



Direction to Airtricity Limited issued by the Commission for Energy Regulation under Section (24)(4) of the Electricity Regulation Act, 1999

On the 12th July 2002, the Commission for Energy Regulation ('the Commission') issued a notice to Airtricity Limited under section (24)(2) of the Electricity Regulation Act ('the Act'). The notice stated that the Commission was of the opinion that Airtricity Limited may be contravening Condition 20 of their supply licence.

Condition 20 requires that the holder of a 'green' supply licence complies with the 'balancing criteria' as laid down in the Trading and Settlement Code ('the Code'): A green supplier operating during the first year of market opening (2000/01) should not have supplied more energy to their final customers than that which was available to them from 'green' sources, within a five per cent margin of error.

In response to the notice six submissions were received from the following parties:

- Airtricity
- Anglo Irish Bank
- Campbell Carr Limited
- ESBI Engineering Ltd.
- Killiney Design Associates
- Viridian

All respondents highlighted the benefits of renewable energy and the difficulties faced by participants in the Green market, in particular relating to delays in connections and planning.

Airtricity Limited has submitted the latest verifiable figures from the SSA showing a cumulative imbalance of brown over green of 15.5% for the period April 2000 to June 2002. The Commission is of the opinion that this figure continues to reduce.

The Commission has considered the submissions in coming to its decision. (See summary of comments received – Consultation Paper Ref: CER/02/131)

Under Section 24(4) of the Electricity Regulation Act, 1999, ('the Act') I hereby direct Airtricity Limited to take such measures as are necessary to cease the contravention of Condition 20 of their supply licence by the 8th December 2002. In the event that Airtricity Limited fails to meet the terms of this Direction the Commission will issue a Direction under Section 23(2) of the Act to Airtricity Limited to cease the registration of customers, with immediate effect.

This Direction shall remain in force until further notice by the Commission.

Tom Reeves

Member of the Commission

**Approval for Direction to Airtricity Limited under Section (24)(4) of the
Electricity Regulation Act, 1999**

Analyst, Licensing, Consumer & Environmental Affairs	
Manager, Licensing, Consumer & Environmental Affairs	
Head of Licensing, Consumer & Environmental Affairs	
Commissioner	

Date: