



Commission for Energy Regulation

An Coimisiún um Rialáil Fuinnimh

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

CER/03/007

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 20th 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 8th 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 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 2002.¹ On the 9 December 2002, the Commission gave notice of its intention to revoke the Direction. In response to the notice submissions were received from the following parties:

- Allied Irish Bank
- Campbell Carr
- ESBIE

These submissions highlighted the difficulty of matching green generation to demand. The Commission has considered the submissions in coming to its decision.

Under Section 24(6) of the Electricity Regulation Act, 1999, I hereby revoke the Direction issued to airtricity Limited under Section 24(4) of the Act.

Tom Reeves

Member of the Commission

¹ This figure excludes a small outstanding reconciliation on Cuillagh Windfarm to be accounted for, relating to a MRSO underestimate of Culligh wind output in July by 199MWhs.

**Approval for Revocation of Direction issued 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: