

ARTICLE 39 APPLICATION FORM

**CONSENT REQUIRED FOR CONSTRUCTION, EXTENSION OR
OPERATION OF GENERATING STATIONS UNDER ARTICLE 39 OF THE
ELECTRICITY (NORTHERN IRELAND) ORDER 1992**

INTRODUCTION

Under Article 39 of the Electricity (Northern Ireland) Order 1992 the Department for the Economy has responsibility for granting a consent in relation to the construction, extension or operation of a generating station in Northern Ireland.

Details and guidance on the application and consenting process are contained in "**Guidance - Article 39 Applications**" located on the Department's website at <http://www.economy-ni.gov.uk/publications/guidance-article-39-applications>

This is an application for : (please select)

Onshore – output of 10 megawatts or above.

Offshore – output of above 1 megawatt for a wind or water generating station.

Are you applying for consent to (please select).

Construct /Extend

And /or

Operate

ABOUT THE APPLICANT

1. Full name of the applicant(s).

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2. Address of the applicant(s), or in the case of a body corporate, the registered or principal office.

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3. Where an applicant is a company, the full names of the current Directors and the company's registered number.

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4. Where a holding of 20 per cent or more of the shares of an applicant is held by a body corporate or partnership or an incorporated association carrying on a trade or business with or without a view to profit, the name(s) and addresses(es) of the holder(s) of such shares. **References to shares:**

- (a) *in relation to an applicant with a share capital, are to allotted shares;*
- (b) *in relation to an applicant with capital but no share capital, are to rights to share in the capital of the applicant;*
- (c) *in relation to an applicant without capital, are to interests:*
 - (i) *conferring any right to share in the profits or liability to contribute to the losses of the applicant; or*
 - (ii) *giving rise to an obligation to contribute to the debts or expenses of the applicant in the event of a winding up.*

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5. Where the applicant is not the owner of the proposed generating station:

(a) Full name of the owner(s).

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(b) Address of the owner(s), or in the case of a body corporate, the registered or principal office.

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(c) Where an owner(s) is a company, the full names of the current Directors and the company's registered number.

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- (d) Where a holding of 20 per cent or more of the shares (**see reference to shares at question 4**) of an owner(s) is held by a body corporate or partnership or an incorporated association carrying on a trade or business with or without a view to profit, the name(s) and address(es) of the holder(s) of such shares.

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6. APPLICANT’S FINANCIAL CAPABILITY

Financial information of the Applicant (please submit with this application)

- (a) Statements of the accounts for the last two years kept by the applicant in respect of relevant undertakings carried on by him, showing the financial state of affairs of that undertaking and its profit or loss, together with copies of the latest audited accounts.

- (b) If more than three months have elapsed since the end of the accounting year covered by the accounts submitted, a certificate from the applicant stating that no material adverse change has occurred.

- (c) Where the applicant is a special purpose vehicle, a statement of relevant parent company accounts and guarantees.

ABOUT THE OPERATOR

- 8. Full name of the intended operator of the proposed generating station (if different from the applicant).

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- 9. Address of the intended operator or in, the case of a body corporate, the registered or principal office.

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10. OPERATOR’S FINANCIAL CAPABILITY

Financial information of the Operator (Please refer to question 6 for the specific details of what should be included with this application).

11. OPERATOR’S TECHNICAL CAPABILITY

A description of the Operator’s technical capability and experience to conduct and/or operate the proposed generating station.

Please continue on a separate page as needed.

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ABOUT THE GENERATING STATION

13. The date by which it is proposed to commence the construction/extension of the generating station.

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14. When is construction/extension to be completed?

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15. The date by which the proposed generating station is expected to be commissioned.

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16. What is the expected life of the generating station?

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17. The postal and townland address of the generating station.

For onshore developments, include a map with reference to the 6 digit grid reference (Irish National Grid TM65).

For offshore developments, a marine chart in decimal degrees to 6 decimal places (WGS84), longitude/latitude, sufficient to identify the location of the generating station to which the application relates.

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18. A concise description of the main elements of the proposed development
i.e the design, construction and operation of the generating station.

***(If you are including reference to the Environmental Statement (ES) please put
in the exact extract / reference / number where this information can be located
within the ES.)***

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- (a) How the station will be fuelled or driven (including back up arrangements)?

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- (b) The number of generating units and the capacity of each generating unit.

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- (c) The maximum electricity (megawatts) expected to be available from the
generating station at any one time.

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19. A description of the measures to be taken by the applicant to ensure the safety and security of the electrical system, installations and associated equipment.

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20. Please specify if the proposal has either applied for or received/in the process of receiving/ planning permission under the Planning (Northern Ireland) Order 1991 and /or a marine licence under Marine and Coastal Access Act 2009.

Please select as appropriate and include dates.

Applied for planning permission.

Received planning permission,
or (if possible) the date planning permission is expected.

Refused planning permission.

Planning Application Number/Marine Licence Number.

21. Details of any licences held, applied for or being applied for to the Utility Regulator by the applicant in respect of the generation, transmission or supply of electricity under Article 10(1)a of the Electricity (Northern Ireland) Order 1992.

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22. A description of the environmental implications of the proposed generating station with particular reference to:-

- (a) ensure (so far as reasonably practicable) adequate protection for flora, fauna and geological and physiographical features of the countryside;
- (b) ensure adequate protection for sites, buildings and objects of an architectural, historical or archaeological interest from any harmful effects which might result from a proposal;
- (c) mitigate any effect on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects; and
- (d) avoid, as far as possible, causing injury to fisheries or to the stock of fish in any waters.

(If you are including reference to the Environmental Statement (ES) please put in the exact extract / reference / number where this information can be located within the ES.)

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23. An indication of the intended market(s) for the electricity generated by the station.

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DECLARATION:

The applicant declares that:

To the best of my knowledge and belief all details I have provided on this application form are true, accurate and complete at the date of signature.

I am the applicant and I make this declaration/ I am authorised to make this declaration on behalf of the applicant.

Signed:

Date:

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Print name and address of signatory:

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Any person in making this application who makes a statement which they know to be false or recklessly makes a statement which is false they shall be guilty of an offence. (The Electricity (Northern Ireland) Order 1992, Article 63)

FURTHER INFORMATION

Please provide the following details should the Department need to gain further information in respect of this application.

Name of main contact person for this application

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Address and email of main contact person for this application

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Telephone Number of main contact person for this application

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Please provide details of whom the Article 39 consent should be issued too.

Name of person .

Address and email of person.

Telephone Number of person.

CHECKLIST

Statement of Accounts for the Applicant and/or the Operator (see a-c at question 6 for more details).

Ordnance Survey Map or Marine Chart as described at question 17.

Copy of the planning permission. For offshore generating stations that require an Environmental Impact Assessment, a copy of the Environmental Statement.

An Environmental Statement.

For Offshore Developments: A copy of the Exclusivity Agreement or the Agreement of Lease from The Crown Estate.

Payment of £350.

Either a cheque payable to DfE or

an electronic bank transfer (please contact DfE if using this option)

ADDRESS

Please post completed applications and associated documents to;

Energy Division
Room 44
Netherleigh
Massey Avenue
Belfast
BT4 2JP