



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

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

# Enduring Connection Policy Stage 1 (ECP-1)

## Proposed Ruleset

**Annex I** to the ECP-1 Proposed Decision

**Reference:** CRU/17/310

**Date Published:** 02/11/2017

**Closing Date:** 15/12/2017

# 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>5</b>
<b>2. Treatment of new and existing generation or storage connection applicants under ECP-1</b> .....	<b>6</b>
<b>2.1 New applicants</b> .....	<b>6</b>
<b>2.2 Existing applicants</b> .....	<b>6</b>
2.2.1 Non-GPA applicants in process .....	6
2.2.2 Applicants with live connection offers.....	7
2.2.3 Non-GPA queued applicants .....	8
2.2.4 Other applicants.....	9
<b>2.3 New applicants with MEC greater than 11kW and less than or equal to 250kW</b> .....	<b>10</b>
<b>2.4 New qualifying trial projects less than or equal to 500kW</b> .....	<b>11</b>
<b>2.5 Autoproducers</b> .....	<b>11</b>
<b>3. Eligibility criteria for all new applications under ECP-1</b> .....	<b>12</b>
<b>3.1 Application form</b> .....	<b>12</b>
3.1.1 Eligibility declaration.....	13
<b>3.2 Application fee</b> .....	<b>14</b>
<b>3.3 Evidence of valid planning permission</b> .....	<b>14</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. Total thresholds for applications</b> .....	<b>18</b>
4.1 DS3 thresholds .....	18
<b>5. Prioritisation of applications</b> .....	<b>19</b>
5.1 DS3 prioritisation.....	19
<b>6. Process</b> .....	<b>20</b>
6.1 Processing steps .....	20
6.2 Timelines.....	22

<b>7. Charging policy</b> .....	<b>23</b>
7.1 Offer dependency .....	23
7.2 Shared bonding .....	23
7.3 Contracted projects coming off-hold status.....	24
7.4 Charging policy for storage .....	25
<b>8. Longstop dates</b> .....	<b>26</b>
<b>9. Non-firm access</b> .....	<b>27</b>
<b>10. Changes to COPP</b> .....	<b>28</b>
<b>11. Interactions</b> .....	<b>31</b>
<b>12. Non-batch process</b> .....	<b>32</b>
12.1 Applicable sections of the ECP-1 ruleset.....	32
12.2 Non-batch thresholds.....	32
<b>13. 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>ABP</b>	An Bord Pleanála
<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 for applications</b>	the last day to apply for the 2018 batch; The closing date has been set at two months after the publication of the final decision on ECP-1.
<b>COPP</b>	Connection Offer Policy and Process
<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>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>fees and clarifications received deadline</b>	see “batch qualified”
<b>kW</b>	kilowatt
<b>MEC</b>	maximum export capacity

<b>MW</b>	megawatt
<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="#">Received Complete Date for Generators</a> ruleset, June 2012.
<b>qualifying trial process</b>	A mechanism where potential DS3 system services providers have the opportunity to demonstrate the capabilities of new unproven technologies.
<b>qualifying trial project</b>	project qualifying under the qualification trial process
<b>TSO</b>	transmission system operator (EirGrid)
<b>TUoS tariffs</b>	transmission use of system tariffs

# 1. Applicability and exceptions

The enduring connection policy - stage 1 (ECP-1) applies to all new applications for connection to either the transmission or distribution systems, with the following general exceptions.

ECP-1 does not apply to:

- Demand connections
- Micro-generation<sup>1</sup>
- Interconnection

---

<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 new and existing generation or storage connection applicants under ECP-1

The ECP-1 connection process applies to new and existing generation or storage connection applicants according to the rules set out in this section.

### 2.1 New applicants

Applicants who have no existing grid connection application as of the date of publication of the ECP-1 proposed decision (“new applicants”) shall be subject to the entire ECP-1 ruleset set out in this document. For the avoidance of doubt, any new applications that are not successful in the 2018 batch shall be returned to the applicant i.e. they will not form part of a queue for a future batch.

### 2.2 Existing applicants

#### 2.2.1 Non-GPA applicants in process<sup>2</sup>

“Non-GPA applicants in process” are, as of the date of publication of the ECP-1 proposed decision, those applicants that:

- applied for a grid connection under CER/09/099;<sup>3</sup> and
- are currently first at the node; and
- their application is currently being processed by the system operators i.e. they have paid the balance of application fees as of the date of publication of the proposed ECP-1 decision; and
- have been scheduled to receive a connection offer.

---

<sup>2</sup> In cases where there is a queue of existing applicants at a node and the preceding applicant has either received and accepted a connection offer (or it has expired or has been formally rejected), the relevant system operator may deem the next applicant in the connection queue to be an applicant in process provided that the balance of all application fees required is paid within 30 business days of the issuance of the invoice by the relevant system operator.

<sup>3</sup> CRU decision on the *Treatment of Small, Renewable and Low Carbon Generators outside the Group Processing Approach* available on [www.cru.ie](http://www.cru.ie).

Non-GPA applicants in process will continue to receive a connection offer as per CER/09/099 unless they request to be processed under ECP-1 as per ECP-1 final decision. In this latter case, they will not be subject to any of the additional requirements for new applicants under ECP-1. In particular, they will not be required to have planning permission in order to be processed under ECP-1.

The system operators will write to the relevant applicants to offer the option to suspend processing of their application under CER/09/099, pending the ECP-1 final decision.<sup>4</sup> Applicants will have 20 business days to respond to the system operator's letter.

**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 under CER/09/099.**

Those applicants who decide to suspend processing of their applications under CER/09/099 will be given sufficient time period of **no less than one month from the publication of the ECP-1 final decision**, in order to familiarise themselves with the ECP-1 final ruleset and make an informed decision whether they want to be processed under ECP-1 or continue to be processed under CER/09/099.

To this aim, following the publication of the ECP-1 final decision, the system operators will **again** write to those applicants who decided to suspend processing of their applications, setting out their options under the ECP-1 final decision. The applicants will then be requested to exercise one of those options within a timeframe specified in that second letter. This timeframe will not be shorter than one month following the ECP-1 final decision.

**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 and such a decision is irreversible.**

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 publication of this proposed decision.

### **2.2.2 Applicants with live connection offers**

Applicants who, at the time of publication of this proposed decision, have live connection offers shall have the option to accept their offer under CER/09/099 or to request to be processed for connection under ECP-1 as per the ECP-1 final decision. In this latter case, they shall not be subject any of the

---

<sup>4</sup> As per CRU direction to the system operators issued today, 2 November 2017 (ref: D/17/19787).



additional requirements for new applicants under ECP-1. In particular, they shall not be required to have planning permission in order to be processed under ECP-1.

The system operators will write to the relevant applicants to offer the option to suspend acceptance of their offers under CER/09/099, pending the ECP-1 final decision.<sup>5</sup> Applicants will have 20 business days to respond to the system operator's letter.

**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 under CER/09/099.**

Those applicants who decide to suspend acceptance of their offer will be given sufficient time period of **no less than one month from the publication of the ECP-1 final decision**, in order to familiarise themselves with the ECP-1 final ruleset and make an informed decision whether they want to be processed under ECP-1 or accept their offer under CER/09/099.

To this aim, following the publication of the ECP-1 final decision, the system operators will **again** write to those applicants who decided to suspend acceptance of their offer, setting out their options under the ECP-1 final decision. The applicants will then be requested to exercise one of those options within a timeframe specified in that second letter. This timeframe will not be shorter than one month following the ECP-1 final decision.

**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 and such a decision is irreversible.**

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 publication of this proposed decision.

### **2.2.3 Non-GPA queued applicants**

"Non-GPA queued applicants" are applicants who, by the date of publication of this proposed decision, have applied for a grid connection under CER/09/099 and are currently in a queue at a node waiting to be processed by the relevant system operator. If non-GPA queued applicants decide to apply for a connection under ECP-1 after the final decision on ECP-1 has been published, they may do so while retaining their received complete date.<sup>6</sup> They will not be required to submit a new initial application fee. However, all the other ECP-1 rules will apply to them,

---

<sup>5</sup> As per CRU direction to the system operators issued today, 2 November 2017 (ref: D/17/19787).

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

including the planning permission requirement and the requirement to pay the appropriate balance of application fees 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 final decision and 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 processed under ECP-1 with the same maximum export capacity (MEC), location etc. as their existing grid connection application. If application is not successful in being processed under ECP-1, it shall be deemed to be withdrawn.
- **Option 2** - Request the system operators to keep the application on file retaining their received complete date.<sup>7</sup> Please note that under ECP-1 the 2018 batch takes priority over the existing non-GPA process 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 would 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 indicated by the system operator would 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 publication of this proposed decision.

#### **2.2.4 Other applicants**

"Other applicants" are applicants who, by the date of publication of this proposed decision:

1. have 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. have applied as emerging/experimental technology and have not yet been confirmed as non-GPA or otherwise.

These applications have been awaiting further policy direction from the CRU before they can be processed by the system operators. If 'other applicants' decide to apply to be considered under ECP-1 they may do so while retaining their received complete date.<sup>8</sup> They will not be required to

---

<sup>7</sup> See Glossary of Terms.

<sup>8</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.

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 application fees 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 etc. as their existing grid connection application. If application is not successful in being processed under ECP-1, it shall be deemed to be withdrawn.
- **Option 2** - Request the system operators to keep the application on file retaining their received complete date.<sup>9</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 would 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 indicated by the system operator would 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 publication of this proposed decision.

## **2.3 New applicants with MEC greater than 11kW and less than or equal to 250kW**

New applicants with MEC greater than 11kW and less than or equal to 250kW will be processed under ECP-1 according to non-batch processing per section 12 of this ruleset paper ("non-batch applicants").

For the avoidance of doubt, existing non-GPA applicants greater than 11kW and less than or equal to 250kW who applied under the previous CER/09/099 ruleset and are deemed complete shall retain their received complete date and have the same options available to them as 'non-GPA queued applicants' as detailed in section 2.2.3 above.

---

<sup>9</sup> See footnote 8.

The following points are to be noted for applications whose MEC is greater than 11kW and less than or equal to 250kW:

- 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. 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 at its discretion, 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).

## 2.4 New qualifying trial projects less than or equal to 500kW

A “qualifying trial project” is a project under the “qualification trial process”. This process aims to provide potential DS3 system services providers (DS3 providers)<sup>10</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.

Qualifying trial projects less than or equal to 500kW will be processed in parallel to the ECP-1 batching process according to non-batch processing as described in section 12 of this ruleset.

## 2.5 Autoproducers

New applications deemed as autoproducers<sup>11</sup> will be processed under the non-batch process as described in section 12 of this ruleset.

---

<sup>10</sup> See Glossary of Terms.

<sup>11</sup> An autoproducer is defined in CER/02/37.

## 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>12</sup>:

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

### 3.1 Application form

A fully completed full or reduced criteria form<sup>13</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” in the queue and will be set out in the letter to be sent to each of these applicants as mentioned above (expression of interest letter). 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 publication of this proposed decision.

Applications for MEC less than 40MW should be submitted to the distribution system operator (DSO) and applications greater than or equal to 40MW should be submitted to the 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 shall be subject to review by the system operators in accordance with section 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.

---

<sup>12</sup> See Glossary of Terms. The closing date for applications has been set at two months from the publication of the final decision on ECP-1 by the CRU.

<sup>13</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 must sign a declaration confirming that the project meets one of the following requirements:

- If planning permission was granted by a local authority, it must have passed a period of four weeks after the date of the decision to grant without appeal.
- If planning permission was granted by An Bord Pleanála (ABP), or has a final grant from a local authority, it must have passed a period of eight weeks after the date of the decision to grant without being challenged by way of a judicial review.
- If the project is an offshore development, the requirement for planning permission shall be taken to mean that a foreshore licence and/or a foreshore lease has been obtained for the offshore generation project from the relevant Government department.
- That no planning permission is required and the reason why.

Where there is planning permission or a foreshore licence/lease in place, the declaration must confirm that the size and number of generation units<sup>14</sup> in the application form is consistent with the applicant's planning permission.

For the avoidance of doubt, where there is a 'change of use' of a building/site this shall be considered to require planning permission and a grant is necessary from the appropriate authority.

The specific requirements and final form of the declaration shall be determined by the relevant system operator. The completed form must be certified by a solicitor prior to submission to the relevant system operator.

The application form and the expression of interest letter 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 before a project has been constructed, where no extension is sought or where the project is delayed, then the application, live offer or contract shall correspondingly be removed, withdrawn or terminated by the relevant system operator.

---

<sup>14</sup> For instance, turbines or equivalent generation equipment.

## **3.2 Application fee**

The initial application fee of €7,000 (including VAT) is required from all new applicants greater than 250kW. The full application fee (including VAT) is required for applications less than 250kW. No new initial application fee is required from the existing applicants. Existing and new applicants who are selected to be processed under ECP-1 will be required to pay the balance of the application fees appropriate at the time.<sup>15</sup> The balance of this 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 valid planning permission**

Evidence of a valid planning permission (or in the case off-shore project, a foreshore licence/lease) for the project from the relevant planning authority must be submitted where required. For the remainder of this section, the term “planning permission” should be understood to include “foreshore license” as applicable.

A planning permission must be relevant and accurately reflect what has been applied for. For instance, if the application for connection is for a 30MW wind farm made up of 10 turbines then the planning permission must be for a wind farm made up of 10 turbines in the same location. Technology changes, significant material changes in the generation equipment, including size changes etc. will not be facilitated at a later date unless such changes are requested by the system operators at a later date.<sup>16</sup> Evidence of planning permission must be certified by a solicitor. The system operators reserve the right to seek additional documentation about the nature of the planning permission granted.

DS3 qualified projects do not require planning permission to enter the 2018 batch (see section 3.3.2).

---

<sup>15</sup> The proposed fees are set out in section 6, Table 1.

<sup>16</sup> Turbine modifications such as a change in unit supplier or manufacturer of individual turbines may be facilitated at the discretion of the system operators.

### 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, in order to be eligible for ECP-1, a project must meet the following requirements in relation to its planning permission:

- If no extension of planning permission has yet been granted or refused for a project then projects must have at least **one year** left on the expiry of planning permission from the date of expiry of same;
- If an extension has been granted or refused for a project then projects must have at least **two years** left on the expiry of planning permission from the closing date;
- If, on the closing date, an extension decision is pending on 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 or no confirmation is provided by the applicant within the two month period, then the application will be deemed invalid and 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.

Applicants shall 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.

The expiry of planning permission shall be 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.

The timeframes above give no indication as to the actual time it will take to connect an individual project. The timeframes are purely being used as a reasonable approximation of the earliest possible timeframe for connection of the simplest connection method. The actual connection timeframe for an individual project will therefore be in excess of below and in most cases will be substantially in excess of below. It is assumed that offers will generally be issuing after one year



from the closing date and one year is an early timeframe for connection therefore 2 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 the 2018 batch ruleset. Where the rules state that the prioritisation of projects shall be on the basis of 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. For example, if the closing date is 1 March 2018, the expiry date of planning permission assigned to a project of this kind would be Q1 (1 March) 2019. This applies to both the existing and new applicants.

Please note that for the purpose of the 2018 batch, DS3 qualified projects do not require planning permission.

### 3.4 DS3 eligibility criteria

Fast Frequency Response (FFR) and Primary Operating Reserve (POR) shall comprise the initial subset of DS3 System Services to be prioritised. The choice to select these two system services is further discussed in Annex II.

To be eligible for classification as a DS3-prioritised service provider, projects must meet the eligibility criteria listed in sections 3.1 and 3.2 above and the following DS3-specific criteria:

- Provision of FFR or POR: The applicant's plant must be capable of providing either FFR or POR, or both;
- Grid Code: The applicant's plant must at least meet Grid Code standards (where such standards exist); and
- Proven Technology: Only proven technologies (from a DS3 System Services provision perspective) will be considered.

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>17</sup>

---

<sup>17</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. Total thresholds for applications

The 2018 batch is limited to:

- 1000 MW capacity (total MW threshold); or
- 50 connection offers (total offers threshold)

The specific thresholds shall be reviewed once the nature and size of applications submitted is known. The system operators will advise the CRU of any proposed amendment to the threshold if warranted. It should be noted that if the end date for offers to be issued and/or the closing date moves then the total offers threshold shall also be reviewed.

It should be noted that while this can be used as a reasonable guideline for a threshold in this case there is the risk that substantial generation will seek to locate in very weak areas of the transmission network. Should this arise the TSO may seek the CRU's approval to review the threshold to a more appropriate level. In the event that the total MW threshold is reached and the total offers threshold is not reached then the threshold shall be deemed to be at the last full application that meets the requirements and falls beneath the threshold. For example, if 990MW have been received that are eligible for processing and the next 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 990MW.

### 4.1 DS3 thresholds

The following MEC thresholds shall apply for prioritising DS3 qualified applications:

- DS3 MW threshold: 400MW (40% of total MW threshold)
- DS3 offers threshold: 20 connection offers (40% of the total offers threshold)
- DS3 individual project threshold: 100MW

The basis for the above DS3-specific thresholds is set out in Appendix II. For the avoidance of doubt this is a subset of the total MW threshold (1000MW) and not in addition to it.

## 5. Prioritisation of applications

In the event that any of the thresholds for applications listed in section 4 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 applications<sup>18</sup> up to the DS3 thresholds set out in this decision
- 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 a threshold is oversubscribed i.e. more applications have a planning permission expiry date in the same quarter than there is space available then the received complete date of the connection application to the system operator 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.

Applications that meet the eligibility criteria but are over one or more of the **total thresholds** (i.e. not the DS3-specific thresholds) shall not be processed further and their application shall 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.**

### 5.1 DS3 prioritisation

In the event that, following application of the eligibility criteria for DS3 providers (see section 3.4), the amount of MEC being sought by DS3 qualified applications exceeds the DS3 MW threshold (400MW) or the DS3 offers threshold (20 offers) then further criteria will be required to select applicants for offer processing. The DS3-specific prioritisation criteria are further explained in Annex II.

For the avoidance of doubt, if either the DS3 MW threshold or the DS3 offers threshold is exceeded then DS3 qualified applications can still be eligible to be processed as part of the 2018 batch and assessed within the wider thresholds for processing (total MW threshold and total offers threshold). However they will lose the DS3 qualified status and shall be subject to the same eligibility and prioritisation criteria as all other applicants. This includes a planning permission requirement.

---

<sup>18</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 has been set at two months after the publication of the final decision on ECP-1 (the “closing date”). The system operators will assess whether applications received by the closing date have met the eligibility criteria listed in section 3. Please note that all eligibility criteria must be met by the closing date. Not providing the initial application fee (for new applicants) or confirmation of planning permission where required for non-DS3 projects is an automatic failure of the requirements and 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>19</sup> and failure to provide any of the basic criteria set out in that ruleset or failure to confirm what sizes of generation units (e.g. turbine sizes) are being requested is also an automatic failure of the requirements and the application will not be processed any further. 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 clearly exceed any of the **total** thresholds (i.e. not the DS3 thresholds) set out in section 4 above.

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

Where there are minor clarifications the system operators will write to applicants to request them along with the balance of application fees. The ECP-1 application fees for connection to both the transmission and distribution system 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 deemed applicable to ECP-1 applicants. Applicants that fail to provide the requested fees or clarifications by the fees and clarifications received deadline will not be processed any further. Applicants will have one month to provide what is required. All applicants that provide the required fees and information and are within the total thresholds shall be deemed to be ‘batch qualified’ applications.

---

<sup>19</sup> June 2012, available on [the system operators' website](#).

**Table 1** ECP-1 connection offer 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 (If required)
$0 \leq 11 \text{ kW}$	NA	€0	€0
$> 11\text{KW} \leq 50 \text{ KW}$	NA	€763	€763
$>50\text{kW} \leq 250\text{KW}$	NA	€1,557	€1,557
$>250 \text{ KW} \leq 4 \text{ MW}$	€12,468	€14,257	€19,585
$> 4 \text{ MW} \leq 20 \text{ MW}$	€21,558	€33,060	€34,497
$> 20 \text{ MW} \leq 100\text{MW}$	€35,438	€47,485	€39,528
$> 100\text{MW}$	€48,527	€50,858	€44,971
Demand only: Fee = $A_{\text{MIC}} + C_{\text{MIC}} - D$			
Generation only: Fee = $B_{\text{MEC}} + C_{\text{MEC}} - D$			
Demand & Generation: Fee = $A_{\text{MIC}} + B_{\text{MEC}} + \text{MAX} [C_{\text{MEC}}, C_{\text{MIC}}] - D$			
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*. Offers shall then be scheduled for issuance taking into account the complexity of the applications. The first offers will be expected to commence issuing 4 to 5 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. 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, shall be confirmed post the fees and clarifications received deadline. The intention however is to issue all connection offers within 10 months of the fees and clarifications received deadline assuming very limited inclusion of current non-GPA applicants in process or with live connection offers.

**Step 6: Last offers accepted / lapsed**

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

### *Step 7: Ready to start next batch*

The opening date for new applications for the next batch shall only commence after the final offer has been accepted from the preceding batch. Details around the next batch including timeline for same shall be confirmed following completion of the 2018 batch. The 2018 batch 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>20</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

---

<sup>20</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 following changes are effective as of the date of publication of the final ECP-1 decision unless stated otherwise in this section.

The system operators or the transmission and distribution use of system (TUoS and DUoS) tariffs shall 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 shall apply.

### **7.1 Offer dependency**

Connection offers for projects that share connection works shall 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 project does not accept their offer 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 Shared bonding**

A project with shared costs (in a subgroup) shall 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 post offer execution the connection charges security associated with the shared costs will be used to cover any resulting shortfall, 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. 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 security in place to the value of the unpaid invoice. The system operator can then progress with the associated works. 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, generation 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.

It is the CRU’s view that where a project goes on hold due to circumstances which are outside of the control of the system operator, the project should 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).

In order to address this issue, 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 shall be calculated on the basis of the relevant system operator’s *Standard Prices for Generator Connections*<sup>21</sup> applicable as at the date of the invoice for the next applicable stage payment. In the case of (2) above, the system operator shall 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 come into effect three months after the publication of 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.

For the avoidance of doubt, the new charging rules set out in this Section 7.3 for on-hold customers will apply to both new and existing customers on the terms set out herein.

---

<sup>21</sup> Available on the relevant system operator’s website.

## **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 shall be considered separately.

## 8. Longstop dates

Contractual longstop dates for consents and operation for applicants processed under ECP-1 shall be **two years** after the scheduled dates. For the avoidance of doubt, extensions to longstop dates will only be considered by the system operators in exceptional circumstances and the applicant's project itself 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 shall 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 shall 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 shall 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 shall be determined in the later stages of ECP. TSO intend to carry out some additional system studies to inform applicants about possible constraint levels during the non-firm period. This analysis shall be shared with applicants. For the avoidance of doubt this information is provided separate to the 2018 batch process and shall 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.

The following are the sections of COPP that will <b>no longer apply to any project</b>		
<b>Chapter 17</b>	Capacity Relocation	These rules shall no longer apply to any projects effective as of the date of the final ECP-1 decision. <sup>22</sup> Any applications for capacity relocation greater than 100 meters after this date (including new requests for those projects already contracted) cannot be facilitated. This is on the basis that if a project cannot progress in its current format it can reapply for the next batch rather than trading capacity outside of the connection process.

The following are the sections of COPP that <b>apply to all projects with exceptions as stated</b>		
<b>Chapter 3</b>	Mergers and Splitting	The following changes are made to this section:  The rules around mergers apply to all projects including applications made under ECP-1 however capacity relocation shall no longer be facilitated.  The rules around splitting shall no longer apply to any project, i.e. project splitting will no longer be allowed.
<b>Chapter 5</b>	Combination of Offers	These rules are not relevant to offers made under ECP-1 as TUoS/DUoS tariffs shall not cover drop out from subgroup and offers are issued interdependently
<b>Chapter 7</b>	Changes in MEC	These rules apply to all projects including applications made under ECP-1 with the following change:  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. This charges shall 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.

---

<sup>22</sup> However, please note that pursuant to the CRU’s direction to the system operators of 2 November 2017 (ref: D/17/19787), processing of any new requests for capacity relocation (including new requests for those projects already contracted) after 2 November 2017, where such requests involve relocation beyond 100 meters from the original site specified in the relevant application, has been suspended pending the outcome of this consultation.

<b>Chapter 9</b>	Change in Generation Type	These rules shall continue to apply to projects except for all applications made under ECP-1.
<b>Chapter 10</b>	Reprocessing Subgroups Due to Non-Acceptance of Offer or Termination of Connection Agreement	These rules apply to all projects including offers made under ECP-1 except that TUoS/DUoS tariffs shall not cover the costs of projects dropping out of subgroups and offers are issued interdependently.
<b>Chapter 11</b>	Firm Connections to the Transmission System	These rules do not apply to offers made under ECP-1
<b>Chapter 19</b>	Change in Application Details	<p>The following changes are made to this section:</p> <p>Generator MW size(s) and number are a minimum requirement for processing a new application made under ECP-1. Changes in generator MW sizes shall only be allowable where the change is within the terms of the planning permission granted for the project for which it met the eligibility criteria listed in section 3. This is to mitigate capacity hoarding where projects are deemed to meet the eligibility criteria but then do not progress to connection. This may be because it is no longer economical to build under the old planning grant and a new planning grant must be obtained.</p> <p>Changes in items 3 (Generator address and grid coordinates), 4 (MEC), and 9 (Signed statement from applicant that any landowner consents are in place for the project and witnessed by a solicitor) shall require a new application to be submitted which will be assessed for processing under the next batch. This will invalidate any existing application, offer or signed contract for the same project.</p>

The following are the sections of COPP that shall **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-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 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 MEC greater than 11kW and less than or equal to 250kW
- Qualifying trial projects less than or equal to 500kW
- Autoproducers

### 12.1 Applicable sections of the ECP-1 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 thresholds

The threshold for processing applications under the non-batch process is either 50MW or 30 offers per year, whichever is reached first. The system operators will revert to the CRU for guidance in the event that either of the thresholds are met.

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

In the event of an inconsistency or conflict between the ECP-1 ruleset and any previous CRU decisions on connection or charging policy, the inconsistency or conflict shall be resolved by giving precedence to the ECP-1 ruleset.

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