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Appendix 4



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Appendix 4

Code of Practice in Relation to Access to Land and/or Premises

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Introduction.

This Code of Practice has been prepared to set out the principles and procedures that EirGrid as Licensee will follow in respect of any person acting on its behalf who requires access to land and/or premises as required under the terms of the Transmission System Operator licence issued by the Commission for Energy Regulation (CER) to EirGrid plc (EirGrid).

This Code of Practice includes procedures calculated to ensure that persons visiting land and/or premises on behalf of the Licensee:

- a. Possess the skills necessary to perform the required duties; and
- b. Are readily identifiable to members of the public; and
- c. Are appropriate persons to visit and enter land.

This Code of Practice will be reviewed periodically and any revision of the Code of Practice shall be subject to the approval of the CER.

Background

On 29 June 2006, the CER issued a Transmission System Operator Licence to EirGrid pursuant to Electricity Regulation Act, 1999, as inserted by Regulation 32 of Statutory Instrument (SI) No. 445 of 2000 (modified by Statutory Instrument 60 (2005)).

On 01 July 2006, this Licence became effective and EirGrid assumed responsibility for operating Ireland's national electricity transmission system - otherwise known as the Transmission Grid. This includes planning, developing and ensuring the maintenance of the transmission grid, scheduling and dispatching generation, operating the electricity market and promoting system security.

Under Regulation 8(1)(a) of Statutory Instrument 445 (2000), the Transmission System Operator is assigned the following exclusive function:

To operate and ensure the maintenance of and, if necessary, develop a safe secure, reliable, economical, and efficient electricity transmission system, and to explore and develop opportunities for interconnection of its system with other systems, in all cases with a view to ensuring that all reasonable demands for electricity are met having due regard for the environment.

In order to enable EirGrid to discharge its functions, the legislation required that the ESB in its capacity as Transmission Asset Owner (TAO) and EirGrid enter into a contract to be known as the Infrastructure Agreement, which defined the functions to be assigned to the TAO, as owner of the transmission assets, and EirGrid, as Transmission System Operator.

Under the Infrastructure Agreement EirGrid is responsible for identifying feasible solutions (projects) required to develop the transmission system. In this regard it must carry out the required designs to enable planning applications to be submitted for such projects and to conclude a project agreement with the TAO in respect of projects which are intended to proceed to construction stage. Client Engineers appointed by EirGrid for each development project will represent the interests of EirGrid in relation to ensuring that the projects are constructed in accordance with the appropriate standards required to ensure EirGrid can fulfil its statutory obligations.

EirGrid's Principles Relating to Access to Land

To fulfil these functions assigned to EirGrid under Statutory Instrument 445/2000, access to land will be required at different stages by the staff and agents of EirGrid.

The following list includes but is not limited to the typical duties where EirGrid staff, its representatives, consultants, client engineers etc will require access to land when carrying out this work:

- Route/site selection, survey and design work for new high voltage overhead lines/cables/substations.
- Inspection works associated with the construction of the above.
- Route/site selection, survey and design works associated with the alteration and maintenance of existing high voltage overhead lines/cables/substations.
- Inspection works associated with the maintenance of the transmission system.
- Inspection works associated with connections by parties to the transmission system.

EirGrid's own desire is to ensure the maintenance of good relationships with the owners of land and premises for which access is required. In this regard EirGrid requires that its staff and representatives show courtesy to the landowner (or premises owner) e.g. by notifying the owner of the intention to enter land or premises, by the staff member or representative identifying themselves before entry onto private land or premises etc.

Prior to EirGrid representatives accessing lands for the purposes outlined above EirGrid will ensure:

- a. It employs suitably qualified staff to carry out the required duties.
- b. The CVs of agents or representatives are checked to ensure they have the necessary experience to carry out the duties assigned to them.
- c. EirGrid staff or representatives will carry identification cards and produce this to the owner of the land (or premises) when introducing themselves.
- d. That EirGrid staff or representatives entering land on behalf of EirGrid will have read, and be familiar with, this Code of Practice.

EirGrid's Procedures Relating to Access to Land and/or Premises

The following are EirGrid's requirements and minimum standards and procedures in relation to access to land and premises by EirGrid staff and its representatives:

- EirGrid staff and representatives acting for EirGrid will be briefed on their responsibilities before entering private lands (or premises) or dealing with owners.
- EirGrid will take reasonable steps to contact the owner of the land (or premises) before entering private lands (or premises). The owners of land (or premises) will be dealt with honestly and fairly.
- EirGrid will, where practicable, inform the landowner of what work is proposed and, as far as possible, a timetable for its completion.
- Queries from the owner of the land (or premises) will be dealt with promptly and courteously.
- EirGrid staff or representatives will only enter lands or premises for legitimate purposes related to its activities and duties.
- EirGrid staff and representatives will take reasonable steps to ensure that land (or premises) is left in as good state as when EirGrid staff or representatives arrived.
- EirGrid staff and representatives will endeavour to ensure that restrictions on the use of the land (or premises) during investigative works are minimised.
- EirGrid staff and representatives shall ensure due care and attention is taken to minimise the risk of spreading disease to or from farmland
- EirGrid staff and representatives shall take particular care to close all gates behind them and not to damage fences or hedges
- In the event of queries from the owner of the land (or premises) for further information, a contact telephone number for EirGrid will be advised to allow for such queries to be dealt with.
- A copy of this Code of Practice is available on EirGrid's website, www.eirgrid.com

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