

RESS 4

Frequently Asked Questions Version 2.0

May 2024

NOTE: Prospective RESS 4 Applicants should refer to the RESS 4 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 4 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.

Date:	17/05/2024
Document:	FAQ
Revision:	1.0



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1 Information

The Auction Administrator would like to assure prospective Applicants that (as is outlined in the RESS 4 Qualification Process (R4QP) published as part of the RESS 4 Qualification Information Pack (R4QIP)) should we require clarification about these items that we will contact you. 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 and an applicant will have one opportunity to amend these errors.

1.1.1 Where can I find the RESS 4 Terms and Conditions?

The RESS 4 Terms and Conditions are available on the website of the Department of the Environment, Climate and Communications (DECC) linked [here](#).

1.1.2 Where can I find information on the dates and times of the RESS 4 Auction?

The current [RESS 4 Final Auction Timetable \(R4AT\)](#) is available [on the EirGrid website](#) . Any update will be made directly to the R4AT 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 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.

The Postal address for the Auction Administrator 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.

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 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 4 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 52 (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 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 4 Auction Submission Deadline Date.

2.2 I am interested in participating in the RESS 4 Auction, how do I determine if I am eligible?

Eligibility requirements are set out in the RESS 4 Terms & Conditions in Section 6.

2.3 Will a list of Qualified Applicants be published ahead of the RESS 4 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 8.5 of the 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 4 Bid Bond Submission Form](#)
- [RESS 4 Bid Bond Return Form](#)
- [RESS 4 Qualification Declaration](#)
- [Registered Authorised user Form \(RAU1\)](#)

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

Document Demonstrating Compliance With Eligible Technology (Waste to Energy HECHP, Biomass HECHP and Biogas HECHP only). Please see section 3.1 for more information.

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

Under the RESS 4 Terms and Conditions, hard copies are not required to be sent to the Auction Administrator.

2.6 Is it possible to merge two RESS 4 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 4 Projects post Qualification.

2.7 Is it possible to submit a single RESS 4 project made up of two or more merged connection agreements?

A RESS 4 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 4 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 4 Auction timetable \(R4AT\)](#) 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 there not qualified in Application for Qualification can submit an Application for Review ([R4AR](#)) 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 4 Terms and Conditions in their decision.

Following an Application for Review decision where an applicant considers the Auction Administrator has not complied with the terms and conditions in assessing an Application for Qualification and Application for Review, can submit a notice of dissatisfaction ([R4ND](#)) to the Minister.

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, as per the relevant timetable. 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 [Irish Grid Reference website](#). Please make sure they are in Irish Transverse Mercator (ITM) format.

2.12 If a project is successful in RESS 4, can the RESS 4 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 4 offer cannot be changed after Qualification Application Closing Date for RESS 4. Additional generation can participate in any future RESS auctions.

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

o be eligible to participate in RESS 4, projects must hold a valid connection offer that is capable of acceptance within the requisite time period or have accepted the connection offer and entered into a grid connection agreement that is valid for the duration of the RESS 4 support period.

[CR & DRF Process Document \(eirgrid.ie\)](#): “validity period for offers will be the later of 3 months post offer issuance or 1 month from publication of the relevant constraints report”

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?

“Applicants in RESS 1” & a “RESS 1 Project” in certain scenarios outlined in Section 6.9 of the RESS 4 Terms and Conditions and section 16 RESS 4 Qualification Declaration are eligible to apply in RESS 4 i.e. its Application for Qualification is in respect of an applicant in RESS 1 or a RESS 1 Project, that failed to achieve Commercial Operation by the RESS 1 Longstop Date. Projects must still be considered “New Projects” as set out in the RESS 4 Terms and Conditions.

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 on their relevant grid connection arrangement documentation. Please consult the relevant auction [checklist](#) for information on filling out each field of the Application for Qualification.

3.3 If a RESS 4 project, is successful and proceeds then subsequently amends 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 4 terms & conditions?

Minor planning amendments are allowed under the RESS 4 T&Cs so long as there are no changes specified in Section 6.4.13 other than were provided for in Section 6.4.14.

3.4 Should all planning consents 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 4 Qualification Declaration.

4 Eligible Technology

4.1 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 4 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 4 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).

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. Please consult the relevant auction [checklist](#) for information on filling out each field of the Application for Qualification.

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 4 Terms and Conditions?

A RESS 4 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.

6 Directors Declaration

6.1 How many Directors Declarations are required for RESS 4?

Only one declaration is required: RESS 4 Qualification Declaration

6.2 Does a solicitor need to sign the Qualification Declaration?

The Qualification Declaration must be signed by either a solicitor or a commissioner of oaths, solicitors registration number/certificate is *not* required.

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 non - Irish qualified practicing solicitor or the relevant Commissioner of 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 solicitor.

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 practising solicitor or 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 4 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 Entities Section RESS Auction Platform with the relationship of "Prospective Principal Owner"

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 6.10.1(a).

Where the change of control occurs after the RESS 4 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 unknown. 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 Will a project lose its bid bond...

- 1.If it withdraws before the Final Withdrawal Date.
2. Successful in Auction, complies with all terms and conditions and signs implementation agreement and posts performance security
3. Unsuccessful in Qualification but complies with all terms and conditions
4. Unsuccessful in Auction
5. If it is Provisionally Qualified but does not submit an Offer Price
6. If it is successful in the Auction and then does not execute the Implementation Agreement.

The answers are as follows;

1. Bid Bond will be returned by the Auction Administrator if it submits the RESS 4 Notice of Application Withdrawal Form ([R4NW](#)) via the RESS Auction Platform by the Final Withdrawal Date.
2. Bid bond will be returned by the Auction Administrator
3. Bid bond will be returned by the Auction Administrator
4. Bid bond will be returned by the Auction Administrator
5. It will lose its bid bond.
6. It will lose its bid bond.

8.2 Timings on when Bid Bonds would be returned in different scenarios e.g 1 - A withdrawal notice is submitted, 2 - If a bid is unsuccessful in Auction, 3 - If a bid is successful.

All timings are specified in section 8.3.4 of the RESS 4 Terms and Conditions.

1. 10 working days from Final Withdrawal Date
2. 10 Working days from Final Auction Results
3. 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

8.3 Do the bank details listed on the Bid Bond Submission form (R4BB1) and return form (R4BB2) have to be that of the project? Can it be a solicitors or any other account

As per the RESS 4 Terms and Conditions, there is no obligation for the bank account that submits their Bid Bond, or the account that the Bid Bond is returned to must match the project name. Any form that is submitted to the Auction Administrator will be reviewed and signed by the director of the relevant project company.

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

As stated in section 8.3 (b) of the RESS 4 Terms & Conditions, when an Applicant is submitting an Application for Qualification in respect of the RESS 4 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.