

Roy Colville
Utility Regulator
14 Queen Street
Belfast
BT1 6ED

firmus energy Ltd
A4-A5 Fergusons Way
Kilbegg Road
Antrim
BT41 4LZ

4th April 2016

Dear Roy,

RE: Consultation on Modifications to Gas Conveyance Licences to Facilitate European Compliance

Thank you for providing firmus energy with the opportunity to respond to the proposed modifications to the gas conveyance licences.

Firmus energy has taken this opportunity to respond to one element of the consultation; namely the proposed modification to the firmus energy Distribution licence detailed in section 2.0.

Forecasting Party Licence Modifications: Modifications to Firmus, Phoenix and Scotia licences

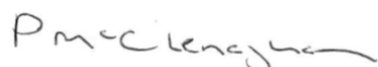
Firmus energy remain committed to engaging with the Utility Regulator and the other network operators in Northern Ireland to ensure European compliance. As such we welcomed the opportunity to provide input into the pre-consultation process.

During the pre-consultation process we highlighted our concerns as to the prescriptive nature of the proposed additions to our Licence and regarding the obligations being placed on firmus energy which are reliant on third party cooperation and compliance. While we recognise the efforts made by the Utility Regulator to address some of the concerns highlighted by firmus energy, during meetings on this issue and in writing on 7 December 2015, and acknowledge the reasons provided for the format of the proposed modification, we request that the Utility Regulator give further consideration to the concerns outlined.

Additionally, firmus energy request that the Utility Regulator further consider our previously submitted Licence drafting changes appended to this letter. The changes requested would provide firmus energy with the comfort that any future review or alteration of the Forecasting Party Agreement results in reasonable obligations.

In conclusion, as firmus energy supports the aim of the modifications detailed in this consultation we hope that these comments prove useful and we look forward to further engagement on the issue to ensure implementation for European compliance.

Yours sincerely,

A handwritten signature in black ink, appearing to read "P McClenaghan".

Peter McClenaghan
Regulatory Affairs Manager

Appendix

Firmus energy would request the following amendments to the wording of the proposed Forecasting Party Licence Modifications, as detailed in Annex 1 of the Consultation:

... Review of the Agreement

6 *The Licensee shall, periodically, or at any time on the receipt of a reasonable request from the Authority to do so, review in conjunction and cooperation with all other distribution system operators and the Forecasting Party, the Forecasting Party Agreement and its implementation to:...*

7 *Following any such review, the Licensee shall, in conjunction with all other distribution system operators and the Forecasting Party, send to the Authority:*

(a) *a report on the outcome of the review;*

(b) *any revisions which the parties agree (acting reasonably) should be made to the Forecasting Party Agreement (having regard to the outcome of the review); and..*

Revision of the Agreement

8 *Any revision to the Forecasting Party Agreement that is agreed by the parties shall require the Authority's approval before it may be made (such approval not to be unreasonably withheld or delayed)....*

9 *The Licensee shall procure that no modification, amendment or variation is made to the Forecasting Party Agreement without the prior approval of the Authority (such approval not to be unreasonably withheld or delayed)....*