

***Sonnagh Old Teoranta,***  
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The Commission for Regulation of Utilities,

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(sent by e-mail to [electricityconnectionpolicy@cru.ie](mailto:electricityconnectionpolicy@cru.ie))

15<sup>th</sup>. Dec 2017

**Re:- Enduring Connection Policy Phase 1 (ECP-1) Proposed Decision Consultation, CRU/17/309**

**And our Gate 3 Grid Offer DG400 Lisbeg 11.89MW**

A Chara,

Sonnagh Old Teo. welcome the opportunity to response the ECP-1 consultation, has a Gate 3 Grid Offer for a 11.89MW Windfarm at Lisbeg, Eyrecourt, Co. Galway.

An abridged history of the project to date is as follows:

- Gate 3 offers were received for 2 separate applications in what was classified by the ESB Networks and EirGrid as Area 'C':-
  - 1 No. 850Kw Wind turbine (DG212) as an additional turbine within an operational Wind Farm
  - 5 No. 2.2MW Wind Turbines (DG 400)
- Work commenced on a planning application and subsequently the site was designated as a proposed Special Protection Area for Birds. (p SPA). A consultation process was then entered into by National Parks and Wildlife Service. (NPWS). Following receipt of numerous submissions and a long consultation process the geographic extent of the protected area remained and our

site was designated as a Special Protection Area. On the advices of our planners and meetings with Galway County Council on the matter we decided that the best way forward was to go to a new site outside of designated sites.

- Sonnagh Old Teo carried out a very thorough study of potential sites in Area 'C'. A site at Lisbeg, Eyrecourt, Co. Galway was deemed the most appropriate and the project went through the full planning process. (Galway County Council Planning Ref No 15/1571).
- The Planning Authority issued a notification of its intention to grant permission for the proposed development with conditions on the 20<sup>th</sup> Oct 2016.
- A Modification Request to merge and re-locate the 2 Gate 3 offers (DG212 & DG400) was submitted to ESB Networks. This was subsequently granted and re-named Lisbeg DG400.
- Copies of two third party appeals were circulated by An Bord Pleanála (ABP) on the 21<sup>st</sup>. Nov 2016. (ABP Ref. PL07.247582)
- ABP made their decision to refuse permission on the 1<sup>st</sup> August 2017. In deciding to refuse ABP said that the proposed site was too close to protected sites and they deemed the 1.5Km separation distance from adjacent SPA's as insufficient. This was an unexpected decision from ABP as a separation distance of that magnitude would normally be considered to be adequate.
- The project had qualified for REFIT II support and was ready to go to construction.

A considerable investment has been made on the grid connection by Sonnagh Old Teo. The fee's to ESB Networks to date amount to approximately €207,017.00 + VAT. This includes the original application fee, the first stage payment and the modification fee. We received an additional first stage payment invoice from ESB Networks earlier this month, adding further to the cost to maintain our grid capacity. The cost of the planning application and fee's amounted to c.€150,000. A meterological mast and wind studies added a further c.€50,000. There are of course other significant costs.

We have now identified an alternative site and want to re-locate the grid capacity to this new site. Obviously, the proposals in this consultation document to stop capacity relocation for existing contracted generation would not allow the relocation we require, and the investment would be a total loss to Sonnagh Old Teo. We request that in the CRU's final decision they continue to allow contracted generator to relocate capacity as per the existing terms of connection policy. We believe that we have a legitimate expectation for the terms of connection policy to continue for the duration of our connection agreement unless changed following a proper consultation process.

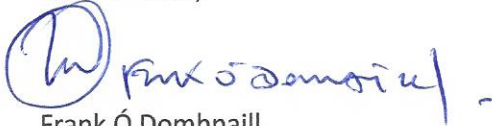
The proposals in CRU/17/309 reflected a sudden change for projects with a Grid Offer and consultation document CER/15/284 gave no indication that the proposed changes were on the agenda. Even if the proposals in CRU/17/309 are reversed the consultation will have had negative impacts for our Gate 3 Offer. It is difficult for an independent operator to continue progressing through option agreements with landowners, planning costs, public consultations etc when ultimately, we could be told that we

cannot re-locate. In essence we are losing-time, and this leads to the increasing challenge to meet our long stop dates.

The proposal to limit the extension of Long Stop dates does not reflect the time it takes to secure planning, have a modification request processed and secure a Power Purchase Agreement under the new competitive tendering process. For existing Gate 3 offers the Long Stop date should be adjudicated on a case by case basis by the CRU considering the real challenges of developing renewable projects in Ireland.

The loss to Sonnagh Old Teo is compounded by the fact that when there was an opportunity to release our grid capacity earlier in 2017, our project had the consent of Galway County Council and was with An Bord Pleanála for a final decision at that stage, so we realistically could not release that capacity when all the indicators were that we would get built. This opportunity to release capacity should be made available again for a limited period of time to Gate 3 projects that demonstrate valid reasons for surrendering their capacity. The terms and conditions should remain as those offered initially.

Mise le meas,

A handwritten signature in blue ink, appearing to read 'Frank Ó Domhnaill', with a large circular flourish at the beginning.

Frank Ó Domhnaill,

For and on behalf of

Sonnagh Old Teo.