
STATUTORY INSTRUMENTS

2015 No. 1555

**The Electricity (Competitive Tenders for Offshore
Transmission Licences) Regulations 2015**

PART 16

NOTIFICATION OF SUCCESSFUL BIDDER

Notification of successful bidder

28.—(1) Where the Authority is satisfied that the preferred bidder has resolved the matters described in the notice published in accordance with regulation 21(6), that preferred bidder shall become the successful bidder.

(2) As soon as reasonably practicable after the Authority has determined to grant an offshore transmission licence to the successful bidder in respect of a particular qualifying project it must publish a notice to that effect.

(3) The notice must specify the name and address of the successful bidder.

(4) The Authority must give notice to the successful bidder requiring the bidder to—

- (a) make a payment to the Authority of an amount determined by the Authority to be reasonable for the purpose of recovering the Authority's tender costs; and
- (b) where the Authority has published a notice under regulation 14 stating that the Authority will reimburse bid costs in accordance with regulation 29(6), make a payment to the Authority of an amount that is equal to the Authority's costs in reimbursing bid costs.

Information in respect of successful bidder

29.—(1) Subject to paragraph (3), the Authority must as soon as practicable after a determination has been made in accordance with regulation 28(2), give notice to each qualifying bidder of its determination in relation to the successful bidder in respect of that qualifying project.

(2) The notice referred to in paragraph (1) must include—

- (a) the evaluation criteria applied by the Authority in evaluating tenders;
- (b) the reasons for the determination, including the characteristics and relative advantages of the successful tender;
- (c) the result obtained by—
 - (i) the qualifying bidder which is to receive the notice; and
 - (ii) the successful bidder;
- (d) the name of the successful bidder; and
- (e) a statement of when the period specified in paragraph (4) is expected to end.

(3) The Authority may withhold any information to be provided in accordance with paragraph (1) where the disclosure of such information—

- (a) would impede law enforcement;
- (b) would otherwise be contrary to law;
- (c) would otherwise be contrary to the public interest;
- (d) would prejudice the legitimate commercial interests of any qualifying bidder; or
- (e) may prejudice fair competition between qualifying bidders.

(4) Where the Authority gives a notice in accordance with paragraph (1), the Authority must not grant an offshore transmission licence to the successful bidder before the end of ten working days following the day on which the notice was given.

(5) As soon as reasonably practicable after the end of the period specified in paragraph (4), the Authority must confirm its determination made pursuant to regulation 28(2), to grant an offshore transmission licence to the successful bidder in respect of a particular qualifying project and must—

- (a) publish a notice to that effect; and
- (b) give notice to the reserve bidder (where such reserve bidder has been determined in accordance with regulation 19(3) or 20(5)) of the fact that it is being stood down.

(6) Where the Authority has published—

- (a) a notice in accordance with paragraph (5)(a); and
- (b) a notice under regulation 14 stating that it will reimburse a qualifying bidder's bid costs in accordance with this regulation,

the Authority must reimburse a qualifying bidder who has received a notice in accordance with paragraph (1) so much of the bidder's bid costs that do not exceed the maximum amount stated in the notice.

(7) Where the Authority publishes a notice in accordance with paragraph (5)(a), that tender exercise is finished.