

From: [REDACTED]
To: [Immingham OCGT](#)
Subject: VPI Immingham OCGT – EN010097 - deadline 3a response on behalf of Phillips 66 [BURGES-WORK.FID9679692]
Date: 01 November 2019 09:38:48
Attachments: [REDACTED]

Dear Sirs

In respect of the ExA's Rule 17 request of October 24th, and in particular question 1a.1.3, the response on behalf of Phillips 66 at deadline 3a is as follows.

Discussions with the applicant in respect of a side agreement to address the concerns which Phillips 66 has raised are ongoing. Whilst the applicant's proposals to address its concerns are welcomed by Phillips 66, the land rights it is seeking to acquire, and their interaction with the existing infrastructure at the site and within the existing Humber Oil Refinery, are complex. Those ongoing negotiations have not reached a conclusion, and Phillips 66 strenuously maintains its objection to the proposed compulsory acquisition powers contained within the draft DCO which affect its land and rights.

It is therefore Phillips 66's view that a further hearing to consider the CA powers sought, and the protective provisions being offered, will be required. Oral evidence will be required to expand upon the questions which the ExA has raised in its further questions, the written responses to which are to be provided by deadline 4 on 14 November 2019. In doing so Phillips 66 will also be able to deal with the situation prevailing at the time of the CA hearing relating to:

- The nature of the issues that are not agreed;
- The relevance of those issues to the DCO decision making process; and
- The consequences for the DCO decision if those issues are not subsequently able to be resolved.

Kind regards

Alex

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