



An Coimisiún
um Rialáil Fóntas
**Commission for
Regulation of Utilities**

15 May 2020

CRU Ref: D/20/8724

Ms. Sorcha Skelly

Executive Officer
PCI Unit
An Bord Plenála
64 Marlborough Street
Dublin 1

Dear Ms. Skelly,

Re: PCI 0004, PCI Project 1.9.1, the Greenlink (Ireland-Wales Interconnector) Project.

Further to your letter of March 20th, the Commission for Regulation of Utilities (CRU) can provide the following response to the submission by Greenlink Interconnector Limited (GIL). GIL submitted two documents covering the scope and schedule of their project, which are referred to where relevant.

Project Scope

The document received by CRU on March 20th 2020 (the Scoping document) includes information relating to the four CRU consents required for the project: Authorisation to Construct an Interconnector, Consent to Lay Electric Cables, Special Orders and Interconnector Operating Licence. The document describes the application process for the consents and lists some of the information required as part of the applications. Our comments on each section are presented below.

1. Authorisation to Construct an Interconnector

The Scoping document submitted by GIL contains a detailed list of the application requirements as per the existing (2007) application form available on the CRU website. The criteria for the CRU assessment of the existing application form for an Authorisation to Construct an Interconnector mirror those set out for the assessment of applications for Authorisations to Construct or Reconstruct a Generating Station, as set out in S.I. 309 of 1999. As GIL have been made aware, this application form is currently being updated and while CRU have stated that it will continue to align with the criteria set out in S.I. 309 of 1999, the specific information required may change. While this is the case, the information that the CRU expects it will require will be covered under the following headings:

- Applicant, company, operator and interconnector details
- Technical specifications, and evidence of competence of operators
- Compliance with grid safety and security requirements and evidence of connection agreement

- Financial history of the applicant/company
- Project timelines and financial feasibility
- Details of current or future planning applications or consents

An application will only be accepted for assessment where the minimum application requirements have been met. Where they have not been met the application will be returned and the applicant will be notified of the areas that were lacking to facilitate a valid resubmission. The Scoping document submitted by GIL states correctly that, following submission of an application, the CRU may request additional information in respect of the application for support or clarification purposes.

As mentioned in the Scoping document, the Authorisation to Construct will not be issued until evidence of receipt of final planning consents has been submitted to the CRU. However, mindful of the timing associated with the PCI process, the CRU will proceed to carry out an assessment of the application while GIL are awaiting their planning consents. Once the relevant planning consents have been granted and made available to the CRU and provided the remainder of the application meets the necessary requirements, the CRU can then issue the Authorisation.

As GIL have noted in the Scoping document, the application must be accompanied by a fee of €20,000.

2. Consent to Lay Electric Cables

Consent to Lay Electric Cables over public roads and private lands is obtained through consent under Section 48 and Section 49 of the Electricity Regulation Act 1999, as amended (the 1999 Act) respectively. The application process for consent under Section 48 and Section 49 is as set out in the scoping document. Applicants seeking both Section 48 and Section 49 consents may use the same supporting documentation where appropriate for both applications. Applications for these consents may be made in parallel.

Applicants for these consents are required to submit an Authorisation to Construct as part of their application. The CRU cannot accept an application for consent under Section 48 and Section 49 until all supporting documentation has been provided. Due to the powers which these consents grant over lands, the CRU must ensure that all other requirements have been met before granting consent.

There are no fees associated with applications for a Consent to Lay Electric Cables.

3. Special Orders

A Special Order (granted under Section 47 of the 1999 Act) for the compulsory acquisition of land may be applied for in the event that GIL cannot reach an agreement with landowners over any rights that GIL may need to acquire. GIL state in their Scoping document that they will endeavour to reach agreements with landowners but will apply to the CRU for Special Orders if this does not succeed. As mentioned by GIL, the CRU may grant a Special Order to enable GIL to acquire rights over the land in such instances, where appropriate, and this process may potentially involve a public consultation process up to and including a public enquiry.

4. Interconnector Operating Licence

The information on and requirements for the Interconnector Operating Licence is as per the GIL Scoping document. An Interconnector Operating Licence will be granted automatically upon application to the holder of an Authorisation to Construct an Interconnector, as set out in CRU Decision Paper CER/11/055. The issuance of a licence is not a requirement for the construction phase of this project.

Project Schedule

The CRU can provide the following information regarding the duration and timelines associated with the CRU consents.

1. Authorisation to Construct an Interconnector

- The updated application form is currently being prepared and it is expected to be published in Q2 2020. This will set out the exact application requirements for GIL. Prior to this CRU cannot confirm the exact submission requirements.
- The CRU estimated assessment timeline for an Authorisation to Construct an Interconnector is expected to be set as 18 weeks in the updated application form, where a full application is submitted. This is dependent on the response timelines of the application where additional information requests are issued by CRU during the assessment. CRU notes that GIL have requested to submit their application prior to grant of final planning consents which may influence the timeline.

2. Consent to Lay Electric Cables

Applicants are currently advised to make an application to the CRU two months prior to when they intend to exercise the powers granted under the consent.

3. Special Orders

On a previous occasion where Special Orders were required in relation to an interconnector project, it took approximately 6 months to complete the process from application to conclusion.

4. Interconnector Operating Licence

The Licence can be applied for by the holder of an Authorisation to Construct an Interconnector. There is no associated application assessment timeline for this consent. The CRU will engage with GIL regarding the timeline for issuance of this licence at the appropriate time. This licence is not required for the construction of the interconnector.

Please do not hesitate to contact me should you wish to discuss the above further.

Yours Sincerely,



Róisín Cullinan
CRU Networks and Emergency Planning Manager