

Cottam Solar Project

EN010133

Representations by Uniper UK Limited for Deadline 6

1. Protective Provisions

- 1.1 These representations are made in respect of proposed protective provisions to be included within the DCO for the benefit of Uniper's undertakings.
- 1.2 To date Uniper have engaged proactively with the Applicant and agreed a joint statement with the Applicant and EDF Energy (Thermal Generation) Limited in respect of the Applicant's change request (document reference AS-063/CR1/C9.2 at Appendix 2).
- 1.3 Indeed, Uniper have been engaging with the Applicant and also the applicants for development consent orders for the Gate Burton Energy Park (EN010131) and the West Burton Solar Project (EN010132). Uniper has been working on the basis that substantially the same protective provisions for the benefit of its undertaking would be agreed by all three applicants.
- 1.4 The Applicant and Uniper have been in proactive discussions in respect of agreeing protective provisions for Uniper's benefit. We note that the draft DCO that was submitted in the deadline 5 version does include specific provisions for Uniper at Schedule 16, part 14 (document reference REP5-005).
- 1.5 However, Uniper's position is that the DCO should only be granted with its preferred form of protective provisions included and the version included within the deadline 5 DCO is not sufficient. Discussions have been progressing and the latest version of Uniper's preferred form of protective provisions were sent to the Applicant on 23 February 2024. The Applicant has sent revised versions of the protective provisions to Uniper on 29 February and 4 March 2023.
- 1.6 Uniper is aware of deadline 6 on 5 March 2024 and wanted to update the ExA of progress to date. As Uniper have only received an updated set of protective provisions on 4 March 2024 this is not enough time to review and respond prior to deadline 6.
- 1.7 However, Uniper is committed to continuing to work with the Applicant to secure mutually acceptable protective provisions and will assist the Applicant in updating the ExA and/or Secretary of State.

Uniper UK Limited

5 March 2024