

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:	Finley Becks-Phelps	
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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:

- a) *The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence;*
- b) *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;*
- c) *Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and*
- d) *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?	<p>Mark the Objectives which you believe each solution better facilitates:</p> <p>Original <input type="checkbox"/>A <input type="checkbox"/>B <input type="checkbox"/>C <input checked="" type="checkbox"/>D</p> <p>We firmly support the Landowner Authority principle and agree with the majority of the proposal and its justification, including the logic for Objectives C and D.</p> <p>We disagree with one component, the minimum acreage that must be proven at the point of application, which, as suggested, is an overly burdensome barrier to non-speculative applications, imperilling effective competition and perhaps obstructing progress toward national decarbonisation targets. As a result, we have not marked Objectives A and B, but rather given an option for discussion.</p>
2	Do you support the proposed implementation approach?	<p><input type="checkbox"/>Yes <input checked="" type="checkbox"/>No</p> <p>We firmly endorse the Landowner Authority principle and agree with the vast majority of the proposals. We disagree with one of the elements (the minimum acreage) and submit an alternative for consideration.</p>
3	Do you have any other comments?	<p>We encourage the ESO to agree with the DNO's analogous process, including the wording of the LoA, whenever possible in order to improve industry efficiency.</p>
4	Do you wish to raise a Workgroup Consultation Alternative Request for the Workgroup to consider?	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>WACM Proposal: A reasonable minimum acreage.</p> <p>Effect This method differs from the original in that it applies a 50% multiplier to the minimal acreage, so partially reducing the de minimis acres per MW registered, as seen in the Energy Land Density.</p> <p>Furthermore, this Alternative requires that the proposed electrical connection point be located inside territory</p>

addressed by a LoA, if the LoA(s) do not cover the entire site.

For clarity, it is understood that the minimum acreage will appear in a guidance note, that it is indicative, that other parties may offer evidence of land density, and that the ESO may evaluate and amend the data on an ongoing basis in compliance with the Original. This alternative states that, for whatever acreage is regarded a reasonable low-end estimate for each plant type, the LoA requirement at the time of a grid connection application is for at least half of this area.

Rationale

This is to find the appropriate balance between showcasing legitimate landowner engagement and the complexities of project development and engagement with multiple landowners.

There are energy parks with 10-20 independent landowners; mandating 100% returns on LoA is impracticable and an immoderate impediment for such projects. Individual landowners so there may be unavailable, in transition or during a sale process, unresponsive, or otherwise unable to procure a LoA, sufficient LoA(s) to justify and drive a non-speculative project. This is especially true prior to the filing of a planning application; in fact, some landowners will join and abandon projects right before the submission deadline. It should be noted that the M1 planning submission milestone can occur sometime after a connection application is made, therefore there may be some uncertainty for a project with several landowners when submitting a connection application. It is also crucial to remember that the M3 land rights milestone remains in effect. Also, for greater assurance in connection design planning, this Alternative requires the intended location of the metered connection point to be inside an area covered by a LoA - and that this latter point is consistent with how DNOs implement LoA.

Consideration need to be given to capture Common Land and Crofting Rights.

We should give extra attention to any unintended consequences to a genuine generators not able to secure a connection.

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, please provide your rationale.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No We firmly endorse the LoA concept and agree with the reasoning for nearly all the original proposal. However, we believe that the minimum acreage and various landowner requirements are unreasonably strenuous, preventing non-speculative applications from proceeding. Justification is offered in our 'Alternative' suggestion above. The consequence might be to prevent actual 'broad area' initiatives from moving forward, while favouring small or single-landowner projects in their place. Please see our alternative suggestion.
6	Do you believe that an LoA should have a validity period? If so, please provide a timescale and your rationale.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Agree with the Original proposal.
7	Do you agree, in principle, with the concept of an Energy Land Density table? If not, please provide your rationale.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Broadly. Please see our proposed Alternative solution.
8	Do you agree with format and the categories proposed in the Energy Land Density table? If not, please provide your rationale.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Agree with the Original proposal.
9	Do you have different values that you can provide for the Energy Land Density table? If so, please provide your rationale.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please see our proposed Alternative solution.
10	Do you believe that the LoA should be in the	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

	form of a standard template? If not, please provide your rationale.	<p>We agree that the ESO should suggest a template, but it should not be mandatory.</p> <p>We believe ESO should accept non-templated LoAs on a case-by-case basis, as long as they fit the broad requirements of this proposal. In this scenario, we believe it is appropriate for users to suffer a brief delay in 'clock-start' if a non-template LoA is submitted and so requires tailored review, but the template itself should not constitute a red-line barrier to progression. In synopsis, we believe that people who provide authority should be allowed to maintain authorship of the authority.</p>
11	Do you believe the use of the word “authorise” within the LoA, could have adverse legal consequences? If so, please provide your rationale.	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>We conclude from our experience with the analogous DNO procedure that this is basically acceptable.</p> <p>We advise the ESO to agree with the DNO's similar procedure, including the language of the LoA, to improve industry efficiency.</p>
12	Do believe the proposed LoA template is suitable for all jurisdictions (England & Wales, and Scotland)? If not, please provide your rationale.	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>No comment at this time.</p> <p>Considerations should be put into how Common Land is treated.</p>
13	Do you believe that the technology type should be included in the LoA template? If you not, please provide your rationale.	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Users are required to ensure legitimate communication with landowners. A general 'energy park' or similar answer is adequate for this purpose; otherwise, the LoA risks impeding the development and use of innovative technology. It is likewise impractical to expect all landowners to grasp the ESO's selection of technological designations.</p> <p>Managing proposed technology type changes is best accomplished through a specialised (ideally transparent and defined) approach, such as the DNOs' "Allowable Change" process.</p>
14	Do you consider the exemption approach to	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

	deal with exceptional circumstances appropriate? If not please provide your rationale.	No comment at this time.
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