

# Decision

## RIIO-2 ED2 Hebrides and Orkney Re-opener Final Determinations 2024 – Skye Uist

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On 16 January 2025 we published for consultation our Draft Determinations on Scottish and Southern Electricity Networks (SSEN)<sup>1</sup> proposed Skye-Uist project under Special Condition (SpC) 3.2, Part O: Hebrides and Orkney Re-opener (Ho<sub>t</sub>).

We invited responses from people and organisations with an interest in electricity and gas transmission or distribution, and from other stakeholders and the public. We closed the consultation on 13 February and received five responses. SSEN was the only network company to respond, and we received two responses from energy companies (Community Power Outer Hebrides, South Uist Renewable), one response from the local authority (Comhairle nan Eilean Siar), and one from the Torcuil Crichton MP. The responses were published on the consultation website<sup>2</sup>.

This document outlines our Final Determinations on the proposed Skye-Uist Project. Our decision is to increase allowances for SSEN above our Draft Determinations proposals for a total allowance of £62.25m. We have also published a licence modification giving effect to our Final Determinations.

<sup>1</sup> The submission was from SSEN Distribution (SSEN) the trading name of Scottish Hydro Electrical Power Distribution plc (SSEH) and Southern Electric Power Distribution plc (SSES). The project under this re-opener were submitted on behalf of SSEH.

<sup>2</sup> [RIIO-2 Re-opener: Scottish and Southern Electricity Network's 2024 Skye-Uist Project | Ofgem](#)

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## **1. Introduction**

- 1.1 Network companies are natural monopolies. Effective regulation of privatised for-profit monopolies is essential to ensure they cannot unfairly exercise their monopoly power to the detriment of their customers. This is particularly important in the case of essential utilities, such as energy, where consumers have no choice on whether or not to pay what they are charged. It is therefore crucial that an effective regulator protects energy consumers by controlling how much network companies can charge their customers. Ofgem does this through periodic price controls that are designed to ensure network companies are properly incentivised to deliver the best possible outcomes for current and future energy consumers. This includes ensuring that consumers only pay for investments that are needed and do not overpay for those investments.
- 1.2 The current price control model is known as RIIO (Revenue = Incentives + Innovation + Outputs). RIIO-2 is the second electricity and gas price control under the RIIO model. The price control period for electricity distribution (ED) sector runs from 01 April 2023 to 31 March 2028. It includes a range of Uncertainty Mechanisms (UMs) that allow us to assess network companies' applications for further funding during RIIO-ED2 and adjust their allowances in response to changing developments during the price control period. This prevents setting network companies' allowances higher or lower than required.
- 1.3 UMs ensure that consumers fund projects only when there is clear evidence of benefit, and once we have clarity on likely costs and cost efficiency. Without UMs, consumers may face higher costs than necessary and network companies may be exposed to an unreasonable level of financial risk. These mechanisms also ensure that the RIIO-ED2 price control has flexibility to adapt as the pathways to Net Zero become clearer.
- 1.4 Where possible, we<sup>3</sup> have set automatic UMs, known as Volume Driver mechanisms, such as the Generation and Demand Connection Volume Drivers, which provide network companies with immediate funding when they are required to undertake new customer connection works.
- 1.5 In other areas, where the degree of uncertainty is too great to allow for an automatic mechanism, we set "re-openers" which allow us to assess network

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<sup>3</sup> The terms 'the Authority', 'Ofgem', 'we' and 'us' are used interchangeably in this document. The Authority is the Gas and Electricity Markets Authority. Ofgem is the office of the Authority.

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companies’ proposals robustly, once sufficiently accurate information is made available.

## **Hebrides and Orkney Re-opener**

- 1.6 When we made our [RIIO-ED2 Final Determinations](#) (ED2 FDs) in November 2022, we remained unclear about customer needs for proposed projects in Hebrides and Orkney<sup>4</sup> due to the possible impact of outstanding third-party decisions that were likely to affect demand.
- 1.7 We agreed with SSEN’s proposal to utilise a re-opener that could be triggered after SSEN had finalised a whole system review of needs that takes into account these external decisions.<sup>5</sup> As such, we decided not to fully fund those projects and introduced the Hebrides and Orkney Re-opener<sup>6</sup> for SSEN to request additional funding for the costs associated with the outcomes of additional whole system analysis in the Scottish Islands to contribute to Net Zero Carbon Targets and ensure long-term security of supply to the Hebrides and Orkney islands in Scotland.
- 1.8 In order to allow SSEN to undertake the pre-requisite pre-construction works required to deliver the whole system solution for the Hebrides and Orkney in an efficient and timely manner, we decided to provide £20.6m in ex ante funding.<sup>7</sup>
- 1.9 Following the third-party decisions being made, SSEN have conducted additional whole system analysis and applied for funding under this re-opener for four projects in the January 2024 re-opener application. We have previously published the [Final Determinations](#) on our assessment of the needs case, optioneering, and efficient costs for three of these projects, and this document sets out our decision on the fourth: the Skye-Uist project.

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<sup>4</sup> For a list of the projects, see 3.2.105(a) in Appendix 1.

<sup>5</sup> [RIIO-ED2 Final Determinations SSEN Annex \(ofgem.gov.uk\)](#) at paragraph 4.6

<sup>6</sup> SpC 3.2.105(c). A copy of SSEH’s SpCs as made in February 2023 can be found at [Decision on the proposed modifications to the RIIO-2 Electricity Distribution licences | Ofgem](#)

<sup>7</sup> [RIIO-ED2 Final Determinations SSEN Annex \(ofgem.gov.uk\)](#), at paragraph 3.24.

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## **What did we consult on?**

- 1.10 We proposed in the [Draft Determinations on RIIO-2 Re-opener Applications 2024](#) to take a phased assessment approach for the fourth project submitted by SSEN under the Hebrides and Orkney Re-opener, by receiving the updated cost information provided by SSEN in July 2024. We published the fourth project Draft Determinations on 16 January 2025. All monetary figures in this document are in 2020/21 prices to align with the RIIO-ED2 FDs price base.
- 1.11 Following its submission in 2024, SSEN also provided additional information to us through a combination of bilateral meetings and Supplementary Questions (SQ) responses.
- 1.12 We considered each proposal and the relevant justification for the funding requested in accordance with our principal objective and statutory duties. In line with the Re-opener Guidance and Application Requirement Document, our assessment covered the following three areas for each project:
- the needs case
  - the options assessment and the justification for the proposed project
  - the efficient costs for the proposed project
- 1.13 We combined this information to create our Draft Determinations on what additional allowances, if any, should be provided to SSEN to undertake the relevant project.
- 1.14 We consulted on our Draft Determinations between 16 January 2025 and 13 February 2025 and included a draft of the licence modification notice that would be used to implement the Draft Determinations. We received five responses in total, with SSEN the only network company to respond. We received two responses from renewable energy companies (Community Power Outer Hebrides, South Uist Renewable), one response from the local authority (Comhairle nan Eilean Siar), and one from the Torcuil Crichton MP.

## **Purpose of this document**

- 1.15 This document summaries the consultation responses received from stakeholders, and an explanation of the changes made to our Draft Determinations position since the consultation. It also sets out our Final Determinations for the application

submitted under the re-opener mechanism Hebrides and Orkney Reopener SpC 3.2 Part O.

- 1.16 Alongside this decision, we are publishing a direction to amend the licence of SSEH to give effect to the Hebrides and Orkney Re-opener project approved in our Final Determinations.

## **Context and related publications**

- 1.17 The scope of this consultation is limited to the Skye-Uist project submitted by SSEN in the 2024 application window. Additional information on this project can be found in the re-opener submission documents on SSEN's [website](#).
- 1.18 This document is intended to be read alongside:
- 1) [RIIO-ED2 SSEN Final Determinations](#)
  - 2) [Draft Determinations on RIIO-2 Re-opener Applications 2024](#)
  - 3) [Final Determinations on RIIO-2 Re-opener Applications 2024](#)
  - 4) [Draft Determinations on RIIO-2 Re-opener Applications Skye-Uist 2024](#)
  - 5) [RIIO-ED2 Re-opener Guidance and Application Requirements Document](#)
  - 6) SpCs (and SpC 3.2 Parts O in particular) of the [Licence](#).
  - 7) Re-opener [submission documents](#) on SSEN website.

### **Decision-making stages**

<b>Date</b>	<b>Stage description</b>
16/01/2025	Stage 1: Consultation open
13/02/2025	Stage 2: Consultation closes (awaiting decision), Deadline for responses
01/04/2025	Stage 3: Responses reviewed and published
21/05/2025	Stage 4: Consultation decision/policy statement

### **General feedback**

We believe that consultation is at the heart of good policy development. We are keen to receive your comments about this report. We'd also like to get your answers to these questions:

1. Do you have any comments about the overall quality of this document?
2. Do you have any comments about its tone and content?
3. Was it easy to read and understand? Or could it have been better written?
4. Are its conclusions balanced?
5. Did it make reasoned recommendations?
6. Any further comments

Please send any general feedback comments to [stakeholders Ofgem email address](#).



## **2. Summary of our Final Determinations**

- 2.1 SSEN applied for funding under the re-opener for its proposals to install an additional subsea cable from Ardmore to Loch Pooltiel as well as an overhead line (OHL) section from Dunvegan to Loch Pooltiel, the so called “Optimisation Loop” (this was **Option 30** from the long list of options that SSEN considered<sup>8</sup>).
- 2.2 Our Draft Determinations (DD) proposed to provide funding for **Option 19**, installation of a subsea cable from Loch Pooltiel to Loch Carnan plus an underground cable between Dunvegan and Loch Pooltiel to mitigate the risk of delay due to potential consenting challenges. However, following consideration of the consultation responses, we no longer consider this option to suitably mitigate the consenting risk.
- 2.3 After further assessment, we are revising our DD position, and we now consider that **Option 32**, to install an underground cable between Dunvegan and Loch Pooltiel and installation of an additional subsea cable from Ardmore to Loch Pooltiel, is the most efficient overall. It is the lowest cost option that facilitates the removal of the existing Ardmore-Loch Carnan subsea cable in 2026 and mitigates the high risk of consenting delay impacting energisation of the proposed solution for Skye-Uist.
- 2.4 The licence modification giving effect to these Final Determinations (FD) has been published alongside this document.
- 2.5 **Table 1** below summarises our Draft and Final Determinations for the Skye – Uist project under Hebrides and Orkney Re-opener. All monetary figures in this document are in 2020/21 prices to align with the RIIO-ED2 FDs price base.

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<sup>8</sup> Please see Appendix 2 for explanation of the most relevant options.

**Decision** –RIIO-2 ED2 Hebrides and Orkney Re-opener Final Determinations 2024 –  
Skye Uist

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**Table 1 Summary of our Draft and Final Determinations (£m, 2020/21 prices)**

<b>Sector Group</b>	<b>Network</b>	<b>Company Proposed Project</b>	<b>Company Requested Forecast Costs (£m)</b>	<b>Ofgem's DD Cost Adjustment (£m)</b>	<b>Ofgem's DD Allowances (£m)</b>	<b>Ofgem's FD Cost Adjustment (£m)</b>	<b>Ofgem's FD Allowances (£m)</b>
Scottish and Southern Energy	SSEH	SSEN-D Skye-Uist (project cost)	63.65	-13.63	50.02	[Redacted]	[Redacted]
		Risk Allowance	4.71	-0.92	3.79	[Redacted]	[Redacted]
		<b>Total</b>	<b>68.36</b>	<b>-14.55</b>	<b>53.81</b>	<b>-6.11</b>	<b>62.25</b>

### 3. Hebrides and Orkney Re-opener: Skye-Uist project

- 3.1 The existing subsea cable that connects the Isle of Skye to the mainland is approaching the end of its life and therefore a replacement solution to maintain supply to the island is required.
- 3.2 SSEN considered more than thirty options. The most relevant options considered are described in Appendix 2. **Table 2** below provides summary explanation of the four options of most relevance to our FDs.

**Table 2 – Options relevant to understanding our FDs**

Option number	Description	Status
Option 30	i. Subsea cable from Loch Carnan to Loch Pooltiel ii. Subsea cable from Ardmore to Loch Pooltiel (the Optimisation Loop) iii. OHL from Dunvegan to Loch Pooltiel	SSEN proposed solution
Option 18	i. Subsea cable from Loch Carnan to Loch Pooltiel ii. OHL from Dunvegan to Loch Pooltiel	Ofgem assessed optimal solution
Option 19	i. Subsea cable from Loch Carnan to Loch Pooltiel ii. ii. Underground cable from Dunvegan to Loch Pooltiel	DD proposed funding
Option 32	i. Subsea cable from Loch Carnan to Loch Pooltiel ii. Subsea cable from Ardmore to Loch Pooltiel (Optimisation Loop)	FD proposed funding

#### Our Draft Determinations

- 3.3 Our Draft Determinations accepted that due to the asset health of the cable, the needs case to replace the existing subsea cable from Ardmore to Loch Carnan, is valid. Our assessment was that **Option 18** was the optimal solution as it would meet the needs case at the lowest cost. However, this option could risk delays to project delivery timelines due to a complex system of land owning in Skye that could lead to consenting delays. We agreed therefore that an alternative solution that effectively mitigated the consenting risk was required.
- 3.4 SSEN's proposal to mitigate the consenting risk was the addition of a second subsea cable, from Ardmore to Pooltiel, which it referred to as the Optimisation Loop (**Option 30**). Optimisation Loop would serve broadly the same function as the proposed OHL between Dunvegan and Pooltiel. However, its installation would not face the same consenting challenges as the OHL section and would act as a failsafe should the OHL section be delayed.

- 3.5 Our Draft Determinations proposed to award allowances of £50.02m (2020/21 prices). This allowance reflected our view that **Option 19** would be the efficient solution as it delivers the same benefits and consenting risk management but at a lower cost compared to other suitable options.
- 3.6 We proposed to reduce the risk allowance value in proportion to the capital expenditure of the underground cable option without the Optimisation Loop and to reject SSEN's request for a new Payment Adjustment Mechanism (PAM) to adjust allowances to further mitigate its cost risks.

## Consultation Responses

- 3.7 We received five consultation responses. SSEN was the only network company to respond. We received two responses from energy companies (Community Power Outer Hebrides, South Uist Renewable), one response from the local authority (Comhairle nan Eilean Siar), and one from the Torcuil Crichton MP.
- 3.8 Four respondents agreed with our acceptance of the valid needs case and none disagreed.
- 3.9 SSEN:
- Disagreed with our conclusion that **Option 19** is the most cost-effective solution and disagreed that cost risk should be managed through the Totex Incentive Mechanism.
  - Suggested again that **Option 30** is the most effective and preferred outcome but proposed that if the final decision is to award allowances at **Option 19** level (our DD proposal), then additional risk allowance should be awarded to cover the risk should the existing cable fail in service with the associated supply shortfall likely to be met by running island diesel stations.
  - Provided new information about the proposed onshore section, suggesting that undergrounding this section presented similar risks of delay as an OHL would. This is because of the significant proportions of the route that will be through hard rock requiring specialist techniques that would likely add time and costs. SSEN argued that due to the complex land ownership arrangements through this section of Skye, any proposed overland route, including under-ground cable, is at high risk of consenting delays.
  - SSEN expressed a preference for a cost adjustment mechanism to manage uncertain costs. In the absence of this mechanism, SSEN seeks additional

funding to avoid exposure to these costs, requesting Ofgem reconsider our position and provide an alternative arrangement.

- SSEN argues it conducted development activities appropriately, with complex land ownership arrangements only becoming clear in consultations with local groups in late 2024.
- Disagreed with our additional comments that SSEN's whole system planning approach was inadequate for their evaluation of larger subsea cables or higher voltage solutions for long-term system solutions beyond RIIO-ED2. SSEN set out that it focuses on specifying a minimum rating to meet project design requirements where resilience to island groups often means using a greater number of smaller cables.

#### 3.10 Community Power Outer Hebrides:

- Disagreed with our assessment of the optimal solution and proposed that the subsea optimisation mitigation loop from Ardmores GSP to Loch Pooltiel is essential due to threat of current subsea cable failure and risk of further delays of other options.
- Emphasised the increase in carbon emissions, higher running costs, and limited capacity for local wind farms resulting in economic losses of providing electricity due to the 2020 failure of the subsea cable. Also highlighted the financial strain due to insurance concerns over future subsea cable failure.

#### 3.11 South Uist Renewable:

- Agreed with our assessment that a new underground cable instead of overhead power lines would be the efficient option to mitigate consenting risk.
- Agreed with our assessment of the optimal solution but emphasised that a new cable is essential to ensure network reliability; while a larger, future-proof cable is, they contended, ideal for increased renewable production, the immediate priority is replacing the current cable to mitigate failure risk and support the fragile economy of the islands.

#### 3.12 Comhairle nan Eilean Siar, the Local Authority for the Outer Hebrides of Scotland:

- Disagreed with our assessment of the optimal solution and with our assessment of the efficient option to mitigate consenting risk and believe the Optimisation Loop (**Option 30**) the most quickly deliverable option which should be the only consideration due to the communities of Uist remaining vulnerable to network

disruption, the extended timescale, and the climate impacts of on-island diesel generators.

- Disagreed with our assessment of efficient costs and proposal to not adjust Payment Adjustment Mechanism (PAM) as they believe exposure to price volatility is becoming extreme and SSEN is reflecting that it knows its risks and obligations to local communities in operating in an area of extreme price volatility.

### 3.13 Torcuil Crichton MP

- Supported SSEN's Optimisation Loop as the best option to avoid delays from onshore works.
- Emphasised the delay that would occur from the construction of the overhead line from the challenge of the complex land ownership of the onshore installations.
- Emphasised the effect of the increasing carbon emissions and the increased costs if diesel generators are required should there be a cable failure or a time delay.

## Our Final Determinations

- 3.14 We acknowledge the significant attention and engagement this project has garnered from various stakeholders. Taking into consideration the stakeholder responses, the newly provided information on the difficulty of undergrounding lines, and the additional information on the high risk of consenting delays, provided by SSEN, we have reassessed the list of options and their delivery timeframes.
- 3.15 The challenging ground conditions along the proposed onshore route mean that installing an underground cable presents similar delay risks as installation of overhead line would. This therefore rules out both **Option 18** and **Option 19**. In these circumstances and given required delivery timeframes the second subsea cable (the Optimisation Loop) is necessary. However, should the Optimisation Loop be installed then we do not see sufficient additional benefits to justify construction of the overhead line section (i.e. **Option 30**).
- 3.16 Our decision therefore is to increase allowances for SSEN to the level of **Option 32**. With adjustment for ongoing efficiency and ex-ante funding already, this increases the allowances by [Redacted] above our DD proposals for a total allowance of £62.25m. Similar to what we stated in our DDs, this decision does not tie SSEN to this particular solution. However, should it choose to pursue an

alternative option then any associated over-spend or under-spend will be dealt with through the Totex Incentive Mechanism.

Risk allowance and Payment Adjustment Mechanisms (PAMs)

- 3.17 We maintain our DD approach in estimating the final risk allowance, which is to award risk allowance in proportion to the capex allowances. The increased capex allowance has resulted in a [Redacted] risk allowance increase giving a final risk allowance of [Redacted].
- 3.18 We maintain our DD position to reject SSEN's proposal for a new re-opener in RIIO-ED2 to allow future requests for funding linked to PAMs and remain of the view that any cost fluctuations should be appropriately shared by licensee and consumers through the Totex Incentive Mechanism.

**Additional comments on whole system solutions**

- 3.19 In our FD in July 2024, we raised our concerns over SSEN's decision to prioritise short-term cable availability instead of postponing cable installation to allow exploration of other options that better align with the long-term whole system requirements. We clearly stated our views that the early procurement and installation of the 33kV cable (500mm<sup>2</sup>) ruled out other viable options for the Orkney islands with clear benefits for the long-term whole system requirements.
- 3.20 In our DD in January 2025, we expressed our concerns over SSEN's decision to not commence mitigation actions for delays due to the consenting process earlier. We stated that given that the solution to supply South Uist was included in the original RIIO-ED2 business plan there was enough time to identify the risk and commence mitigation actions earlier.
- 3.21 As set in previous publications<sup>9</sup>, we are concerned that otherwise viable options may have been made unviable due to SSEN's actions or failure to act quickly enough. This appears to be the case on the Skye-Uist project, where the optimal option, **Option 18**, would have been viable had SSEN acted earlier to

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<sup>9</sup> Including [Final Determinations on RIIO-2 Re-opener Applications 2024](#) at paragraph 2.29 – 2.10 and [Draft Determinations on RIIO-2 Re-opener Applications Skye-Uist 2024](#) at paragraph 3.35 – 3.36

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mitigate the associated risks. The installation of the Optimisation Loop at higher cost is as a consequence of SSEN's inaction.

- 3.22 In our view SSEN's planning approach on the Skye-Uist project has again demonstrated a lack of foresight in addressing the long-term needs of consumers and consequently may have constrained future possibilities and made otherwise viable whole system solutions unviable. We expect all licensees to act in consumers' best interests, including in their approach to optioneering and long-term planning. We expect to see improvements in this area demonstrated in future funding applications.



## Appendices

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## **Appendix 1 SpC 3.2.105 - List of Activities under Hebrides and Orkney Re-opener**

3.2.105 The Hebrides and Orkney Re-opener may be used where:

- a) the licensee has incurred or expects to incur costs as a result of changes to the scope or timing of work relating to twelve sub-sea cables:
  - i. Skye to Uist (North route);
  - ii. Skye to Uist (South route);
  - iii. Pentland Firth West;
  - iv. Pentland Firth East;
  - v. Mainland Orkney – Hoy South;
  - vi. Orkney (additional 66kV circuit)
  - vii. Eriskay – Barra 2;
  - viii. South Uist – Eriskay;
  - ix. Mull to Coll (double circuit);
  - x. Coll - Tiree (double circuit);
  - xi. Mainland - Jura (double circuit); and
  - xii. Jura - Islay (double circuit); or
- b) the licensee has incurred costs associated with ensuring security of supply in the Scottish islands, and can demonstrate efficient whole systems considerations have been taken into account, including considering alternative activities to installing the cables listed in paragraph (a); or
- c) the licensee has incurred or expects to incur costs associated with the outcomes of additional whole system analysis in the Scottish Islands to contribute to Net Zero Carbon Targets and ensure long-term security of supply, including any alternative activities to installing the cables outlined in (a); and
- d) the change in those costs in paragraphs (a) or (b) exceeds the Materiality Threshold and are not otherwise funded by the SpCs.

## **Appendix 2 List of options**

(A) SSEN have outlined the following key long-term options (out of a long list of 32 options) within their re-opener application submitted in January 2024 as whole system solution:

- Option 11: (i) Replacing the existing Ardmore – Loch Carnan subsea cable with larger cable and (ii) add a new larger size cable or OHL Ardmore – Clachan and (iii) new Ardmore – Harris subsea cables
- Option 14: (i) Replacing the existing Ardmore – Loch Carnan subsea cable with an OHL running from Dunvegan to a landing point at Loch Pooltiel, connecting to a new subsea cable running from Loch Pooltiel to Loch Carnan and (ii) add a new cable/OHL circuit from Ardmore – Clachan and (iii) new Ardmore – Harris subsea cables
- Option 18: (i) Replacing the existing Ardmore – Loch Carnan subsea cable with an OHL running from Dunvegan to a landing point at Loch Pooltiel, connecting to a new subsea cable running from Loch Pooltiel to Loch Carnan, (ii) additional Harris – Clachan subsea cable and OHL, and (iii) new secondary Ardmore – Harris subsea cable.
- Option 19: Refining Option 18 by replacing the OHL section from Dunvegan to Loch Pooltiel subsea landing point with an underground cable.
- Option 26: (i) New Ardmore – Loch Carnan subsea cable and (ii) new Ardmore – Harris subsea cable.

(B) Further options submitted in July 2024 when SSEN was progressing phase (i) of Option 18, for mitigating the risk of potential project delay due to consenting concerns:

- Option 18: (i) Replacing the existing Ardmore – Loch Carnan subsea cable with an OHL running from Dunvegan to a landing point at Loch Pooltiel, connecting to a new subsea cable running from Loch Pooltiel to Loch Carnan
- Option 19: Refining Option 18 by replacing the OHL section from Dunvegan to Loch Pooltiel subsea landing point with an underground cable.
- Option 30: Adding an additional subsea cable section to Option 18, running from Ardmore to the Loch Pooltiel landing point (referred to as the “optimisation loop”).
- Option 32: Abandon the Dunvegan – Loch Pooltiel section and instead progress the Ardmore – Loch Pooltiel – Loch Carnan circuit using subsea cables.