

STATUTORY INSTRUMENTS.

S.I. No. 532 of 2010

ELECTRICITY REGULATION ACT 1999 (PUBLIC SERVICE OBLIGATIONS) (AMENDMENT) ORDER 2010

ELECTRICITY REGULATION ACT 1999 (PUBLIC SERVICE OBLIGATIONS) (AMENDMENT) ORDER 2010

- I, EAMON RYAN, Minister for Communications, Energy and Natural Resources, in exercise of the powers conferred on me by section 39 of the Electricity Regulation Act 1999 (No. 23 of 1999) (as adapted by the Communications, Marine and Natural Resources (Alteration of Name of Department and Title of Minister) Order 2007 (S.I. No. 706 of 2007)), having consulted with the Minister for the Environment, Heritage and Local Government, having regard for the need for public service obligations to be imposed in a non-discriminatory and transparent manner, and having, in accordance with section 39(10) of the Act, given a draft of the following order to the persons upon which the obligation concerned is to be imposed, hereby order as follows:
- 1. This Order may be cited as the Electricity Regulation Act 1999 (Public Service Obligations) (Amendment) Order 2010.
 - 2. In this Order—

"Act of 1999" means the Electricity Regulation Act 1999 (No. 23 of 1999);

"distribution" has the meaning assigned to it by section 2 of the Act of 1999;

"generator" means a person licensed to generate electricity under Section 14(1)(a) of the Act of 1999;

"intermediary" has the meaning assigned to it by the Single Electricity Market Trading and Settlement Code;

"Order of 2009" means the Electricity Regulation Act 1999 (Public Service Obligations) (Amendment) Order 2009 (S.I. No. 444 of 2009);

"the Single Electricity Market" has the meaning assigned to it by section 2 of the Electricity Regulation Act 1999 (as inserted by section 3 of the Electricity Regulation (Amendment) (Single Electricity Market) Act 2007 (No. 5 of 2007));

"Single Electricity Market Regulations" means the Electricity Regulation Act 1999 (Single Electricity Market) Regulations 2007 (S.I. No. 406 of 2007);

"Single Electricity Market Trading and Settlement Code" means the code of that name established pursuant to section 9BA(1) of the Electricity Regulation Act 1999 and so designated pursuant to Regulation 5 of the Single Electricity Market Regulations, as from time to time revised, amended, supplemented or replaced;

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 12th November, 2010.

"transmission" has the meaning assigned to it by section 2 of the Act of 1999.

- 3. The Electricity Regulation Act 1999 (Public Service Obligations) Order 2002 (S.I. No. 217 of 2002) is amended—
 - (a) in Article 4, by substituting for paragraph (1G) (inserted by Article 3 of the Order of 2009) the following:
 - "(1G) The period of the public service obligations to be imposed pursuant to Article 6D commences, in respect of a REFIT power purchase agreement listed in column 1 of Schedule 3, on—
 - (a) in the case of a generator not registered in the Single Electricity Market pursuant to Regulation 5 of the Single Electricity Market Regulations, the date on which the supplier purchases output from the plant of the generator which is exported for the purposes of distribution or transmission, or
 - (b) in the case of a generator registered in the Single Electricity Market pursuant to Regulation 5 of the Single Electricity Market Regulations and a supplier registered as the intermediary for that generator, the date on which the supplier purchases output from the plant of the generator which is exported for the purposes of transmission or distribution

which date shall not be later than 31 December 2010, unless, in respect of a plant specified in column 5 of Schedule 3, the Minister has notified a later date in writing to the Commission for Electricity Regulation, to the supplier specified at that reference number in column 3 and to the generator specified at that reference number in column 4."

and

(b) by substituting for Schedule 3 (inserted by Article 3 of the Order of 2009) the Schedule set out in the Schedule to these Regulations.

"Schedule 3",

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(1) Ref. No.	(2) REFIT Power Purchase Agreement Reference	(3) Supplier	(4) Electricity generator	(5) Generation plant description	(6) Energy source of electricity	(7) Maximum electricity capacity relating to agreement (MW)
1	REFIT 1/5/1	Bord Gáis Éireann	Jaroma Windfarm Ltd.	Toomyvara, Ballinlough, Co. Tipperary	Small Scale Wind Generation	2.55
2	REFIT 1/5/2	Viridian Energy Limited*	Reirk Energy Ltd.	Dromdeeveen, Ballagh, Co. Limerick	Large Scale Wind Generation	10.5
3	REFIT 1/5/4	Bord Gais Éireann	Adeery Hydro	Killybegs, Co. Donegal	Hydro	0.4
4	REFIT 1/5/5	Viridian Energy Limited*	Bawnmore Windfarm Ltd	Carriganima, Macroom, Co. Cork	Large Scale Wind Generation	14.99
5	REFIT 1/5/6	Viridian Energy Limited*	Muingnaminnane Windfarms Ltd.	Muingnaminnane, Kielduff, Tralee, Co. Kerry	Large Scale Wind Generation	15.3
6	REFIT 1/5/8	ESB Independent Energy Limited	Mountainlodge Power Ltd.	Mountain Lodge, Co. Cavan	Large Scale Wind	24.8
7	REFIT 1/5/9	Viridian Energy Limited*	Tra Investments Ltd.	Ballincollig Hill and Maghanknockane, Tralee, Co. Kerry	Large Scale Wind Generation	13.6
8	REFIT 1/5/20	Airtricity Limited	Carrig Wind Farm Ltd.	Lacka, Carrig, Birr, Co. Offaly	Small Scale Wind Generation	2.55
9	REFIT 1/5/22	Viridian Energy Limited*	Corr Na Gaoithe Teo.	Sonagh Old, Loughrea, Co. Galway	Small Scale Wind Generation	0.85
10	REFIT 1/5/23	Viridian Energy Limited*	Pallas Windfarm Ltd	Pallas, Banemore, Listowel, Co. Kerry	Large Scale Wind Generation	37.85
11	REFIT 1/5/24	Airtricity Limited	Mahon Hydro Ltd.	Mahon Bridge, Kilmacthomas, Co. Waterford	Hydro	0.7
12	REFIT 1/5/25	Bord Gáis Éireann	Highland Wind Energy	Lurganboy, Rathmullan, Co. Donegal	Small Scale Wind Generation	4.98
13	REFIT 1/5/26	Viridian Energy Limited*	Corkermore Windfarm Ltd	Corkermore Windfarm Corkermore, Killybegs, Co. Donegal	Large Scale Wind Generation	15

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(1) Ref. No.	(2) REFIT Power Purchase Agreement Reference	(3) Supplier	(4) Electricity generator	(5) Generation plant description	(6) Energy source of electricity	(7) Maximum electricity capacity relating to agreement (MW)
27	REFIT 1/5/43	Viridian Energy Limited*	North West Wind Ltd.	Loughderry Duff Hill, Ardara, Glenties, Co. Donegal	Large Scale Wind Generation	7.65
28	REFIT 1/5/44	Airtricity Limited	Bioverda Power Systems Ltd	Arthurstown Landfill, Arthurstown, Kill, Co. Kildare	Biomass LFG	4.26
29	REFIT 1/5/45	ESB Independent Energy	SWS Knockawarriga Windfarm Ltd.	Knockawarriga (Caherlevoy, Ballycommane and Glengort South) Mountcollins, Co. Limerick	Large Scale Wind Generation	22.5
30	REFIT 1/5/46	Airtricity Limited	Skehanagh Wind Farm Ltd.	Skehanagh, Ballingarry, Roscrea, Co. Tipperary	Small Scale Wind Generation	4.25
31	REFIT 1/5/47	Viridian Energy Limited*	Airoshin Wind Energy Ltd.	Meenachullalan, Killybegs, Co. Donegal	Large Scale Wind Generation	11.9
32	REFIT 1/5/48	Airtricity Limited	Mullananalt Wind Farm (ROI) Ltd.	Mullananalt Windfarm, Latton, Ballybay, Co. Monaghan	Large Scale Wind Generation	7.5
33	REFIT 1/5/50	Viridian Energy Limited*	Lackan Wind Energy Ltd.	Lackan, Enniscrone, Co. Sligo	Large Scale Wind Generation	6
34	REFIT 1/5/51	Bord Gáis Éireann	Sorne Wind Ltd.	Sorne Hill, Buncrana, Co. Donegal	Large Scale Wind Generation	32
35	REFIT 1/5/53	Airtricity Limited	Knockastanna Windfarm (ROI) Ltd.	Curraghfoil, Doon, Co. Limerick	Large Scale Wind Generation	7.5
36	REFIT 1/5/54	Airtricity Limited	Limerick West Windfarm Ltd	Rathcahill West, Tournafulla, Co. Limerick	Large Scale Wind Generation	12.5
37	REFIT 1/5/55	Airtricity Limited	Coomacheo Windfarm Ltd.	Coomacheo, Millstreet, Co. Cork	Large Scale Wind Generation	41.225
38	REFIT 1/5/56	Airtricity Limited	Richfield Windfarm (ROI) Ltd.	Richfield, Bridgetown, Co. Wexford	Large Scale Wind Generation	27

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(1) Ref. No.	(2) REFIT Power Purchase Agreement Reference	(3) Supplier	(4) Electricity generator	(5) Generation plant description	(6) Energy source of electricity	(7) Maximum electricity capacity relating to agreement (MW)
75	REFIT 1/5/106	Viridian Energy Limited*	Caherciveen Wind Ltd	Caherciveen Windfarm, Knockaneden, Caherciveen, Co. Kerry	Large Scale Wind Generation	9
76	REFIT 1/5/107	Airtricity Limited	Inchee Energy Ltd	Inchee Windfarm Inchee, Foilgreana, Co. Kerry	Large Scale Wind Generation	6
77	REFIT 1/5/108	Airtricity Limited	Green Energy Company Ltd	Boggeragh Windfarm Boggeragh Mountain, Co. Cork	Large Scale Wind Generation	57
78	REFIT 1/5/110	Bord Gáis Éireann	Reenascreena Windfarm Ltd	Reenascreena, Rosscarbery, Co. Cork	Small Scale Wind Generation	4
79	REFIT 1/5/111	Viridian Energy Limited*	Ballybane Windfarms Ltd.	Glanta Commons 2 Windfarm, Dromourneen, Derreennacna, Glanaphuca & Lackenafasoge Townlands, Bantry, Co. Cork.	Large Scale Wind Generation	8.4
80	REFIT 1/5/112	SWS Green Energy Ltd	SWS Inchincoosh Windfarm Ltd	Sillahertane, Inchincoosh & Lettercannon, Glanarought, Co. Kerry.	Large Scale Wind Generation	41
81	REFIT 1/5/113	Viridian Energy Limited*	Bawnmore Windfarm Ltd	Cahernafulla, Coachford, Co. Cork	Large Scale Wind Generation	9
82	REFIT 1/5/114	Bearna Gaoithe Power Supply Ltd.	Bearna Gaoithe Teo	Cronelea Upper Windfarm Extension, Cronelea, Shillelagh, Co. Wicklow	Small Scale Wind Generation	1.8
83	REFIT 1/5/116	ESB Independent Energy	Orliven Ltd	Carrane Hill Windfarm Extension Carrowdargny, Co. Sligo	Small Scale Wind Generation	1.7
84	REFIT 1/5/117	ESB Independent Energy	Cappawhite Wind Ltd	Cappawhite Windfarm Cappawhite Co. Tipperary	Large Scale Wind Generation	16.1

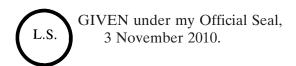
(1) Ref. No.	(2) REFIT Power Purchase Agreement Reference	(3) Supplier	(4) Electricity generator	(5) Generation plant description	(6) Energy source of electricity	(7) Maximum electricity capacity relating to agreement (MW)
85	REFIT 1/5/118	SWS Green Energy Ltd	Lisheen Windfarm Ltd	Lisheen Mine, Killoran, Moyne, Thurles, Co. Tipperary	Large Scale Wind Generation	36
86	REFIT 1/5/119	Viridian Energy Limited*	Ballynancoran Wind Farm Ltd.	Ballynancoran Windfarm, Ballynancoran, Donishal, Ferns, Co. Wexford	Small Scale Wind Generation	4
87	REFIT 1/5/121	Airtricity Limited	Carrons Windfarm Ltd.	Carrons Windfarm, Dunmoylan, Shanagolden, Co. Limerick	Small Scale Wind Generation	5
88	REFIT 1/5/122	G.A.E.L. Force Power Ltd.	W.E.D Cross Energy Ltd	WED Cross Windfarm, Lacka Cross, Ballydesmond, Co. Cork	Small Scale Wind Generation	4
89	REFIT 1/5/124	Bord Gáis Éireann	Keelderry Windfarms Ltd	Keelderry Windfarm Keelderry, Peterswell, Co. Galway	Large Scale Wind Generation	29.75
90	REFIT 1/5/125	Viridian Energy Limited*	Esk Windfarm Ltd	Esk Windfarm Esk, Lyre, Banteer, Co. Cork	Large Scale Wind Generation	5.95
91	REFIT 1/5/128	Viridian Energy Limited*	Shannagh Wind Farm Limited	Kilcar Windfarm, Shannagh, Kilcar, Co. Donegal	Small Scale Wind Generation	2.55
92	REFIT 1/5/129	Bord Gáis Éireann	Menard Ltd	Skrine Windfarm Athleague, Co. Roscommon	Small Scale Wind Generation	4.6
93	REFIT 1/5/133	Viridian Energy Limited*	I.Q.Wind Ltd	Crocane Windfarm, Crocane, Cloyne, Midleton, Co. Cork	Small Scale Wind Generation	1.7
94	REFIT 1/5/134	Viridian Energy Limited*	Pluckanes Windfarm Ltd	Pluckanes, Donoughmore, Co. Cork	Small Scale Wind Generation	0.85
95	REFIT 1/5/137	Viridian Energy Limited*	Caherdowney Windfarm Ltd.	Caherdowney Windfarm, Caherdowney, Carriganimma, Macroom, Co. Cork	Large Scale Wind Generation	10

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(1) Ref. No.	(2) REFIT Power Purchase Agreement Reference	(3) Supplier	(4) Electricity generator	(5) Generation plant description	(6) Energy source of electricity	(7) Maximum electricity capacity relating to agreement (MW)
96	REFIT 1/5/139	Viridian Energy Limited*	Venti Windfarm Energy Ltd	Curraghgraigue 2 Windfarm Curraghgraigue Upper, Templederry, Nenagh, Co. Tipperary	Small Scale Wind Generation	2.44
97	REFIT 1/5/141	Airtricity Limited	March Winds Ltd.	Athea Windfarm Phase 3, Tooradoo, Co. Limerick	Large Scale Wind Generation	17
98	REFIT 1/5/142	Saorgus Energy Ltd.	Glanaruddery Windfarms Ltd	Dromadda More Wind Farm, Dromadda More, Knocknagoshel, Tralee, Co. Kerry	Large Scale Wind Generation	20
99	REFIT 1/5/143	Saorgus Energy Ltd.	Cordal Windfarms Ltd.	Cordal Windfarm, Cordal, Co. Kerry	Large Scale Wind Generation	37.8
100	REFIT 1/5/144	SWS Green Energy Ltd	SWS Glentane- macelligot Wind Farm Ltd	Glentane- macelligot, Newmarket, Co. Cork	Large Scale Wind Generation	18
101	REFIT 1/5/146	Viridian Energy Limited*	Reirk Energy Ltd	Dromdeeveen Windfarm Ballagh, Co. Limerick	Large Scale Wind Generation	16.5
102	REFIT 1/5/147	Viridian Energy Limited*	Clydaghroe Windfarm Ltd	Clydaghroe Windfarm Cummeenna- buddoge, Clonkeen, Co. Kerry	Small Scale Wind Generation	5
103	REFIT 1/5/150	Airtricity Limited	Brickmount Limited	Dunneill Windfarm, Ballyglass, Co. Sligo	Large Scale Wind Generation	11.05
104	REFIT 1/5/151	Airtricity Limited	Coomacheo Windfarm Limited	Curragh Mountain Windfarm, Millstreet, Co. Cork	Large Scale Wind Gen.	18.947
105	REFIT 1/5/152	Airtricity Limited	Coomatallin Windfarm (ROI) Ltd	Coomatallin Windfarm, Dunmanway, Co. Cork	Small Scale Wind Generation	3.05
106	REFIT 1/5/153	Airtricity Limited	Dromada Windfarm (ROI) Ltd	Dromada Windfarm, Clash South, Athea, Co. Limerick	Large Scale Wind Generation	46

(1) Ref. No.	(2) REFIT Power Purchase Agreement Reference	(3) Supplier	(4) Electricity generator	(5) Generation plant description	(6) Energy source of electricity	(7) Maximum electricity capacity relating to agreement (MW)
107	REFIT 1/5/154	Viridian Energy Limited*	Tullynamoyle Windfarm Ltd	Tullynamoyle Windfarm Tullynamoyle, Killarga, Co. Leitrim	Large Scale Wind Generation	9
108	REFIT 1/5/155	Viridian Energy Limited*	Ballaman Windfarm Ltd	Kennystown Windfarm Kennystown Gorey Co. Wexford	Small Scale Wind Generation	3.6
109	REFIT 1/5/156	Viridian Energy Limited*	Beale Hill Windfarm Ltd	Beale Hill Windfarm Ballybunion, Co. Kerry	Small Scale Wind Generation	1.7
110	REFIT 1/5/158	SWS Green Energy Ltd	Knockacummer Wind Farm Ltd	Knockacummer Windfarm, Meentinny West, Cummerduff & Knockacluggin, Co. Cork	Large Scale Wind Generation	87
111	REFIT 1/5/164	Viridian Energy Limited*	Killin Hill Windfarm Ltd	Killin Hill Binbane, Co. Donegal	Large Scale Wind Generation	6
112	REFIT 1/5/165	Airtricity Limited	Greenstar Gas Energy Ltd	KTK Landfill Site, Brownstown & Canal Way, Kilcullen, Co. Kildare	Biomass Landfill Gas	3.8
113	REFIT 1/5/166	Bord Gáis Éireann	Cuillalea Windfarm Ltd	Cuillalea Windfarm Extension Treannaglearagh, Kiltimagh, Co. Mayo	Small Scale Wind Generation	1.7
114	REFIT 1/5/167	Castle- dockrell Supply Ltd	Castledockrell Windgroup Ltd	Castledockrell Windfarm Ballenahillan, Ballycarney, Enniscorthy, Co. Wexford	Large Scale Wind Generation	41.4
115	REFIT 1/5/168	Bord Gáis Éireann	Sorne Wind Ltd	Sorne Hill Windfarm Meenkeeragh, Buncrana, Co. Donegal	Large Scale Wind Generation	6.9
116	REFIT 1/5/171	Bord Gáis Éireann	Gatemanor Ltd	Brandon Hydro Scheme Slieveglass, Brandon, Co. Kerry	Small Scale Hydro Project	0.85
117	REFIT 1/5/172	ESB Independent Energy	Edrans Wind Ltd	Mountainlodge Bailieborough Co. Cavan	Small Scale Wind Generation	3

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(1) Ref. No.	(2) REFIT Power Purchase Agreement Reference	(3) Supplier	(4) Electricity generator	(5) Generation plant description	(6) Energy source of electricity	(7) Maximum electricity capacity relating to agreement (MW)
118	REFIT 1/5/173	Airtricity Limited	Greenstar Gas Energy (Meath) Ltd	Knockharley Landfill Site, Kentstown, Co. Meath	Biomass Landfill Gas	1.5
119	REFIT 1/5/174	ESB Independent Energy	Garvagh Glebe Power Ltd	Garvagh Glebe Windfarm Co. Leitrim	Large Scale Wind Generation	31.525
120	REFIT 1/5/178	Viridian Energy Limited*	B9 Power Ltd	North Kerry Landfill Gas Project Muingnaminnane, Tralee, Co. Kerry	Biomass Landfill Gas	1
121	REFIT 1/5/179	Viridian Energy Limited*	Windfarm Management Ltd	Drumlough Hill Windfarm Extension, Drumlough Hill, Buncrana, Co. Donegal	Large Scale Wind Generation	10.2
122	REFIT 1/5/180	Viridian Energy Limited*	Greenoge Windfarm Ltd	Greenoge Windfarm Extension, Kilbranish North, Bunclody, Co. Wexford	Small Scale Wind Generation	2.6
123	REFIT 1/5/181	Viridian Energy Limited*	Ecopower Ltd	Raheen Barr Windfarm 3 Derrynadivva, Castlebar, Co. Mayo	Large Scale Wind Generation	6.8
124	REFIT 1/5/182	Viridian Energy Limited*	Arthur Davidson	Aghadullagh Mill Lismentan, Ballintra, Co. Donegal	Hydro	0.14
125	REFIT 1/5/183	Vayu Ltd	Greenstar Gas Energy (Wicklow) Ltd	Greenstar Landfill Ballynagran, Co. Wicklow	Biomass Landfill Gas	0.75
126	REFIT 1/5/184	Vayu Ltd	Greenstar Gas Energy (Galway) Ltd	Connaught Regional Residual Landfill Kilconnell, Co. Galway	Biomass Landfill Gas	0.66

^{*}trading as Energia



EAMON RYAN,

Minister for Communications, Energy and Natural Resources.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This S.I. amends the regulations in respect of the period of the REFIT power purchase agreement for projects listed in the PSO and updates the list of projects in the REFIT programme which supports the construction of new renewable energy powered electricity generating plants.

BAILE ÁTHA CLIATH ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón

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