

**To: All holders of an electricity interconnector licence**

**Electricity Act 1989  
Section 11A(1)(b)**

**Modification of the standard conditions of all electricity interconnector licences**

1. Each of the licensees to whom this document is addressed has an interconnector licence which has been granted or treated as granted under [section] of the Electricity Act 1989 (the Act).
2. Under section 11A(2) of the Act the Gas and Electricity Markets Authority ('the Authority')<sup>1</sup> gave notice on 24 February 2023 ('the Notice') that we propose to modify standard condition 26B. We stated that any representations to the modification proposal must be made on or before 31 March 2023.
3. A copy of the Notice was sent to the Secretary of State in accordance with section 11A(4)(b) of the Act, and we have not received a direction that the change should not be made.
4. We received 3 responses to the Notice, which we carefully considered. We have placed all non-confidential responses on our website. Our response to these comments is set out in the accompanying letter.
5. It is necessary to make one minor alteration to the modifications set out in the Notice. This alteration is shown in **yellow highlight** in the attached Schedule 1. The reasons for any differences between the modifications set out in the Notice and the modifications reflected in Schedule 1 are to address minor issues raised in consultation responses. We are making these/this licence change(s) because we seek to provide a mechanism for relevant licensees to submit a request to the Authority, for its consideration, to specify a later Regime Start Date, and in light of the consultation responses received. The effect of the modification will be to insert the following new standard condition into existing Section G: Cap and Floor Conditions:

- Standard Condition 26B: Delay to Regime Start Date caused by Pre-Operational Force Majeure (Third Window)

as set out in Schedule 1 of this decision.

6. Where an application for permission to appeal our decision is made to the Competition and Markets Authority (CMA) under section 11C of the Act, Rule 5.6 of the Energy Licence Modification Appeals: Competition and Markets Authority Rules<sup>2</sup> requires that the appellant must send to any relevant licence holders who are not parties to the appeal a non-sensitive notice setting out the matters required in Rule 5.2. The attached Schedule 2 provides a list of the relevant licence holders in relation to this modification. Section 11A(10) of the Act sets out the meaning of 'relevant licence holder'.

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<sup>1</sup> The terms "the Authority", "we" and "us" are used interchangeably in this document.

<sup>2</sup> CMA70 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/655601/energy-licence-modification-appeals-rules.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/655601/energy-licence-modification-appeals-rules.pdf)

Under the powers set out in section 11A(1)(b) of the Act, we hereby modify the standard licence conditions for all electricity interconnector licences in the manner specified in attached Schedule 1. This decision will take effect from 10 January 2024.

This document is notice of the reasons for the decision to modify the electricity interconnector licences as required by section 49A(2) of the Act.

*Nicolas Pittarello*

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**Nick Pittarello**  
**Head of Future Interconnection**  
Duly authorised on behalf of the  
Gas and Electricity Markets Authority

**14 November 2023**