ORESS Tonn Nua Frequently Asked Questions

August 2025

NOTE: Prospective ORESS Tonn Nua Applicants should refer to the ORESS Tonn Nua 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 ORESS Tonn Nua 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 ORESS@dcee.gov.ie.

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1 Information

The TSO would like to assure prospective Applicants that (as is outlined in the ORESS Tonn Nua Qualification Process (ORTNQP) published as part of the ORESS Tonn Nua Qualification Information Pack (ORTNQIP), should we require clarification we will contact you. The TSO will issue clarifications where relevant between Application Submission Closing Date and Provisional Qualification Decision date, as per the relevant timetable. The TSO will outline the issues found and an applicant will have one opportunity to amend these errors.

1.1 Where can I find the ORESS Tonn Nua Terms and Conditions?

The ORESS Tonn Nua Terms and Conditions (T&Cs) are available on the website of the Department of Climate, Energy, and the Environment (DCEE) linked here.

1.2 Where can I find information on the dates and times of the ORESS Tonn Nua Auction?

The current <u>ORESS Tonn Nua Final Auction Timetable (ORTNAT)</u> is available on the EirGrid website. Any update will be made directly to the ORTNAT 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 distribution 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 TSO RESS team is:

RESS Operations

EirGrid, The Oval

160 Shelbourne Road

Ballsbridge

Dublin, D04FW28

1.4 How can I get in contact with the DCEE ORESS Team?

The DCEE ORESS Team can be contacted at ORESS@dcee.gov.ie

The postal address for the DCEE ORESS team is:

Principal Officer,

Offshore Energy Long Term Strategic Planning Section,

The Department of Climate, Energy and the Environment,

Tom Johnson House, Beggars Bush,

Haddington Road,

Dublin 4, D04K7X4

2 Qualification

2.1 I am interested in participating in the ORESS Tonn Nua Auction. How do I determine if I am eligible to participate?

Eligibility requirements are set out in section 7.3 of the ORESS Tonn Nua T&Cs.

2.2 How do I register onto the RESS Auction Platform?

To register onto the RESS Auction Platform please refer to the RAU1 form here and the ORESS Auction Platform User Guide here.

2.3 Where can I find the Qualification Information Pack?

The Qualification Information Pack can be found on the EirGrid website linked here.

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:

- ORESS Tonn Nua Bid Bond Submission Form (BB1)
- ORESS Tonn Nua Bid Bond Return Form (BB2)
- Registered Authorised User Form (RAU1)
- ORESS Tonn Nua Declaration of Financeability
- ORESS Tonn Nua Declaration of New Project
- ORESS Tonn Nua Declaration of Bidding Independence
- Certified Applicant Structure Chart
- ORESS Tonn Nua Declaration of Prior PSO Funding
- ORESS Tonn Nua Declaration of MAC Application Eligibility
- ORESS Tonn Nua Declaration of Applicant Project Experience

These forms are linked in the ORESS Tonn Nua Qualification Information Pack linked above.

2.5 How do I fill out the required forms and declarations if the documents are locked for editing?

These documents are locked for editing except for required fields where text can be entered to replace writing highlighted in yellow (see figure 1 below).

- I, [insert declarant name] of [insert address] in the city / county of [insert city / county] a [insert description of occupation] aged eighteen years and upwards make Oath and say as follows:-
 - I am a director of [insert ORESS Tonn Nua applicant company name] [insert Company Registration Number] which has registered offices at [insert address of applicant company] (the "Applicant Company").

2.6 Will a list of Qualified Applicants be published ahead of the ORESS Tonn Nua Auction?

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

The Minister will, by the Final Auction Results Date, publish the Final Auction Results, including the name of the Successful Applicant, and the location and size (in MW) of the ORESS Tonn Nua Project.

2.7 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 ORESS Tonn Nua T&Cs, 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.

2.8 What if I submit my AfQ before the deadline, but realise I have made an error in my application?

In this instance, please contact the ORESS team at RESS@EirGrid.com for further guidance.

2.9 Will the TSO contact me if there is an issue with my application?

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

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

Please use the <u>Irish Grid Reference website</u>. Please make sure they are in Irish Transverse Mercator (ITM) format.

2.11 Can an Applicant submit more than one AfQ?

As per section 7.1.4 of the T&Cs:

No Applicant shall be permitted to submit more than one Application for Qualification. If any Applicant submits more than one Application for Qualification, only the first Application for Qualification to be submitted will be accepted or if multiple Applications for Qualification have been submitted simultaneously then the Minister shall be entitled (in his or her sole discretion) to select the Application for Qualification which will be accepted.

2.12 Where can I find the ORESS application reference number?

Your ORESS Tonn Nua Application number will be assigned when you create an application in the RESS Auction Platform. The ORESS Tonn Nua reference number is visible on the Application List page of the RESS Auction Platform. Please see <u>ORESS User Guide</u> for more information.

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

As per section 7.2.4 of the T&Cs:

In respect of a Provisional Qualification Decision, where an Applicant (acting reasonably and in good faith and to the standard of a Prudent Industry Operator) considers that the TSO has not applied these Terms and Conditions correctly in making the Provisional Qualification Decision, they may submit an Application for Review to the TSO within two (2) Working Days of receipt of the Provisional Qualification Decision.

The TSO shall review any relevant Provisional Qualification Decision and issue its decision to the relevant Applicant within ten (10) Working Days of the receipt of the Application for Review

Following receipt of the TSO's decision at sub-Section (c) above, where an Applicant (acting reasonably to the standard of a Prudent Industry Operator) considers that the TSO has not applied these Terms and Conditions correctly in assessing an Application for Qualification and an Application for Review, they may submit a Notice of Dissatisfaction to the Minister within two (2) Working Days of receipt of the TSO's decision.

2.14 What is meant by the term 'Principal Owner'?

A Principal owner is defined in section 7.3.8(b) of the ORESS T&Cs as a person that directly or indirectly owns or controls more than 10% of the shares of the Applicant.

The Applicant must provide a list of Principal Owners as well as a certified structured chart showing the ownership of the Applicant up to the ultimate beneficial owner level.

2.15 Are you able to change the legal name of an applicant or is this set for the entire process?

As per section 7.4 of the ORESS Tonn Nua T&Cs:

Changes to an Applicant's company 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 must 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 is defined in section 2.1 of the T&Cs 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 ORESS Tonn Nua Auction Submission Deadline Date.

3 Declarations

3.1 How many Directors Declarations are needed for Qualification?

Six declarations are required for ORESS Tonn Nua and the listed below can be found in the Qualification Information Pack here:

- Declaration of Applicant Project Experience
- Declaration of Financeability

- Declaration of MAC Application Eligibility
- Declaration of New Project
- Declaration of Prior PSO Funding
- Declaration of Bidding Independence
- Declaration of Project Information (this will be directly sent to DCEE)

3.2 When should the Declaration of Project Information be submitted?

The Declaration of Project Information should be submitted with the Project Information Document at the time of submission of the Financial Questionnaire.

See section 7.7 of the T&Cs for more information regarding the Declaration of Project Information.

3.3 Does a solicitor need to sign the Qualification Declaration?

The Qualification Declaration must be signed by a practising solicitor or Commissioner for Oaths. A solicitor's registration number/certificate is not required.

3.4 Can a qualified practicing solicitor outside of Ireland witness the declaration/execution by the Director of the Applicant?

The declaration can be sworn / made in front of a foreign notary or solicitor in another jurisdiction where the person making the affidavit resides or is (e.g., in Belgium or England). This is aligned with the approach used in court proceedings in Ireland. It is standard practice in court proceedings for a person to be permitted to make an affidavit outside of Ireland if it is made before a person who is authorised to administer oaths in the relevant jurisdiction i.e. is registered with their native law society / governing body. The Department therefore advises that the foreign notary / solicitor includes suitable confirmation which confirms their authority to carry out this function. Evidence is to be uploaded in 'other documents'.

3.5 If the declaration is being sworn overseas, do we need to get the declarations notarised or apostilled?

The declaration(s) should be apostilled. The standard practice in Ireland is that if you wish to use an Irish document overseas, the document should be apostilled. This approach should be followed here so that if the affidavit is to be sworn in e.g. England, for use in Ireland, it should be apostilled in the relevant jurisdiction.

3.6 Can I amend any errors in my 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 practising solicitor or Commissioner for Oaths, and then reuploaded to the RAP.

3.7 Will it be possible to have the Directors Declaration 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.

3.8 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. The exact address does not need to be specified. e.g., "I, Joe Bloggs, of Marino, Dublin".

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

3.9 What is a Project Information Document?

The Project Information Document or (PID) is a document detailing the key characteristics of an ORESS Tonn Nua Project, including technical and spatial characteristics, the proposed final Installed Renewable Capacity (which must be at least equal in MW to the Target Installed Renewable Capacity), and the anticipated annual output (in MWh) based on P50 estimates (which must be at least equal to the Target Annual Energy Quantity).

The Declaration of Project Information must include a detailed Gantt chart illustrating how the Proposed ORESS Tonn Nua Project will be delivered.

As per section 7.6.6 of the T&Cs:

The Project Information Document must be submitted to the Minister (for the attention of ORESS Team, Offshore Energy Long Term Strategic Planning Division at the address specified at Clause 17 of the Project Delivery Agreement) at the same time at which the Financial Questionnaire in respect of the Proposed ORESS Tonn Nua Project is submitted.

For further information on the Project Information Document please refer to section 7.6 of the ORESS Tonn Nua T&Cs.

3.10 When should the Project Information Document be submitted?

As per section 7.6.6 of the T&Cs:

The Project Information Document must be submitted to the Minister at the same time at which the Financial Questionnaire in respect of the Proposed ORESS Tonn Nua Project is submitted.

4 Change of Control

4.1 My project is changing ownership/control between the Qualification Application Closing Date and the ORESS Tonn Nua Auction. What should I do?

As per section 7.4 of the T&Cs:

Changes to an Applicant's company 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 must 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

Where the change of control occurs after the ORESS Tonn Nua Auction, the Minister should be notified in accordance with section 14.6 of the T&Cs.

4.2 It is clear from the ORESS 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 known?

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".

An Applicant is obliged to provide a director declaration ("Declaration of Bidding Independence") as to the accuracy of all information provided in accordance with section 7.3.8. of the T&Cs.

4.3 What do I do if the Principal Owners or members of my structure chart have changed after I have submitted my application for qualification?

As per section 7.3.8 of the T&Cs:

If the Principal Owners and/or the structure chart have changed between the date of submission of the Application for Qualification and the date of submission of the Offer Price, the Applicant shall indicate this and provide an updated certified structure chart showing the ownership of the Applicant up to ultimate beneficial owner level.

5 Bid Bonds

5.1 What date does the bid bond need to be posted on?

As per section 7.1.3 (b) of the T&Cs:

Applicants will post their Bid Bonds no later than the Bid Bond Posting Date which is included in the ORESS Tonn Nua Auction Timetable here.

5.2 What is the required amount to be submitted for the Bid Bond?

The Bid Bond required amount is €20,000,000 (twenty million euro) per ORESS Tonn Nua Application, as per the T&Cs.

5.3 Must the bank details listed on the Bid Bond Submission form (ORTNBB1) and return form (ORTNBB2) be that of the project? Can it be e.g. a solicitor's or any other account?

As per the T&Cs, there is no obligation for the bank account that submits their Bid Bond, or the account that the Bid Bond is returned to, to match the project name. Any form that is submitted to the TSO will be reviewed and signed by the director of the relevant project company.

5.4 For an entity entering several assets and associated bid bonds, can one bank transfer be made for the total bond amount required (including a reference of all individual ORESS Tonn Nua Application Reference numbers) rather than multiple individual project bank transfers?

As per section 7.5.1(a) of the ORESS Tonn Nua T&Cs (where 'Applicant' corresponds to a single Application per project), EirGrid shall only accept one Bid Bond submission per project in a single payment submission.

5.5 Bid Bond Return Scenarios

- 1. An Applicant withdraws on or before the Final Withdrawal Date:
- Bid Bond will be returned by the TSO if it submits a Notice of Application Withdrawal Form (ORTNNW) via the RESS Auction Platform by the Final Withdrawal Date.
- 2. An Application is deemed 'Not Qualified'
- Bid bond will be returned by the TSO.
- 3. An Application is unsuccessful in Auction:
- Bid bond will be returned by the TSO.
- 4. An Application is successful in Auction and signs their Project Delivery Agreement and posts their Performance Security to DCEE:
- Bid bond will be returned by the TSO.

5.6 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 Project Delivery Agreement and/or post their Performance Security to DCEE:
- The Bid Bond will be forfeited by the Applicant.

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

All timings are specified in section 7.5.4 of the ORESS Tonn Nua Terms and Conditions.

- 1. An Applicant submits a Notice of Application Withdrawal form on/before the Final Application Withdrawal Date:
- The TSO shall return the Bid Bond to the Applicant within ten (10) Working Days of the Final Withdrawal Date.
- 2. An Applicant is deemed 'Not Qualified':
- The TSO shall return the Bid Bond to the Applicant within ten (10) Working Days of the issue of Final Qualification Decisions to Applicants.
- 3. An Applicant is unsuccessful in Auction:
- The TSO shall return the Bid Bond to the Qualified Applicant as soon as practicable after the Final Auction Results have been published.
- 4. An Applicant is successful in Auction:
- If the Successful Applicant executes the Project Delivery Agreement and posts the Performance Security associated with that Project Delivery Agreement in accordance with the timeframes set out in these Terms and Conditions, the TSO shall return the Bid Bond to the Successful Applicant as soon as practicable.

6 Auction & Results

6.1 How will I be contacted with the Provisional Qualification Results for ORESS Tonn Nua?

The results will be published on the RAP and each applicant will receive an email notification to check their results on the RAP.

6.2 How will I be contacted with the Final Qualification Results for ORESS Tonn Nua?

As per section 7.2.6 (d):

The TSO shall issue the approved Final Qualification Decisions to Applicants by the Final Qualification Decisions Date

This will be communicated through the RESS Auction Platform on the Final Qualification Decision Date.

6.3 How will I be contacted with the Provisional Auction Results for ORESS Tonn Nua?

As per section 8.3 (c) of the T&Cs:

The Minister shall use reasonable endeavours to issue the Provisional Auction Results to all Qualified Applicants that submitted an Offer, together with the information referred to in 8.3(b) above, by the Provisional Auction Results Date.

6.4 How will I be contacted with Final Auction Results for ORESS Tonn Nua?

As per section 9.3 of the T&Cs:

The Minister will, by the Final Auction Results Date, publish the Final Auction Results, including (i) the name of the successful applicant, (ii) the location and size (in MW) of the ORESS Tonn Nua Project, and (iii) the Offer Price of the successful applicant.

6.5 Can I change my offer price after it has been submitted?

No, once you have submitted your offer price on the RAP, you cannot amend this. You will also no longer be able submit an offer price once the Auction Submission Closing date has elapsed as per the ORESS Tonn Nua Auction timetable linked here.

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

Details of the offer process and winner selection are set out in Section 9 of the ORESS Tonn Nua T&Cs. Further details on the auction process will be included in the Auction Information Pack which will be issued on the Auction Information Pack Publication Date.