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Our ref KANX/EDN/100738.00007

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29 October 2024

Dear Sir

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by West Burton Solar Project Limited (“the Applicant”) for an Order granting Development Consent for the proposed West Burton Solar Project (“the Application”)

We act on behalf of EDF Energy (Thermal Generation) Limited who are registered as an interested party (interested party number 20038306) in respect of the Application. We write in response to your request for information dated 15 October 2024.

EDF continues to negotiate with the Applicant; however, as of 29 October 2024, no Voluntary Land Agreement has been agreed, and the Applicant has not yet been able to provide the reassurance that EDF requires to ensure there will be no serious detriment to its undertaking in lieu of such Agreement.

The correct cross-referencing at Schedule 16, Part 18, paragraph 239(5) should be to paragraph 242.

It therefore remains EDF’s position that its preferred protective provisions submitted at Deadline 7 (REP7-027), which restrict the usage of compulsory acquisition powers without an agreement, must be included in the DCO instead of the protective provisions currently proposed by the Applicant at Schedule 16, Part 18 of the DCO. If the DCO were granted without EDF’s preferred wording, this would result in a serious detriment to EDF’s undertaking. Accordingly, EDF maintains its objection.

Yours faithfully

CMS Cameron McKenna Nabarro Olswang LLP

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