

14 January 2014

Ref – Regulation of transmission connecting non-GB generation to the GB electricity transmission system

Dear Sir,

I, [REDACTED], as a resident of County Laois in the Republic of Ireland make this submission in my capacity as a stakeholder in any project that has the capacity to directly affect my rights, my environment, my health, or my asset value. I am an ordinary member of the public, with no vested interest in the proposed development of energy trading between the UK and the Republic of Ireland.

My objections are outlined below –

1. The only option open to this export policy at the moment, given the time constraints involved is the point to point option. The companies in Ireland have no connection agreements with the Irish grid, only agreements to link to the UK national grid. Problems associated with this are manifold, not least being the decoupling necessity; i.e. generators cannot also control the transmission system. I understand OFGEM's approach is to get around this by allowing through legislation, at national level and through the EU energy commission, to grant exemptions on specific projects. The rules for exemptions are complex, made more so by the fact that different criteria exists on all interconnectors, depending on whether it is between member states or one member state and a non-member state of the EU. One half of your coalition government, the Conservative Party, have confirmed on *Question Time*, aired on Thursday 9 January, that they will guarantee a referendum on whether or not to remain in Europe if they are elected in the next General Election. Pending the outcome of that possibility I would suggest that no agreements or discussions can or should take place between you and Ireland around the export/import of energy. Further, at the time of writing this 95 Conservative MPs have signed a letter demanding that Parliament should have the power to veto EU law unilaterally. It is hardly encouraging that the UK is asking for legislation from EU to work in their favour, but is seeking to reject anything that doesn't. Under those circumstances neither we nor you can know the criteria that can be used to approach such legislation changes that may be required.
2. In the event of these projects progressing beyond this stage, we as Irish citizens, who will have to bear the infrastructure imposed on our environment and all the attendant risks, demand that we be afforded the same protection and consultation rights as are available to UK citizens under UK law. We also demand that our rights under the Aarhus Convention be strictly observed with regard to the right to participation at a point before any decisions are made. As I write this I can assure you that local and national government in Ireland has to deal with this, so the 'change in legislation' may not come as easily as you might want. The 'responses' you have had so far, indicating that things over here are positive has been very misleading, not least because you have only been consulting with people who WANT the deal to progress for their own financial gain. They are clearly biased.

3. We, as citizens of the Republic of Ireland are protected by our constitution, article 10 of which states -
- i. All natural resources, including the air and all forms of potential energy, within the jurisdiction of the Parliament and Government established by this Constitution and all royalties and franchises within that jurisdiction belong to the State subject to all estates and interests therein for the time being lawfully vested in any person or body.
  - ii. All land and all mines, minerals and waters which belonged to Saorstát Éireann immediately before the coming into operation of this Constitution belong to the State to the same extent as they then belonged to Saorstát Éireann.
  - iii. Provision may be made by law for the management of the property which belongs to the State by virtue of this Article and for the control of the alienation, whether temporary or permanent, of that property.
  - iv. Provision may also be made by law for the management of land, mines, minerals and waters acquired by the State after the coming into operation of this Constitution and for the control of the alienation, whether temporary or permanent, of the land, mines, minerals and waters so acquired.

As you can see, nowhere does it state that the UK is part of this package, nor does it state that the benefits should go to a small group of landowners and international corporations. It will be hard to marry this with any of your proposals, your government's increasing aggression toward its participation in Europe notwithstanding. I can assure you that we, as Irish citizens, will be seeking clarification of our constitutional rights through the Irish and European courts, and we would suggest that a referendum would be necessary to change the Irish Constitution to allow what is proposed to take place.

4. We have further concerns, here in Ireland. Because the infrastructure will be wholly funded by UK citizens, in the form of subsidies on their power bills, we would imagine that the UK has a duty of care to protect its citizen's assets. If this import from Ireland energy proposal does go ahead it places these assets in a foreign sovereign nation and so would be quite difficult to police and protect. To what length is the UK prepared to go to protect their citizen's assets? The 'Suez Canal' crisis springs to mind, where a UK asset was on another land. The difference we have to deal with now is that Ireland claims a policy of Neutrality internationally while in the UK you have recently endured many amber/red alerts. The question is how far will you go to protect against *Malign powers may wish to exert influence that impacts on the security of our vital networks, including for example our energy supplies, or that could have an adverse effect on the international system of trade and commerce upon which our prosperity relies.* (part 3.34 page 30 of your *The National Security Strategy* signed by David Cameron and Nick Clegg)? My concern lies in the later paragraph *We will work with others to seek to prevent such crises developing, to deter malign forces and, in the last resort, to intervene militarily* (3.36 first sentence page 30). We don't have the same issues with terrorists as the UK but if you intend to put YOUR energy supplies on OUR land with the intention of protecting them

forcefully if needed, we may well end up being dragged into issues that are of no concern to us. A bit like what Kissinger did to Cambodia during the Vietnam War.

Relations between the UK and Ireland have improved immensely over the last decade or more, but any good done could be easily undone by any attempt by the UK to export its commitment to a flawed renewable energy policy onto us. Our own government's policy is equally flawed, which is why trust in our government's handling of this policy has evaporated and which is why both governments will meet with great resistance through 'consultation' and through the courts of Ireland and Europe. We appeal to the UK to do the right thing and stop this madness before it results in large scale bad feeling and unrest both in Ireland and in the UK.

I hope you will give my points serious consideration.

Yours faithfully

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