

REGULATION OF ACCESS TO THE PILOT ZONE IN DEMONSTRATION, PRE-
COMMERCIAL AND COMMERCIAL REGIMES

CHAPTER I

Scope and definitions

Article 1

Scope

This Regulation sets out the provisions that govern access to the pilot zone created by Decree-Law no. 5/2008, of January 8, amended by Decree-Law no. 15/2012, of January 23, in demonstration, pre-commercial and commercial regimes.

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

- a) *Mooring*: System of fixing floating structures to the seabed, rigid or flexible, in a geographically defined position;
- b) APA- Agência Portuguesa do Ambiente (Portuguese Environment Agency);
- c) DGAM – Direção Geral da Autoridade Marítima (Directorate-General of the Maritime Authority);
- d) DGEG – Direção Geral de Energia e Geologia (Directorate-General for Energy and Geology);
- e) DGRM – Direção Geral de Recursos Naturais, Segurança e Serviços Marítimos (Directorate-General of Natural Resources, Security and Maritime Services);
- f) *Managing entity*: ENONDAS, S.A, management concessionaire of the pilot zone;

- g) *Foundation*: System of fixing non-floating structures to the sea bottom, in a fixed and geographically defined position;
- h) *HSW*: Health and Safety at Work
- i) *Network operator*: the entity holding the concession under which it is authorized to engage in the activity of transmission or distribution of electricity, corresponding to one of the following entities, whose functions are provided in the Commercial Relations Regulation: the concessionaire entity of national transmission network, the entity that owns the concession of the national distribution network, and the concession holders for low voltage electricity distribution;
- j) *Reception Point*: the RESP (public electricity service network) point where the electricity produced by the developer is received, located at the entrance of the substation owned by the respective network operator;
- k) *Developer*: has the meaning provided for in paragraph j) of Article 3 of Decree-Law no. 5/2008, of January 8;
- l) *Commercial Regime*: has the meaning provided for in number 4 of Article 21 of Decree - Law no. 5/2008, of January 8;
- m) *Demonstration regime*: has the meaning provided for in number 2 of Article 21 of Decree-Law no. 5 /2008, of January 8;
- n) *Pre-commercial regime*: has the meaning provided for in number 4 of Article 21 of Decree-Law no. 5/2008, of January 8;
- o) *RESP (Rede Elétrica de Serviço Público)*: The public electricity service network comprising a set of public service facilities for electricity transmission and distribution which integrate the national transmission network, the national distribution network in medium and high voltage, where the energy produced by the developers of the pilot zone will be injected;
- p) *Pilot Zone*: has the meaning provided for in number 1 of Article 4 of Decree-Law no. 5/2008, of January 8;
- q) *EIncA – Study Of Environment Impact*
- r) *ERSE - Regulatory Authority for Energy Services*

CHAPTER II

Access to the pilot zone and licensing

SECTION I

Access and requirements

Article 3

Access

- 1 – Access to production activity in the demonstration, pre-commercial and commercial regimes depends on the required granting of establishment licence and exploitation licence.
- 2 – The establishment licence authorizes the developer to begin installation work of the infrastructure for energy production.
- 3 – The exploitation licence authorizes the developer to inject the energy produced in the RESP.
- 4 – In order to enable the preparation of the application for issuance of the establishment licence under Article 7, the parties may apply to the managing entity authorization to conduct site visits to the pilot zone, for recognition of the area and for making measurements.
- 5 – The process of access to a particular area of the pilot zone begins with the application for issuance of the establishment licence, as established in Article 7.

Article 4

General requirements

For the issuance of the establishment licence provided for in Decree-Law no. 5/2008, of January 8, for the various regimes, the developer must prove:

- a) The structural safety of the project;
- b) The safety of the mooring;
- c) The safety of operations in the phases of installation, exploitation and removal;

- d) The safety for shipping in its area of influence;
- e) The potential of the project to achieve an industrial solution, verified by an independent competent authority, certified, or accepted by the managing entity;
- f) The ability of the technology to converge to economically competitive costs or technically robust solutions;
- g) The project does not have non minimizable environmental impacts;
- h) The reliability and security of the electric grid, installations and associated equipments;

Article 5

Technical capacity

For the issuance of the establishment licence, the developer must also demonstrate the possession, for every phase of the project and within its scope, of:

a) Adequate human resources, in particular those responsible for:

- Shipbuilding project;
- Electromechanical project;
- Project of command, control, protection and telemetering systems;
- Shipping operations;
- Diving operations;
- Safety and environmental control;
- HSW system;
- Establishment and exploitation of the electrical installation;

b) Adequate means of maritime manoeuvre and assistance;

c) Experience in the activity of electricity production.

Article 6

Economic and financial capacity

1 - As minimum requirement for economic and financial capacity, developers must demonstrate:

- a) To have their situation regularized with respect to taxes;
- b) To have their situation regularized with respect to contributions to the social security system;
- c) To have set a financial plan for the development of the project.

2 - In case of vehicles companies created expressly for the implementation of projects in the pilot zone, the requirement of the preceding number may be demonstrated by their shareholders.

SECTION II

Establishment licence

Article 7

Application

1 - The application for the issuance of the establishment licence must be sent to the managing entity and respect the draft presented in Annex I to this Regulation.

2 - The application for the issuance of establishment licence must be accompanied, in addition to the elements identified in Article 29 of Decree - Law no. 5/2008, of January 8, with the following elements:

- a) To prove the general requirements provided for in Article 4:
 - i. Descriptive memory and drawings of the project in accordance with the provisions of Annex II of Decree -Law no. 5/2008, of January 8, including connection to the RESP, in triplicate and in electronic format, accompanied by the term of responsibility for their preparation;
 - ii. Verification of structural safety of the project by competent independent entity, certified, or accepted by the managing entity, and approved by the national competent authority for this purpose;
 - iii. Moorings project verified by competent independent entity, certified or accepted by the managing entity and approved by the national competent authority for this purpose;
 - iv. Project of electrical installations, when there are, as specified in Annex II;
 - v. Project for Maritime Signalling according to the recommendations of the IALA - International Association of Marine Aids to Navigation and Lighthouses, in particular Recommendation O-139 (The Marking of Man-Made Offshore Structures),

approved by DGAM, the national authority with competence in relating to maritime safety signage.;

vi. Maritime Safety Plan demonstrating evidence of compliance with acceptable levels of maritime safety, in accordance with the criteria to be set by the managing entity;

vii. Description of strategies for installation, operation and removal, operation plan, including duration, required time windows and technical means to be used (vessels and equipment), required human resources and extreme weather situations (wind, sea waves, light and visibility);

viii. Plans of hygiene and safety at work, emergency and risk control;

ix. Schedule of actions required for the installation of infrastructures, which integrate the project and the planned tests;

x. Project of construction of connecting branches of the plant to the RESP;

xi. Environmental Incidence Study prepared in accordance with the provisions of applicable law and in accordance with the descriptors set out in Annex III to this Regulation;

3-To prove the technical capability requirements provided for in Article 5:

i. Detail of the structure of human resources to maintain and its evolution throughout the project;

ii. Identification and curriculum of the project manager;

iii. Identification and curriculum of the responsible for operations at sea;

iv. Identification and curriculum of the responsible for the safety of the project who will assume the tasks set out in Article 17;

v. Identification and curriculum of all intervenients in the technical design of the project;

vi. Proof of the financial capacity requirements set out in Article 6:

i Balance sheet and accounts of the last financial year;

ii. Details of the investments planned for each phase of the project;

iii. Financing plan (s) approved by certified bank;

iv. Other documents:

i. Full identification of the applicant, including name or form, address, telephone

- number, tax number, access code to permanent certificate, if applicable, and name, address, telephone, fax and email of the contact person;
- ii. If required by the managing entity, letters of comfort from the developer's shareholders, when this is a vehicle company created specifically for the implementation of projects to produce electricity in the pilot zone;
- iii. A certificate of tax and contribution situation regularized, if the applicant has already proven to have a permanent establishment, which may be exempted if the applicant, subject to authorization provided under the law, allows the managing entity to query it;
- iv. Data showing the contribution of the project to create an associated industry cluster and the involvement of national centres of expertise;
- v Commitment to deliver the guarantee referred to in number 4 of Article 34 and to take the insurance referred to Article 46, both of Decree -Law no. 5/2008;
- vi Term of responsibility for electrical installation project signed by the technical manager referred to in Article 17 of this Regulation;
- vii .Other documents regarded as relevant by the applicant for analysis of the application.

Article 8

Procedures

1 - Notwithstanding the provisions of Articles 29 and following of Decree - Law no. 5/2008, of January 8, the procedures of the licensing process will be governed by the following numbers.

2 - Having received the application provided for in the preceding article, the managing entity conducts a preliminary analysis of it within the 20 days after its reception and shall reject it if:

- a) The applicant does not meet the minimum technical capacity requirement provided for in Article 5;
- b) The applicant does not meet the minimum financial capacity requirement provided for in Article 6;
- c) The project presented is technically unviable, taking into account the characteristics of the pilot zone, or jeopardizes the environment and security of persons and property;
- d) If any of the reasons stipulated in Article 24 of Decree-Law no. 5/2008, of January 8, are found;

e) If there are serious reasons that the managing entity deems reasonable to obstruct the respective licensing.

3 - If not dismissed under the preceding number, the managing entity shall send the application and its elements to DGEG, APA, the local service of DGAM and to DGRM, as well as to other entities deemed necessary by the managing entity, for an opinion.

4 - The opinion of the entities above mentioned must be issued within 20 days from the date on which the managing entity requests its issuance, which will be assumed as favourable if not issued within the prescribed period.

5 - DGEG opinion referred to in number 3 shall be instructed and issued by this entity on the same terms as the licensing under their responsibility.

6 - The opinions of the entities identified in number 3 are binding if they are unfavourable to the approval of the application and subsequent issuance of the establishment licence.

7 - Entities that shall give their opinion identified in number 3 may, for once, ask the developers for additional information for their appreciation.

8 - Within 10 days of receiving the last opinions referred in number 3, the managing entity appreciates the evidence presented, requesting, for once, other elements considered necessary to assess the application.

9 - The request to provide additional information under number 7, or for presentation of additional elements under the preceding number, suspends, as the case may be, the period referred to in number 4 or in the preceding number of this Article, until all the elements are actually made available by the developer to the entity that requested them.

10 - The decision of the managing entity shall be notified to the party concerned within 15 days, as the case may be, from the date of reception of the last opinion of the consulted entities or the reception of additional information requested under number 8.

11 - The issuance of the establishment licence is conditional upon the provision of security referred to in number 4 of Article 34 of Decree -Law no. 5/2008, of January 8, and the payment of all fees that are due.

12 - If the managing entity, for justified reasons associated with risks of the project, so decides, may require the developer to provide an additional provision of security and adequate amount to cover the risks identified.

Article 9

Licence content

The decision to grant the establishment licence shall contain, inter alia, the following elements:

- a) The full name of the holder;
- b) The main characteristics of the developer's facilities, the identification of the exploitation area where they will be located; the identification of the reception point to which the developer's infrastructures will be connected and the conditions of such connection;
- c) The period of validity;
- d) The conditions imposed by all entities that have been consulted by the managing entity;
- e) Other obligations or special conditions to which the licence holder may be subject.

SECTION III

Exploitation licence

Article 10

Application

1- Once completed the installation of the infrastructures identified in the project approved in the establishment licence, the developer applies to DGEG to conduct the inspection for the issuance of the exploitation licence, with a minimum of 20 days prior to the date scheduled for the beginning of operations, and using to this end the template presented in Annex IV of this Regulation.

2 - The establishment licence holders whose project does not provide for the connection of the production infrastructure to the public electricity network shall apply to DGEG to conduct the inspection, with a minimum of 30 days prior to the date scheduled for the beginning of the exploitation.

3- The application mentioned in this article shall be accompanied by the following elements:

- a) A report containing the description of the state of compliance with the conditions of the establishment licence;
- b) Statement signed by the technical manager referred to in Article 17 attesting, under oath, that the installation is complete and ready to operate in accordance with the project approved and the conditions incorporated in the final decision of granting the establishment licence and, as the case may be, that the changes made are in accordance with the laws and regulations that apply to it;
- c) Proof of conclusion of the insurance contract referred to in Article 21;
- d) Proof of hiring a third party with relevant experience in electrical installations to supervise the infrastructure of the developer;

- e) Certificate of Conformity for automation systems completed and signed by the technical manager of the systems.

Article 11

Inspection

1 - The inspection is conducted by DGEG that, apart from accompanying the managing entity, can be accompanied by a representative of the concessionaire of the national transmission grid or national distribution grid, as the case may be, and other entities to whom the licensing process has been sent, as well as by other technicians or experts, with a view to verifying the compliance of the installation with the approved project.

2 - For the purposes of the preceding number, DGEG sets the date and time for conducting the inspection, notifying the licence holder and the entities identified to designate a representative to accompany the inspection, 15 days prior to it.

3 - After the inspection, a report is written stating that the installation is ready for being authorized to start operation or, in the cases specified in number 2 of the previous Article, the compliance with the project presented in the application for establishment licence and, in case of no verification or compliance of such conditions, the indication of the standards or conditions whose fulfilment was not observed, the measures to be taken by the licence holder and the respective period of realization.

4 - The inspection report of the preceding number also contains the position of DGEG on allowing or refusing claims submitted in the inspection and the proposal for a final decision on the application for granting of the exploitation licence.

5 - The inspection report shall be signed by the intervenients, or contain as attachments the respective individual statements, duly signed, being the copies delivered to the licence holder on the last day of the inspection or within five days .

6 - If in the previous inspection there had been imposed conditions and fixed deadline for their achievement, DGEG promotes a new inspection for verification of compliance, having the possibility of conducting a final inspection, if the failure of the measures previously imposed persists.

7 - If, after conducting the inspection under the preceding number, the non-compliance of the conditions imposed on the developer is verified, the granted exploitation licence is revoked.

8 – If the inspection is favourable, the managing authority issues the exploitation licence.

Article 12

Licence content

The decision to grant the exploitation licence shall contain, inter alia, the following elements:

- a) The full name of the holder;
- b) The main characteristics of the developer's facilities, the identification of the exploitation area where they will be located;
- c) The conditions of connection to the RESP according to Decree-Law no. 5/2008, of January 8, and Chapter III of this Regulation.
- d) The period and the respective remuneration regime in accordance with the Order referred to in number 1 of article 39 of Decree-Law no. 5/2008, of January 8;
- e) The conditions imposed by all entities that have been consulted by the managing entity;
- f) Other obligations or special conditions to which the licence holder may be subject.

SECTION IV

Changes to the project and termination of licences

Article 13

Prior authorization

1 - Any changes to the project subject to licensing shall be previously required to the managing entity.

2 - The application referred to in the previous number shall be compulsorily presented, beyond those considered essential by the developer, with the following elements:

- a) Descriptive memory and justification and plants showing the changes to be introduced;
- b) Schedule of activities;
- c) Changes to technical projects, to the project for maritime signalling and environmental licensing, if applicable.

3 - The granting of amendments under this Article enables the developer to make the changes, keeping unchanged the period of validity of the establishment and exploitation licences, as the cases may be.

4 - Changes to the licensed project without the required authorization from the managing entity are a violation of the licence conditions, which may be subject to revocation by the managing entity as provided in the following article.

Article 14

Termination of licences

1 – The establishment and exploitation licences terminate for expiration or revocation.

2 - The grounds for revocation of licences are:

- a) The expiration of the prescribed validity period;
- b) The termination of the legal person holder of the licence;
- c) The occurrence of fact that causes a final impossibility of development of the activity in question.

3 - The managing entity can determine the revocation of licences in the following cases:

- a) If the holder fails to fulfil the obligations imposed by law, by this Regulation and the conditions specified in the licence;
- b) If a condition of issuance or maintenance of the licence is not fulfilled;
- c) If it is verified the failure or inadequacy of the solution of the concept in question.

4 - The termination of licences involves the removal of infrastructures at expense of the developer, as provided for in Article 29.

CHAPTER III

Connection to the RESP

Article 15

Connection to the RESP

1-In the demonstration, pre-commercial and commercial regimes, developers are responsible for financing and building all the infrastructures and connecting branches of their production infrastructure to the respective RESP substation, making use of the connecting corridors identified and infrastructured by the managing entity, as established in Article 9 of Decree- Law no. 5/2008, of January 8.

2 - In the demonstration, pre-commercial and commercial regimes, the construction of branches and other connection infrastructures mentioned in the previous number must comply with the conditions defined in the establishment licence and take into account the provisions of the Regulation of Distribution Network into force.

3 – In the commercial regime, the construction of branches and other connection infrastructures mentioned in number 1 shall comply with the conditions defined in the establishment licence and take into account the Regulation of Distribution or Transportation Network into force, as the case may be.

4 - The ownership, operation and maintenance of infrastructure and connecting branches built by the developer are its sole responsibility.

Article 16

Connection conditions

1 - Developers must comply with the connection conditions defined in the establishment and exploitation licences issued by the managing entity and the provisions of the annexes referred to in numbers 2 and 3 of the previous article, depending on the production regime in question.

2 - Developers must comply with the directions of the managing entity relating to connection conditions, as well as, during the commercial regime, operators of national transmission grid or national distribution grid, as the cases may be.

3 – The occurrences verified in the branches and connection infrastructures to the reception point or in the substations of the network operators that prevent the injection of the energy produced by the developers in the RESP are risks of the developers' sole responsibility.

CHAPTER IV

Safety

Article 17

Technical manager

1 - The developers shall have a graduate in engineering with experience or specific training in electrical installations, duly registered in DGEG, who is permanently responsible for the respective developer's facilities and for their operation, and a substitute with identical training, who replaces him in his absences or impediments.

2 - The graduate in engineering referred to in number 1 shall deliver a declaration to the managing entity, in which he assumes full responsibility for the safety and operation of the facilities, committing to perform his functions efficiently and comply with laws and regulations applicable.

- 3 - The termination of assumption of responsibility provided for in number 2 shall be communicated to the managing entity within 15 days, being, during this period, the responsibility assumed by the substitute technical manager referred to in number 1, and the developer shall appoint promptly a new technical manager in accordance with number 1.

Article 18

Safety management

1 - The developers shall implement a system to maintain safety of facilities, persons and property in accordance with applicable codes and standards, which must include, inter alia:

- a) The procedures for ensuring safety, periodically updated;
- b) Appropriate measures to minimize the impact of any accident or failure;

2 - The facilities must be equipped with safety systems, in particular with regard to:

- a) Red colour positioning light-signalling;
- b) GPS system with tracking on land;
- c) VTS systems.

Article 19

Signalling

The facilities of the developers must be properly signalized in accordance with the specifications approved by the managing entity, after consulting DGAM, the national authority with competence in relating to maritime safety signage., in order to ensure the safety of traffic off the pilot zone.

Article 20

Responsibility of the developer

1 - The damage caused by technologies and infrastructure of the developers are their sole responsibility, and they must ensure the restoration of the situation that existed before the damage occurred.

2 - Notwithstanding the establishment of the insurance for the activity referred to in Article 46 of Decree-Law no. 5/2008, of January 8, the developer is also responsible, when applicable, for

providing financial guarantees to take environmental liability inherent to the activities developed in the pilot zone, in compliance with Decree-Law no. 147/2008, of July 29.

3 - The developer also ensures that the suppliers and contractors celebrate and maintain a contract of liability insurance covering risks associated with all activities provided by them.

4 - In case of accident, the developer must repair the damage in the shortest possible time, and cannot, under any circumstances, exceed the period of 15 days for the presentation of the solution and a maximum of 6 months for its completion.

5 - In the case mentioned in the preceding number, the developer must keep the managing entity informed of the initiatives taken and, when requested by the managing entity, present reports containing updated information on the development of the situation.

Article 21

Insurance

1 - The developer shall deliver to the managing entity a copy of proof of the conclusion of the liability insurance provided for in Article 46 of Decree-Law no. 5/2008, of January 8.

2 - The conditions of the insurance referred to in the preceding number shall be adopted by regulatory standard of Instituto de Seguros de Portugal (Insurance Institute of Portugal), consulting the managing entity.

3 - Whenever the conditions of the insurance referred to in the preceding number are modified, they shall be immediately reported to the managing entity.

CHAPTER V

Supervision of activities and reporting obligations

Article 22

Periodic Inspections

1 - Without prejudice to the competences of other entities, the supervision of the activity of energy production conducted by the developers in the pilot zone is under the responsibility of the managing entity.

2 - The managing entity promotes periodic inspections to the facilities of the developers in order to assess, in particular, safety, conservation conditions and maintenance of infrastructure and, as the case may be, the accomplishment of the developer's obligations of removal.

3 - Periodic inspections referred to in the preceding number relate, in particular, to:

- a) Infrastructure signalling;
- b) Connections of infrastructure to connection points or binding points;
- c) Connections to substations onshore and connection to public electricity service network;
- d) Mooring and foundations;
- e) Leakproofness of the structures;
- f) Stability of the structures;

Article 23

Safety procedures for periodic inspections

- 1 - The developer communicates to the managing entity the safety procedures for the periodic inspections of facilities for electricity production.
- 2 - The developer is fully responsible in the event of any emergency during the preparation or performance of the works of periodic inspection, even if the managing entity has accepted the safety procedures provided for in number 1.

Article 24

Information made available by the developers

- 1-3 months after the date of issuance of the exploitation licence the developer shall provide the managing entity, on a quarterly basis, with reports stating the development of the project.
- 2 - The report referred to in the preceding number shall include:
 - a) Analysis of deviations from the planning of all activities to be developed under the licence assigned;
 - b) Details of the operation and performance, when applicable;
 - c) Reporting of accidents and incidents, detailing any activity put at risk by the infrastructure and equipment of the developer;
 - d) Compliance of command, control, protection and telemetering systems, taking into account

the provisions of Regulation of Distribution or Transportation Network into force, as the cases may be;

- e) Other events occurred relevant to the activity carried out by developers in the pilot zone.
- 3 - Whenever considered necessary, the managing entity may ask the developers for additional elements to the report referred to in the previous number.
- 4 - The developer shall also deliver a plan of maritime operations at least 48 hours before its execution, and, for that purpose, shall fill in the draft, which constitutes Annex V to this Regulation.
- 5 - Any emergency situations shall be reported through the emergency line that the managing entity makes available for this purpose, which runs 24 hours a day, 365 days a year.

CHAPTER VI

Rents, fees, tariffs and other charges

Article 25

Rents

- 1 - Developers are liable to pay the managing entity an annual rent calculated according to the occupied area and power installation authorized, calculated according to the formula set by Order of the members of the Government responsible for finances and energy.
- 2 - The rent will be charged annually to developers by sending an invoice for payment that shall identify:
 - a) The amount to be paid and how it was calculated;
 - b) The period for payment;
 - c) The means available to the developer to make that payment.
- 3 - Failure to pay the annual rent by the developer constitutes a violation of the licence issued and can be a reason for its revocation according to Article 14, being applied the penalties described therein.

Article 26

Fees

- 1 - Prior to the issuance of the establishment licence developers are subject to the payment of the fee provided for in Decree-Law no. 4/93, of January 8, to the managing entity.
- 2 - Developers shall also pay the fee for the issuance of the establishment licence and exploitation licence which will be defined jointly by the managing entity and DGEG.

Article 27

Tariffs

- 1 - The tariff applicable to electricity produced by facilities integrated in demonstration regime is fixed by Order of the members of the Government responsible for the areas of environment and energy, preceded by an opinion of ERSE.
- 2 - The tariffs applicable to electricity produced by facilities integrated in pre-commercial and commercial regimes are fixed by Order of the member of the Government responsible for the area of energy, preceded by an opinion of ERSE, taking into account the state of development of each technology and the set of technologies and contribution to the development of national competencies.

Article 28

Other charges of the developers

- 1 - By using the common infrastructure of the pilot zone, including the connecting corridors to the RESP, developers pay a contribution to the managing entity.
- 2 - The managing entity may also charge producers compensation for providing them services within or outside the pilot zone.

CHAPTER VII

Final provisions

Article 29

Removal of infrastructure

- 1 - In the event of termination of the establishment or exploitation licence, developers are obliged to remove all infrastructure and equipment they own.
- 2 - For the purposes of the preceding number, the managing entity notifies the developer to remove its infrastructure and equipment from the pilot zone, in a maximum period of 90 days.
- 3 - If the developer fails to comply with the order of removal of infrastructure and equipment, the managing entity can proceed on its own to the respective removal.
- 4 - In the case of the preceding number, the costs incurred by the managing entity with the removal shall be fully supported by the developer.
- 5 - In the situation provided for in number 3, the managing entity may use the provision of security provided by the developer as part of the licensing process and promote the return of infrastructures and equipments removed only after full reimbursement by the developer of the costs incurred by the managing entity.

Article 30

Entry into force

This Regulation shall enter into force [✱]

Annex I

[referred to in number 1 of Article 7]

Application for Issuance of Establishment Licence

1) [company name], with the [tax identification number] and based at [head office], hereby presents the application to ENONDAS, Energia das Ondas, S.A., as managing entity of the pilot zone under the provisions of Article 29 of Decree-Law no. 5/2008, of January 8, and Article 7 of the Regulation of Access to the Pilot Zone, for the issuance of the establishment licence in view of the installation of infrastructures and equipments identified in the elements attached to produce electricity from the energy of ocean waves.

2) This application is accompanied by the following elements [identify bearing in mind Article 29 of Decree-Law no. 5/2008, of January 8, and Article 7 of the Regulation of Access to the Pilot Zone] :

a) [...]

b) [...]

[Place], [date] [signature, identifying the position of signatory]

Annex II

[referred to in point iv, paragraph a) of number 2 of Article 7]

Project of Electrical Installations

1) Project of electrical installations

Descriptive memory:

Descriptive memory and justification stating the nature, importance, function and features of facilities and equipment, the general conditions of establishment and exploitation, earthing systems, the main provisions adopted for electricity production, transformation and transport, as well as overcurrent and overvoltage protections and their calculations, where appropriate;

Description, types and characteristics of electric power generators, transformers, switches and protection, energy metering and telemetering equipment, as well as other equipment;

Drawings:

Overall plant of facilities location referenced by coordinates and at a scale not less than 1:25000, according to the respective standard, indicating the location of the main works;

Plans, elevations and sections at an appropriate scale, chosen according to standard EN - ISO 5455, of facilities locations, with the provision of electrical and mechanical equipment, in number and with sufficient accuracy to verify compliance with the security regulations;

General wiring diagrams of the projected installations, indicating all machines and appliances for measuring and protection and command, using the standard graphic signs; all parts of the project shall be initialled by the technical manager, except for the last piece of writing, which shall contain the signature, the full name and the references of his registration at competent entity;

Written and drawn pieces that constitute the project shall have standard dimensions, be prepared in accordance with the standards into force and rules of technique and be numbered or identified by letters and numbers.

Other information:

- Calculations of the maximum emission limit disturbance of the voltage wave in terms of: Flicker, Harmonic Distortion and Imbalance of three-phase voltage, as defined in the Regulation.

- Voltage (in volts) and current (amperes) standard expectable in the umbilical cable.
- The frequency (Hz) and harmonic voltage and current expectable in the umbilical cable.
- Description of the protection system against atmospheric discharge.

Annex III

[referred to in point xi, paragraph a) of number 2 of Article 7]

Environmental Incidence Study

The Environmental Incidence Study ("EIncA") shall present a description of the project and an environmental monitoring plan. For this purpose, the developer shall prepare and deliver a report to the managing entity whose structure shall include the following contents:

1. Introduction
2. Project description
3. Reference characterization of the location where the project will be installed
4. Analysis of incidence and environmental risks
5. Measures to minimize or mitigate environmental incidences
6. Technique or knowledge gaps
7. Plan for environmental monitoring of the project (including a monitoring plan and environmental management measures)
8. Conclusions

According to the legislation into force, the environmental descriptors considered in preparing EIncA are listed in Table 1. For environmental characterization (number 4 of the contents of EIncA above), the managing entity provides the developer with a report on base environmental characterization for the whole area covered by the pilot zone. This information can be used for the reference characterization of the descriptors shown in Table 1; however, it may not dispense a more detailed reference characterization of some of them, given the environmental sensitivity of the implantation site of the project and/or its characteristics.

Table 1 – Descriptors to be addressed in studies of environmental incidences

System	Descriptor
Abiotic	Climate
	Water Resources
	Hydrodynamics, Sedimentology, Geology, Seismicity and Neotectonic

	Sound Environment
Biotic	Aquatic Flora
	Benthic Ecosystem
	Ichthyofauna
	Cetaceans and other Marine Mammals
	Flying Vertebrates
Socio-economic	Landscape
	Territorial and Maritime Space
	Waste
	Population and Economic Activities
	Archaeological Heritage

After receiving the documentation accompanying the licensing application, the managing entity shall send the process to EInCA authority, applying the provisions of Decree-Law no. 225/2007, of May 31.

If, after examining EInCA, the conclusion is that the project shall be subject to a procedure of environmental impact assessment, the provisions of Decree-Law no. 151-B/2013, of October 31, will apply.

The developer may consult the managing entity about the most appropriate documentation to the licensing process.

Annex IV

[referred to in number 1, Article 10]

Application for Exploitation Licence

1) [company name], with the [tax identification number] and based at [head office], hereby requests the Directorate - General for Energy and Geology, under the provisions of Article 35 of Decree-Law no. 5/2008, of January 8, and Article 10 of the Regulation of the Access to the Pilot Zone, to conduct the inspection of its facilities, especially for the purpose of verifying compliance with the conditions of establishment licence no. [✱], issued by ENONDAS, Energia das Ondas, S.A., dated [✱]

.

2) This application is accompanied by the following elements [identify bearing in mind the provisions of Article 7 of the Regulation of Access to the Pilot Zone]:

a) [...]

b) [...]

3) In case of a favourable inspection to the facilities, it is requested to ENONDAS, Energia das Ondas, S.A., as the managing entity, to issue the appropriate exploitation licence in accordance with number 9 of article 35 of Decree-Law no. 5/2008 and number 8 of article 11 of the Regulation of Access to the Pilot Zone.

[Place], [date] [signature, identifying the position of signatory]

Annex V

[referred to in number 4, Article 24]

Application for Marine Operations

1) [company name], with the [tax identification number] and based at [head office], under the provisions of Article 24 of the Regulation of Access to the Pilot Zone, presents ENONDAS, Energia das Ondas, S.A., as managing entity of the pilot zone, the plan for marine operation intended to be conducted, which consists of [short description of the operation to be conducted, which should be detailed in the plan presented in annex]

We inform that this operation is intended to start at [indicate the time] day [date] and it is estimated to last for [hours].

[Place], [date] [signature, identifying the position of signatory]