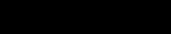


Date: 25 January 2022
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FAO: Ms Sahai
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National Infrastructure Planning
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By Electronic Submission

Dear Sir/Madam

A428 Black Cat to Caxton Gibbet Road Improvement Scheme (TR010044) (the "Scheme") Examination Deadline 9 (D9) Written Submission for and on behalf of National Grid Electricity Transmission Plc and National Grid Gas Plc

This submission is made on behalf of our clients, National Grid Electricity Transmission Plc (NGET) and National Grid Gas Plc (NGG).

Deadline 9 of the Examination Timetable in this matter, provides for receipt by the Examining Authority (the "ExA") of comments on responses to ExA's WQ3.

The comments set out in this letter are submitted accordingly, in response and follow up to:

1. the NGG and NGET response to the ExA's Q3.5.2.1 (ref: TR010044-001744 & 45) (the "NG Response"); and
2. the Applicant's response to the ExA's Third Round of Written Question, in particular Q3.5.2.1 (ref: TR010044-001784 at pages 78-80) (the "Applicant Response").

NGG site-specific interactions

As noted in the NG Response, specific interactions between NGG apparatus and the Scheme have been identified. These interactions impact the high-pressure gas pipeline which forms an essential part of the national gas transmission network. The Scheme intersects and/or interacts with the pipeline at four locations. The alignment of Kelpie Marina access road also needs to be finalised to ensure that this does not interfere with NGG's existing land rights.

NGET site-specific interactions

As noted in the NG Response, specific interactions between NGET apparatus and the Scheme have been identified. These interactions impact the high-voltage overhead power line that forms an essential part of the national electricity transmission network. The Scheme intersects the route of the overhead power line and obstructs/removes access to the towers associated with it. The Scheme will also interact with NGET's planned refurbishment of its apparatus along the Eaton Socon/Wymondley overhead power line.

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Protective measures

Protective Provisions have been agreed between NGG/NGET and the Applicant. However, the significance of the site specific interactions identified above, is such that further detail is required on the protection to be afforded of the NGET/NGET apparatus and rights/interests in land. This requirement for further detail and protection is recognised in the Applicant Response at Q3.5.2.1(c).

Agreement on these matters is essential to ensuring that NGG and NGET are able to satisfy their statutory duties to maintain an efficient and economical network for the conveyance of gas and electricity and is fundamental to ensuring safety.

In particular, NGG and NGET seek assurances and agreement on:

1. the alternative and new access routes and rights to enable NGET to access its apparatus;
2. NGET's ability to adequately carry out its statutory duties in undertaking the required overhead power line refurbishment works; and
3. the nature of the protective measures and engineering solutions required in order to adequately protect NGG's high-pressure pipeline and requisite rights/interests in land.

The relevant assurances and agreements are sought from the Applicant in respect of both the construction and operational phases of the Scheme.

Progress and update

Both the NG Response and Applicant Response recognise that discussions on the above site-specific interactions and protective measures are ongoing between the parties.

By way of update, NGG and NGET wish to notify the ExA that since submission of the NG Response and Applicant Response progress has been somewhat limited. Details on the points to be agreed in relation to the identified site-specific interactions were provided to the Applicant's solicitor on 23 December 2021. Whilst it is recognised that the Christmas break followed shortly thereafter, it has nonetheless taken over 4 weeks to receive initial comments, and there remain a number of outstanding issues on which a response is still required on the proposed protective measures.

Neither NGG nor NGET object to the Scheme in principle. However, and as the ExA will appreciate, both NGG and NGET are concerned to reach agreement with the Applicant on all outstanding matters sufficiently in advance of the close of the Examination. Both NGET and NGG are doing all that they can in order to facilitate this. It is understood that the Applicant is also endeavouring to respond on all outstanding issues as soon as possible. The Applicant Response anticipates that agreement will be reached by close of Examination and this has been reiterated in recent correspondence. Further, the Applicant's solicitor has provided reassurance that it does not consider there to be any fundamental points of disagreement.

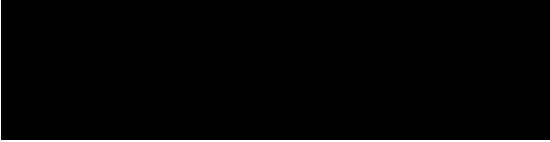
However, in light of the limited progress made over the past few weeks, NGG and NGET are becoming increasingly concerned about the ability of the parties to reach agreement before the close of the Examination. NGG and NGET are unable to withdraw their objections to the Scheme until details on the protection of the site-specific interactions have been agreed.

Further, in the event that agreement cannot be reached between NGG/NGET and the Applicant before the close of Examination, NGG and NGET reserve the right to make further representations to the ExA in relation to any detailed issues remaining in dispute between the parties.

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Many thanks

Sincerely yours



Bryan Cave Leighton Paisner

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