

Workgroup Consultation Response Proforma**CMP427: Update to the Transmission Connection Application Process for Onshore Applicants**

Industry parties are invited to respond to this consultation expressing their views and supplying the rationale for those views, particularly in respect of any specific questions detailed below.

Please send your responses to cusc.team@nationalgrideso.com by **5pm on 26 January 2024**. Please note that any responses received after the deadline or sent to a different email address may not receive due consideration.

If you have any queries on the content of this consultation, please contact Catia Gomes catia.gomes@nationalgrideso.com or cusc.team@nationalgrideso.com.

Respondent details	Please enter your details	
Respondent name:	Graham Pannell	
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Which best describes your organisation?	<input type="checkbox"/> Consumer body <input type="checkbox"/> Demand <input type="checkbox"/> Distribution Network Operator <input checked="" type="checkbox"/> Generator <input type="checkbox"/> Industry body <input type="checkbox"/> Interconnector	<input type="checkbox"/> Storage <input type="checkbox"/> Supplier <input type="checkbox"/> System Operator <input type="checkbox"/> Transmission Owner <input type="checkbox"/> Virtual Lead Party <input type="checkbox"/> Other

I wish my response to be:
(Please mark the relevant box)

Non-Confidential Confidential

Note: A confidential response will be disclosed to the Authority in full but, unless agreed otherwise, will not be shared with the Panel or the industry and may therefore not influence the debate to the same extent as a non-confidential response.

For reference the Applicable CUSC (non-charging) Objectives are:

- The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence;*
- Facilitating effective competition in the generation and supply of electricity, and (so far as consistent therewith) facilitating such competition in the sale, distribution and purchase of electricity;*
- Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and*
- Promoting efficiency in the implementation and administration of the CUSC arrangements.*

*The Electricity Regulation referred to in objective (c) is Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (recast) as it has effect immediately before IP completion day as read with the modifications set out in the SI 2020/1006.

Please express your views in the right-hand side of the table below, including your rationale.

Standard Workgroup Consultation questions		
1	Do you believe that the Original Proposal better facilitate the Applicable Objectives?	Mark the Objectives which you believe each solution better facilitates:
		Original <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input checked="" type="checkbox"/> D
		<p>We are strongly supportive of the Landowner Authority principle and agree with the large majority of the proposal, and the rationale behind it, including the proposer’s logic for Objectives C and D.</p> <p>We disagree with one element, the minimum acreage which must be demonstrated at the point of application, which <i>as proposed</i> is an unduly onerous barrier to non-speculative applications, risking effective competition and potentially slowing progress to national decarbonisation targets. We have therefore not marked Objectives A & B, and instead proposed an alternative for consideration.</p>
2	Do you support the proposed implementation approach?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
		<p>We are strongly supportive of the Landowner Authority principle and agree with the significant majority of the proposal. We disagree with one element (minimum acreage) and propose an alternative for consideration.</p>
3	Do you have any other comments?	<p>We encourage the ESO wherever practicable to align with the DNO’s equivalent process, including wording of the LoA, for efficiency across the whole industry.</p>
4	Do you wish to raise a Workgroup Consultation Alternative Request for the Workgroup to consider?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		<p>WACM Proposal: <i>Reasonable Minimum Acreage.</i></p> <p>Effect</p> <p>This solution differs from the Original in applying a 50% multiplier to the minimum acreage – i.e. to partially reduce the de minimis acres per MW registered which appear in the Energy Land Density.</p> <p>Furthermore, this Alternative requires that the proposed electrical connection point lies within land addressed by a LoA (where LoA(s) do not address the whole site).</p> <p>For clarity, it is understood that the minimum acreage will appear in a guidance note, that it is indicative, that other parties may provide evidence of land density, and that the ESO may itself</p>

		<p>review and update the figures from time to time in accordance with the Original. This Alternative is to say that, for whatever acreage is deemed a reasonable low-end estimate for each plant type, that the threshold <i>LoA requirement at the point in time of a grid connection application is for 50% of this area.</i></p> <p>Rationale This is to strike the right balance between demonstrating real landowner engagement against the practicalities of project development and engagement with multiple landowners.</p> <p>There are energy parks with 10-20 separate landowners involved; requiring 100% returns of LoA is impractical and an undue barrier for these projects. Individual landowners may be unavailable, in transition or under a sale process, unresponsive or otherwise unable to provide a LoA, yet there may be sufficient LoA(s) to justify and drive a non-speculative project. This is particularly the case prior to submission for planning consent, in fact there are landowners who will join and leave projects close up to the point of submission. It is noted that the M1 planning submission milestone can occur some time after a connection application is made, such that a degree of uncertainty for a project with multiple landowners is in fact likely at the time of making a connection application. It is also important to note that the M3 land rights milestone still applies in full. Also, for better certainty of connection design planning, that this Alternative requires the proposed site of the metered connection point to be within an area addressed by a LoA – and that this latter point aligns with how DNOs implement LoA.</p> <p>This rationale is drawn from experience with onshore wind and PV projects. We have no data from which to rule in nor rule out its application to other plant types proposed in the table. As a starting point, we propose it is applied equally to all entries in the Energy Land Density table.</p> <p>We note that the ESO or any CUSC party would be able to revisit the 50% threshold scalar in a future modification, once a body of evidence of LoA application has been collected.</p>
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Specific Workgroup Consultation questions		
5	Do you believe that the proposed LoA meets the objectives set out by Ofgem and DESNZ in CAP? If not,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Nearly!

	<p>please provide your rationale.</p>	<p>We are strongly supportive of the LoA principle, and agree with the rationale for almost all of the Original proposal.</p> <p>We feel that the minimum acreage and multiple landowner obligations are unduly onerous, such as to unduly prevent non-speculative applications progressing. Full rationale is presented under our 'Alternative' proposal above. The effect could be to prevent real 'wide area' projects from progressing, unduly favouring small or single-landowner projects in their place. Please see our Alternative proposal.</p>
6	<p>Do you believe that an LoA should have a validity period? If so, please provide a timescale and your rationale.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Agree with Original proposal.</p>
7	<p>Do you agree, in principle, with the concept of an Energy Land Density table? If not, please provide your rationale.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Broadly. Please see our proposed Alternative solution.</p>
8	<p>Do you agree with format and the categories proposed in the Energy Land Density table? If not, please provide your rationale.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>No disagreement with the Original.</p>
9	<p>Do you have different values that you can provide for the Energy Land Density table? If so, please provide your rationale.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please see our proposed Alternative solution.</p>
10	<p>Do you believe that the LoA should be in the form of a standard template? If not, please provide your rationale.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>We agree the ESO should propose a template, but that it must not be mandated.</p> <p>We believe ESO should accept a non-templated LoA on a case-by-case basis, provided it meets the overall needs of this proposal. In this case we think it reasonable for users to accept a short delay to 'clock-start' if a non-template LoA is submitted and hence requires bespoke review, but the template itself should not be a red-line barrier to progression. In brief, we support that those</p>

		providing authority should be able to retain authorship of the authority.
11	Do you believe the use of the word “authorise” within the LoA, could have adverse legal consequences? If so, please provide your rationale.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No We draw from experience of the equivalent DNO process that this is largely acceptable. We encourage the ESO wherever practicable to align with the DNO’s equivalent process, including wording of the LoA, for efficiency across the whole industry.
12	Do believe the proposed LoA template is suitable for all jurisdictions (England & Wales, and Scotland)? If not, please provide your rationale.	<input type="checkbox"/> Yes <input type="checkbox"/> No No comment at this time.
13	Do you believe that the technology type should be included in the LoA template? If you not, please provide your rationale.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Users are required to evidence real engagement with Landowners. A generic ‘energy park’ or similar response is sufficient for this purpose, otherwise the LoA risks unduly limiting future development and use of new technologies. It is also unreasonable to expect all landowners to gain an understanding of the ESO’s choice of technology labels. Managing proposed technology type changes is better performed by a dedicated (preferably transparent and codified) process, such as the DNOs’ ‘Allowable Change’ process.
14	Do you consider the exemption approach to deal with exceptional circumstances appropriate? If not please provide your rationale.	<input type="checkbox"/> Yes <input type="checkbox"/> No No comment at this time.