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Type of Stakeholder	Generator
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Confidential Response	N

24th August 2023

RE: SEM-23-060 - CMC_15_23 – Amendments to Performance Securities for Extended Projects

Dear Sem Committee,

Kilshane Energy Limited (KEL) welcomes the opportunity to respond to the consultation SEM-23-060. KEL was awarded a ten-year capacity contract for a 293MW Open Cycle Gas Turbine project (The Project) located within the Greater Dublin Locational Capacity Constraint area in the T-3 2024/25 CRM auction.

KEL Response to SEM-23-060

CMC_15_23 proposes an amendment to the timelines associated with posting Performance Securities for projects which have received an extension under CMC_15_22 or other extensions granted under other delay modifications. CMC_15_22 was approved to help mitigate risks outside the control of the developer, namely an appeal or judicial review to a planning application by a Third Party. These extensions are vital to ensure delivery of newly awarded capacity contracts and ultimately benefit the end consumer through security of supply.

KEL agree that projects which receive an extension under J.5.5 or J.5.6 will become misaligned with the timings for Performance Security postings. This misalignment only increases the risk associated with termination for these projects, which in turn creates challenges for investment decisions.

Projects being delayed due to an appeal on a planning decision for an example, will be required to post high levels of Performance Security at a stage where they are less progressed relative to projects which have not been appealed. The requirement to post the



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high levels of Performance Security when a project is not substantially progressed is disproportionate.

KEL believe that approving CMC_15_23 would ensure consistency with the original intentions of the Capacity Market Code as well as the delivery progression of projects that have had an extension granted under J.5.5 or J.5.6.

We are open to further discussion and engagement on this matter.

Regards,

Brian McMullan – Project Lead