

Commission for Energy Regulation
Attn.: Mr. Jamie Burke
By Email to: jburke@cer.ie

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19 November 2012

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

Dear Mr. Burke,

Glenough Windfarm is a 33MW facility, was constructed in 2010 / 2011 and finally energised in August 2011. The project has firm access and its finances were modelled to include market payments made when the project was curtailed off the system by the system operator.

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 Glenough'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, constructed 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.

In addition it contradicts the SEM's own decision paper on Material Harm (SEM-11-084) by effectively moving ahead with the decision to remove compensation from wind without following the procedures to identify material harm as set out in this very recent decision (of September 2011).

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 Glenough requests that this be not applied retrospectively to existing firm wind farms. Should the decision as drafted stand, Glenough will be considering all legal avenues available to us to overturn that decision.

Sincerely,
Glenough Windfarm Ltd.



Ute Schulmeister