

## **APPLICATIONS FOR SUPPLY LICENCES**

### **(UNDER SECTION 14(1)(b),(c) and (d) and SECTION 14 (2) OF THE ELECTRICITY REGULATION ACT, 1999)**

#### **NOTICE**

The Commission for Electricity Regulation, in exercise of its powers under Section 14 of the Electricity Regulation Act, 1999 (No. 23 of 1999), hereby gives notice that an application under Section 14(1)(b), (c) and (d) and Section 14(2) of the Electricity Regulation Act, 1999, shall be made to the Commission for Electricity Regulation in accordance with the procedures set out in this Notice.

#### **1. Interpretation**

(a) "**Act**" means the Electricity Regulation Act, 1999;

"**applicant**" means the person making the application;

"**application**" means an application for a licence under Section 14 (1)(b), (c) or (d) or Section 14 (2) of the Act;

"**Commission**" means the Commission for Electricity Regulation;

"**supply licence**" means a licence to supply electricity under Sections 14(1)(b), (c) or (d) or Section 14 (2) of the Act.

(b) References to an enactment shall include subordinate legislation and in both cases any statutory modification or re-enactments thereof.

#### **2. Form of applications**

An application for an electricity supply licence shall be in the form, and shall contain the particulars, specified in Part I of the Schedule to this Notice.

#### **3. Documents to accompany applications**

An application for a supply licence shall be accompanied by two copies the documents and particulars specified in Part II of the Schedule to this Notice and the declaration, duly signed, in the form specified in Part III of the Schedule to this notice.

#### **4. Lodgement of applications**

All applications shall be delivered to or sent by prepaid registered post to the Commission at its principal office.

#### **5. Manner of publishing applications**

Notice of the application may be published by the Commission.

#### **6. Additional Information**

The Commission may serve notice on the applicant, requiring the applicant to provide such further information in respect of the application and within such period as may be specified in the notice.

#### **7. Confidentiality**

The applicant's attention is drawn to the Commission's obligations under Sections 13 (Prohibition on unauthorised disclosure of information) and 46 (Amendment of Freedom of Information Act, 1997) of the Act.

#### **8. Fees payable with application**

- (1) The fee payable with an application shall be in accordance with the Schedule of fees in the Guidance Notes accompanying the application form.
- (2) All fees shall be paid when the application is lodged.

#### **CHEQUES SHOULD BE MADE PAYABLE TO:**

**The Commission for Electricity Regulation**

**APPLICATIONS FOR SUPPLY LICENCES  
(UNDER SECTION 14(1)(b), (c) and (d) and SECTION 14 (2) OF THE  
ELECTRICITY REGULATION ACT, 1999)**

**SCHEDULE**

PART I

*Where, for any question, insufficient room has been provided, the answer should be continued on a separate sheet.*

**General Details**

1. Full name of the applicant(s).

2. Address of the applicant(s), or in the case of a body corporate, the registered (and where different, principal) place of business. Also, in the case of an overseas applicant, address in Ireland for service of process and other notices.

3. Where the applicant is a company, full names of current directors and the company's registered number. If not incorporated in Ireland, the registration number which the Companies Registration Office in Ireland may have issued and the country in which the company is incorporated.

4. Where a holding of 10 per cent or more of the shares (see Note below) of an applicant is held by a body corporate or partnership or an unincorporated association or a co-operative carrying on a trade or business with or without a view to profit, the name(s) and address(es) of the holder(s) of such shares shall be provided.

5. Name, address and place of incorporation of ultimate parent undertaking(s) (if any) of the applicant.

**Note:**

**Reference to shares:**

- (a) in relation to an applicant with a share capital, are to allotted shares;
- (b) in relation to an applicant with capital but no share capital, are to rights to share in the capital of the applicant;
- (c) in relation to an applicant without capital, are to interests:
  - (i) conferring any right to share in the profits or liability to contribute to the losses of the applicant; or
  - (ii) giving rise to an obligation to contribute to the debts or expenses of the applicant in the event of a winding up.

**Details of supply proposals**

6. Specify licence being applied for (i.e. under Section 14 (1) (b), (c), or (d) or Section 14 (2)) of the Act.

7. Desired date from which the licence is to take effect.

8. Details of any licences and/or other consents or permissions held, applied for, or being applied for by the applicant, or by affiliates of the applicant, in respect of the generation, transmission, distribution or supply of electricity or in the construction of direct lines or the construction or reconstruction of any generating station(s).

9. In the case of an application relating to a licence under Section 14(1) (c) only of the Act, a description of the renewable, sustainable or alternative form of energy to be purchased by the applicant, and an estimate of the amounts of electricity to be supplied to final customers.

10. In the case of an application relating to a licence under Section 14 (1)(d) only of the Act, an indication of the total amount(s) of electricity from combined heat and power to be supplied to final customers, and an indication of the total amount to be supplied to the main heat customer and the name and address of the main heat customer.

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**SCHEDULE**

PART II

**DOCUMENTS TO ACCOMPANY AN APPLICATION FOR**  
**A SUPPLY LICENCE**

*Applicants are requested to submit two copies of each document with their application.*

**1. Financial history**

- (a) Statements of the accounts for the last two years kept by the applicant in respect of relevant undertakings carried on by it, showing the financial state of affairs of that undertaking and its profit or loss, together with copies of the latest audited accounts.
- (b) If more than three months have elapsed since the end of the accounting year covered by the accounts submitted, a certificate from the applicant stating no material adverse change has occurred.
- (c) Where the applicant is a special purpose vehicle, a statement of relevant parent company accounts and guarantees.

**2. Business Plan Proposal**

An outline statement of the proposals for the business of the applicant to which the application relates, for the next five years, including:

- (a) Annual forecasts of costs, sales and revenues and project financing, stating the proposed tariffs and assumptions underlying the figures provided.
- (b) Details of any expected subsequent substantial capital outflows.



- (c) Estimates of net annual cash flows for subsequent periods sufficient to demonstrate the financial security and feasibility of the proposal(s) to which the application relates.
  - (d) Information on the intended source of finance and (where relevant) confirmation from the relevant lender(s).
3. **Details of the IT system** to be employed for billing and customer care management.
  4. Estimate of the **number of people to be employed** in relation to this operation and their **address of employment**.

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**SCHEDULE**

**PART III**

**DECLARATION**

On behalf of the applicant, I hereby declare that:

- (a) the applicant shall at all times comply in every respect with the conditions attached to any licence that may be awarded to the applicant;
- (b) the applicant shall at all times comply with lawful directions of the Commission for Electricity Regulation;
- (c) the information provided by me on behalf of the applicant is accurate and complete in all respects; and
- (d) I am authorised to make this declaration on behalf of the applicant.

Signed :

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Full name(s) of Signator(y/ies):

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Position held (if the applicant is a company, co-operative, partnership, unincorporated association or any other body corporate):

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Date: