



TRANSMISSION INTERFACE ARRANGEMENTS

Responses in relation to Proposed Changes to Transmission Interface Agreement

September 2020

1. Energia

From: Fitzgerald Cian

Sent: 31 July 2020 12:58

To: Info - Soni

Cc: Baillie Peter

Subject: Energia Comments in relation to Proposed Changes to Transmission Interface Agreement

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Dear team

Energia has reviewed both sets of changes proposed by SONI and NIE Networks to the Transmission Interface Agreement (TIA):

In relation to SONI's proposed amendments

Energia support the proposal to cap SONI's liability under paragraph 8.3 of the TIA at an amount not to exceed £10 million per incident or series of incidents. Energia believe this change will improve the financial feasibility of such projects for developers in NI.

In relation to NIE Network's proposed amendments

Energia support the proposed amendments tabled by NIE and in general are supportive of NIE Networks engaging at an earlier stage in transmission projects within the scope of this agreement.

Energia thank both SONI and NIE for providing the opportunity to respond to the changes proposed.

Please feel free to contact me if you wish to discuss our response further

Kind regards

Cian Fitzgerald
Regulation Analyst

2. NIRIG



Arthur House
41 Arthur Street
Belfast, BT1 4GB

Mob: [REDACTED]
Tel: +44(0)28 9044 6240
Email: ni-rig@ni-rig.org
Web: www.ni-rig.org

23rd July 2020

SONI and NIE Networks Transmission Interface Arrangement Consultation

NIRIG has no objection to the proposals regarding the amendments to the SONI and NIE Networks Transmission Interface Arrangement which are being consulted on. We have no other specific comments to make at this time.

Yours Sincerely,



Steven Agnew
Head of the [Northern Ireland Renewables Industry Group](http://www.ni-rig.org)

3. Owen Bradley

From: Owen Bradley

Sent: 31 July 2020 14:18

To: Info - Soni

Cc: info@uregni.gov.uk; info@consumercouncil.org.uk

Subject: SONI and NIE Networks Transmission Interface Arrangement Consultation

CAUTION: This email originated from outside of the organisation. Do not click on any links or open attachments unless you recognise the sender and know the content to be safe.

Dear Sir/ Madame

31.07.20

I am contacting with regards the recent publication on the SONI website -proposed revisions to the Transmission Interface Arrangements, with emphasis on the – ‘NIE Networks TIA proposed Amendment Report 1 July 2020- Final’

Having read through the proposed changes I would like to voice my concerns as outlined below.

The Transmission planning function was transferred from NIE Networks to SONI in 2014 as part of the IME3 directive.

The IME3 Decision Paper produced by the Utility Regulator for Northern Ireland covered a range of topics, including specific measures to give effect to the TSO Decision. In particular, the Utility Regulator proposed licence modifications to transfer Network Planning activities from NIE to the SONI, which the European Commission had determined would ensure consistency with the requirements of Article 9(9) of the Electricity Directive.

I note that SONI have conceded as outlined in their case against the UREGNI which was brought before the CMA, they have stated that Network Planning encompasses the following:

‘Includes activities required to progress a transmission project from the conceptual stage through to the point where project construction commences – specifically Phases 1 (Project Identification) and 2 (Pre-Construction activities) of transmission connection and development connection projects. The Network Planning Function formally transferred from NIE to SONI on 1 May 2014 at the direction of the Utility Regulator’

It has been noted in the introduction in the ‘NIE Networks TIA proposed Amendment Report 1 July 2020- Final’ that ‘The proposed amendments will not, if implemented, change any decision-making

rights or any TIA principles but are drafted with the objective of providing more clarity and further removing the potential for ambiguity.'

From reading into the proposed amendments, i would strongly disagree with this.

Comments and questions below:

Page 10. Section 9.1

Removal of section 1.1.1

It is now proposed that NIE Networks will create all design drawings and associated documentation. Prior to May 2014, this function was carried out by NIE Networks, post 2014 this was carried out by SONI, and now it is proposed to revert back to NIEN. How will this be managed and how will costs associated with this be monitored and managed?

It is now proposed that SONI will NOT have the responsibility for cable/ line route and site selection including the identification of alternative routes and sites, yet will be submitting planning applications for new developments with designs completed by NIE Networks. Will SONI be reviewing and **approving** all designs that form part of their planning applications?

Why is it now proposed that NIE Networks will plan their own network? How will this be managed? Have SONI got the appropriate resources in-house, or indeed consultants to check these designs to protect us consumers and ensure NIE Networks are not 'over specking' their designs?

Do the proposed changes now introduce an additional layer in the overall process? Currently (as far as I am aware) SONI produce all designs to a standard suitable for planning via independent consultant experts, however it is now proposed that NIE Networks will produce these designs for SONI, which will then need to be checked by potentially a second set of independent consultants with changes required to go full circle each time? Are these proposed changes less efficient?

Page 12 Section 10.3

It is now suggested that NIE Networks shall provide all asset related information and also provide all technical and engineering related designs as well as jointly developing the design of the transmission network.

It can only be assumed that these designs will be completed by third party consultants given that in 2019 NIE Networks ran a procurement exercise which was advertised in the OJEC seeking the services of consultants for this very reason. If this is the case would it now be fair to assume that NIE Networks are in essence planning their own network? This goes against the IME3 directive. It is almost a reversal.

Removal of section 1.1.2

SONI development of designs to a level required for the purpose of obtaining all consents has now been removed. Can you please outline the reason for this? Is this function now reverting back to NIE Networks – which ultimately means that NIE Networks as asset owner will be planning their own network- and there could be a potential for over design of the network?

All costs will be scrutinised by the UREGNI, but was this the case prior to the IME3 directive and transfer of planning function to SONI. Will SONI have oversight and responsibility for these costs that NIE Networks will be spending?

It is now proposed (10.6.3) that stakeholder engagement will be a joint responsibility. I question how this would work in practice. If differing views are expressed, then how can meaningful conversations, commitments and information be portrayed to the public. Since the separation in 2014, I believe SONI has had sole responsibility for this function ‘with assistance as may be required from time to time by NIE Networks’.

Page 14

10.6.3(Vii & viii)-

Is SONI the ultimate decision maker if their selection is inconsistent with NIE Networks? Or could this become a dispute through Section Q in the TIA or other means, thus potentially adding additional time and money to the process?

10.6.3 (Xi)-

How will this work in practice if SONI are responsible for landowner engagement and consents. Do these proposals add an additional step/s in the process to the way it operates currently? Currently in the TIA SONI are responsible for this role, but the with proposed changes, NIE Networks will now be responsible with SONI still gaining consents. Is this additional interaction, steps, processes and ultimately costs?

Page 15,

11.1

Can you please clarify who is responsible for the planning of a Transmission project which may not be for re-enforcement purposes? i.e. a new feed/ line to a town/ area?

12.1

Aa above: is this only applicable for reinforcement projects?

Also, can you please clarify why the term ‘received planning consents’ has been removed?

Is it now proposed that NIE Networks will begin their pre-construction design process prior to consents been achieved? Is there a risk that if planning consents are not achieved, NIE Networks will have spent money unnecessarily? Will it be expected that the Northern Ireland consumer will cover costs in this scenario?

The same points above are applicable to the proposed changes in Section D

As a final wrap up I would like to pose the additional questions-:

- Are the current arrangements not working?
- Please confirm how long these proposed updates/ changes have been under development?
- Has there been a period of project trials for the entire process from start to finish, or have these proposals been put together at desktop level?
- Is this a permanent proposal or trial?
- What is the cost implications associated with the proposals?
- Are staff to be transferred back to NIE Networks given some of their roles are reverting back to NIE Networks?
- Is there a reason why these proposals have not been put forward for public consultation on the UREGNI website?

kind Regards

To:

info@soni.ltd.uk

info@uregni.gov.uk

info@consumercouncil.org.uk

4. Scottish Power Renewables



SONI

sent electronically to
info@soni.ltd.uk

Date
31 August 2020
Contact
Ricardo Da Silva

Dear All,

Consultation on SONI and NIE Networks Transmission Interface Arrangement

ScottishPower Renewables (SPR) is part of Iberdrola, one of the world's largest utilities and leading wind energy producer. ScottishPower Renewables is responsible for progressing the deployment of onshore wind projects in the UK and Ireland, and offshore windfarms throughout the world, managing the development, construction and operation of all projects.

We currently have over 30 operational windfarm sites with over 2GW installed capacity throughout the UK and Ireland, including our share in the 389 MW offshore windfarm West of Duddon Sands. In addition, we have a substantial development portfolio of onshore windfarms in the UK and Ireland and offshore wind projects in the East Anglia Zone, including the 714 MW East Anglia ONE project which is currently under construction.

We therefore welcome the opportunity to respond to the consultation on SONI and NIE Networks Transmission Interface Arrangement.

In general terms, we believe the proposed changes are certainly a good effort to define where the responsibilities lie at a high level and therefore SPR strongly supports what's being included in the consultation documentation. However, we believe there is still a need to be further detail (in addition to the TIA) that covers the process of exactly who does what and when. For example, where and how does planning or development start and stop and who is involved and at what level at each stage.

We encourage SONI and NIE to keep working towards defining a full process map, including timescales, complementing the proposed TIA changes.

We would welcome discussion on any of the above and if you have any questions in relation to this response, please do not hesitate to contact me directly.

Yours sincerely

A handwritten signature in black ink, appearing to read "R. Da Silva", is written over a horizontal line.

Ricardo Da Silva
Grid & Regulation Analyst

ScottishPower Renewables (UK) Limited, 325 St Vincent Street, Glasgow G2 5AD
Registered Office: The Solent, 1 Lanyon Place, Belfast BT1 1LP
Registered in Northern Ireland No. 28425 VAT No. GB 915 7024 38

5. The Consumer Council



Edel Creery
Head of Communications and Stakeholder Engagement
Northern Ireland Electricity Networks
120 Malone Road
Belfast
BT9 5HT

31 July 2020

Dear Edel

NIEN and SONI proposed amendments to the Transmission Interface Arrangements

I am writing in regard to the proposed amendments for the Transmission Interface Arrangements between Northern Ireland Electricity Networks (NIEN) and the System Operator for Northern Ireland (SONI).

The Consumer Council welcomes arrangements which promote additional co-operation and co-ordination between the SONI and NIEN in the planning and development of the Transmission System which we would hope should lead customer benefits. We would, however, seek assurances that none of the changes will have any negative implications for Northern Ireland consumers.

We note that under its proposed amendments, SONI has stated that:

"SONI's liability under this paragraph 8.3 shall be subject to sub-paragraph 5.3 of Section O of this TIA and that SONI's liability under this paragraph 8.3 shall not exceed £10 million per incident or series of incidents."

Furthermore, later in the document SONI identifies the following potential impacts on NIEN:

"There is a potential impact in so far as any loss which NIE Networks incurs but which can not be recovered from SONI, due to the scope of the indemnity being limited (to direct loss incurred prior to adoption which is less than £10m) rather than unlimited (as is the current position), will have to be paid for by NIE Networks. The risk of such an event would be considered to be a very low. However, under such circumstances, NIE Networks would consider submitting a request to the UR to recover of any such loss through the price control, and therefore remuneration of such losses would be decided on a case-by-case basis by UR."

The Consumer Council is concerned that this amendment may cause consumer detriment and additional costs for consumer. We will be liaising with UR to ask what work they are doing in this area and what they are doing to ensure that suitable protections and mitigations are in place.

Furthermore, The Consumer Council seeks assurances that the proposals put forward by NIEN with regards to Land Rights (8.1.5) will not have a negative impact or cause detriment to landowners or communities.

The Consumer Council would also like to take this opportunity to reiterate its position that as SONI's role and influence on Northern Ireland's electricity market has grown, taking over the planning of the transmission network in 2014, being central to the design and management of the Single Electricity Market and now helping to inform the energy transition process it is critical that the regulatory and governance process surrounding SONI ensures that the needs of consumers in Northern Ireland are correctly and fairly reflected and that robust governance arrangements are in place to ensure that SONI's projects, policies and strategies are focused on Northern Ireland consumers and business independently of Eirgrid.

Yours sincerely



Sinéad Dynan
Director of Regulated Industries