

**From:** [GRIFFITHS Richard](#)  
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**Cc:** [COLEMAN Alexis](#); [Oliver Baybut](#); [Jim Doyle](#); [Jenny Blyth](#)  
**Subject:** Drax Repower - letter in response to ClientEarth [PM-AC.FID3169416]  
**Date:** 28 February 2019 18:28:47  
**Attachments:** [Scan-to-Me from PM1128 2019-02-28 182323.pdf](#)

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Dear Michele,

Please see the attached letter in response to ClientEarth's letter dated 20 February 2019. I should be grateful if you would place this letter before the Examining Authority.

I should also be grateful if you would confirm receipt.

Kind regards, Richard

**Richard Griffiths**  
Partner  
for Pinsent Masons LLP

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BY E-MAIL

Mr Richard Allen  
Lead Member of the Panel of Examining  
Inspectors – Drax Repower Project  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Your Ref EN010091  
Our Ref 103035027.1\AC36\631996.07098

28 February 2019

Dear Sir

**APPLICATION BY DRAX POWER LIMITED FOR AN ORDER GRANTING DEVELOPMENT  
CONSENT FOR THE DRAX REPOWER PROJECT**

**RESPONSE TO CLIENTEARTH ("CE") LETTER DATED 20 FEBRUARY 2019**

We write on behalf of Drax Power Limited (the "**Applicant**") in response to ClientEarth's letter addressed to you and dated 20 February 2019 (the "**CE Second Letter**"). That letter follows an initial letter (the "**CE Letter**") from CE of 9 January 2019, and our response on 17 January 2019 (the "**PM Letter**").

The PM Letter sets out our response on the points raised by CE, and it is not necessary for us to add to, nor repeat, that response as it applies equally to the CE Second Letter. In terms of the examples provided in the CE Second Letter, we have previously explained that the summary provided is primarily a written summary of the oral case, supplemented where necessary in response to matters raised at the Hearing. Taking the first example in the CE Second Letter, we accept that Mr Peet did not say everything set out at paragraph 3.75 of the *Written Summary of Drax Power Limited's Oral Case put at the Environmental Matters Issue Specific Hearing – 5 December 2018* (REP4-012, the "**Written Summary**") at the Hearing, nevertheless that paragraph is clearly Mr Peet's evidence, whether stated orally or not. That is the position for the entire Written Summary where a name is given.

We also note that CE have had the opportunity to respond to any submissions included in the Written Summary, whether made orally or otherwise.

Yours faithfully



**Pinsent Masons LLP**

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