

ESB International Ltd
Stephen Court, 18/21 St Stephen's Green, Dublin 2, Ireland
Telephone +353-1-703 8000 **Fax** +353-1-703-7097
www.esbi.ie

5 January 2007

Miss Elaine Flanagan
All-Island Energy Branch
DETI
Netherleigh HQ
Massey Avenue
Belfast BT24 2JP

Consultation Paper on Single Electricity Market Legislation

Dear Miss Flanagan,

This response to the consultation on NI legislation for the SEM is being submitted on behalf of ESB International (ESBI), which has no objection to all or part of it being published by DETI. Two ESBI business units are engaged in the electricity market in Northern Ireland – Independent Generation, which owns the 380MW capacity Coolkeeragh generation station, and ESB Independent Energy (ESBIe), which supplies customers in the Northern Ireland market and uses the North-South and Moyle inter-connectors to export any surplus output from Coolkeeragh.

The following comments are offered on the Draft Order in Council:

Article 3(3)(a)

ESBI requests clarification from DETI, on the circumstances under which the Licensee may have their Licence changed in respect of an activity which, does not relate to that authorised by the Licence. The purpose of this condition is not clear from the Draft Order in Council or the Explanatory Memorandum and as such remains a concern for ESBI.

Article 8

ESBI requests that the SEM Committee be required (under legislation) to publish a Programme of Work (or similar document) each year, which sets out the planned activities of the Committee for the following year at a high level.

Schedule 17 (a)

ESBI would like to see the deletion of line which permits a Quorum of the SEM Committee to consist solely of the independent member (or deputy independent member) and one other member. Instead it is proposed that a Quorum must consist of a one Authority member and one CER member.

Thank you for providing us with the opportunity to respond on this subject. ESBI would like to confirm their support for the process to create an All-Island Electricity Market and welcome the opportunity to comment on the Draft Order in Council to support the Single Electricity Market.

Kind regards

Deirdre O'Hara

Deirdre O'Hara

**Manager, Market Strategy
Independent Generation, ESB International**