



Commission for Energy Regulation

An Coimisiún um Rialáil Fuinnimh

New Application Procedures for Authorisations and Licences for Generators up to 40MW

DOCUMENT TYPE:	Decision Paper
REFERENCE:	CER/10/098
DATE PUBLISHED:	29 June 2010
QUERIES TO:	Marian Troy mtroy@cer.ie



Commission for Energy Regulation

An Coimisiún um Rialáil Fuinnimh

*The Commission for Energy Regulation,
The Exchange,
Belgard Square North,
Tallaght,
Dublin 24.*

www.cer.ie

CER – Information Page

Abstract:

This paper outlines the CER's decision regarding revised application procedures for authorisations and licences under the Electricity Regulation Act 1999. It sets out the applicants who may apply under the new procedure and includes the new application form itself.

Target Audience:

This paper is of particular interest to those parties developing generating stations who must apply for authorisations and licences.

For further information on this decision paper, please contact **Marian Troy** (mtroy@cer.ie) at the CER.

Table of Contents

Executive Summary	4
1. Introduction	5
2. Legislative Background	8
3. Eligibility Criteria for Revised Application Procedure	9
4. Simplified Application Procedure	11
Appendix A – New Application Form.....	18

Executive Summary

The Commission for Energy Regulation is responsible for the grant of authorisations to construct or reconstruct a generating station and licences to generate under sections 16 and 14, respectively, of the Electricity Regulation Act 1999.

On the basis of its own experience to date and representations from industry, the CER considers that the administrative burden on applicants for authorisations and licences should be reduced where possible and appropriate. This is also strongly supported by Irish and, more recently EU, legislation.

The CER has decided to adopt the application form shown in **Appendix A** for applicants for authorisations and licences for generating stations with an installed capacity not exceeding 40MW

The key changes this entails are:

- Declaration to be signed by applicants replaces the need to submit documents, unless specifically requested by the CER in a particular case.
- Declaration confirms that proposed development meets, or will meet, certain criteria e.g. that construction will not begin before connection agreement has been finalised and that statutory consents will be obtained at the appropriate time.
- Authorisation and Licence may be granted before Connection Agreement, PPA, REFIT, planning permission and other consents are finalised, but in the context of the declaration, statutory requirements and conditions in licence and authorisation.
- Applicants must provide evidence that finance is available either internally or from a third party financier. This could comprise a letter of commitment from a financial institution or shareholders and supporting contract documents.
- In the case of an application for a licence to generate applicants must provide evidence that the applicant has the necessary technical skills to operate the generating station. If an operator has been appointed at the time of application for an authorisation this evidence should also be provided. This might be by way of a C.V. showing the qualifications and experience of the person or company who will operate the generating station.
- Revision of application fee.

A number of submissions to the Consultation Paper¹ on this issue were received; these are addressed in this decision paper.

The general licence review currently in hand by the CER is not the subject of this paper, which deals only with application procedures.

1. Introduction

1.1 General

The CER considers that the administrative burden on applicants for authorisations and licences should be reduced where possible and appropriate. This is borne out by representations from industry and is supported by Irish and EU legislation.

The CER must still ensure, of course, that its statutory duties are fulfilled by such a revised procedure. In particular, the CER must promote the 'continuity, security and quality of supplies of electricity'.² With this in mind, the present decision confines itself to application procedures for smaller generating stations.

1.2 Submissions Received

The CER put forward and discussed a number of proposals in order to revise application procedures for authorisations and licences *Revised Application Procedure for Authorisation to Construct and Licence to Generate for Certain Generating Stations* (CER/09/175) ("the consultation paper"). Submissions were received from the following parties:

- Endesa Ireland
- Ecopower Ltd
- Airtricity
- Irish Wind Energy Association (IWEA)
- Viridian Power and Energy
- SWS Energy
- Bord Gáis Energy

The CER is publishing the submissions and addresses the applicable points raised within this decision paper.

¹ *Revised Application Procedure for Authorisations to Construct and Licences to Generate for Certain Generating Stations*, CER/09/175

² Section 9(4)(e) Electricity Regulation Act 1999

As this decision paper does not make a determination regarding the amendment of the Orders, comments made in that respect will not be discussed. Any future amendments to the Orders will be proposed in a separate consultation and/or decision paper and the submissions will be considered at that time, as previously stated, the CER expects to propose amendments following the outcome of the licence review currently being carried out by the CER.

1.3 Background Information

1.3.1 Licence Review

In parallel with this paper, a licence review is currently being carried out by the CER and a consultation paper is due to be published in 2010. The licence review will examine internal licensing practices and processes in an effort to promote consistency, continued relevance and appropriateness of current procedures. The intention of the licence review consultation will be to modify the licence and authorisation to reflect CER experience and current market conditions of the SEM. Furthermore, it is intended that the clarifications and efficiencies introduced in the licence review and reflected in the consultation, will assist both applicants and the CER as greater numbers of authorisation and licence applications are received by the CER. It may be necessary to amend the Schedules of the Orders to reflect modifications to the generic licence and authorisation following on from this review. That review is not the subject of this paper, which confines itself to application procedures for generators with an installed capacity of up to 40MW.

1.3.2 Current Application Procedures

Different authorisation and licensing procedures apply according to the size of the proposed generating station.

Generating stations with an **installed capacity of up to 1MW** are deemed to be automatically authorised and licensed under the Orders.

A person wishing to construct or reconstruct a generating station with an **installed capacity of over 1MW** must apply to the CER to obtain an authorisation and a licence. The application forms and declaration available on the CER's website must be completed, and the documents listed must be submitted. The CER may request further information in any application. These applications are evaluated by way of a standard assessment which reflects the criteria listed in S.I. 309 of 1999.

If successful, applicants with an **installed capacity of up to 10MW** are authorised and licensed pursuant to the Orders and the conditions contained therein. Successful applicants with an installed capacity of **over 10MW** are issued with a hard copy authorisation and licence.

1.4 Installed capacity and additions to existing generating stations

Installed capacity is taken as the normal full load MW capacity of a generation unit as stated on its nameplate/s. The installed capacity of a generation station is the sum of the installed capacities of the generation units in that station. For the avoidance of doubt, installed capacity figures include the electrical power consumed by generation unit(s) auxiliary plant directly supplied from the generation unit terminals and other site load directly supplied by the generation unit(s) prior to connection with the transmission and/or distribution systems.

Extensions or additions to previously authorised and/or licensed generating station require a new authorisation and licence. The total proposed installed capacity of the generating station (including the proposed addition) determines whether the addition is deemed to be automatically authorised and licensed; should be authorised and licensed by Order; or will be processed by way of an application for a generic authorisation and licence.

In the event of any doubt, the CER will determine what constitutes a generating station. For example, if an applicant were to make multiple applications which the CER determined comprised a single generating station, the CER will consider the generating station in its entirety for the purposes of determining which application procedure should be followed.

2. Legislative Background

2.1 Electricity Regulation Act 1999

The **Electricity Regulation Act 1999** sets out the functions of the CER and at **section 9** includes as a function:

- (g) to grant, monitor the performance of, modify, revoke and enforce licences and authorisations pursuant to this Act

The powers of the CER to grant authorisations and licences are set out in s16 and s14 respectively. Section 14 provides that an application for a licence *'shall be in writing and be in such form and contain such information as the Commission may request'*. Section 17 outlines that *'an application for an authorisation under section 16 shall be in writing unless it is not required by virtue of an order made under section 16(3A) or (3B), and be in such form and contain such information as the Commission may reasonably request'*.

Section 17(2B) of the 1999 Act states that

'The CER shall ensure that authorisation procedures for small generators and distributed generation take into account their limited size and potential impact.'

Statutory Instruments 383 and 384 of 2008 (“the Orders”) were made by the CER. Stations granted authorisations or licences pursuant to these Orders are subject to the conditions listed in the Schedules to the Orders.

2.2 EU Legislation

Article 7(3) of **Directive 2009/72/EC** provides direct support for the introduction of a lighter application process. It states:

3. Member States shall ensure that specific authorisation procedures exist for small decentralised and/or distributed generation, which take into account their limited size and potential impact.

More specifically, **Directive 2009/28/EC**, (“the Renewables Directive”), deals with the issue of licensing of renewable generators and provides at Article 13 that Member states take steps to ensure that:

- (c) administrative procedures are streamlined and expedited at the appropriate administrative level;

...

(f) simplified and less burdensome authorisation procedures, including through simple notification if allowed by the applicable regulatory framework, are established for smaller projects and for decentralised devices for producing energy from renewable sources, where appropriate.

In a similar vein, Article 9 of **Directive 2004/8/EC** on cogeneration obliges Member States to evaluate the legislative and regulatory framework for authorisation procedures for high-efficiency cogeneration units with a view to:

- (b) reducing the regulatory and non-regulatory barriers to an increase in cogeneration;
- (c) streamlining and expediting procedures at the appropriate administrative level; and
- (d) ensuring that the rules are objective, transparent and non discriminatory, and take fully into account the particularities of the various cogeneration technologies.

3. Eligibility Criteria for Revised Application Procedure

The CER proposed in the consultation paper that the threshold for eligibility for revised and simplified application procedures would be 40MW. This was said to meet the objective of reducing administrative burden for generating stations with a lesser impact on security of supply than larger stations.

3.1 Submissions to this Proposal

Ecopower Ltd, Viridian Power and Energy Limited, SWS Energy and Bord Gáis Energy are in favour of a threshold of 40MW installed capacity for a revised application procedure.

Airtricity agrees that scale should be a determining factor in selecting eligibility criteria for the revised process but argue that it should not be the only criterion. **Airtricity** suggests that 40MW should be a baseline threshold to be applied to conventional generating stations with the greatest security of supply impact and that ‘an upward sliding scale should be adopted to indicate the progressively lesser security of supply impact of other generator classes’.

The **IWEA** acknowledges that some wind farms may need to be assessed by the more rigorous application procedure because of their greater security of supply impacts due to greater installed capacity. However, the **IWEA** proposes a higher limit for renewable generation since ‘the driver for renewable generation is to meet national energy target while the driver for conventional generation is to provide security of supply’.

Endesa Ireland states that it supports the CER's proposals for a reduced application procedure for generating stations with an installed capacity not exceeding 40MW. However, if generating stations with an installed capacity of 40MW or under account for 25% of total generation capacity by 2025 Endesa Ireland states that 'the operator' will require greater control of these stations due to their significant cumulative impact on the system. Endesa Ireland feels that at that stage it is likely that applications for authorisations and licences will require greater detail and that this should be signalled in the decision paper.

3.2 CER's Response to Submissions

With respect to suggestions by **Airtricity** and the **IWEA** that the threshold be higher for cogeneration and renewable generation the CER has carefully considered the sliding scale proposal but has decided that a 'flat' installed capacity threshold of 40MW will be applied. The CER has taken this decision on the basis that a generating station with an installed capacity over this threshold merits more detailed consideration as a matter of course due to its security of supply impact. It is not considered that this impact is sufficiently different for different types of generation (e.g. conventional v renewable) to justify a sliding scale as suggested by **Airtricity**.

With respect to **Endesa Ireland's** submission, the CER is not concerned that more detailed information will always be required for applications for smaller generating stations when they make up a greater proportion of the generation portfolio. Further information may be sought in any application if considered necessary by the CER so a more in depth analysis of an application may be undertaken in any case. The CER considers that the conditions pursuant to which applicants are authorised and licensed provide it with sufficient control over these stations in the context of permitting. Grantees and Licensees must comply with the technical standards set out in the Grid and/or Distribution Code, which are approved by the CER and monitored by the TSO, as appropriate. In addition, generators must undergo commissioning tests before being connected by the System Operators.

3.3 CER's Decision

The CER has decided that the revised application procedure will apply to generating stations with an installed capacity not exceeding 40MW. The CER considers that this threshold meets the objective, set out in Section 1.1 of this paper as well as the relevant statutory provisions cited earlier.

The majority of stations with an MEC of 40MW and under³ to be connected in the coming years will be renewable or cogeneration and will be distribution connected.

The current situation, whereby generating stations of 1MW or less are automatically deemed to be authorised and licensed by Order will remain unchanged.

Decision

Revised application procedures will apply for generating stations with an installed capacity not exceeding 40MW.

4. Simplified Application Procedure

The CER proposed a revised application form in the Consultation Paper which it intended would reduce the administrative burden on applicants, with a reduced number of documents to be submitted with the application form.

4.1 Submissions to Proposal and CER's Response

All respondents are generally in favour of the proposed application form, some have raised issues with respect to specific elements of it.

Soil Stability

Point 7 of the proposed declaration to be completed by applicants as part of the application form states:

If the generating station referred to in this application is a windfarm, the applicant has carried out a soil stability study which has shown that the site is suitable for such a development and the applicant confirms to take any measures recommended by the study.'

³ Renewable generators to be offered connection agreements under Gate 3 can be found at [CER/08/260](#), a Proposed Direction on conventional plants to be made offers at [CER/09/114](#). A process for Small, Renewable and Low Carbon Generators can be found at [CER/09/099](#). Generators that are connected or have signed connection offers can be found at <http://www.eirgrid.com/customers/connectedandcontractedgenerators/>. Note that the connection decision papers discussed above, which is the best information available, are written in terms of MEC (Maximum Export Capacity). This is considered to be a reasonably close proxy for the installed capacity of these projects.

A number of respondents point out that a soil stability report is not required by planning authorities in all cases. **Ecopower Ltd, Viridian Power and Energy, SWS Energy** and the **IWEA** argue that the CER should only require that a soil stability report be carried out if it is requested by a local authority during the planning process.

CER's response: The CER recognises that there are instances where a soil stability report is not required by a planning authority and has amended the wording of the declaration accordingly. This point in the declaration will read as follows:

If the generating station referred to in this application is a windfarm, the applicant is satisfied that the site is suitable from a soil stability perspective.

If the applicant considered it necessary, or if required by the planning authority, the applicant confirms that it has carried out a soil stability study, the study demonstrates that the site is suitable for the proposed windfarm, and the applicant undertakes that it will take any measures recommended by the study.

Connection Agreement

Point 8 in the proposed declaration states:

The applicant has, or has applied for, a Connection Agreement. The applicant will not carry out works on the generating station until such time as the Connection Agreement has been signed by it and the Distribution System Operator or Transmission System Operator, as applicable.

The **IWEA** states that works may be required to extend planning permission and that point 8 of the declaration is unnecessary. **SWS Energy** states that there are occasions where a developer may wish to complete works before receiving a Connection Agreement (for example installing roads in winter to avoid birds nesting seasons) and that this area is already managed by planning authorities. **Viridian Power and Energy** recommends an alternative wording for this point.

CER response: The CER has decided that this point in the declaration should remain, with the following amendment.

The applicant has, or has applied for, a Connection Agreement. The applicant will not commence construction of ~~carry out works on~~ the generating station until such time as the Connection Agreement has been signed by it and the Distribution System Operator or Transmission System Operator, as applicable.

Guidance as to what constitutes construction will be given in the licence review currently being carried out by the CER.

Secondary Fuel Source

Point 11 of the declaration provides:

The generating station to which the application relates will be capable of generating electricity for any minimum continuous period which is specified by the CER in the authorisation using a primary fuel source of a nature other than that proposed to be used predominantly.

Viridian Power and Energy Limited states that this requirement is inapplicable to wind farms as they do not pose a fuel security concern like thermal generation, and recommend that it should be amended accordingly.

CER response: The secondary fuel obligation required under the authorisation has been specified in a decision paper *Secondary Fuel Obligations on Licensed Generation Capacity in the Republic of Ireland*⁴ which states that renewable units are not required to be capable of operating on a secondary fuel. Therefore this element of the declaration is not a cause for concern for renewable generators.

Operator

The CER has decided that point 13 of the declaration will be reworded slightly from the Consultation Paper proposal:

The operator appointed is (or will be, if not yet appointed) a fit, proper and competent person to operate the generating station. The applicant will notify the CER of its appointment of any new operator and will confirm that such operator is a fit, proper and competent person to operate the generating station.

The CER has also decided that the applicant must demonstrate in an application for a licence to generate that it has, or has available to it, the necessary technical skills to operate the plant. If an operator has been appointed at the time of application for an authorisation this evidence should also be provided. This might be by way of a C.V. showing the qualifications and experience of the person or company who will operate the generating station.

Financing

Ecopower Ltd raised a point with respect to Question 19 of the application form, which requests details of the finance providers, and proposed point 15 in the declaration, which states that the applicant is capable of financing the activities for which they seek the authorisation or licence. Ecopower Ltd suggest that the declaration should suffice and question 19 be removed.

CER response: The CER has a function under section 9(4)(c) of the 1999 Act to ensure that Licensees are capable of financing the activities for which they are

⁴ CER/09/001

licensed. The CER also has a duty under section 9(1)(g) of the 1999 Act to monitor the performance of licences. As a result, the CER wishes to be appraised of how projects are financed and considers that it is necessary to gather this information at application stage.

On the basis of section 9(4)(c) of the Electricity Regulation Act 1999, the CER has decided to retain this question and has also decided that the applicant must provide written evidence that finance is available either internally or from a third party financier. This could comprise a letter of commitment from a financial institution or shareholders providing financing and supporting contract documents.

Standard Licence Application Procedures

The **IWEA** proposes that the existing application procedure be reviewed for projects over the 40MW threshold as they suggest further efficiencies can be made for those stations.

Bord Gáis Energy requests that the application form proposed in the consultation paper be used for all applications, regardless of installed capacity and that additional information could be requested as per the current procedure.

CER response: The standard application procedure is outside the scope of the current consultation and decision paper. The revised application form will not be appropriate to a generating station above the identified threshold, as further information and documentation is sought of those applicants as a matter of course.

Timelines for Applications

The **IWEA** and **Viridian Power and Energy Limited** propose defined timelines for the application procedure, for example for the request of further information and for the granting of the licence.

CER response: The CER aims to respond to applications in as timely a manner as possible. To date it has been difficult to estimate a standard time for the processing of applications for an authorisation or licence as there are often long delays between the initial submission of an application and the submission of all required documentation.

If the CER requires further information in an application under the revised procedure it will endeavour to request this information within one month of receipt of the application. The CER will also aim to finalise any applications under the revised procedure within one month of receipt of a completed application, fee and all information requested.

Application Fee

The CER stated in the consultation paper that it would conduct a review in order to determine the fee for applications under the revised procedure set out in this paper.

The Commission has decided that the following fee structure is to apply:

Installed Capacity of Generating Station	Authorisation to Construct	Licence to Generate
1MW to <5MW	€35	€35
5MW to <15MW	€100	€55
15MW to 40MW	€100	€100

4.2 CER's Decision

The CER has decided to adopt the application form presented at Appendix A for all generating stations with an installed capacity not exceeding 40MW.

Applicants who wish to apply for an authorisation and/or licence should submit the revised application form and send it to the CER along with a map. Applications for authorisations and licences may be made at the same time. Applicants must provide evidence that finance is available either internally or from a third party financier. Financial close, subject only to CER grant of authorisation or licence, would be acceptable.

Applicants for a licence to generate must also provide evidence that the applicant has the necessary technical skills to operate the generating station. If an operator has been appointed at the time of application for an authorisation this evidence should also be provided. This might be by way of a C.V. showing the qualifications and experience of the person or company who will operate the generating station.

The applicant must declare that the criteria listed in the application form have been met and undertakes, for example, that it will not commence construction until a connection agreement has been finalised and that it will secure the necessary statutory consents (eg planning permission) at the appropriate time.

It would be contrary to the conditions of the authorisation and licence, and would be in breach of planning legislation for an applicant to construct a station without planning permission.⁵

Although the CER reserves the right to request further information in any application for an authorisation or licence, an applicant need not submit a copy of:

- Finalised Connection Offer
- Accounts
- Outline Business Plan
- Confirmation of REFIT Acceptance
- Power Purchase Agreement
- Soil Stability Study and confirmation that applicant will comply with recommendations therein
- Planning Permission, IPPC Licence, Waste Licence and other consents
- EIS
- Construction and Commissioning Programme

On this basis an applicant may be granted an authorisation or licence before Connection Agreement, Planning Permission and the other elements listed above have been finalised. This is in the context of the declaration, statutory requirements and conditions of the authorisation and licence.

The CER will endeavour to make any requests for further information within one month of the receipt of an application. The CER will also endeavour to finalise any applications under the revised application process within one month of receipt of a completed application.

The CER has decided that the fee for applications for authorisations and licences is to be revised, as set out above. The fee for an authorisation to construct and licence to generate is subject to review by the CER.

Applications previously submitted to and acknowledged by the CER which have not been determined by the CER when this decision paper is published will be required to submit the revised application form. This will not be considered a new application and no fee will apply.

Decision

The CER has decided to adopt the application form in Appendix A of this paper for generating stations with an installed capacity of 40MW or less.

⁵ The same applies to IPPC licence, Waste Licence, Foreshore Lease/Licence, entry on Water Abstraction Register and other statutory consents.

Appendix A – New Application Form

**APPLICATION FOR
AUTHORISATION TO CONSTRUCT OR RECONSTRUCT A GENERATING
STATION UNDER SECTION 16 OF THE ELECTRICITY REGULATION ACT
1999
AND
LICENCE TO GENERATE ELECTRICITY UNDER SECTION 14 OF THE
ELECTRICITY REGULATION ACT 1999.**

This application form applies to generating stations with an installed capacity not exceeding 40MW⁶.

This is an application for approval to be (Tick one or both as required):

Authorised to construct or reconstruct a generating station;

Licensed to generate electricity.

This application should be accompanied by:

- A **map or marine chart** sufficient to identify the location of the generating station to which the application relates.
- Evidence that a specified amount of finance is available either internally or from a third party financier. A letter of commitment from a financial institution or shareholders and supporting contract documents would be acceptable.
- In the case of an application for a licence to generate applicants must provide evidence that the applicant has the necessary technical skills to operate the generating station. If an operator has been appointed at the time of application for an authorisation this evidence should also be provided. This might be by way of a C.V. showing the qualifications and experience of the person or company who will operate the generating station.
- Application Fee according to the fee structure below:

Installed Capacity of Generating Station	Authorisation to Construct	Licence to Generate
1MW to <5MW	€35	€35
5MW to <15MW	€100	€55
15MW to 40MW	€100	€100

Please note that the CER may ask for further information in respect of any application for an authorisation or licence.

⁶ An application form in respect of generating stations with an installed capacity exceeding 40MW can be found on the CER's website – www.cer.ie.

Applicant

1	Full name of applicant	
2	Contact address and telephone number for applicant	
3	Contact email address for applicant	
4	If applicant is a body corporate	
	(a) Registered place of business	
	(b) Principal place of business	
	(c) Names of directors	
	(d) Company Registration number ⁷	
5	Ultimate parent company of applicant, if applicable	
	(a) Name of company	
	(b) Registered place of business	
	(c) Names of directors	
	(d) Company number	
6	Owner of proposed generating station, if not applicant	
	(a) Name of company	
	(b) Registered place of business	
	(c) Names of directors	
	(d) Company number	
7	Intended operator of proposed generating station, if known	
	(a) Name of operator	
	(b) Registered place of business	
	(c) Company number	

⁷ If the company is registered in a jurisdiction other than Ireland please state country of registration and provide an extract from the relevant registry to confirm its registration in that jurisdiction.

In the case of an application for a licence to generate the applicant must provide evidence that it has, or has available to it, the necessary technical skills to operate the generating station. If an operator has been appointed at the time of application for an authorisation this evidence should also be provided. This might be by way of a C.V. showing the qualifications and experience of the person or company who will operate the generating station.

Generating Station

8 Name of generating station

9 Address of generating station

10 Type of generating station (Mark as applicable)

<input type="checkbox"/>	Wind	<input type="checkbox"/>	Solar
<input type="checkbox"/>	Waste	<input type="checkbox"/>	Ocean Energy (indicate type)
<input type="checkbox"/>	Hydropower	<input type="checkbox"/>	Biomass
<input type="checkbox"/>	Landfill Gas	<input type="checkbox"/>	Biogas
<input type="checkbox"/>	Sewage Treatment Plant Gas		
<input type="checkbox"/>	Thermal	Fuel type:	<input type="text"/>
<input type="checkbox"/>	CHP	Fuel type:	<input type="text"/>
<input type="checkbox"/>	Other	Specify:	<input type="text"/>

11 If generating station has previously been granted an authorisation to construct, please provide date of grant and reference number

12 Secondary fuel type (Explanation if not applicable)

13 Technical specifications of each generating unit within the proposed generating station (complete as appropriate)

Installed Capacity (MW)	Technology and fuel type	Expected Life	Technical Specifications (Make and Model)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

14 Existing generating units on the same site, or those planned for the future

Installed Capacity (MW)	Type	If existing, authorisation and licence reference number	If planned, expected date of commencement of construction

15 Statement of efficiency⁸ of station of percentage of generating

16 Person responsible for engineering and construction of proposed generating station, if known

Name of engineer/constructor

Registered place of business

Company number

17 List Statutory Consents/Reports required for this generating station including date of grant, date of expected grant or explanation of why not required. If not listed, please include any additional consents required.

Type of Consent or Report (include additional)	Date of Grant / Expected date of grant	Reference Number / Reason not granted or completed
Planning permission		
IPPC licence		
Waste licence		
Foreshore lease/licence		
Inclusion on water abstraction register		
EIS		
Soil Stability Report		
Other:		

⁸ Percentage efficiency is the ratio of the electricity produced to energy input. The value to be used for thermal energy input is lower heat value (net calorific value). The value to be used for electricity produced is net power output (export power output), which is measured at the main step up transformer terminals.

18 Connection Agreement Details

Connection Agreement number	
Maximum Export Capacity (kVA) as per agreement	
Explanation if Connection Agreement has not been completed	

- 19 Expected start date for construction
Expected commissioning date

- 20 Method by which project will be financed (Please tick one or more as appropriate and provide additional details where requested)

How project is to be financed		Amount of funding and percentage of cost of project provided by each type.
Bank or other lending institution (provide name)		
Balance Sheet (provide name of company providing financing)		
Share capital		
BES Funding		
Other, please provide details		

Applicants must provide evidence that a specified amount of finance is available either internally or from a third party financier. A letter of commitment from a financial institution or shareholders providing financing and supporting contract documents would be acceptable.

- 20 Outline whether the project has applied for or has been accepted for the REFIT support scheme and provide REFIT reference number, if available.

--

Declaration

The applicant hereby declares that:

- 1 The applicant is capable of complying and shall at all times comply in every respect with the conditions under which the applicant will be authorised and/or licensed if this application is approved by the CER.
- 2 The applicant shall at all times comply with lawful directions of the CER.
- 3 No activity carried out under the authorisation or licence granted pursuant to this application will adversely affect the safety and security of the electricity system.
- 4 Energy will be used efficiently in the course of any activities carried out under an authorisation or licence granted under this application.
- 5 The applicant will comply with the Grid Code or Distribution Code in so far as it is applicable to it and, at the relevant times, will have the capability of doing so.
- 6 The applicant has commenced or will at the appropriate time commence to apply for all statutory consents related to the matters referred to in section 18(2) of the Electricity Regulation Act 1999, necessary for the construction of the plant to which the application relates. The applicant will not carry out works and/or engage in activities for which a consent is required until such consent has been granted.
- 7 If the generating station referred to in this application is a windfarm, the applicant is satisfied that the site is suitable from a soil stability perspective.
If the applicant considered it necessary, and/or if required by the planning authority, the applicant confirms that it has carried out a soil stability study, the study demonstrates that the site is suitable for the proposed windfarm, and the applicant undertakes that it will take all measures recommended by the study.
- 8 The applicant has, or has applied for, a Connection Agreement. The applicant will not commence construction of the generating station until such time as the Connection Agreement has been signed by it and the Distribution System Operator or Transmission System Operator, as applicable.
- 9 The generating station to which the application relates will be constructed and commissioned within the period specified in relevant conditions in the authorisation (if applicable).
- 10 The generating station to which the application relates will be capable of providing an appropriate level of ancillary services, being the services necessary to ensure the stable and secure operation of the

- electricity system, including the provision of spinning reserve, reactive power, frequency control or black start capability, as specified in the Grid Code or Distribution Code, as applicable.
- 11 The generating station to which the application relates will be capable of generating electricity for any minimum continuous period which is specified by the CER in the authorisation using a fuel source of a nature other than that proposed to be used predominantly.
 - 12 The applicant is a fit and proper person to be granted an authorisation and has the financial capacity and technical skills to carry out the activities to which the application relates and to comply with the authorisation. No person specified in the application is disqualified to any extent from acting in connection with the affairs of a company.
 - 13 The operator appointed (or to be appointed) is a fit, proper and competent person to operate the generating station. The applicant will notify the CER in writing on the appointment of any new operator and will confirm that such operator is a fit, proper and competent person to operate the generating station.
 - 14 The person appointed to be responsible for engineering and construction of proposed generating station is (or will be, it not yet appointed) a fit, proper and competent person to carry out this task. The applicant will notify the CER in writing on its appointment of any new person to be responsible for engineering and construction of the proposed generating station and will confirm that such person is a fit, proper and competent person to carry out the construction and engineering of the generating station.
 - 15 The applicant is capable of financing the undertaking of the activities for which it seeks this authorisation and/or licence
 - 16 The application does not relate to a generating station involving the use of nuclear fission for the generation of electricity.
 - 17 The applicant will be capable of complying with any order made by the Minister under section 39 of the Electricity Regulation Act 1999.
 - 18 The applicant agrees and consents to the publication by the CER of a notice of the making of this application. The applicant acknowledges and accepts that any applications received by the CER may be made available to members of the public and has clearly indicated any information it considers to be commercially confidential.
 - 19 The information provided on behalf of the applicant is accurate and complete in all respects. In the event of a material misstatement by an applicant in completing this application form and declaration, the CER

reserves the right to revoke the relevant authorisation and/or licence granted.

20 I am authorised to make this declaration on behalf of the applicant.

21 I am an adult of sound mind and I wilfully and voluntarily make this declaration.

Signed:

Date:

--	--

Print name and address of signatory:

--

Capacity in which this declaration is made by or on behalf of the applicant:

--

Witnessed by:

Date:

--	--

Print name and address of witness:

--