



SHEPHERD+ WEDDERBURN

RESPONSES TO WRITTEN QUESTIONS OF THE EXAMINING AUTHORITY ON
BEHALF OF

Northern Gas Processing Limited (IP 20049396), Teesside Gas and Liquids Processing
(IP 20049393), Teesside Gas Processing Plant Limited (IP 20049397)

IN CONNECTION WITH THE Application by H2 Teesside Limited for an Order Granting
Development Consent for the H2 Teesside Project

Introduction

- 1.1 This document contains responses to the Examining Authority's second written questions and requests for information ("**ExQ2**") (PD-015) and is submitted in accordance with Deadline 5 of the examination timetable for the application by H2Teesside Limited (the "**Applicant**") for an Order under the Planning Act 2008 granting Development Consent for the H2Teesside Project (the "**Project**").
- 1.2 The responses contained in this document are provided on behalf of:
 - 1.2.1 Northern Gas Processing Limited (IP 20049396) (RR-028);
 - 1.2.2 Teesside Gas and Liquids Processing (IP 20049393) (RR-030); and
 - 1.2.3 Teesside Gas Processing Plant Limited (IP 20049397) (RR-031).together, the "**NSMP Entities**".
- 1.3 The NSMP Entities have prepared responses questions 2.9.11 and 2.9.12 of ExQ2, provided overleaf.

Question	Response of NSMP Entities
<p>Q2.9.11</p> <p>The ExA would ask any IPs/ APs with whom PPs are being sought whether they are satisfied with the PPs included within the draft DCO [REP4-004] to date and whether any side, or other form of legal agreement is required by the IP/ AP? In the event an IP/ AP is not satisfied, please explain why you are not satisfied and what is required to be undertaken to make the PPs and any side/ other agreement acceptable.</p>	<p>The NSMP Entities have outlined in a number of submissions that they require bespoke protective provisions, to ensure the continued safe operation of the Teesside Gas Processing Plant. It is crucial the NSMP Entities' ability to exercise their rights at Teesside are not impeded by the Project, to ensure the safe operation and maintenance of the Teesside Gas Processing Plant. The draft DCO does not currently contain protective provisions which adequately cover the NSMP Entities' rights and interests.</p> <p>As stated in previous submissions, the NSMP Entities consider protective provisions based on those developed for the Net Zero Teesside Order 2024 ("NZT Order") would be suitable. The Applicant has agreed to this proposal [REP3-006].</p> <p>The NSMP Entities developed a suite of preferred protective provisions, which were submitted with their relevant representations in respect of the Applicant's change request ([RR-044], [RR-045], [RR-046]). These provisions were provided to the Applicant's solicitors on 19 November 2023. The NSMP Entities consider these protective provisions, along with the additional requirements outlined in the NSMP Entities' written representations ([REP2-106], [REP2-108], [REP2-089]), would adequately provide for their rights and interests.</p> <p>We received correspondence from the Applicant on 18 December advising that protective provisions based on the NZT Order have been incorporated into its updated draft DCO for deadline 5, and that these are aligned to the NSMP Entities' draft. The NSMP Entities have not yet been provided with a copy of these provisions but will review them once available and will update the examining authority on their position as soon as possible.</p>

Q2.9.12

PPs/ Side, or other, Agreements

The ExA would ask any IP/ AP who wish to have PPs, who haven't already submitted their preferred PPs, to submit a copy of their preferred PPs into the ExA for its consideration.

As noted above, the NSMP Entities have submitted their preferred protective provisions alongside their relevant representations in respect of the Applicant's change request ([RR-044], [RR-045], [RR-046]).