

Daniel Robinson
Network Connections Design Team
Northern Ireland Electricity Networks Ltd
Unit 3,
21 Old Channel Road
Belfast
BT3 9DE

13 May 2020

Our Ref: NET/E/JP/209

Dear Daniel

Application under Condition 30(7)(a) of NIE Networks' Distribution Licence ("the Licence") that the Utility Regulator ("the UR") consent to an extension of the period under Condition 30(6)(b) of the Licence, regarding an offer of terms of connection in respect of the Connection Application for Pigeon Top Wind Farm: NIE Networks' reference: 10/14886 ("the Application")

Thank you for your letter dated 6 April 2020 (**Letter**) setting out the Application.

The Application

In the Letter you set out some of the relevant background to the Application.

The LCTA connection node for the connection of Pigeon Top Wind Farm would be Drumquin Cluster (formerly known as Curraghmulkin). On 27th November 2019, NIE Networks applied to the UR for its consent to an extension of time (under C 30(7)(a) of the Licence) in respect of the Connection Application for Pigeon Top Wind Farm. The UR granted that application on 16th December 2019¹. The requisite extension of time expires on 16th May 2020.

Pigeon Top Wind Farm is currently second in the queue for the current available capacity at the Drumquinn Cluster. The other applicant for connection (before Pigeon Top Wind Farm) in the queue is presently involved in a dispute referred to the UR for determination. The UR now has until 31st August 2020 ("the proposed determination date") to make a determination on

¹ https://www.uregni.gov.uk/sites/uregni/files/media-files/2019_12_16-%20Letter%20to%20NIEN%20-%20Pigeon%20Top-%20Request%20for%20further%20extension.pdf

that referred dispute. Until that dispute is resolved, NIE Networks is not in a position to determine or re-allocate (any available) capacity to Pigeon Top Wind Farm.

The Application requests that the UR consent (pursuant to Condition 30(7)(a) of the Licence) to the period under Condition 30(6)(b) of the Licence (in respect of the Pigeon Top Wind Farm connection application) being extended until **14 December 2020**. This “end date” of 14 December 2020 is chosen as being made up of a period of two weeks - plus a further 90 days - out from the proposed determination date. The first two week period is put forward as the period during which NIE Networks will determine if relevant capacity exists for the connection of Pigeon Top Wind Farm as a result of the determination of the referred dispute. The 90 days period is put forward as a period in which NIE Networks will draw up an offer for connection for the Pigeon Top Wind Farm (providing the said determination involves such capacity being available). In considering the Application the UR has had regard to, and considered, all of the Application.²

Consultation associated with the Application

Condition 30(7)(a) of the Licence provides that there must be consultation with the applicant for connection in respect of which the application under Condition 30(7)(a) is made by NIE Networks, namely the applicant for connection of Pigeon Top Wind Farm. The Application provides evidence of the requisite consultation, and further confirms that the applicant for the connection of Pigeon Top Wind Farm does not object to the Application.³

Condition 30(7)(a) of the Licence also provides that NIE Networks should consult with “*such other persons as [NIE Networks] considers may be affected or interested*” in the Application. The UR notes the confirmation of discussions with SONI. The UR also notes the confirmation that there are no other persons requesting connection behind Pigeon Top Wind Farm in the connection queue.

Decision on the Application

² The UR has also had regard to clarification - offered by NIEN since receipt of the Letter - as to the attitude of the (applicant) developer of Pigeon Top Wind Farm to the Application under C30(7)(a).

³ The Letter states that the applicant (developer) of Pigeon Top Wind Farm “supports” the application of NIEN for consent under C 30(7)(a). Having considered the clarification offered by NIEN (see fn. 2 above) the UR proceeds on the (lesser) basis that the evidence submitted in support of the Application reveals no objection from the applicant (developer).

Consent to the Application would allow the applicant for connection of Pigeon Top Wind Farm to remain in the connection queue at Drumquin Cluster in circumstances where there is an opportunity for network capacity to become available that would facilitate the connection of this proposed project. It would also facilitate a fair and transparent network capacity allocation and queuing process for the capacity available at Drumquin Cluster. Further, enabling this application to remain in the queue presents a potential benefit, by providing a greater opportunity for the remaining capacity at Drumquin Cluster to be fully committed/utilised.

Having considered the matter fully, the UR hereby confirms that it consents to the Application so that the period under Condition 30(6)(b) of the Licence (in respect of the application for connection of Pigeon Top Wind Farm) is now extended until **14 December 2020**.

We would take this opportunity to confirm that the period ending 14 December 2020 is a “long stop” date. The obligation under Condition 30 of the Licence is (now) – subject to normal capacity constraints - to offer terms of connection for Pigeon Top Wind Farm “as soon as practicable” and “in any event no later than” 14 December 2020. The Licence obligation is not (now) simply to offer connection terms by 14 December 2020. No doubt NIE Networks will be mindful of this obligation.

Yours sincerely,



Jenny Pyper
Chief Executive