



An Coimisiún  
um Rialáil Fóntas  
**Commission for  
Regulation of Utilities**

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# Enduring Connection Policy Stage 1 (ECP-1) Ruleset

## Annex I to the ECP-1 Decision

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# Table of Contents

<b>Table of Contents</b> .....	<b>1</b>
<b>Glossary of terms and abbreviations</b> .....	<b>3</b>
<b>1. Applicability and exceptions</b> .....	<b>6</b>
<b>2. Treatment of existing and new generation or storage connection applicants under ECP-1</b> .....	<b>7</b>
<b>2.1 Existing applicants</b> .....	<b>7</b>
2.1.1 Non-GPA applicants in process .....	7
2.1.2 Applicants with live connection offers.....	8
2.1.3 Non-GPA queued applicants .....	8
2.1.4 Other applicants.....	9
<b>2.2 New applicants</b> .....	<b>11</b>
2.2.1 New applicants with MEC greater than 500kW.....	11
2.2.2 New applicants with MEC greater than 11kW and less than or equal to 500kW.....	11
<b>3. Eligibility criteria for all new applications under ECP-1</b> .....	<b>13</b>
<b>3.1 Application form</b> .....	<b>13</b>
3.1.1 Eligibility declaration.....	14
<b>3.2 Application fee deposit</b> .....	<b>15</b>
<b>3.3 Evidence of planning permission</b> .....	<b>15</b>
3.3.1 Expiry date of planning permission.....	15
3.3.2 Projects which do not require planning permission .....	16
<b>3.4 DS3 eligibility criteria</b> .....	<b>17</b>
<b>4. Thresholds for applications</b> .....	<b>18</b>
<b>4.1 Batch total threshold</b> .....	<b>18</b>
<b>4.2 DS3 thresholds</b> .....	<b>18</b>
<b>5. Prioritisation of applications</b> .....	<b>19</b>
<b>6. Process</b> .....	<b>20</b>
<b>6.1 Processing steps</b> .....	<b>20</b>
<b>6.2 Timelines</b> .....	<b>22</b>
<b>7. Charging policy</b> .....	<b>23</b>

7.1	Offer dependency .....	23
7.2	Security for shared assets' costs .....	23
7.3	Contracted projects coming off-hold status.....	24
7.4	Charging policy for storage .....	24
<b>8.</b>	<b>Longstop dates .....</b>	<b>25</b>
<b>9.</b>	<b>Non-firm access .....</b>	<b>26</b>
<b>10.</b>	<b>Changes to COPP .....</b>	<b>27</b>
<b>11.</b>	<b>Interactions .....</b>	<b>30</b>
<b>12.</b>	<b>Non-batch process .....</b>	<b>31</b>
12.1	Applicable sections of this ruleset.....	31
12.2	Non-batch threshold .....	32
<b>13.</b>	<b>Order of precedence clauses.....</b>	<b>33</b>

## Glossary of terms and abbreviations

Abbreviation or Term	Definition or Meaning
<b>2018 batch</b>	first batch under the ECP-1 batch process (see ECP-1)
<b>autoproducer</b>	As defined in CER/03/237, a person who has entered into a connection agreement with the TSO or DSO and generates and consumes electricity in a single premises, or on whose behalf another person generates electricity in the single premises, essentially for the first person’s own consumption in that single premises. Once an exporting autoproducer’s MEC reaches or exceeds twice the MIC, then the exporting autoproducer is deemed to be a generator.
<b>batch qualified</b>	Applicants for the batch that provide the required fees and information by the required deadline (“ <b>fees and clarifications received deadline</b> ”) and are within the total thresholds.
<b>CER</b>	Commission for Energy Regulation (now, Commission for Regulation of Utilities)
<b>closing date</b>	the last day to apply for the 2018 batch; The closing date has been set at two months after the publication of the ECP-1 decision.
<b>COPP</b>	Connection Offer Policy and Process Paper
<b>CRU</b>	Commission for Regulation of Utilities (formerly, Commission for Energy Regulation)
<b>DSO</b>	distribution system operator (ESB Networks)
<b>DS3</b>	delivering a secure, sustainable (electricity) system The <b>DS3 programme</b> aims to ensure the secure and safe operation of the electricity system with increasing amounts of variable non-synchronous generation, such as wind and solar. To achieve this aim, the transmission system operator needs to obtain specific <b>DS3 system services</b> from generators and market participants, i.e. <b>DS3 providers</b> .
<b>DS3 system services qualification trial process</b>	A mechanism where potential DS3 system services providers have the opportunity to demonstrate the capabilities of new unproven technologies.
<b>DS3 system services qualifying trial project</b>	project qualifying under the <b>DS3 system services qualification trial process</b>
<b>DUoS tariffs</b>	distribution use of system tariffs

<b>ECP</b>	enduring connection policy
<b>ECP-1</b>	first stage of the enduring connection policy; includes the batch and the non-batch process
<b>existing applicants</b>	Applicants who have an existing grid application as of the date of ECP-1 decision.
<b>existing contracted projects</b>	Projects for which a connection agreement has been signed by the connecting party and executed by the relevant system operator as of the date of the ECP-1 decision.
<b>fees and clarifications received deadline</b>	see “batch qualified”
<b>FFR</b>	fast frequency response
<b>kW</b>	kilowatt
<b>LCCM</b>	least cost connection method
<b>MEC</b>	maximum export capacity
<b>MIC</b>	maximum import capacity
<b>MW</b>	megawatt
<b>new applicants</b>	Applicants who have no existing grid connection application as of the date of ECP-1 decision.
<b>non-GPA applicants in process</b>	Existing applicants under CER/09/099 who, as per CRU direction of 2 November 2017 (D/17/19787), received a letter from the relevant system operator deeming them “in process”.
<b>non-GPA queued applicants</b>	Existing applicants under CER/09/099 who are in a queue at a node waiting to be processed by the relevant system operator, i.e. they are not yet “in process” as defined in CRU direction D/17/19787.
<b>other applicants</b>	Existing applicants who: <ul style="list-style-type: none"> <li>- applied for a grid connection but did not qualify for processing under CER/09/099 and have been added to the system operators’ lists of completed applications; or</li> <li>- applied as emerging/experimental technology and have not yet been confirmed as non-GPA or otherwise.</li> </ul>
<b>POR</b>	primary operating reserve
<b>received complete date</b>	The system operators assign a “received complete date” to projects which submit application forms with a certain minimum amount of information contained therein. See

	system operators' <a href="#"><u>Received Complete Date for Generators</u></a> ruleset, June 2012.
<b>TSO</b>	transmission system operator (EirGrid)
<b>TUoS tariffs</b>	transmission use of system tariffs

# 1. Applicability and exceptions

The ruleset set out in this document (**this ruleset**) is annexed to the CRU's decision on the Enduring Connection Policy – Stage 1 (ECP-1 decision) and should be read in conjunction with this decision.

This ruleset applies to existing and new applicants for connection to either the transmission or distribution systems, with the exceptions listed below:

- This ruleset does not apply to:
  - Demand connections
  - Micro-generation<sup>1</sup>
  - Interconnection
  
- This ruleset applies to existing applicants to the extent set out in section 2.1.

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<sup>1</sup> Projects less than or equal to 11kW. Applicable policy: [CER/09/033](#) - *ESBCS Domestic Micro-generator Export Tariff* – decision; [CER/07/208](#) - *Arrangements for Micro-generation* – decision.

## 2. Treatment of existing and new generation or storage connection applicants under ECP-1

### 2.1 Existing applicants

“Existing applicants” are applicants who have an existing grid application as of the date of the ECP-1 decision.

#### 2.1.1 Non-GPA applicants in process

“Non-GPA applicants in process” are existing non-GPA applicants who, as per CRU direction of 2 November 2017 (D/17/19787), received a letter from the relevant system operator deeming them as applicants “in process”.

In that letter, applicants in process were given an option to suspend processing of their application under CER/09/099, pending the ECP-1 decision.

Applicants who did not respond to the relevant system operator within 20 business days were assumed to have chosen to remain in process for connection under CER/09/099.

Applicants who requested the system operator to suspend processing of their application under CER/09/099 can decide, following the ECP-1 decision, whether they want to be processed under ECP-1 as per this ruleset or continue to be processed under CER/09/099. Following the ECP-1 decision, the system operators will write to those applicants in that matter, and the applicants will have 20 business days to revert with their chosen option.

Those applicants who decide to fold into ECP-1 are not required to apply for it. This means that the ECP-1 eligibility requirements, such as planning permission, do not apply to them.

**Those applicants who do not respond to the relevant system operator within 20 business days from the date of the system operator’s letter will be assumed to have chosen to continue to be processed under CER/09/099.**

However, it is important to note, the system operators will not be in any position to provide additional information to the applicant with regard to the impact on their connection offer should the applicant choose to be processed under ECP-1. If an applicant decides to be processed under ECP-1, this decision is irreversible.



### **2.1.2 Applicants with live connection offers**

As per CRU direction (D/17/19787), system operators also wrote to applicants with live connection offers to give them the option to suspend acceptance of their offer, pending the ECP-1 decision.

Applicants who did not respond to the relevant system operator within 20 business days were assumed to have chosen to remain in process for connection, and their offers were not suspended.

Applicants who requested the system operator to suspend acceptance of their connection offer can decide, following the ECP-1 decision, whether they want to be processed under ECP-1 as per this ruleset or resume the timeframe to accept their existing connection offer. Following the ECP-1 decision, the system operators will write to those applicants in that matter, and the applicants will have 20 business days to revert with their chosen option.

Those applicants who decide to fold into ECP-1 are not required to apply for it. This means that the ECP-1 eligibility requirements, such as planning permission, do not apply to them. The decision to fold into ECP-1 will render their existing connection offers null and void. Any live disputes related to those offers will become without object and closed.

**Those applicants who do not respond to the relevant system operator within 20 business days from the date of the system operator’s letter will be assumed to have chosen to remain in process for connection, and the timeframe to accept their existing connection offer will be resumed.**

For the avoidance of doubt, timeframes to accept the existing connection offers will recommence from when they have been suspended. For example, applicant A had 18 business days left to accept its connection offer when it was suspended. Applicant A, upon confirming with the system operator that it wishes to remain in process under CER/09/099, will have exactly 18 business days remaining to accept its connection offer. For applicants who do not respond to the system operator, those timeframes will recommence automatically after the 20 business days period.

However, it is important to note, the system operators will not be in any position to provide additional information to the applicant with regard to impact on their connection offer should the applicant choose to be processed under ECP-1. If an applicant decides to be processed under ECP-1, this decision is irreversible.

### **2.1.3 Non-GPA queued applicants**

“Non-GPA queued applicants” are applicants who have applied for a grid connection under CER/09/099 and are in a queue at a node waiting to be processed by the relevant system operator, i.e. they are not yet “in process” as defined in CRU direction D/17/19787.

If non-GPA queued applicants decide to apply for ECP-1, they may do so while retaining their

received complete date.<sup>2</sup> These queued applicants will not be required to submit a new initial application fee. However, all the other ECP-1 rules will apply to them, including the planning permission requirement and the requirement to pay the appropriate balance of the application fee as outlined in section 6, Table 1, should they be successful in the process. The system operators will write to each of these applicants following the ECP-1 decision to give them three options and the applicants will have **20 business days** to confirm their position from this date.

- **Option 1** - Apply to be processed under ECP-1 with the same maximum export capacity (MEC), location, technology type, etc. as their existing grid connection application. If application is not successful in being processed under ECP-1, it will be deemed to be withdrawn and removed.
- **Option 2** - Request the system operators to keep their existing application on file retaining their received complete date.<sup>3</sup> Please note that ECP-1 takes priority over the existing non-GPA process, which has been suspended, and any further processing of the non-GPA applications remaining on file will only occur upon direction from the CRU.
- **Option 3** - Take no action. In this case, following the 20 business day period, the system operator will write a second letter providing the applicant with additional **20 business days** to respond. **Please note that no response to the system operator’s second letter by the deadline specified therein will be taken as withdrawal of the existing non-GPA application.**

Please note that the letters will be sent to the address disclosed in the list of generation applications published on the relevant system operator’s website as of the date of the ECP-1 decision.

#### **2.1.4 Other applicants**

“Other applicants” are applicants who:

1. applied for a grid connection but did not qualify for processing under CER/09/099 and have been added to the system operators’ lists of completed applications; or
2. applied as emerging/experimental technology and have not yet been confirmed as non-GPA or otherwise.

These applications had been awaiting further policy direction from the CRU before they can be processed by the system operators. If “other applicants” decide to apply for ECP-1, they may do so

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<sup>2</sup> See Glossary of Terms.

<sup>3</sup> See Glossary of Terms.

while retaining their received complete date.<sup>4</sup> They will not be required to submit a new initial application fee. However, all the other ECP-1 rules will apply to them, including the planning permission requirement and the requirement to pay the appropriate balance of the application fee as outlined in section 6, Table 1, should they be successful in the process. The system operators will write to each of these applicants in advance of the 2018 batch opening date to give them three options and the applicants will have 20 business days to confirm their position from this date.

- **Option 1** - Apply to be part of ECP-1 with the same MEC, location, technology type, etc. as their existing grid connection application. If application is not successful in being processed under ECP-1, it will be deemed to be withdrawn and removed.
- **Option 2** - Request the system operators to keep their existing application on file retaining their received complete date.<sup>5</sup> Please note that any further processing of the applications remaining on file will only occur upon direction from the CRU and based on criteria set therein.
- **Option 3** - Take no action. In this case, following the 20 business day period, the system operator will write a second letter providing the applicant with additional **20 business days** to respond. **Please note that no response to the system operator's second letter by the deadline specified therein will be taken as withdrawal of the existing application.**

Please note that the letters will be sent to the address disclosed in the list of generation applications published on the relevant system operator's website as of the date of the ECP-1 decision.

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<sup>4</sup> Applicants who applied under CER/09/099 as emerging/experimental technology and have not yet been confirmed as non-GPA or otherwise (category 2 above) will be assigned a received complete date by the relevant system operator in accordance with system operators' [Received Complete Date for Generators](#) ruleset, June 2012.

<sup>5</sup> See footnote 4.

## 2.2 New applicants

New applicants are applicants who have no existing grid connection application as of the date of the ECP-1 decision.

New applicants are subject to the entire ruleset set out in this document.

### 2.2.1 New applicants with MEC greater than 500kW

New applicants with MEC greater than 500kW can apply for the 2018 batch. For the avoidance of doubt, any new applications that are not successful in the 2018 batch will be returned to the applicant.

### 2.2.2 New applicants with MEC greater than 11kW and less than or equal to 500kW

New applicants with MEC greater than 11kW and less than or equal to 500kW will be processed under ECP-1 according to the non-batch process outlined in section 12 of this ruleset (non-batch applicants).

For the avoidance of doubt, existing non-GPA applicants greater than 11kW and less than or equal to 500kW who applied under the previous CER/09/099 ruleset and are deemed complete, will retain their received complete date and have the same options available to them as ‘non-GPA queued applicants’ as detailed in section 2.1.3 above.

### 2.4.1 New DS3 system services qualifying trial projects less than or equal to 500kW

A DS3 system services qualifying trial project is a project qualifying under the DS3 system services qualification trial process. This process aims to provide potential DS3 system services providers (DS3 providers)<sup>6</sup> with an opportunity to demonstrate the capabilities of technologies that have not previously delivered system services on a system with similar characteristics to that of the all-island system.

DS3 system services qualifying trial projects less than or equal to 500kW will be processed under ECP-1 according to the non-batch process outlined in section 12 of this ruleset (non-batch applicants).

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<sup>6</sup> See Glossary of Terms.

## 2.6.1 Autoproducers

New applicants deemed as autoproducers will be processed under ECP-1 according to the non-batch process outlined in section 12 of this ruleset (non-batch applicants).

Autoproducer is defined in CER/03/237,<sup>7</sup> and means:

- a person who has entered into a connection agreement with the relevant system operator, and generates electricity in a single premises,<sup>8</sup> essentially for its own consumption in that single premises; or
- a person, on whose behalf another person generates electricity in a single premises, essentially for the first person's own consumption in that single premises.

In a Guidance Note issued with CER/03/237,<sup>9</sup> the CRU clarified that a person is assumed to generate “essentially for its own consumption” where its MEC is less than twice the maximum import capacity (MIC).

Once an exporting autoproducer's MEC reaches or exceeds twice the MIC, then the exporting autoproducer is deemed to be a generator.

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<sup>7</sup> Direction [CER/03/237](#) on Network Charges for Autoproducers and CHP Producers, September 2003.

<sup>8</sup> See Glossary of Terms.

<sup>9</sup> Guidance Note [CER/03/238](#) on Network Use of System Charges for Autoproducers and CHP Producers, September 2003.

## 3. Eligibility criteria for all new applications under ECP-1

The following, as applicable, must be submitted to the relevant system operator by the closing date for applications for the 2018 batch (the “closing date”)<sup>10</sup>:

- Application form
- Application fee deposit (if applicable)
- Evidence of planning permission

### 3.1 Application form

A fully completed full or reduced criteria application form<sup>11</sup> must be submitted to the relevant system operator by the closing date. New applicants would be required to include information as to whether they apply as a DS3 provider or otherwise. The details regarding what is specifically required from (1) “non-GPA queued applicants” and (2) “other applicants” will be set out in the letter to be sent to each of these applicants. The letters will be sent to the address disclosed in the list of generation applications published on the relevant system operator’s website as of the date of the ECP-1 decision.

Applications for MEC less than 40MW should be submitted to the distribution system operator (DSO). Applications greater than or equal to 40MW should be submitted to the transmission system operator (TSO). The system operators will check and confirm if complete or otherwise. An application form for reduced criteria will include a requirement to specify generator MW size(s) and the number of individual generators that are being connected and whether the project is applying under the category of DS3 provider. Applicants may request a preferred connection method. However, it will be subject to review by the system operators in accordance with chapter 18 of the COPP paper. It should also be noted that neither system operator will be in a position to advise on individual methods of connection before the relevant studies have been completed.

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<sup>10</sup> See Glossary of Terms. The closing date for applications has been set at two months from the date of the ECP-1 decision.

<sup>11</sup> Information can be found on EirGrid’s website under [Generator Connections](#) and on ESB Networks’ website under [Generator Connections](#).

### **3.1.1 Eligibility declaration**

For **non-DS3 projects**, the applicant is required to declare that, **as of the date of the ECP-1 decision**, they meet one of the following requirements, and this declaration is witnessed by a solicitor or an accredited planning consultant.

- A valid planning permission, i.e. final grant of planning permission issued to the applicant by the relevant planning authority.
- For offshore projects, a valid foreshore lease, i.e. issued to the applicant by the relevant Government department and specific for the works to be constructed and operated.
- That no planning permission is required and the reason why. For the avoidance of doubt, where there is a 'change of use' of a building/site this will be considered to require planning permission and a grant is necessary from the appropriate authority.

Where there is planning permission or a foreshore lease in place, the declaration must confirm that all aspects of the project including the size, orientation, number and output of the generation units<sup>12</sup> in the application form is consistent with the planning permission or foreshore lease issued to the applicant.

The application form will make clear that if an applicant makes a false, misleading or inaccurate declaration in respect of the above requirements, that this will be deemed to be an “event of default” under the applicable connection agreement, giving rise to a right of termination for the relevant system operator. If it is discovered before a contract is in place that an applicant has made a false, misleading or inaccurate declaration, then the application can be removed from processing by the relevant system operator, and any live offer rescinded. In the event that planning permission expires or is rendered invalid before a project has been constructed, then the application, live offer or contract may correspondingly be removed, withdrawn or terminated by the relevant system operator.

The relevant system operator will determine the final form of the ECP-1 application documents, including the eligibility declaration, and specify its requirements.

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<sup>12</sup> For instance, turbines or equivalent generation equipment.

## 3.2 Application fee deposit

The initial application fee of €7,000 (including VAT) is required from new applicants greater than 500kW. The full application fee (including VAT) is required from new applicants less than or equal to 500kW. No new initial application fee is required from existing “non-GPA queued applicants” and “other applicants” should they decide to apply under ECP-1. New applicants and existing applicants who decide to apply under ECP-1 will be required to pay the balance of the application fee appropriate at the time.<sup>13</sup> The balance of the application fee must be paid as per the terms of the invoice. The application fee is to be paid by electronic fund transfer or bank draft to the system operator to which the application is being made.

## 3.3 Evidence of planning permission

Evidence of planning permission (including, for offshore projects, foreshore lease) for the project from the relevant planning authority (or the relevant Government department) must be submitted where required. For the remainder of this section, the term “planning permission” should be understood to include “foreshore lease” as applicable.

Please note that for the purpose of this ruleset, “DS3 qualified” projects (as per section 3.4) do not require planning permission in order to enter ECP-1.

### 3.3.1 Expiry date of planning permission

The planning permission expiry date is necessary to assess whether a project will still have planning permission in place once it receives a connection offer under ECP-1.

Therefore, applicants will have to declare whether an **extension to planning permission** has been sought; and if an extension was sought whether it was:

- granted;
- refused;
- still pending the planning authority’s decision.

Furthermore, in relation to extensions, a project must meet the following requirements:

- Where a project still has the option of requesting an extension of planning permission, then it must have at least **one year** remaining until the expiry of planning permission from the closing date for applications for the 2018 batch;

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<sup>13</sup> The fees are set out in section 6, Table 1.



- Where a project has already been granted or refused an extension of planning permission, a project must have at least **two years** remaining until the expiry of planning permission from the closing date for applications for the 2018 batch;
- If, on the closing date for applications for the 2018 batch, a project is awaiting a decision on extending a project's planning permission, there is no minimum planning expiration requirement. However, in this case, the applicant must advise the relevant system operator as soon as the decision on extension is made by the relevant planning authority, or within two months of the closing date. If no extension is granted and there is less than **two years** remaining on the validity of the current planning permission (counting from the closing date), then the application will be deemed invalid, and will not be processed further. Similarly, if no confirmation is provided by the applicant within the two month period, the application will be deemed invalid, and will not be processed further. If applicable, the remaining applicants in process at the same node will continue to be processed without the applicant who dropped out, and their per MW share of costs will increase accordingly.

The expiry of planning permission is recorded by the system operators as the quarter and year in which planning is due to expire (the "planning expiration date"). For example, planning permission expiring on 1 January 2020 will be recorded as expiring in quarter one of 2020 (Q1 2020) whereas planning permission expiring on 5 June 2020 will be recorded as expiring in quarter two of 2020 (Q2 2020), etc.

For the avoidance of doubt, the timeframes above give no indication as to the actual time it will take to connect an individual project. Rather, they are used as a reasonable approximation of the earliest possible timeframe for connection of the simplest connection method. Based on the estimated connection timelines set out in section 6, Table 2, two years is a reasonable minimum timeframe for planning permission to remain in place post the closing date.

### **3.3.2 Projects which do not require planning permission**

Where planning permission is not required by the relevant planning authority, it is assumed to be granted for the purpose of this ruleset. Where this ruleset states that the prioritisation of projects is based on the expiry date of planning permission, those projects are assumed to have planning permission valid for **one year** post the closing date. This is in line with the minimum requirement for expiry on projects where planning permission is required and ensures that those projects not requiring planning are at the front of the queue. For example, if the closing date for applications is 1 June 2018, the expiry date of planning permission assigned to a project of this kind would be Q2 (1 June) 2019. This applies to both the existing and new applicants.

Please note that "DS3 qualified" projects (as per section 3.4) do not require planning permission in order to enter ECP-1.

### 3.4 DS3 eligibility criteria

Fast frequency response (FFR) and primary operating reserve (POR) will comprise the initial subset of DS3 system services to be prioritised under the 2018 batch. The choice to select between these two system services is further discussed in Annex II to the ECP-1 decision: **DS3 Prioritisation Ruleset**.

To be eligible for classification as a DS3-prioritised system service provider, applicants must meet the eligibility criteria listed in sections 3.1 and 3.2 of this ruleset as well as the following DS3-specific criteria:

- they must be capable of providing either FFR or POR, or both;
- they must at least meet Grid Code standards (where such standards exist); and
- they must be included in the TSO's list of proven technologies (from a DS3 system services provision perspective).<sup>14</sup>

Projects that apply for DS3 status and meet the above criteria will be deemed by the TSO as "DS3 qualified". For the avoidance of doubt:

- DS3 qualified projects do not require planning permission to enter the 2018 batch (i.e. section 3.3 above does not apply to DS3 applicants);
- Wind and solar technologies are not eligible for the DS3 qualified status (CER/16/284).<sup>15</sup>

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<sup>14</sup> For the list of DS3 System Services Proven Technology Types see [EirGrid's website](#).

<sup>15</sup> The CRU clarified in CER/16/284 that if a connected wind or solar generator wishes to install a different type of technology and increase its MEC in order to provide DS3 system services, it will be eligible and prioritised under this measure provided that the additional MEC is assigned to a non-wind and/or non-solar technology type unit.

## 4. Thresholds for applications

### 4.1 Batch total threshold

The 2018 batch will provide at least 1,000MW of connection offers (batch total threshold).

In the event that the batch total threshold is reached, then the threshold will be deemed to be at the last eligible application that falls beneath the threshold. For example, if the total MW threshold is set at 1,100MW and 1,090MW have been received that are eligible for processing and the next eligible application is 20MW then that application would not be processed as it would exceed the total MW threshold. Another application will not be included that does fall within the total MW threshold. In this case therefore the total MW threshold would be amended to 1,090MW.

### 4.2 DS3 thresholds

The following MEC thresholds apply for prioritising DS3 qualified applications:

- DS3 total threshold: 400MW
- DS3 individual project threshold: 100MW

The basis for the above DS3-specific thresholds is set out in Annex II to the ECP-1 decision: **DS3 Prioritisation Ruleset**. For the avoidance of doubt, this is a subset of the total threshold of at least 1,000MW of connection offers, and not in addition to it.

## 5. Prioritisation of applications

In the event that the batch total threshold has been exceeded then a prioritisation system will be applied. Applications that meet the eligibility criteria set out in section 3 will be chosen in the following order:

- DS3 qualified projects<sup>16</sup> up to 400MW threshold. In the event that this threshold is oversubscribed, DS3 qualified projects will be prioritised according to the **DS3 Prioritisation Ruleset** set out in Annex II.
- All other applications will be prioritised in the order of the **planning permission's expiry date**, i.e. an application with a shorter planning permission validity period will be prioritised over an application with a longer planning permission validity period.
- Where applications have a planning permission expiry date in the same quarter, then the **received complete date** of the connection application will be used, i.e. an application with an earlier received complete date that will be prioritised over an application with a later received complete date.

Applicants that, following the above prioritisation, are above the total threshold will not be processed further and their application will be returned to them. Those applicants will have an opportunity to apply for a connection in the next batch. **The initial application fee is non-refundable and will not be used as the application fee for the participation in any future batches.**

For the avoidance of doubt, if the 400MW threshold is oversubscribed, any DS3 qualified projects can be considered as an applicant within the total batch threshold. However, they will lose the DS3 qualified status and will be subject to the same eligibility and prioritisation criteria as all other applicants. This includes a planning permission requirement.

If the 400MW threshold is not reached, any remaining capacity will be allocated to the non-DS3 projects.

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<sup>16</sup> See section 3.4 for prioritisation within DS3 qualified applications.

## 6. Process

### 6.1 Processing steps

#### *Step 1: Closing date for applications*

The closing date for applications for the 2018 batch (the closing date) has been set at two months after the ECP-1 decision. The system operators will assess whether applications received by the closing date have met the eligibility criteria listed in section 3. Please note that planning permission, where it is required, must be in place as of the **date of publication of this ECP-1 decision**. All the remaining eligibility criteria must be met by the closing date,<sup>17</sup> and failure to do so will result in rejection of the application, i.e. the application will not be processed any further.

#### *Step 2: Applications check completed*

The application form will be assessed against the criteria set out in system operator's *Received Complete Date for Generators* ruleset.<sup>18</sup> It is anticipated that the applications check step will be completed within approximately two months. The system operators will not be required to check applications that exceed the total threshold.

#### *Step 3: Fees and clarifications received deadline*

Where there are minor clarifications required on the applications, the system operators will write to applicants to request them along with the balance of the application fee. The applicants will have one month to provide the requested fees and clarifications (fees and clarifications received deadline). All applicants that provide the required fees and information and are within the total thresholds will be deemed to be 'batch qualified'. Applicants who fail to provide what is required by the deadline will not be processed any further.

Application fees for connection to both the transmission and distribution system under ECP-1 are set out in Table 1 below. This table will be updated annually for inflation only unless otherwise approved by the CRU, and will be applicable to all ECP-1 applicants.

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<sup>17</sup> Note, however, that projects in process of extending the validity period of their planning permission have two months post closing date to notify the system operator in that matter. See section 3.3.1.

<sup>18</sup> June 2012, available on [the system operators' website](#). For the avoidance of doubt, failure to meet any of the criteria set out therein or failure to confirm what sizes of generation units (e.g. turbine sizes) are being requested will result in rejection of the application, i.e. the application will not be processed any further.

**Table 1** ECP-1 connection application fees (excluding VAT)

	<b>A</b>	<b>B</b>	<b>C</b>
MIC & MEC Capacity Ranges	Demand Capacity (MIC)	Generation Capacity (MEC)	Shallow Works
0 ≤ 11kW	€0	€0	€0
> 11kW ≤ 50kW	€0	€763	€0
>50kW ≤ 500kW	€0	€1,557	€0
>500 KW ≤ 1 MW	€0	€8,841	€0
>1 MW ≤ 4 MW	€12,468	€18,111	€0
>4 MW ≤ 10 MW	€21,558	€18,327	€18,327
>10 MW ≤ 20 MW	€21,558	€33,060	€34,497
> 20 MW ≤ 100MW	€35,438	€47,485	€39,528
> 100MW	€48,527	€50,858	€44,971
Demand only: Fee = A <sub>MIC</sub> + C <sub>MIC</sub> – D			
Generation only: Fee = B <sub>MEC</sub> + C <sub>MEC</sub> – D			
Demand & Generation: Fee = A <sub>MIC</sub> + B <sub>MEC</sub> + MAX [C <sub>MEC</sub> , C <sub>MIC</sub> ] – D			
Where D is the sum of the credits for pre-feasibility and advanced works studies still relevant. Determination of D will be calculated by the relevant system operator.			

**Step 4: First offers issued**

The system operators will determine the nodes and subgroups (if any) that the batch qualified applications will connect into using the gate 3 node assignment and grouping rules based on [CER/08/260](#), Appendix 2: *Rules for Determining Node*. Connection offers will then be scheduled for issuance taking into account the complexity of the applications. The system operators expect to issue first connection offers under the 2018 batch approximately four to five months after the fees and clarifications received deadline. This is indicative and will depend on the number, type and scale of the batch qualified applications as well as the number of non-GPA applicants in process deciding not to fold into the batch. Connection offers will roll out as per schedule of offer issuance thereafter.

**Step 5: Last offers issued**

The schedule for issuing all offers, up to and including final offers, will be confirmed by the system operators post the fees and clarifications received deadline. The intention is for system operators to

issue all connection offers within ten months of this date (assuming very limited inclusion of existing non-GPA applicants in process and with live connection offers).

*Step 6: Last offers accepted / lapsed*

Each applicant will have a period of three months to accept a connection offer or let it lapse. Once the last offer is accepted (or lapsed) this will complete the 2018 batch.

*Step 7: Ready to start next batch*

Details around the next batch including timeline for same will be confirmed as per CRU direction. This ruleset will be reviewed and amended for each batch where appropriate.

## 6.2 Timelines

A summary of the assumed timelines associated with the seven processing steps listed above is shown in Table 2 below. It is important to note that these timeframes are dependent on the preceding step. Any changes to the preceding step will therefore impact on the completion of the following step and therefore the overall completion of the 2018 batch.

**Table 2** Assumed processing timelines for the 2018 batch.<sup>19</sup>

Step	Timing
1. Closing date for applications	Publication of the ECP-1 decision + 2 months
2. Applications check completed	Step 1 + 2 months
3. Fees and clarifications received deadline	Step 2 + 1 month
4. First offers issued	Step 3 + 4 to 5 months
5. Last offers issued	Step 3 + 10 months
6. Last offer accepted / lapsed	Step 5 + 3 months
7. Ready to start next batch	At completion of step 6 following direction from CRU

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<sup>19</sup> The timeline to issue offers under the 2018 batch depends on the number of existing applicants with live offers or in process who decide to be processed as part of the 2018 batch, and may be subject to further review if deemed necessary by the CRU.

## 7. Charging policy

The charging policy set out in this section applies to new connection agreements issued as of the date of this decision. **Section 7.3 of this ruleset will also apply to all existing connection agreements after three months from the date of the ECP-1 decision.**

The system operators or the transmission and distribution use of system (TUoS and DUoS) tariffs will not cover any shortfall in connection charges if a member of a subgroup under ECP-1 does not progress. In order to mitigate the risk for projects in a subgroup the following rules apply.

### 7.1 Offer dependency

Connection offers for projects sharing connection works will not be executed by the system operators until all projects sharing the works have accepted their contracts and met the relevant conditions precedent in those contracts. In the event that one or more projects do not accept their offers then the offers for the other projects will be withdrawn and reissued to confirm the revised charges. The system operators will seek to re-optimize the connection method to reduce the costs to the remaining projects where possible.

### 7.2 Security for shared assets' costs

A project with shared costs (in a subgroup) will be required to post a form of connection charge security (bond or equivalent) for their portion of the shared costs at the time of offer acceptance. In the event that a project does not progress, once the offer has been executed, these securities will be used to cover any resulting shortfall in connection costs, rather than this being covered by the TUoS or the DUoS tariffs.

When the relevant system operator and any one project sharing the assets is ready to progress to the next stage payment, then the system operator can invoice all subgroup members with shared assets costs. If any subgroup member does not pay the invoice in line with the normal invoice period (30 business days), then the system operator may draw down on the connection charge security in place, up to the value of the unpaid invoice. The system operator can then progress with the associated works or seek to re-optimize the works as appropriate.

The system operator is entitled to terminate the connection agreement with the project that has not paid its stage payment invoice in line with the connection agreement. Should all projects with shared works not pay their invoice or should all projects with shared works advise that they do not wish to be invoiced when the system operator is ready to progress, then those projects automatically go “on hold” and section 7.3 applies noting that long stop dates in a connection agreement do not change when a project goes “on hold”.



### 7.3 Contracted projects coming off-hold status

From time to time, projects request the system operator to put them “on hold” or are put “on hold” when they fail to make the necessary stage payment. This has the effect of suspending any progress on the connection unless and until the project notifies the relevant system operator that it is ready to come off-hold and/or (where applicable) the relevant stage payment is made.

Where a project goes on hold due to circumstances which are outside of the control of the system operator, the project will be subject to the connection charges which are applicable at the time when the project comes “off-hold” (and not those specified in the relevant quotation letter issued by the system operator at the date of the connection agreement).

Consequently, where a project goes “on hold” either

- (1) following projects’ request to the relevant system operator; or
- (2) due to failure to make a stage payment by the relevant due date

then any remaining capital contribution stage payments due after the project comes off-hold will be calculated on the basis of the relevant system operator’s *Standard Prices for Generator Connections*<sup>20</sup> applicable as of the date of the invoice for the next applicable stage payment. In the case of (2) above, the system operator will issue a revised invoice for the overdue stage payment, reflecting any revised charges, once the project indicates in writing that it is ready to come off-hold.

New connection agreements issued after the date of the ECP-1 decision will contain wording to reflect this section (section 7.3). In the case of the existing connection agreements, section 7.3 will come into effect three months following the ECP-1 decision. This is to give the existing projects which are “on hold” sufficient time to consider the implications of this policy change and, for example, to come off-hold in that three-month window when should they not wish to be impacted by this measure. Following the three-month period, all existing connection agreements will be deemed amended as per section 7.3 of this ruleset.

### 7.4 Charging policy for storage

Applications to connect storage technology will be charged an application fee based on separate MEC and MIC components as laid out in section 6, Table 1. The charging policy appropriate to storage technology will be considered separately.

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<sup>20</sup> Available on the relevant system operator’s website.

## 8. Longstop dates

Contractual longstop dates for consents and operation for applicants processed under ECP-1 are **two years** after the scheduled dates. For the avoidance of doubt, extensions to longstop dates will only be granted by the system operators in exceptional circumstances, including where the applicant's project is in construction and the necessary second stage payment has been paid.

For transmission-connected projects the current wording states:

- **“Consents Issue Date Longstop Date”** or **“CID Longstop Date”** means the date falling thirty six (36) calendar months after the Scheduled Consents Issue Date.
- **“Scheduled Operational Date Longstop Date”** means the date falling thirty (30) calendar months after the date of the Scheduled Operational Date.

These are now be amended to:

- **“Consents Issue Date Longstop Date”** or **“CID Longstop Date”** means the date falling twenty four (24) calendar months after the Scheduled Consents Issue Date.
- **“Scheduled Operational Date Longstop Date”** means the date falling twenty four (24) calendar months after the date of the Scheduled Operational Date.

For distribution-connected projects the current wording states:

- **“Planning Permission Longstop Date”** means thirty six (36) calendar months after the Scheduled Planning Permission Date.
- **“Connection Agreement Effective Longstop Date”** means thirty six (36) calendar months after the Connection Agreement Effective Date.

These are now be amended to:

- **“Planning Permission Longstop Date”** means twenty four (24) calendar months after the Scheduled Planning Permission Date.
- **“Connection Agreement Effective Longstop Date”** means twenty four (24) calendar months after the Connection Agreement Effective Date.

## 9. Non-firm access

Offers under ECP-1 will be issued on a non-firm basis for connection to the transmission system. Access to the distribution system will be on a firm basis only from a distribution perspective. For the avoidance of doubt, a distribution applicant must have all distribution works completed prior to connection but their offer will be on a transmission non-firm basis. Any calculation and apportionment of firm access will be determined in the later stages of ECP. The TSO should carry out some additional system studies to inform applicants about possible constraint levels. This analysis will be shared with applicants. For the avoidance of doubt this information is provided separate to the 2018 batch process and will not affect the issuance or acceptance of those connection offers.

## 10. Changes to COPP

For the purpose of this section, the term “**all projects**” refers to all projects whether currently contracted or otherwise. For the avoidance of doubt, references to Gate 3 in COPP should also be read as referring to ECP projects.

The following are the chapters of COPP that will <b>no longer apply to any project</b> .		
<b>Chapter 17</b>	Capacity Relocation	<p>Subject to Transition Rule set out below, this chapter no longer applies to any projects. Any applications for capacity relocation beyond 100 meters from the original site boundary as specified in the initial connection application cannot be facilitated. For the avoidance of doubt, connection point and/or station relocations are still open for consideration per chapter 18 of COPP.</p> <p><u>Transition Rule:</u></p> <p>As of the date of the ECP-1 decision for a period of three months <b>existing contracted projects</b><sup>21</sup> can request a single capacity relocation under chapter 17 of COPP to a site with planning permission.</p> <p>For the avoidance of doubt, projects that avail of this one-off opportunity will be processed at their new location as per the ECP-1 ruleset, and any further requests to relocate either back to the original site or beyond 100m from the new site boundary will not be facilitated. Any request to relocate under the Transition Rule is deemed to be non-revocable and the current contract is therefore deemed to be terminated in the event that a revised offer for the new location is not accepted.</p>

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<sup>21</sup> See Glossary of Terms.

The following are the chapters of COPP that <b>apply to all projects with exceptions as stated.</b>		
<b>Chapter 3</b>	Mergers and Splitting	<p>The following changes are made to this chapter:</p> <p>The rules around mergers apply to all projects including applications made under ECP-1 however capacity relocation is no longer facilitated subject to chapter 17 changes above.</p> <p>The rules around splitting no longer apply to any project, i.e. project splitting is no longer allowed.</p>
<b>Chapter 5</b>	Combination of Offers	<p>These rules are not relevant to offers made under ECP-1 as TUoS/DUoS tariffs will not cover dropouts from subgroups and offers are issued interdependently.</p>
<b>Chapter 7</b>	Changes in MEC	<p>These rules apply to all projects including applications made under ECP-1 with the following changes:</p> <ul style="list-style-type: none"> <li>• Applications made under ECP-1 can request a one-off reduction in MEC without penalty prior to the closing date for applications for the 2018 batch.</li> <li>• In the event that an application made under ECP-1 is withdrawn pre-offer issuance, the system operators will decide whether to progress with a subgroup on basis of new MW for the subgroup or original MW for the subgroup. This will depend on when the application was withdrawn and whether the offers can still be issued on schedule. The charges will still however be on the basis of sharing per MW between the remaining parties i.e. TUoS/DUoS will not pick up the stranded cost.</li> </ul>
<b>Chapter 9</b>	Change in Generation Type	<p>The rules for projects pre energisation continue to apply except for applications made under ECP-1.</p> <p>In addition, for all projects, changes in generation type are allowed post energisation subject to a modified connection agreement and associated technical assessments, provided that closure periods as set out in the TSO's Generator Plant Closure Process<sup>22</sup> are observed.</p>
<b>Chapter 10</b>	Reprocessing Subgroups Due to Non-Acceptance of Offer or Termination of Connection Agreement	<p>These rules apply to all projects including connection offers made under ECP-1 except that TUoS/DUoS tariffs will not cover the costs of projects dropping out of subgroups and offers are issued interdependently. The system operators reserve the right to re-optimize connection methods due to projects dropping out of subgroups.</p>
<b>Chapter 11</b>	Firm Connections to the Transmission System	<p>These rules do not apply to connection offers made under ECP-1.</p>

<sup>22</sup> Available at [www.eirgrid.com](http://www.eirgrid.com).

The following are the chapters of COPP that **continue to apply to all projects including applications made under ECP-1.**

<b>Chapter 1</b>	Introduction
<b>Chapter 2</b>	Changes in Installed Capacity
<b>Chapter 4</b>	Temporary Connections
<b>Chapter 6</b>	Hybrid Plant
<b>Chapter 8</b>	Phasing of Connections
<b>Chapter 12</b>	Term
<b>Chapter 13</b>	Extension of Offer Validity Period
<b>Chapter 14</b>	Non-Least Cost Connection Method (LCCM) Planning Related Charging Issues
<b>Chapter 15</b>	Internal Network
<b>Chapter 16</b>	MEC Capacity Bond
<b>Chapter 18</b>	Alternative Connection Method
<b>Chapter 19</b>	Change in Application Details
<b>Chapter 20</b>	Modification Requests

## 11. Interactions

In certain cases, connection method of applications made under ECP-1 might impact connection method of existing contracted projects. For instance, the optimal connection method for an applications made under ECP-1 involves the changing of a connection method for a Gate 3 contracted project or a contracted non-GPA project. The system operators will consider each interaction on a case-by-case basis. However, where a connection method for an existing contracted project has entered construction, it will not be subject to re-optimisation to accommodate new contracted connections unless agreed to by all the projects connecting to that connection method.

## 12. Non-batch process

The following projects will be processed individually and sequentially on a 110kV nodal basis based on a received complete date of applications:

- Projects with a MEC greater than 11kW and less than or equal to 500kW
- DS3 system services qualifying trial projects with a MEC less than or equal to 500kW
- Autoproducers

The following points are to be noted for the categories of applicants listed above:

- Where a non-batch applicant is **not interacting with the existing batch processed under ECP-1 at the same node**, its non-batch connection offer will be studied and issued in parallel to the batch offers under ECP-1. Where offers are being studied in parallel, it will be assumed that the capacity required for the non-batch applicant will be accounted for.
- Where a non-batch applicant **is interacting with an existing batch processed under ECP-1 at the same node**, this applicant will be folded into the existing batch if deemed appropriate by the relevant system operator, for example, if the timing for studying the non-batch application coincides with the studying of the batch applications. It should be noted that this applicant is deemed interacting if either the non-batch applicant or the batch requires any capacity-based uprate works at that node. In a case where the processing or study phase of the batch has already commenced, or offers are live and it is not possible to fold the non-batch applicant into the batch, the processing of such an interacting non-batch applicant will have to wait until the full resolution of the batched offers before non-batch processing can commence (i.e. interacting batch offers would first need to be accepted, rejected or lapsed).

### 12.1 Applicable sections of this ruleset

The following sections apply to projects processed under the non-batch ruleset:

Section 3.1	Application form
	Full criteria application form is required for the non-batch application.
Section 3.2	Application fee
Section 3.3	Evidence of a valid planning permission
Section 7	Charging policy
Section 8	Longstop dates



Section 9	Non-firm access
Section 10	Changes to COPP (including ceasing of capacity relocation)
Section 11	Interactions

## **12.2 Non-batch threshold**

The threshold for processing applications under the non-batch process is 30 offers per year. The system operators will revert to the CRU for guidance in the event this threshold is met.

## **13. Order of precedence clauses**

In the event of an inconsistency or conflict between this ruleset and any previous CRU decisions on connection or charging policy, the inconsistency or conflict will be resolved by giving precedence to this ruleset.

In the event of an inconsistency or conflict between this ruleset and the text of the ECP-1 decision, the inconsistency or conflict will be resolved by giving precedence to the ECP-1 decision.