

Connection Policy – Transitional Arrangements

Application Form for Capacity Release

Published 07th February 2017



Introduction

On the 12th October 2016, the Commission for Energy Regulation (CER) published a Decision Paper - Connection Policy Transitional Arrangements [CER/16/284](#) (the “CER Decision Paper”), following a CER Consultation - Review of Connection and Grid Access Policy: Initial Thinking & Proposed Transitional Arrangements [CER/15/284](#).

As directed by the CER, this standard application form has been published to facilitate the implementation of Section 3.4 of the CER Decision Paper. This application form should not be used for any other purpose.

EirGrid plc (in its capacity as Transmission System Operator or “TSO”) is now accepting applications from eligible projects, in accordance with Section 3.4.1 of CER Decision Paper.

As per CER’s [information note \(CER/17/018\) on Connection Policy Transitional Arrangements](#), the deadline for applications has been extended to 28 April 2017. Any applications received after this date will not be processed unless otherwise directed by the CER.

On receipt of an application, EirGrid plc will terminate all or part of an eligible Customer’s Transmission Connection Agreement as applicable, and shall refund the Customer 80% of its first stage payment. In the case of partial termination, this shall involve a refund of 80% of the first stage payment (relating to the relevant capacity being released), according to the refund rules set out in Section 3.4.2 of the CER Decision Paper. Any request for partial release must relate to the full awarded capacity under a given gate.

For full details please refer to [the CER Decision Paper](#).

The Application

References in this Application to the “TSO” should be interpreted as EirGrid plc, being the holder of the transmission system operator license in Ireland issued pursuant to Section 14(e) of the Electricity Regulation Act 1999 as amended.

This application form (Version V.1) specifies the information the TSO requires to process an application for capacity release in accordance with the CER Decision Paper.

Please note that this application form deals with Transmission Connection Agreements only. If you wish to avail of the capacity release measure under the CER Decision Paper and have a Distribution Connection Agreement, please contact ESB Networks: Tel: 1850 372 757 / + 353 21 238 6555, DSOgenerators@esb.ie

EirGrid reserves the right to request additional data as necessary, and the applicant should provide such information promptly. Failure to provide the requested information may result in your application being delayed or rejected.

Definitions of terms used in this form can be found in the General Conditions of Connection and Transmission Use of System (the “General Conditions”).

When the application form is completed, please send the form in hardcopy (with original signature) to the below address, and email an electronic version to OPMO@eirgrid.com

EirGrid
Customer Relations
The Oval
160 Shelbourne Road
Ballsbridge
D04 FW28
Ireland

Tel: +353 1 702 6642
Fax: +353 1 661 5375
Email: info@eirgrid.com

If any queries arise, please do not hesitate to contact our Customer Relations Team at, CUSTOMER.SUPPORT@eirgrid.com.

A. Project Details

1. Full name of the applicant¹ (the Customer):

2. Address and Eircode of the applicant or in the case of a corporate body, the registered address:

3. Company Registration No. (If applicable)

4. Transmission Connection Agreement Reference Number (PXX)

5. Facility Name

¹ The customer details provided must be same as the contracted party as specified in the relevant Transmission Connection Agreement.

6. Full Termination/Partial Termination

Full Contracted Capacity to be released

Partial Contracted Capacity to be released

If applying for partial release of contracted capacity please fill in the following details:

Total Contracted MEC (in MW):

MEC (in MW) to be released:

Gate under which MEC (in MW) to be **released** was awarded:

MEC (in MW) to be retained:

Gate under which MEC (in MW) to be **retained** was awarded:

7. Print here the name of Authorised Signatory of the Customer who will sign Section D of this Application (Agreement to Terminate)

Additional Information Required as Proof of Authorised Signatory of the Customer:

The following documents are required to accompany this application as proof that the signatory in Section D of this Application Form (Agreement to Terminate) is an authorised signatory of the Customer:

- (i) a certified copy of the current Articles of Association of the Customer's company demonstrating that the signatory has the necessary authority to enter into contracts as well as the terminating or altering of existing contracts for and on behalf of the Customer; [and]
- (ii) a certified copy of the relevant board minute or written resolution demonstrating that the signatory has the necessary authority to enter into the Transmission Connection Agreement and Interface Undertakings and/or the termination or modification of the Transmission Connection Agreement for and on behalf of the Customer.

B. Applicant Details (if different to Section A)

1. Contact Person(s)

2. Telephone Number

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3. Email Address

4. Contact Address and Eircode (if different to section A)

C. Bank Details Required for Refund Process

Irrespective of information provided in Section A and Section B above, please provide contact details for ***invoicing purposes*** below. All refunds will only be made to the Customer (Contracted legal Entity).

1. Contact Person for refunding purposes

2. Telephone Number

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3. Email Address

4. Contact Address and Eircode for refunding purposes (if different to Section A and B)

5. Bank Details

The customer must submit the bank details of the account to which the Customer's refund should be paid on company letterhead and include with this application form. Failure to provide the relevant details in the format requested may result in your application being rejected.

D. Agreement to Terminate

By submitting this application form, you confirm on behalf of the Customer that the Customer's project meets the eligibility criteria outlined in Section 3.4.1 of the CER Decision Paper and therefore can avail of the capacity release measure. EirGrid reserves the right to reject applications where the project does not meet the criteria set out in the CER Decision Paper.

By signing this application form for release of certain capacity reserved to the Customer under the Transmission Connection Agreement, as specified in section A points 4 and 6 above, I acknowledge on behalf of the Customer that, in accordance with section 3.4.2 of the CER Decision Paper, such an application cannot be withdrawn as of the date written below.

I acknowledge and agree on behalf of the Customer that a Notice of Termination will issue from EirGrid and that the contracted capacity identified for release in section A point 6 will be released from the effective date specified in such Notice of Termination, Annex 1. In circumstances where the release applies to all capacity under the Customer's Connection Agreement, I acknowledge and agree that the Connection Agreement will terminate as and from the effective date specified in such Notice of Termination, Annex 1.

For the avoidance of doubt, and in accordance with Section 3.4.2 of the CER Decision Paper, full or partial termination of the Connection Agreement will not release the Customer from any existing contractual obligations to the system operators or third parties resulting from stranded assets.

Signed: _____

Print Name: _____

Date: _____

Checklist

- ☐ Completed Application Form
- ☐ Proof of Authorised Signatory
- ☐ Refund Bank Details on Company Letterhead
- ☐ Authorised Signatory has signed Section D – Agreement to Terminate

DRAFT* Template TSO Notice of Termination

Dear [],

We refer to the transmission connection agreement between EirGrid plc (“**EirGrid**”) and [] (the “**Customer**”) dated [] (the “**Connection Agreement**”). EirGrid hereby acknowledges receipt of the Customer’s application for a [full termination / partial termination]² of the Connection Agreement as specified in Annex 1 hereto.

Terms and expressions used in this letter bear the same respective meanings as in the Connection Agreement (incorporating the [General Conditions of Connection and Transmission Use of System](#) available at www.eirgrid.com) unless otherwise expressly defined herein.

The CER issued decision paper CER/16/284 (the “CER Decision Paper”) on 12th October 2016 in respect of Connection Policy Transitional Arrangements, in which EirGrid is directed [at section 3.4] to “*terminate by notice the connection agreement or that part of the connection agreement for capacity awarded under a given gate, as applicable, for eligible applicants.*”

Pursuant to the CER Decision Paper, EirGrid hereby issues this Notice of Termination in respect of the Customer’s Connection Agreement on the following terms:

Full Termination

With effect from the Effective Date specified in Annex 1, the Connection Agreement shall be terminated. Termination of the Connection Agreement under this Notice of Termination does not affect such provisions of the Connection Agreement which are specified, or which would reasonably be expected, to survive expiry or termination. For the avoidance of doubt, and in accordance with Section 3.4.2 of the CER Decision Paper, termination of the Connection Agreement will not release the Customer from any existing contractual obligations to the system operators or third parties resulting from stranded assets.

OR

Partial Termination

With effect from the Effective Date specified in Annex 1, the Customer’s Connection Agreement shall be deemed to be amended so that the Maximum

² Delete as appropriate.

Export Capacity is reduced by an amount of capacity equal to that specified in Annex 1 as the “Capacity to be Released”. The release of capacity under the Connection Agreement pursuant to this Notice of Termination shall not affect the provisions of the Customer’s Connection Agreement save to the extent that such provisions are specific to the released capacity.³ In the event of issuing a partial termination notice, a new revised Connection Agreement may be issued to reflect the new contracted capacity where applicable.

³ For the avoidance of doubt, COPP Section 10 ruleset applies in the release of capacity scenario. Where re-optimisation is not possible and stranded assets in a sub-group are created due to a project terminating under the capacity release measure, the applicant releasing the capacity is not liable for the stranded asset cost in this case. Instead the Use of System customer will cover the outstanding balance created by the releasing party’s termination.

As per Section 3.4.2 of the CER Decision, “termination of connection agreement does not release the applicant from any existing contractual obligations to the system operators or third parties resulting from stranded assets.” This applies in scenarios including where the releasing party has already relocated and due to the relocation has a stranded asset or other liability.

Annex 1

Customer:	
Facility:	
Full / Partial Termination:	
Capacity to be released:	
Relevant Gate of Capacity to be released:	
Effective Date of Termination:	

Annex 2

Application Form for Capacity Release to be attached

- * This is a draft template which may be subject to change. Each application will be treated individually on a case by case basis