

**CUSC Alternative Form – Non Charging**

# CMP434 Alternative Request 24

**Overview:** Introduction of Planning Consent within the Gate 2 Criteria Process

**Proposer:** Epsilon Generation Limited, Philip John

I/We confirm that this Alternative Request proposes to modify the non - charging section of the CUSC only

## What is the proposed alternative solution?

The current proposals regarding RLB shifts greatly favour large capacity projects with a large land footprint, such as large scale solar projects which using the 50% rule can move hundreds of acres, several kilometres post grid acceptance and has the unique position of using planning submission instead of land rights as a gate 2 criteria. The proposals, greatly disadvantage large capacity projects with smaller footprints such as battery projects, data centres or gas plants.

Given that it will take 12-24 months before any re-allocation of capacity can properly be delivered from the date of submission of gate 2 criteria, it is imperative that all projects within the post Gate 2 grid queue can be delivered to achieve a 2030 target. If further potential overlays are to be imposed on the current proposal regarding financial securities and technology/region constraints as part of CP30 workstreams, they can only do so, if the assumption is that the projects in the connection queue are deliverable.

With this in mind, to ensure that the proposals do not create unintentional consequence of discouraging investment in energy technologies outside of solar, we propose that RLB shifts to be allowed post gate 2 acceptance, with the restriction that, this can only occur for:

1. 12 months after acceptance
2. With evidence of planning consent

We believe that projects with planning consents need to be treated differently than projects without planning consents. If these distinctions cannot be used within Gate 2 criteria, they should play a role for exceptions.

This ensures that we:

1. There is a more efficient discharge of the licensee by ensuring that we are doing everything to ensure that the most viable projects are within the gate 2 criteria
2. Facilitates effective competition in the generation and supply of electricity by ensuring that the exceptions do not have the unintentional effect of disproportionately favour one technology, and creates a focus for all parties to get planning consent as quickly as possible, to ensure that projects can be delivered more quickly.

## What is the difference between this and the Original Proposal?

The difference between this Alternative and the Original would be that the criteria for an exception would be for planning consent to be achieved within a short time period of Gate 2 acceptance.

**What is the impact of this change?**

Proposer’s Assessment against CUSC Non-Charging Objectives	
Relevant Objective	Identified impact
(a) The efficient discharge by the Licensee of the obligations imposed on it by the Act and the Transmission Licence;	<b>Positive</b> – This alternative allows viable projects to adapt to issues that arise during the planning and build process. Economical/ technical restrictions on building far away from a connection point will mean that projects will always be built within a reasonable distance to the connection point.
(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;	<b>Positive</b> – This allows projects to adapt to planning and build issues. It ensures a level playing field between technologies.
(c) Compliance with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency *; and	<b>None</b>
(d) Promoting efficiency in the implementation and administration of the CUSC arrangements.	<b>None</b>
*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.	

**When will this change take place?**

**Implementation date:**

1 January 2025 - Same date as the implementation of [CMP434](#)

**Implementation approach:**

As per Original