



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

An Coimisiún um Rialáil Fónas
Commission for Regulation of Utilities

Notification to Suppliers

Submissions to the CRU for the 2022/23 Public Service Obligation (PSO) Levy

Information Paper

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Executive Summary

In accordance with the governing Public Service Obligation (PSO) legislation, the Commission for Regulation of Utilities (CRU) is responsible for the calculation of the PSO levy and for ensuring that the PSO scheme is administered appropriately and efficiently.

The CRU has prepared this Notification to Suppliers in order to inform electricity suppliers of their obligation to provide all relevant information required to enable the CRU to calculate the 2022/23 PSO levy, and to communicate the associated timelines for providing such information. This document is relevant to suppliers making submission to the 2022/23 PSO levy under both REFIT and RESS schemes.

The onus is on all suppliers, both new and existing, to inform themselves of the requirements set out in this document and of the key dates that apply. In the event that an electricity supplier does not meet submission deadlines, or a supplier submits an incomplete submission, the CRU will not include the supplier's costs in the PSO levy for 2022/23, except under certain "Exceptional Circumstances", as specified in this Notification.

The CRU notes that following the publication of CRU Decision Paper (CRU/21/045) "Arrangements for Calculation of the PSO Levy: Renewable Electricity Support Scheme and Clean Energy Package", the SEM Committee has not yet finalised its decision on the implementation of the Clean Energy Package and the interpretation of Article 13.

Consequently, the CRU's PSO Arrangements for the 2022/23 PSO year will not be updated prior to supplier's submitting their 2020/21 outturn costs as part of the 2022/23 PSO cycle. In the event that the CRU's PSO Arrangements need to be amended to reflect the SEM Committee decision on the Clean Energy Package it will be communicated to suppliers accordingly. If applicable, any compensation which may be due to a supplier as a result of the SEM Committee decision and subsequent CRU decision regarding its PSO arrangement may be retrospectively claimed through subsequent annual PSO cost submissions.

Given the CRU's decision to defer making any amendments to current PSO arrangements the RESS 1 Support Ex-post Calculations have not yet been finalised as these arrangements could potentially be affected by the upcoming SEMC decision. The CRU notes that based on the energisation dates (as provided by the Supplier) for RESS projects, the CRU is not anticipating large volumes of RESS ex-post submissions relating to the 2021/2022 PSO year. In the event that a supplier needs to make a RESS outturn cost submission for the 2020/21 PSO year, the CRU intends progressing such a reconciliation in the 2023/24 PSO cycle.

Notwithstanding, such suppliers should liaise with the CRU's PSO Team accordingly during the 2022/23 PSO cycle.

In contrast to the 2021/22 PSO cycle, the CRU will be applying a 2 Gate PSO submission process during the 2022/23 PSO cycle. For the first Gate Cycle (deadline 31 March 2022), suppliers will be required to submit their 2020/21 outturn template & auditor report). For the second Gate Cycle (deadline 1 May 2022), suppliers will be required to submit their 2022/23 Estimate Templates.

To facilitate the certification of suppliers PSO outturn costs, the CRU will be publishing a separate Notification to Suppliers in Q1 2022, setting out the process for the engagement of auditors regarding the certification of the PSO levy. This updated document will only apply to suppliers making an ex-post submission for the 2020/21 PSO year in 2022.

Any queries regarding this Notification to Suppliers document should be sent to PSO@cru.ie.

Public/Customer Impact Statement

This Notification to Suppliers sets out the information that suppliers are required to submit to the CRU for the 2022/23 PSO cycle in order to enable the CRU to calculate the PSO levy for the period 1 Oct 2022 to 30 Sept 2023. This document is relevant to suppliers making submission to the 2022/23 PSO levy under both REFIT and RESS schemes.

This document also informs suppliers as to the timelines for submission of this information and outlines recent amendments to the PSO administration process, which suppliers are required to adhere to. These changes will facilitate the CRU's administration of the PSO scheme and ensure that the calculation of the PSO levy is robust, thereby protecting the public interest.

The CRU will calculate the PSO levy and publish a proposed decision paper containing the indicative PSO levy and customer charges by June 2022. There will then be a consultation period during which responses to the proposed decision paper may be sent to the CRU. The final PSO levy and customer charges for the 2022/23 PSO year will be published prior to 1 Aug 2022. These final customer charges will be applied to the bills of electricity customers from 1 Oct 2022, replacing the PSO levy charges that have applied for the 2020/21 PSO year.

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Glossary of Terms and Abbreviations

Abbreviation	Meaning
AER	Alternative Energy Requirement
CEP	Clean Energy Package
CRU	Commission for Regulation of Utilities
DAM	Day Ahead Market
DECC	Department of the Environment, Climate and Communications
DSO	Distribution System Operator
EIC	Energy Identification Code
HE CHP	High Efficiency Combined Heat and Power
ION	Interim Operational Notification
PPA	Power Purchase Agreement
PSO	Public Service Obligation
REFIT	Renewable Energy Feed in Tariff
RESS	Renewable Energy Support Scheme
SEM	Single Electricity Market
SFTP	Secure File Transfer Protocol
TSO	Transmission System Operator

1. Introduction

1.1 The Commission for Regulation of Utilities

The CRU's mission is to protect the public interest in Water, Energy and Energy Safety.

The CRU is guided by four strategic priorities that sit alongside the core activities we undertake to deliver in the public interest. These are:

- Deliver sustainable low-carbon solutions with well-regulated markets and networks
- Ensure compliance and accountability through best regulatory practice
- Develop effective communications to support customers and the regulatory process.
- Foster and maintain a high-performance culture and organisation to achieve our vision

1.2 Purpose of this Document

The CRU has prepared this Notification to Suppliers in order to notify electricity suppliers of their obligations to provide the necessary information to enable the CRU to calculate the 2022/23 Public Service Obligation (PSO) levy.

This Notification is relevant to suppliers making submission to the 2022/23 PSO levy under both REFIT and RESS schemes.

This Notification informs electricity suppliers of the deadlines for submitting PSO applications to the CRU and other key dates for the 2022/23 PSO year (i.e. 1st October 2022 – 30th September 2023).

This Notification also informs electricity suppliers of the process for completing their annual submission of PSO information to the CRU via the CRU's secure portal.

1.3 Structure of Paper

This Notification to Suppliers document is structured as follows:

- **Section 1:** introduction;
- **Section 2:** provides a general background to the PSO and relevant legislation governing the PSO;
- **Section 3:** details suppliers' obligations regarding the submission of PSO information to the CRU, including the provision of estimates, actual outturn data, supporting information and supplier contact details;

- **Section 4:** provides information on use of the CRU's Secure Portal for making PSO submissions to the CRU;
- **Section 5:** identifies key dates for the 2022/23 PSO levy, including the final cut-off date for PSO submissions to the CRU in 2021. Additionally, this section identifies specific information that will be published by the CRU in relation to each supplier/generator;
- **Section 6:** references the relevant arrangements that will be applied for the calculation of the PSO levy;
- **Section 7:** details where queries in relation to this document should be addressed;
- **Annex 1:** contains the CRU Secure Portal Usage Policy to be signed by the supply company representative and returned to PSO@cru.ie; and
- **Annex 2:** contains the CRU Secure Portal User Request Form to be completed and signed by the supply company representative and returned to PSO@cru.ie.
- **Annex 3:** provides detailed guidance notes on the CRU's new multi-factor authentication (MFA) process.

1.4 Related Documents

- CRU/21/045: Arrangements for the Calculation of the PSO Levy: Renewable Electricity Support Scheme and Clean Energy Package
- CRU/20/013: Arrangements for the Calculation of the PSO levy post I-SEM Implementation.
- CRU's Notification to Suppliers: Engagement of Auditors Regarding Certification of the PSO levy (CRU202209a)¹
- [CRU/18/261](#): PSO Withholding Mechanism Decision Paper.
- [CRU/19/126](#): Information Paper – Arrangements for PSO Invoicing and Collection.

¹ The updated Notification to Suppliers is available on the CRU website.

2. Background

2.1 The PSO Levy

The PSO levy is used to fund various schemes designed by Government to support national policy objectives related to renewable energy.²

The PSO levy is charged to all electricity final customers³ in Ireland, and the proceeds are used to compensate the:

- i. additional costs⁴ incurred by market participants in generating or purchasing electricity from PSO-supported generators⁵. In the case of in-market generators, these are the additional costs over and above the revenues received from selling that electricity into the market, and in the case of out-of-market generators, they are the additional costs over and above the avoided cost of buying that electricity from the market; and
- ii. administrative expenses incurred by suppliers, the Distribution System Operator (“DSO”), i.e. ESB Networks, and the Transmission System Operator (“TSO”), i.e. EirGrid, in collecting payment of the PSO levy.

Policy and terms associated with the generators eligible for support from the PSO levy under the various schemes are set out in legislation and documents published by the Department of the Environment, Climate and Communications (DECC) which have also been subject to state aid approval from the European Commission. The CRU has no discretion over the terms of the various schemes. The CRU’s role in relation to the PSO is to calculate the levy and

² Until 2016, the PSO levy supported security of supply policy objectives. The PSO levy also supported national policy objectives in relation to indigenous fuels through the Peat PSO Scheme. This scheme expired at the end of 2019.

³ In accordance with Electricity Regulation Act, 1999, final customer means “a person being supplied with electricity at a single premises for consumption on those premises”.

⁴ “Additional costs” as referenced in the 2002 Order does not define what is meant by such costs other than to state in Article 2(3) of the 2002 Order that they include costs incurred by the Board (i.e. ESB) in complying with its obligations under Article 5(1) and (b) (i.e. Public service obligations for Peat), Article 6A or 6B (i.e. Public service obligation for short-term peaking capacity), Article 6(C) (i.e. CADA), and the costs incurred by a supplier in complying with its obligations under Article 6D (i.e. Public service obligations for REFIT contracts). Under the CRU’s current arrangements for the PSO levy, the relevant market participants are not entitled to recover such additional costs, unless those costs are in accordance with the relevant State Aid Notifications, legislation and the terms and conditions of the relevant schemes.

⁵ Under PSO support schemes such as REFIT, this electricity is procured via Power Purchase Agreements (PPAs) that suppliers (also referred to as off-takers) enter into with electricity generators.

payments in respect of supported generators in accordance with Government policy, and to ensure that the scheme is administered appropriately and efficiently.

Before the start of each PSO year, which runs from 1 October to 30 September, the CRU calculates the PSO levy for that PSO year based on:

- i. An estimate, for the forthcoming PSO year, of the additional costs based on a forecast of the cost of selling or buying from the market using a benchmark wholesale electricity price (“the Ex-ante Benchmark Price”) as determined by the CRU, and an estimate of the generation output determined and submitted to the CRU by the relevant market participant.
- ii. A reconciliation, for the preceding PSO year, of the additional costs actually incurred or deemed to have been incurred, with the estimates made in advance of that PSO year. Thus, for example, the PSO levy calculation carried out by the CRU prior to the start of the PSO year 2020/21 includes a reconciliation of the costs actually incurred or deemed to have been incurred during the PSO year 2018/19 with the estimates made for the PSO year 2018/19 prior to the start of PSO year 2018/19. The resulting reconciliation payments are known as “R-factors” or “R-factor payments”, and may be positive or negative, depending on whether the actual costs incurred or deemed to have been incurred are higher or lower than the estimates. Such differences arise primarily due to differences between the estimated and the actual amount of electricity generated, and between forecast and actual market prices.

The PSO levy is collected from electricity final customers by electricity suppliers. For distribution-connected customers, the levy collected by electricity suppliers is passed to the Distribution System Operator (DSO – ESB Networks) and then from the DSO to the Transmission System Operator (TSO - EirGrid), while for transmission-connected customers the levy is passed directly to the TSO. The TSO pays out the appropriate PSO amounts, as instructed by the CRU, to the relevant market participants.

2.2 Legislation Governing the PSO Levy

Electricity Regulation Act 1999

Section 39 of the Electricity Regulation Act 1999, as amended (“the Act”), gives the Minister the power to direct, by order, the CRU to impose obligations on holders of licences or authorisations in relation to security of supply, environmental protection and use of indigenous energy sources, including the collection of a levy from final customers. In accordance with Schedule 2 of the Act, the calculated PSO levy is allocated annually across three categories of electricity customer (i.e. Domestic Accounts, Small Accounts & Medium-Large Accounts)⁶ based on the maximum demand in respect of each category, as a proportion of the sum of the three maximum demand figures. The attribution of the maximum demand in respect of each category of electricity account is carried out by the DSO for each PSO year, in accordance with Section 39 (5A) (b) of the Act. CER/17/073⁷ provides further details.

The 2002 Order

The Electricity Regulation Act 1999 (Public Service Obligations) Order 2002 (Statutory Instrument No. 217 of 2002) (as amended) (“the 2002 Order”) sets out more detail in relation to issues such as:

- PSO Calculations
- Duties of suppliers
- Duties of the DSO
- Duties of the TSO
- Duties of final customers
- Recovery of contract debt

The 2002 Order has been amended by successive S.I.s to provide for the recovery of costs under the PSO for such schemes.

⁶ In accordance with Schedule 2 of the 1999 Act, Domestic Accounts means electricity accounts held by final customers and identified by the DSO as liable for distribution use of system charges at the rate for urban domestic customers or the rate for rural domestic customers. Small Accounts means electricity accounts held by final customers which are not Domestic Accounts or Medium-Large Accounts, while Medium-Large Accounts means electricity accounts held by final customers which, in respect of each such account, the DSO certifies as having a maximum import capacity of not less than 30kVA.

⁷ Decision on ESB Networks’ Updated PSO Levy Cost Allocation Methodology.

3. Supplier Information Requirements

In order to enable the CRU to calculate the 2022/23 PSO levy, suppliers are obliged to provide the information detailed in this section to the CRU, using the specified templates. Spreadsheet templates will be available for suppliers to download from the CRU's Secure Portal for the purpose of making PSO submissions (see Section 4 of this Notification for further detail regarding the CRU's Secure Portal). Each subsection within this section specifies the specific information required from suppliers making PSO submissions under both the RESS and REFIT schemes.

The CRU notes that a new portal for submissions is created each year and consequently, suppliers must submit and complete new Portal Access Forms each year. Additionally, the CRU will continue to require the submission of an EIC code for each PSO supported project. **A unique EIC code must be submitted for each RESS and REFIT supported project.** Information on how to obtain EIC codes can be found on the [EirGrid Website](#).

3.1 Outturn for the Period 1-Oct-20 to 30-Sept-21

REFIT Outturn Submissions

The template “[SUPPLIER NAME] REFIT Outturn Template 2020-21” should be used to submit the actual additional costs and administrative expenses⁸ incurred due to the purchase of PSO (REFIT) supported generation in the 2020/21 PSO year⁹. Submission templates should not be amended by suppliers and only the most up-to-date submission templates (uploaded to that years portal) should be used to submit information.

Suppliers are required by legislation to submit an auditor's certificate verifying their annual outturn figures. In advance of the 2022/23 PSO cycle, the CRU is publishing an updated Notification to Suppliers (CRU202209a) regarding the certification of suppliers' PSO costs, including the role of independent auditors. This document will set out the CRU's requirements

⁸ The mechanism for the settlement of suppliers' administrative expenses is for the Distribution System Operator to deduct monthly 1/12th of the CRU-allowed administrative expenses of each supplier from the aggregated PSO Levy charges collected monthly by the supplier and to pay the net amount to EirGrid (see paragraph 10 of Schedule 2 of S.I. No. 217 of 2002). Refer to CRU/19/126 regarding arrangements for PSO invoicing and collection for further detail.

⁹ The submission of outturn costs for a generator is only applicable for suppliers who submitted estimates for the 2020/21 PSO year and where the project is included for that PSO year in the PSO Order.

with respect to the engagement of auditors for the certification of PSO REFIT costs and eligible administrative expenses. These new measures apply with immediate effect including submissions for outturn costs from the 2020/21 PSO year as are required to be submitted for the 2022/23 PSO levy. This updated document is only applicable to REFIT suppliers making ex-post submissions for the 2020/21 PSO year in 2022.

RESS Outturn Submissions

Not yet available, refer to Section 6.

3.2 Estimates for the Period 1-Oct-22 to 30-Sept-23

REFIT Ex-Ante Estimate Submissions

The template “[SUPPLIER NAME] REFIT Estimates Template 2022-23” should be used to submit estimates of the generation expected to occur for each PSO (REFIT) supported project in the 2022/23 PSO year.

RESS Ex-Ante Estimate Submissions

The template “[SUPPLIER NAME] RESS Estimates Template 2022-23” should be used to submit estimates of the generation expected to occur for each PSO (RESS) supported project in the 2023/23 PSO year.

Where a generator is expected to commence production during the 2022/23 PSO year, the supplier shall provide a realistic date as to when RESS support is forecast to start. The CRU should be notified immediately by the supplier as soon as any significant change to the forecasted start date or the forecasted production becomes apparent.

3.3 Supporting Information

REFIT - Supporting Information Requirements

Where applicable, a supplier must provide:

- i. Details of the methodology used for calculation of the renewable fraction(s) of biomass;
- ii. Valid HECHP certificate. Please refer to Section 5.6 for further clarity on the definition of a valid HECHP certificate.
- iii. Independent Waste-to-Energy Report is required for each Waste-to-Energy plant making an ex-post submission in 2022.

RESS - Supporting Information Requirements

As part of a supplier's RESS submission, proof of the following for all new generation projects must be provided:

- i. Letter of Offer from DECC.
- ii. Power Purchase Agreement executed with a valid licensed supplier.
- iii. Valid supply licence (where the supplier is also new to the PSO).
- iv. Proof that the generation project will likely commence generation in the forthcoming PSO year (i.e. 2022/23) – refer to Section 5.3 for further information.

The CRU notes that it can take time to obtain these supporting documents, and suppliers (especially new suppliers) are therefore encouraged to ensure that they have this documentation in place by the cut-off date for submissions.

3.4 Contact Details

The template “[SUPPLIER NAME] PSO Contact Details” should be used to submit contact details. These details will be used by the CRU for all PSO related communication and will also be passed on to EirGrid, who will use them to obtain bank details from the supply company for transfer of the PSO payments.

The CRU notes that multiple contacts may be provided, but at least one must be a direct contact within the supply company, and not an agent. It is the responsibility of the supply company to ensure that the contact details the CRU has are correct and up to date.

4. Submissions via Secure Portal

All PSO submissions must be made via the CRU's Secure Portal. No submission files will be accepted by email. The CRU Secure Portal is a dedicated Secure File Transfer Protocol (SFTP) server. To access this portal, suppliers must complete and return the two forms contained within Annex 1 and 2 of this document. The completed forms must be submitted by email to PSO@cru.ie by the 14 February 2022. Where applicable, the CRU will accept one copy of both forms from companies that manage PSO submissions for multiple suppliers.

The CRU notes that a new portal for submissions is created each year and consequently, suppliers must submit and complete new Portal Access Forms each year.

Once these forms have been received, suppliers will be provided with their portal login details by phone. Suppliers can then use these login details to access a dedicated folder on the portal where they can upload their PSO submission. This dedicated folder may only be accessed using the confidential details provided by the CRU, to the supplier. Note that a **multifactor authentication process is in place** for the CRU's Secure Portal. Detailed guidance on this process can be found in Annex 3 of this document.

Each supplier's dedicated folder on the portal will consist of

- i. A RESS submission subfolder
- ii. A REFIT submission subfolder.
- iii. A supplier contact details template entitled [SUPPLIER NAME] PSO Submission Contact Details.

If a supply company is making a submission in relation to REFIT or RESS only, they may ignore the subfolder that is not applicable to them. Each supplier's contact details template should be completed and uploaded to the portal **by 26 February 2022**.

REFIT Subfolder

Each supplier's REFIT subfolder is pre-populated with 3 templates, listed below. A document is also provided that gives instructions in relation to the supporting information required.

The following REFIT templates are provided in each supplier's REFIT subfolder:

- [SUPPLIER NAME] REFIT Outturn Template 2020-21.
- The auditor's certificate work programme template.
- [SUPPLIER NAME] REFIT Estimates Template 2022-23.

Further detail on the timelines for submissions to the 2022/23 PSO levy under REFIT is provided in Section 5.

RESS Subfolder

Each supplier's RESS subfolder within the portal is pre-populated with a single template for completion:

- [SUPPLIER NAME] RESS Estimates Template 2022-23

A document is also provided that gives instructions in relation to the supporting information required.

The RESS Estimates Template must be completed by the supplier and reuploaded to the portal by the PSO submission deadline of 1 May 2022.

5. Submission Process for the 2022/23 PSO Levy Year

This section specifies the process for the submission of the information set out in section 3. The onus is on all suppliers – both new and existing – to inform themselves of the requirements set out in this Notification to Suppliers and of the key dates that apply.

The Secure Portal Usage Policy and Secure Portal Request Form, provided in Annex 1 and Annex 2 of this document, must be completed and returned to the CRU by the 14th February, 2022.

The deadlines stated below are for both REFIT and RESS schemes as applicable.

5.1 Multi-gate submission process

The CRU will apply a 2-gate submission process for PSO costs submissions to the 2022/23 PSO cycle. These submission deadlines are outlined below.

- **Gate 1 outturn:** 31ST March 2022. This is the final deadline for suppliers to upload all of the following items to the Secure Portal:
 - Completed [SUPPLIER NAME] REFIT/RESS Contact Details
 - Completed [SUPPLIER NAME] REFIT Outturn Template 2020-21
 - Auditor's certificate, including completed work programme template

- **Gate 2 ex-ante:** 1st of May 2022. This is the final deadline for suppliers to upload all of the following items to the Secure Portal:
 - Completed [SUPPLIER NAME] REFIT/RESS Estimates Template 2022-23
 - All items specified in section 3.3 (if applicable)

Gates 1 and 2 gates are final deadlines for the information specified above. These deadlines will be applied as hard cut-off dates. This is to ensure the efficient administration of the PSO Levy calculation, especially given the increasing number of suppliers making submissions.

Any submissions that are incomplete on these two dates may not be included in the CRU's 2022/23 PSO Levy decision paper and will not receive PSO payments in the 2022/23 period. The CRU requires that all the data and supporting information associated with each supplier's PSO submission be received by the CRU via the Secure Portal by the relevant gate.

After the Gate 1 deadline, each supplier's edit rights to its 'gate 1' subfolder on the Secure Portal will be removed. The supplier will continue to have visibility of this part of its submission but will not be able to amend or add to it.

After the Gate 2 deadline, each supplier's edit rights to its 'gate 2' subfolder on the Secure Portal will be removed. The supplier will continue to have visibility of this part of its submission but will not be able to amend or add to it.

For the avoidance of doubt, both gates 1 and 2 are hard cut-offs. The responsibility for ensuring that a submission is complete rests with the supplier.

5.2 Exceptional Circumstances

In cases where a submission of estimates has already been received by 1 May 2022, the CRU will consider accepting amendments or additions to that submission under the following exceptional circumstances:

1. Where there has been a material change in circumstance or a material error has been identified in a previously received submission; or
2. Where the delay in fully completing the PSO submission by the supplier is clearly shown by the supply company (and accepted by the CRU) to be caused by an external party or events beyond the Supplier's control.

5.3 Withholding of PSO Payments

In December 2018, the CRU published a Decision Paper (CRU/18/261), which confirmed that the CRU will apply a withholding mechanism to PSO payments in respect of generation projects that have failed to provide proof of meeting a specific milestone in terms of generation commencement. The CRU will continue to apply the withholding mechanism to both RESS and REFIT payments made to the 2022/23 PSO levy as deemed appropriate.

For generation projects connecting to the distribution system, the appropriate proof of milestone is the provision of proof of payment of third stage connection charges. The appropriate proof of milestone for generation units connected to the transmission network is the provision of an Interim Operational Notification (ION). Proof of reaching the relevant milestones shall be provided to the CRU by the supplier before PSO payments will be initiated.

5.4 Other Key Dates

The indicative PSO levy will be published in the CRU's proposed decision paper circa June 2022. Indicative PSO payment statements will be issued to each supply company by the CRU, following the publication of this proposed decision.

The CRU will publish its decision paper on the final PSO levy by 1 August 2022. Final PSO payment statements will be issued to each supply company from the CRU in October 2022. Both indicative and final PSO statements will be issued to suppliers via the CRU's PSO secure portal. A more detailed timeline for the 2022/23 PSO is outlined in Table 5.1 below.

Table 5.1: Timeline for 2022/23 PSO Levy

Date	Stage of Process
4th Feb 2022	Publication of notification to suppliers
14 th February 2022	Completed Secure Portal Request Form and Secure Portal Usage Policy, to be received by the CRU (in electronic form).
Prior to End of February 2022	CRU to provide login details to supplier for Secure Portal (by phone) SEMO publish Deemed Market Price Data
31 st March 2022	Gate 1 deadline (hard cut-off for Outturn Template & Certification Pack)
1st May 2022	Gate 2 deadline (hard cut-off for Estimate Templates)
June 2022	ESBN provide PSO cost allocation model to CRU (indicative)
June 2022	CRU to publish proposed decision paper on indicative PSO levy. Indicative PSO statements issued to each supply company.
Early July 2022	ESBN provide PSO cost allocation model to CRU (final)
By 1 st August 2022	CRU to publish decision paper on final PSO levy.
October 2022	PSO final statements issued by CRU to each supply company.
Q4 2022	Annual S.I. amending the PSO Order 2002 and listing all projects eligible for support under the 2022/23 PSO levy to be published by DECC.
November 2022	The first of 12 monthly PSO payment is transferred to suppliers by EirGrid.

5.5 Publication of Data

In recent years, the CRU has published an increasing amount of data in relation to its calculation of the PSO levy. The purpose of this has been to increase transparency in the CRU's calculation of the PSO levy. In Annex 1 of the 2021/22 PSO Decision paper ([CRU/21/077a](#)), the CRU published data in relation to actual PSO costs, estimated and actual REFIT generation and R-Factor payments. The CRU will continue to publish this data alongside future PSO Decision Papers. Where applicable, the CRU may also publish similar data in relation to its calculation of RESS payments under the PSO.

5.6 HECHP Certification

In accordance with the CRU's Arrangements for Calculating the PSO levy ([CRU/20/013](#)), the CRU requires that a supplier's annual PSO submission (when contracted with a HE CHP generator that is supported under the PSO) include a valid HE CHP certificate issued by the CRU covering the period to which the outturn calculations relate.¹⁰ If a valid certificate is not provided, only the appropriate non-CHP rate for that technology will be paid.

5.7 Market Registration Clarification

In 2020, the CRU received a number of queries from REFIT suppliers in relation to whether REFIT support can be paid for generation that occurs prior to a supplier or a generation unit being registered in the SEM. The CRU notes that REFIT support can only be paid for output that is made available to, and purchased by a REFIT contracted supplier, from a REFIT supported generation unit. It is the CRU's position that actual PSO costs cannot be claimed by a supplier prior to the relevant parties completing the market registration processes, and it is the responsibility of the supplier/generator to ensure that they are registered accordingly in order to receive PSO support.

5.8 PSO Administrative Expenses

In accordance with the CRU's latest Certification Pack for the PSO levy, suppliers are required to provide a breakdown of the administrative expenses they are claiming under the PSO levy. While such cost claims are relatively small and typically relate to the supplier's cost of obtaining an auditor report, the CRU notes that some suppliers have sought to recover higher amounts as an administrative expense. In accordance with the CRU's latest Certification Pack for the PSO levy, suppliers are required to provide a breakdown of the administrative expenses they are claiming under the PSO levy. While such cost claims are relatively small and typically relate to the supplier's cost of obtaining an auditor report, the CRU notes that some suppliers have sought to recover higher amounts as an administrative expense. The CRU will continue to monitor the reasonableness of such cost claims, and notes that the onus is on the supplier to justify such claims to the CRU. In the event that CRU considers a supplier's administrative

¹⁰ Note: Planned plant certificates remain valid until 14 months after commissioning for the purposes of CHP plants to be able to collect operational/performance data (12 months) and to submit the relevant data to the CRU's HECHP Team for the performance certification. Once a CHP plant receives a performance certificate, the ex-post REFIT payment is updated to reflect the performance certificate (i.e., a Planned Plant Certificate cannot be used to calculate outturn REFIT costs & the supplier should not assume a generator unit is 100% certified on the basis of a Planned Plant Certificate). All queries relating to HECHP Certification should be emailed to hechp@cru.ie.

expense claim to be unreasonable and/or excessive (taking account of various factor's including a supplier's historical administrative expense claims, and other comparable suppliers' administrative expenses claims), the CRU will not be in a position to permit the recovery of such costs.

In addition, effective immediately suppliers seeking to recover audit expenses are required to provide a copy of the accounting invoice for audit expenses incurred in the course of preparing a report of factual findings on PSO outturns. A copy of the invoice must be submitted via the CRU portal, as part of the PSO outturn submission.

With reference to the payment of administrative expenses, and in accordance with the relevant PSO legislation, the CRU notes that suppliers are not paid their administrative expenses directly. Instead, these expenses are netted off against PSO monies collected by that supplier from their customers, to be passed on to the DSO. The CRU notes that there is no legislative basis for a supplier to recover administrative expenses in the event that the amount collected by supplier from final customers is less than their administrative expenses. Consequently, the CRU's PSO arrangements do not enable a supplier to recover any net credits that appears on their PSO account with ESB Networks.

5.4 Changes to Power Purchase Agreements

Any changes to parties contracted to a PSO related Power Purchase Agreements (PPAs) shall be notified to the CRU no later than 1ST May 2022 in the event that it is to be reflected in the 2022/23 PSO cycle.

The notification of such a change must be accompanied by evidence of:

- New Power Purchase Agreement executed with a valid licensed supplier.
- Valid supply licence (where the supplier is new to the PSO).

The CRU should be notified by the relevant market participant via email to PSO@cru.ie.

5.5 Changes to Suppliers' Bank Details

In order to change the bank details associated with PSO payments, suppliers should make a formal request to the TSO. This request should include the supply company name, name of the bank(s) used, and updated IBAN. Any requests for changes to bank details should be submitted to the TSO on headed company paper.

Requests to the TSO should be submitted to regulation@EirGrid.com.

6. Arrangements for the Calculation of the PSO Levy

The CRU notes that following the publication of CRU Decision Paper (CRU/21/045) “Arrangements for Calculation of the PSO Levy: Renewable Electricity Support Scheme and Clean Energy Package”, the SEM Committee has not yet finalised its decision on the implementation of the Clean Energy Package and the interpretation of Article 13.

Consequently, the CRU’s PSO Arrangements for the 2022/23 PSO year will not be updated prior to supplier’s submitting their 2020/21 outturn costs as part of the 2022/23 PSO cycle. In the event that the CRU’s PSO Arrangements need to be amended to reflect the SEM Committee decision on the Clean Energy Package it will be communicated to suppliers accordingly. If applicable, any compensation which may be due to a supplier as a result of the SEM Committee decision and subsequent CRU decision regarding its PSO arrangement may be retrospectively claimed through subsequent annual PSO cost submissions.

Given the CRU’s decision to defer making any amendments to current PSO arrangements the RESS 1 Support Ex-post Calculations have not yet been finalised as these arrangements could potentially be affected by the upcoming SEMC decision. The CRU notes that based on the energisation dates (as provided by the supplier) for RESS projects, the CRU is not anticipating large volumes of RESS ex-post submissions relating to the 2021/2022 PSO year. In the event that a supplier needs to make a RESS outturn cost submission for the 2020/21 PSO year, the CRU intends progressing such a reconciliation in the 2023/24 PSO cycle. Notwithstanding, such suppliers should liaise with the CRU’s PSO Team accordingly during the 2022/23 PSO cycle

7. Queries

Queries in relation to the information in this document should be addressed to PSO@cru.ie. Any queries in relation to a generator's eligibility for acceptance into a REFIT support scheme or RESS support scheme should be addressed to the DECC.

ANNEX 1: CRU Secure File Transfer Portal Usage Policy

Portal Guidelines

A secure file transfer portal has been put in place by the CRU to facilitate the sharing of files and documentation between stakeholders.

This secure file transfer portal usage policy applies to all internal and external stakeholders. Use of the secure file transfer portal by stakeholders is permitted and encouraged anywhere such use supports the goals and objectives of the CRU.

All stakeholders, having received their official username and passwords firstly from the CRU ICT Department must confirm receipt of this policy and confirm that they have understood and agree to abide by the rules hereunder.

To govern its use this policy has been approved by CRU Operations division. Anyone using this facility must abide by this usage policy.

Secure Portal Usage Policy

- Stakeholders are expected to use the secure file transfer portal responsibly and productively.
- Stakeholders must use the portal for CRU related functions only. Documents unrelated are not to be uploaded to the secure file transfer portal.
- All documentation that is uploaded and resides on the portal, falls under Freedom of Information legislation unless deemed commercially sensitive or legally privileged.
- The CRU ICT Dept. will manage and maintain the portal in order to ensure that this policy is being adhered to and will take the necessary steps if acceptable use guidelines are breached.
- Documents uploaded to the shared portal should not contain content that is deemed to be offensive. This includes, but is not limited to, the use of vulgar or harassing language/images.
- The uploading of documents for use between stakeholders which is unrelated to the CRU is strictly prohibited.
- In uploading information to the secure file transfer portal, stakeholders are responsible for ensuring they are compliant with the policy guidelines and all relevant laws, including but not limited to the General Data Protection Regulation (GDPR), 2018. Stakeholders are responsible for the information they upload, and the CRU is in no way liable for any information uploaded to the portal that is inappropriate, illegal or unauthorised.
- The CRU secure file transfer portal should not be used for long term file storage. All files older than 3 months will be removed by the ICT Dept. without notification. Period of retention is set @ 3 months. If separate arrangements have been agreed, then please specify.
- A user's credentials must not be shared with any other persons, including individuals within the same organisation, or external consultants working on behalf of the organisation.

Multi-Factor Authentication:

To ensure all information is protected whilst stored on the CRU secure portal, all users must apply multi-factor authentication (MFA). Detailed guidance notes are attached to assist. The use of multi-factor is mandatory and must be configured at first login. Users who do not apply MFA, will have their accounts automatically suspended without notice.

Unacceptable use of the secure portal by stakeholders includes, but is not limited to:

- Uploading discriminatory, harassing, or threatening messages or images on the secure portal,
- Stealing, using, sharing or disclosing someone else's username & password,
- Uploading information that is defamatory to another stakeholder company, its products/services, colleagues and/or customers,
- Uploading malicious software onto the secure portal and/or jeopardising the security of the CRU system,
- Uploading chain letters, solicitations, or advertisements,
- Using the Secure portal without MFA applied.

If a stakeholder is unsure about what constitutes acceptable usage, then he/she should ask the CRU ICT Dept. for further guidance and clarification.

All terms and conditions as stated in this document reflect an agreement of all parties and should be governed and interpreted in accordance with the policies and procedures mentioned above. Any user violating these policies may have their access privileges revoked, without notice.

Password Policy

The CRU reserves the right to change the user's portal passwords without notice in accordance with the internal CRU Password Policy or if the CRU suspects a security breach. All password changes will be notified to the user by the CRU.

User compliance

I understand and will abide by this Secure File Transfer Portal Usage Policy. I further understand that should I commit any violation of this policy; my access privileges may be revoked.

Stakeholder:

Date:

I understand the importance of applying the Multi-factor Authentication and confirm that I confirm that I have configured same.

Please tick here →

ANNEX 2: CRU Secure Portal User Request Form

CRU Secure File Transfer Portal

PERSONAL DETAILS: All Fields are mandatory, except where highlighted *

Name:	<input type="text"/>
Email Address:	<input type="text"/>
Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Public IP Address:	<input type="text"/> * (If Available)
Reason/purpose for which you are requesting Access:	<input type="text"/>

Requested by: _____ **Date:** _____

The CRU requests your consent to process and retain this data for the express function for that which this form is created, conforming to current GDPR Regulations. **Please tick here** →

PROFILE DETAILS: (CRU Use Only)

Folder Access:	<input type="text"/>
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(Please specify existing folders or new folders that the new user will require access too.)

Access Rights:	Read → <input type="checkbox"/> Read + Write → <input type="checkbox"/>
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(Please tick that which applies)

Specify the Department/Division Requesting Access:	<input type="text"/>
--	----------------------

Dates Access Required From:	14/03/2022
Dates Access Required To:	14/10/2022

Note:
 Period of retention is set @ 3 months.
 If separate arrangements have been agreed please specify:

Configured by: _____ **Date:** _____

ICT Administrator

Approved by: _____ **Date:** _____

ICT Manager/ ICT Technical Analyst

ANNEX 3: FTP Portal Access:

The CRU has applied an additional layer of security to its File Transfer Protocol (FTP) Server for all internal staff and external clients looking to gain access to the terminal server. This is a prerequisite for parties looking to gain access.

Before you can gain access to the existing account, you are required to have a smart phone application downloaded, called 'Goggle Authenticator', from either the Google Play or the Apple Store for free. Otherwise known as a Multifactor Authentication providing an additional layer of security to the systems used.

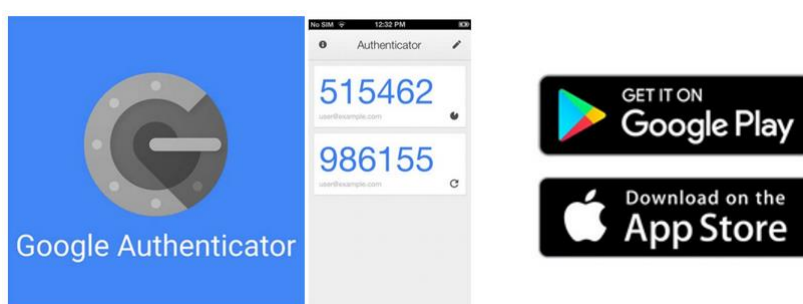


Image 1: Goggle Authenticator

Once installed you can gain access to the portal is via the URL below, enter it into your browser

<https://portal.cer.ie/login>

You will be presented with the login screen that you will have been given the **Username** and **Password** for when you first requested access to the portal from the CRU. (access to the CRU portal will only be granted once you have completed the user agreement declaration form). Then please selected **Sign in**.

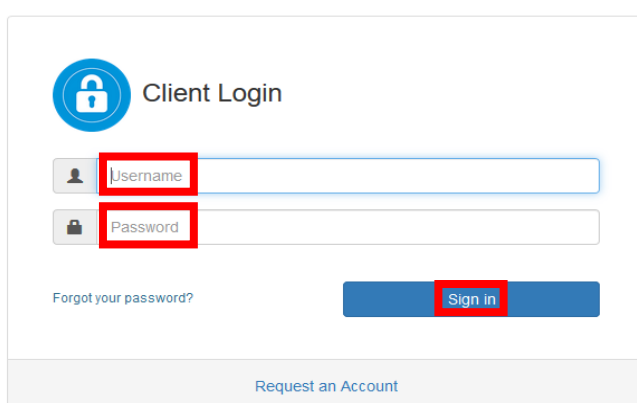


Image 2: Client login Screen

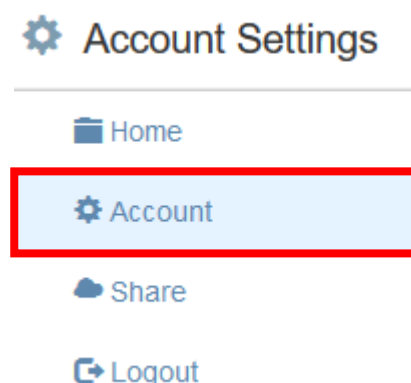


Image 3: Account

Go to the Account Tab and prepare to enable the 2FA via the Goggle Authenticator App which must be set up in advance

On the next screen you will be presented with the level of security that ensures that you the User can will be provided access to the server. Select the green button that asks you to 'Enable 2 Factor'.

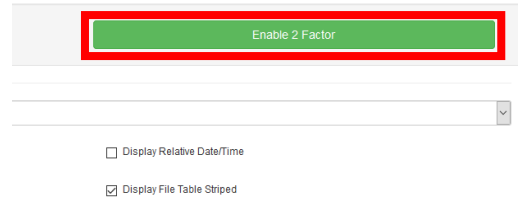


Image 4: Enabling 2FA

You will be prompted to Enable 2 Factor Authentication, once you have read, and understand the commentary, then select 'Enable'.

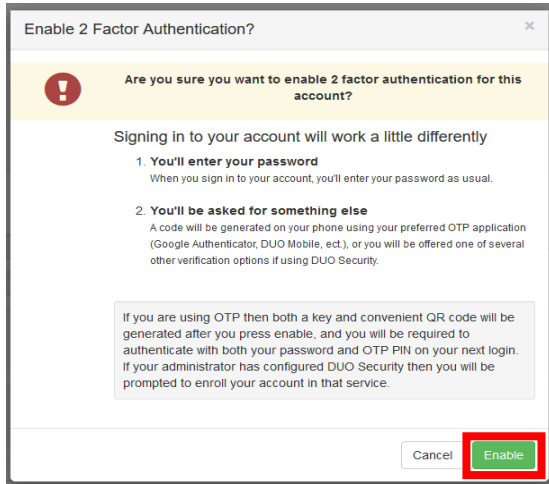


Image 5: Further enabling of the 2FA

A QR code (bar code below) will present itself.



Image 6: QR Code

Now returning to your smart phone open the Google Authenticator app and select the red circle at the bottom of the screen, to add the CRU Portal to the smart phone app.

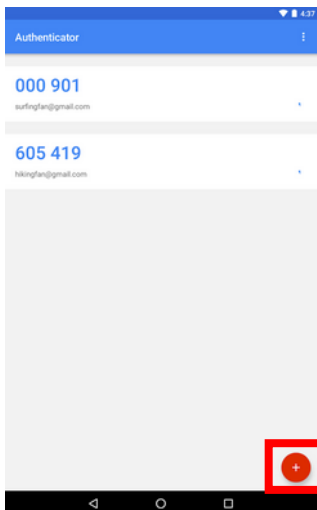
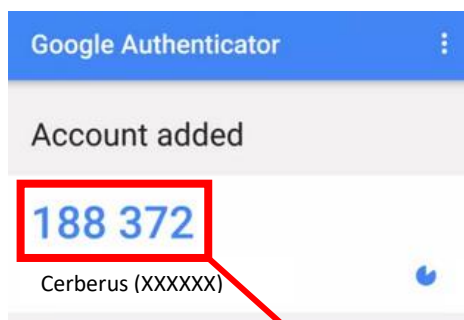


Image 7: Portal addition to 2FA

Your smart phone will turn on your camera, the objective is to now place the QR code between the cross hairs. This will then activate the link between the smart phone and your acces to the CRU portal.



Image 8: scanning of the QR Code



Once the link has been created a six-digit PIN will be cycled through the Google Authenticator every 30 seconds which you will need to provide before you can gain access to the portal. For the first time you will be asked on the same webpage to enter in your first six-digit PIN code, (as shown below).

Image 9: Portal PIN creator

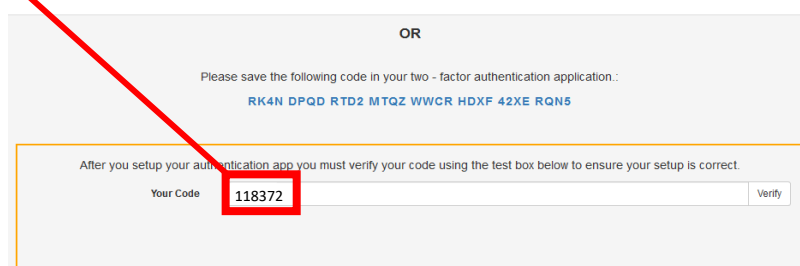


Image 10: Portal PIN creator

Now when you go back to the Portal URL <https://portal.cer.ie/login> again, and enter your Username and Password, (same as the one provided earlier), and sign in again.

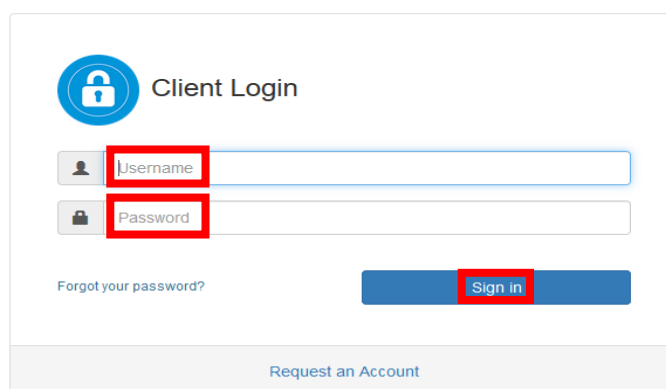


Image 11: Client login Screen

You will be asked to verify your login details with the six-digit pin that will be provided to you on your smart phone within the Google Authenticator app. (see screen shot below) then select 'Sign In'.

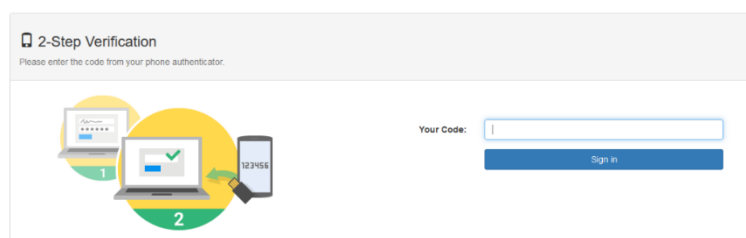


Image 12: Authentication Screen

You will then have full access to the folder created for you by the CRU ICT Administrator.