**Electricity Directive 2019 Consultation**

**Response Form**

| **Q1 – Article 57(5)(f)** |
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| In the interests of full compliance with the Directive, and to avoid any doubt, an amendment is required to Schedule 1 of the Energy (Northern Ireland) Order 2003 to include requirements around confidentiality obligations as per the Directive. The Department would welcome the views of stakeholders on this issue. |
| A – |

| **Q2 – Article 57(7)** |
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| Although NI is not a Member State, the Directive will continue to apply under the Protocol, therefore the Department’s view is that UR will require a power to allow co-operation with the Commission to fulfil its duty under this Article.  To meet this requirement the Department would welcome the views of stakeholders on the proposal to amendment either Article 8 or 8A of the Energy Order. |
| A – |

| **Q3 – Article 59(1)(c)** |
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| The department would welcome the views of stakeholders on an additional duty to the Energy Order to ensure that ENTSO-E & EU DSO are referred to and that their duties are more specific than general duties to consult and co-operate on an additional duty. |
| A – |

| **Q4 – Article 59(1)(l)** |
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| Consideration is being given to the inclusion of a legislative obligation on the Regulator in the Electricity (Northern Ireland) Order 1992 to meet the specific requirements and timescales set out in this Article. The Department would welcome comments from Stakeholders on this proposed way forward. |
| A – |

| **Q5 – Article 59(9)** |
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| This article requests RAs to make available the detailed methodology and underlying costs used for the calculation of the relevant network tariffs, which requires a level of detail and factual underpinning. The Department is considering a legislative amendment to ensure compliance and implementation and would welcome your view and comments. |
| A – |

| **Q6 – Article 61(2)(b)** |
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| Given that the SEM is a single wholesale market and is delivered jointly by SONI and EirGrid under the oversight of the SEM Committee, it is our view that the requirement under this article should also be a function of the SEM Committee. The Department would welcome the views of stakeholders on this proposal. |
| A – |

| **Q7 – Article 61(2)(c)** |
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| The Department recommends the introduction of an express power, for the Regulator to carry out this function of this article, as it is our view that neither Article 8 nor 8A of the Energy Order is sufficient to cover the requirement. The Department is also of the view that this should also be a function of the SEM and would welcome the views of stakeholders on this Article. |
| A – |

| **Q8 – Article 62** |
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| The Department would welcome comments from stakeholders on its view that the requirements of Article 62 para 1 can be implemented by way of licence conditions with an obligation in the Electricity (Northern Ireland) Order 1992 to require those licence conditions, as appropriate, to be made. |
| A – |

| **Q9 – Regulatory Impact Assessment** |
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| The draft RIA has been completed on the basis of a limited amount of available information. Therefore the Department would ask for respondents to share any additional information they deem relevant in their reply to this consultation. |
| A – |

| **Q10 – Rural Needs Impact Assessment** |
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| The Department has also completed a Rural Needs Impact Assessment (RNIA) and concluded that the transposition of the Directive will not have an impact on rural communities, however the Department would ask respondents to share any additional information they deem relevant in relation to the RNIA. |
| A – |

| **Equality Impact Assessment** |
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| The Department would welcome, from an equality viewpoint, any information you can provide, relevant to the Electricity Directive, to help inform the equality screening process. |
| A – |