

Paul McGowan  
Chairperson  
CER  
The Exchange  
Belgard Square North  
Tallaght  
Dublin 24  
Email and Courier

04 May 2017

Our Ref APH/KMS/SEM8/1

Your Ref: D17/7117

**SEMC Supplier Charging Decision SEM –17-010**

Dear Mr. McGowan

We refer to your letter dated 13<sup>th</sup> April to Mr. Grattan Healy, Chairman of the IWFA, a copy of which we enclose for ease of reference.

We represent Moneenatieve Wind Farm Limited and Fingleton White, both of whom will be impacted by SEM-17-010. We have been instructed to write to you to seek clarification on the contents of your recent letter.

You state in your letter that the SEMC has reached a "*mindful to decision on the future of supplier charging, but not a final decision*". In answer to the question "*what is left to be decided and how and when will it be decided*", you replied "*as set out in the SEMC Decision, the implementation approach to gross demand-based supplier charging will be consulted upon*". This appears to suggest that the SEMC intends to consult on the implementation of the decision rather than the decision itself. For the avoidance of doubt, we would ask you to clarify whether it is still possible at this stage in the process for the SEMC to ultimately decide to opt for a net demand approach to supplier charging as the enduring approach? If the answer to this question is no, our instructions are to seek leave to challenge SEM–17-010 by way of Judicial Review on Monday next the 8<sup>th</sup> of May.

Given the urgency of this matter we look forward to hearing from you by return.

Yours sincerely,



BEAUCHAMPS  
Encl.

Mr Grattan Healy  
Chairman IWFA  
Unit F06 Kilkenny Research & Innovation Centre  
Burrell Hall  
St. Kieran's College  
Kilkenny  
R95 TP64

13<sup>th</sup> April 2017

Ref D/17/7117

## Re SEMC supplier charging decision SEM-17-010

Dear Grattan,

Thank you for your letter dated 27<sup>th</sup> March 2017 with regard to the SEMC supplier charging decision SEM-17-010.

In relation to the three questions you had, see below our responses. We trust this is useful.

1. *Has the SEMC made a final decision to change the supplier charging basis to "Gross Demand"?*

As noted the SEMC has reached a minded to decision on the future of supplier charging, but not a final decision.

2. *If so what is left to be decided and how & when will it be decided?*

As set out in the SEMC Decision, the implementation approach to gross demand-based supplier charging will be consulted upon. Consideration will also be given at that point to other issues as indicated in the decision paper including any currently unknown obligations arising from possible EU statutory or State Aid requirements, and the performance of the new market arrangements more generally.

3. *Or, if not, when do you expect to make that final decision and will there be a further consultation beforehand?*

See above.

Yours sincerely,



Paul McGowan  
Chairperson