

Richard Hardy  
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By Email

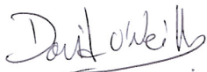
Dear Mr Hardy,

**DECISION FOLLOWING AN APPLICATION FOR APPEAL MADE TO THE AUTHORITY PURSUANT TO REGULATION 70(1)(a) OF THE ELECTRICITY CAPACITY REGULATIONS 2014 (AS AMENDED) (THE "REGULATIONS")**

KiWi Power Ltd submitted an appeal notice to the Authority on 21 October 2016 pursuant to Regulation 70(2) relating to the Prequalification Decision by National Grid Electricity Transmission plc in its capacity as Delivery Body in respect of the following CMU:

- KPEG02

Pursuant to Regulation 69(1) an affected person can request the Delivery Body to review a reviewable decision. Under Regulation 68 a Prequalification Decision is a reviewable decision. Further, under Regulation 70 an affected person can lodge an appeal with Ofgem, but only where it has previously made a request of the Delivery Body to review a reviewable decision. We understand that in this matter that a request for a review of the Prequalification status of KPEG02 was not submitted to the Delivery Body. In such circumstances you have no right to appeal to Ofgem. Your appeal does not comply with Regulation 70 and is therefore rejected.



**David O'Neill**

**Head of Security of Supply**