



**RESPONSE TO THE SECRETARY OF STATE FOR ENERGY SECURITY AND NET ZERO'S
REQUEST FOR INFORMATION AND UPDATES (DATED 3/3/23) FROM VIOLA LANGLEY
(INTERESTED PARTY IN THE MATTER OF THE AQUIND INTERCONNECTOR DCO PROPOSAL),
SUBMITTED ON BEHALF OF LET'S STOP AQUIND BY EMAIL 28/4/2023**

*UNANSWERED QUESTIONS RAISED BY THE CONDUCT AND FUNDING OF AQUIND LIMITED,
ITS OWNERS AND DIRECTORS, AND THE HISTORY OF THE AQUIND INTERCONNECTOR NSIP.*

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Introduction

On 20 January 2022, the then Secretary of State for the Department for Business, Energy & Industrial Strategy (BEIS), Kwasi Kwarteng, refused to grant Aquind Limited the Development Consent Order (DCO) it sought for the Aquind Interconnector – a decision that was widely celebrated in Portsmouth.

The residents of the city felt that this represented a successful conclusion to the grassroots campaign against Aquind, which was supported by both Portsmouth MP's, the leader of the city council and unanimously by city councillors of every political stripe.

Grant Shapps, Secretary of State for the Department of Energy Security and Net Zero, will now redetermine the decision following Aquind Limited's successful judicial review.

The community campaign against the proposal, Let's Stop Aquind, examines here the unanswered questions that have arisen since the project was originally proposed in 2016.

Questions over the Fibre Optic Communications network (FOC)

The Aquind Interconnector was initially planned to take advantage of the difference in price of relatively cheap nuclear power generated in Northern France and the prevailing electricity price in the UK. A 242 kilometre High Voltage electric cable would be laid from Normandy to the South Downs, where it would join the national grid at Lovedean, North of Portsmouth, adjacent to the South Downs National Park. The plans also allowed for a high-capacity fibre-optic communications network to be installed alongside the cable, an aspect of the project that has come under increasing scrutiny as it appeared to be a separate commercial enterprise.¹

Questions over the economic case for importing electricity from France

Since then, the economic case for the Aquind Interconnector has collapsed. Even before the pan-European energy crisis caused by the Russian invasion of Ukraine, the nuclear power on which France relies for 70% of its total needs had become significantly scarcer as a result of a costly and time-consuming maintenance of the aging EDF nuclear estate.²

¹ "Local authority accuses secretive Russian Tory donor's firm of 'abusing planning laws'" Open Democracy 18/12/2020 [REDACTED]

² "Power plant shutdowns hinder France's 'nuclear adventure'" FT 30/5/22 [REDACTED]



Many reactors have been taken offline, with availability currently standing at only 51% of total capacity³. In its own words, "Aquind is projected to flow predominantly from the lower priced French market to GB"⁴ so it relies on an abundance of cheap French nuclear electricity. However, in 2022 the UK became a net exporter of electric power to France⁵, fatally undermining Aquind's stated business plan.

We believe that, given the energy security issues caused by war in Ukraine and the political effects of Brexit, selling its valuable domestic power to the UK for the private profit of the owners of Aquind is simply not a priority for France.

Questions over a contradiction with UK energy policy

Likewise, UK domestic energy policy has changed since 2016. There is now a focus on energy security and low-cost renewable sources such as offshore wind produced and consumed locally. The government is now committed to a "major acceleration of homegrown power in Britain's plan for greater energy independence"⁶. The Truss administration even introduced planning reforms to remove the long-term block on onshore wind projects, although this was reversed by Prime Minister Sunak⁷, despite widespread public support, even amongst Tory voters⁸.

Post Brexit, relying on energy imported from a foreign power through strategic infrastructure owned by an obscure Luxembourg holding company on behalf of foreign (born) investors who may not have the UK's best interests at heart, meets none of the government's objectives. Nor will it offer UK consumers cheaper energy, as the imported electricity, for which Aquind has negotiated an exemption from the existing pricing regime, will be competing with cheap homegrown renewables.

³ "Maintenance on eight French nuclear reactors delayed by strike" Reuters 12/10/22

⁴ "Request for Exemption: AQUIND Interconnector" Aquind Limited as submitted to OFGEM https://www.ofgem.gov.uk/sites/default/files/docs/2020/12/request_for_exemption_executive_summary_and_document_summary.pdf

⁵ "Britain is a net electricity exporter for first time in 44 years" The Conversation 13/1/23 <https://theconversation.com/britain-is-a-net-electricity-exporter-for-first-time-in-44-years-197506>

⁶ "Major acceleration of homegrown power in Britain's plan for greater energy independence" GOV.UK 6/4/22 <https://www.gov.uk/government/news/major-acceleration-of-homegrown-power-in-britains-plan-for-greater-energy-independence>

⁷ "Rishi Sunak U-turns on Truss's onshore wind planning reforms" Independent 26/10/22

⁸ "Industry pressures Government to back onshore wind planning reforms" City A.M. 1/11/22



Questions over oligarchs and the change in the political climate

The political climate has also changed dramatically in recent times. Aquind Limited has the benefit of the political connections of co-owner Alexander Temerko. Mr Temerko is the former head of Russkoe Oruzhie (Russian Weapons), a “corporation that produced armaments for Russian military forces”⁹ a significant role in the Russian state arms industry, but he had been welcomed with open arms by the Conservative Party, in which he is a rising star and member of the Leader’s Group of donors.¹⁰ He was also known to be on first name terms with former prime minister Boris Johnson¹¹ and ex-chancellor Kwasi Kwarteng, but neither retain cabinet positions.

The government recognised the strategic importance of the ownership of energy assets¹² in the National Security and Investment Act 2021, which protected against businesses perceived to be potential threats to the national interest¹³

As a result of the threat posed by Russian oligarchs assumed to be controlled by, or working for the interests of, a foreign power¹⁴, the UK government has enforced substantial sanctions and passed the Economic Crime (Transparency and Enforcement) 2022 Act to give greater transparency to the beneficial ownership of UK properties by foreign entities.¹⁵

⁹ "About Alexander Temerko" [REDACTED]

¹⁰ "About Alexander Temerko" [REDACTED]

¹¹ "Exclusive: Ex-Russian arms tycoon quietly wields influence in British PM race" Reuters 19/7/2019

¹² "Energy sector investors beware - the new UK national security merger control regime" Burges Salmon 6/5/22 [h](#) [REDACTED]

¹³ "New and improved National Security and Investment Act set to be up and running Gov.uk" 20/7/2021 <https://www.gov.uk/government/news/new-and-improved-national-security-and-investment-act-set-to-be-up-and-running>

¹⁴ "Government takes landmark steps to further clamp down on dirty money" Gov.uk 28/2/2022 <https://www.gov.uk/government/news/government-takes-landmark-steps-to-further-clamp-down-on-dirty-money>

¹⁵ "Economic Crime Act: what does it mean for law firms?" The Law Society 5/8/2022



Questions over solvency and ownership

During the Examination by the Planning Inspectorate, Portsmouth City Council noted the risk that the Applicant will be unable to financially "protect [the local authority] in case the operator went into liquidation during construction."¹⁶ This speaks to the highly unusual

nature of the ownership of Aquind Limited and its obscure funding sources. For several years Aquind Limited relied on funding from the British Virgin Islands (BVI), an offshore tax haven with no public register of company ownership, nor any visible financial details of such companies. The funding situation has since changed, but is no more transparent, as a Luxembourg registered company owned by Viktor Mikhailovich Fedotov - Project Finance Group S.A. has previously bought shares issued by Aquind Limited to the value of £17million, thereby financing a proportion of the historical debts of the company which now amount to £48 million according to its most recently published accounts¹⁷

However, the ordinary (or voting) shares of the parent company of Aquind Limited - AQUIND Energy S.à r.l. - are not fully owned by Viktor Mikhailovich Fedotov. He only owns 50% of these, the remainder of which are owned by Energy Stream Investments S.à r.l which in turn is owned by prominent Conservative Party member Alexander Temerko. So, one Russian born UK citizen owns a proportion of the debt and half of the voting rights and another Soviet Ukrainian born UK citizen owns half of the voting rights but none of the debts, which were financed by sources unknown while the parent company was registered in the BVI.

The latest accounts in Companies House (up to June 2022) confirm that Aquind Limited is still fully reliant on funding from Project Finance Group SA. According to recent accounts Victor Fedetov owns 75% or more of the company's shares. Alexander Termerko appears to own no shares but has voting rights. Under the section people, persons with significant control, share ownership appears to be equally divided between V. Fedetov and A. Termerko. This appears to be a contradiction and adds to confusion around ownership and funding.

¹⁶ Application by Aquind Limited for an Order Granting Development Consent for the Aquind Interconnector (Ref. EN020022)

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN020022/EN020022-003121-Portsmouth%20City%20Council%20Transcript%20ISH1%20DCO%20V04%20FINAL.pdf>

¹⁷ Aquind Limited Financial Statements For the year ended 2022, Companies House



Questions around the political donations and lobbying campaign

The Aquind Interconnector proposal was the first interconnector to be treated as a Nationally Significant Infrastructure Project (NSIP) allowing the project to bypass local planning oversight. Temerko and Aquind lobbied a wide range of BEIS ministers before and after the granting of NSIP status, including as Kwasi Kwarteng¹⁸, Alok Sharma¹⁹, David (now Lord) Frost²⁰, Anne-Marie Trevelyan²¹, Andrea Leadsom²² and Claire Perry O'Neill²³.

A former director of Aquind Limited, Martin (now Lord) Callanan, became Minister for Business, Energy and Corporate Responsibility in the BEIS, the very department that would be adjudicating on the decision to approve the interconnector project, creating an extraordinary conflict of interest.

Many of these ministers had also been financially supported by Aquind Limited and/or Mr Temerko as part of a wide-ranging campaign of donations to the constituency offices of 38 past and former Conservative MP's²⁴ and the Conservative Party nationally. Chancellor Jeremy Hunt, arguably the second most powerful man in UK politics, has received the highest amount of any MP, benefitting from £72,500²⁵ out of a total of more than £1.6million in donations made by Aquind Ltd or its current and former directors in the last 10 years.²⁶ One of the MP's to receive funding from the company, David Morris MP, was forced to apologise to the House after he asked questions on behalf of Aquind in the

¹⁸ "Kwasi Kwarteng accused of misleading claims over power cable project" The Guardian 10/10/2021

¹⁹ "Tory Energy Secretary dined with donors behind £1.2bn pipeline at fundraiser" Daily Mirror 14/7/2020

²⁰ "Cable tycoon lobbied Brexit negotiator Lord Frost over energy deal" The Times 8/7/2021

²¹ "Anne-Marie Trevelyan 'risked misleading parliament by omission' over energy project lobbying The Times" 25/11/2021

²² "UK ditches Aquind's Channel energy cable amid Russian donor row" The Times 4/1/2022

²³ "Energy minister met Russia-linked donor Alexander Temerko despite warnings of 'trap'" The Times 6/8/2020

²⁴ "Labour writes to Tory chair over donations to 34 MPs by firms named in Pandora papers" The Guardian 5/10/2021

²⁵ "These are the 38 MPs who have received donations from Aquind & co" HyperFocus 9/10/2021

²⁶ "Tories have taken £62,000 from Russia-linked donors since war began" OpenDemocracy 6/6/2022



Commons a month after receiving £10,000 from it.²⁷

The breath-taking scope of the campaign of donations to MP's was illustrated by a popular video²⁸ made by accountability activist group Led by Donkeys, seen by millions on social media.

Yet Aquind's funding of, and links to, the Conservative Party are ongoing – donations of £95,000 and £47,000 are disclosed in its accounts for 2021²⁹ and 2022 respectively³⁰ - and Alexander Temerko maintains lofty ambitions within the party, for example as a candidate for Mayor of London³¹.

Even more worrying is the relationship between Aquind and Lubov Chernukhin, the wife of the former Russian deputy finance minister, Vladimir Chernukhin. Lubov Chernukhin is a former director of OGN Investment Partners, the offshore parent of Aquind registered in the BVI and the biggest female donor to the Conservative party in history (a total of £1.7 million)³². Through her husband, and also through her business relationship with a sanctioned individual³³, Mrs Chernukhin appears to have links to the Russian State.

Taking together the continuous pattern of political donations to key personnel in the decision making process, the complex and obscure ownership structure of Aquind and its parent companies, its exceptionally weak financial position and the arms trading and Kremlin links of current and former directors, it is a matter of national security that the most careful due diligence is done on the company entrusted with control over two strategic assets - an HVDC interconnector and the high capacity commercial telecommunications network planned to be installed alongside it.

But Aquind has no history of delivering even the smallest of energy projects, let alone a sophisticated feat of cross channel engineering with a £1.3 billion budget and 5-7 year timescale. Entrusting what could be seen as a shell company with heavy debts, unknown

²⁷ "David Morris must apologise for breaking MP code of conduct to help donor Aquind" The Times 17/9/2020

²⁸ "Who does Boris Johnson and his government really work for? In our opinion, not you." Led by Donkeys, retrieved 28/4/23

²⁹ Aquind Limited Financial Statements For the year ended 30 June 2021, Companies House

³⁰ Aquind Limited Financial Statements For the year ended 30 June 2022, Companies House

³¹ "The energy tycoon eyeing a run for the role of London Mayor" Daily Telegraph 3/1/2021

³² "FinCEN Files: Tory donor Lubov Chernukhin linked to \$8m Putin ally funding" BBC News 21/9/20

³³ Russian Tory donor 'director of firm with Kremlin links' The Times 22/4/22



sources of offshore revenue, highly concerning international connections, no trading history and no experience with such a project would simply be reckless.

The latest accounts show that the donations and political patronage continue, as does the shocking conflict of interest faced by MP's and numerous ministers at the BEIS/DESNZ when considering the fate of the DCO.

The public has a right to be protected from glaring conflicts of interest such as this and from putting key infrastructure in the wrong hands - I trust the Secretary of State will not gamble with the country's future and will not allow the DCO for the sake of our national security.

Questions over the Pandora Papers and the foreign funding loophole

Aquind Limited is registered in England and as such, none of the political donations it makes are illegal, given the approval of its shareholders. Likewise, none of the personal donations made by Mr Temerko are illegal as he was granted British citizenship under the Tier 1 Investor Visa scheme, as was Mr Fedotov³⁴.

The scheme was scrapped by then Home Secretary Priti Patel in February 2022³⁵, as the government admitted it "had given rise to security concerns, including people acquiring their wealth illegitimately and being associated with wider corruption."³⁶ Since the release of the Pandora Papers, the same concerns have been raised with regards to Mr Fedotov's investment into Aquind.³⁷ Aquind accounts show that it has never had any trading income and is currently "fully reliant" on Project Finance Group S.A. for funding³⁸, a Luxembourg registered business owned by Mr Fedotov to which is it about £35million in debt³⁹. Previously, £25million in funding for Aquind Limited had been provided by an offshore vehicle, OGN Enterprises Limited, registered in the British Virgin Islands.⁴⁰

³⁴ "Revealed: Viktor Fedotov is tycoon behind Aquind energy project" The Times 5/8/2020
[REDACTED]

³⁵ "UK scraps golden visas for foreign investors amid Russian money crackdown" Politico 17/2/2022
[REDACTED]

³⁶ "Tier 1 Investor Visa route closes over security concerns" Gov.uk 17/2/2022

<https://www.gov.uk/government/news/tier-1-investor-visa-route-closes-over-security-concerns>

³⁷ "Pandora Papers: Businessman linked to Tory donations made millions from alleged fraud" BBC 4/10/2021
[REDACTED]

³⁸ Aquind Limited Financial Statements For the year ended 30 June 2021 Companies House

³⁹ "AQUIND ready to set sail (at last?)" HyperFocus 15/6/2021
[REDACTED]

⁴⁰ "Russians, Tories and the North East" NorthEastBylines 18/1/2021 [REDACTED]
[REDACTED]



Although registered in the UK, Aquind Limited was (and still is) a regular donor to the Conservative Party⁴¹, while having no trading income, paying no UK tax⁴² and was funded by an offshore registered company whose beneficial owners and sources of income were both unknown and unknowable at the time. Under these circumstances, it is hard to have full confidence in ministerial claims that “The Conservative Party does not accept foreign donations” and that “All donations to the party are received ... after appropriate due diligence, from permissible sources.”⁴³

So despite the recent rash of UK corporate transparency legislation, questions remain over Aquind’s backers, and the loophole by which funds of unknown origin can legally be used to support UK political parties remains firmly open.

Questions over a threat to national security and the chilling effects on public debate

We feel that we need to be certain that key energy infrastructure is not controlled by a foreign power, and that it is built and managed by competent and professional engineers in the UK’s national interest and poses no threat to our marine or shoreline environment.

Aquind Limited has no trading history of any kind, let alone any experience of managing billion-pound cross-channel cabling projects. Its lack of experience, debt-reliant business model, history of political patronage and opaque funding pose significant questions over its suitability to manage a project of this nature within 2 miles of the home of the British Navy.

The belief that the Aquind Interconnector poses a potential threat to national security remains unchanged. This analysis is shared by Portsmouth South MP Stephen Morgan⁴⁴, Portsmouth North MP Penny Mordaunt⁴⁵ and the leader of Portsmouth City Council Gerald Vernon-Jackson⁴⁶.

Despite the significant public interest in the issues raised by the Aquind Interconnector, Aquind Limited and Mr Temerko have retained the international law firm Schillings, a move

⁴¹ Aquind Limited Financial Statements For the year ended 30 June 2022 Companies House

⁴² "Economic Crime: Planned Government Bill - Commons Urgent Question" in the House of Lords 31/1/2022

⁴³ "Parliamentary Debate on Countering Russian Aggression and Tackling Illicit Finance" Hansard 23/2/2022

⁴⁴ "City MP responds to The Times report on Aquind and Russian interference" Stephen Morgan 24/7/2020

⁴⁵ "Connecting Britain and France’s power grids a risk to energy security, Penny Mordaunt warns" The Times 18/1/2022

⁴⁶ "Portsmouth's Council Leader writes to Business Secretary about Aquind national security concerns" Portsmouth Liberal Democrats 6/8/2021



which threatens to shut down open debate and reporting. The Portsmouth local newspaper The News, a vocal supporter of the campaign against Aquind, has recently been awarded regional campaign of the year at the Society of Editors' Media Freedom Awards, for "the courage and determination of its journalists to report on matters of significant public interest when others may have walked away" and its "sustained commitment to reporting... despite an unprecedented legal challenge."⁴⁷

Many questions remain, such as how close did Mr Temerko get to the Kremlin during his career as arms dealer to the Russian state? Many will ask what Mr Temerko is trying to achieve with his deep interest in, and financial support for, the Conservative Party and how close did he get to Boris Johnson and other senior members of the party?⁴⁸

Given the strategic significance of the interconnector project and the energy security crisis, these questions are part of a legitimate public debate. However, outlets such as The Times⁴⁹ and Reuters⁵⁰ as well as MP Penny Mordaunt⁵¹ have all come under legal challenge regarding commentary around Aquind, demonstrating the chilling effects of legal threats on free speech in our democracy⁵².

Questions about Aquind's treatment as a Nationally Significant Infrastructure Project (NSIP)

As Portsmouth residents, one of our main objections to Aquind's unnecessary and damaging Interconnector project is the way in which the decision was taken from Portsmouth City Council and given to central government when the scheme was given Nationally Significant Infrastructure Project status. We understand the Nautilus Interconnector was also considered a NSIP. However, that project differs from Aquind's in many respects, one being that the electricity will come from offshore wind, whereas Aquind's source is nuclear energy from France. This surely means that Nautilus is more in line with the government's own

⁴⁷ The News wins national award for Stop Aquind campaign in Portsmouth as judges praise 'courage and determination' The News 10/10/2022 [REDACTED]

⁴⁸ "Russian influence in the UK under the spotlight" CNN 8/11/20 [REDACTED]

⁴⁹ "Russian Tory donors named in secret report" The Times 10/11/2019 [REDACTED]

⁵⁰ In British PM race, a former Russian tycoon quietly wields influence Reuters 19/7/2019 [REDACTED]

⁵¹ "Tory donor threatens legal action against Government and Penny Mordaunt" Evening Standard 24/1/2022 [REDACTED]

⁵² "The worst law on earth': why the rich love London's reputation managers" The Guardian 8/7/2022 [REDACTED]



Community resistance to the project expressed in an open letter to UK Government leaders

Community resistance to the project remains staunch, although many residents do not yet realise that Aquind Limited is challenging the SofS decision not to approve the DCO. The project has united the disparate political factions within Portsmouth, as well as animating many non-political citizens outraged at the potential environmental damage, loss of amenities and disruption along the planned route, with no apparent benefits to the city or surrounding areas.

Thousands of citizens have [signed an open letter](#)⁵⁴ to Prime Minister Rishi Sunak, Chancellor Jeremy Hunt (both recipients of donations related to Aquind Limited) and Secretary of State for DESNZ Grant Shapps – the text of this letter is included below

Dear Mr Sunak, Mr Hunt and Mr Shapps

The duty of government is to act on the will of the people, defend its citizens and protect democracy. While the threat of the Aquind Interconnector hangs over the people of Portsmouth, you are failing on all counts.

Surely you know by now that our city is united against this dangerous project? From the allotment holders whose plots are vulnerable to drilling chemicals, to the businesses whose livelihoods will be threatened by gridlock from construction chaos, from the children who will be exposed to the pollution from years of tearing up our city, to the sports teams whose pitches will be closed for building sites, from the property owners whose homes are blighted by the route, to the dog walkers who will see Portsmouth's precious green spaces dug up and fenced off... we reject the vandalism of our city for private profit.

Aquind's plan would be devastating for our delicate marine and shoreline wildlife, such as 20 species of waders and the Brent Geese that winter here from Siberia. Laying the cables would also disturb significant amounts of toxic waste buried under Milton Common, threatening families living alongside the route with asbestos. The previous Secretary of State found that the damaging impacts on our city and environment could not be justified by any benefits, so what reason can there be to change his decision?

⁵⁴ Open letter to Prime Minister Rishi Sunak, Chancellor Jeremy Hunt and SofS Grant Shapps – It's time to #stopAQUIND



It's time to put an end to the fake promises of cheaper and greener electricity, made by a company that has already been granted exemption from pricing regulation, which relies on an abundance of French nuclear power - but France says no to Aquind and now needs its power for its domestic market. It's time to practise what you preach, and invest in sustainable energy projects on our own shores, not put our security at risk by relying on Soviet-born oligarchs to develop critical infrastructure in the home of the Royal Navy.

We demand protection from the activities of this highly unusual and opaque company: a company with no experience that claims to be able to manage a £1.3 billion cross-channel project; a company with substantial offshore funding but no trading income; a company that proposes an electricity cable but hides a communications network within it; a company whose owners seek to intimidate the press while making threats to a Portsmouth MP.

Aquind's money and influence have gone to the very heart of the Conservative Party. One of its owners boasts of his influence on your party leadership, while the Prime Minister and Chancellor are amongst those that accepted donations from the company or its owners. It's time to return this money and remove the stench of cronyism from the Conservative Party's relationship with Aquind, an odour that threatens your own reputations.

It's time to put an end to this unwanted, unneeded and dangerous plan. It's time to protect our environment, stand up to oligarchs and defend democracy. It's time to stop Aquind.



Conclusion - too many unanswered questions, too many risks

Thank you for taking the time to read our document and understand the range of unanswered questions around the financing of this company, the motives of the owners, the conflicts of interest raised by the campaign of political donations, questions over whether a loophole exists that allows the foreign funding of UK political parties⁵⁵, and finally the issues of transparency around the Fibre Optic Communications network and NSIP status. All of these questions are raised in the context of legal threats made to publications legitimately discussing the possible risks to national security posed by the project and reporting the views of our local MP's.

We trust this will focus your attention on the issues which are of grave concern to us, the 4,100 members⁵⁶ of the Let's Stop Aquind grassroots campaign. There are many more residents of Portsmouth and beyond who are very worried that you will ignore their concerns and grant the Applicant a DCO. Please take notice of what we have shared with you and lift the threat of this project which is now casting a such a long shadow over our city. For the good of our health, our environment, our local economy, our national security and our democracy, the time has come to STOP AQUIND.

Viola Langley, Interested Party and co-founder of Let's Stop Aquind. 28/4/23

⁵⁵ "Covert Foreign Money - Financial loopholes exploited by authoritarians to fund political interference in democracies" The Alliance for Securing Democracy 18/8/20

⁵⁶ "Let's stop Aquind" Facebook public group, retrieved 28/4/23