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Michelle Murdoch
Ofgem
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23 April 2015

Dear Michelle,

BritNed Development Limited Response to Ofgem's Minded to Decision to assign TSO obligations under the Capacity Allocation and Congestion Management Regulation (CACM Regulation) within GB.

Thank you for the opportunity to respond to the above consultation.

BritNed Development Limited (BritNed) welcomes the opportunity to respond to the above consultation. BritNed is the owner and operator of the High Voltage Direct Current (HVDC) Interconnector between Great Britain (GB) and The Netherlands (NL). It is a 50:50 joint venture of National Grid Interconnector Holdings (GB) and NLink International B.V. (NL), and is funded and operated on a commercial basis, separate from the regulated businesses.

BritNed commends the proactive approach that Ofgem has taken in determining the most appropriate assignment of TSOs within GB under the CACM regulation. We believe that Ofgem has correctly identified the articles of the CACM Regulation that place an impact on TSOs.

Furthermore, BritNed agrees with Ofgem's application of Article 1(3) of the CACM Regulation in assigning obligations to GB TSOs. We agree with the view that TSOs themselves are best placed in determining the most appropriate method of compliance.

Also, upon review of the Ofgem's Minded to Decision on the assignment of obligations under the CACM regulation to GB TSOs, BritNed agrees with Ofgem's view and believes that the obligations have been assigned in the most appropriate manner.

However, BritNed would like to ask Ofgem how it plans to differentiate between multiple provisions within an Article where only part of the obligations are appropriate for a TSO? This would ensure certainty of the obligations to which each TSO must comply.

On how Ofgem should assess future changes, BritNed is of the opinion that any changes would depend upon what circumstances have caused the change according to the list

detailed in Ofgem's Minded to Decision. We believe it would be appropriate for there to be an initial assessment made in conjunction with the likely affected TSO(s), and for this to be followed by a formal assignment process.

We are happy to discuss our views contained in this letter further should that be helpful. For further details, please contact Lorcán Murray [lorcan.murray@nationalgrid.com]. This response is not considered confidential; therefore we are happy for it to be published on the Ofgem website and shared for the purpose of the consultation.

Yours sincerely,

Lorcán Murray

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