

Commission for Energy Regulation

Attn.: Mr. Jamie Burke

By Email to: jburke@cer.ie

Wexwind Limited
53 Glasthule Road
Sandycove, Co. Dublin
Ireland

Tel.: +353 (0) 1 235 2132

Ute Schulmeister
Mobile.: +353 (0) 86 382 2223
e-mail: schulmeister@abo-wind.com

19 November 2012

Subject: Response to SEM -12-090 Treatment of Curtailment in Tie-Break Situations

Dear Mr. Burke,

Gibbet Hill Windfarm is a 14.8MW facility under construction and due for completion in Q1 2013. The project achieved financial close in 2012. The project will have firm access when completed and its finances were modelled to include market payments made when the project was curtailed off the system.

This proposed Decision Paper on the Treatment of Curtailment in Tie-Break Situations suggests that the regulators are now minded to choose an amended 'Option 4' approach leading to the phasing out of curtailment payments by 2020 at the latest. This comes as quite a surprise to us as it seemed there was quite high industry support for the IWEA's 'Option 3b' proposal. Although Gibbet Hill's ideal position would, in fact, have been to support the original SEM -11-105 where firm projects were to be protected from curtailment, we considered Option 3b to be a fair compromise for both the industry and the consumer.

From the perspective of a financed, soon to be completed and firm project the proposed decision paper of 3rd October is not something we consider fair or reasonable as the proposal is retrospective and discriminates against wind alone.

The process of bringing a project from a planning permitted project to final construction – particularly in the aftermath of the financial crash – takes many years. We, like many other projects, are moving through this process and now see a proposal that will erode part of our income assumptions.

As mentioned above, we are surprised with the content of this proposal but if the RA's are minded to phase out compensation for curtailment in this decision paper then Gibbet Hill requests that there be a cut-off date which will cover at least some projects that are due for completion in 2013. Our proposal is that all firm projects completed by the end of December 2013 should be compensated for curtailment for the lifetime of the project (as is currently the case). Should the decision as drafted stand, Gibbet Hill will be considering all legal avenues available to us to reopen that decision.

Sincerely,

Wexwind Limited



Ute Schulmeister

Director