

Offshore Legal Framework

Process



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Background

- Legal framework between TenneT and connecting/connected OWF party
- To provide more guidance on the rules and requirements in advance of the EA tender and before development for:
 - OWF to take into account in the tender bid
 - TenneT to take into account for the development of the offshore connection
- Consist of:
 - Model agreements
 - Technical requirements



Model agreements

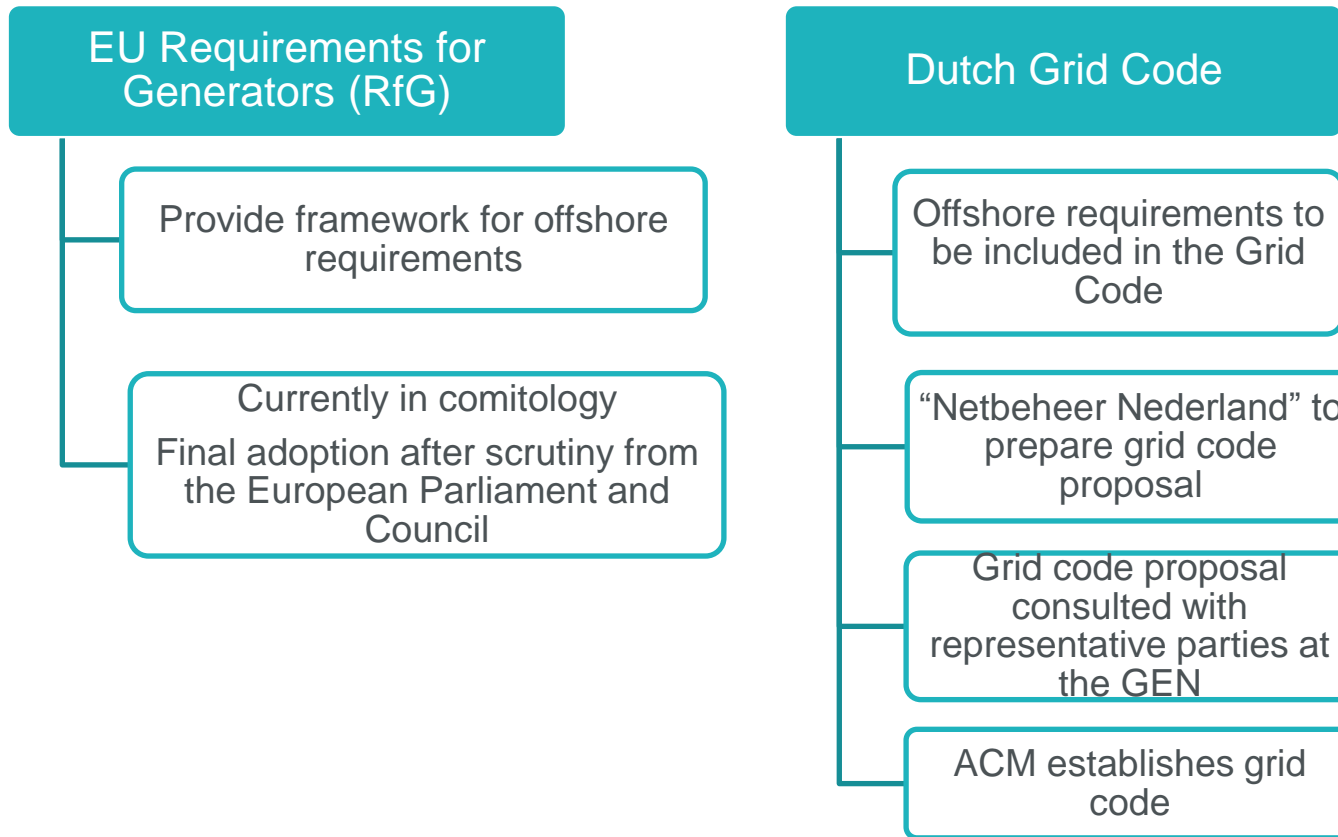
- Model agreement for:
 1. realisation of the offshore connection: regarding the construction of the connection, also for future constructional changes; **temporal nature**, entered into before the realisation phase
 2. connection and power transmission: establishing **enduring obligations** between system operator at sea and connected party to be entered into before operation of the connection
- At this stage separate agreements to clearly distinct topics that concern realisation and operation
 - may be merged into one agreement as indicated by some attendants of last expert meeting
- Drafting and consultation language is English in legal expert meetings, legally binding documents are likely to be in Dutch

Model agreements → Process

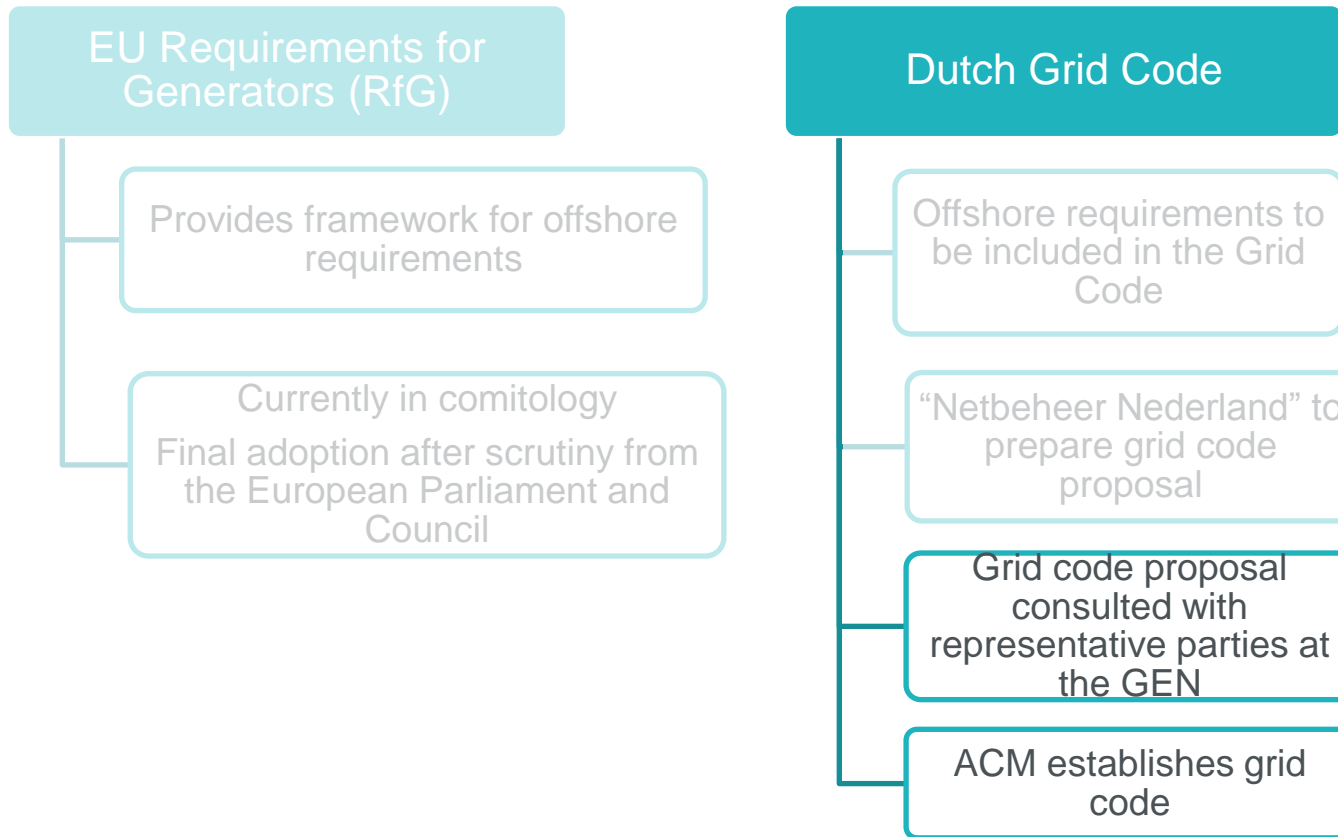


- Model agreements to be consulted with relevant representative parties:
Participants expert meetings
- Representative parties (GEN) are invited to participate in the expert meetings
- Publication of draft model agreements **mid July**
- Consultation on draft agreements in app. three separate legal expert meetings:
starting **after summer** (e.g. September, October and one meeting in between)
- Draft agreements also to be posted online for written views
- Determine final model agreements at the opening of the tender
- TenneT will offer OWF the model agreement as part of the offshore grid connection around the grant decision of the tender → to be signed between OWF and TenneT

Technical requirements



Technical requirements



Legal competence of representative parties (GEN) and ACM for offshore requirements will be arranged with STROOM

Role ACM



- ACM assesses that their decision making of offshore requirements will only come with STROOM entering into force
- Technical requirements can therefore only be established by ACM after the EA tender has closed, based on current planning
- Requirements may, pending the determination of public law requirements, be included in model agreements



Conclusions

- Draft model agreements to be published mid July and consulted until October in these expert meetings
- Final model agreements will be offered to the granted OWF and to be signed by both parties before the respective phase (e.g. operational agreement before operation of the connection)
- Technical requirements in grid code to be drafted before tender, however, final establishment by ACM can only take place after closure of the tender (due to dependency on STROOM)

Thank you

Stakeholder consultation website
www.tennet.eu/nl/offshore-grid-nl.html

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