

UPDATE OF THE GENERAL REGULATION APPLICABLE TO THE TESTING OF FLOATING WIND PROTOTYPES AT THE MARINE ENERGY R&D PLATFORM OF CATALONIA, PLEMCAT

The PLEMCAT Commission, in line with the decisions agreed upon at the Board of Trustees meetings of the IREC Foundation held on June 15 and September 8, 2023, has prepared and approved the general regulation for the testing of floating wind prototypes at the Marine Energy R&D Platform of Catalonia, PLEMCAT (hereinafter referred to as the Platform or PLEMCAT). This regulation was published on September 27, 2023.

The aim of this general regulation is to establish guidelines for the testing of floating wind prototypes on the PLEMCAT platform by the operators who have been awarded (hereinafter referred to as awardees) a test area and a position on the PLEMCAT Platform in phase 1. This is in accordance with the [Final Resolution of the final call](#) for prototype testing on the PLEMCAT Platform dated September 29, 2023, which is published on the PLEMCAT website.

In order to facilitate more effective project execution in line with the existing applicable regulations and considering their impact on management and operating costs, thereby ensuring better viability and smoother future operation, the PLEMCAT Committee has deemed it necessary to update the previously approved regulatory framework. The details of these updates are as follows:

1. AUTHORIZATIONS

The use of the Platform's infrastructure by the awardees will be conducted in accordance with this regulation and the terms and conditions specified in the contract to be formalized between the IREC and each of the awardees. The effectiveness of this contract is contingent upon the IREC obtaining the necessary administrative permits and authorisations for the installation and commissioning of the PLEMCAT Platform, and upon the awardees obtaining the necessary administrative permits and authorisations for the installation and commissioning of their prototype at PLEMCAT.

The awardee will bear the responsibility and cost for obtaining all necessary administrative authorizations and permits for the installation, commissioning, and operation of their prototype at PLEMCAT.

The IREC will be responsible for securing the relevant authorizations and permits for the installation and commissioning of the PLEMCAT Platform to facilitate the installation and operation of the operators' prototypes for R&D tests. The IREC and the awardees will commit to collaborate to expedite and facilitate the acquisition of any necessary authorizations or permits for the installation, commissioning, and operation of prototypes at PLEMCAT.

2. DURATION OF OCCUPATION OF THE TEST AREA

A minimum occupation period of 5 years is established for the test area, with the possibility of renewal, if appropriate, for up to two additional periods of a maximum of 5 years each.

The granting of each extension and its duration will be conditional upon a prior technical justification of the request and the approval of the PLEMCAT Commission, currently comprising members from the Catalan Institute of Energy (ICAEN), the Directorate-General for Energy of the Generalitat of Catalonia, and the Energy Research Institute of Catalonia Foundation (IREC). Requests for extensions for periods different from those stipulated will be considered if they are submitted well in advance of the expiry of the initial duration or its extension and are properly justified.

3. FEE ASSOCIATED WITH THE PROTOTYPE HOSTING SERVICE

The IREC will set an annual fee to be paid monthly by the awardees as compensation for hosting their prototypes on the PLEMCAT Platform, as well as for other associated services such as infrastructure monitoring, control, security, access, and connection to the electricity grid. The possibility of sharing common expenses for services or maintenance tasks of the Platform will be considered.

This fee will cover all operations of the PLEMCAT Platform, including contingencies for repairs and replacements of its infrastructure elements.

The fee amount will be based on the seabed surface area reserved for anchoring the prototypes, as the concession of maritime domain occupation available to the IREC, namely the water surface area, cannot be exceeded by the prototypes hosted on the Platform. Regardless of the actual seabed area occupied by each prototype's anchorage, the fee is payable based on the maximum seabed area anticipated for the anchoring of the prototype in each test area or position occupied.

Currently, the PLEMCAT Platform in phase 1 has three test areas, each with different seabed anchorage area forecasts. The first two test areas, which are identical, are intended to have a maximum radius limit of 800 metres each, and the third test area is intended to have a maximum radius limit of 450 metres.

In the future, depending on the anchoring technologies and electrical power requirements of future users, the PLEMCAT Platform may have more or fewer test areas, depending on the seabed usage by each type of offshore wind technology and given the platform's restrictions in relation to the granted water surface area and electrical evacuation capacity.

At present, and depending on the limits indicated:

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(a) Prototypes designed to occupy the first two test areas will be charged a fee of €24,166.66 per month (excluding VAT), equivalent to €290,000 annually.

(b) Prototypes designed to occupy the third test area will be subject to a fee of €17,500 per month (excluding VAT), equivalent to €210,000 annually.

The fees for the first year and subsequent years will be paid monthly by the awardees to the IREC, in arrears, from the notification by the IREC of the availability of the PLEMCAT Platform for the installation of the prototypes, scheduled for the second half of 2025.

The total fee amount will be adjusted annually in accordance with the Competitiveness Guarantee Index (IGC) and based on the actual annual expenses incurred by the IREC, subject to validation by the PLEMCAT Commission.

The IREC will review the actual expenses incurred by the PLEMCAT Platform in the previous year and, if necessary to ensure the self-sustainability of the PLEMCAT Platform, will notify the awardees of any required updates to the fee amount.

4. OPERATING REGIME FOR THE SALE OF ENERGY GENERATED BY PROTOTYPES

The IREC, as the owner of the access and connection point of the PLEMCAT Platform and, where applicable, registered as an electricity-producing facility in the relevant administrative register, will contract with an energy market agent to sell the energy generated by the installed prototypes on the PLEMCAT Platform at market price.

From the total revenue received from the energy market agent for the generated energy (after deducting management costs), in line with the founding purposes of the IREC Foundation and the provisions of the 2024-2026 program contract between the IREC and the Administration of the Generalitat of Catalonia, the IREC will deduct a variable percentage as detailed below, contributing to the creation of a fund to promote and support new R&D projects and new R&D platforms, or their extensions, focusing on energy, the environment, and climate change.

This variable percentage will depend on the capacity factor recorded in the previous month for each prototype, where the capacity factor represents efficiency and is calculated by dividing the energy generated in a month by the prototype by the estimated maximum potential energy (i.e., maximum power times total hours in the month):

- If the average capacity factor recorded during the previous month is less than 20%, 6% of the net revenue received from the sale of energy will be deducted.
- If the average capacity factor recorded during the previous month is more than 20% and less than 40%, 7.5% of the net revenue received from the sale of energy will be deducted.
- Conversely, if the average capacity factor recorded during the previous month is equal to or greater than 40%, the IREC will deduct 9% of the net income received from the sale of energy.

The remainder of the net income received by the IREC for the generated energy on the Platform will be subject to a monthly settlement, which will be notified to the successful bidders who own the prototypes. These bidders will annually invoice the IREC for the amount corresponding to this percentage for the transfer of the energy produced by their prototypes.

5. ESTABLISHMENT OF A GUARANTEE

The successful bidders must provide a guarantee to the General Deposit Fund equivalent to four monthly instalments of the fee, as stipulated in point three "Fee associated with the prototype hosting service", as a prerequisite for proceeding with the formalization of the contract specifying the terms and conditions of use of the PLEMCAT Platform. This initial guarantee will be released once the successful bidder notifies the IREC that the following guarantee has been established.

According to the estimated schedule for the commencement of activities at the PLEMCAT Platform, set to begin in the second half of 2025, six months before the completion of the works and technical installations of the Platform's basic infrastructure, the IREC will notify the awarded companies of the expected start date for the evacuation of electricity and the obligation to provide a new guarantee for eight monthly instalments of the fee.

These guarantees will be released once the IREC confirms that the successful bidder owning the prototype has fulfilled all obligations arising from the contract formalized with the IREC, which will specify the terms and conditions of use of the PLEMCAT Platform, and it is verified that there are no responsibilities requiring action on these guarantees.

6. UNOCCUPIED POSITIONS AND THEIR AVAILABILITY

If a position on the PLEMCAT Platform becomes available before the end of the occupation period stipulated in the contract formalised between the IREC and the successful bidder operating the prototype, the IREC will execute the guarantees as specified in the contract. Subsequently, a new open and public call will be announced on the PLEMCAT website for assigning the vacant position on the PLEMCAT Platform.

In this call, being previously classified as an eligible applicant and listed in the order of priority on the waiting list for the Final Resolution of the final call for the assignment of a test area and position on the PLEMCAT Platform in phase 1, will be regarded as an evaluative criterion. This will account for 10% of the total maximum score provided in the call for proposals.

The ranking in the order of priority for proposals submitted to the aforementioned calls, and remaining on the waiting list, will cease to be valid the day after the contract formalisation between the IREC and the successful bidder operating the prototypes, assigning a test area and position on the PLEMCAT Platform.

7. CONCLUSION OF THE CONTRACT

Considering the tight schedule for accepting or declining the grants from the "RENMARINAS DEMOS" call in all its subprogrammes and modalities, the Final Resolution of the final call for prototype testing on the R&D Platform in Marine Energies of Catalonia (PLEMCAT), including the classification and order of priority of proposals for the final assignment of a test area and position on the PLEMCAT Platform in phase 1, was approved and published on September 29, 2023, on the PLEMCAT website.

The three candidates awarded a test area and position on the PLEMCAT Platform, in line with this Resolution, notified the IREC of their acceptance of the award and their readiness to commence procedures for contract formalisation within the specified deadline before October 3, 2023.

The IREC and the successful bidders operating the prototypes will formalise a contract specifying the terms and conditions applicable to hosting and testing floating wind prototypes on the PLEMCAT platform. This will also include terms of scientific-technological collaboration as part of the research and technological development activities on the PLEMCAT Platform.

The legal validity of this contract is contingent upon the IREC obtaining the required administrative permits and authorisations for the installation and commissioning of the PLEMCAT Platform, as well as the successful bidders obtaining the necessary permits and authorisations for their prototype's installation and commissioning at PLEMCAT. Furthermore, the legal effects of the contract are subject to the effective authorisation of the programme contract between the Generalitat and the IREC for the 2024-2026 period.

In alignment with adapting the PLEMCAT project to current regulations, including the 50 MW moratorium for R&D programmes, it has been agreed to extend the initial period for contract formalisation with the successful bidders by an additional 90 working days, up to and including May 9, 2024. This extension begins on December 31, 2023, the date marking the end of the initial 90-day period. The IREC Management is authorised to develop the specification of the contract terms and conditions, which must be validated by the PLEMCAT Commission prior to formalising the signature with the companies awarded the prototypes.

The identities of the companies awarded a test area and position on the PLEMCAT Platform, along with those on the waiting list appearing in the order of priority of the [Final Resolution of the final call](#) for prototype testing on the R&D Platform in Marine Energy of Catalonia (PLEMCAT) dated September 29, 2023, will be published on the IREC PLEMCAT website.

8. MODIFICATION AND ENTRY INTO FORCE

Any modifications or updates deemed necessary to this regulation must be approved by the PLEMCAT Commission and submitted to the Board of Trustees of the IREC Foundation for ratification at their next meeting. Ratification is a prerequisite for these changes to take effect.

This amendment, having been approved by the PLEMCAT Commission, will become effective the day after its approval and will be published on the [IREC's PLEMCAT website](#).

Sant Adrià de Besòs, 18 December 2023

Maria Assumpta Farran Poca
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