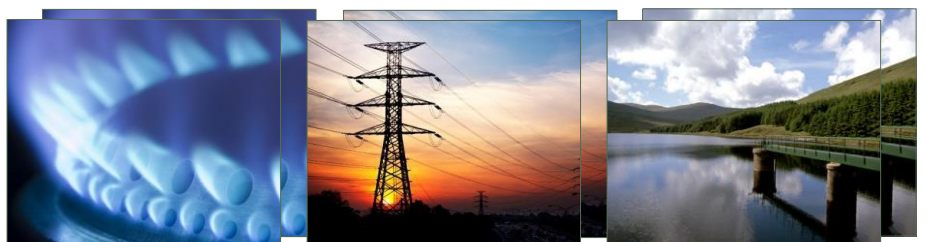


Lightsource SPV 94 Decision Paper

28 July 2017



About the Utility Regulator

The Utility Regulator is the independent non-ministerial government department responsible for regulating Northern Ireland's electricity, gas, water and sewerage industries, to promote the short and long-term interests of consumers.

We are not a policy-making department of government, but we make sure that the energy and water utility industries in Northern Ireland are regulated and developed within ministerial policy as set out in our statutory duties.

We are governed by a Board of Directors and are accountable to the Northern Ireland Assembly through financial and annual reporting obligations.

We are based at Queens House in the centre of Belfast. The Chief Executive leads a management team of directors representing each of the key functional areas in the organisation: Corporate Affairs; Electricity; Gas; Retail and Social; and Water. The staff team includes economists, engineers, accountants, utility specialists, legal advisors and administration professionals.

Our Mission

Value and sustainability in energy and water.

Our Vision

We will make a difference for consumers by listening, innovating and leading.

Our Values

Be a best practice regulator: transparent, consistent, proportionate, accountable, and targeted.

Be a united team.

Be collaborative and co-operative.

Be professional.

Listen and explain.

Make a difference.

Act with integrity.

Abstract

On 12 April 2017, the Utility Regulator (UR) gave notice under Article 10(4) of the Electricity (Northern Ireland) Order 1992 (the Order) that we proposed to grant a licence to generate electricity to Lightsource SPV 94. We received one response to that notice. This document sets out our final decision on the grant of the licence.

Audience

Electricity Industry, Statutory Bodies

Consumer impact

The decision to grant a licence to generate electricity to Lightsource SPV 94 is part of the statutory objective of the Utility Regulator to promote competition, where appropriate in the generation, transmission and supply of electricity.

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1. Introduction

1.1. Article 10(4) of the Order states that:

Before granting a licence under this Article the Authority [UR] shall give notice –

(a) stating that the Authority proposed to grant the licence;

(b) stating the reasons why it is proposed to grant the licence; and

(c) specifying the time (not being less than 28 days from the date of publication of the notice) within which representations or objections with respect to the proposed licence may be made,

and shall consider any representations or objections which are duly made and not withdrawn¹.

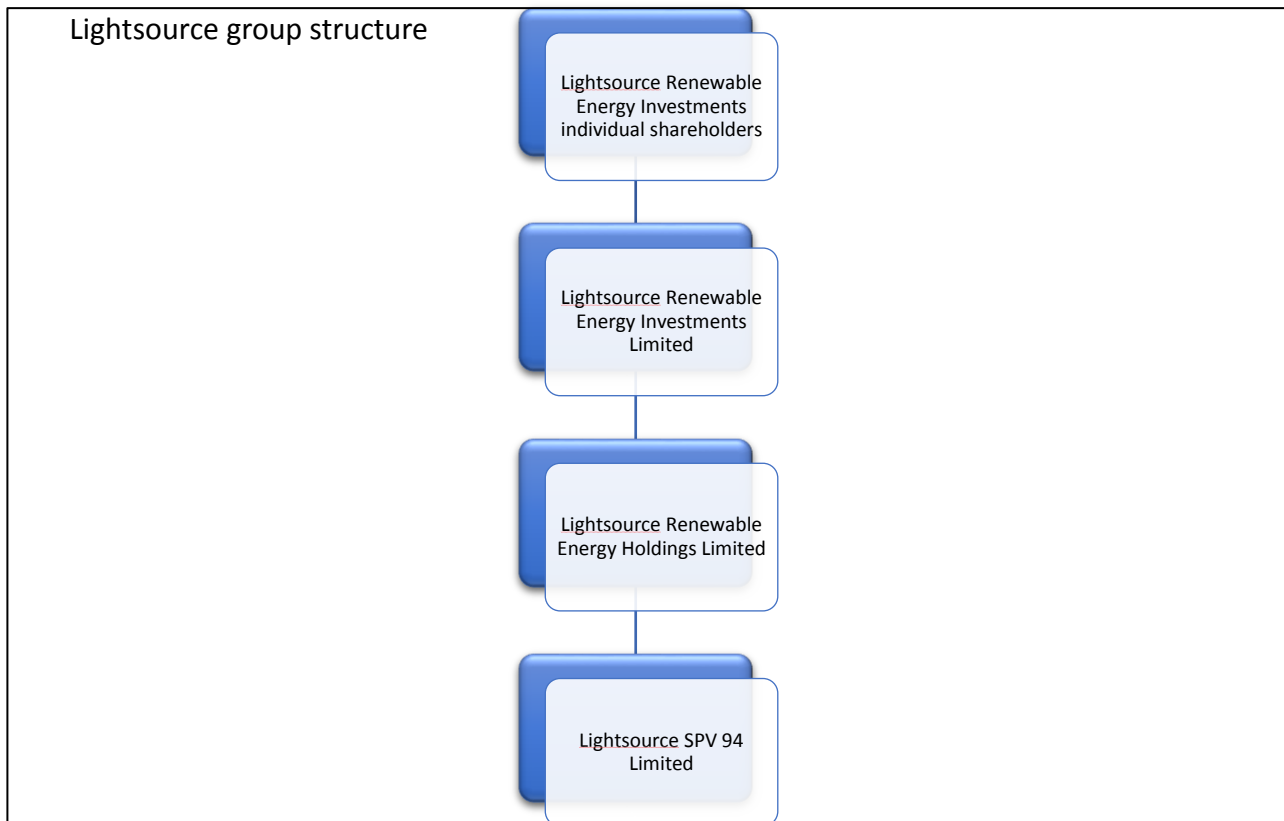
1.2. On 12 April 2017, the UR published a notice under Article 10(4) of the Order that we proposed to grant a licence to generate electricity to Lightsource SPV 94 Ltd².

1.3. Figure 1 below shows where Lightsource SPV 94 Ltd sits within the overall company corporate structure.

¹ <http://www.legislation.gov.uk/nisi/1992/231/article/10>

² <https://www.uregni.gov.uk/news-centre/consultation-proposed-electricity-generation-licence-lightsource-spv-94-limited>

Figure 1: Lightsource Corporate Structure



- 1.4. The purpose of the notice mentioned at 1.2 above was to bring to the attention of persons likely to be affected by the grant of the proposed licence and to invite representations or objections with respect to the proposed licence.
- 1.5. We received one response to the notice. This decision paper outlines the UR's decision in relation to that response.

2. Consultation Response

- 2.1. One response was received to this notice from a person “likely to be affected by the grant of the licence” (under Article 10(5) of the Order).
- 2.2. This response raised certain issues with the application and included such information the respondent considered necessary to support its response. The UR has both written and spoken directly with the respondent in relation to its consultation response.

3. Utility Regulator Investigation

- 3.1. In considering the representation made under Article 10(4) of the Order, we contacted Lightsource SPV 94 to inform them of the response received and to provide them an opportunity to respond.
- 3.2. We received a substantive response from the company, including supporting evidence to document their case.
- 3.3. In reaching its decision, the UR has conducted its own checks to the fullest extent possible, including corresponding (both orally and in writing) with relevant agencies and bodies; for example, Companies House, Belfast.

4. Utility Regulator Decision

- 4.1. Having:
 - given careful consideration to all of the information provided by the applicant;
 - given careful consideration to all of the information provided by the respondent;
 - carried out the requisite searches against Lightsource SPV 94 and its directors; and
 - reviewed all available evidence and information,

we consider that there is not sufficient information which leads the UR to conclude that Lightsource SPV 94 should not be granted a generation licence.

- 4.2. Therefore, in accordance with Article 10 of the Order, the UR now gives notice that a licence for the generation of electricity in Northern Ireland was granted to Lightsource SPV 94 Limited today, 28 July 2017.