

From the office of the Chief Executive

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Our Ref: NET/E/JP/059

Dear Lisa,

Request for Extension of Time to Issue a Connection Offer for Connection Application at Hightown Quarry Waste Incinerator, NIE Networks reference 16/16703, until 30/08/2019.

Thank you for your letter dated 10 December 2018 concerning consent from the Authority for NIE Networks to extend the required three month timeline to issue a connection offer to **Hightown Quarry Waste Incinerator** Connection Application.

Request for further connection offer extension

Within your correspondence you have noted that with Transmission capacity being confirmed, NIE Networks is in a position to provide terms for connection for Hightown Quarry into Glengormley Main to meet the current deadline of the 28 February 2018. However the developer has asked NIE Networks to seek a further extension to allow time for other matters to be worked through. Following engagement with the developer, NIE Networks therefore has put forward the customer's request for an extension of time for NIE Networks to issue the Hightown Quarry Connection Offer until 30 August 2019 as permitted in Condition 30 paragraph 4.

Due to the uniqueness of circumstances, NIE Networks has decided to put forward the customer's requests for an extension of time. NIE Networks also notes that their document 'NIE Networks Distribution Generation Application and Offer Process Statement' dated 4 May 2018 requires an applicant to provide proof of planning permission 120 days from the date of the terms letter and at that stage NIE Networks would be required to determine if Hightown had planning permission or not and the current assessment criteria within the above process do not take account of the exceptional circumstances currently in play.

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Applicant Consultation

Following the Order of the High Court Belfast, the Buick Judgment and Executive Formation and Exercise Functions Act 2018, the Hightown Quarry site's planning application file has now been reopened by DFI and is awaiting a new determination thus the applicant in question has requested and consented to the proposed extension to enable this process to be fulfilled.

Affected Parties Consultation

NIE Networks has confirmed that there are two applicants behind Hightown Quarry in the queue at Glengormley Main. Following correspondence with the parties, one party was in support of the extension and the other was not in support. The unsupportive party commented that in regards to the applicant *"essentially they have made a connection application in the clear knowledge that they would not have the necessary planning consent attained with the required 120 days post receipt of their connection offer should it be issued before or on the 28th February 2019"*.

The Authority's decision

Subsequent to the submission of the extension request NIE Networks has also informed us that SONI has confirmed that there currently is Transmission capacity for both of the affected parties irrespective if Hightown Quarry extension is granted or not. The relevant section of the distribution licence is within Condition 30. This requires a connection offer to be made not later than 3 months unless consent to a longer period has been approved by the Authority.

Given the exceptional circumstances of the connection and having considered the request and reviewed the response from the connection applicant and the affected parties, the Authority is able to agree to the extension period requested (i.e. until **30 Aug 2019**).

Yours sincerely,



Jenny Pyper
Chief Executive