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Briege Tyrie
Utility Regulator
Queens House
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19 April 2013

Dear Briege

Third Energy Package – Consultation on Further Technical Modifications to Gas and Electricity Licences

NIE welcomes the opportunity to respond to the consultation paper published by the Utility Regulator (UR) on 19 March 2013. NIE and the UR have worked closely together over the last few months on a range of IME3 implementation matters, including the further technical modifications in respect of NIE's distribution licence that form part of your consultation paper.

NIE notes that the modifications as they are proposed in your paper are based on the drafting that you had provided to us previously for comment, and insofar as they have changed from what we have seen, we have no comments, other than to note that in LC20(3) the term "licences holders" should be "licence holders".

NIE has already advised the UR of its view of these proposed modifications. In particular, we remain doubtful of the need for NIE's distribution licence to contain obligations in respect of activities that NIE does not undertake and the IME3 Directive does not require any changes to be made to the licence in those circumstances. However, we understand that the UR believes that the inclusion of the modifications in question is needed for IME3 compliance; this point is made in paragraph 3.11 of the paper.



NIE understands the UR intends to use the powers given to it under Regulation 91 of the IME3 (NI) Regulations to implement the proposed modifications. NIE awaits the conclusion of this process, and we look forward to receiving confirmation of the amended distribution licence in due course.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carl Hashim', with a large, sweeping flourish at the end.

Carl Hashim
Regulation Officer

L 130419 – Response to IME3 Technical Mods