specified in paragraph 2 of the Terms of the Licence
- 2) Articles 10 (1)(a) and 10 (1)(c) of the 1992 Order empower the UR to grant an electricity generation licence and an electricity supply licence respectively to an applicant for such licences. Article 10(3) of the 1992 Order provides that such applications shall be made in a manner prescribed and be accompanied by the prescribed fees. Further, Article 10(3) of the 1992 Order also provides that the applicant for an electricity generation and supply licences shall publish the applications within 14 days of making the applications (in the prescribed manner). The requirements made in Article 10(3) are reflected in (Schedules 1 and 4 to) the Electricity (Applications for Licences and Extensions of Licences) (No. 2) Regulations (Northern Ireland) 2007 (the 2007 Application Regulations).

The UR has also published guidance in respect of the making of an application for an electricity generation licence (the Guidance). The Guidance makes reference to and reflects the requirements of the 2007 Application Regulations.

In carrying out its (electricity) function to grant (or not grant) an electricity generation and supply licence the UR is required to act in accordance with the provisions of Article 12 of the Energy (NI) Order 2003 (the 2003 Order).

Article 12(1) of the 2003 Order provides as follows:

12.(1) The principal objective of the Department and the Authority in carrying out their respective electricity functions is to protect the interests of consumers of electricity supplied by authorised suppliers, wherever appropriate by promoting effective competition between persons engaged in, or in commercial activities connected with, the generation, transmission, distribution or supply of electricity

Article 12(2) of the 2003 Order provides that

(2) . The Department and the Authority shall carry out those functions in the manner which it considers is best calculated to further the principal objective, having regard to—

(a) the need to secure that all reasonable demands in Northern Ireland or Ireland for electricity are met.

Article 12(3) of the 2003 Order provides that in performing the duty under Art 12(2) of the 2003 Order the Authority is obliged to have regard to (but not exclusively to) the interests of persons described. These persons described are individuals who (i) are the chronically sick or disabled (ii) are of pensionable age (iii) have low incomes and (iv) are residing in rural areas.

Article 10(4) of the 1992 Order provides that:

(4) Before granting a licence under this Article, the Authority shall give notice—

(a) stating that the Authority proposes to grant the licence;

(b) stating the reasons why it is proposed to grant the licence; and

(c) specifying the time (not being less than 28 days from the date of publication of the notice) within which representations or objections with respect to the proposed licence may be made,

and shall consider any representations or objections which are duly made and not withdrawn

3) The UR considers that the grant of an electricity generation licence to Durham Street Energy Limited would accord with our responsibilities under Article 12 of the 2003 Order. We assessed that the Durham Street Energy Limited Applications were made in the prescribed manner, and the appropriate fee had been received. The Durham Street Energy Limited application is thus considered made in accordance with the 2007 Application Regulations and the Guidance.

4) In making our Article 12 assessments we had regard to the role that Durham Street Energy Limited could be expected to play in the electricity system.

4.1 As a licence holder, with a current aggregated capacity of 27.92MW, Durham Street Energy Limited are required to participate in the Balancing Market. The Balancing Market ensures that supply and demand for electricity are matched in real time, maintaining grid stability and reliability, ultimately protecting security of supply for consumers.

4.2 Through participation in the SEM, Durham Street Energy Limited has the potential to reduce demand on the SEM by a current aggregated capacity of 27.92MW. This will help to maintain system stability in periods of peak demand and/or low renewables.

4.3 Additional participation in the market further promotes competition, which should reflect more competitive bidding, driving consumer costs down.

4.4 As a licence holder, Durham Street Energy Limited must participate in the (all Island) SEM arrangements. Durham Street Energy Limited could also participate in the capacity market, and provide valuable system support services envisaged under the DS3 programme and its successor, programme, Future Arrangements for System Services

- 4.5 The UR considered that there was no significant risk of adverse impacts on consumers from the granting of the licences to Durham Street Energy Limited.
- 5) The purpose of this public notice is to bring to the attention the grant of the proposed licences referred to above to persons likely to be affected by such grant and to invite representations or objections in connection with it. Any representations or objections with respect to the proposed licence may be made **on or before 5pm on 1st May 2026**.

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- 6) A copy of the proposed licence can be obtained in electronic form on the Authority's website or in hard copy form using the contact details provided above.

Dated this 1st April 2026.

John French

For and on behalf of the Northern Ireland Authority for Utility Regulation.