

Sorcha Skelly

From: Eoghan.Tuite@Eirgrid.com
Sent: Thursday 6 February 2020 16:10
To: Sorcha Skelly
Cc: Diarmuid Collins
Subject: Celtic Interconnector Project
Attachments: Celtic Interconnector - Letter to ABP PCI Unit - UK Notification - 06022020.pdf

Hi Sorcha,

Please see attached letter of today's date relating to the Celtic Interconnector Project, a separate hard copy of which is in the post to you.

Regards,

Eoghan

Eoghan Tuite CEng PMP
Onshore Project Manager
Celtic Interconnector Project
 **Co-financed by the European Union**
Connecting Europe Facility

T: + 353 (0)1 23 70728
E: eoghan.tuite@eirgrid.com
W: www.eirgrid.com



EirGrid plc - Transmission System Operator, Ireland.
The Oval, 160 Shelbourne Road, Ballsbridge, Dublin 4, D04 FW28.

Oibritheoir Eangach Leictreachais na hÉireann.
160 Bóthar Shíol Bhroin, Droichead na Dothra, Baile Átha Cliath 4, D04 FW28.

Registered Office
The Oval, 160 Shelbourne Road, Ballsbridge, Dublin 4, D04 FW28.
Registered in Ireland No. 338522 V.A.T. No. IE 6358522H
TELEPHONE + 353 (0)1 677 1700
EMAIL info@eirgrid.com
FAX + 353 (0)1 661 5375
WEB www.eirgrid.com

Directors:
Brendan Tuohy CHAIR, Mark Foley CHIEF EXECUTIVE
Dr Theresa Donaldson, Shane Brennan, Tom Coughlan, Lynne Crowther, Michael Hand, Eileen Maher, Liam O'Halloran, John Trethowan, Michael Behan (Company Secretary)

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Tá faisnéis (agus/nó ceangaltáin) a d'fhéadfadh a bheith faoi phribhléid nó faoi rún sa teachtaireacht leictreonach seo. Tá an t-ábhar uile beartaithe a bheith d'úsáid an duine aonair nó an aonáin chuig a ndírítear é amháin. Sa chás nach tú an faighteoir beartaithe, bíodh fios agat go bhfuil cosc ar aon nochtadh, cóipeáil, dáileadh nó úsáid d'ábhair na teachtaireachta seo. Is iad tuairimí nó barúlacha an údair amháin na tuairimí nó na barúlacha a léirítear sa teachtaireacht seo, agus b'fhéidir nach ionann iad agus tuairimí nó barúlacha EirGrid. Má shíleann tú go bhfuair tú an ríomhphost seo trí earráid, cuir é seo in iúl don seoltóir láithreach le do thoil. Cé go scanann EirGrid ríomhphoist agus ceangaltáin, ní thugann siad ráthaíocht go mbíonn ceachtar acu saor ó víreas ná ní ghlacann siad aon dlíteanas as aon damáiste a dhéantar de thoradh víreas.



www.eirgrid.com

The Oval, 160 Shelbourne Road
Ballsbridge, Dublin D04 FW28, Ireland

Telephone +353 1 677 1700

Email info@eirgrid.com

Ms. Sorcha Skelly,
Executive Officer,
Project of Common Interest Unit,
An Bord Pleanála,
61-64 Marlborough Street,
Dublin,
D01 V902.

Date: 6th February 2020

Your Ref.: PCI Project 1.6

Our Ref.: Celtic Interconnector Project

RE: Update regarding approval of PCI Notification by UK Competent Authority and Request for Clarification regarding the start date of the permit granting process

Dear Ms. Skelly,

I refer to the letter of 21st March 2019 from your former colleague Mr. Seamus Grant acknowledging the notification of the above project to An Bord Pleanála ("the Board"), as Ireland's Competent Authority pursuant to Article 10(1)(a) of the TEN-E Regulation (EU) No 347/2013.

EirGrid notes that the Board as Competent Authority considered that the project was mature enough to enter the permit granting process under Chapter III of the TEN-E Regulation, and that the date of the signature of the notification by the Competent Authority would serve as the start of the permit granting process under the TEN-E Regulation. The Board further noted that where two or more Member States were concerned with a Project of Common Interest (PCI) project, the date of acceptance of the last notification by the competent authority concerned would serve as the date of the start of the permit granting process.

When submitting the respective notifications to the Competent Authorities in both Ireland and France, EirGrid and our counterpart in France, Réseau de Transport d'Électricité (RTÉ) had proceeded on the understanding that no relevant consents were required in the United Kingdom of Great Britain and Northern Ireland (UK) on the basis that the marine cable route ran outside of UK territorial waters and that there is no requirement in UK law for any permit or licence for the laying of submarine cables in the Exclusive Economic Zone (EEZ) of the UK.

Further detailed technical analysis of the chosen route for the laying of the cable on the seabed of the UK EEZ has indicated geological and sedimentary issues which will likely require the placement of rock at certain locations in order to protect the submarine cable from hazards. Under the UK's Marine and Coastal Access Act 2009, the placement of any object (other than the submarine cable itself) on the seabed of the UK EEZ requires a Marine Licence to be obtained from the Marine Management Organisation (MMO), in its role as the relevant permit granting authority for such licences in the UK.

Consequently, EirGrid and RTÉ commenced consultation with the MMO in 2019 and following a meeting held on 21st January 2020, the MMO confirmed that the activity of protecting the submarine cable proposed for the Celtic Interconnector project with rock (and / or 'rock matting') requires a Marine Licence from the MMO.

Separately to its role as the permit granting authority for Marine Licences in the UK, the MMO is also the delegated Competent Authority for PCI projects in the UK. The Department for Business, Energy and Industrial Strategy (BEIS)¹ is the designated Competent Authority for PCI projects in the UK and it has delegated authority to facilitate and coordinate the TEN-E Regulation process to the MMO.

EirGrid and RTÉ therefore submitted a PCI Notification Document and Implementation Plan to the MMO, in their role as the UK's Competent Authority under the TEN-E Regulation. On 31st January 2020 the MMO issued its formal acceptance of the Notification, as attached to this letter.

In light of this and the stipulations of Article 10(1)(b) of the TEN-E Regulation, and the above mentioned advice in your letter dated 21st March 2019², we herein wish to confirm our understanding that the start of the permit granting process is therefore 31st January 2020. We would greatly appreciate if you could please consider this matter and, following co-ordination with the other Competent Authorities, confirm that the permit granting process for the Celtic Interconnector Project began on 31st January 2020.

We await hearing from you and if you have any questions please feel free to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Eoghan Tuite".

Eoghan Tuite
Onshore Project Manager
Celtic Interconnector Project
EirGrid plc



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Enclosed: MMO - 20200131 PCI Notification Acceptance Letter - Celtic Interconnector

¹ Formerly known as the Department of Energy and Climate Change (DECC).

² That "the date of acceptance of the last notification by the competent authority concerned would serve as the date of the start of the permit granting process".



Mr Erlend Christiansen,
EirGrid plc,

Gaëlle Chevreau,
Réseau de Transport d'Électricité (RTE).

Our reference:
ENQ/2019/00160

(By e-mail only)

31 January 2020

Dear Mr Christiansen and Ms Chevreau,

European Commission Project of Common Interest (PCI) 1.6. - Interconnection between Ireland and France [currently known as “Celtic Interconnector”]

The Marine Management Organisation (MMO) received on 23 January 2020 (with further amendments on 29 January 2020 and 31 January 2020) a formal notification for the Celtic Interconnector Project from Mr Erlend Christiansen (EirGrid) and Gaëlle Chevreau (RTE), under Article 10(1)a of the Regulation on guidelines for trans-European energy infrastructure EU 347/2013 (the TEN-E Regulation).

In the case of the Celtic Interconnector Project, the Department for Business, Energy and Industrial Strategy (BEIS) formally known as the Department for Energy and Climate Change (DECC) has delegated authority to co-ordinate the TEN-E Regulation process to the MMO.

The MMO has reviewed the notification and is now content to acknowledge the notification for the Celtic (PCI) Interconnector Project. The MMO accepts the project into the permit granting process as sufficiently mature to be able to submit an application for the consents required within two years.

The date of this correspondence is the **start date** for the permit granting process as set out in the TEN-E Regulation.

Within **three months** of the date of this correspondence the MMO will prepare a detailed schedule for the permit granting process, which will include:

- a) The decisions and opinions obtained;



INVESTORS
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- 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 the deadlines in view of the decision taken; and
- e) The resources planned by the authorities and possible additional resource needs.

To enable the MMO to undertake this requirement please provide any plans or schedules for any required development consents that you have already prepared as part of the written notification, within **two weeks** of the date of this correspondence.

Within **three months** of the date of this correspondence you are required to submit to the MMO a “concept for public participation”, which must include:

- a) The stakeholders concerned and addressed;
- b) The measures envisaged, including proposed general locations and dates of dedicated meetings;
- c) The timeline for the consultation process, how long and how many consultations will take place and over what time period;
- d) The human resources allocated to the respective tasks;
- e) If it is not possible to specify exact dates or locations for the dedicated meetings then please set out in general terms what is proposed and use indicative timescales in which the consultation will be undertaken. Please note that consultations on a PCI must take place in each Member State within two months of the first consultation

The MMO would strongly recommend that you consult the other National Competent Authorities, Ministère de la Transition Écologique et Solidaire and An Bord Pleanála, to assist in the concept for public participation.

The TEN-E Regulation includes a number of additional consenting requirements and therefore the MMO advises that you read the Manual of Procedures, which can be located on the BEIS website at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/311184/uk_manual_procedures_ten_e_regulation.pdf

Should you have any queries regarding this correspondence, please do not hesitate to contact the undersigned.

Yours sincerely,

Emma Dowson

Emma Dowson
Marine Licensing Case Officer

D +44 (0) 20 789 55501

E Emma.Dowson@marinemanagement.org.uk

Cc: Sidonie Blanchard
Ministère de la Transition Écologique et Solidaire

Cc: Sorcha Skelly
An Bord Pleanála

Cc: Francesco Marolda
Department for Business, Energy and Industrial Strategy
