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15 March 2019

Response to CRU Consultation on Terms of Reference of the NSEE Panel

Dear Esther,

Thank you for the opportunity to respond to the CRU consultation on the proposed Terms of Reference of the Network Stakeholder Engagement Evaluation (NSEE) Panel.

At the outset, we welcome the establishment of the NSEE Panel. Consultation and engagement is a cornerstone activity for EirGrid, and is critical to the effective functioning and development of the grid. As such we welcome the opportunity to present and have our performance on stakeholder engagement assessed by such a diverse yet interested grouping.

We fully support the spirit of the process and the principle in which the proposed Terms of Reference have been prepared; we do however have a number of points of note and clarification, outlined below.

- 1) We welcome the broad membership proposed for the NSEE. We do suggest the CRU consider extending the proposed membership further to include the following categories:
 - a) Community, e.g. Pobal
 - b) Agriculture, e.g. Irish Farmers Association
 - c) Environment, e.g. Friends of the Earth
 - d) Industry, e.g. IDA, Chamber of Commerce, IBEC
 - e) Consumer, e.g. Consumers Association of Ireland
 - f) Academia, e.g. ESRI
 - g) European Affairs, e.g. European Movement Ireland.

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- h) Dedicated TSO customer
- i) Dedicated DSO customer
- j) Pan European Electricity Organisation, e.g. RGI, ENTSO-E

We also believe that the CRU should consider inviting participants from the Gas industry.

- 2) We note that there does not seem to be a mechanism for appealing decisions made by the Panel. It is critical that such a mechanism is clearly set out in the decision paper. Moreover, we believe it is important that there is a mechanism to challenge the appointment of a Panel member should there be concerns in respect of impartiality.
- 3) It is also critical that the Panel operates under, and in accordance with, the underlying statutory framework accorded the CRU. Furthermore, it is important that it is clear that only the CRU may make a decision in respect of the allocation of regulated revenues and that the CRU is ultimately accountable for any such decision.
- 4) We welcome point 3 of the proposed Terms of Reference that the Panel will not be a policy-making body or a forum for discussing individual projects; it is important that the process should be explicitly focused on strategic business priorities. We do however believe that the Terms of Reference should be more explicit in stating that the Panel will not seek to make recommendations on public engagement which do not align with policies from bodies such as An Bord Pleanála.
- 5) Additionally, we would welcome further clarity on the decision making process of the Panel. Particularly we would like more information on whether all members will have an equal vote, how split decisions will be resolved and whether a quorum for meetings will be set.
- 6) It is highly important that Panel members understand that the TSO's Stakeholder Engagement Plan will strictly cover TSO activities and will not cover any of EirGrid's other licenced activities, particularly any market arrangements covered under the Market Operator licence.
- 7) On page 4, the paper states:

'The CRU will direct the TSO and DSO to separately consult on their stakeholder engagement strategies, to seek views on these submissions'.

It is our understanding from engagement with the CRU that the consultations will be carried out by the TSO and DSO respectively and the CRU simply desire a brief opportunity to review the documents prior to publication. It is important that there is

clarity that the respective TSO and DSO consultations will be carried out independently and that reports will be at the discretion of the individual companies. The TSO would welcome confirmation of the CRU's understanding in this regard.

- 8) Further to the above point, given the independent nature of both parties' consultation process, it is important that neither the TSO nor the DSO is unduly affected by delays to the process of the other company.

We would be happy to discuss any of the above points and welcome any comments the CRU has.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Dylan Ashe". The signature is written in a cursive style and is positioned above a horizontal line.

Dylan Ashe
Group Regulation
EirGrid plc.