



Ministry
of Defence



Government
Legal Department

Ministry of Defence
Main Building
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Department for Energy Security and Net Zero
3-8 Whitehall Place,
London,
SW1A 2EG

Attention: David Wagstaff, Head of Energy Infrastructure Planning.

Herbert Smith Freehills
Exchange House
Primrose Street
London
EC2A 2EG

7th March 2024

Attention: Martyn Jarvis, Senior Associate.

AQUIND Application for Development Consent Order in respect of electricity interconnector

Dear Sirs

1. I refer to the letter from the Department of Energy and Net Zero (DESNZ) of 9th February 2024 setting a deadline of 8th March 2024 to receive submissions from the Ministry of Defence (MOD). Separately, on the same date (and subsequently), Herbert Smith Freehills (HSF), acting for Aquind Limited, have written to the MOD seeking to engage with MOD to resolve concerns.
2. MOD has significant national security concerns about the project. It has scoped the risk but needs to work further with DESNZ to ensure that a process can be put in place to ensure its concerns can be considered in a manner that is consistent with the sensitive nature of them. We appreciate that Aquind may also want to make representations relating to the process.
3. MOD has started to prepare its representations, but until the process as envisaged above has been settled it will not be possible to finalise these. As a consequence, at this stage we would therefore respectfully request (i) DESNZ to outline the

process that it proposes and allow both MOD and Aquind to comment on it; then (ii) a six-week extension to prepare representations within that process.

4. Whilst MOD would ordinarily wish to engage with a planning applicant to explore whether it is possible to mitigate any concerns MOD might have, we do not consider it possible to do so at this time. This is because it is unclear how this can be done outside of an agreed process which affords appropriate protection to MOD's concerns, as outlined above. MOD will however keep this situation under review as it develops its evidence.

Yours sincerely

**Ministry of Defence Legal Advisers
Government Legal Department**