

Public

Connections Reform Webinar: Protections

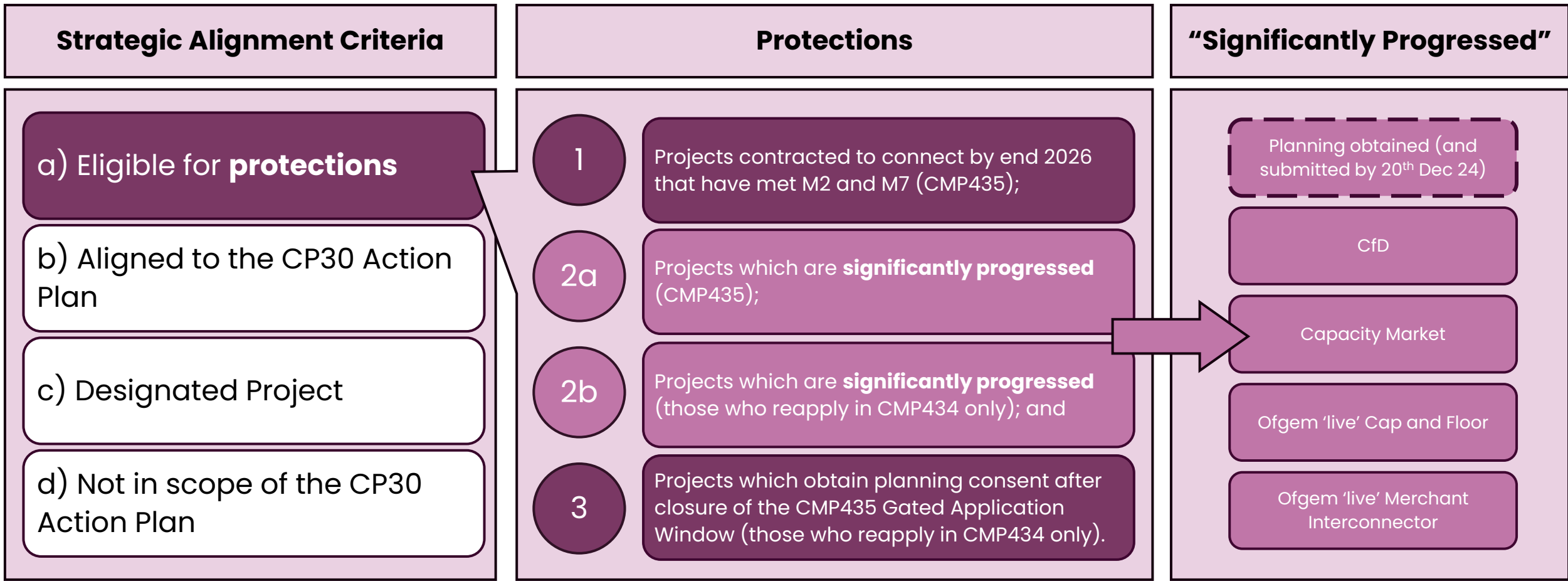
5th March 2025

Agenda

- Strategic Alignment Criteria and Protections
- Protections in CMP435
- Protections in CMP434
- Protection Clause 3 and Appeals
- FAQs
- Slido Q&A

Reminder: Strategic Alignment Criteria

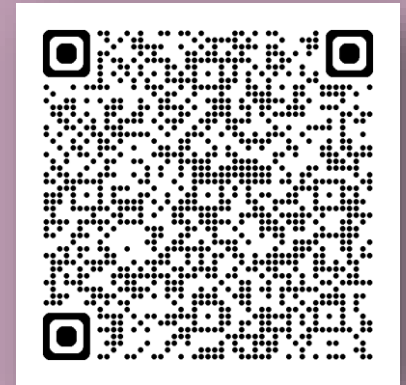
Strategic Alignment Criteria



Protection Clauses – Summary

	Protection Clauses				
	1	2a	2b	3	3 + Appeal
CMP435 or CMP434?	435	435	434	434	434
Guaranteed place in queue?	YES	YES	YES	NO	YES
Connection date and Point of Connection (PoC) protected?	YES	NO	N/A	N/A	N/A
Allowed to exceed zonal permitted capacity?	YES	YES	YES	YES	YES
Allowed to exceed GB permitted capacity?	YES	YES	YES	NO	YES

“Permitted Capacity”
= CP30 capacity
minus built and
operational capacity

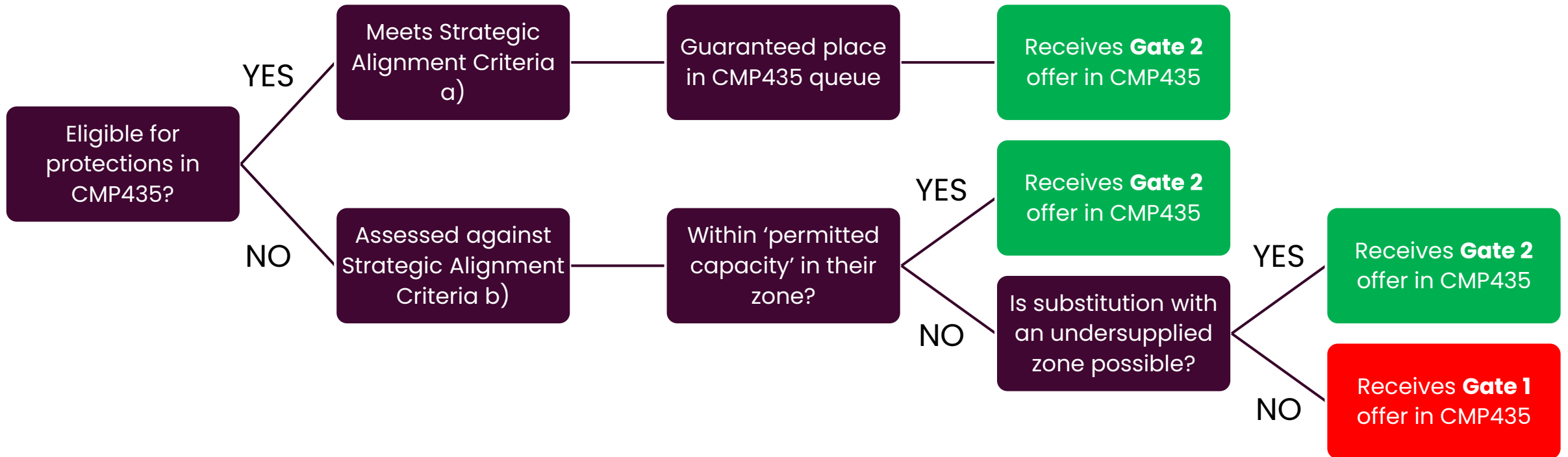


Clean Power 2030
Action Plan:
Connections
Reform Annex

Protections in CMP435

Possible outcomes in CMP435

Scenario: Existing project that has met the Gate 2 Readiness Criteria and is in scope of the CP30 Action Plan



Protection Clauses – CMP435

1

Projects contracted to connect by end 2026 that have met M2 and M7 (CMP435);

2a

Projects which are **significantly progressed** (CMP435);

	Protection Clauses	
	1	2a
CMP435 or CMP434?	435	435
Guaranteed place in queue?	YES	YES
Connection date and PoC protected?	YES	NO
Allowed to exceed zonal permitted capacity?	YES	YES
Allowed to exceed GB permitted capacity?	YES	YES

Protection Clause 1

1

Projects contracted to connect by end 2026 that have met M2 and M7 (CMP435);

What is protected?

- Guaranteed place in queue in CMP435
- Contracted connection date (of 2026 or earlier)
- Enabling works

What evidence is required?

- M2 as per queue management guidance; and
- M7 as per queue management guidance
- Currently expect that if these have been submitted already under queue management, then resubmission will not be required

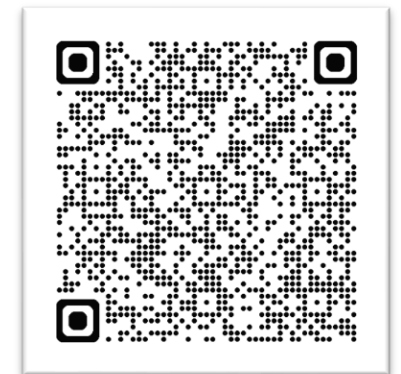
Projects that don't require planning consent:

- Instead of M2, a signed letter from the company Director stating that no statutory consent is required (M1)

Transmission
QM Guidance



Distribution
QM Guidance



Protection Clause 1

firm vs non-firm connection dates

1

Projects contracted to connect by end 2026 that have met M2 and M7 (CMP435);

Example	Temporary non-firm date	Firm date	Which date is protected?
1	N/A	2026	2026 date protected
2	2026	2029	2026 date protected; 2029 date could change
3	2027	2029	Neither date protected – not eligible for protection clause 1

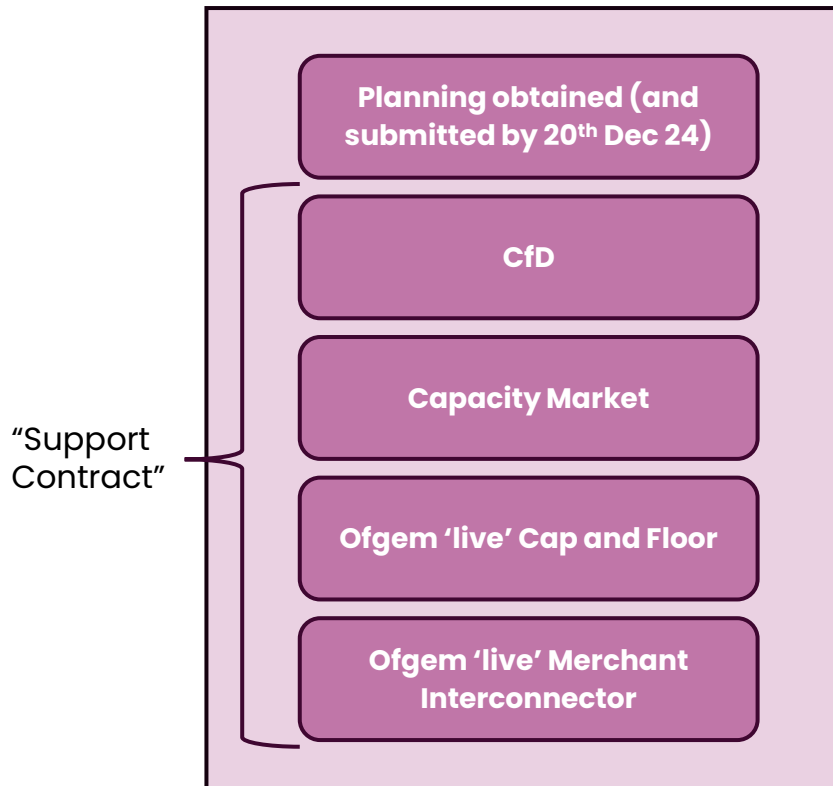
For relevant embedded projects with a firm date relating to transmission access, and an earlier non-firm date (e.g. under technical limits):

The non-firm connection date in the agreement between the DNO and the relevant embedded customer will be used to determine eligibility for this protection clause

Protection Clause 2a

2a

Projects which are **significantly progressed** (CMP435);



What is protected?

- Guaranteed place in queue in CMP435
- Only the portion of the project that has planning or support contract

What could change?

- Connection date (best endeavours to connect by support contract date)
- Enabling works

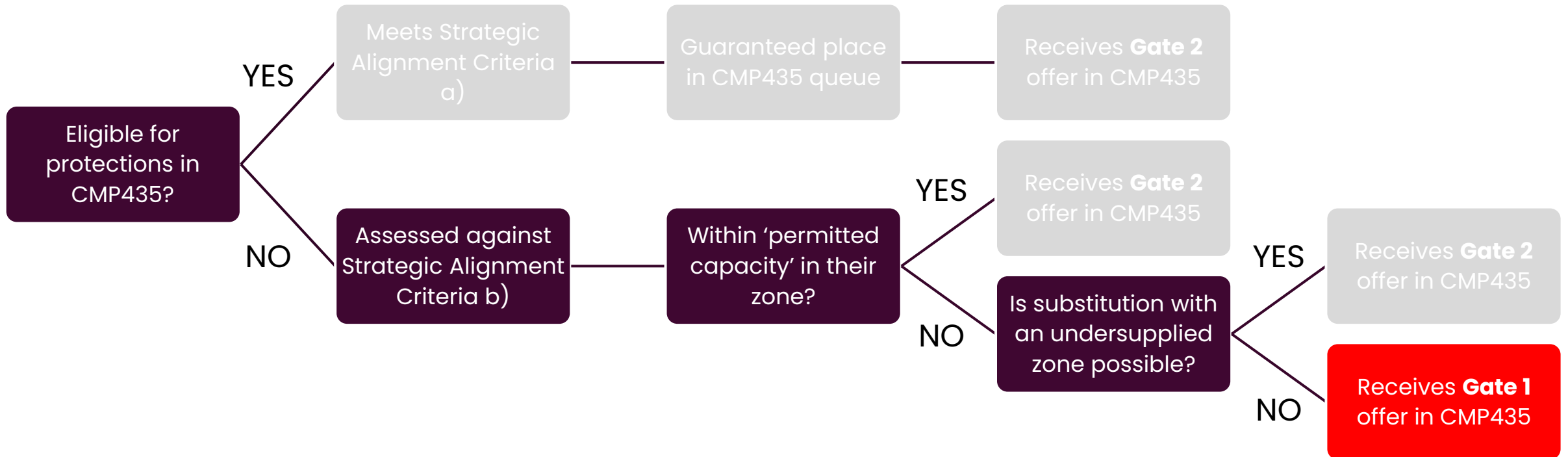
What evidence is required?

- Planning Obtained
 - M2 as per QM guidance
 - Where planning consent not required, M7 + M1 used instead
 - Planning Submitted by 20th Dec
 - Planning reference number to check **submission** by 20th
 - Does not need to be **validated** by 20th
- Support Contract
 - Must be **‘live’** at time of application
 - Does not need to be provided

Protections in CMP434

Protection eligibility in CMP434

Project receives a Gate 1 offer in CMP435...



... and then reapplies in a future CMP434 window

Protection Clauses – CMP434

2b

Projects which are **significantly progressed** (those who reapply in CMP434 only);

3

Projects which obtain planning consent after closure of the CMP435 Gated Application Window (those who reapply in CMP434 only)

	Protection Clause		
	2b	3	3 + Appeal
CMP435 or CMP434?	434	434	434
Guaranteed place in queue?	YES	NO	YES
Connection date and PoC protected?	N/A	N/A	N/A
Allowed to exceed zonal permitted capacity?	YES	YES	YES
Allowed to exceed GB permitted capacity?	YES	NO	YES

When are CMP434 protections applied?

These protections are only applied when the User applies in a CMP434 window

These protections are applicable in **any future** CMP434 window

Projects will rejoin the **back** of the queue formed in CMP435* and will not impact or reopen any offers issued in CMP435

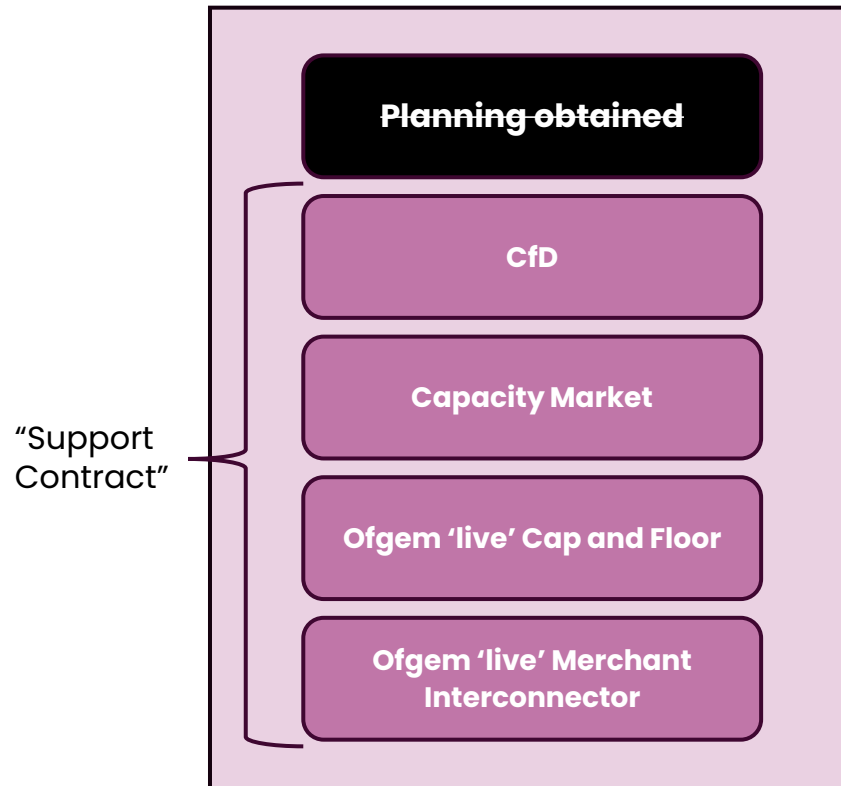
Evidence for these protections must be supplied in the CMP434 Gated Application Window

*unless able to take advantage of a reservation made in CMP435, or selected for capacity reallocation

Protection Clause 2b

2b

Projects which are **significantly progressed** (those who reapply in CMP434 only);



What is protected?

- Guaranteed place in queue in CMP434, even if zonal AND GB permitted capacities are exceeded
- Only the portion of the project that has support contract

What evidence is required?

- Support Contract
 - Must be 'live' at time of application
 - Does not need to be provided

Protection Clause 3

3

Projects which obtain planning consent after closure of the CMP435 Gated Application Window (those who reapply in CMP434 only)

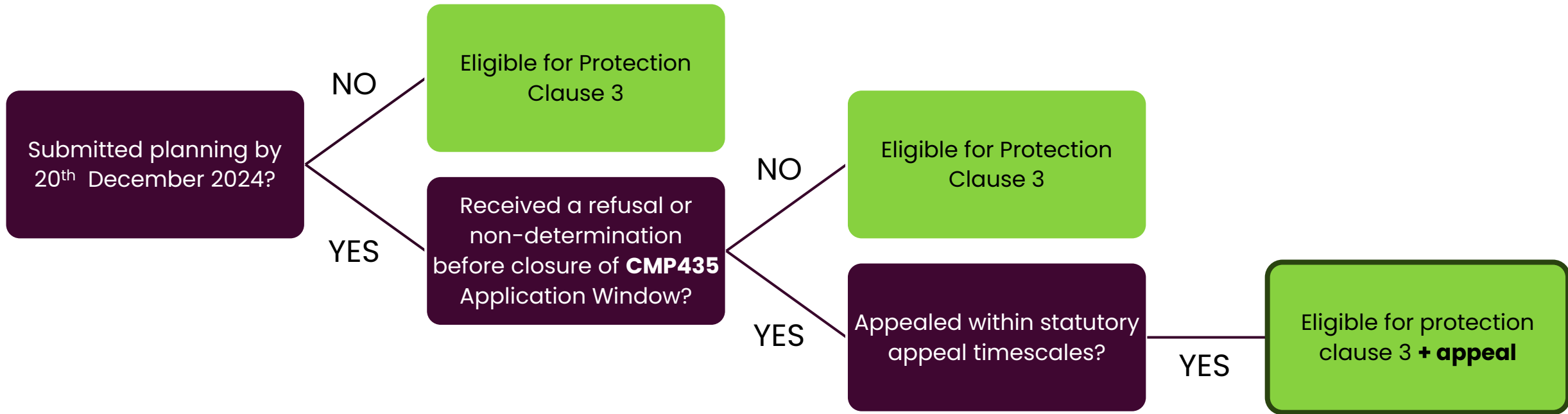
3 + Appeal

Projects which submit planning by 20th December, obtain a refusal or non-determination **before** closure of the CMP435 window, and later obtain planning consent **after** closure of the CMP435 Gated Application Window (those who reapply in CMP434 only)

	Protection Clause	
	3	3 + Appeal
CMP435 or CMP434?	434	434
Guaranteed place in queue?	NO	YES
Connection date and PoC protected?	N/A	N/A
Allowed to exceed zonal permitted capacity?	YES	YES
Allowed to exceed GB permitted capacity?	NO	YES

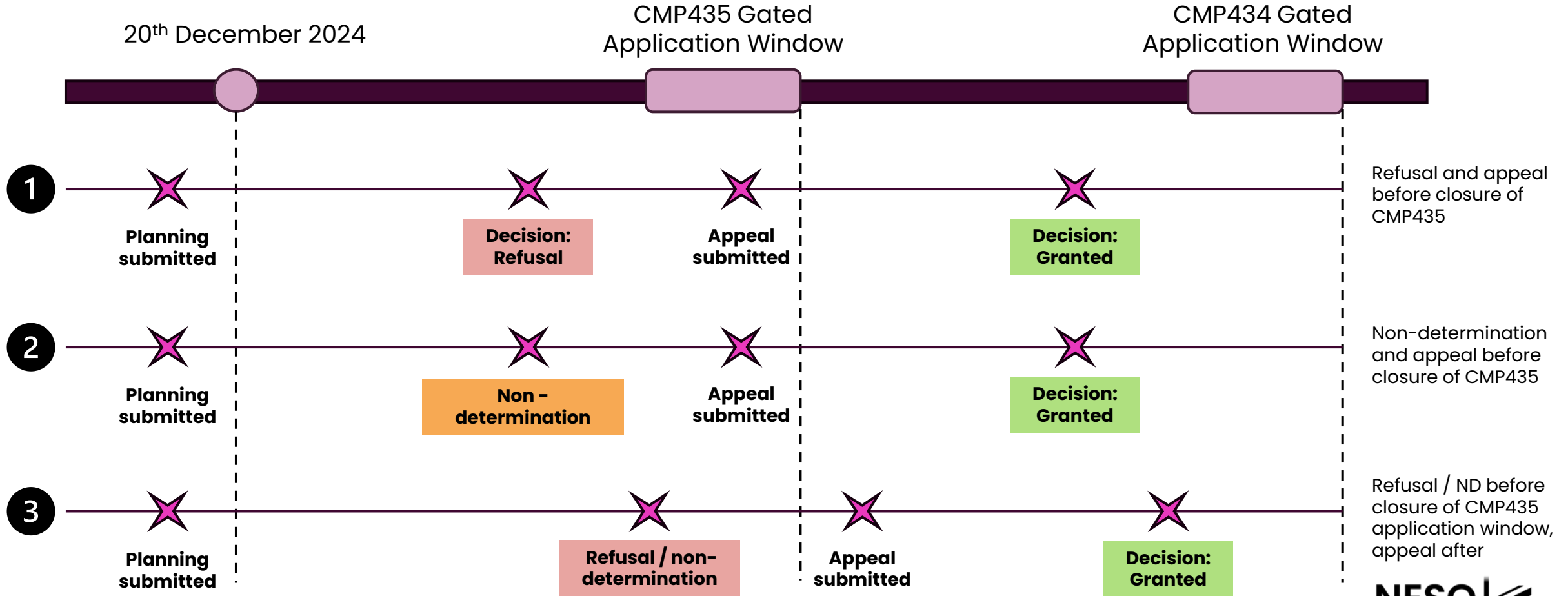
Protection Clause 3

Scenario: Project receives a Gate 1 offer in CMP435. Has since obtained planning consent and applies again in CMP434.



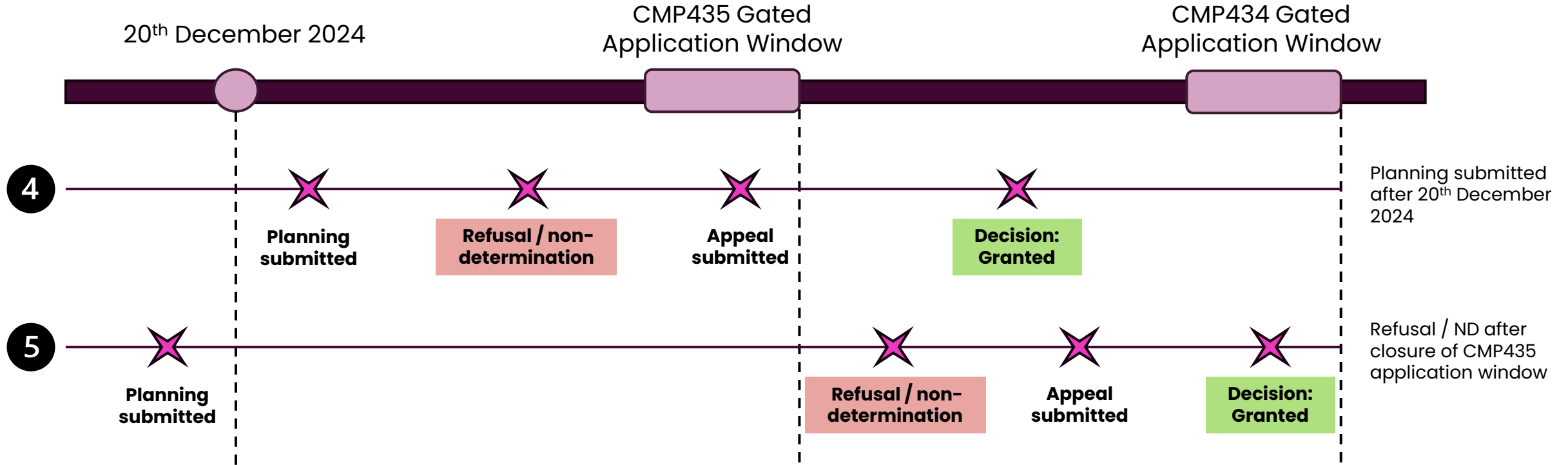
Protection Clause 3 – when is an appeal relevant?

Eligible for Protection Clause 3 + Appeal



Protection Clause 3 – when is an appeal not relevant?

Eligible for Protection Clause 3 only



Protection Clause 3

3

Projects which obtain planning consent after closure of the CMP435 Gated Application Window (those who reapply in CMP434 only)

When is the deadline for submitting planning?

- Planning application must be submitted and validated by closure of CMP435 Gated Application Window

What is protected?

- Guaranteed place in queue in CMP434, if GB total permitted capacity not yet exceeded
- Zonal permitted capacity can be exceeded
- Only the portion of the project that has planning is protected

What evidence is required?

- Planning obtained
 - M2 as per queue management guidance
- Planning submitted by closure of CMP435 Gated Application Window
 - Planning reference number to check submission **and** validation by closure of CMP435 Gated Application Window

Protection Clause 3 + Appeal

3 + Appeal

Projects which submit planning by 20th December, obtain a refusal or non-determination **before** closure of the CMP435 window, and later obtain planning consent **after** closure of the CMP435 Gated Application Window (those who reapply in CMP434 only)

When is the deadline for submitting planning?

- Planning application must have been submitted on or before 20th December 2024
- Planning application must be validated by closure of CMP435 Gated Application Window

What is protected?

- Guaranteed place in queue in CMP434, even if zonal AND GB permitted capacities are exceeded
- Only the portion of the project that has planning

What evidence is required?

- Appeal
 - (TBC) Relevant appeal forms and covering letter / Planning Inspectorate appeal reference
- Planning Obtained
 - M2 as per QM guidance
- Planning submitted by 20th December 2024
 - Planning reference number to check submission by 20th and validation by closure of CMP435 Gated Application Window

FAQs

FAQs

What happens where a project has obtained planning but is the subject of a 3rd Party Judicial Review?

- Planning consent that is the subject of an **ongoing** Judicial Review will still qualify for protections
- If the JR was successful and the planning decision was overturned prior to the closure of the CMP435 Gated Application Window then the project would lose its 'planning obtained' (and therefore protected) status

What happens if a project loses its 'protected' status after the application window closes?

- The project will retain the queue position it has acquired, until removed by Queue Management
- If the reason for losing this protection (e.g. planning consent withdrawn) also results in a QM milestone no longer being met, then the project would be removed from the queue as per the Queue Management process

FAQs

What would happen if a project had secured planning permission but made a material amendment under S73 of the TCPA 1990?

- If this amendment was made after 20th December, this would not qualify
- Where relevant, the conditions of the original planning consent would be used to determine the protection offered
 - E.g. if amendment was made to increase TEC, the original TEC would be used for the protection

In Scotland does 'planning in principle' meet the test of 'consented'?

- No, this does not qualify