



**Renewable Energy Systems Limited**  
Willowbank Business Park, Millbrook, Larne,  
County Antrim, Northern Ireland, BT40 2SF, United Kingdom  
**T** +44 (0)28 2844 0580 **F** +44 (0)1923 299 299  
**E** [info@res-group.com](mailto:info@res-group.com), [www.res-group.com](http://www.res-group.com)

17 January 2017

[laura.kane@uregni.gov.uk](mailto:laura.kane@uregni.gov.uk)

Dear Laura,

**Written response by RES to: Derogations from Network Codes and Grid Codes / Standards in Electricity Generation, Distribution and Transmission Licences**

RES is one of the world's leading independent renewable energy companies working across the globe to develop, construct and operate projects that contribute to our goal of a secure, low carbon and affordable energy future. RES has been an established presence at the forefront of the renewable energy industry for over three decades. Our core activities are the development, design, construction, financing and operation of wind and solar PV projects and we are also active in electricity storage, DSM and transmission. Globally, we have built approximately 10GW of renewable energy generation, including almost 10% of the UK's current wind energy capacity. Since developing our first onshore wind farm in Northern Ireland in the early 1990s, RES has subsequently developed and / or constructed 16 onshore wind farms totalling 229MW. This equates to over 37% of Northern Ireland's onshore wind capacity. RES currently operates over 83MW of wind capacity across Northern Ireland, has secured planning permission for a further 112MW awaiting construction and has 56MW in the planning system. In addition RES has a very strong onshore wind pipeline of 177MW in Northern Ireland.

We consider ourselves well-placed, therefore, to comment on the important issues addressed in this consultation and are grateful for the opportunity to respond. We hope you find our comments below of interest and we will be more than happy to assist with any further information as required.

We welcome the Utility Regulator's efforts to set clear guidance on the processing of derogations and are satisfied that the proposals set out in the consultation are broadly in line with the provisions of the Network Codes.

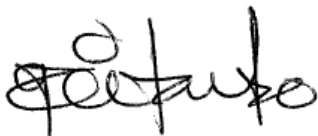
The key points we would like to make are:

1. There are separate procedures proposed for obtaining derogations from the provisions of technical Grid Codes and the European Network Codes. Understandably, this could be because derogations granted against SONI Grid Code and NIE Distribution Code or WFPS settings schedule (for issues which are not subject to the Network Codes) will be subject to Northern Ireland laws, regulations and licences which should define to whom derogations may be granted and there are likely to be differently described legal persons from those described in the European Network Codes. However, given that some Network Code requirements will likely be incorporated into the technical Grid Codes at some stage in the future, we would welcome more clarity on whether or not two separate derogations would be necessary for a single requirement reflected in both the Grid Code and the Network Code.

2. The consultation paper proposes that “A derogation is granted to an individual licensee and cannot be transferred. Thus, if a non-compliant system or plant item is sold, the new licensee will need to apply for a new derogation”. We understand this to mean that a derogation granted to an individual licensee is not transferrable to another licensee and that if derogated plant is sold to another licensee, then the new licensee would need to apply for a new derogation. However is our understanding correct that a new derogation would not be required when the ownership of a licensee changes? As an example, if a Special Purpose Vehicle (SPV) which owns a generation facility and holds a generation licence and final operational notification for the generation facility changes ownership the generation licence or final operational notification should not be affected. The SPV is still the licensee regardless of ownership change thus any derogation granted to the licensee should also remain applicable. Could you please confirm if our understanding is correct and redraft to make this to make this clear.
  
3. The proposed timescales for the European Network Codes derogations are much longer than those for existing codes and standards, see below for example. It is not clear why this should be so and no justification has been provided.
  - Derogation from SONI Grid Code, NIE Distribution Code or WFPSS Settings Schedule provisions: 5.75-6.75 months
  - Derogation from European Network Code RfG under article 62 (generator request) provisions: proposed 12.5-18 months
  - Derogation from European Network Code RfG under article 63 (TSO or DNO request) provisions: proposed 12-16.5 months
  
4. There are a number of terms used throughout the consultation document which have particular meaning but are not defined. These terms include System Operator (SO), Transmission System operator (TSO), Distribution System Operator (DSO), Closed Distribution System Operator (CDSO), power generation modules (PGM). For clarity we suggest that these terms either be formally defined or reference be made to the document that defines them.

Please do not hesitate to contact me should you have any questions.

Yours faithfully



Claver Chitambo  
Senior Electrical Engineer, Ireland  
T Claver.Chitambo@res-group.com  
E +44 1788 220 789