

**Response by DONG Energy to 'Besluit elektriciteit en gas'**

DONG Energy appreciates the opportunity to comment on the 'Besluit elektriciteit en gas'. Our comments are focused on the offshore grid for offshore wind energy.

**Article 5.28**

It is unclear whether the yearly five-day exclusion rule applies regardless of whether there is scheduled maintenance or not. The text seems to indicate the latter which, in our opinion, is not in accordance with market practice. Unless maintenance has been scheduled and notified the starting point should be full compensation if the WTGs are operational. If there is an outage leading to lack of import power to the turbines, in most situations the developer cannot perform maintenance. The developer should keep a log-book of availability, so that the developer only asks for compensation for the WTGs that were effectively available. Compensation should be determined by whether the WTG is operational or not - not by introducing a 5 day buffer that can be offset against the loss of production for 5 days every year notwithstanding whether maintenance had been planned for that period or not.

**Article 5.30.****5.30.2**

The clause seems to indicate that the owner of the wind farm cannot expect to be fully compensated since parts of the compensation will be paid out as deferred revenue, which, without proper compensation, will entail a loss of value in the compensation. To push the subsidy to the 16<sup>th</sup> year gives uncertainty that will have to be reflected as a risk in the bid and thus will affect the price of offshore wind power. To provide transparency and predictability we recommend a system that compensates directly and fully.

**5.30.3**

It is unclear to us how the deferred revenues are calculated. Deferred revenue is mentioned both as part of the result and as part of the calculation.

**5.30.4**

In our experience it is not adequate to just refer to "best available data" since disputes will inevitably arise with respect to what constitutes "best available data". Guidelines as to what type of data and methodology will be used should be published.

**5.30.6 / 5.30.7**

To have an external auditor makes sense provided that the choice of calculation model gives a realistic indication of the estimated production loss. As soon as possible the calculation model should be discussed and published.

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It is stated that additional costs will be compensated. The developer has to document that the costs incurred were necessary. We kindly ask you to consider adding "losses incurred as a result of required dry out periods" together with "...equipment, personnel, and storage" since most wind farm owners will be subject to specific dry-out periods after a shutdown depending on the length of the outage.

**General comments**

The compensation scheme should specifically include outages on relevant on-shore facilities.

Coordination of maintenance between the TSO and the developer is possible to the extent that there is electricity at the park. If there is no electricity the developer cannot perform maintenance.