

## **AQUIND INTERCONNECTOR**

### **APPOINTED REPRESENTATIVE'S NOTE IN RESPONSE TO DESNZ' COMMUNICATION DATED 22 JULY 2025 14:22**

1. The AR thanks DESNZ for its draft OPEN decision on disclosure which is understood. The AR notes that a further CLOSED decision will follow and reserves his final comments until that has been received.
2. The AR has already indicated that he is content for the decision to be released into OPEN and is also further content at this stage with the amendments proposed by the MOD (which do not need to be set out in this note)
3. The AR is also content at this stage for the identity of any expert not to be made public or revealed to the Applicant, again for the reasons set out in the communication from DESNZ.
4. On the draft OPEN decision on disclosure the AR understands that the penultimate paragraph dealing with the provision of instructions from the Applicant refers to the in-principle decision to provide such instructions if a suitable expert can be found, rather than any detailed formal instructions to a suitable expert. Please confirm this must so.
5. A suitable protocol for allowing SASO CLOSED on behalf of the AR to contact and assess and eventually formally instruct any suitable expert will need to be agreed with the MOD. Please consider how this protocol might work in practice. There are obvious practical and logistical difficulties with proceeding in the absence of such an agreed protocol.
6. The AR's position was that the MOD (as the CLOSED information holder) should ordinarily pay for expert evidence generated by the CLOSED material process but notes that DESNZ has taken a different view. The Applicant will be able to express its own opinion on this matter.
7. The AR considers that this Note should also go into OPEN and invites any representations from the MOD or DESNZ on this.

RUSSELL HARRIS KC

SUPPORTED BY SASO CLOSED

30.7.25