



NETWORKS

Policy

38kV Network Alterations

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Content Owner:	Morgan. Killian (ESB Networks)		
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The Requirements of this document shall be complied with by all users.

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Introduction

This is ESB Networks' policy in respect of alterations to existing 38kV networks, both overhead lines, underground cables and substations.

i. Scope

This Policy relates to landowners who have 38kV network on their lands and who request an alteration of the network to facilitate a development on their lands.

1. Background

ESB is the licenced Distribution Asset Owner (DAO) and owns the 38kV network. ESB Networks DAC is a subsidiary of ESB and it is the licenced Distribution System Operator (DSO). ESB Networks is a business unit of ESB, which carries out both DAO and DSO functions, under the management of ESB Networks DAC.

Alterations to the 38kV network can involve considerable costs/expenses and resources and can take a long time to plan and execute. Before carrying out an alteration, ESB may be required to first obtain planning permission. Continuity of supply should be maintained during the course of any alteration.

2. Safety

Safety considerations shall take priority in every case both in terms of any alteration works and any development close to the 38kV network.

3. Ethics

ESB Networks staff shall adhere to the highest ethical standards in all dealings with landowners.

4. Statutory Notification Requirement

There is a statutory requirement under s20 of the Electricity (Supply) (Amendment) Act 1934 on landowners to notify ESB Networks in writing at least two months before beginning to develop within 23 metres (25 yards) of the centre line of an electric line (i.e. within a 46 metre (50 yard) wide corridor) and to provide ESB Networks with all relevant particulars of the proposed development.

5. Requests for Alterations

The following general rule and exception are subject to:

- (i) feasibility considerations including site specific, technical and planning constraints and
- (ii) the landowner arranging all necessary access and granting a deed of easement to ESB in respect of the altered line route.

General rule: Where a landowner requests an alteration of a 38kV network (overhead line or underground cable) to facilitate a permanent development, the landowner shall be required to pay all associated costs and expenses. In all circumstances, the following conditions apply:

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- (a) the landowner approaches ESB Networks at the earliest stage to ascertain the limits on developing close to the electric line
 - (b) the landowner provides proof that the development will proceed- e.g., final grant of planning permission

Alterations required by, or because of, action by a Statutory Body in the discharge of their statutory duties is governed by Sections 77 and 100 of the Electricity (Supply) Act 1927, which obliges ESB to recover costs from a Statutory Body.

Exception: Where the request relates to an overhead line and is by the initial landowner (i.e., the person who owned the land when the line was placed) or his/her heirs, ESB Networks is typically prepared to carry out the alteration without charge, on a Least Cost Technically Acceptable Solution (LCTAS) basis, subject to conditions (a) and (b) above and including but not limited to the following:

- compensation has not already been paid for the placing of the electric line
- the landowner co-operates with ESB Networks in devising an arrangement which reduces the overall cost to a minimum and in relation to access. For example, an alteration might not be necessary if the proposed development could be positioned on other available lands
- if the landowner prefers a solution that costs more than the LCTAS, the landowner agrees to pay all additional associated costs/expenses
- the alteration would be within the confines of the landowner's lands

Prior to carrying out any alteration works, ESB shall serve a wayleave notice on the landowner and occupier (if any), pursuant to s53 of the Electricity (Supply) Act 1927, as amended. ESB shall also seek a Deed of Easement.

For any queries relating to this policy please email landownerqueries@esb.ie.

In the event of any disagreement in relation to this Policy, ESB Networks shall be the final arbiter.

Terms, Definitions & Symbols Used

For the purposes of this document, the following terms and definitions apply.

Table 4: Terms & Definitions

Term / Symbol	Definition
Shall	Designates a Company Requirement, hence conformance is mandatory.
Should	Designates a Company Recommendation where conformance is not mandatory, but is recognised as best practice.
May	Designates a Permissive Statement - an option that is neither mandatory nor specifically recommended.

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