RESS 5 Frequently Asked Questions

May 2025

NOTE: Prospective RESS 5 Applicants should refer to the RESS 5 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 5 Terms and Conditions, the latter prevails.

If you have any outstanding queries on Qualification or Auction processes, please contact RESS@EirGrid.com.

If you have any outstanding queries on Post Auction processes, please contact RESS@decc.gov.ie.

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1 Information

The Auction Administrator would like to assure prospective Applicants that, as is outlined in the RESS 5 Qualification Process (R5QP) published as part of the RESS 5 Qualification Information Pack (R5QIP), should we require clarification about any information submitted within the Application for Qualification, we will contact you. Clarifications will be sent via a message in the RESS Auction Platform, you will also receive an email notification. The Auction Administrator will issue clarifications where relevant between Application Submission Closing Date and Provisional Qualification Decision date, as per the relevant timetable. The Auction Administrator will outline the issues found within the Application for Qualification and an applicant will have one opportunity to amend these errors.

1.1 Where can I find the RESS 5 Terms and Conditions?

The RESS 5 Terms and Conditions are available on the website of the Department of the Environment, Climate and Communications (DECC) linked here.

1.2 Where can I find information on the dates and times of the RESS 5 Auction?

The current RESS 5 Final Auction Timetable (R5AT) is available on the <u>EirGird</u> website. Any update will be made directly to the R5AT 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 requesting to be added to the mailing list.

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

The EirGrid RESS Team can be contacted at RESS@EirGrid.com.

The Postal address for the Auction Administrator RESS team is:

RESS Operations EirGrid, The Oval 160 Shelbourne Road Ballsbridge Dublin, D04FW28.

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.

The postal address for the DECC RESS team is:

RESS Team

Renewable Electricity Division

Department of the Environment, Climate and Communications

Tom Johnson House, Haddington Road, Dublin D04 K7X4.

2 Qualification

2.1 Are you able to change the legal name of applicant at a later date or is this set for the entire process?

As per section 6.14 of the RESS 5 Terms and conditions:

'Changes to an Applicant's legal name, its registered directors, its address and/or changes to the individuals authorised to represent the Applicant are permissible during the Standstill Period subject to the following provisions: (a) changes to an Applicant's name, its registered directors, and/or its address shall be notified by means of a director declaration and accompanied by a receipt of formal change from the CRO; and (b) changes to authorised individuals shall be notified by means of a director declaration and accompanied, where necessary, by a receipt of formal change from the CRO if it relates to a new director.'

The standstill period in the RESS 5 Terms and Conditions is defined as the period of time from and including the date of submission of the Application for Qualification by an Applicant up to and including the RESS 5 Auction Submission Deadline Date.

2.2 I am interested in participating in the RESS 5 Auction, how do I determine if I am eligible?

Eligibility requirements are set out in in Section 6 of the RESS 5 Terms & Conditions.

2.3 Will a list of Qualified Applicants be published ahead of the RESS 5 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 including the location, size (offer quantity) and Eligible Technology category of each offer concerned will be published *after* the Auction in accordance with 8.5.2 of the RESS 5 Terms and Conditions.

2.4 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 5 Bid Bond Submission Form (R5BB1)
- RESS 5 Bid Bond Return Form (R5BB2)
- RESS 5 Qualification Declaration
- Registered Authorised User Form (RAU1)

If the technology is Waste to Energy HECHP, Biomass HECHP and Biogas **HECHP** the following must also be submitted:

Document Demonstrating Compliance With Eligible Technology (Waste to Energy HECHP, Biomass HECHP and Biogas HECHP only). Please see Annex A of the RESS 5 Terms and Conditions for more information.

2.5 Do hard copies of the PDFs uploaded to the RESS Auction Platform need to be provided?

Under the RESS 5 Terms and Conditions, hard copies are not required to be sent to the Auction Administrator.

2.6 Is it possible to merge two RESS 5 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 5 Projects post Qualification.

2.7 Is it possible to submit a single RESS 5 project made up of two or more merged connection agreements?

A RESS 5 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 5 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.

2.8 What if I don't submit my AfQ by the deadline?

Any Applications that are not submitted by the Qualification Application Closing Date as specified in the RESS 5 Auction Timetable (R5AT) will automatically change to the status of 'Expired'. These applications cannot be submitted after this deadline has passed and will not be considered as an Application for Qualification.

2.9 What are my options if I'm not qualified?

Applicants who are not eligible and therefore not qualified in their Application for Qualification can submit an Application for Review (R5AR) where an applicant considers the Auction Administrator has not complied with the Terms and Conditions in assessing an Application for Qualification, detailing where they believe the Auction Administrator has not followed the RESS 5 Terms and Conditions in their decision. The Auction Administrator will review any Application for Reviews submitted and revert with a decision by the Application for Review Decision Date as per the RESS 5 Timetable (R5AT).

Following an Application for Review decision where an applicant considers the Auction Administrator has not complied with the RESS 5 Terms and Conditions in assessing an Application for Qualification and Application for Review, can submit a Notice of Dissatisfaction (R5ND) to the Minister.

The Minister's decision on the Notice of Dissatisfaction is final.

2.10 Will the Auction Administrator contact me if there is an issue with my application?

The Auction Administrator will issue clarifications where relevant between Application Submission Closing Date and Provisional Qualification Decision date. The Auction Administrator will outline the issues found and an applicant will have **one** opportunity to amend these errors.

2.11 How do I find the ITM coordinates for my project?

Please use the https://irish.gridreferencefinder.com/. Please make sure they are in Irish Transverse Mercator (ITM) format.

2.12 If a project is successful in RESS 5, can the RESS 5 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 5 offer cannot be changed after Qualification Application Closing Date for RESS 5. Additional generation can apply to participate in any future RESS auctions subject to the relevant Terms and Conditions of that scheme, or can be developed under an alternative funding model such as a Corporate Power Purchase Agreement (CPPA) or on a merchant basis subject to remaining in compliance with the RESS 5 Terms and Conditions.

2.13 Can a project come forward with an ECP Offer it has not yet accepted?

To be eligible to participate in RESS 5, projects must either

- 1. Hold a valid connection offer that is <u>capable of acceptance within the requisite time period</u> or
- 2. Have accepted the connection offer and have entered into a grid connection agreement that is valid for the duration of the RESS 5 support period.

<u>CR & DRF Process Document (eirgrid.ie)</u>: "validity period for offers will be the later of 3 months post offer issuance or 1 month from publication of the relevant constraints report".

Note: ECP projects that are eligible to be processed to receive a valid connection offer, but have not yet received their offer, will not be permitted to apply.

2.14 Are previous RESS 1 Projects eligible?

Please refer to Section 6.9 of the RESS 5 Terms and Conditions, which outlines scenarios where 'Applicants in RESS 1' and a 'RESS 1 Project' are eligible to apply in RESS 5.

3 Planning

3.1 Is it considered that planning for the grid connection is required to satisfy the condition that the site has planning permission?

The grid connection does not need to have a grant of planning permission in place for the purposes of qualification (only the facility).

3.2 Where do I find my planning reference number?

An applicant can find their planning reference number in relevant grid connection arrangement documentation. For DSO applications, the number can be found in section 22 of the NC5 form or section 10 of the NC5A form. For TSO applications the number can be found within the application form when submitting its application for its connection agreement.

- 3.3 If a RESS 5 project, is successful and proceeds then to subsequently amend the design. However, the original application for qualification details do not change e.g. MEC/site location. Will this scenario be considered a breach of the RESS 5 Terms & Conditions?
 - Non-material planning amendments subsequent to the submission of the Application for Qualification are permissible, so long as there are no changes required to the criteria specified in Section 6.3.
- 3.4 Should all planning consent reference numbers be provided in our Application for Qualification (e.g. if there are 2 planning consents for the site), or the most recent? And what if there are subsequent minor planning amendments?

All relevant planning permission reference numbers (for the facility) must be provided in the Application for Qualification and meet the obligations set out in the RESS 5 Qualification Declaration (R5QD).

4 Eligible Technology

4.1 What information is required in the 'Document Demonstrating Compliance With Eligible Technology (Waste to Energy HECHP, Biomass HECHP and Biogas HECHP only'

Information that is expected in the Document Demonstrating Compliance with Eligible Technology relates to how the proposed RESS 5 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 5 Project will comply with the requirements set out. Onshore Wind, Solar, Hydro and Hybrid projects do not need to provide further detail here.

5 Grid Connection

5.1 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.

5.2 Where do I find my Grid Connection Number?

You can find your Grid Connection Number in your connection offer/agreement. For DSO projects, your connection Agreement Number is located on the cover page of the DSO connection Agreement document and For TSO projects, your connection Agreement Number is located on the footnote of the connection agreement and within the ref on the Offer letter.

5.3 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 5 Terms and Conditions?

A RESS 5 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 novation 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. As per section 6.4.3 of the RESS 5 Terms and Conditions, the Grid Connection Agreement of a RESS 5 project can be changed during the standstill period, provided that the modified Grid Connection Agreement has a capacity at least equal to the Offer Quantity of that RESS 5 project and that it continues to be a grid contracted project.

6 Director's Declaration

6.1 How many Directors Declarations are required for RESS 5?

Only one declaration is required for RESS 5 Qualification: RESS 5 Qualification Declaration

6.2 Does a solicitor need to sign the Qualification Declaration?

The Qualification Declaration (R5QD) must be signed by a Commissioner for Oaths. Solicitors who hold a current practising certificate also have the powers of a Commissioner for Oaths pursuant to section 72 of the Solicitors (Amendment) Act 1994 (as amended). The most recent list of qualified Commissioner for Oaths can be found here.

6.3 Can I, a qualified practicing solicitor outside of Ireland, witness the Declaration / execution by the Director of the Applicant.

Yes, as long as the relevant Commissioner for Oaths is registered with their native law society / governing body. Evidence of same to be uploaded in 'other documents'.

6.4 Can I amend any errors in my Directors Declaration after it has been signed?

No, any amendment to a directors declaration means that it must be re-signed and re-dated by a Commissioner for Oaths.

6.5 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 Commissioner for Oaths and not separately by the deponent at home.

6.6 Is it the home address or office address that is expected on the declaration?

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.

7 Change of Control

7.1 My project is changing ownership/control between the Qualification Application Closing Date and the RESS 5 Auction, what should I do?

Any new Principal Owner must be an entity that was listed by the Applicant in its Application for Qualification in accordance with Section 6.10.1 of the RESS 5 Terms and Conditions. Where the change of control occurs after the RESS 5 Auction, the Minister should be notified in accordance with Section 13.6 of the Terms and Conditions.

7.2 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 known. The group should be listed in the entities section of the RESS Auction Platform with the relationship of "Prospective Principal Owner".

8 Bid Bonds

8.1 Bid Bond Return Scenarios

- 1.An Applicant withdraws on or before the Final Withdrawal Date:
 - Bid Bond will be returned by the Auction Administrator if it submits the RESS 5 Notice of Application Withdrawal Form (R5NW) via the RESS Auction Platform by the Final Withdrawal Date.

- 3. An Application is deemed 'Not Qualified'
 - Bid bond will be returned by the Auction Administrator.
- 4. An Application is unsuccessful in Auction:
 - Bid bond will be returned by the Auction Administrator.
- 5. An Application is successful in Auction and signs their Implementation Agreement and posts their Performance Security to DECC:
 - Bid bond will be returned by the Auction Administrator.

8.2 Bid Bond Drawdown Scenarios

- 1. An Applicant submits a Notice of Withdrawal after the Final Application Withdrawal Date:
 - The Bid Bond will be forfeited by the Applicant.
- 2. An Applicant does not submit an Offer Price by the Auction Submission Closing Date:
 - The Bid Bond will be forfeited by the Applicant.
- 3. An Applicant is successful in Auction but does not sign their Implementation Agreement and/or post their Performance Security to DECC:
 - **The** Bid Bond will be forfeited by the Applicant.

8.3 Timings on when Bid Bonds would be returned in different scenarios

All timings are specified in section 8.3.4 of the RESS 5 Terms and Conditions.

- 1. An Applicant submits a Notice of Application Withdrawal form on/before the Final Application Withdrawal Date:
 - Bid Bond will be returned within 10 working days from Final Withdrawal Date.
- 2. An Applicant is deemed 'Not Qualified':
 - Bid Bond will be returned within 10 working days from Final Qualification Results Date.
- 3. An Applicant is unsuccessful in Auction:
 - Bid Bond will be returned within 10 working days from Final Auction Results Date.
- 4. An Applicant is successful in Auction:
 - If an applicant is successful and executes their Implementation Agreement, the Auction Administrator would get an instruction from the Minister to return the Bid Bond.

8.4 Do the bank details listed on the Bid Bond Submission form (R5BB1) and return form (R5BB2) have to be that of the project? Can it be a solicitor's or any other account?

There is no obligation for the bank account that submits the Bid Bond, or the account to which the Bid Bond is returned, to match the project name. Bid Bond forms submitted to the Auction Administrator will be reviewed and signed by the director of the relevant project company.

8.5 Can I make a single Bid Bond payment for multiple projects if I put down all the references in the banking transaction description?

No, there must be a single payment for each Application for Qualification. Please ensure to include the Application reference number in the transaction details. As stated in section 8.3.1 (b) of the RESS 5 Terms & Conditions, when an Applicant is submitting an Application for Qualification in respect of the RESS 5 Auction, they must post a Bid Bond in a **single payment** to be cleared in the Auction Administrator RESS Account no later than the Bid Bond Posting Date. There must be a single payment for each Application for Qualification. Please ensure to include the Application reference number in the transaction details.

8.6 How do I calculate my Bid Bond

The Bid Bond can be calculated based on the formula found in section 7.3.1 and the Renewable Capacity Factor (RCF) found in Table 2 of Section 7.5.7 of the RESS 5 Terms and Conditions. The RESS Auction Platform also has a calculator tool that can be used to help calculate the correct amount for Bid Bond payments. The calculator can be found in the preferences tab in the Application For Qualification; your Bid Bond will be calculated based off your submitted offer quantity.

9 Auction

9.1 Where will I find the Auction Parameters?

Section 7 of the RESS 5 Terms and Conditions sets out the parameters around the RESS 5 Auction including the target volume, the requirements of Offers and the winner selection rules. Maximum Offer Prices will be published by the Minister prior to the Final Application Withdrawal Date.

9.2 Where do I submit my Financial Questionnaire?

Following Final Qualification Decisions, Qualified Applicants must submit a Financial Questionnaire to DECC. Financial Questionnaire is attached at Annex B of the RESS 5 Terms and Conditions. This is to be submitted for the attention of RESS Team, Renewable Electricity Division at the address and/or email address specified at Clause 14 of the Implementation Agreement. This must be submitted no earlier than the Financial Questionnaire Submission Opening Date and no later than the Financial Questionnaire Submission Closing Date.

10 Post Auction

10.1 Who do I contact for post auction/delivery queries?

For post auction/delivery queries, RESS@DECC.gov.ie should be contacted.

10.2 Where do I find information on the Community Benefit Fund?

All information relating to the community benefit fund can be found in section 10 of the RESS 5 Terms and Conditions.