

BY E-MAIL

Your Ref: EN010106
Our Ref: 133812046.1\661999.07003

21 July 2022

Dear Mr Kean

**APPLICATION BY SUNNICA LTD FOR AN ORDER GRANTING DEVELOPMENT
CONSENT FOR THE SUNNICA ENERGY FARM**

1. I am writing on behalf of Sunnica Ltd (the “**Applicant**”), as Pinsent Masons LLP is instructed as the Applicant's legal advisors, in relation to the above application.

Suggested amendments to draft Examination timetable

2. Having read the responses received at Procedural Deadline A, and to assist the Examining Authority in its consideration of those submissions, the Applicant has prepared the **enclosed** revised timetable that takes into account those responses, in particular the main concern around the date for submission of the written representations. The enclosed draft timetable shows some suggested amendments in tracked changes, together with the Applicant's explanation. We would be happy to speak to this at the Preliminary Meeting in connection with the appropriate agenda item, which may alleviate many of the comments raised. We hope this is of assistance to the Examining Authority.

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3. Further to our other letter of today's date, should the Examining Authority accept the Changes Application, we consider that in our revised draft timetable any comments on the Application (if accepted) could be done by new Deadline 3b, allowing sufficient time if hearings were required at revised hearing dates 18-21 October 2022.

Yours sincerely

Tom Edwards

Senior Associate

for Pinsent Masons LLP

This letter is sent electronically and so is unsigned

Enclosure: Revised draft timetable

Draft Examination Timetable – [With suggested amendments from the Applicant, having had regard to Procedural Deadline A submissions from Interested Parties](#)

Item	Matters	Date
1.	Procedural Deadline A Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Written submissions on the Examination Procedure, including any submissions about the use of virtual methods • Requests to be heard orally at the Preliminary Meeting • Requests to be heard at notified Issue Specific Hearing (ISH) Requests by Interested Parties to be heard at the ISH as notified at Annex E of the Rule 6 letter • Requests to be heard at notified Open Floor Hearings (OFH) Requests by Interested Parties to be heard at an OFH as notified at Annex E of the Rule 6 letter • Suggested locations for site inspections (Accompanied or Unaccompanied), including justification, for consideration by the ExA 	Wednesday 13 July 2022
2.	Preliminary Meeting	Tuesday 26 July 2022 10:00
3.	Reserved time for Preliminary Meeting (if required)	Tuesday 26 July 2022 13:00
4.	Issue Specific Hearing on the draft DCO (ISH1) (if required)	Wednesday 27 July 2022 10:00
5.	Open Floor Hearing (OFH1) (if required)	Thursday 28 July 2022 13:30
6.	Open Floor Hearing (OFH2) (if required)	Thursday 28 July 2022 18:30

7.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> Examination Timetable <p>Publication of:</p> <ul style="list-style-type: none"> The ExA's Written Questions (ExQ1) 	As soon as practicable following the Preliminary Meeting
8.	<p>Deadline 1</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Comments on Relevant Representations (RR) Summaries of all RR exceeding 1500 words Local Impact Reports (LIR) from any local authorities Post Hearing Submissions, including written submissions of oral cases Notification by any Statutory Parties of their wish to be considered as an IP by the ExA Applicant's draft itinerary for ASI Requests to be heard at any further OFH Requests by Interested Parties to be heard at any further Open Floor Hearing (OFH), if unable to speak at the OFHs notified at Annex E Requests to be heard at a CAH Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing (CAH) Updated Guide to the Application Updated Book of Reference (BoR) and Schedule of Changes to the BoR Updated Schedule of Negotiations Comments on any Additional Submissions accepted at the discretion of the ExA (if any) Any further information requested by ExA Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 Comments on any further information received Comments on any further information requested by the ExA 	Wednesday 17 August 2022
9.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Written Representations (WRs) Summaries of all WRs exceeding 1500 words 	Tuesday 30 August 2022

Commented [A1]: Applicant: We suggest WRs could be moved to 20 Sept, at the request of IPs.

	<ul style="list-style-type: none"> • Initial Statements of Common Ground (SoCG) requested by the ExA • Statement of Commonality of SoCG • Responses to the ExA's Written Questions (ExQ1) • Responses to comments on RRs • Comments on Applicant's draft itinerary for ASI • Notification of wish to attend ASI • Applicant's revised draft of DCO • Updated Guide to the Application • Updated Book of Reference (BoR) and Schedule of Changes to the BoR • Updated Schedule of Negotiations • Comments on any Additional Submissions accepted at the discretion of the ExA (if any) by Deadline 1 • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 1 	
10.	<p>Deadline 3</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs • Comments on LIRs • Comments on responses to ExQ1 • Comments on SoCG • Comments on Applicant's revised draft of DCO • Updated Guide to the Application • Updated Book of Reference (BoR) and Schedule of Changes to the BoR • Updated Schedule of Negotiations • Comments on any Additional Submissions accepted at the discretion of the ExA (if any) by Deadline 2 • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 • Comments on any further information received 	<p>Wednesday 14 September 2022</p>

	Comments on any further information requested by the ExA and received by Deadline 2	
	<u>Deadline 3a</u> For receipt by the ExA of: <ul style="list-style-type: none"> <u>Written Representations (WRs)</u> <u>Summaries of all WRs exceeding 1500 words</u> 	<u>Tuesday 20 September 2022</u>
11.	Publication by the ExA of: ExA's final itinerary for the ASI (If required)	Tuesday 27 September 2022
	<u>Deadline 3b</u> For receipt by the ExA of: <ul style="list-style-type: none"> <u>Comments on WRs</u> 	<u>Tuesday 4 October 2022</u>
12.	Dates reserved for: <ul style="list-style-type: none"> Accompanied Site Inspections (ASI) (if required) Further Open Floor Hearings (OFH) (if required) Further Issue Specific Hearings (ISH) (if required) Compulsory Acquisition Hearings (CAH) (if required) 	Tuesday 18 October 2022 to Friday 21 October 2022
13.	Deadline 4 For receipt by the ExA of: <ul style="list-style-type: none"> Post Hearing Submissions, including written submissions of oral cases Any revised/updated SoCG (if any) Applicant's revised draft of DCO Updated Guide to the Application Updated Book of Reference (BoR) and Schedule of Changes to the BoR Updated Schedule of Negotiations Any further information requested by ExA Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 3 	Monday 31 October 2022
14.	Publication of: <ul style="list-style-type: none"> ExA's Second Written Questions (ExQ2) (If required) 	Monday 7 November 2022 Tuesday 25 October 2022

Commented [A2]: A applicant: New deadline 3a, for IPs to submit WRs, responding to the various submissions made at Procedural Deadline A.

Commented [A3]: A applicant: New deadline 3b, to allow the parties two weeks to review and make comments on the WRs. The Applicant considers this time is needed to allow a full and proper consideration of the WRs, and it is noted that this is slightly less time than currently allowed in the draft timetable.

Commented [A4]: A applicant: Suggest hearings are moved back to allow sufficient time for the ExA to have fully considered written submissions ahead of the hearings and to inform the agendas to be released 5 days before.

Commented [A5]: A applicant: Consequential change resulting from above amendments.

15.	Deadline 5 For receipt by the ExA of: <ul style="list-style-type: none"> • Responses to ExA's Second Written Questions (ExQ2) • Comments on revised/updated SoCG (if any) • Comments on Applicant's revised draft DCO • Updated Guide to the Application • Updated Book of Reference (BoR) and Schedule of Changes to the BoR • Updated Schedule of Negotiations • Comments on any Additional Submissions accepted at the discretion of the ExA (if any) by Deadline 4 • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of the Examination Rules • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 4 	Wednesday 9 November 2022 <u>Monday 28 November 2022</u>
16.	Deadline 6 For receipt by the ExA of: <ul style="list-style-type: none"> • Any revised/updated SoCG (if any) • Applicant's revised draft of DCO • Updated Guide to the Application • Updated Book of Reference (BoR) and Schedule of Changes to the BoR • Updated Schedule of Negotiations • Comments on any Additional Submissions accepted at the discretion of the ExA (if any) by Deadline 5 • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of the Examination Rules • Comments on any further information received Comments on any further information requested by the ExA and received by Deadline 5 	Monday 28 November 2022
17.	Publication of: ExA's Third Written Questions (ExQ3) (If required)	Tuesday 6 December 2022
18.	Publication of: <ul style="list-style-type: none"> • Report on the Implications for European Sites (RIES) 	Monday 12 December 2022

Commented [A6]: A applicant:
Consequential amendment flowing from the above. We have suggesting merging Deadlines 5 and 6, so that this new Deadline 5 takes the date previously scheduled for D6. Removing the deadline is a result of accommodating IP requests (on WR) and allows for the timetable to largely return to the original proposals at this point. We don't consider that D6 added anything that wasn't already covered by D5.

19.	<p>Dates reserved for:</p> <ul style="list-style-type: none"> Accompanied Site Inspections (ASI) (if required) Open Floor Hearings (OFH) (if required) Issue Specific Hearings (ISH) (if required) Compulsory Acquisition Hearings (CAH) (if required) 	<p>Tuesday 13 December 2022</p> <p>to</p> <p>Friday 16 December 2022</p>
20.	<p>Publication of:</p> <ul style="list-style-type: none"> ExA's commentary on, or schedule of changes to, the draft DCO 	<p>Monday 19 December 2022</p>
21.	<p>Deadline <u>76</u></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Post Hearing Submissions, including written submissions of oral cases Responses to ExA's Third Written Questions (ExQ3) (if issued) <u>Any revised/updated SoCG (if any)</u> Comments on revised/updated SoCG (if any) Comments on ExA's commentary on, or schedule of changes to, the draft DCO Updated Guide to the Application Updated Book of Reference (BoR) and Schedule of Changes to the BoR Updated Schedule of Negotiations Comments on any Additional Submissions accepted at the discretion of the ExA (if any) by Deadline <u>65</u> Any further information requested by ExA Any further information requested by the ExA under Rule 17 of the Examination Rules Comments on any further information received Comments on any further information requested by the ExA and received by Deadline <u>65</u> 	<p>Thursday 12 January 2023 <u>Thursday 22 December 2022</u></p>
22.	<p>Deadline <u>87</u></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> Final SoCG Final DCO Final DCO to be submitted by the Applicant in the SI template with the SI template validation report Final Statement of Commonality of SoCG 	<p>Tuesday 24 Wednesday 18 January 2023</p>

Commented [A7]: A applicant: As per the Applicant's request, we consider there isn't sufficient time from when the ExA's comments on the DCO have been issued until responses are required.

Other minor amendments are simply to pick up deletion of D6.

Commented [A8]: A applicant: We have suggested removing Deadline 9, and instead having the final deadline as this Deadline 8 (or new D7 if above amendments were accepted). We have made this two days prior to the end of the Examination, and this allows a reasonable time period from the 12 January Deadline.

	<ul style="list-style-type: none"> • List of matters not agreed where SoCG could not be finalised • Final Guide to the application • Final updated BoR Final BoR and schedule of changes to BoR • Final Schedule of Negotiations • Comments on any Additional Submissions accepted at the discretion of the ExA (if any) by Deadline 7<u>6</u> • Comments on any further information received Comments on any additional information/submissions received by Deadline 7<u>6</u> • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	
23.	<p>Deadline 9</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Any further information requested by ExA Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 	<p>Thursday 26 January 2023</p>
24.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	<p>Thursday 26 January 2023</p>