

<b>MAC Report</b>	
<b>Application for a Maritime Area Consent (MAC) under Section 79 of Maritime Area Planning Act 2021, as amended (the Act)</b>	
<b>Application Details</b>	
<b>MAC Applicant:</b>	Electricity Supply Board
<b>MAC Reference No:</b>	MAC240013
<b>Location:</b>	North Wall to Poolbeg, Co. Dublin
<b>Date Application received:</b>	09 December 2024
<b>Proposed Maritime Usage:</b>	Electricity Supply Board (ESB) has applied for a MAC for the installation of electric cables between North Wall and Poolbeg, Dublin. The proposed works include the installation, operation, and maintenance of an electricity transmission circuit.
<b>Recommendation:</b>	To approve the Part Granting of the MAC sought with conditions attached.

<b>Document Control</b>			
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<b>1. Overview .....</b>	<b>3</b>
<b>2. Background .....</b>	<b>3</b>
<b>3. Proposed Maritime Usage .....</b>	<b>3</b>
<b>4. Site Visit.....</b>	<b>5</b>
<b>5. Review of Legislation &amp; Associated Consents .....</b>	<b>6</b>
5.1    Applicable Provisions of the Maritime Area Planning Act, 2021 as amended (the Act) .....	6
5.2    Ownership .....	6
5.3    Existing Consents & Authorisations .....	8
5.4    Development Permission.....	11
<b>6. Assessment.....</b>	<b>12</b>
6.1    Schedule 5 .....	12
6.2    Fit & Proper Person Assessment.....	17
6.2.1    Technical Capability Assessment (TCA) .....	21
6.3    Rehabilitation Schedule .....	23
6.4    Section 83 – Nature of Use.....	23
<b>7. Proposed MAC Map (for Illustration purposes only) .....</b>	<b>24</b>
<b>8. Levy.....</b>	<b>25</b>
<b>9. Discussion .....</b>	<b>25</b>
a.    Terms .....	26
b.    Conditions and Reasons for Conditions.....	26
<b>10. Conclusion &amp; Recommendation .....</b>	<b>28</b>

## **1. Overview**

On 06 December 2024 MARA received a Maritime Area Consent (MAC) application under Section 79 of the Maritime Area Planning Act 2021, as amended (the Act) from the Electricity Supply Board (ESB) for the proposed installation, and ongoing operation and maintenance of an electricity transmission circuit between North Wall and Poolbeg.

## **2. Background**

The proposed works are part of the *Powering Up Dublin Programme* which involves replacing five 220kV circuits, comprising a total of over 50km of high voltage underground cables across Dublin. The proposed works specifically relate to the replacement of the existing circuit between the North Wall and Poolbeg substations (currently operating at 220kV). The proposed route extends from North Wall generally eastward within Dublin Port's internal road network and enters the maritime area via a trenchless method under the River Liffey and continues onward to Poolbeg Substation. The existing cable does not form part of this MAC application.

The purpose of the MAC application is to increase grid capacity and enable the transmission of Offshore Renewable Energy (ORE), supporting essential upgrades to ensure the transmission grid is prepared for increased renewable energy connections.

## **3. Proposed Maritime Usage**

The proposed maritime use involves the installation, operation, and maintenance of an electrical transmission circuit beneath the bed of the River Liffey. The circuit will connect infrastructure between the area surrounding the Irish Ferries Terminal in Dublin Port and Pigeon House Harbour on the Poolbeg Peninsula. The transmission circuit will comprise electrical power cables and associated fibre-optic monitoring and communication cables, installed within a defined subsurface cable corridor. Once energized, the circuit will form part of the meshed national electricity transmission network.

All works within the maritime area will be carried out entirely beneath the riverbed using trenchless construction techniques, with no surface disturbance or permanent structures within the River Liffey. The depth of the proposed cable installation will be confirmed at detailed design stage, but it is anticipated that the final burial depth will be greater than 5 m below the riverbed.

Two trenchless installation methods are under consideration. The tunnel option involves the construction of tunnel shafts on Dublin Port lands and on the lands of the former Pigeon House power station, both outside the maritime area. These shafts will extend to depths of greater than 25 m below ground level, from which a tunnel will be bored beneath the riverbed, allowing the cable infrastructure to be pulled through. Alternatively, a horizontal directional drilling (HDD) option may be used, involving a launch pit and reception pit in similar locations as the tunnel shafts outside the maritime area. The drill will extend beneath the River Liffey to a depth of greater than 5 m, with the cable infrastructure pulled through the drilled bore.

Following installation, the cables will remain in situ beneath the River Liffey as part of the electricity transmission network. The proposed use therefore represents a long-term occupation of the maritime area at depth, with minimal operational or maintenance intervention required within the maritime area.

The MAC area sought by the Applicant is illustrated in Figure 1.

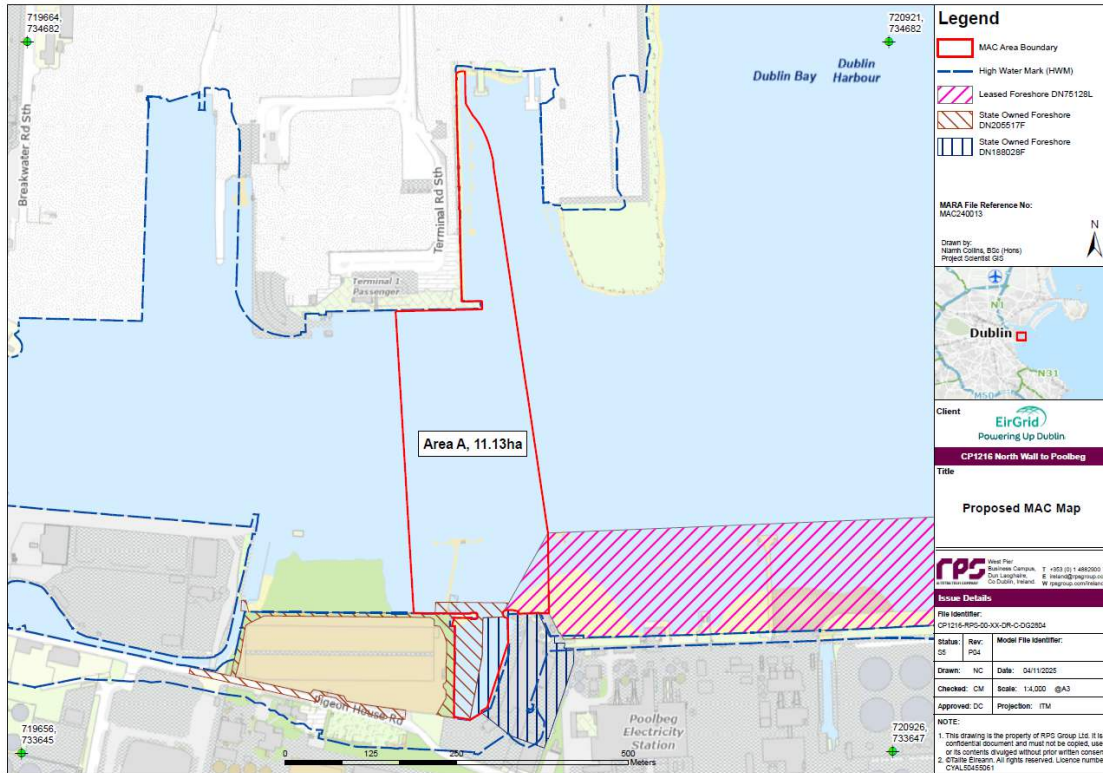


Figure 1: Applicant map of proposed layout of MAC area at Dublin Port

The proposed total area to be occupied by the MAC is 11.13 ha. Based on the map provided by the Applicant, the proposed MAC area is considered sufficiently wide to accommodate anomalies that may occur during the tunnelling or horizontal directional drilling process. The proposed duration of occupation of the maritime area sought under this MAC is 65 years, corresponding to the anticipated operational lifetime of the cable infrastructure. The Applicant stated that:

*“The requested 65-year term for the tunnel infrastructure is justified on the basis that in the overall system, the cables are the element likely to require replacement first. It will be possible to undertake replacement of the cable by removing the existing and installing new cables, should that be required in the future. In accordance with the Eurocodes, the likely tunnel infrastructure is classified as Design Working Life Category 5. This category recommends a design working life of 100 years or more. The 65-year term requested is therefore well within the conservative expected life of the tunnel infrastructure.”*

At this stage, there is limited information on the final design criteria, the applicable Technical and Institutional Requirements (TIR) standards and the selected installation option, noting that two

alternative underwater cable installation approaches are under consideration. This results in uncertainty in the final lifetime assumptions for the system as outlined further in section 6.1.

#### **4. Site Visit**

Senior Marine Advisor, Niamh Lennon inspected the site on 23 October 2025. The proposed MAC area is located within Dublin Port, under the River Liffey between the North Wall and the Poolbeg Peninsula. During the site visit existing infrastructure was noted within the proposed MAC area. Redundant infrastructure associated with the *Poolbeg Sludge Jetty* exists within the southern extent of the proposed MAC area (see Photograph 1). No other existing occupation was noted during the site visit. While a foreshore lease application was made by Dublin Port Company for this infrastructure, according to MARA records the application was not determined. Accordingly, it is considered that the infrastructure was not undertaken under a maritime authorisation or foreshore authorisation (under sections 2&3 of the Foreshore Act of 1933, as amended) (see Photograph 1 and 2). MARA's Compliance, Enforcement and Revenue (CER) unit have been made aware of the potentially unauthorised infrastructure observed during the site visit.

The redundant infrastructure comprises existing open piled breasting dolphins, a sludge jetty, a precast gangway and a tank building associated with the adjacent Uisce Éireann stormwater tanks. There is an existing culvert in the masonry quay wall just to the west of this jetty and a timber structure approximately 10m north of this culvert in the channel. East of this sludge jetty is an ESB dolphin (29mx15m). West of the sludge jetty, and 25m from shore, is an existing disused rectangular concrete mooring structure owned by Dublin Port Company, referenced as CDL Dolphin (15mx8m) also to remain.

Dublin Port Company's proposed 3FM project entails the development of a Southern Port Access Route and road network improvements, construction of a Load on - Load off container terminal, Roll on – Roll off freight terminal and ship turning circle. An application for development permission for the 3FM project is currently under consideration by An Coimisiún Pleanála (Case reference: PA29N.320250). Based on the details available on An Coimisiún Pleanála's website, the 3FM project proposes the demolition of the existing sludge jetty structure to facilitate ship turning. Further consideration of the infrastructure proposed to remain is provided in Section 5.2 below. Photograph 1 details the character of existing sludge jetty and tank building in the vicinity of the proposed works.

Considering the above, there was nothing evident on the day of the site inspection that would preclude MARA from granting a MAC for the proposed maritime usage.



*Photograph 1: View from the great south wall looking west towards Dublin port and the MAC area, with jetty in view [NL: 23 October 2025].*

## **5. Review of Legislation & Associated Consents**

### **5.1 Applicable Provisions of the Maritime Area Planning Act, 2021 as amended (the Act)**

Under the Act, MARA has responsibility for granting MACs.

Schedule 3 and Schedule 4 of the Act specifies maritime usages for which a MAC is not required, including where the proposed maritime usage falls under the remit of another enactment, is navigation or fishing, is a licensable activity under Schedule 7 or where the activity is to be undertaken on private land. The proposed maritime usage is not considered to fall under those listed under Schedule 3 or 4 of the Act.

The Applicant has stated that the proposed maritime usage, the subject of this application, requires development permission. In accordance with Section 75(1) of the Act, a MAC is required before an application for development permission can be lodged with the relevant consent authority.

Accordingly, the subject of this application is considered to fall under Section 75(1) of the Act.

### **5.2 Ownership**

A search was undertaken of the Land Registry on 06 January 2026 for any document granting or affecting rights to land in order to ensure that there are no conflicts of interest with the MAC area being applied for as outlined in the Applicant's proposed MAC Map (Figure 1). Three folios which are registered under the Registration of Title Act 1964 were identified as overlapping parts of the proposed MAC area as applied for. These areas are considered to be privately owned. Details in relation to the overlapping folios are provided in Table 4 below. Additionally, a search of the MARA's GIS database was undertaken on 06 January 2026 for any document granting or affecting rights to land in order to

ensure that there are no conflicts of interest with the MAC area being applied for as outlined in the proposed MAC Map. A statutory declaration was also identified based on MARA’s assessment of this location which overlaps part of the proposed MAC area. This area is also considered to be privately owned.

Details in relation to the overlapping folios and statutory declaration are provided in Table 1 below and Figure 2.

<b>Table 1: Summary of Overlapping privately owned maritime</b>			
<b>File Reference Number</b>	<b>Holder</b>	<b>Date</b>	<b>Comment</b>
DN188028F	Dublin City Council	Dated 23-AUG-2010	Registered Freehold Land
DN205517F	Dublin City Council	Dated 20-MAR-2015	Registered Freehold Land
DN225772F	Dublin Port Company	Dated 13-JUN-2018	Registered Freehold Land
Area 4: Portion of the Estuary of the River Liffey	Dublin Port Company	Dated 22-JUN-1819	Taken under Inquisition from Vernon Estate (Approx. 847 acres)

It is considered that the above identified privately owned area conflict with parts of the MAC area sought. In accordance with Section 99(3)(b) of the Act, Part 4 of the MAP Act shall only apply to that part of the maritime area which is within state ownership. Accordingly, a MAC cannot be issued on privately owned maritime area. Considering the above it is recommended that a MAC is part-granted for that portion of the maritime area within the MAC area as applied for, which is in state ownership. The recommended MAC area to be part granted is detailed on the map provided in Section 7 of this report.

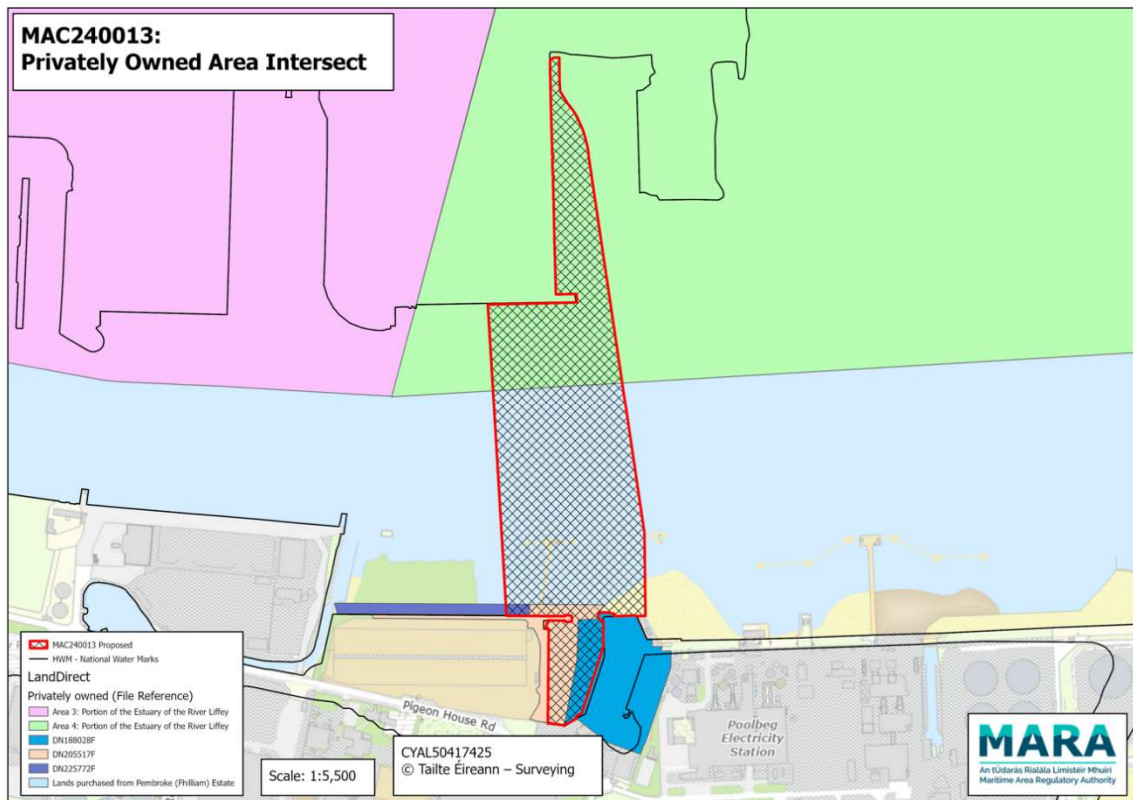


Figure 2: Privately owned maritime areas which overlap with the proposed MAC area

### 5.3 Existing Consents & Authorisations

A search of the MARA's GIS database was undertaken on 06 January 2026 for spatial overlap between the proposed MAC area to be part-granted and any existing foreshore authorisations and MARA licences and consents.

The proposed MAC area overlaps with the existing Foreshore Consents, MACs and Maritime Usage Licences (MULs) detailed in Table 2 below.

Table 2: Summary of Overlapping Maritime Authorisations and Foreshore Authorisations				
File Reference Number	Applicant/ Holder	Consent Type	Maritime Usage	Status
2022-MAC-006	Codling Wind Park Limited (CWPL)	MAC	Development, Operation and Decommissioning of an Offshore Windfarm	Consented. Expires 23/12/2067.
MUL230034	CWPL	MUL	Marine environmental surveys	Application with MARA

FS004476	Dublin Port Company	Foreshore Lease	Jetty, cooling water intakes and outlets in connection with generating station	Consented. Expires 30/04/2067
FS004483	Dublin Port Company	Foreshore Lease	Reclamation and assorted works	Consented. Expires 30/12/2099
FS006034	Dublin Port Company	Foreshore Lease	Request for lease and sublease to DCC - sludge jetty	Undetermined
FS007472	Mac Lir Offshore Wind Limited	Investigative Licence	Benthic Ecology Grab Sampling Survey, to inform EIA for Export Cable Corridor for proposed Mac Lir Offshore Wind Farm	Undetermined
FS007546	CWPL	Investigative Licence	Site investigation application for Wind Farm	Consented. Expires 25/04/2028

Maritime Area Consent 2022-MAC-006, held by Codling Wind Park Limited (CWPL), is for the development, operation and decommissioning of an offshore windfarm (refer to Figure 3). The subsidiary area proposed for transmission infrastructure under 2022-MAC-006 partially overlaps the southern extent of the proposed MAC area. MAC 2022-MAC-006 was granted on a non-exclusive basis and co-existence with the proposed maritime usage the subject of this application is considered possible. No conflict is therefore considered to exist, however it is recommended that a condition is included in any MAC which may issue requiring the holder to consult with the holder of 2022-MAC-006 in advance of undertaking the permitted maritime usage.

Maritime Usage Licence MUL230034 is an application, submitted by CWPL, to MARA seeking authorisation to undertake surveys within the proposed licence area. The surveys are required to inform the detailed design of the proposed Codling Wind Farm, export cable route, potential operations and maintenance base, land reclamation at the potential onshore substation location and additional buffer zones. The maritime usage proposed under MUL230034 partially overlaps with the southern extent of the proposed MAC area (refer to *Figure 3*). As Maritime Usage Licences are issued on a non-exclusive basis, co-existence with the proposed maritime usage the subject of this application is considered possible, therefore no conflict is considered to exist.

Figure 3 below details the extent of the spatial overlap between the proposed MAC area and existing MARA consents 2022-MAC-006 and MUL230034.



Figure 3: MACs and MULs overlap with the proposed MAC area

Foreshore consent FS007546 is a foreshore licence held by CWPL for site investigation surveys for an offshore wind farm. As foreshore licences are issued on a non-exclusive basis, co-existence with the proposed maritime usage the subject of this application is considered possible, therefore no conflict is considered to exist.

Foreshore record FS007472 relates to an application for a site investigation works to inform the environmental assessment of the potential export cable corridor for the proposed Mac Lir Offshore Wind Farm. This application has not progressed with Foreshore Section and does not therefore require further consideration.

Foreshore record FS006034 relates to an application for a request for lease and sublease to Dublin City Council for sludge jetty which has not proceeded beyond application stage. As detailed in Section 4 above, the works the subject of the foreshore application are existing and are now redundant. The 3FM project, current application with An Coimisiún Pleanála (Case reference: PA29N.320250), proposes demolition of this jetty structure to facilitate ship turning. Part of the existing structure is proposed to remain in situ and the infrastructure includes piles possibly exceeding 5m below the riverbed. Consequently, it is recommended that a condition is included in any MAC which may issue requiring the holder to consult with Dublin Port Company in advance of undertaking the proposed maritime usage.

Foreshore consent FS004476 is a foreshore lease which was sub-leased on 28/01/1988 from Dublin Port and Docks Board to the Electricity Supply Board (ESB) (the Applicant). Since the holder of the sub-

lease is the Applicant of this MAC, no conflict is considered to exist. However, since the term of the sub-lease may be shorter than the term of the potential MAC, it is recommended that a condition is included in any MAC which may issue requiring the holder to consult with the DPC in advance of undertaking the permitted maritime usage.

Foreshore consent FS004483 is a foreshore lease held by DPC for Reclamation and assorted works. It is recommended that a condition is included in any MAC which may issue requiring the holder to consult with the holder of foreshore lease FS004483 in advance of undertaking the proposed maritime usage.

The Marine Institute's Ireland's Marine Atlas database<sup>1</sup> was searched on 06 January 2026 for spatial overlap between the proposed MAC areas and any Department of Agriculture, Food and Marine (DAFM) foreshore authorisations for aquaculture sites. There are no licenced aquaculture operations overlapping with, or in close proximity to, the proposed MAC area.

In summary, no existing MACs, MULs, foreshore authorisations (including those for aquaculture) or applications for the same were identified as overlapping the proposed MAC application area which would impede MARA in granting a MAC for the proposed maritime usage.

#### **5.4 Development Permission**

The Electricity Supply Board have stated that the proposed work requires development permission. The Applicant has indicated that they intend to apply for development permission should they be successful in obtaining a MAC for the proposed project. No application for development permission has been made in advance of seeking a MAC from MARA.

Owing to the nature and scale of the proposed works, it is considered reasonable that the MAC Holder (if successful in obtaining a MAC) should submit a valid application for development consent to the relevant planning authority within 18 months of issuance of a MAC.

The Applicant in their development permission application to the relevant planning authority is required to include a Rehabilitation Schedule detailing how the Applicant proposes to rehabilitate the maritime area in accordance with Part 4, Chapter 8 of the Act.

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<sup>1</sup> <https://atlas.marine.ie/>

## 6. Assessment

### 6.1 Schedule 5

The MAC application was submitted on 06 December 2024 with the appropriate fee paid on 02 December 2024 and reviewed for completeness on 11 December 2024. An incomplete application notification was issued on 18 December 2024 with supplementary documentation/information received on 17 January 2025. The application was deemed complete by MARA on 21 January 2025.

A number of requests for additional information were issued on 07 March and 22 October 2025 under Section 79(3) of the Act and the associated responses received relating to matters for general, technical and financial assessment on 10 March and 04 November 2025.

Schedule 5 of the Act sets out the criteria to which MARA must have regard when assessing a MAC application. This report sets out the assessment undertaken pursuant to Section 5 of the Act. The assessment is summarised in Table 3 below.

<b>Schedule 5 Requirements</b>		<b>Synopsis</b>	<b>Assessment</b>
1.	The nature, scope and duration of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.	<p>Details of the proposed maritime usage, including the nature scope and duration are described in Section 3 &amp; 4 above. While the Applicant has sought a maximum MAC term of 65 years, the final design criteria of the cable has not yet been decided. The design life of the submarine cable system and associated maritime infrastructure is typically in the range of 30–40 years, based on relevant international standards and industry practice, with the potential for a longer service life subject to installation method, operation and maintenance. Considering the nature of the works and allowing time for obtaining planning permission, procurement of a works contractor, construction and decommissioning, with proper maintenance and repair, a MAC term of 45 years would seem reasonable.</p> <p>The proposed maritime usage is considered satisfactory, having regard to the nature and scope. The proposed maritime usage is considered partially satisfactory having to the duration sought. Accordingly, it is recommended to part-grant a MAC for a shorter MAC term than that sought, as outlined above.</p>	Partially Satisfied

2.	Whether the proposed maritime usage is in the public interest.	<p>The Applicant stated in their application that <i>"the proposed project is necessary to strengthen the electricity transmission grid to ensure continued reliability of electrical supply and to enable the transmission of 80% of Ireland's electricity from renewable sources by 2030, in accordance with the target set out in the Government's Climate Action Plan 2024 and Energy Security in Ireland to 2030 requirements. To achieve this target, 5GW of offshore wind, 9GW of onshore wind, and 8GW of solar power needs to connect to the grid by 2030 and it is a government objective to ensure a 'fit-for-purpose' electricity grid that supports Ireland's energy and climate ambition through delivery of grid infrastructure. This objective is identified in multiple Government policy documents, including the Climate Action Plan 2024 which identifies in Section 12.4.1 that a "key measure" to achieve 2030 targets is the need to "deliver a flexible system to support renewables and demand", and the National Maritime Planning Framework which supports improved transmission infrastructure in ORE Policy 1 &amp; 10 and Transmission Policy 1. The Proposed Works are essential upgrades to ensure the transmission grid is ready for increased renewable energy sources being connected."</i></p> <p>The Applicant also stated that <i>"As the proposed project relates to increasing grid capacity and flexibility, it is essential enabling infrastructure for existing and proposed renewable generation projects to access the Irish electricity system. As such it aligns with key objectives of the European Green Deal and the Renewable Energy Directive (RED III) [EU-2023/2413] which sets binding renewable energy targets and ensures that development and permitting of renewable generation and development of the electricity grid are prioritised, providing in Article 16f that the "planning, construction and operation" of renewable energy plants and "the connection of such plants to the grid, the related grid itself" itself are presumed as being in the overriding public interest when balancing certain legal interests. This signals the wider EU policy support for renewable energy development including its enabling infrastructure. It also aligns with the Security of Supply Directive [EU-2005/89/EC] and key actions of the REPowerEU Plan."</i></p> <p>The Applicant indicated that while the proposed project does not have a direct public use element of the proposed project, it will be integrated into the electricity network. Consequently, it will supply significant energy users and contribute to the distribution network that powers homes and businesses.</p> <p>The proposed maritime usage is considered satisfactory, having regard to the public interest.</p>	Satisfactory
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3.	The location and spatial extent of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.	<p>The total MAC area as applied for by the ESB is 11.13Ha as illustrated in Figure 1. Details of the location, relevant consents, ownership and development permissions are provided in Sections 2 to 5 above</p> <p>Based on the searches undertaken, private maritime area was identified that would preclude the granting of a MAC across the entirety of the area applied for by the ESB. As illustrated in Figure 3 and detailed in Table 2 of Section 5.4 of this report, the MAC area as applied for overlaps with Folio DN188028F, DN205517F, and DN225772F and Statutory Declaration Area 4, which are deemed to be privately held parts of the maritime area. It is therefore recommended to part-grant the MAC to exclude those parts of the maritime area which are deemed to be privately held.</p> <p>Accordingly, the MAC is recommended to be granted over a total area of 6.12ha, as illustrated in the Proposed MAC Map in Section 7.</p> <p>In addition, a review was undertaken of existing foreshore authorisations overlapping with the proposed MAC area to be part granted. Several overlapping foreshore leases and licences were identified in the proposed MAC area as listed in Section 5.3 above. In addition, based on the searches and site visit undertaken, existing redundant infrastructure was identified within the MAC area as applied for. As part of the 3FM redevelopment project, current application with An Coimisiún Pleanála (Case reference: PA29N.320250), Dublin Port Company proposes to demolish this infrastructure to facilitate ship turning. Accordingly, it is recommended that a condition is included in any MAC which may issue requiring the holder to engage with Dublin Port Company in advance of undertaking the proposed maritime usage in order to ensure that any potential conflicts with future port development proposals and operations are adequately managed.</p> <p>The proposed maritime usage is therefore considered partially satisfactory having to the location and spatial extent concerned. Accordingly, it is recommended to part grant a MAC excluding the part of the maritime area that is privately owned, as outlined above.</p>	Partially Satisfied
4.	Guidelines issued under Section 7 which are relevant to the proposed maritime usage.	No such guidelines have been published to date.	Not applicable
5.	Whether the Applicant is a fit and proper person (within the meaning of Schedule 2) to be granted a MAC, both at the time the application is made and at the time that the MAC application concerned is determined by the MARA.	<p>A detailed review and assessment of the information provided by the Applicant has been completed. Based on the assessment set out in Table 3 below, Section 6.3 and the Financial Capability Assessment (FCA) as set out in the Ernst &amp; Young (EY) report dated 09 April 2025, it is considered that the Applicant satisfies the fit and proper person requirements.</p> <p>As required by Schedule 6, Part 2 of the Act, it is a condition of all MACs that the Holder shall continue to be a fit and proper person within the meaning of Schedule 2 of the Act for the Term of the MAC.</p>	Satisfactory

6.	Whether the Applicant is tax compliant, both at the time the application is made and at the time that the MAC application concerned is determined by the MARA.	The Applicant submitted Tax Registration Number and Tax Clearance Access Number (TCAN) which was used to view the Applicant's tax clearance certificate. Based on the review of the tax clearance certificate, the Applicant is considered tax compliant.	Satisfactory
7.	In the case of any maritime usage relating to offshore renewable energy (within the meaning of section 100), the consistency of the MAC application concerned with the development plans of the transmission system operator (within the meaning of section 100).	Not applicable	Not Applicable
8.	The National Marine Planning Framework (NMPF).	<p>Based on a review of the application, MARA has had regard to the National Marine Planning Framework (NMPF) and it is considered that the proposed project aligns with the overall objectives of the NMPF, including the Energy – Transmission, Economic and Social objectives set out therein.</p> <p>It is considered that the proposed project aligns with the following economic, social and key sectoral policy objectives of the NMPF: -</p> <ul style="list-style-type: none"> <li>• <b>Co-existence Policy 1</b> - <i>Proposals should demonstrate that they have considered how to optimise the use of space, including through consideration of opportunities for co-existence and co-operation with other activities, enhancing other activities where appropriate.</i></li> <li>• <b>Infrastructure Policy 1</b> - <i>Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported. Proposals for appropriate infrastructure that facilitates the diversification or regeneration of marine industries should be supported.</i></li> <li>• <b>Transmission Policy 4</b> - <i>Where possible, opportunities for land-based, coastal infrastructure that is critical to and supports energy transmission should be prioritised in plans and policies.</i></li> <li>• <b>Social Benefits Policy 1</b> - <i>Proposals that enhance or promote social benefits should be supported.</i></li> </ul>	Satisfactory

		<p>In the application, the Applicant states that the proposed project is consistent with the environmental objectives of the NMPF.</p> <p>The proposed works constitute development which require planning permission and environmental assessment of the proposed maritime usage, which is undertaken at development permission stage by the relevant planning authority. This above assessment does not prejudice any consideration and determination that the relevant Planning Authority may make in relation to the NMPF when considering the Planning Application for this development.</p> <p>Based on the above, MARA is satisfied that the proposed works align with the above overall objectives and policy objectives of the NMPF.</p>	
9.	The extent and nature of the preparatory work already undertaken by the Applicant towards ensuring the efficacious undertaking of the proposed maritime usage the subject of the MAC application concerned should the Applicant be granted a MAC in respect of such usage.	<p>The Applicant has stated that:</p> <ul style="list-style-type: none"> <li>- A feasibility study was completed in 2024 to identify the proposed cable corridor and confirm the viability of the proposed cable crossing.</li> <li>- Terrestrial routes to the marine crossing have been developed.</li> <li>- Site investigations including utility and geotechnical surveys have been commissioned. The scope of these surveys includes boreholes at proposed cable landfalls to confirm viability of construction methods.</li> </ul> <p>In addition, schematic design details for different drilling options have been provided with the application.</p> <p>Having regard to the above, the extent of the preparatory works undertaken are considered acceptable for a project of this scale and nature.</p>	Satisfactory
10.	The extent and nature of stakeholder engagement undertaken by the Applicant in respect of the proposed maritime usage.	<p>The Applicant stated that “<i>Stakeholder engagement in respect of the Proposed Works has been undertaken by EirGrid. As part of the stakeholder engagement, it was made clear that the works would be carried out by ESB and/or its contractors. The Proposed Works, as part of the Powering Up Programme, have followed EirGrid’s Framework for Grid Development. This Framework comprises an end-to-end six step process which applies to all EirGrid’s grid development projects. At each step in the process, a series of activities are carried out to inform, engage, and consult with stakeholders and facilitate their participation in the project development process.</i>”</p> <p>The Applicant provided details of stakeholder consultation, which is stated to have commenced in 2022 and included:</p> <ul style="list-style-type: none"> <li>• Webinars;</li> <li>• Dublin Energy Citizens Roadshows;</li> <li>• Business Forum and Community Forums;</li> <li>• Publication of a range of technical and other reports; and</li> </ul>	Satisfactory

		<ul style="list-style-type: none"> <li>8-week public consultation between 28 March to 23 May 2023 (including publication of leaflets, Public Information Events and Community Liaison Clinics.</li> </ul> <p>The Applicant also stated that “<i>stakeholder engagement included specific marine stakeholders such as: Dublin Port and Dublin City Council; interested coastal and marine bodies; recreational organisations, utility and service providers, other developers within the south Dublin Bay marine area as well as residents and business along Dublin’s coastline and in the wider area. Given the location of the proposed crossing, Dublin Port is an important stakeholder and there has been ongoing collaboration with them to facilitate the Proposed Works.</i>”</p> <p>Having regard to the above, the extent and nature of the stakeholder engagement undertaken is therefore considered acceptable for a project of this scale and nature.</p>	
11.	Where a competitive process referred to in section 93 or 103 is used, the outcome of such process.	Not applicable	Not applicable
12.	Any additional criteria specified, for the purposes of this paragraph, in regulations made under section 80(2).	No such regulations have been made to date.	Not applicable

## 6.2 Fit & Proper Person Assessment

Schedule 2(2) of the Act sets out the criteria to which MARA shall have regard in determining whether the relevant person is “fit and proper” to be granted and to hold a MAC. The assessment of whether the Applicant is a fit and proper person within the meaning of Schedule 2(2) is set out in Table 4 below.

Table 4: Schedule 2(2) Fit & Proper Person			
Fit & Proper area for assessment		Synopsis	Assessment
(a)	letters of reference;	<p>As set out in Section (g) below, the Applicant has demonstrated clear evidence of their expertise and technical capability in successfully delivering projects of a similar scale.</p> <p>No letters of reference were provided.</p>	Satisfactory

(b)	<p>that the relevant person, or any other person concerned, stands convicted of—</p> <p>(i) an indictable offence under this Act or an offence in another state equivalent to an indictable offence,</p> <p>(ii) an indictable offence under an enactment prescribed for the purposes of this clause, or</p> <p>(iii) an offence involving fraud or dishonesty;</p>	<p>As part of the FCA, the Applicant was assessed against these criteria and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<p>Satisfactory</p>
(c)	<p>if the relevant person is a body corporate, whether any of its directors has a declaration under section 819 of the Act of 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or is subject to or deemed to be subject to—</p> <p>(i) a disqualification order, within the meaning of Chapter 4 of Part 14 of the Act of 2014, whether by virtue of that Chapter or any other provision of that Act, or</p> <p>(ii) a disqualification outside the State to like effect which corresponds to a disqualification order within the meaning of Chapter 4 of Part 14 of the Act of 2014;</p>	<p>As part of the FCA, the Applicant was assessed against these criteria and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<p>Satisfactory</p>
(d)	<p>if the relevant person is an individual, whether he or she is adjudicated bankrupt or is subject to</p>	<p>As part of the FCA, the Applicant was assessed against these criteria, and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<p>Satisfactory</p>

	proceedings for a declaration of bankruptcy or becomes an arranging debtor;		
(e)	<p>if the relevant person is a body corporate, whether it—</p> <p>(i) has commenced a voluntary winding-up or is subject to a winding-up order or is subject to proceedings for such an order,</p> <p>(ii) is subject to the appointment of a receiver or examiner, or</p> <p>(iii) has proposed a compromise or arrangement that is sanctioned under section 453(2) of the Act of 2014 or section 201(3) of the Act of 1963;</p>	As part of the FCA, the Applicant was assessed against these criteria, and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.	Satisfactory
(f)	<p>if the relevant person is a body corporate incorporated under the law of another state—</p> <p>(i) whether an event which corresponds to an event referred to in clause (c) has occurred in relation to any of its directors, or</p> <p>(ii) whether an event which corresponds to an event referred to in clause (e) has occurred in relation to the body corporate;</p>	As part of the FCA, the Applicant was assessed against these criteria, and it was concluded that no information or details were identified which indicate that such offences or disqualifications apply.	Satisfactory
(g)	whether the relevant person, or a person acting for or on behalf of the relevant person in the relevant person's capacity as such, has (or has	Assessment of the technical capability of ESB to deliver the proposed maritime usages the subject of the MAC application is detailed in Section 6.2.1 below. ESB are considered to have the requisite technical knowledge and qualifications to undertake the proposed maritime usage.	Satisfactory

	<p>access to), or continues to have (or have access to), as the case may be, the requisite technical knowledge or qualifications, or both, to undertake the proposed maritime usage, or continue to undertake the maritime usage, as the case may be;</p>	
<p>(h) whether the relevant person is likely to be in a position to meet, or continue to meet, as the case may be, any financial commitments or obligations that the MARA reasonably considers will be entered into or incurred by the relevant person—</p> <p>(i) in undertaking the proposed maritime usage, or in continuing to undertake the maritime usage, as the case may be, or</p> <p>(ii) in ceasing to undertake the proposed maritime usage or the maritime usage, as the case may be;</p>	<p>A FCA report dated 09 April 2025 has been prepared by external financial consultants, EY, who assessed the Applicant's financial capability to carry out the proposed maritime usages. Based on the results from the financial capability tests and the information submitted, it is considered that the Relevant Person is viewed as passing the assessment.</p> <p>Due to the commercial sensitive nature of a company's finances, details of the assessment are not included herein.</p> <p>The Applicant is considered likely to be in a position to meet financial commitments associated with the proposed maritime usage and MAC.</p>	<p>Satisfactory</p>
<p>(i) the previous performance of the relevant person when granted—</p> <p>(i) a MAC,</p> <p>(ii) a development permission,</p> <p>(iii) a licence, or</p> <p>(iv) an authorisation (howsoever described) under the Act of 1933.</p>	<p>MARA has undertaken a review of MACs (including associated development permission under MARA's remit for enforcement), maritime usage licences and foreshore authorisations held by the Applicant. Based on the review, MARA is not aware of any non-compliances with these consents, there are no enforcement actions pending and there are no outstanding debts owed.</p>	<p>Satisfactory</p>

### **6.2.1 Technical Capability Assessment (TCA)**

Based on the information supplied by the Applicant, the TCA for this application has been carried out on the basis that the proposed scheme is a Schedule 10 project. This determination is for the purposes of TCA only and does not prejudice the planning process as it should be noted that the ultimate arbiter of whether a project falls under Schedule 10 or not is An Coimisiún Pleanála.

#### **Applicant's Corporate Project Experience:**

The minimum criteria under the TCA test relating to the Applicant's corporate project experience are:

- (a) 12-months continuous experience at the **development** (design and consenting) stage for a project of a similar scale and nature.
- (b) 12-months continuous experience at the **construction** stage for a project of a similar scale and nature.
- (c) 12-months continuous experience at the **operation and maintenance** stage for a project of a similar scale and nature.

The Applicant has submitted details of three cables projects of a similar scale and nature for assessment which demonstrate in excess of 12 months continuous experience at each stage.

#### **Development Stage**

ESB was responsible for route and site selection, technical design, securing planning permission and other statutory consents, and ensuring compliance with regulatory requirements for three major transmission infrastructure projects, including the Glangow–Raffeen 220 kV Subsea Cable Project (1995–2011), the Moneypoint–Kilpaddocke 220 kV Subsea Cable Project (2008–2010), and the Grousemount Wind Farm and Ballyvouskill–Coomataggart 110 kV Cable Connection Project (2013–2016). The Glangow–Raffeen project involved a 4.6 km submarine crossing of Cork Harbour linking Ringaskiddy on the eastern side to Corkbeg on the western side. The Moneypoint–Kilpaddocke project comprised two 220 kV cable circuits connecting Kilpaddocke 220 kV station in County Kerry to Moneypoint 400 kV station in County Clare via combined land and submarine cables. The Grousemount project delivered ESB's largest onshore wind farm (114 MW), consisting of 38 wind turbines, supported by a 110 kV underground cable connection linking Ballyvouskill 220/110 kV substation in County Cork to the newly constructed Coomataggart 110 kV substation within the wind farm in County Kerry.

#### **Construction Stage**

For the construction stage, ESB (the Applicant) referenced 3 major electricity infrastructure projects including subsea cable and renewable energy developments, with ESB responsible for all post-planning stages, including project management, tendering and contractor appointment, site supervision, safety management, commissioning oversight, and community liaison. The Glangow–Raffeen 220 kV Subsea

Cable Project (2011–2012) was constructed by NKT/JD Contractor. The Moneypoint–Kilpaddock 220 kV Subsea Cable Project (2015–2017), delivered by Prysmian Group, which involved installing two submarine cable circuits (six operational phases and two spare phases, totalling approximately 21 km) using high-pressure water jetting to trench and lay cables typically at depths of 1.0–1.5 m, increasing to 2.0 m within the shipping channel. The Grousemount Windfarm (114 MW) and the Ballyvouskill to Coomataggart 110 kV cable connection project (2017–April 2020), appointing a construction consortium including Siemens Gamesa, Carey’s, Kirby’s, and NKT; works commenced in 2017 with advanced civil construction of the on-site 110 kV substation and underground cable connection, followed by wind turbine component delivery and installation in 2019.

### **Operation and Maintenance Stage**

For the operation and maintenance stage, ESB (the Applicant) referenced 3 major electricity infrastructure projects. The Glangow–Raffeen 220 kV Subsea Cable Project (2012–present), together with another 220 kV subsea cable installation across Cork Harbour linking Aghada and Raffeen, forms part of critical transmission infrastructure connecting approximately 876 MW of generating capacity from ESB’s Aghada generating station and the Bord Gáis plant at Whitegate to the Irish transmission grid. Similarly, the Moneypoint–Kilpaddock 220 kV Subsea Cable Project (2017–present) comprises subsea cables that form part of the meshed transmission system owned and maintained by ESB, supporting integration of generation assets within ESB’s portfolio. In addition, the Grousemount Windfarm (114 MW) and the Ballyvouskill to Coomataggart 110 kV cable connection project (operational since April 2020) provides renewable energy generation and grid connectivity, with the associated transmission infrastructure also incorporated into ESB’s meshed transmission network and operated and maintained by ESB.

Based on the information submitted by the Applicant, in the past 10 years, the Applicant has been involved in the development, construction and operation of numerous subsea cable installation projects and the Applicant has provided a comprehensive description of their role in delivering these projects.

In conclusion, the Applicant has satisfied the essential criteria in relation to previous corporate project experience (development, construction, operation and maintenance stages) and has demonstrated more than 12 months continuous experience for each stage.

### **Proposed Project Delivery Teams Experience:**

The minimum criteria under the TCA test relating to the Applicant’s corporate project experience are:

- (a) 10 years of experience with marine projects of a similar scale and nature with experience gained at the development and construction stages of the reference project
- (b) 10 years of experience with other projects of a similar scale and nature (including terrestrial projects) with experience gained at the development and construction stages of the reference project
- (c) 10 years of experience of the Irish Planning system delivering projects of a similar scale and nature (including terrestrial projects).

The Applicant has listed six team members in Appendix Tec B Table 1 of the application form and provided information and CV's in relation to all team members. All CVs were fully reviewed as part of the assessment and the evidence provided demonstrates an experienced Senior Project Delivery Team consisting of six members. Between them, the six team members assessed had an aggregate of at least 44 years' of development and construction experience in similar projects, at least 72 years' experience of other projects and at least 41 years' experience of the Irish planning system. Therefore, ESB has satisfied the Project Delivery Teams Experience criteria requirements (Marine Projects, Other Projects and Planning).

**Delivery Timelines:** The Applicant has completed Table 1 in Appendix Tec C: Delivery Timelines which outlines the key milestone delivery timelines and demonstrates how the project will progress from submission of the planning application, to signing of the main contractor agreement to planned maintenance activities. On the basis of the information provided, the Applicant has demonstrated a realistic understanding of the complexities and probable timeframes of developing a project of this scale and nature in an Irish context.

**TCA Conclusion:** Following an assessment of the full suite of documentation provided by the Applicant, MARA's considers that the ESB have satisfied all of the criteria under the TCA element of the Fit and Proper Test. Accordingly, MARA considers that the ESB has the requisite technical knowledge and qualifications to undertake the proposed maritime usage.

### **6.3 Rehabilitation Schedule**

Under section 96(1) of the Act, it is required that the holder of a MAC shall, before the expiration of the MAC, rehabilitate that part of the maritime area the subject of the MAC.

In accordance with Section 75(5) of the Act, as for MAC applications made to MARA on the basis of Section 75(1) of the Act, the Applicant is required to attach a Rehabilitation Schedule to their associated application for development permission.

### **6.4 Section 83 – Nature of Use**

Section 83(1) of the Act requires MARA in the granting of a MAC to specify whether the specific part of the maritime area the subject of that MAC is for exclusive use or not. Section 83(1) provides MARA discretion and flexibility to specify the nature of the use (i.e. exclusive, non-exclusive or may/may not be exclusive).

The Applicant has sought that the MAC be granted on a non-exclusive basis. Having regard to the nature and lifecycle of the proposed maritime usage, it is considered that the granting of exclusive use is not merited, particularly having regard to co-existence and co-operation objectives of the NMPF. Accordingly, it is recommended that the MAC is granted on a "non-exclusive" basis in accordance with Section 83(1)(b) of the Act.

## 7. Proposed MAC Map (for illustration purposes only)



Drawn by: MR  
 Approved by: PB  
 Date: 09/02/2026  
 Drg. No.: MAC240013-001  
 Projection: ITM  
 Scale: 1:3,500 @A3

Notes:  
 1. Georeference using grid coordinate intersects shown.  
 2. Where the MAC adjoins or abuts land, islands or rocks, the High Water Mark as defined by the Chief Boundary Surveyor is the boundary of the MAC area.

Maritime Area Consent Map  
 MAC240013

▭ Maritime Area Consent Area  
— High Water Mark - Chief Boundary Surveyor  
⊕ Grid Coordinate Intersects ITM



Figure 2 Maritime Area Consent Map MAC240013

## 8. Levy

An annual MAC levy has been calculated based on the project type and proposed MAC area in accordance with MARA's MAC levy framework, as set out below.

<b>MAPA Levy Framework Part:</b>	A: Nearshore
<b>Category/Class:</b>	Cables, pipelines and ducting
<b>Applicable Rate:</b>	Base Annual Charge of €321.14 up to 75 LMs + €4.28 per LM for the next 22,165 LMs, €2.14 per LM for the next 22,240 LMs, €1.07 per LM for the next 22,240 LM's and €0.535 per LM for the remaining LM's.
<b>Linear Metres (LM)</b>	309.00 LM
<b>Calculation:</b>	$€321.14 + (€4.28 * (309.00 - 75.00))$
<b>Levy due:</b>	€1,322.66

The MAC levy has been calculated as €1,322.66 per annum. All levies are indexed to the Harmonised Index of Consumer Prices (HICP), applied on an annual basis.

## 9. Discussion

Based on the assessments undertaken contained herein, it is considered that the subject MAC application complies with all the necessary requirements of Part 4 of the Act, with particular regard to Schedule 5 criteria, where relevant and appropriate, with the exception of Schedule 5(3).

The proposed MAC area has been assessed to overlap private maritime area. Schedule 3(3) and Schedule 4(5) of the Act precludes "any maritime usage to the extent to which it is undertaken on a privately owned part of the maritime area" from requiring a MAC. Section 99(2) of the Act specifies that "no part of the maritime area shall be treated at any time as privately owned land unless the part is land whose owner is, or is deemed to be, registered under the Registration of Title Act 1964." Accordingly, MARA may not consent to the sections of the proposed MAC area that are deemed to be privately held. Having regard to the above, it is recommended to part grant the proposed MAC to exclude the private maritime areas.

The Applicant requested a MAC term of 65 years. Having regard to the nature and lifecycle of the proposed maritime usage, it is considered that the granting of 65 years is not merited due to limited information on the final design and installation options under consideration. Accordingly, it is recommended that the MAC is part granted for a term of 45 years.

The above consideration has been made subject to the following recommended terms and conditions:

**a. Terms**

<b>MAC Term:</b>	45 years
<b>Consent Area:</b>	That part of the maritime area marked red on the MAC Map.
<b>MAC Map Title:</b>	Maritime Area Consent Map MAC240013
<b>Permitted Maritime Usage:</b>	Installation, operation, and maintenance of an electrical transmission infrastructure beneath the bed of the River Liffey including all associated decommissioning, demolition, rehabilitation and any other works required on foot of any development permission relating to the infrastructure.
<b>Nature of Usage:</b>	Non-Exclusive
<b>Date by which application for Development Permission must be submitted (subject to Phasing Schedule where applicable):</b>	18 months from date of grant of MAC.
<b>The minimum number of days in which the MAC Holder shall provide the Grantor advance notice in writing of the Holder's intention to commence the Permitted Maritime Usage.</b>	14 Days

**b. Conditions and Reasons for Conditions**

Section 82 of the Act specifies that MARA may attach to a MAC one or more conditions which fall within the types of conditions specified in Part 1 of Schedule 6 of the Act. All conditions contained in Schedule 6; Part 2 are deemed to be attached to a MAC.

The standard suite of MARA conditions reflecting the contractual and statutory relationship that will exist with a grant of consent are also recommended. Reasons for these conditions are set out in the enclosed Section 81(7)(b) Minded to Notice.

Following assessment of this MAC application, a number of additional specific conditions and the reasons for these conditions to be attached to the MAC, are recommended below. Discussion in relation to each recommended condition is also provided.

- **Condition 23.1 Stakeholder Engagement Plan:** *Prior to the commencement of the Permitted Maritime Usage the Holder shall consult with Dublin Port Company to plan and schedule the Permitted Maritime Usage in order to ensure that any potential disruption to existing relevant foreshore consents and to port operations is managed. Records of all engagements and consultations held and agreements reached, if any, shall be maintained by the Holder and made available to the Grantor if requested.*
  - **Reason:** *To ensure the orderly undertaking of the proposed maritime usage.*
- **Condition 23.2 Stakeholder Engagement Plan:** *Prior to the commencement of the Permitted Maritime Usage the Holder shall consult with the holder of Maritime Area Consent Ref 2022-MAC-006 in order to ensure that any potential disruption to Maritime Area Consent Ref 2022-MAC-006 is managed. Records of all engagements and consultations held and agreements reached, if any, shall be maintained by the Holder and made available to the Grantor if requested.*
  - **Reason:** *To ensure the orderly undertaking of the proposed maritime usage.*

ESB provided unsolicited information on 21 November 2025, confirming that ESB Networks do not carry Property Insurance for any of the transmission/distribution network assets, including cabling. These assets are self-insured and, as such, ESB cannot provide evidence of the cover as required under this clause. ESB have requested that insurance condition of the MAC that this clause be amended to allow for the option of self-insurance.

ESB provided information and evidence within their unsolicited information to demonstrate their ability to self-insure. Details of this information has not been included herein due to the commercially sensitive nature of this information.

Having regard to the supplementary information submitted by ESB, MARA are satisfied that the self-insurance arrangements in place by the ESB are sufficient. Accordingly, the standard insurance condition is amended as follows (bold text denotes insertions and strikethrough text denotes deletions further to the original proposed condition):

## **12. INSURANCE**

*12.1 Without prejudice to the Holder's liability to indemnify the Grantor which shall be unlimited (and others as specified in condition 11), the Holder shall, prior to the commencement of occupation of the Consent Area:*

*(a) insure (which includes the Holder's self-insurance arrangements) and keep insured (either ~~with~~ an insurance office licensed to operate in the State or which has received authorisation to operate in the State in accordance with Article 14 of Directive 2009/138/EC in the joint names of the Grantor and the Holder, or alternatively at the Holder's discretion, through a self-insurance arrangement), in the full reinstatement cost thereof or in the sum not less than the estimated maximum loss amount as determined by a suitably qualified and experienced independent consultant (to be approved from time to time by the Grantor or his surveyor and including an inflationary factor) the Consent Area and all structures and chattels thereon and the fixtures and fittings therein (if any) against loss or damage by the Insured Risks, including demolition and site clearance expenses, architects' and other fees and taxes in relation to the reinstatement of the Consent Area, and where available on the market such policy to include a non-invalidation clause acceptable to the Grantor (such joint policy or policies, if required, to contain a non-vitiation clause whereby subject to the terms, conditions, limitations of the policy or policies, any non-disclosure, mistake or misrepresentation of a material fact by the Holder gives sufficient reason for the insurer to prove the insurance policy to be void, the Grantor will not be denied the protection of the policy);*

**Reason:** *To mitigate against risk to the Grantor and the State in the event of insolvency or incapacity on the part of the Holder where insurable.*

## **10. Conclusion & Recommendation**

Following a detailed assessment of all information on file, it is considered that the proposal complies with all the necessary requirements, subject to the parts of the proposed MAC area which are privately held being excluded and the part granting of a MAC term of 45 years. Accordingly, it is recommended to issue a Section 81(7)(b) Minded to Notice, as enclosed, informing the Applicant that MARA is minded to part grant a Maritime Area Consent subject to the proposed conditions attached to the MAC. It is recommended to allow the Applicant 21 days from the date of issue of the Minded to Notice to submit supplementary material in relation to the reasons for the conditions as per Section 81(7)(b)(ii).

Once a final determination is made by MARA, the Applicant will be notified and MARA will publish a notice on its website as soon as practicable thereafter.

Signed: Paul Brennan Position: Manager, MACU

Signed: Meysam Rezaeifar Position: Marine Engineer