

17 November 2008

Our Ref: 37656

Mr. Dermot Byrne
Chief Executive Officer
EirGrid
The Oval
160 Shelbourne Road
Ballsbridge
Dublin 4

Re: CER Consent under Section 49 of ERA 1999

Dear Dermot,

I refer to EirGrid's application to the Commission under section 49 of the Electricity Regulation Act 1999 (the "1999 Act") regarding certain wayleaving powers.

I understand that the application for these wayleaving powers is in relation to the development of the East-West interconnector between Ireland and Great Britain.

Section 49 of the Electricity Regulation Act 1999 provides as follows:

"A holder of an authorisation or the holder of a direct line permission may, with the consent of the Commission, for the purposes of such authorisation, exercise the powers conferred on the Board by subsections (1) to (5) and (9) of section 53 of the Principal Act and references to the Board in those subsections shall be construed as including references to a holder of an authorisation."

The Commission has recently granted to EirGrid an authorisation under section 16 of the 1999 Act to construct an interconnection between Ireland and Great Britain.

Pursuant to section 49 of the 1999 Act, the Commission consents, for the purposes of that authorisation, to the exercise by EirGrid of the powers conferred on the ESB by subsections (1) to (5) and (9) of section 53 of the Electricity (Supply) Act 1927 (as amended).

Yours sincerely,



Michael G. Tutty
Chairman