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Dear Marian,

REVISED APPLICATION PROCEDURE FOR AUTHORISATIONS TO CONSTRUCT AND LICENCES TO GENERATE FOR CERTAIN GENERATING STATIONS

Thank you for this opportunity to comment on the above.

Viridian Power & Energy (VP&E) welcomes more proportionate and streamlined application procedures designed to reduce application timelines and the administrative burden on all concerned where possible and appropriate.

VP&E supports the proposal that a simplified application procedure apply to generating stations with an installed capacity of 40MW or less and that the Orders be amended so they apply to generating stations of this scale.

The application form presented in Appendix B of the consultation paper does seem to simplify the application process and can be generally supported subject to the following declarations of concern that we consider important to remove or modify for reasons explained below.

- Declaration 7 - *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.*

As the planning authorities deal with soil stability issues VP&E considers declaration 7 unnecessary. We are also aware that soil stability studies are not always required. For example, when wind farms are constructed on flat ground without peat. It would be an onerous requirement to have all wind farms carry out a soil stability study in areas where there are no issues relating to soil stability, and if the planning authority decides it is not required then we suggest the Commission should not require one either.

- Declaration 8 - *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.*

VP&E would also recommend removing declaration 8 on the basis that construction can sometimes commence for enabling works before having a signed connection agreement in place. Alternatively we suggest at least amending declaration 8 to clarify that “the applicant will not carry out works unique to electricity generation...[until a signed connection agreement is in place]”.

- Declaration 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 Commission in the authorisation using a primary fuel source of a nature other than that proposed to be used predominantly.*

Declaration 11 is inapplicable to wind farms because wind does not pose a fuel security concern like thermal generation as wind is inherently abundant and will not stop for prolonged periods of time, and therefore we suggest it be modified accordingly. Similarly, proposed amendments to Schedule of S.I. 383 of 2008 contain a clause stating the need for secondary fuel capability. We suggest this condition be amended also to show that it is not applicable to generation from wind.

Finally VP&E would like to see defined timelines for the application procedure, as suggested below.

- (1) The Commission acknowledges receipt of application in writing (or by email) within 3 working days of receipt of application
- (2) When receipt of an application is acknowledged the Commission may, by notice in writing, within one month of receipt of application, require the applicant to submit further information or evidence to support the application
- (3) The Commission shall not require an applicant who has complied with (2) above to submit further information or evidence save as may be reasonably necessary to clarify matters dealt with under (2).
- (4) When a requirement under (2) or (3) is not complied with within a period of three months from the date of requirement for further information, or such additional period, not exceeding six weeks, as may be granted by the Commission, the application shall be declared to be withdrawn.

There is also merit in defining timelines for the granting of the licence.

Please do not hesitate to contact us if you would like to discuss our response.

Yours sincerely

A handwritten signature in blue ink that reads "K Hannafin". The signature is written in a cursive style with a large, stylized 'K'.

Kevin Hannafin
Senior Regulation Analyst