

All interested parties
Stakeholders in Northern Ireland and beyond
and other regulatory bodies

Ref: NET/E/RML/313

Date: 11 February 2021

To whom it may concern

Approval of the Northern Ireland TSOs' proposal to meet the requirements of EU Regulation 2017/2196 Emergency Restoration¹.

In accordance with Commission Regulation (EU) 2017/2196 of 24 November 2017 establishing a Network Code guideline on electricity emergency and restoration (hereafter referred to as **NC ER**), the Utility Regulator (UR) received six proposals on 16 October 2020 from the TSO (SONI) regarding Methodologies to meet the requirements of Articles 4.2(a-f) and Article 4.5.

This letter sets out the UR decision to approve SONI's proposals to meet the requirements of NC ER.

Regulatory aspects

Under Article 4 of the NC ER regulation the relevant TSO must produce a series of proposals for submission to the relevant regulatory authority for approval. The documents that require approval are contained in Article 4.2 as follows:

4.2 Each TSO shall submit the following proposals to the relevant regulatory authority in accordance with Article 37 of Directive 2009/72/EC for approval:

- (a) the terms and conditions to act as defence service providers on a contractual basis in accordance with paragraph 4;
- (b) the terms and conditions to act as restoration service providers on a contractual basis in accordance with paragraph 4;
- (c) the list of SGUs responsible for implementing on their installations the measures that result from mandatory requirements set out in Regulations (EU) 2016/631, (EU) 2016/1388 and (EU) 2016/1447 and/or from national legislation and the list of the measures to be implemented by these SGUs, identified by the TSOs under Art. 11(4)(c) and 23(4)(c);
- (d) the list of high priority significant grid users referred to in Articles 11(4)(d) and 23(4)(c) or the principles applied to define those and the terms and conditions for disconnecting and re-energising the high priority grid users, unless defined by the national legislation of Member States.
- (e) the rules for suspension and restoration of market activities in accordance with Article 36(1);
- (f) Specific rules for imbalance settlement and settlement of balancing energy in case of suspension of market activities, in accordance with Article 39(1);
- (g) the test plan in accordance with Article 43(2).

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017R2196&from=en>

The further requirements contained in Article 4.5 of the NC ER only require the regulatory authority to be notified of the developments.

Background

The Utility Regulator received the TSO's (SONI) NC ER proposals on 19 December 2018 regarding Methodologies to meet the requirements of Articles 4.2(a-f) and Article 4.5. On the 1 October 2019 UR published a request for amendment² to SONI's proposals, the UR requested SONI to consult on the amended proposals. SONI's consultation opened on 8 July 2020 and closed on 21 August 2020, the following documents were consulted on;

- System Restoration Plan for Northern Ireland³
- System Defence Plan for Northern Ireland⁴
- The terms and conditions to act as a restoration service provider for Northern Ireland⁵
- The terms and conditions to act as a defence service provider for Northern Ireland⁶
- The rules for the suspension and restoration of market activities for Northern Ireland⁷

Following the consultation process of the NC ER proposals, SONI resubmitted their proposals to the UR on 16 October 2020. The proposals that SONI re-submitted were referenced slightly differently than to the specific requirements in Article 4 of the NC ER. The following proposals were consulted on and subsequently submitted to the UR:

- 1) The terms and conditions to act as defence service provider for Northern Ireland
- 2) The terms and conditions to act as restoration service provider for Northern Ireland
- 3) Significant Grid Users Northern Ireland
- 4) The rules for suspension and restoration of market activities for Northern Ireland and the specific rules for imbalance settlement and settlement of balancing energy in case of suspension of market activities for Northern Ireland
- 5) Design of the System Defence Plan for Northern Ireland
- 6) Design of System Restoration Plan for Northern Ireland

Decisions

The UR has reviewed SONI TSOs' resubmitted Proposals in line with the requirements of the NC ER regulation, the wider objectives of Regulation (EC) 2017/2196 and the UR's statutory duties and obligations. The UR are satisfied that SONI's proposals have addressed the amendments requested by the UR in our previous decision letter on 1 October 2019. Accordingly, in accordance with Article 4(3)

² <https://www.uregni.gov.uk/sites/uregni/files/media-files/2019-10-01%20NC%20ER%20Request%20for%20Amendment.pdf>

³ http://www.soni.ltd.uk/media/documents/System_Restoration_Plan_Proposal_NorthernIreland-Re-submission.pdf

⁴ http://www.soni.ltd.uk/media/documents/System_Defence_Plan_Proposal_Northern-Ireland-Re-submission.pdf

⁵ http://www.soni.ltd.uk/media/documents/TermsandConditionsRestorationNI_Proposal-Re-submission.pdf

⁶ http://www.soni.ltd.uk/media/documents/TermsAndConditionsDefenseNI_Proposal-Re-submission_New.pdf

⁷ <http://www.soni.ltd.uk/media/documents/RulesForTheSuspensionAndRest>

of the EU Regulation 2017/2196 Emergency Restoration, the UR has approved the proposals submitted by SONI TSO under Articles 4(2)(a)-(f) of the Emergency Restoration Network Code (dated 16 October 2020).

Next Steps

We request that SONI publish the approved submission as well as this approval letter on its website.

Within 3 months of this decision, the TSO will provide the Utility Regulator;

- A status report which includes an update of their implementation of the Articles 4(2)(a)-(f) of the Emergency Restoration Network Code.
- Modifications to be made to the Grid Code and Distribution Code as a result of this Decision.

If you have any queries regarding the information contained within this letter please contact jody.oboyle@uregni.gov.uk or kenny.mcpartland@uregni.gov.uk.

Yours sincerely



Roisin McLaughlin
Head of Network Operations