

John Heywood
Northern Ireland Electricity Networks Ltd
Unit 3
21 Old Channel Road
Belfast
BT3 9DE

By Email Only: John.Heywood@nienetworks.co.uk

Date: 6 March 2024

Our Ref: NET/E/DH/828

Dear John,

Application for consent to a longer period for the issuance of a Connection Offer for 65 Newpark, Greystone Road, NIE Networks Reference: 23/12513

Thank you for your letter dated 21 February 2024 (the **Letter**) setting out an application (the **Application**) made by NIE Networks Limited (**NIE Networks**) for an extension to the period within which NIE Networks is required to make a connection offer, concerning a [REDACTED] at 65 Newpark, Greystone Road.

1. The Application

The Letter describes the relevant background¹ to the Application. Reference is made to Condition 30 of NIE Networks' licence authorising participation in the activity of distribution (the **Licence**).²

¹ What follows is a summary of the Application. It is not intended to be a complete rehearsal. All parts of the Application have been considered in making the decision set out in this correspondence. Failure to mention parts of the Application (or related correspondence) should not be taken as representing any failure to have regard to those parts.

² [NIE Distribution Licence](#).

Condition 30 (6) (of the Licence) provides that (barring specified exceptions)³ NIE Networks is obliged to make an offer for connection to the distribution system as *soon as practicable* and (by operation of Condition 30 (6)(b)) *in any event* within *3 months* from receipt of a valid/completed application for connection to the distribution system.

Condition 30 (7) of the Licence allows NIE Networks to make an application to the Authority⁴ for a (written) consent that the period specified in Condition 30 (6)(b) be longer than 3 months. The making of such an application does not change NIE Networks' licence obligation⁵ (under Condition 30(6)(a)) to make a connection offer *as soon as practicable*. Nor does the grant (by the Authority) of the consent sought through any such application change the position. The primary obligation (recorded in Condition 30(6) of the Licence and Article 20 the Electricity Order) - to make a connection offer *as soon as practicable* - remains.

The Letter explains that on 7 November 2023 NIE Networks received a valid application for an offer of connection for a [REDACTED]. This application was deemed compliant on 6 December 2023. We shall refer to the person making the application as the **Connection Applicant**.

It is explained that the “license standard” - at this time - for provision of the relevant Connection Offer to the Connection Applicant – was **6 March 2024**.

By the Application NIE Networks applies for consent for the relevant period under Condition 30(6) to be substituted by a longer period ending **19 July 2024**.

NIE Networks outlines in this application that, prior to the connection applicant submitting their application in this case, NIE Networks had deemed an application received from a third party applicant competent on 10 May 2023.

NIE Networks describes that “*This site currently has an existing accepted non-contestable connection offer for 25MW into Antrim Main BSP and has been issued an increase in MEC of 22.5MW with an acceptance date of 18th April 2024.*”

³ Recorded in Article 21 of the Electricity (NI) Order 1992 (**the Electricity Order**).

⁴ In this correspondence we use the words “us” “we” “our” “UR” “Utility Regulator” and “Authority” interchangeably to refer to the Northern Ireland Authority for Utility Regulation.

⁵ Which aligns with the statutory duties reflected in Article 19-15 of the Electricity Order.

NIE Networks also adds that *“SONI have confirmed that there is no further capacity beyond the 22.5MW that had already been approved and allocated to this previous applicant and therefore NIE Networks are unable to make a connection offer out of Antrim Main at this time.*

As capacity has not been confirmed for both sites, we require the license standard to be extended for [the Connection Applicant] until we are in a position to determine the outcome the existing connection offer.”

NIE Networks explains the rationale for seeking the extension sought in the Application as follows:

- 1. “Due to its queue position NIE Networks have to allow the third party applicant the full 90 days to accept the existing offer.*
- 2. Once the outcome has been determined NIE Networks will have the full three months permitted for the development of the connection offer.”*

We note that NIE Networks talks of the ‘full’ three months permitted for the development of a connection offer. We remind NIE Networks that proper regard should be given to the Condition 30(6)(a)) obligation to make a connection offer as soon as practicable.

NIE Networks confirms in this application that the timeline for provision of a connection offer to the third party applicant is until 18 April 2024, with the full 90 days allowed *“for acceptance to pass/confirm capacity is available,”* prior to progressing the connection offer for the connection applicant, for which NIE Networks will then require three months for the Connection Design and Quotation period. If capacity is confirmed before 18 April 2024, NIE Networks will *“progress a connection offer for this application as soon as is practicable. If however the capacity has not been confirmed by 18th April 2024 we may need to extend further.”*

NIE Networks says that granting extension would enable NIE Networks to *“progress the connection design and production of a connection offer subject to capacity becoming available.”* If the extension request was not granted, in the opinion of NIE Networks it *“would result in a refusal to connect and would prevent [REDACTED] of Renewable Energy being connected to the network.”*

2. Consultation associated with the Application

Condition 30(7)(a) of the Licence provides that NIE Networks must consult with the Connection Applicant when making an Application (for extension) under Condition 30(7).

The Application sets out such consultation with the Connection Applicant and their response, in an email of 15 February 2024:

1. *“In regards to the applicants that you are waiting on to confirm acceptance, were these applications applied for in November or previous to November and were on hold?”*
2. *“Will there be a notification on the 18th of April to advise that export is available?”*

NIE Networks responded to the Connection Applicant, also on 15 February 2024:

“The applicants were before you in the queue for Export capacity at Antrim Main BSP. Due to their queue position they have first refusal for the capacity that is available. We will advise you of any changes once we have been made aware.”

We note that NIE Networks states in the application that *“[The Connection Applicant] have provided their support to the extension request.”*

3. The Authority’s decision

In making our decision on the Application we have regard to:

- (a) our published decision document on extension applications⁶
- (b) our principal objective (and related statutory objectives) under Art 12 of the Energy (NI) Order 2003
- (c) the contents of the Application
- (d) the consultation with the Connection Applicant.

Having considered the matter fully, the Authority hereby confirms that it provides the consent sought in the Application. It follows that the period under Condition 30(6)(b) of

⁶ [Electricity Connections Review Decision Paper | Utility Regulator \(uregni.gov.uk\)](#)

the Licence (in respect of the application for connection made by the Connection Applicant for the [REDACTED] at 65 Newpark, Greystone Road) is now extended until **19 July 2024**. We consider the Application justified for the reasons set out in the Letter.

We welcome the commitment of NIE Networks to work with SONI in progressing the relevant connection applications to include that of the Connection Applicant.

This request is being approved on the understanding that NIE Networks will not make any changes that result in additional costs borne by Northern Ireland consumers.

We would take this opportunity to confirm that the period ending 19 July 2024 is a “long stop” date. The obligation under Condition 30 of the Licence is (now), subject to applicable exceptions⁷, to make a Connection Offer to the Connection Applicant for the [REDACTED] at 65 Newpark, Greystone Road “as soon as practicable” and “in any event no later than” 19 July 2024. The Licence obligation is not (now) simply to offer connection terms by 19 July 2024.

This decision will be published and placed on the Register in the normal way.

Please do return to us should you require any clarification.

Yours sincerely,



Donald Henry

Networks and Energy Futures Director
Duly authorised by the Authority

⁷ Consonant with NIE Networks’ licence obligations and its statutory duties set out in Articles 12 and 19 of the Electricity Order.