

Decision

Modifications to Electricity Interconnector Standard Licence Conditions 26A and 26B

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Introduction

On 23 April 2026, the Authority¹ sought views on proposed licence modifications under section 11A(2) of the Electricity Act 1989 (the **Consultation**)² to modify:

- (i) The definition of Pre-Operational Force Majeure in Standard Licence Condition (SLC) 26A of the Electricity Interconnector Licence; and
- (ii) The definition of Backstop Date in Standard Licence Condition (SLC) 26B of the Electricity Interconnector Licence.

We received seven responses to the Consultation. Following careful consideration of the representations made and for the reasons set out below, we have decided to proceed with the proposed modifications without alterations.

All non-confidential responses relevant to this decision³ (redacted) are published alongside this decision document.

Modification to Standard Licence Condition 26A: Delay to Regime Start Date caused by Pre-operational Force Majeure

The Consultation proposed to amend the definition of Pre-Operational Force Majeure in SLC 26A (Delay to Regime Start Date caused by Pre-Operational Force Majeure) by removing the wording *‘or performance or non-performance by an electricity transmission licensee or equivalent entity’*. The reason for this modification is that the Authority considers that delays arising during the pre-operational phase, which are outside the reasonable control of the licensee and caused by external factors, should not be automatically excluded from the definition of Pre-Operational Force Majeure. The modifications to SLC 26A are set out in Schedule 1A, which contains the relevant licence text marked up to show the amendments.

Analysis of responses

Of the seven responses received to the Consultation, six were relevant to this modification of SLC 26A. All the respondents were supportive of the modification.

¹ The terms “the Authority”, “we” and “us” are used interchangeably in this document.

² [Modifying the standard conditions of the electricity interconnector licence](#)

³ Respondents that specifically responded regarding these modifications.

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The Authority's view

We therefore confirm our decision to proceed with the proposed modification as set out in the consultation.

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

The Consultation proposed to amend the SLC 26B (Delay to Regime Start Date caused by Pre-Operational Force Majeure (Third Window)) by amending the definition of Backstop Date from “31 December 2032” to “31 December 2035”. The reason for this modification is to reflect Ofgem’s decision⁴ of 29 August 2025, to amend the Initial Project Assessment (IPA) conditions for Third Window (W3) interconnector projects and pilot Offshore Hybrid Assets (OHAs) projects. The modifications to SLC 26B are set out in Schedule 1A, which contains the relevant licence text marked up to show the amendments.

Analysis of responses

Of the seven responses received to the Consultation, three responses were relevant to this modification of SLC 26B. Two of the respondents agreed with the proposed licence modification. The third respondent did not take a definitive position on the proposed change, citing limited visibility of the specific issues affecting relevant projects, but requested further clarity from Ofgem on the drivers behind the proposal.

The Authority's view

The Authority introduced the change in response to external factors, including supply chain constraints, which could materially impact project timelines and financing structures, and to enable projects to be delivered at least cost. This reflects the decision set out in our August 2025 IPA condition amendment.

We therefore confirm our decision to proceed with the proposed modification as set out in the consultation.

Responses outside the scope of this consultation

⁴ [IPA condition amendment: Window 3 and OHA pilot projects](#)

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We note that some respondents have raised additional points outside the scope of this consultation covering the Electricity Transmission Advanced Procurement Mechanism and how external pressures would be dealt with for Window 1 and 2 projects.

The Authority's view

We note the concerns raised by respondents and will consider the points raised further as part of our ongoing work.

Licence modification decision notices

Licence modification decision notices together with relevant schedules have been published alongside this decision letter.

Next Steps

In accordance with section 11A(9) of the Electricity Act 1989, these Licence modifications will come into effect from 03 December 2026. If you have any questions in relation to this letter, please contact Shaista Afreen at cap.floor@ofgem.gov.uk.



Gordon Hayward-Grant

Deputy Director, Electricity Interconnection and Storage (EIS)

For and on behalf of the Gas and Electricity Markets Authority