

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

On the 20<sup>th</sup> September 2002, the Commission published a Direction to airtricity Limited under Section 24(4) of the Electricity Regulation Act, 1999, to take such measures as were necessary to cease the contravention of Condition 20 of their supply licence by the 8<sup>th</sup> December 2002. In the event that airtricity Limited failed to meet the terms of that Direction the Commission stated its intention to issue a Direction under Section 23(2) of the Act to airtricity Limited to cease the registration of customers, with immediate effect.

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.

airtricity Limited has submitted the latest verifiable figures from the SSA showing a cumulative imbalance of brown over green of 4.73% for the period April 2000 to October 2002<sup>1</sup>.

Under Section 24(7) of the Electricity Regulation Act, 1999, I hereby give notice of the Commission's intention to revoke the Direction issued to airtricity Limited under Section 24(4) of the Act. Representations or objections with respect to this proposed revocation may be made to Clare Beausang ([cbeausang@cer.ie](mailto:cbeausang@cer.ie)) at the Commission by 5pm Friday 6<sup>th</sup> January 2003.

Tom Reeves

Member of the Commission

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<sup>1</sup> This figure excludes a small outstanding reconciliation on Cuillagh Wind farm to be accounted for, relating to a MRSO underestimate of Cuillagh Wind Output in July by 199 MWhs.