

# RESS 3

# Frequently Asked Questions

May 2023

**NOTE:** Prospective RESS 3 Applicants should refer to the RESS 3 Terms and Conditions throughout. The following document is provided as a working document containing answers to frequently asked questions and is subject to change. The answers are provided for **information purposes only** and where there is any conflict between the answer provided here and the RESS 3 Terms and Conditions, the latter prevails.

If you have any outstanding queries on Qualification or Auction processes, please contact [RESS@EirGrid.com](mailto:RESS@EirGrid.com).

If you have any outstanding queries on Post Auction processes, please contact [RESS@decc.gov.ie](mailto:RESS@decc.gov.ie).

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# Table of Contents

<b>1</b>	<b>Information</b>	<b>3</b>
<b>2</b>	<b>Qualification</b>	<b>4</b>
2.1	General	4
2.2	Eligible Technology	6
2.3	Planning	7
2.4	Grid Connection	9
2.5	Directors Declarations	10
2.6	Change of Control	12
2.7	Offer Quantity	13
2.8	Bid Bonds	15
2.9	Practical considerations	16
<b>3</b>	<b>Changes/Withdrawal</b>	<b>17</b>
<b>4</b>	<b>Auction Information</b>	<b>17</b>
<b>5</b>	<b>Implementation</b>	<b>18</b>
<b>6</b>	<b>Landowner Consent</b>	<b>18</b>
<b>7</b>	<b>Principal Owner</b>	<b>19</b>
<b>8</b>	<b>Declaration of Bidding Independence</b>	<b>20</b>

# 1 Information

The TSO would like to assure prospective Applicants that (as is outlined in the RESS 3 Qualification Process (R3QP) published as part of the RESS 3 Qualification Information Pack (R3QIP)) should we require clarification about these items that we will contact you. We understand that applicants are keen to provide the correct information and if we identify an issue where we consider that we do not have enough information, we will seek clarity from the Applicant before making the provisional qualification decision.

## 1.1.1 Where can I find the RESS 3 Terms and Conditions?

The RESS 3 Terms and Conditions are available on the website of the Department of the Environment, Climate and Communications (DECC), [here](#).

## 1.1.2 Where can I find information on the dates and times of the RESS 3 Auction?

The current [RESS 3 Auction Timetable \(R3AT\)](#) is available [on the EirGrid website](#) . Any update will be made directly to the R3AT document, and an email will issue to our RESS Updates mailing list.

If you would like to receive RESS updates, a request can be sent to [RESS@EirGrid.com](mailto:RESS@EirGrid.com) requesting to be added to the list.

## 1.1.3 How can I get in contact with the EirGrid RESS Team?

The EirGrid RESS Team can be contacted at [RESS@EirGrid.ie](mailto:RESS@EirGrid.ie).

The Postal address for the TSO RESS team is:

RESS Operation  
EirGrid, The Oval  
160 Shelbourne Road  
Ballsbridge  
Dublin, D04FW28

## 1.1.4 How can I get in contact with the DECC RESS Team?

The DECC RESS Team can be contacted at [RESS@DECC.gov.ie](mailto:RESS@DECC.gov.ie).

The postal address for the DECC RESS team is:

RESS Team  
Renewable Electricity Division  
Department of the Environment, Climate and Communications  
29/31 Adelaide Road  
Dublin, D02 X285

# 2 Qualification

## 2.1 General

### 2.1.1 I am interested in participating in the RESS 3 Auction, how do I determine if I am eligible?

Eligibility requirements are set out in the RESS 3 Terms & Conditions in Section 6. These include that the project must:

- be a New Project as defined in Section 2 of the RESS 3 Terms and Conditions.
- use one of the eligible technologies.
- be of a minimum size of 0.5 MW (500 kW).
- have final grant of planning permission.
- not have signed an implementation agreement for RESS 1 or RESS 2
- have a grid connection offer or agreement.
- have landowner consent.
- be financeable under the Terms and Conditions.

Projects that do not meet all of the above requirements are not eligible and should not apply.

### 2.1.2 Does RESS cover domestic rooftop solar or other domestic renewable installations?

No. RESS does not cover projects that are smaller than 500kW. Please see [www.seai.ie](http://www.seai.ie) for details of support schemes that apply to domestic installations.

### 2.1.3 Will a list of Qualified Applicants be published ahead of the RESS 3 Auction?

No. A list of Qualified Applicants will not be published before the Auction. Qualification decisions will be issued to each Applicant on a member private basis on the Provisional Qualification Decision Date.

A list of all Successful Applicants and the location, size and Eligible Technology category of each successful Applicant will be published *after* the Auction *in accordance with 9.5 of the Terms and Conditions*.

### 2.1.4 What forms are required to be submitted with the application?

The forms and declarations to be submitted to EirGrid in the Application for Qualification are:

- RESS 3 Bid Bond Applicant Submission Form (R3BB1)
- RESS 3 Bid Bond Applicant Return Form (R3BB2)
- RESS 3 Landowner Consent Confirmation (R3LCC)
- Declaration of Planning Consent (R3DD1)
- Declaration of Grid Connection (R3DD2)
- Declaration of Financeability (R3DD3)
- Declaration of New Project (R3DD4)
- Declaration of Bidding Independence (R3DD5)
- Declaration Regarding RESS 1 and RESS 2 Projects (R3DD8)

If the technology is hybrid, then the following must also be submitted:

- Declaration of Hybrid Metering and Storage Requirements (R3DD7)

### **2.1.5 Do we submit the below forms with the qualification application? They are also in the Auction Information pack:**

- 1) Notice of Application Withdrawal (R3NW)
- 2) Application for Review (R3AR)
- 3) Notice of Dissatisfaction (R3ND)

R3NW, R3AR and R3ND should not be submitted as part of an Application for Qualification. These forms should only be completed and submitted if an applicant wishes to:

- 1) withdraw their application for qualification.
- 2) Submit a review following provisional qualification decisions.
- 3) Submit a notice of dissatisfaction following application for review decisions.

### **2.1.6 Do hard copies of the PDFs uploaded to the RESS Auction Platform need to be provided?**

Yes. All required documentation must be sent to the RESS Operations Team in EirGrid offices via registered post. Full address is in Qualification Information Pack. See section 3.

### **2.1.7 In respect of 6.4.12 (b) of T&Cs "The Applicant shall also provide a certified structure chart showing the ownership of the Applicant up to ultimate beneficial owner level;". If the Applicant for instance is owned by one Principal owner with a 60% ownership and two minority owners (each a company) with each having a 20% interest; is it a requirement of the structure chart to then show the ultimate beneficial owners or the minority owners companies given they only own 20% of the Applicant and do not constitute beneficial owners?**

In this example ownership details of the Principal Owner and both minority owners should be provided.

### **2.1.8 What happens if an implementation agreement is not accepted?**

If a Successful Applicant does not execute an Implementation Agreement or the Performance Security has not been provided by the *Implementation Agreement and Performance Security Return Date*, the RESS 3 Project will have the Award rescinded and will not receive a Letter of Offer and the TSO will be entitled to draw down on the full amount of the Bid Bond. This Award is not made to any other Applicant.

### **2.1.9 Section 6.4.14 (b) asks for a list of all entities with an ownership or equity interest in the RESS 3 Project and the same information required in paragraph (a) for each such entity; What information is required here?**

To satisfy 6.4.14 (b) we require the legal name and registered address or address of principal place of business of all entities with an ownership or equity interest that are listed in the Declaration of Bidding Independence. We also require the Applicant's company number. We do not require further details of entities with an ownership or equity interest beyond what is required under the Declaration for Bidding Independence.

### 2.1.10 On the RESS Auction Platform what is required in the following fields:

- 1) **Description of the Renewable Energy Technology and the Equipment that will be Utilized for the Project.**
- 2) **Description of the Overall Plant Size - Aggregate installed Rating for the project.**

For the *Description of the Renewable Energy Technology and the Equipment that will be Utilized for the Project*, we require sufficient information here to establish that the RESS 3 Project is an Eligible Technology. On this basis, it is important to refer to the main components of the equipment e.g., the RESS 3 Project will comprise approximately X to Y solar PV panels, invertors etc. or approximately X to Y wind turbines or approximately X to Y run-of-river turbines. For technologies listed in Annex A, sufficient information should be provided to show that the project will be capable of meeting the requirements set out.

For *Description of the Overall Plant Size - Aggregate installed Rating*, please provide the approximate expected Installed Capacity (which is in MW AC) which should be within the limits set out in 6.4.16. A single number should be provided rather than a range.

### 2.1.11 Is it possible to merge two RESS 3 Projects, each qualified on a stand-alone basis, post Qualification? For example, combine two assets and modify the grid connection agreements to merge the projects under one Connection Agreement.

It is not possible to merge two RESS 3 Projects post Qualification.

### 2.1.12 Is it acceptable for a chartered accountant (as opposed to a solicitor) to certify the organisation structure chart to be submitted as part of an application for qualification ?

The organisational chart must be certified by a practicing solicitor who has an up to date practicing certificate and who is enrolled with the Law Society of Ireland and / or other native law society.

### 2.1.13 Is it possible to submit a single RESS 3 project made up of two or more merged connection agreements?

A RESS 3 Project can have only one Connection Agreement or be issued with one Connection Offer. Either:

- Both projects are progressed independently as two separate projects and this will remain the case over the term of the support. Or,
- Where the Applicant is seeking to submit a single RESS 3 Project based on two or more merged Connection Agreements, a letter is required from the relevant System Operator confirming receipt of a complete application to change the contracting party in a Connection Agreement to the Applicant and to merge the projects under one Connection Agreement. In the case of a merge between two connections, the submitted application to the System Operator is not sufficient evidence, confirmation in the form of a letter is required from the relevant System Operator.

## 2.2 Eligible Technology

### 2.2.1 Is offshore generation eligible?

Offshore wind is not an eligible technology in the RESS 3 Terms and Conditions. Only projects that meet the eligibility criteria set out in the RESS 3 Terms & Conditions are eligible to participate in RESS 3.

### 2.2.2 What information is required in the documents demonstrating compliance with Eligible Technologies?

Information that is expected in the Document Demonstrating Compliance with Eligible Technology relates to how the proposed RESS 3 Project complies with the Technical Requirements for Certain Eligible

Technologies set out in Annex A. This is primarily for Biomass, Biogas and Waste HECHP and relates to how the proposed RESS 3 Project will comply with the requirements set out. Onshore Wind, Solar and Hydro do not need to provide further detail here (unless considered important by the Applicant).

### 2.2.3 On the "Compliance" tab on the RESS Auction Platform, we are asked for Confirmation of Compliance with Eligible Technology, what does this mean?

This is to confirm compliance with your selected Eligible Technology as per the Terms and Conditions. For example, if the eligible technology selected is Onshore wind, then this box will need to be ticked confirming that your project is in compliance with section 6.4.4. If the eligible technology selected is Solar, then this box will need to be ticked confirming that your project is in compliance with section 6.4.4 and so on for all Eligible Technologies.

## 2.3 Planning

### 2.3.1 Is planning for the grid connection required to satisfy the condition that the site has full and final planning permission?

No. The grid connection does not need to have a final grant of planning permission in place for the purposes of qualification (only the facility).

### 2.3.2 Can an Offer Quantity which exceeds the current 'full and final' permitted capacity be submitted given that the expectation would be that a revised full and final permission would be received permitting a higher quantum pre-auction?

No. The Offer Quantity should reflect the 'full and final' documents as they apply on the 14<sup>th</sup> June 2023.

### 2.3.3 If a decision is taken to amend the design of the site lay-out for construction and operational reasons, and the amended application would not change the information in the original Application for Qualification (as the project site location and MEC capacity will remain unchanged), would this be acceptable?

Minor planning amendments are allowed under the RESS 3 T&Cs so long as there are no changes specified in Section 6.4.14 other than were provided for in Section 6.4.15.

### 2.3.4 If a project has full planning permission in place when the Auction is run, however the planning permission expires within months of winning at auction, is the project in compliance of the RESS T&Cs if it secures a subsequent planning permission before the first planning permission expires? Or in a situation where there is a gap of time between when the first planning expiration and before the subsequent planning permission is secured?

See Declaration of Planning Consent (R3DD1) point 3. (Which states):

*I refer to the final grant of planning permission for the RESS 3 Project appended hereto and confirm that the planning permission for the RESS 3 Project does not have an expiry date or decommissioning obligation prior to the anticipated end of the term of RESS 3 Support for the RESS 3 Project.*

To this end, a RESS 3 Project that cannot comply with this obligation should not sign the Declaration of Planning Consent (R3DD1).

### 2.3.5 Should all planning consents be referenced (e.g. if there are 2 planning consents for the site), or the most recent?

We suggest using the fields provided in the Application for Qualification to include information on the planning permission that covers the greater amount of Offer Quantity (in MW). Please note that **both** planning permissions must meet the obligations set out in the RESS 3 Declaration of Planning Consent (R3DD1). Please use the field titled 'other documents' to upload all additional relevant information pertinent to the second planning permission such as final grant, date granted etc.

### 2.3.6 What exactly is defined by the planning 'expiry date' referred to in R3DD1 (Declaration of Planning Consent) point 3?

The 'expiry date of decommissioning' refers to the end of the operational period. A planning permission would typically receive a condition limiting the operational period to a certain timeframe e.g. 25 years, when all structures would have to be decommissioned. The 'expiry date of permission' would refer to the end of the construction period. A planning permission would typically receive a condition limiting the construction period to a certain timeframe e.g. 5 or 10 years, when all construction would have to be completed. Expiry date in R3DD1 refers to the expiry date of decommissioning.

### 2.3.7 There is a requirement for "Evidence of Full Planning Permission / Approval" in addition to the Declaration for Planning Consent. Is this required, and if so what sort of evidence is required?

Yes, evidence of full planning permission/approval is required. This will be a Final Grant of Planning Permission from a local authority or an Order from An Bord Pleanála. A **Notification of a Decision to Grant** will not be accepted as this is not a Final Grant of Planning Permission.

### 2.3.8 In relation to projects with planning permission that are subject to a judicial review, what happens to the bid bonds for projects that lose their judicial review if this occurs post the Final Withdrawal Date?

If new information affecting an Application for Qualification becomes available, this should be submitted without delay to [RESS@Eirgrid.com](mailto:RESS@Eirgrid.com).

As per section 9.3.4 of the RESS 3 Terms and Conditions, a bid bond can be returned in four specific circumstances:

Up to 23<sup>rd</sup> August: the Application for Qualification can be **withdrawn**, and the Bid Bond returned.

1. 24<sup>th</sup> August - 25<sup>th</sup> August: it may be possible to reflect this information in the submission of Final Qualification Decisions to the Minister (such that the Applicant **does not qualify** in respect of this project and the Bid Bond would be returned).
2. 25<sup>th</sup> August - 1<sup>st</sup> September: the Minister may be able to take this information into account (such that the Applicant **does not qualify** in respect of this project and the Bid Bond would be returned).
3. After 1<sup>st</sup> September, if the project has been qualified, where the Qualified Applicant in respect of the project is **unsuccessful** in the RESS 3 Auction (and has otherwise complied with the Terms and Conditions), then the Bid Bond would be returned.
4. Otherwise, assuming that the Applicant would not be in a position to proceed with the project (i.e. they would not be able to **execute an Implementation Agreement**), the Bid Bond would be drawn down in full.



## 2.4 Grid Connection

### 2.4.1 My project has changed ownership/control and I am in the process of changing the contracting party on the Connection Agreement (legal entity). What steps should I take to remain compliant with the RESS 3 Terms and Conditions?

A RESS 3 Project can have only one Connection Agreement or be issued with one Connection Offer. Where the grid contracting party listed on the Connection Agreement or Connection Offer is different from the Applicant, a letter is required from the relevant System Operator confirming receipt of a complete application to change the contracting party in a Connection Agreement or Connection offer to the Applicant. Where a letter is not available in the timeframe, please provide the completed documentation submitted to the relevant System Operator.

### 2.4.2 Would you confirm that we should use the MVA or MW values for our Application for Qualification?

Maximum Export Capacity and Offer Quantity are both in MW. The Connection Agreement should contain both MVA/kVA and MW/kW values and the MW value should be used.

### 2.4.3 If a project is successful in RESS 3, can the RESS 3 offer quantity be expanded if an additional generating station is developed or must the additional generating capacity go through a later RESS auction process?

A RESS 3 offer cannot be changed after Qualification Application Closing Date for RESS 3. Additional generation can participate in any future RESS auctions.

## 2.5 Directors Declarations

### 2.5.1 Can you clarify if the director declaration forms require the director's signature on them?

Yes. The Declarations require signature by the director. The form is by way of a sworn affidavit which is sworn before a practising solicitor/ commissioner for oaths who would each know where such signature should be located on the form namely on the bottom left of the page. The format is pursuant to standard High Court templates and do not contain a line for the deponent to sign but it is understood where this takes place. Please also include the director's name in block capitals below the signature.

### 2.5.2 Will it be possible to have the director declarations signed digitally e.g. using software like DocuSign?

No. These are sworn affidavits and must be signed before (i.e. directly before and in the offices of) a practising solicitor or Commissioner for Oaths and not separately by the deponent at home.

### 2.5.3 Will entities listed by the Applicant under section 6.4.12(c) remain confidential, and will not be disclosed to anyone apart from the TSO, the Minister and the Regulatory Authority?

All information submitted in the Application for Qualification will be treated as confidential unless required to be published by the Terms and Conditions. The handling of Applicant information is addressed in the RESS Auction Platform on the Preference tab of an Application for Qualification. There is a comment:

**Acknowledgment that for the purposes of the administration of this auction, the Minister is authorised to use information related to the Applicant and the Project, provided in the Application for Qualification, to communicate with the Applicant, the Regulatory Authority, the TSO and SEMO in order to ensure the proper functioning of this auction and to ensure the accuracy of information included in the relevant statutory instrument for the PSO Levy for the relevant PSO Levy Year.**

On the Compliance tab:

**I acknowledge that all information provided to EirGrid for the purposes of the RESS Auction will be held by EirGrid only for the purpose of the RESS Auctions. EirGrid will hold this information securely in line with [GDPR requirements](#) and as set out in our [Privacy Statement](#). We hold this information for the purposes of the RESS Auction procedure. The data will be stored electronically as it will be received electronically. EirGrid will hold all information in respect of the RESS Auction until 31/12/2044. The data will be deleted by electronic means on 02/01/2045**

#### **2.5.4 Will affiliates of any entities listed in Exhibit B of R3DD5 be considered included as part of the declaration?**

As company structures vary considerably, it is not possible for the TSO to tell prospective Applicants what to include here. Prospective Applicants should take legal advice regarding which entities should be included here having regard to the requirements of the Terms and Conditions and their specific company structure.

#### **2.5.5 We understand that for a project that intends to use debt financing a Director Declaration will need to be submitted as part of the qualification process. As per the Director Declaration template, a Director must certify that the project is “financeable....at the Offer Price to be submitted by the Qualified Applicant”. We understand “financeable” to mean expressions of interest have been received from funders; however, the Offer Price will not be set by the closing date for applications. Please could you confirm expressions of interest received from debt funders are not required to reference the Offer Price in any way?**

As part of the RESS 3 qualification process we do not need to receive expressions of interests or that they refer to the offer price. What is required is a declaration that the RESS 3 Application for Qualification is financeable under the RESS 3 T&Cs at the Offer Price to be submitted by the Qualified Applicant

#### **2.5.6 Which director declarations need to be submitted with the application for qualification?**

Six director declarations (minimum) need to be provided in Application for Qualification; these fields are mandatory in the Application for Qualification. R3DD7 must be submitted if the project is a Hybrid Project

The Application for Qualification requires the following Director Declarations to be fully completed: **R3DD1, R3DD2, R3DD3, R3DD4, R3DD5, R3DD8**

The Application for Qualification requires the following Director Declaration to be fully completed if the project is a Hybrid Project: **R3DD7**

The Application for Qualification requires the following forms to also be fully completed: **R3BB1, R3BB2, R3LCC**

#### **2.5.7 Please confirm that it would be acceptable for a qualified practicing solicitor outside of Ireland to witness the declaration/execution by the Director of the Applicant.**

Yes, as long as the non - Irish qualified practicing solicitor is registered with their native law society / governing body. Evidence of same to be uploaded in ‘other documents’.

#### **2.5.8 Is it possible to amend the director declarations to ensure they are factually correct?**

It is not possible to amend the director declarations. Additional information should be uploaded to ‘other documents’.

#### **2.5.9 What is the purpose of the declaration of bidding independence? Please confirm that applicants which are not independent will not be treated less favourably than applicants whose projects are fully independent of other projects.**

The purpose of the declaration of independence is to assess the level of competition in each preference category of the auction. Applicants which are not independent will not be treated less favorably in the auction.

### 2.5.10 What is the final date for hardcopies to be received by EirGrid?

Hardcopies are not required by the Qualification Application Deadline and should follow within 4 weeks after this date.

### 2.5.11 Is it the home address or office address that is expected on the declarations?

In the declaration, the address following the “I” in the first line should be the home address at a high level, it does not need to specify the exact address e.g. “I, Joe Bloggs, of Marino, Dublin”

The address of the company should be provided with the company information.

### 2.5.12 We are having issues uploading our completed director declarations to the RESS Auction Platform. When uploading we get the error message ‘File could not be uploaded. Please try again’. Can EirGrid please clarify the full technical specifications of the files (e.g. MB size limits, file names etc.) which can be accepted by the RESS Auction Platform?

Max File size is 15MB. We recommend keeping the file name to a minimum and to not use special characters.

## 2.6 Change of Control

### 2.6.1 My project is changing ownership/control between the Qualification Application Closing Date and the RESS 3 Auction, what should I do?

Change of control is provided for so long as the Applicant does not change. Where there is likely to be a change of control of the Applicant during this period, the new Principal Owners should be filled out in the RESS Auction Platform under “Prospective Principal Owners of the Applicant Company” (all persons that may directly or indirectly own or control more than 30% of the shares as per section 6.4.12) and then exported and appended to this Exhibit A.

**Please note that Any new Principal Owner can only be an entity that was listed by the Applicant in its Application for Qualification in accordance with Section 6.4.12 (c).**

Where the change of control occurs after the RESS 3 Auction, the Minister should be notified in accordance with Section 11.6 of the Terms and Conditions.

### 2.6.2 It is clear from the RESS Terms and Conditions that a change of control in relation to an Applicant is permitted between submission of the Application for Qualification and the Offer Price provided the potential Principal Owner is listed under “Prospective Principal Owners of the Applicant Company”. Can you please confirm that it will be sufficient to list a company group rather than the specific entity in that group that will become the Principal Owner where the exact entity is not yet incorporated or unknown?

It is sufficient to list a company group rather than the specific entity in that group that will become the Principal Owner where the exact entity is not yet incorporated or unknown.

## 2.7 Offer Quantity

### 2.7.1 What is the difference between the ‘Description of the Overall Plant Size - Aggregate Installed Rating for the Project’ and the ‘Offer Quantity (MW)’ fields in the Application for Qualification.

Offer Quantity is a numerical field only where applicants are to insert their Offer Quantity for RESS 3. This must be less than or equal to the Maximum Export Capacity.

“Description of the Overall Plant Size - Aggregate Installed Rating for the Project” is a free text field where you can provide the expected Installed Capacity of the RESS 3 Project, which may be greater than the Offer Quantity but within the limits specified in the Terms and Conditions.

For example, a renewable generator may have a MEC of 50 MW. An Applicant when submitting an Application for Qualification can submit an Offer Quantity of no greater than 50 MW. The Applicant may be considering installing equipment with an Installed Capacity of 52 MW (and this would not result in a breach of its planning consents or other requirement). It should put 52 MW in Description of the Overall Plant Size - Aggregate Installed Rating for the Project. The Applicant may ultimately install 50 MW. So long as the actual Installed Capacity is greater than 90% and less than 120% of the Offer Quantity and does not breach any of the legal requirements of the project (planning, site control, etc.). This example is provided for information purposes. Please consult the Terms and Conditions for full specification of the limits that apply to Installed Capacity.

Material changes to the plant or equipment specified in the Application for Qualification need to be approved by the Minister in accordance with 11.2 of the Terms and Conditions. In the Application for Qualification, the basic components of the RESS 3 Project should be specified in the Application for Qualification. It is not necessary to specify equipment provider or the ratings of individual components.

### 2.7.2 Does the Installed Capacity in MWac limit the amount of DC capacity installed on the site?

No. The Installed Capacity in MWac does not limit the amount of DC capacity installed on the site.

### 2.7.3 Does the ‘Offer Quantity’ relate to the expected DC or AC installation? Would the bid bond be calculated on AC or DC MW power output?

Offer Quantity is the amount that is being offered into the RESS 3 Auction and should be based on the expected AC output of the RESS 3 Project, which should not be greater than the Maximum Export Capacity specified in the Connection Agreement or ECP decision for the RESS 3 Project.

Bid bond should be calculated on AC MW power output (Offer Quantity  $\leq$  MEC).

The installed capacity of the project in MWac should not exceed 120% of the Offer Quantity e.g., if the Offer Quantity was 6 MWac, the installed capacity cannot be greater than 7.2 MWac (note the max export is still 6 MWac). The installed capacity in the RESS 3 Terms and Conditions is in MWac and does not limit the installed MWdc.

### 2.7.4 When will the competition ratios and the MW volumes of applicants for each eligible technology to compete in the auction be confirmed?

Representative Maximum Quantity and Representative Minimum Quantity are included in the Terms and Conditions. The Final Competition Ratio will be published by the Regulatory Authority no later than the provisional auction results date (as described in the RESS 3 Auction Timetable). The Total Energy Available will not be published.

**2.7.5 Can I use the kVA number in the RESS 3 application as the MEC? Or does this need to be converted into a MW number using an assumed power factor? In this example, the MEC is 5253kVA, so can I input 5.253MW as my Offer Quantity?**

The Offer Quantity must be submitted in MW in the Application for Qualification. Where it is unclear what the MW value is, please contact the connection team in the relevant system operator.

**2.7.6 Can a wind turbine project which has an MEC of 499kW enter RESS 3?**

Minimum Offer Quantity is 0.5 MW or 500 kW as per the T&Cs (section 6.4.13). As the Offer Quantity must be less than or equal to MEC, any projects with MECs below 500 kW cannot satisfy the Minimum Offer Quantity and are not eligible for the RESS 3 competition.

**2.7.7 Can the Offer Quantity be reduced after the project has been deemed Qualified where the network operator's advice is to do so?**

Information submitted in an Application for Qualification cannot be amended after Qualification Application closing date except where there is a clarification sought by the TSO.

## 2.8 Bid Bonds

### 2.8.1 Why are bid bonds required?

Bid bonds are required to ensure that Applicants submitting an Application for Qualification and an Offer into the RESS 3 Auction follow through and sign an Implementation Agreement and post a Performance Security. In the absence of a Bid Bond, there is no adverse consequence for being successful in the RESS 3 Auction and then not signing an Implementation Agreement. It is important that Applicants that submit offers to the RESS 3 Auction are confident that they can deliver on the offer if it is successful.

### 2.8.2 Can you confirm the date when bid bonds must be posted?

By the Bid Bond Posting Date as per the [R3AT](#)

### 2.8.3 For an entity entering a number of assets and associated bid bonds, can one bank transfer be made for the total bond amount required (including a reference of all individual RESS 3 Application Reference numbers) rather than multiple individual project bank transfers?

As Per 9.3.1 (b) of the T&Cs (where 'Applicant' corresponds to a single Application per each project), EirGrid shall only accept one Bid Bond submission per project. A bank transfer covering multiple RESS 3 Projects will not be accepted.

### 2.8.4 Is there VAT to be paid on Bid Bonds?

No.

### 2.8.5 Can you please confirm that multiple payments can be made via an account from a holding company for a number of subsidiary project companies?

On the assumption that each 'subsidiary project company' relates to a separate RESS Application then yes, a holding company's account may be used for payment. Note that it is critical that each RESS 3 Application Reference is indicated on the payment reference of the corresponding Bid Bond submission when making these payments.

### 2.8.6 If a project posts a bid bond, and is provisionally qualified, but following the qualification stage decides not to participate in the auction does it lose its bid bond?

Where the Applicant has submitted a Notice of Application Withdrawal (R3NAD) by the Final Withdrawal Date, it would not lose its bid bond. Where the Applicant has not submitted a Notice of Withdrawal by the above date and does not participate in the auction, it would lose its bid-bond.

### 2.8.7 Will a project lose its bid bond...

- 1.If it's Provisionally Qualified and then withdraws.
- 2.If it enters the Auction but withdraws before the Auction closes.
- 3.If it is successful in the Auction and then withdraws.

The answers are as follows;

1. It will not lose its bid bond if it submits the RESS 3 Notice of Application Withdrawal Form (R3NW) via the RESS Auction Platform by the Final Withdrawal Date.
2. It will lose its bid bond.
3. It will lose its bid bond.

### 2.8.8 When I post a Bid Bond can the RESS Team provide Acknowledgment of receipt?

Emails will not be issued automatically acknowledging receipt of Bid Bonds. Please ensure that you have evidence of this transaction with your Bank. If the TSO require any further information on Applicants for Qualification (including Bid Bonds), clarification will be sought via the Auction platform and email.

### 2.8.9 Can the Offer Quantity (MW) be less than MEC? Is the bid bond based on Offer Quantity or MEC?

Yes, the Offer Quantity can be less than the MEC.

As per section 6.4.18, the Bid Bond value in RESS 3 is €6 per MWh, where the MWh value is the **Deemed Energy Quantity** for one year for the RESS 3 Project calculated pursuant to Section 6.6.4 and multiplied by 1,000 to convert from GWh to MWh

As per section 6.6.4, for the purposes of winner selection, each such **Offer Quantity** (OQo) will be converted into a **deemed energy quantity** (“Deemed Energy Quantity” or “DEQ”) in GWh/year as follows:

$DEQ_o = OQ_o \times 8760 \times RC_{Ft} / 1000$ , where RC<sub>Ft</sub> refers to the Renewable Capacity Factor for the eligible technology t.

Therefore, the Bid Bond value is based on the Offer Quantity (converted into deemed energy quantity).

### 2.8.10 Must the Bid Bond Applicant Submission Form (R3BB1) and Bid Bond Applicant Return Form (R3BB2) be completed on company headed paper or can we just complete the template forms as issued by RESS? Are any of the forms, landowner consents, declarations etc. required to be completed on company headed paper?

Forms do not need to be completed on company headed paper.

## 2.9 Practical considerations

### 2.9.1 Where will the applications be processed and by who?

All applications will be processed by RESS Operational Team in EirGrid. Please contact [RESS@Eirgrid.com](mailto:RESS@Eirgrid.com) if you have any questions that are not answered here.

### 2.9.2 Where can I find the link and credentials to the RESS Auction Platform?

The link and registration information for the RESS Auction Platform can be found in the [RESS Auction Platform User Guide](#).

### 2.9.3 Where will I find the RESS application Reference number as required for submission of Bid Bond?

Your RESS Application number will be assigned when you log in to the RESS Auction Platform and create an Application for Qualification.



#### 2.9.4 Will it be possible to amend any details of the Application for Qualification after submitting it, if it is before the Application Closing Date?

There will be no option for the user of the RESS Auction Platform to reverse the submission of the application so we would like to emphasise the importance of reviewing all fields and documents prior to submitting the application. If an application is submitted in error, please reach out to the RESS Operational Team at [RESS@Eirgrid.com](mailto:RESS@Eirgrid.com).

#### 2.9.5 Can you advise if it is the ITM coordinates (as per RESS 3 Landowner Consent Confirmation (R3LCC)) of the substation location, or the centre point of the whole Red Line boundary of the project that was submitted for planning that is required for the RESS 3 qualification application?

The ITM co-ordinates should be the approximate center point of the Site (as defined in Section 2.1 of RESS 3 Terms & Conditions).

However, we will accept ITM co-ordinates for any point on the Site e.g. the substation. If prospective Applicants have already completed elements of the Application for Qualification using a point on the site that is not the centre, they do not need to change this.

#### 2.9.6 Where a project is made up of non-adjointing sites, can you confirm the co-ordinates to be used in the application form?

Use the co-ordinates of approximate center point of Site nearest the transmission/distribution station.

## 3 Changes/Withdrawal

#### 3.1.1 There may be some changes to a project's delivery risk assessment between now and final qualification whereby an applicant may wish to withdraw, can this be done?

Where an Applicant is no longer seeking to participate in the RESS 3 Auction in respect of a RESS 3 Project, it shall submit a Notice of Withdrawal (R3NW) to the TSO prior to the Final Withdrawal Date using the required documentation set out in the Qualification Information Pack. This document can be found in the [Qualification Information Pack](#).

## 4 Auction Information

#### 4.1.1 Can you provide more details on the offer process and winner selection?

Details of the offer process and winner selection are set out in the RESS 3 Terms & Conditions. Further details on the auction process will be included in the Auction Information Pack.

#### 4.1.2 What information will be provided to qualified applicants regarding the overall volumes to be procured in each category (prior to the application of any adjustments due to offer spreads)?

There is currently no provision in the Terms and Conditions for the TSO to publish the Total Energy Available or Auction Starting Quantities. As such, these will not be published.

# 5 Implementation

## 5.1.1 If successful in the Auction, what are the timelines for planning, implementation, and delivery of the proposed project?

These are set out in Appendix 2 of the Terms and Conditions.

## 5.1.2 Can a RESS 3 Project be the subject of an appeal to An Bord Pleanála?

A RESS 3 Project cannot be the subject of an appeal to An Bord Pleanála. As per Section 6.4.5 of the RESS 3 Terms and Conditions, any such final grant of planning permission may be the subject of a judicial review challenge or still within the 8-week period during which such a judicial review challenge may be commenced.

# 6 Landowner Consent

## 6.1.1 Do any documents need to be signed by the landowner as part of the application for qualification?

The landowner consent form does not need to be signed by a landowner. No document needs to be signed by a landowner. The landowner consent form is the only form pertinent to landowner consent.

## 6.1.2 The template given for R3LCC has 'TEMPLATE WORDING' written on it, so does this need to be removed?

Please complete the landowner consent form as issued. There is no need to add/remove text or to put on company headed paper.

# 7 Principal Owner

**7.1.1 Pricing information on our project has been revealed by the Principal Owner and not by the applicant. With regards to the options available in the dropdown list for Entity Relationship to the Applicant, what should be selected?**

For the purposes of inputting this information in the RESS Auction Platform, if it is the Principal Owner that has revealed pricing information to the entity, they should simply choose “Entity to which Applicant has revealed Pricing Information”. The same applies in the other two cases.

**7.1.2 Can you please clarify what should be done if the Principal Owners listed in Exhibit A of R3DD5 are individuals instead of companies. Must the individual's details be filled out in the Entity Details of the RESS Auction Platform in the same way as a companies would?**

Yes, please list the individual's details in the Entity Details of the RESS Auction Platform.

**7.1.3 When a holding company owns different SPV, each an Applicant, how is the inter-SPV relationship to be considered in the “Relationship to Applicant” field, considering “Entity which Applicant is Aware of pricing information” and “Entity to which Applicant has revealed Pricing Information” would both apply?**

Entities should be entered for all *Relationships to Applicant* that apply or may apply in the future.

If an entity is ‘aware’ of pricing information, then select “Entity which Applicant is Aware of pricing information”

If an applicant has ‘revealed’ pricing information to an entity, then select “Entity to which Applicant has revealed Pricing Information”.

**7.1.4 On the entity details tab of the platform, must we provide details for each of the below or can we just provide details of the Principal Owner if this is the only one relevant?**

- Applicant
- Entity to which Applicant has revealed pricing information.
- Entity which applicant is aware of contingent arrangements.
- Entity which applicant is aware of pricing information.
- Principal owner.
- Prospective Principal Owner of the Applicant Company.

Entity details must be provided for all entities that fit into one of the above categories. In the above example if Principal Owner is the only relevant entity, then 2 entities but be populated; Applicant and Principal Owner. It is not necessary to enter entities for categories that do not apply in respect of the RESS 3 Project.

**7.1.5 In the “Relationship to Applicant” field. The “Principal Owner”, should it apply to all indirect owners of the applicant, only the direct owner or only the final beneficiary owner?**

To satisfy 6.4.12 (b), we require a list of all persons that directly or indirectly own or control more than 30% of the shares of the Applicant (the “Principal Owners”).

# 8 Declaration of Bidding Independence

## 8.1.1 In R3DD5 Declaration of Bidding Independence, what is the meaning of the word “certified”? As the Certified Structure Chart is provided in R3DD5, is it still required to be uploaded separately to the RESS Auction Platform?

Certified means the document has been verified by a solicitor to be a true and accurate depiction of the Certified Structure having regard to any corporate documents. This is distinct from the declaration which is a sworn statement by the director.

This certified structure chart needs to be added to the R3DD5 (as exhibit B) and signed by the director making the declaration. All exhibits in R3DD5 must be signed by the director in accordance with the declaration at the beginning and then the declaration must be sworn in accordance with the normal process for sworn affidavits. This document should then be uploaded to the RESS Auction Platform

Separately, the Certified Structure should be uploaded to the RESS Auction Platform in Certified Applicant Structure Chart field. This is mandatory field so please upload the certified structure here.

## 8.1.2 What is required for the list describing “the party to and nature of any agreements or arrangements that the Applicant or its Principal Owners are aware of that are contingent upon the result of the RESS 3 Auction”

The purpose of this declaration is to understand to what extent an Applicant's offer is independent of another Applicant's offer for the purposes of competition assessments carried out by the CRU. As such, this requirement relates primarily to contingent arrangements that materially impact the offer submitted by the Applicant. e.g. Applicant A has entered into agreements or arrangements with Party C whereby Party C will enter into a PPA subject to certain conditions related to the price of the PPA being satisfied in the RESS 3 Competition. Applicant B has also entered into similar agreements or arrangements with Party C. While Applicant A and B based on their Declaration of Independence are otherwise independent, the CRU may form a view that Applicant A's offer and Applicant B's offer are not independent for the purposes of RESS 3.

## 8.1.3 Please confirm that:

- the Declaration of Bidding Independence is just shared with the Minister/regulatory entities as detailed in the T&Cs; and
- the contents of the Declaration of Bidding Independence (and anything disclosed therein), will not be made public.

EirGrid can confirm that the contents of the RESS 3 Declaration of Bidding Independence (R3DD5) will only be shared with the Minister/DECC/Regulatory Authorities and will not be made public.