

## Nichola Meehan

---

**From:** Valerie.Brennan@Eirgrid.com  
**Sent:** Thursday 18 March 2021 17:50  
**To:** Diarmuid Collins  
**Cc:** Des.Cox@Eirgrid.com; Nichola Meehan  
**Subject:** Celtic Interconnector Project - Proposed Schedule of the Permit Granting Process - March 2021  
**Attachments:** Proposed Schedule for the Permit Granting Process\_PCI0003\_National\_March 2021.pdf; Proposed Schedule for the Permit Granting Process\_PCI0003\_International\_March 2021.pdf

Dear Diarmuid,

In proposed fulfilment of the requirements of Article 10(4)(b) and Annex VI.(2) of the TEN-E Regulation in so far as this step can be informed by EirGrid, please refer to the attached 2 documents regarding the Celtic Interconnector Project (PCI0003):

1. Proposed Schedule of the Permit Granting Process (National), March 2021
2. Proposed Schedule of the Permit Granting Process (International), March 2021

We would greatly appreciate if you could kindly please acknowledge receipt of the 2 pdf documents attached?

We hope that it will be possible for the PCI Unit of An Bord Pleanála to revert to us formally in relation to the Proposed Schedule of the Application documents based on the attached correspondence within a reasonable timeframe.

Yours sincerely,

Valerie.

**Valerie Brennan**  
Consents Coordinator  
Celtic Interconnector Project  
 **Co-financed by the European Union**  
Connecting Europe Facility

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\*\*\*\*\*

**From:** Diarmuid Collins [mailto:D.Collins@pleanala.ie]

**Sent:** 05 March 2021 15:37

**To:** Brennan, Valerie (EXT)

**Cc:** Cox, Des; Nichola Meehan

**Subject:** Celtic Interconnector Project

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Good Afternoon Valerie,

I refer to your scoping proposal submitted in relation to the Celtic Interconnector project. I attach a copy of a further response dated 26<sup>th</sup> February, 2021 received from the CRU. In relation to your proposal and the attached response, please note that under Article 10.4. (a) the PCI Unit, as Competent Authority, shall identify in close co-operation with the other authorities concerned, and where appropriate on the basis of a proposal, the scope of material and level of detail of information to be submitted. As matters currently stand the PCI Unit, as Competent Authority, acting in close co-operation with the authorities concerned is not in a position to identify the scope of material/level of detail to be submitted. It is matter for EirGrid to address the areas of concern still outstanding.

I also wish to refer to two related matters:

1. Article 10.4.(b) of the Regulation relates to the drawing up of a detailed schedule for the permit granting process and I refer to the Checklist contained in section 4.2.2 of the PCI Manual of Permit Granting Process Procedures. The PCI Unit considers that more clarity is needed for itself and the authorities concerned in relation to a Schedule of permits/consents required (and timelines) to realise the project and that the Schedule should also give details in relation to permits/consents relevant to France and the UK. Please forward such a schedule as part of this pre-application procedure. It would be useful if such a Schedule was provided as a stand-alone document.
2. In relation to a joint Schedule (Article 10.4.(b) of the Regulation) to enable the Competent Authorities in the Member States concerned to endeavour to align their timetables, the PCI Unit wishes to have such details presented to the relevant Competent Authorities in written format and perhaps also as a presentation should that be considered necessary. Please forward such a Schedule as part of this pre-application procedure. Again, it would be useful if such a Schedule was provided as a stand-alone document.

Regards,  
Diarmuid Collins,  
PCI Unit.

Diarmuid Collins  
Senior Administrative Officer  
Procurement, Internal Audit & PCI  
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# Celtic Interconnector



## Proposed Schedule of the Permit Granting Process (International)

An Bord Pleanála Reference: PCI0003

March 2021

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## 1 Introduction

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### 1.1 Introduction

The Celtic Interconnector is a proposed electrical link which will enable the movement of electricity between Ireland and France and will be the first direct energy link between the two countries, running from the south coast of Ireland to the north-west coast of France. The project promoters are EirGrid plc and Réseau de Transport d'Électricité (RTE), the respective Transmission System Operators (TSOs) in Ireland and France. The Celtic Interconnector Project (An Bord Pleanála Ref. No. PCI0003) is currently in the pre-application phase of the Project of Common Interest (PCI) process.

### 1.2 Progress to date on completing the Pre-Application Procedure

To date, a number of the pre-application requirements that concern this PCI Project have been completed in accordance with the provisions of the TEN-E Regulation<sup>1</sup>. In summary, these include:

- Article 9(7): Establish and update a website linked to the Commission website;
- Article 9(3): Within 3 months of Article 10(1)(a), submit Concept of Public Participation (CPP) to three CAs in line with Annex VI.
- Article 9(4) and 9(5): Carry out at least 1 public consultation within no more than 2 months in each Member State concerned.
- Article 10(1)(a): Submit Notification Document to all three Competent Authorities (CAs).

In addition, EirGrid plc (hereafter, EirGrid) has made submissions to the PCI Unit in order to help the CA to complete the requirement for them to identify the scope of material and the level of detail of information to be submitted as part of the Draft Application File i.e. complete the requirements of Article 10(4)(a)<sup>2</sup> of the TEN-E Regulation. EirGrid anticipates that the requirements of Article 10(4)(a) will be concluded very shortly.

Article 10(4)(b) of the TEN-E Regulation includes the provision that *"For projects crossing the border between two or more Member States, the competent authorities of the Member States concerned shall prepare a joint schedule, in which they endeavour to align their timetables"*. It is in this context that EirGrid has prepared this document for the PCI Unit. It is considered that the administration of this requirement is a matter for the CAs concerned with no further inputs required from the project promoters.

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<sup>1</sup> The Trans-European Energy Infrastructure EU Regulation No. 347/2013.

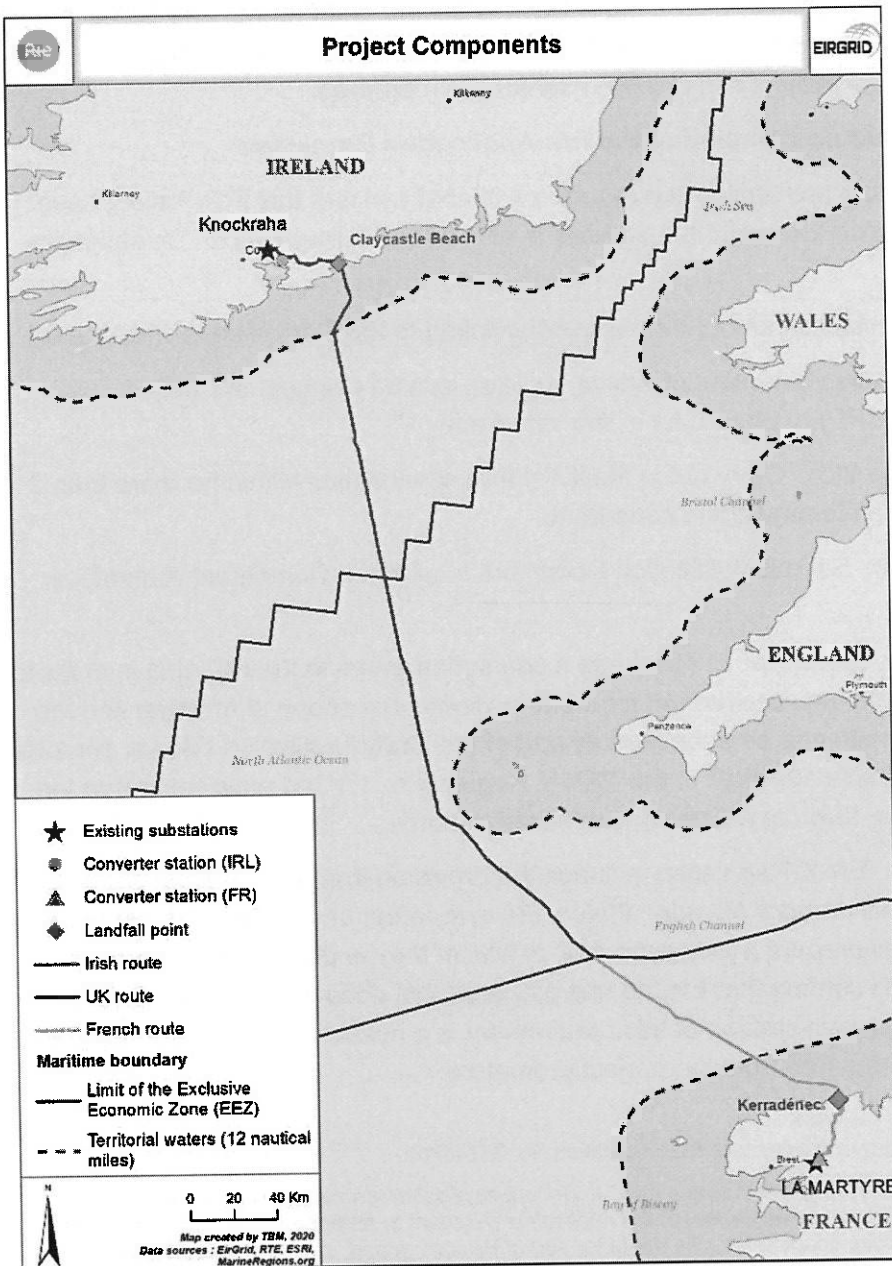
<sup>2</sup> Article 10(4)(a) of the TEN-E Regulation states that *"4. The pre-application procedure shall comprising the following steps (a) upon the acknowledgement of the notification pursuant to paragraph 1(a), the competent authority shall identify, in close cooperation with the other authorities concerned, and where appropriate on the basis of a proposal by the project promoter, the scope of material and level of detail of information to be submitted by the project promoter, as part of the application file, to apply for the comprehensive decision. The checklist referred to in Annex VI.1(e) shall serve as a basis for this identification"*.

## 2 Proposed Schedule across the Irish, UK and French Jurisdictions

### 2.1 Introduction to Irish, UK and French Jurisdictions

As illustrated in Figure 2.1, the Celtic Interconnector project concerns the jurisdictions of Ireland, the United Kingdom of Great Britain and Northern Ireland (UK) and France.

**Figure 2.1: The Celtic Interconnector**



Source: TBM Consulting Group



Given the project's PCI status as PCI number 1.6 for the North Seas Countries Offshore Grid Initiative ('NSCOG') priority corridor under the TEN-E Regulation, EirGrid are required to complete a number of specific requirements of the TEN-E Regulation with the following three CAs who are responsible for ensuring the implementation of the permit granting process:

1. The PCI Unit of An Bord Pleanála (ABP) in Ireland;
2. The Marine Management Organisation (MMO) in the UK; and
3. The Direction Générale de l'Énergie et du Climat (DGEC) in France.

## 2.2 TEN-E Regulation Progress to Date Across All Jurisdictions

Table 2.1 sets out the status key specific requirements of the TEN-E Regulation that have been both completed to date and those that have yet to be completed across all three jurisdictions concerned (Ireland, the UK and France). It also includes suggested dates for scheduling the completion of any TEN-E Regulation requirements that remain outstanding.

**Table 2.1: TEN-E Regulation Progress to Date and Indicative Timelines**

Progress to Date and Indicative Timelines		Status		
Article	Specific Requirement	Ireland	UK	France
9(7)	Establish and update a website linked to the Commission website.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9(3)	Within 3 months of Article 10(1)(a), submit Concept of Public Participation (CPP) to 3 CAs in line with Annex VI.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9(4) & 9(5)	Carry out at least 1 public consultation within no more than 2 months in each Member State concerned.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10(1)(a)	Submit Notification Document to all 3 Competent Authorities (CAs).	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10(4)(a)	The CA shall identify, in close cooperation with other CAs, the scope of material and level of detail to be submitted.	<input type="checkbox"/> Mar 21	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10(4)(b)	The CA shall draw up, in close cooperation with the project promoters and other authorities concerned, a detailed schedule for the permit granting process in line with Annex VI.(2).	<input type="checkbox"/> Apr 21	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	For projects crossing the border between two or more Member States, the CAs of the Member States concerned shall prepare a joint schedule, in which they endeavor to align their timetables.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10(4)(c)	The Draft Application File (DAF) shall be submitted to the relevant CAs.	<input type="checkbox"/> Mar 21	<input type="checkbox"/> May 21	<input checked="" type="checkbox"/>

March 2021

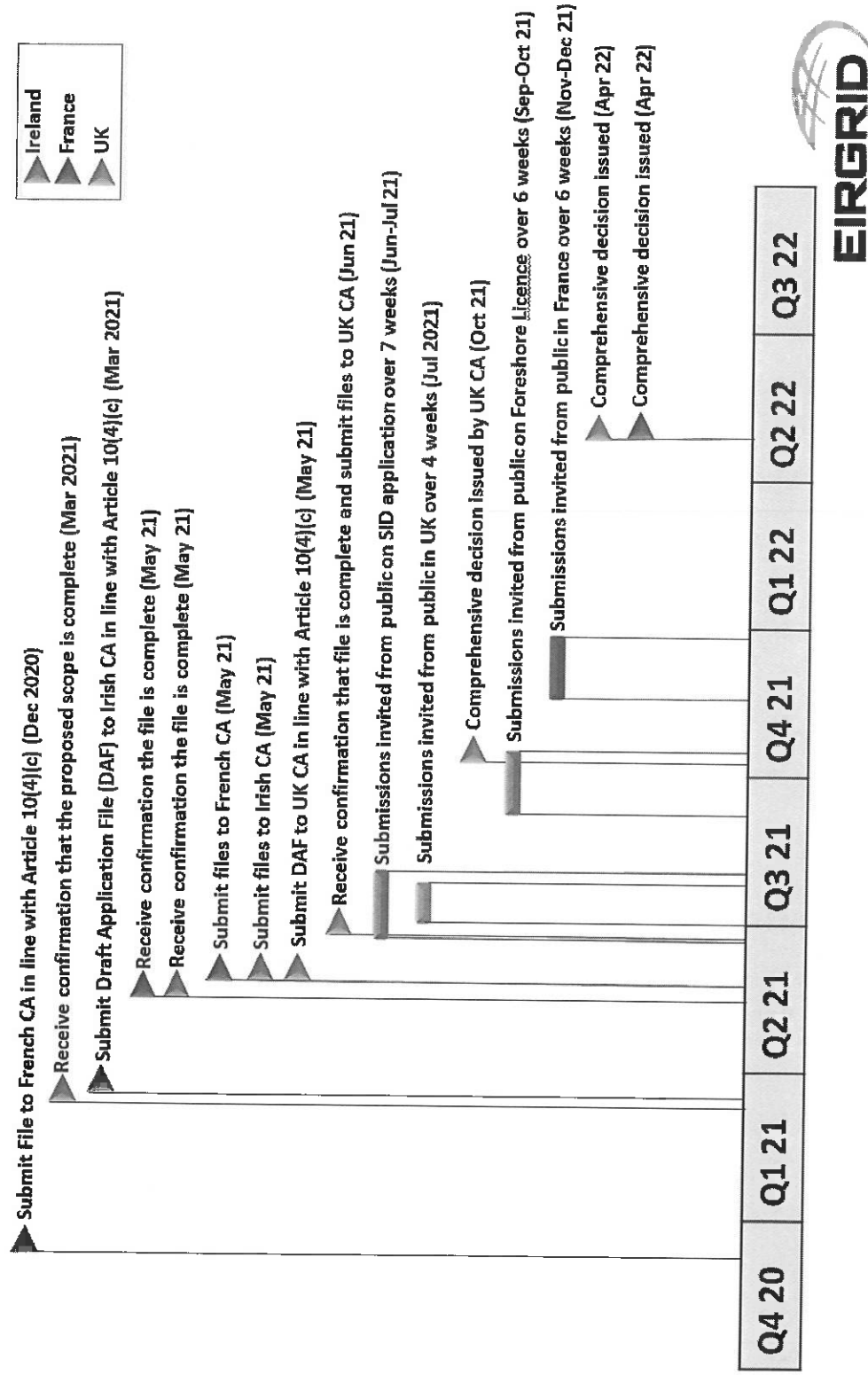
Progress to Date and Indicative Timelines		Status		
Article	Specific Requirement	Ireland	UK	France
	Upon receipt of the DAF, the relevant CA shall request any additional information that is required (completeness checking).	<input type="checkbox"/> May 21	<input type="checkbox"/> Jun 21	<input type="checkbox"/> May 21
10(1)(b)	The statutory permit granting procedure commences on the date of acceptance of the submitted application file.	<input type="checkbox"/> May 21	<input type="checkbox"/> Jun 21	<input type="checkbox"/> May 21
	The statutory permit granting procedure shall not exceed 18 months. Member states may set an earlier date, if considered appropriate.	<input type="checkbox"/> Apr 22	<input type="checkbox"/> Oct 21	<input type="checkbox"/> Apr 22

### 2.3 PCI Schedule Across All Jurisdictions

Figure 2.2 provides a joint schedule across all three jurisdictions. It demonstrates that manner in which the Irish and French jurisdictions can align their timetables by ensuring that a comprehensive decision is issued by April 2022. This schedule captures:

1. The anticipated submission dates for the Draft Application Files (DAF);
2. The anticipated dates for confirmation of the completeness of the DAF;
3. The anticipated dates for submission of the Final Application Files;
4. Public consultation periods; and,
5. The anticipated dates for receipt of comprehensive decision.

Figure 2.2: TEN-E Regulation Progress to Date and Indicative Timelines



## 2.4 Conclusion

We look forward to the progression of the Celtic Interconnector Project through the PCI process. We hope that the information contained within this document is of assistance to the CAs in the administration of Article 10(4)(b) of the TEN-E Regulation.

# Celtic Interconnector



## Proposed Schedule of the Permit Granting Process (National)

An Bord Pleanála Reference: PCI0003

March 2021

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## 1 Introduction

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### 1.1 Introduction

The Celtic Interconnector is a proposed electrical link which will enable the movement of electricity between Ireland and France and will be the first direct energy link between the two countries, running from the south coast of Ireland to the north-west coast of France. The project promoters are EirGrid plc and Réseau de Transport d'Électricité (RTE), the respective Transmission System Operators (TSOs) in Ireland and France. The Celtic Interconnector Project (An Bord Pleanála Ref. No. PCI0003) is currently in the pre-application phase of the Project of Common Interest (PCI) process.

### 1.2 Progress to date on completing the Pre-Application Procedure

To date, a number of the pre-application requirements that concern this PCI Project have been completed in accordance with the provisions of the TEN-E Regulation<sup>1</sup>. In summary, these include:

- Article 9(7): Establish and update a website linked to the Commission website;
- Article 9(3): Within 3 months of Article 10(1)(a), submit Concept of Public Participation (CPP) to 3 CAs in line with Annex VI.
- Article 9(4) and 9(5): Carry out at least 1 public consultation within no more than 2 months in each Member State concerned.
- Article 10(1)(a): Submit Notification Document to all 3 Competent Authorities (CAs).

In addition, EirGrid plc (hereafter, EirGrid) has made submissions to the PCI Unit in order to help the CA to complete the requirement for them to identify the scope of material and the level of detail of information to be submitted as part of the Draft Application File i.e. complete the requirements of Article 10(4)(a)<sup>2</sup> of the TEN-E Regulation. EirGrid anticipates that the requirements of Article 10(4)(a) will be concluded very shortly.

In parallel to this and in compliance with Article 10(4)(b) of the TEN-E Regulation, EirGrid has prepared this proposed schedule for the permit granting process. This proposed schedule will assist the PCI Unit in drawing up in, close cooperation with the project promoter and other authorities concerned, and while taking into account the results of the activities carried out under Article 10(4)(a) above, a detailed schedule for the permit granting process in line with the requirements of Annex VI.2 of the TEN-E Regulation.

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<sup>1</sup> The Trans-European Energy Infrastructure EU Regulation No. 347/2013.

<sup>2</sup> Article 10(4)(a) of the TEN-E Regulation states "4. The pre-application procedure shall comprising the following steps (a) upon the acknowledgement of the notification pursuant to paragraph 1(a), the competent authority shall identify, in close cooperation with the other authorities concerned, and where appropriate on the basis of a proposal by the project promoter, the scope of material and level of detail of information to be submitted by the project promoter, as part of the application file, to apply for the comprehensive decision. The checklist referred to in Annex VI.1(e) shall serve as a basis for this identification".



In addition, EirGrid is separately submitting a proposed joint schedule in compliance with Article 10(4)(b) that will facilitate the CAs of the Member States concerned with this project in endeavouring to align their timetables.

The requirements of Article 10(4)(b) and the associated requirements of Annex VI.2 in respect of this particular document are set out in more detail in Section 1.3 below.

### **1.3 Purpose of this document**

This document has been prepared in order to provide the PCI Unit with a proposed schedule of the permit granting process and to enable the requirements of Article 10(4)(b) and Annex VI.(2) of the TEN-E Regulation to be completed in so far as this step can be informed by EirGrid.

#### **1.3.1 Article 10(4)(b)**

Article 10(4)(b) of the TEN-E Regulation, as relevant to this document, states that:

- "4. The pre-application procedure shall comprise the following steps: [...]*
- (b) the competent authority shall draw up, in close cooperation with the project promoter and other authorities concerned and taking into account the results of the activities carried out under point (a), a detailed schedule for the permit granting process in line with the guidelines set out in Annex VI.(2);*

#### **1.3.2 Annex VI.(2)**

Annex VI.(2) of the TEN-E Regulation states that:

- "(2) The detailed schedule referred to in Article 10(4)(b) shall specify as a minimum the following:*
- (a) The decisions and opinions to be obtained;*
- (b) The authorities, stakeholders, and the public likely to be concerned;*
- (c) The individual stages of the procedure and their duration;*
- (d) Major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken;*
- (e) The resources planned by the authorities and possible additional resource needs.*

### **1.4 Structure of this document**

This document has been structured to provide the PCI Unit with a detailed description of the proposed schedule for the project at a national level. More specifically:

- **Section 2** provides a proposed schedule for the Strategic Infrastructure Development (SID) consenting process in Ireland;
- **Section 3** provides a proposed schedule for the Foreshore Licence consenting process in Ireland; and,
- **Section 4** provides a proposed schedule for the CRU consenting process in Ireland.

## 1.5 Key Consent Requirements within the Irish Jurisdiction

There are a number of consents and other authorisations required to realise the proposed development in Ireland. Table 1.1 sets out the details of those primary consents and authorisations that are considered by EirGrid to facilitate the progression of the project into the construction phase, and includes the key contact details for each of the relevant authorities.

**Table 1.1: Primary Consents Required for the Celtic Interconnector Project**

Ref.	Consenting Authority	Name of Consent / Notice / License	Name and Contact Details of Consenting Authority
1	An Bord Pleanála	Strategic Infrastructure Development (SID) Grant of Planning Permission	Kieran Somers, Executive Officer, SID Unit An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V90 k.somers@pleanala.ie Tel: (01) 873 7250
2	Foreshore Unit	Foreshore Licence	Nina Murray, Principal Officer, Foreshore Unit, Department of Housing, Local Government and Heritage, Newtown Road, Wexford, Y35 AP90 nina.murray@housing.gov.ie Tel: (053) 911 7332
3	CRU	Authorisation to Construct an Interconnector	Róisín Cullinan, Licensing Manager, The Grain House, The Exchange, Belgard Square North, Cookstown, Dublin 24, D24 PXW0 rcullinan@cru.ie Tel: 00 353 (0)1 4000 800
		Consent to Lay Electric Cables	Harry Molloy, Analyst, CRU, The Exchange, Belgard Square North, Cookstown, Dublin 24, D24 PXW0 hmolloy@cru.ie Tel: (01) 4000 800
		Special Order(s) (if required)	Róisín Cullinan, Licensing Manager, The Grain House, The Exchange, Belgard Square North, Cookstown, Dublin 24, D24 PXW0 rcullinan@cru.ie

Ref.	Consenting Authority	Name of Consent / Notice / License	Name and Contact Details of Consenting Authority
		Operator Licence	Tel: 00 353 (0)1 4000 800 Róisín Cullinan, Licensing Manager, The Grain House, The Exchange, Belgard Square North, Cookstown, Dublin 24, D24 PXW0 rcullinan@cru.ie Tel: 00 353 (0)1 4000 800

Table 1.2 sets out the details of those other consents and authorisations required to facilitate construction of the project. Table 1.2 also includes the key contact details for each of the relevant authorities.

**Table 1.2: Other Consents Required for the Celtic Interconnector Project**

Ref.	Name of Consenting Authority	Name of Consent / Notice / License	Contact details for relevant consenting authority
1	Environmental Protection Agency	Waste Disposal / Emissions Licence (onshore)	EIA Planning, Environmental Licensing Programme, Office of Environmental Sustainability, EPA, Johnstown Castle Estate, Co Wexford, Y35 W821 eiaplanning@epa.ie (053) 91 60600
2	Cork County Council	Commencement Notice / 7 Day Notice	Cork County Council County Hall, Carrigrohane Road, Cork, T12 R2NC fireinfo@corkcoco.ie Tel: (021) 4304077
3	Minister for Housing, Local Government and Heritage	Ministerial Consent / Derogation Licences (National Parks and Wildlife Service)	National Parks and Wildlife Service, 90 King Street North, Dublin 7, D07 N7CV nature.conservation@chg.gov.ie Tel: (01) 888 3242
4	National Monuments Service	Excavation Licence (Archaeological) / Ministerial Consent for works at / near a National Monument / Detection Device Consent	Dr Connie Kelleher, Office of Public Works National Monument Depot, Custom House, Dublin 1, D01 W6X0 nationalmonuments@chg.gov.ie Tel: (01) 888 2000
5	Cork County Council	Road Opening Licence	David Clarke Senior Executive Engineer. Road Operations - Midleton Office, East Cork Municipality District, Cork County Council, The Lodge, Youghal Road,

Ref.	Name of Consenting Authority	Name of Consent / Notice / License	Contact details for relevant consenting authority
			Midleton, Co. Cork dave.clarke@corkcoco.ie (021) 4631580
6	Department of Agriculture, Food and the Marine (Forest Service)	Tree Felling Licence (if required)	Felling Section, Forest Service, Department of Agriculture, Food and the Marine, Johnstown Estate, Co. Wexford, Y35 PN52 felling.forests@agriculture.gov.ie Tel: (053) 9163400
7	Cork County Council	Trade Effluent Discharge Licence	Cork County Council Environmental Directorate, Inniscarra, Co. Cork, P31 X738 environ@corkcoco.ie Tel: (021) 4523700
8	Cork County Council	Certificate of Registration	Cork County Council Environmental Directorate, Inniscarra, Co. Cork, P31 X738 Tel: (021) 4523700
9	Cork County Council	Fire Safety Certificate	Cork County Council Fire and Building, Control Department, County Hall Campus, Farranlea Road, Cork fireinfo@corkcoco.ie Tel: (021) 4304077
10	Cork County Council	Disability Access Certificate	Cork County Council Fire and Building, Control Department, County Hall Campus, Farranlea Road, Cork fireinfo@corkcoco.ie Tel: (021) 4304077
11	National Monuments Service	Dive Survey Licence	National Monuments Service, Department of Housing, Local Government and Heritage, Room G50, Custom House, Dublin 1, D01 W6X0 nationalmonuments@chq.gov.ie Tel. (01) 888 2000

## **2 Proposed Schedule for the SID Consenting Process**

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### **2.1 Context of EirGrid's proposal regarding SID Consent**

Pursuant to Article 10(4)(b) of the TEN-E Regulation, as part of the pre-application procedure, the PCI Unit shall draw up, in close cooperation with the project promoter and other authorities concerned, a detailed schedule for the permit granting process in line with Annex VI.(2) of the TEN-E Regulation. The checklist below will serve as a basis for this identification for the purposes of the SID grant of planning permission.

### **2.2 SID Grant of Planning Permission**

#### **2.2.1 (a) The decisions and opinions to be obtained**

Pursuant to Section 182A of the Planning and Development Acts 2000 as amended (hereafter, the "Planning and Development Act") where a person intends to carry out development comprising or for the purposes of electricity transmission, they shall prepare an application for approval under Section 182B of the Planning and Development Act and apply to the SID Unit of ABP for such a development consent. EirGrid is currently preparing a planning application for approval pursuant to the requirements of Section 182A of the Planning and Development Act.

#### **2.2.2 (b) The authorities, stakeholders and the public likely to be concerned**

Consultation has been undertaken with statutory consultees, stakeholders and the public during key stages of the project in respect of the SID planning application. A detailed account of all consultation undertaken to date will be contained in a Planning Report and a Public and Landowner Consultation Report that are currently being prepared to accompany the SID planning application. These documents will be available on the application specific website. In addition EirGrid's Celtic Interconnector project website already contains consultation reports and consultation related material – please refer to:  
<https://www.eirgridgroup.com/the-grid/projects/celtic-interconnector/related-documents/index.xml>

The principal stakeholders for this consent with whom EirGrid has consulted include:

- (i) The SID Unit of ABP (the consenting authority);
- (ii) Cork County Council;
- (iii) Department of Housing, Local Government and Heritage (including the Foreshore Unit); and previously Department of Culture, Heritage and the Gaeltacht;
- (iv) CRU;
- (v) Department of Environment, Climate and Communications;
- (vi) Department of Agriculture, Food and the Marine;

- (vii) National Parks and Wildlife Service – Development Application Unit;
- (viii) Department of Transport, Tourism and Sport;
- (ix) National Monuments Service;
- (x) The Environmental Protection Agency (EPA);
- (xi) Irish Rail;
- (xii) Irish Water;
- (xiii) IDA;
- (xiv) Cork Road Design Office (RDO);
- (xv) Gas Networks Ireland;
- (xvi) Southern Regional Assembly;
- (xvii) Transport Infrastructure Ireland (TII);
- (xviii) National Transport Authority;
- (xix) Health and Safety Authority;
- (xx) Inland Fisheries Ireland;
- (xxi) Commission for Railway Regulation;
- (xxii) Heritage Council;
- (xxiii) Fáilte Ireland;
- (xxiv) An Chomhairle Ealaíon (The Arts Council);
- (xxv) Marine Institute;
- (xxvi) Office of Public Works;
- (xxvii) Geological Survey of Ireland;
- (xxviii) Bord Iascaigh Mhara;
- (xxix) An Taisce;
- (xxx) Irish Whale and Dolphin Group;
- (xxxi) Local residents and community groups; and,
- (xxxii) Directly affected landowners.

### **2.2.3 (c) Individual stages of the procedure and their duration**

Pursuant to Section 182E of the PDA, EirGrid has engaged in pre-application consultations with the SID Unit of ABP. The point of contact for these consultations is Mr Kieran Somers. There are no statutory timelines in place for these consultations; however, EirGrid intends requesting closure of the consultations in April 2021. It is anticipated that approximately four weeks following receipt of EirGrid's request for closure, ABP will serve notice of its opinion

on EirGrid, on Cork County Council and any other party that has been consulted. On receipt of this opinion, EirGrid will take account of the opinion in the finalisation of its application documents and will then submit the application for consent to ABP, anticipated in May 2021.

Following the submission of the SID application, submissions and observations may be made to ABP by any person for a period stated in the associated public notices; it is anticipated that this will be a 7 week period. Based on EirGrid's extensive experience of its SID projects in the planning approval process, it is anticipated that if there is no oral hearing, the application may be approved in December 2021. If there is an oral hearing, the approval may be made in April 2022.

#### **2.2.4 (d) Major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken**

EirGrid intends to submit the SID application for development consent in May 2021. Assuming approval of the application for development consent (in tandem with the other requisite consent – the Foreshore Licence), EirGrid intends to commence the construction phase in Q4 2022. The construction phase will be the point at which all other post-consent licences and authorisations will be finally confirmed.

#### **2.2.5 (e) The resources planned by the authority and possible additional resource needs**

It is envisaged that the An Bord Pleanála will process this application for approval through their own in-house resources and that no additional resources would be required. This is of course an internal matter for An Bord Pleanála.

### **3 Proposed Schedule for the Foreshore Unit Consenting Process**

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#### **3.1 Context of EirGrid's Proposal regarding Foreshore Licence Consent**

Pursuant to Article 10(4)(b) of the TEN-E Regulation, as part of the pre-application procedure, the PCI Unit shall draw up, in close cooperation with the project promoter and other authorities concerned, a detailed schedule for the permit granting process in line with Annex VI.(2) of the TEN-E Regulation. The checklist below will serve as a basis for this identification for the purposes of the Foreshore Licence.

#### **3.2 Foreshore Licence**

##### **3.2.1 (a) The decisions and opinions to be obtained**

Pursuant to Section 3 of the Foreshore Acts 1933 as amended (the "**Foreshore Acts**"), if in the opinion of the appropriate Minister, it is in the public interest that a foreshore licence should be granted to any person in respect of any State-owned foreshore authorising such person to place any material or to place or erect any articles, things, structures, or works in or on such foreshore, that Minister may, subject to the provisions of the Foreshore Acts, grant a foreshore licence to such person. EirGrid expects to apply for a Foreshore Licence from the Foreshore Unit of the Department of Housing, Local Government and Heritage for the installation, operation and maintenance of cables including external cable protection (if required) in the foreshore. Once granted the Foreshore Licence will be valid from the date of grant for a period not exceeding 99 years.

##### **3.2.2 (b) The authorities, stakeholders and the public likely to be concerned**

Consultation has been undertaken with statutory consultees, stakeholders and the public during key stages of the project in respect of the application for a foreshore licence. A detailed account of all consultation undertaken to date will be contained in a Planning Report and a Public and Landowner Consultation Report that are currently being prepared to accompany the Foreshore Licence application. In addition EirGrid's Celtic Interconnector project website already contains consultation reports and consultation related material – please refer to <http://www.eirgridgroup.com/the-grid/projects/celtic-interconnector/related-documents/index.xml>

The principal authorities, stakeholders and public bodies with whom EirGrid has consulted include:

- (i) Foreshore Unit of the Department of Housing, Local Government and Heritage;
- (ii) Cork County Council;
- (iii) Department of Environment, Climate and Communications; (including the Petroleum Affairs Division);



- (iv) Department of Housing, Local Government and Heritage – Underwater Archaeology Unit;
- (v) National Parks and Wildlife Service (NPWS) – Development Application Unit;
- (vi) An Bord Pleanála Projects of Common Interest (PCI);
- (vii) Marine Institute;
- (viii) Inland Fisheries Ireland;
- (ix) Department of Agriculture, Food and the Marine – Aquaculture and Foreshore Management Division;
- (x) Department of Defence;
- (xi) The Environmental Protection Agency (EPA);
- (xii) An Taisce;
- (xiii) CRU;
- (xiv) Heritage Council;
- (xv) Fáilte Ireland;
- (xvi) An Chomhairle Ealaíon (The Arts Council);
- (xvii) Health Service Executive;
- (xviii) Irish Maritime Administration;
- (xix) National Inshore Fisherman's Association;
- (xx) Marine Survey Office;
- (xxi) Youghal Fisherman's Association;
- (xxii) Ballycotton Fisherman's Association;
- (xxiii) Irish Sea Fisheries Board;
- (xxiv) Irish Whale and Dolphin Group;
- (xxv) Local residents and community groups; and,
- (xxvi) Directly affected landowners.

### **3.2.3 (c) Individual stages of the procedure and their duration**

EirGrid expects that the stages involved in the processing of the Foreshore Licence Application, and anticipated timelines for these stages, will be as follows:

- (i) EirGrid will submit the Foreshore Licence in May 2021.
- (ii) The Foreshore Unit will acknowledge receipt of the application in June 2021 and will validate the application by August 2021.

- (iii) Public consultation will likely take place between September 2021 and October 2021.
- (iv) The Foreshore Unit and stakeholders may request additional information from EirGrid for clarification purposes. Upon receipt of any response to a request for additional information, the Foreshore Unit will review the responses received and will determine whether any further information is required from EirGrid in order for them to make their decision.
- (v) EirGrid have discussed with the Foreshore Unit that determination on the application will be required by April 2022 to inform the comprehensive decision. The determination will be posted on the Foreshore Unit website.

**3.2.4 (d) Major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken**

EirGrid intends to submit the Foreshore Licence application in May 2021. Assuming approval of the application (in tandem with the other requisite consent – the SID application for consent), EirGrid intends to commence the construction phase in Q4 2022. The construction phase will be the point at which all other post-consent licences and authorisations will be finally confirmed.

**3.2.5 (e) The resources planned by the authority and possible additional resource needs**

It is envisioned that the Foreshore Unit may process the Foreshore Licence through external specialist resources that will be managed by their own in-house licencing team. This is of course an internal matter for the Foreshore Unit.

## **4 Proposed Schedule for the CRU Consenting Process**

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### **4.1 Context EirGrid's proposal regarding CRU Consent**

Pursuant to Article 10(4)(b) of the TEN-E Regulation, as part of the pre-application procedure, the PCI Unit shall draw up, in close cooperation with the project promoter and other authorities concerned, a detailed schedule for the permit granting process in line with Annex VI.(2) of the TEN-E Regulation. The checklist below will serve as a basis for this identification for the purposes of the CRU consent applications.

### **4.2 Authorisation to Construct an Interconnector**

#### **4.2.1 (a) The decisions and opinions to be obtained**

Pursuant to Section 16(1)(b) of the Electricity Regulation Act 1999 (as amended) (the "1999 Act") a person shall not construct an interconnector unless an appropriate authorisation has been granted to the person by the CRU. Applications for an authorisation to construct an interconnector are made to the CRU by way of an application form which is available on the CRU website. EirGrid is currently preparing the application for an authorisation to construct an interconnector. The authorisation is valid for seven years or until completion of the construction project.

#### **4.2.2 (b) The authorities, stakeholders and the public likely to be concerned**

The analysis of the authorities, stakeholder and the public likely to be concerned has been completed as part of the pre-application phase of both the SID planning application and Foreshore Licence Application. The principal stakeholders for this CRU consent include:

- (i) CRU;
- (ii) Cork County Council;
- (iii) Local landowners;
- (iv) Local residents along the on-shore route or near the converter station;
- (v) Department of Housing, Local Government and Heritage;
- (vi) Department of Environment, Climate and Communications;
- (vii) Department of Agriculture, Food and the Marine; and
- (viii) EirGrid Transmission System Operator (TSO)<sup>3</sup> and ESB Networks.

#### **4.2.3 (c) Individual stages of the procedure and their duration**

EirGrid will send the completed application form to the CRU along with all the required documentation. The CRU aims to acknowledge receipt of all applications within seven days. The CRU may require additional information in respect of the application for support or

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<sup>3</sup> The Celtic Interconnector Project is a ring fenced part of EirGrid plc, separate to the functions of EirGrid as TSO.

clarification purposes. If the CRU decides to grant an authorisation, EirGrid will be advised in writing and the authorisation will be issued shortly afterwards.

#### **4.2.4 (d) Major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken**

- (i) EirGrid intends to submit the authorisation to construct an interconnector application in Q2 2022 directly to the CRU. While the Draft Application particulars will be included in the PCI Application File, it is currently assumed that they will not form part of the comprehensive decision;
- (ii) The authorisation to construct an interconnector must be in place before the construction phase commences in Q4 2022;
- (iii) EirGrid anticipates that an application to obtain development consent pursuant to Section 182A will be made in May 2021. The grant of this consent will satisfy the requirement to obtain planning permission before submitting the application for authorisation to construct an interconnector;
- (iv) Pursuant to Section 3 of the Foreshore Acts, EirGrid anticipates to apply for a Foreshore Licence from the Department of Housing, Local Government and Heritage in May 2021 for the installation, operation and maintenance of cables including external cable protection (if required) in the foreshore.

#### **4.2.5 (e) The resources planned by the authority and possible additional resource needs**

It is envisaged that the CRU will process this authorisation application through their own in-house resources and that no additional resources would be required. This is of course an internal matter for the CRU.

### **4.3 Consent to Lay Electric Cables**

#### **4.3.1 (a) The decisions and opinions to be obtained**

- (i) Pursuant to Section 48 and Section 49 of the 1999 Act the CRU has functions relating to the transfer of the ESB's powers under Section 51, Section 52 (1) and Section 53 (1) to (5) and (9) of the Electricity (Supply) Act 1927 (as amended).
- (ii) Section 48 consent grants applicants the power to lay electric lines across or under a street, road, railway or tramway, and the right to break up any street, road, railway or tramway for that purpose.
- (iii) Section 49 consent grants applicants the power to lay electric lines across or under land not being a street, road, railway or tramway.

#### **4.3.2 (b) The authorities, stakeholders and the public likely to be concerned**

As noted above, the analysis of the authorities, stakeholder and the public likely to be concerned has been completed as part of the pre-application phase of both the SID planning application and Foreshore Licence Application. The principal stakeholders for this CRU consent are:

- (i) CRU;
- (ii) Cork County Council;
- (iii) Local residents along the on-shore route or near the converter station;
- (iv) Department of Housing, Local Government and Heritage;
- (v) Department of Environment, Climate and Communications;
- (vi) Department of Agriculture Food and the Marine; and
- (vii) EirGrid TSO and ESB Networks.

#### **4.3.3 (c) Individual stages of the procedure and their duration**

- (i) Application is made to the CRU by way of an application form and may be sent to [consentapplication@cru.ie](mailto:consentapplication@cru.ie). The application will not be considered complete unless it is accompanied by all of the required supporting documentation;
- (ii) The CRU will confirm if an application is complete as soon as may be possible (but no later than 10 working days) after receipt of an application;
- (iii) After the CRU reviews the application, the applicant may be contacted by the CRU if the CRU requires clarifications or additional information;
- (iv) The time taken for the application process is dependent on the volume of applications received and the CRU's workload at the time; and
- (v) Applications should be submitted at least two months prior to the date by which the applicant intends to exercise the consents.

#### **4.3.4 (d) Major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken**

- (i) EirGrid intends to submit the application in Q2 2022 directly to the CRU. While the Draft Application particulars will be included in the PCI Application File, it is currently assumed that they will not form part of the comprehensive decision; and,
- (ii) The CRU consents to lay electric cables must be in place before the construction phase commences in Q4 2022.

#### **4.3.5 (e) The resources planned by the authority and possible additional resource needs**

It is envisaged that the CRU will process the consent applications through their own in-house resource and that no additional resource would be required. This is of course an internal matter for the CRU.

#### **4.4 Special Order(s)**

##### **4.4.1 (a) The decisions and opinions to be obtained**

- (i) EirGrid will endeavour to reach an agreement with all relevant landowners along the onshore cable route so as to allow for the installation of cable on the landowner's property. In the event that an agreement cannot be reached with one or more of the landowners, legislation provides for the granting of Special Orders pursuant to the Electricity (Supply) Act 1927 (as amended) (the "1927 Act") and the 1999 Act.
- (ii) Pursuant to Section 45 of the 1927 Act, as amended by Section 47 of the 1999 Act, the CRU may acquire compulsorily any land or acquire any easement or other right over land or any right of impounding, diverting, or abstracting water for the purpose of the exercise of any of the powers conferred on it by the 1927 Act. As a result, a Special Order made by the CRU (if required), would allow EirGrid to compulsorily acquire a right of way across the relevant land in order to install cable across the land.

##### **4.4.2 (b) The authorities, stakeholders and the public likely to be concerned**

As noted above, the analysis of the authorities, stakeholder and the public likely to be concerned has been completed as part of the pre-application phase of both the SID planning application and Foreshore Licence Application. The principal stakeholders for this CRU consent are:

- (i) CRU;
- (ii) The individuals affected by the Special Order;
- (iii) Department of Housing, Local Government and Heritage;
- (iv) Department of Environment, Climate and Communications;
- (v) Department of Agriculture Food and the Marine; and
- (vi) EirGrid and ESB Networks.

##### **4.4.3 (c) Individual stages of the procedure and their duration**

- (i) An application for a Special Order is not normally required and is viewed as a last resort. There is no standard application process for a Special Order. In the event that EirGrid did apply for a Special Order, it is expected that the CRU will engage in a consultation process with the affected landowners and

the general public and may also hold an oral hearing with an independent chairperson.

#### **4.4.4 (d) Major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken**

It is not envisaged that a Special Order will be required for the completion of this project. Milestones and deadlines are therefore not a factor.

#### **4.4.5 (e) The resources planned by the authority and possible additional resource needs**

It is envisaged that the CRU would process this authorisation through their own in-house resources and that no additional resources would be required. This is of course an internal matter for the CRU.

### **4.5 A Licence to Operate the Interconnector**

#### **4.5.1 (a) The decisions and opinions to be obtained**

- (i) Pursuant to Section 14(1) of the 1999 Act, the CRU has the power to grant or refuse to any person a number of licences, including, a licence to discharge the functions of the transmission system operator under Section 14(1)(e) and a licence to transport electricity across and maintain an interconnector under Section 14(1)(i).
- (ii) EirGrid plc is the holder of the transmission system operator under Section 14(1)(e) in accordance with Section 14(2A) of the 1999 Act. EirGrid is developing the proposed interconnector under the requirements of Regulation 8 of SI 445/2000 – European Communities (Internal Market in Electricity) Regulations, 2000 and in accordance with its licence.
- (iii) EirGrid may own an interconnector, as provided for under Section 2(3) of the Electricity Regulation (Amendment) (EirGrid) Act 2008 ("2008 Act"), and an interconnector owned by the EirGrid (the TSO) shall be regarded as part of the transmission system for the purposes of the functions of the TSO as provided for in Section 2A of the 1999 Act. Equally the CRU may grant a separate licence to transport electricity across and maintain an interconnector under Section 14(1)(i). The current form of the Interconnector Operator Licence was published by CRU in April 2018.
- (iv) The granting of a licence under 14(1)(i) is an 'end stage' consent and is not a requirement for the construction phase of the project. The licence is granted by the CRU, in accordance with the CRU decision paper CER/11/055, upon application to those who have already been issued with an authorisation to construct an interconnector pursuant to Section 16 of the 1999 Act, and who by this process, would be automatically eligible to receive a licence to operate the same interconnector.

#### **4.5.2 (b) The authorities, stakeholders and the public likely to be concerned**

As noted above, the analysis of the authorities, stakeholder and the public likely to be concerned has been completed as part of the pre-application phase of both the SID planning application and Foreshore Licence Application. The principal stakeholders for this CRU consent are:

- (i) CRU;
- (ii) Department of Housing, Local Government and Heritage;
- (iii) Department of Environment, Climate and Communications;
- (iv) Department of Agriculture Food and the Marine; and
- (v) EirGrid and ESB Networks.

#### **4.5.3 (c) Individual stages of the procedure and their duration**

EirGrid will follow the application procedure as advised by the CRU.

#### **4.5.4 (d) Major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken**

A licence to operate the Interconnector will be required after construction and commissioning of the interconnector which is currently anticipated to be 2026. The licence will be in place before the interconnector begins operation.

#### **4.5.5 (e) The resources planned by the authority and possible additional resource needs**

It is envisaged that CRU would process this authorisation through their own in-house resources and that no additional resources would be required. This is of course an internal matter for the CRU.