



Questions and Answers

Ministerial Order for the Granting of Offshore Wind Energy Permits for Hollandse Kust (noord) Wind Farm Site V

Hollandse Kust (noord) Wind Farm Site V

Final version dated 3 April 2020

**Please note: In the event of any imperfections, errors, or
where various interpretations are possible, the legislation takes precedence.**

Organisation		
No.	Question	Answer
1	Can a public limited company or a private limited company (an N.V. and a B.V. under Dutch law, respectively) in the process of formation submit an application and is it possible to do so without a Dutch Chamber of Commerce registration number?	The applicant enterprise can be a public limited company (N.V.) or a private limited company (B.V.) in the process of formation, provided it is listed in the Dutch Commercial Register. For this reason, applicants must have a Chamber of Commerce (KvK) registration number. They must also incorporate the public limited company (N.V.) or private limited company (B.V.) immediately after the possible award of the permit (the deed of incorporation should be executed before a civil-law notary and the registration in the Dutch Commercial Register must be complete).
2	Can an organisation participate in multiple consortia?	Yes, an organisation may participate in multiple consortia.
3	Can multiple subsidiaries of a parent company submit an application?	Yes, multiple subsidiaries of a parent company may submit an application.
4	According to the Ministerial Order, when calculating the applicant's equity capital, the equity capital of its parent company may be included, provided the parent company has consented to this in writing. Is there a template in which such consent can be granted? Are there any requirements the declaration of consent needs to meet?	No template will be made available. There are no specific requirements regarding the format of the declaration, as long as it clearly reflects the parent company's consent and is signed by an authorised signatory.

Communication		
No.	Question	Answer
1	What information will the Netherlands Enterprise Agency publish about the ranking(s) and the successful applicant(s)?	The Netherlands Enterprise Agency will retrospectively determine what information on the ranking(s) and the successful applicant(s) will be disclosed. Please note that we can be obliged to disclose information based on a court decision.
2	Will the investment amounts that must be recorded in the operation calculation model be published?	The Netherlands Enterprise Agency will not disclose the investment amounts recorded in the operation calculation model of its own accord. However, we can be obliged to disclose the information based on a court decision.



3	How can stakeholders keep up to date with current information?	<p>It is your responsibility to keep up to date with the latest information. Consequently, www.rvo.nl/windenergie-op-zee contains the latest information on the Ministerial Order. Visit offshore wind.rvo.nl for all the available data regarding the site surveys. Via mijn.rvo.nl, you can find all the information required for submitting your application.</p> <p>You are also welcome to subscribe to the Offshore Wind Energy newsletter, which provides information on meetings, examinations, and so on. The newsletter does not have a regular publication schedule and does not provide a complete picture of current data. You can subscribe to the newsletter by sending an email to woz@rvo.nl.</p> <p>This information can also be found on offshorewind.rvo.nl.</p>
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Application form and appendices		
No.	Question	Answer
1	In what language must applications be made?	The application form for the permit is only available in Dutch. This form must be filled in by the applicant in either Dutch or English.
2	Is the application form also available in English?	The official application form is only available in Dutch. For reference purposes, an English translation of the application form can be found in Appendix A to the Project & Site Description of Hollandse Kust (noord) Site V as well as on our website. However, the English translation of the application form is not an official document that can be used to submit an application and the Dutch application form takes precedence in cases of doubt regarding the content.
3	Can the Netherlands Enterprise Agency confirm that no other information must be provided apart from the application form and the appendices referred to in the application form?	Applicants must fill in the application form in full and must submit it, along with all the applicable appendices, to the Netherlands Enterprise Agency in Zwolle. No other information will be required.
4	Is Appendix 1 subject to a page number limit?	No page number limit has been set. However, since the description is supposed to constitute a somewhat concise summary, we suggest you keep your description under 30 pages where possible.
5	Do I have to submit originals of the application form and its appendices or will you accept photocopies or scans?	We will accept photocopies or scans of the original documents. This is true both for the application form and for the appendices.
6	In Question 4.2 of the application form, I am asked to provide the date on which we intend to begin awarding contracts to suppliers and installers. Am I expected to enter the date on which we expect to sign all the contracts (financial close) here?	Yes, you may enter this date.
7	Does the application form for Site V also contain a notional date on which the permit becomes irrevocable?	The same methodology as used for the previous tender for Sites III and IV for Hollandse Kust (zuid) will be applied to the application form for Site V. The Ministerial Order closes on 30 April 2020. Thursday, 10 September 2020 has been set as the notional date on which the permit becomes irrevocable.



Wind report and wind turbines		
No.	Question	Answer
1	What requirements are set for the wind report?	Article 3(1) and (2) of the Ministerial Order lay down the requirements that must be met by the wind report. These requirements are described in greater detail on the application form. The Netherlands Enterprise Agency will consult experts to assist in evaluating the wind report.
2	Can applicants draw up a wind report themselves and subsequently have it approved by an independent party?	No. The wind report must be drawn up by an independent organisation with expertise in the field of wind energy yield calculations. It may not be drawn up by the applicant.
3	Wind turbines with boosters are available. How do boosters affect the capacity of the wind turbine and the wind farm?	In order to determine the capacity of wind turbines and wind farms, the installed capacity as defined in the Hollandse Kust (noord) Wind Farm Site Decision V applies. Boosters are not part of this capacity. The added yield generated by boosters does count towards the calculation of the P50 value for the net electricity production.
4	To what kind of certification standards are wind turbines subject?	Article 6.16(d) of the Water Decree stipulates that a certificate must be issued by an independent expert no later than eight weeks prior to the start of the construction period, stating that the design of the wind turbines and other installations that form part of the wind farm comply with the requirements set out in Article 6.16(g)(1) of the Water Decree.
5	When an applicant chooses a non-certified wind turbine, must they also demonstrate convincingly in Appendix 13 that the foundations and infield cables will meet the requirements set out in Article 6.16d(1)(c) of the Water Decree in good time?	Yes, those installations are part of the wind farm. In such a case, the applicant must demonstrate convincingly that they will have a declaration of an independent expert showing that the turbines, foundations, and infield cables will meet the requirements set out in Article 6.16d(1)(c) of the Water Decree no later than eight weeks before the start of the construction period.
6	Does the Netherlands Enterprise Agency publish a list of organisations approved by it to prepare the wind report?	No. The Netherlands Enterprise Agency does not publish a list of organisations that have been approved to prepare wind reports. The wind report must be drawn up by an independent organisation (also see Question 2).
7	What kind of capacity curve must be used for the calculation of the P50 value in the wind report?	The wind report must be prepared by an independent organisation with expertise in the field of wind energy yield calculations. This organisation will use the capacity curve determined by a certification institution. If no such information is available as yet, the supplier of the wind turbine can make a capacity curve available.
8	When determining the P50 value for Site V, the Egmond aan Zee and Prinses Amalia wind farms must be taken into account. Is a capacity curve available for these wind turbines?	No. On the Netherlands Enterprise Agency website, you can find the information from the Egmond aan Zee and Prinses Amalia wind farms that needs to be taken into account, including the turbine type. The capacity curves will not be made available.
9	The Ministerial Order stipulated that the calculation of the P50 value for the wind farm's net electricity production per annum must take into account the availability, wake effects, electricity losses, and curtailment losses. What is meant by 'curtailment losses'?	Curtailment losses are incurred if TenneT must curtail the transport capacity of the export cables as a result of overheating of the cables. TenneT guarantees a transport capacity of 700 MW for Site V. The maximum flexible transport capacity for Site V is 760 MW. If you use the excess capacity for overplanting purposes, you must take curtailment losses into account. TenneT has published a number of studies of this issue on its website.
10	The developer of an innovative wind turbine that has not yet been certified will initially base their calculations on a conservative power curve. However, according to	When calculating the P50 value, you may use the power curve deemed most likely by the manufacturer of the turbine. After all, the key factor is the determination of the net P50 value, i.e.



Wind report and wind turbines		
	the manufacturer, it is very probable that the power curve will improve (become steeper) during the development process. What power curve may be used to calculate the P50 value?	where there is a 50% chance of that level of production being achieved. If a power curve is estimated too conservatively by the turbine developer, the party preparing the wind report may use the most probable power curve for the calculation of the net P50 value.
11	When drafting the wind report, do the following small losses also need to be taken into account? <ul style="list-style-type: none"> - The mandatory curtailing of blade rotation to protect birds and bats - The possible five-day export cable maintenance activities to be carried out by TenneT each year - High wind speed hysteresis - Sub-optimal production in the first year - Turbine degradation - The so-called 'wind farm blockage' effect - The mandatory curtailing of blade rotation for helicopter flights 	No, these losses do not need to be taken into account. Article 3(2) of the Ministerial Order lays down which losses need to be taken into account.
12	Does the Netherlands Enterprise Agency have a list of reputable models for calculating the wake effect which are suitable for large wind farms?	The Netherlands Enterprise Agency does not have an exhaustive list, but the best-known calculation models for calculating the wake effect for large wind farms are Ainslie IBL, Ainslie LWFM, Ainslie DAWM, PARK, FUGA, and Wakeblaster.
13	With regard to the requirement to use at least three models to calculate the wake effect: does this apply to the calculation of both the wake effect of the wind farm itself and the wake effect of the Egmond aan Zee and Prinses Amalia wind farms?	The three calculation models must be used to calculate the wake effect of both your own wind farm and the Egmond aan Zee and Prinses Amalia wind farms.
14	When calculating the P50 value, availability must be taken into account. Does this apply to the infield cables as well?	The availability losses of the infield cables do not have to be taken into account in the calculation. However, electricity losses due to cable heat generation should obviously be taken into account.
15	PARK is a renowned calculation model for calculating the wake effects of offshore wind farms. However, PARK can be divided into PARK1 and PARK2 models. Are the two models independent of each other?	In some cases PARK1 and PARK2 are independent of each other and in other cases they are not. Internationally, the following guideline is used: If PARK1 is implemented with a modified wake decay constant adjusted to the wind farm layout, or with an IBL, LWFM, or DAWM approach, it can be considered independent from PARK2. If the wake superposition of PARK1 is adjusted, it cannot be seen as an independent model.

Time frames		
No.	Question	Answer
1	What is meant by the 'obligation to start the construction of a wind farm within four years of the date on which the permit becomes irrevocable'?	The start of construction means the beginning of offshore construction, e.g. the laying of the first foundations.
2	When can the wind farm be dismantled?	The Hollandse Kust (noord) Wind Farm Site Decision V stipulates that dismantling can only begin in the 25th year following the issue of the permit and must be completed by Year 30.
3	Section 14(1)(d) of the Offshore Wind Energy Act stipulates that a permit can only be granted if, based on the application, it has been made sufficiently plausible that the construction and operation of the wind farm can commence within four years of the date on which the permit becomes irrevocable. Does this four-year	In your application, you must make it sufficiently plausible that both the construction and the operation of the wind farm can begin within four years of the date on which the permit becomes irrevocable. The 'start of operations' refers to the wind farm's first delivery of electricity to the power grid.



Time frames	
	deadline relate to both the construction and the operation of the wind farm, or only to the fact that construction must start within four years?
4	The Hollandse Kust (noord) Wind Farm Site Decision V includes the following provisions: 'We are operating from the premise that the construction of the wind farm will be completed in five years at most, starting from the date on which the permit becomes irrevocable.' Does this refer to the first production of electricity, or to the completion of the entire wind farm?

The entire wind farm must be completed within five years, as outlined in the application.

Operation calculation model		
No.	Question	Answer
1	What is the minimum value that the project yield must satisfy?	No prior minimum value for the project yield has been prescribed. Ultimately, financial feasibility will be comprehensively assessed.
2	Can we use our own operation calculation model?	No, you may not use your own operation calculation model. Instead, you must use the operation calculation model provided by the Netherlands Enterprise Agency and add it to your application.
3	Must interest costs accrued during the construction of the wind farm also be included in the specification of investment costs?	The operation calculation model automatically calculates the interest costs accrued during the construction period, so these costs do not need to be included in the investment costs; otherwise, they would be duplicated. However, any costs involved in securing loans do need to be included in the investment costs.
4	The operation calculation model comes with a debit item called 'Network (standing and variable charge)'. May I enter €0 here?	Yes, you may. No network fees will be charged for offshore wind energy.
5	When completing the operation calculation model, do we need to earmark funds for the dismantling of the wind farm, or do the expenses covered by the bank guarantee suffice in this respect?	The costs that will be incurred in the dismantling of the wind farm must be included in the operation calculation model.
6	The operation calculation model that has been published is in Dutch. May a submitting party translate the operation calculation model into English itself (if the remainder of the bid is also in English)? Or will an English version be made available by the Netherlands Enterprise Agency?	No English version of the operation calculation model will be made available. You must use the operation calculation model on mijn.rvo.nl when submitting your application. Applicants may fill in the text boxes of the operation calculation model in English if they prefer.
7	May I select my own method of repayment in the Netherlands Enterprise Agency operation calculation model?	No, the model does not offer this option.
8	If my electricity is sold using PPAs (Power Purchase Agreements), does it mean that I must include these values in the operation calculation model?	If you use PPAs, you must include these revenues in the operation calculation model as well. If you sell part of the yields using PPAs and part via the APX, for example, you must include these values in the operation calculation model using a weighted average.
9	Should the additional costs incurred with the innovation be included in the operation calculation model?	Yes, the additional costs incurred with the innovation should also be included in the operation calculation model.
10	When completing the operation calculation model, am I allowed to quote a different electricity price than the one prescribed by the Netherlands Enterprise Agency?	You are allowed to quote different electricity prices, but if you do, you must indicate what these prices are based on.



Operation calculation model		
11	Where can I find the correct final operation calculation model?	On 3 April 2020, an updated operation calculation model was uploaded to mijn.rvo.nl. An error [on the previous version] has been corrected in this. The version which says “versie 2020-04-03” in each tab at the top is the correct model to use for submitting the application.

Wind Farm Site Decision		
No.	Question	Answer
1	Is it correct that a cable plan, which contains the coordinates of the infield cables, no longer needs to be included in the application?	Yes, it is correct that you no longer need to include a cable plan in the application.
2	The Hollandse Kust (noord) Wind Farm Site Decision V includes the following provisions: <i>'Wind Farm Site V is designated as the location for a wind farm with a total installed capacity of between 693 MW (minimum) and 760 MW (maximum). The coordinates of the boundaries of Wind Farm Site V are presented in Regulation 2(1) of this Decision.'</i> Is 'maximum' to be understood as 'up to and including'? Does an installed capacity of 760 MW meet the requirements of Hollandse Kust (noord) Wind Farm Site Decision V?	Yes. An installed capacity of 760 MW meets the requirements of Hollandse Kust (noord) Wind Farm Site Decision V.
3	Should the coordinates used in the application form be indicated in UTM only?	The coordinates must be indicated in UTM only.
4	What exactly is meant by 'a maximum installed capacity of 760 MW per site'?	The non-boosted installed capacity on the site must not exceed 760 MW. You may equip your turbines with additional boosters. However, you may not deliver more than 760 MW to TenneT's platform at any time.
5	Do we need to add a jack-up buffer zone if magnetic abnormalities are observed that were not identified in the magnetometer survey?	While jack-up procedures are not subject to specific requirements, it is recommended to avoid contact with obstacles or debris on the seabed, as well as to maintain sufficient distance between the leg supports and exposed or underwater objects, pipelines, cables, and rock armour.
6	Do the owners or managers of existing cables and pipelines at the site have the right to reject or change the cable plan we have proposed?	No, they do not have the right to reject or change the site cabling. However, we recommend informing the organisations involved. The Wind Farm Site Decision does not set requirements for the design of the internal site cabling. The only condition is that the cables need to be laid within the site boundaries and in the TenneT platform's grid connection. It should be mentioned that there is no obligation in the Dutch part of the North Sea for parties to enter into proximity and pipeline crossing agreements when existing cables or pipelines need to be crossed.
7	Do any conditions currently apply to pipeline crossing agreements with existing cable/pipeline operators or are the organisations involved obliged to negotiate such conditions? Does it make a difference in this respect whether the cables/pipelines concerned are located in the territorial sea or in the Exclusive Economic Zone of the North Sea?	No conditions exist for proximity and pipeline crossing agreements. Proximity and pipeline crossing agreements are subject to private law. It should be mentioned that there is no obligation in the Dutch part of the North Sea – neither inside or outside the 12 nautical mile zone – for parties to enter into proximity and pipeline crossing agreements when existing cables or pipelines need to be crossed.
8	Have the authorities set a mandatory trench depth or degree of burying coverage for the site cabling?	No specific requirements are prescribed in the Wind Farm Site Decision for trench or coverage depths. The permit holder is free to select their desired trench depth or coverage depth.
9	The Hollandse Kust (noord) Wind Farm Site Decision V	The procedures for reorienting the firing range have not yet



Wind Farm Site Decision	
	<p>states that the military firing range at Petten will be reoriented so it no longer overlaps with the site. The shooting direction will change from west to north-west, outside of Site V. What is the current state of affairs regarding this procedure?</p> <p>been completed. However, they are expected to be completed before the construction of the wind farm will commence. Irrespective of the reorientation of the firing range on shore, the shooting direction will be permanently changed before the construction of the wind farm will commence (as of 1 July 2022 or the date on which the wind farm developer's permit comes into effect) to ensure that the unsafe zone at sea no longer overlaps with Site V.</p> <p>The reorientation of the firing range will not interfere with the timely start of the construction and use of the wind farm. The Ministry of Economic Affairs and Climate Policy, as well as the Ministry of Defence, will also draw up a communication protocol for the period in which location studies will be conducted prior to the construction of the wind farm. The goal of this communication protocol for activities in military areas is to avoid conflicts between activities carried out by or on behalf of the wind farm developer and activities carried out by the Dutch army in Dutch military zones. As a result, the location studies can be carried out safely.</p> <p>Finally, the Ministry of Defence has a permit for a maximum of twenty shooting days a year.</p>
10	<p>The Wind Farm Site Decision assumes 1 site with a maximum installed capacity of 760 MW, while TenneT divides the platform into 2 modules where a maximum of 380 MW may be supplied per module. Assuming that a turbine is used with an installed capacity of 12 MW, should the wind report also take into account the specific 2x380 MW distribution maintained by TenneT?</p> <p>No, for the calculation of the P50 value of the net electricity production, you may take into account 1 site of 760 MW installed capacity. It is not necessary to take TenneT's additional regulations into account.</p>
11	<p>At the information meeting on 15 January 2020, it was announced that some of the regulations in Wind Farm Site Decision would be amended for the benefit of the developer. When can we expect these changes and will this still have an impact on applications?</p> <p>The planned changes to the regulations in the Wind Farm Site Decision for Hollandse Kust (north) Site V will be published in Spring 2020. The changes have a (small) positive influence on the <i>project</i> for the developer, but do not affect <i>applications</i> for Site V. The developer does not have to take into account the standstill facilities for bats and helicopters in the wind report. Nor do the adjustments with regard to underwater noise and agreements on the installation of marine safety equipment affect the applications.</p>

Financial aspects		
No.	Question	Answer
1	You stipulate that the parent company's annual accounts may be used in order to demonstrate that the applicant meets the requirement of possessing equity capital amounting to at least 20% of the investment costs of the wind farm. May the annual accounts issued by the parent company's parent company (i.e. the grandparent company) be used for this purpose as well?	Yes. Applicants can also use the annual accounts of the parent company's parent company to demonstrate that the scale of its equity capital is greater than or equal to 20% of the investment costs of the wind farm. Please note that if you do so, the written approval of the parent company (or grandparent company) must be included in the application.
2	In a group of companies comprising multiple legal entities, consolidated annual accounts are often prepared at the group level. Can such consolidated annual accounts be used in order to demonstrate that	Yes. Consolidated annual accounts encompassing multiple legal entities can be used to demonstrate compliance with the requirement that the applicant must have at its disposal equity capital amounting to at least 20% of the total investment costs.



Financial aspects		
	the applicant possesses equity capital amounting to at least 20% of the total investment costs?	
3	In the event that the application's financial plan was based on 20% equity capital, is it permitted to deviate from this figure at a later date?	In the financial plan, you must indicate how you <u>intend</u> to finance the wind farm.
4	For applicants that make use of an SPV (Special Purpose Vehicle): Can every parent company of every participant in this SPV count towards the requirement that the applicant must have equity of at least 20% of the total investment costs at its disposal?	Where an SPV is used, the parent company of every participant in this SPV can count towards the requirement that the applicant must have at its disposal equity capital amounting to at least 20% of the total investment costs. Please note that the written approval of all parent companies used for this requirement must be included in the application.
5	Do requirements apply to the annual accounts demonstrating there is sufficient equity capital?	Requirements apply to the annual accounts. You must submit the most recently adopted annual accounts and they must not be more than three years old. A more detailed explanation of these requirements can be found in the notes to Appendix 4 of the application form.
6	Can several entities within a group use their own equity capital as a parent company for an application by a subsidiary?	Within a group of several entities, several entities may use their equity capital as a parent company on behalf of a subsidiary, provided that the equity capital of an entity can also be demonstrated through annual accounts for this entity.
7	Can we submit a photocopy of the signed declaration of consent with regard to the parent company's equity capital, or must we submit the original signed document?	You may submit a photocopy of the signed declaration of consent. In case of doubt, the Netherlands Enterprise Agency may request the original.

Process and procedures		
No.	Question	Answer
1	How is the assessment of applications and the rankings determined by the Netherlands Enterprise Agency?	All fully completed applications will be assessed and only those that comply with all the applicable conditions will be ranked.
2	Will the applications only be assessed by Netherlands Enterprise Agency staff, or will experts in the field of offshore wind energy be specifically hired?	The applications will be assessed by Netherlands Enterprise Agency staff and experts with specific knowledge of offshore wind energy.
3	What is the procedure regarding additional and supplementary information for the permit application, and how will the Netherlands Enterprise Agency request additional information or amendments?	Once the Ministerial Order has closed, applicants will no longer be allowed to supplement or amend an application with information that might affect the assessment of the application.
4	Can the winner of the tender change the application after the permit has been granted?	The applicant is obliged to implement the project as stated in the application and the Netherlands Enterprise Agency will enforce this implementation; if necessary, with the imposition of penalties. The conditions under which the permit may be changed will be set out in the Policy Rule with regard to amendments to the permit for Site V, which is yet to be published.
5	Will the Netherlands Enterprise Agency ask additional questions if it does not understand something from the application?	It is the applicant's responsibility to fill in the application form as clearly and completely as possible, as well as to ensure the information in the appendices is clear and understandable. The Netherlands Enterprise Agency may ask additional questions for clarification purposes if it is unclear how a particular statement is to be interpreted, but it will not request nor accept any additional information if a particular statement has been insufficiently substantiated. If an application submitted by an applicant is so poor that it is not ranked, the applicant may challenge the decision not to rank it only after the decision on its



		rejection has been made.
6	Will you provide more information on the experts who will assess or help to assess the applications?	No prior information on the experts will be provided.
7	Is the permit holder allowed to submit a request to be allowed to make changes to the project?	The permit holder will be required to realise the project as outlined in the application form. The conditions under which a project may be changed will be set out in the Policy Rule with regard to amendments to the permit, which is yet to be published.
8	What kinds of regulations will be included in the permit?	<p>The following regulations will be included in the (draft) permit:</p> <p>Regulation 1 <i>The permit will enter into force on the date of its issue and will remain in force for a period of 30 years (Section 15(1)(a) of the Act and Regulation 3 of the Wind Farm Site Decision).</i></p> <p>Regulation 2 <i>The permit will apply to Hollandse Kust (noord) Wind Farm Site V (Section 15(1)(b) of the Act and Regulation 2 of the Wind Farm Site Decision).</i></p> <p>Regulation 3 <i>Once the permit has become irrevocable, the activities listed below must be completed within the stated time frame (Section 15(1)(c) of the Act).</i></p> <ul style="list-style-type: none">• <i>Realisation: the wind farm must be realised within a period of up to five years after the date on which the permit becomes irrevocable (Section 4.4.1 of the explanation in Part II of the Wind Farm Site Decision);</i>• <i>Operation: the wind farm may become operational from Year 3 and may continue to be operational until Year 29 inclusive (Section 4.4.1 of the explanation in Part II of the Wind Farm Site Decision);</i>• <i>Dismantling: the dismantling of the wind farm may commence in Year 25 and may continue until Year 30 inclusive (Section 4.4.1 of the explanation in Part II of the Wind Farm Site Decision). The dismantling of the wind farm must commence within two years of the end of operations and must be completed within the term of the permit (Regulation 6 of the Wind Farm Site Decision).</i> <p>Regulation 4 <i>The permit holder is obliged to carry out the project in accordance with the data submitted when the application was submitted. If the permit holder violates this regulation, the permit holder may have an order for coercive administrative action or an order for periodic penalty payments imposed on it (Section 27 of the Act). Alternatively, its permit may be revoked (Section 17(2)(introduction) and (b) of the Act).</i></p> <p><i>Requests for amendments to the permit must be submitted to the Netherlands Enterprise Agency via woz@rvo.nl (Section 17(4) of the Act and Section 4:81(1) of the General Administrative Law Act), in accordance with the Policy Rule, prior to the amendment being enacted.</i></p> <p>Regulation 5 <i>Once a year, the permit holder will submit a report to the Netherlands Enterprise Agency, detailing the progress made on the realisation of the power generation facility, until such time as the power generation facility is put into operation. The Netherlands Enterprise Agency will send the permit holder reminders to submit these reports.</i></p> <p>Regulation 6 <i>The permit must not be transferred to another party unless the Netherlands Enterprise Agency has authorised said transfer in writing.</i></p>



	<p>Regulation 7 <i>The permit holder must notify the Netherlands Enterprise Agency at once if it has presented a bankruptcy petition to the court or if it has applied for a suspension of payment.</i></p> <p>Regulation 8 <i>The permit holder will issue a bank guarantee to the State covering the costs of the dismantling of the wind farm. This bank guarantee will be issued at the moment when the first foundation of the wind farm is installed.</i></p> <p>Regulation 9 <i>The permit holder is obliged to sign the 'Agreement preceding the establishment of a right of superficies and the signing of a lease for the operation of Hollandse Kust (noord) Wind Farm Site V' within one month after the date on which the permit is issued.</i></p>
9	<p>What is the amount of the penalty payment the Government will impose if the permit holder fails to meet its obligations?</p> <p>The party awarded the permit for the construction and operation of a wind farm will be required to carry out the project in accordance with the data included in the plan submitted as part of its application (see Regulation 4 of the permit). This data not only concerns the technical specifications, but also things such as time frames within which the various components of the power generation facility must be completed.</p> <p>If the permit holder fails to meet these obligations, the Minister is entitled to impose an order for coercive administrative action or an order for periodic penalty payments. Alternatively, the Minister may choose to revoke the permit.</p> <p>With respect to the above, the Ministerial Order for the Granting of Offshore Wind Energy Permits pertaining to Hollandse Kust (noord) Wind Farm Site V diverges from the provisions applicable to the construction of the wind farms in the Borssele Wind Farm Zone, where compliance with the agreements was enforced by means of fines and corresponding bank guarantees.</p> <p>If an order for penalty payments is imposed, the Minister will decide on the amount of the penalty payments to be made. This amount will be proportional to the damages suffered by the State due to the permit holder's failure to meet its obligations. Therefore, the sum of the penalty payments will not be decided upon until after a situation has arisen in which the permit holder has failed to meet its obligations. We expect that – depending on the nature and the cause of the permit holder's failure to meet its obligations – the amount of the penalty payments will be in line with the fines imposed with regard to the wind farms in the Borssele Wind Farm Zone.</p>
10	<p>The proposed amendment of the Offshore Wind Energy Act (<i>Wet windenergie op zee</i>) envisages the possibility to extend the period of validity of a permit by a maximum of 10 years, taking it from 30 years to 40 years. If this amendment is passed, will the same rule apply to existing permits granted for wind farm sites in the Borssele and Hollandse Kust (zuid) Wind</p> <p>If this proposed legislative amendment is passed, the new rules will also apply to existing permits granted under the Offshore Wind Energy Act. Permit holders may apply to the competent authority for their permit to be extended by a maximum period of 10 years. If the competent authority approves the application, the Wind Farm Site Decision concerned will be amended. This amendment will be a formal decision which will be open to</p>



	Farm Zones?	submit one's views and appeal. Once the amendment to the Wind Farm Site Decision is final, the competent authority may amend the permit. This decision, too, will be open to submit one's views and appeal.
11	Must all changes compared to the original plan be notified to the Netherlands Enterprise Agency?	Yes. You are obliged to carry out the project in accordance with the data submitted in the application. All changes compared to the original plan must therefore be notified. The Netherlands Enterprise Agency will subsequently assess whether the conditions laid down in the Policy Rule with regard to amendments to permits pertaining to offshore wind farms, specifically Hollandse Kust (noord) Wind Farm Site V, which is yet to be published, have been met and whether the permit can be amended.
12	Regulation 4 of the permit included in the Q&A under Process and Procedures, Question 8, states that the permit holder is obliged to 'carry out the project in accordance with the data submitted in the application'. Does this refer to the timetable for construction and operation set out in the application form, or does it refer to all aspects of the project submitted with the application?	It refers to all the aspects of the application.
13 New	What are the reporting conditions of RVO for both the progress of the innovation and the construction of the wind farm which a permit holder must meet, and when are they published?	The reports will follow the progress of the innovation and (acceleration of) the construction of the wind farm compared to the planning. They involve a brief description of the progress of the project in relation to calibration moments and planning in the application. In this way, it can be assessed when the production installation can be put into operation, whether this is timely and in accordance with the schedule, and which innovations are being developed. No specific conditions for these reports are published in advance.
14 New	As of 26 March 2020, it is no longer possible to ask questions about the tender. How will communication about developments resulting from the Corona crisis be dealt with?	Until the result of the tender, we are implementing a radio silence. Exceptions to this are to make an appointment to submit your application and for when you or RVO want to report important matters related to the Corona crisis.

Ranking criteria		
No.	Question	Answer
1	Will you provide more background information regarding the ranking criteria (e) and (f), thus allowing applicants to get a better idea of how to obtain the maximum scores?	We will not provide any information on the assessment of ranking criteria (e) and (f) than the information provided in the table included in the appendix to the Ministerial Order.
2	Some applicants are subject to an obligation to put contracts out to tender. How are they supposed to fill out the list of suppliers and installers within the meaning of the ranking criterion 'the knowledge and experience of the organisations involved' as stated in Section 24(2)(a) of the Offshore Wind Energy Act?	Applicants who are obliged to put contracts out to tender can complete the list in two ways. The applicant may provide the name of a preferred supplier, then provide information on this party's level of experience in the field. The applicant may choose to work with a different preferred supplier at a later stage, provided that the applicant continues to meet the conditions laid down in the Policy Rule with regard to amendments to permits pertaining to offshore wind farms, specifically Hollandse Kust (noord) Wind Farm Site V. Alternatively, the supplier may list the names of several suppliers and provide information on each supplier's level of experience in the field. The supplier and installer awarded the lowest score will count towards the ranking score for this



		component.
3	You asked us to provide information on the level of experience gained by the manufacturer of the foundations. Does this question refer to the manufacturer's experience of manufacturing offshore foundations in general, or to the manufacturer's experience of manufacturing the particular type of foundations intended to be used at Site V?	The question refers to the manufacturer's general experience of manufacturing offshore foundations, not to the manufacturer's experience of manufacturing this particular type of foundations.
4	The 'capacity of the wind farm' criterion relates to the wind farm's combined installed capacity in MW. Do boosters also come under 'installed capacity'?	No, boosters should not be included in the 'installed capacity'.
5	What is the best way to describe the expertise and experience of the organisations involved, within the meaning of Article 3(9) of the Ministerial Order?	Please indicate the level of knowledge and experience of all organisations involved by describing each organisation's contribution to the construction and operation of existing offshore wind farms, making sure to touch on the aspects included in Article 3(9)(a–h) of the Ministerial Order.
6	If we include references to external documents (e.g. a website or other components of the application) in the identification and analysis of the risks (Section 23(2)(e) of the Offshore Wind Energy Act) as well as the description of the measures taken to ensure cost-efficiency (Section 23(2)(f) of the Offshore Wind Energy Act), will you look at the documents in question and will you include them in your assessment?	We must be able to read any appendices you submit as stand-alone documents. References to other documents, websites, etc., will not be included in the material assessed. However, the appendices pertaining to the identification and analysis of risks as well as the description of the measures taken to ensure cost-efficiency may contain references to each other.
7	Must I also provide information on my assumptions for the expected electricity price, CAPEX, and OPEX to accompany the identification as well as the analysis of the risks (Section 23(2)(e) of the Offshore Wind Energy Act) and the description of the measures taken to ensure cost-efficiency (Section 23(2)(f) of the Offshore Wind Energy Act)?	The expert committee only sees your risk analysis (Appendix 10) and your risk mitigation (Appendix 11). If you believe information on matters such as the expected electricity price, CAPEX, and OPEX may be of relevance to the expert committee, you should include that information in Appendices 10 and 11.
8	Can you confirm that the assessment method for criteria (e) and (f) will be determined before 2 April 2020? If not, can you give the legal basis for not publishing this information before 2 April 2020?	The ranking criteria and their relative weighting are laid down in the Offshore Wind Energy Act and the Ministerial Order for the Granting of Offshore Wind Energy Permits for Hollandse Kust (noord) Wind Farm Site V. The expert committee will determine its practices and procedures after the closure of the tender but before it has received information on the submitted applications. This is done in the interest of an objective and independent decision-making procedure.
9	Will the issue of a bank guarantee be considered as a measure to mitigate the risks entailed in the project?	A bank guarantee will not be considered as a measure to mitigate the risks entailed in the project.
10.	Does the manner in which the project is financed affect the assessment of criteria (e) and (f) of Section 23(1) of the Offshore Wind Energy Act?	Various ways of financing the wind farm are available to developers. No distinction is made between balance sheet financing on the one hand and project financing on the other in the assessment of criteria (e) and (f).
11.	The Ministerial Order mentions innovation in the wind farm or in respect of directly related resources at Site V. What is meant by this phrase?	All the innovation must take place at Site V. This fact means that the innovation may take place both in respect of the turbines and in respect of resources or installations directly related to the wind farm (such as TenneT's platform). However, the inclusion of surrounding oil and gas platforms will not generate any points for innovation.
12.	Should the demonstration of an innovation or innovations be accelerated in the same way as the construction of the wind farm?	The demonstration of innovations must start no later than 60 months after the Wind Farm Site Decision becomes irrevocable in order to earn points in the rankings for the demonstration of innovations. As a result, they do not need to



	follow the wind farm's accelerated time frame. Since innovations may be components of the wind farm, organisations will score points for accelerating the construction of at least 95% of the wind farm.
13. What innovations are possible on TenneT's platform? Amen -ded	Two spaces are available on the platform for the wind farm operator to use. (A layout of these spaces can be found here). These spaces can also be used for innovation. However, there are restrictions regarding the use of these spaces. For each proposed innovation, TenneT will analyse to what extent it can be allowed on the platform. This analysis will take into account applicable laws and regulations, technical impact, and safety. For example, based on this analysis, innovations related to hydrogen production cannot be allowed on the platform.
14. How long should a demonstration last?	There is no maximum or minimum time frame for demonstrations. The demonstration must start no later than 60 months after the Wind Farm Site Decision becomes irrevocable in order to earn points in the rankings for the demonstration.
15. Will an innovation receive a higher score if it has a greater impact on the supply profile of the wind farm itself?	The assessment criterion aimed at the impact of innovations reads as follows: 'Potential impact of the innovation for wind farms in the future if the innovation is made market ready'. In other words, it has to do with the impact the innovation will have on future wind farms and not its impact on the supply profile of the wind farm itself. There is no assessment criterion aimed at the impact on the supply profile of the wind farm itself.
16. How should uncertainties surrounding innovations be dealt with?	It is the applicant's responsibility to provide supporting arguments showing the innovation can be demonstrated in time. The extent to which it can plausibly be assumed the innovation can be demonstrated in time will be taken into account in the assessment. For example, in case of permits yet to be granted, it is the applicant's responsibility to show plausibly that they can be obtained in time.
17. What action will the Netherlands Enterprise Agency take to ensure the innovations are actually implemented?	As with the other components which are taken into account in the ranking, the Netherlands Enterprise Agency will take action to ensure the organisations implement the innovations as stated in the application; if necessary, with the imposition of penalties. In extreme cases, not implementing the innovations included in the application can cause the permit to be revoked.
18. What will happen in the unlikely event that an innovation shows poor results when demonstrated and cannot be used for future wind farms?	The unique thing about innovations is that there is absolutely no certainty beforehand that an innovation will lead to a successful market introduction. The potential of the innovation will be taken into account in the assessment, but it may turn out better or worse than expected upon implementation. Whatever the case, the permit holder must meet the obligation of sharing knowledge, even if an innovation fails.
19. What is meant by 'the innovation is made market ready'?	Market ready means that an innovation is suitable for commercial implementation. This implementation need not be limited to the Dutch domestic market.
20. If the innovation contributes to the net electricity production per year, may part or all of it be included in the P50 value for the net electricity production?	If the demonstration of the innovation is not temporary, but has a permanent character, the additional yield may be included in the calculation of the P50 value for the net electricity production.



21.	Are the proposed innovations a component of the regulations in the permit?	It is stated in the permit that the project must be executed in accordance with the application.
22.	Are innovations for which applications for additional subsidies need to be made always disregarded in the assessment?	If an applicant states that the demonstration is dependent on a subsidy yet to be received, it will be considered as a negative factor when a score is given for this innovation based on the assessment criterion 'The extent to which it is shown plausibly that the innovation can be demonstrated successfully in an operational environment'.
23.	Should the items submitted explicitly include the communication and dissemination plan; if so, is it subject to a maximum number of pages (for Component D2)? Alternatively, may an abridged description of the approach be provided?	If an applicant wants to earn points for this component, a description of the demonstration of innovation in the wind farm as well as the communication and dissemination plan must be added to the application as Appendix 9. The applicant may choose to make a division between how much information is provided about the innovation itself on the one hand and how much knowledge and experience is shared about the innovation being demonstrated on the other. In total, only the first 50 pages of Appendix 9 are sent to the expert committee.
24.	Is the number of pages for the risk analysis (Criterion e) and the measures to ensure cost-efficiency (Criterion f) forwarded to the expert committee the same as in the previous tender?	It will be stated again in the application form that the maximum number of pages forwarded to the expert committee for the risk analysis (Criterion e) and the measures to guarantee cost-efficiency (Criterion f) is the same as in the previous tender (50 and 100 pages, respectively).
25.	Are internal and external sales of electricity as well as Guarantees of Origin assessed differently in the assessment of Criteria (e) and (f) of Section 23(1) of the Offshore Wind Energy Act?	No distinction is made between internal and external sales in the assessment of criteria (e) and (f).
26.	What is meant by flexibility of the supply profile?	Flexibility of the supply profile means the extent to which the supply of electricity to the offshore grid over time is not directly dependent on the wind conditions at the time of supply.
27.	How is account taken of the connection between the use of innovations (part of Criterion d) on the one hand and the analysis of the risks (Criterion e) and measures to guarantee cost-efficiency (Criterion f) on the other?	Innovations are often accompanied by risks. It is undesirable for the demonstration of innovations to present a risk to the wind farm as a whole. For that reason, the extent to which this situation is the case will be taken into account in the assessment of the innovation itself (Criterion d) as well as in the assessment of Criteria (e) and (f).
28.	How is account taken of the connection between the acceleration of the project (part of Criterion d) on the one hand and the analysis of the risks (Criterion e) and measures to guarantee cost-efficiency (Criterion f) on the other?	Organisations can score points for acceleration incorporated into the application if this acceleration is shown to be plausible. The submission of a timeline accompanied by high risks (which have not been mitigated) will therefore be taken into account for the assessment of the acceleration (part of Criterion d) as well as for the assessment of Criteria (e) and (f).
29.	Have any rules been established for what the innovation appendix (Appendix 9) should look like?	No rules have been established for what the innovation appendix (Appendix 9) should look like. It is up to you to decide how to complete this appendix. However, you must ensure that the appendix can be read as a stand-alone document. References to other documents or websites, etc. will not be included in the material that will be assessed. The first 50 pages of Appendix 9 will be submitted to the experts.
30.	Will the experts who will be assessing the innovation portion of the applications (criterion D, part 2 as included in the appendix to the Ministerial Order) be the same experts as those who will be assessing the identification and analysis of the risks and the	No. They will be different experts.



	description of the measures to ensure cost-efficiency (Section 23(2)(e) and (f) of the Act)?	
31	How are innovations other than those related to wind energy dealt with in the assessment?	For the sake of convenience, the assessment of the tender assumes that the amount of renewable electricity produced by the innovations will be lower than the wind farm's own consumption and TenneT's platform and is therefore permitted under the current legal framework. For the assessment of the innovation with regard to "Potential impact of the innovation for wind farms in the future if the innovation is made market ready", it will be assumed, for the purpose of a proper assessment of the applications in this tender, that TenneT is also allowed to export renewable electricity from sources other than wind to land.
32	Are there any restrictions on innovations for which subsidies have already been granted by the Netherlands Government or the European Commission?	No, there are no restrictions.
33	If I have won the tender, may I apply for subsidies later for the innovations in my application?	You are free to apply for subsidies for your innovation afterwards, as this is not prohibited in the regulations or the Offshore Wind Energy Act. However, it is to be seen whether your subsidy application will be honoured, as you are already obliged to realise your innovation if you win the tender, whereas a subsidy is usually only granted if the innovation would not be possible without the requested subsidy.

Other		
No.	Question	Answer
1	Does the permit qualify as a 'public works concession', meaning that the tender obligations stemming from the Public Procurement Act 2012 (<i>Aanbestedingswet</i> 2012) apply to the Minister of Economic Affairs and Climate Policy as well as the successful applicant?	No. The Ministerial Order is not subject to the Public Procurement Act 2012.
2	Will the successful applicant be required to pay a fee for the surveys of the relevant site?	No. The successful tender applicant does not have to bear the costs of the site surveys.
3	What date of completion should be selected for TenneT's Alpha Platform?	The date of completion for the Alpha Platform stipulated in the Assessment Framework is 31 March 2023. When drawing up your timeline, please schedule the date of your first power delivery after the aforementioned date. Note that under the Offshore Wind Energy Act, however, the construction and operation of the wind farm must commence within a period of four years after the permit becomes irrevocable. This fact means that you should schedule a commencement date in between those two dates.
4	How are Ørsted, Blauwwind, and Vattenfall prevented from having more information about the connection to the grid than the other tender applicants?	TenneT will post new information about the connection to the grid on its website, where it is available to everyone.
5	Is it correct that the new Offshore Wind Energy Act will contain a provision enabling a 10-year extension of the permit?	The 'Amendment of the Offshore Wind Energy Act' Bill, submitted to the Dutch House of Representatives, does envisage the possibility to extend the permit by 10 years, subject to certain conditions. At this stage, however, it is merely a proposal for a legislative amendment. Its progress can be tracked under: https://zoek.officielebekendmakingen.nl/dossier/35092



Other		
6	<p>I did not participate in the tender for HKZ Sites I, II, III and IV. What information is available on it?</p>	<p>The expert committee has developed an assessment method in order to assess the applications for HKZ Sites I, II, III and IV. Details of that method have been posted on the HKZ I and II website as well as the HKZ III and IV website, where you can read about it. The expert committee will develop a new assessment method for the HKN Site V tender. Please note the assessment method yet to be developed for the HKN V tender may differ from the one used for the HKZ I and II tender as well as the HKZ III and IV tender.</p> <p>You can also use this link and this link to view documents published earlier following requests made under the Dutch Government Information (Public Access) Act (<i>Wet openbaarheid van bestuur</i>).</p>
7	<p>Can the Netherlands Enterprise Agency give an update of the costs TenneT will charge the permit holder?</p>	<p>The Electricity Act provides that the permit holder is not subject to any grid tariffs for the offshore grid. Therefore, no feed-in grid tariff or sales transmission tariff is applicable. As a result, only the commodity price for electricity (including any applicable taxes and levies) is payable, in those cases where electricity is purchased by the permit holder.</p> <p>If required by the permit holder, and for as long as the connection to the wind farm is not available for the supply of electricity by an electricity supplier, TenneT will provide the necessary electricity and charge the actual generation costs to the permit holder. The amount of energy used will be measured or estimated in consultation with the permit holder. As soon as the connection becomes available for the supply of electricity (in particular once a reliable electricity meter has been installed), the permit holder will need to enter into a contract with an electricity company.</p> <p>There are no charges for the installation and maintenance of the connection. As a result, no payment is due from the permit holder with this regard.</p> <p>Appendix 6 of the Connection and Transport Agreement, Section 3.1 ('Access to the platform'), describes the situations in which supervision by a representative of TenneT is required. TenneT will also charge the permit holder costs for other activities which are carried out at the permit holder's request and which require TenneT to be present.</p> <p>The previously mentioned figures (2016) can be used by way of indication: €1,800 per day (maximum of 12 hours). For a 12-person CTV, provided by TenneT: €3,000 to €5,000 per day. All tariffs and costs charged by TenneT are subject to supervision by regulators.</p> <p>TenneT and the permit holder will discuss and agree on the compliance-related costs in the Project Working Group ('PWG'), as referred to in Article 6 of the Realisation Agreement prior to TenneT incurring such costs. The previously mentioned figures (2016) can be used by way of indication: approx. €60,000 per site.</p>
8	<p>Can a developer start connecting cables to TenneT's platform before 31 March 2023?</p>	<p>In theory, the first day after the delivery date as specified in the Development Framework (31 March 2023) is the first possible date on which the successful tenderer can have access to the platform. If the work is progressing well,</p>



Other	
	TenneT would be open to discussing the possibilities with the successful applicant at the appropriate time through the Project Working Group consultation structure.
9 Does the Tennenet compensation scheme also apply if the delivery date of the 700 MW AC substation at sea is met but the onshore connection to the 380 kV high-voltage substation at Beverwijk is not ready in time for the transmission of the generated electricity? If not, can the permit holder return the permit without a penalty being imposed?	Yes, the compensation scheme also applies in this case. After all, the compensation regime laid down in Section 16f of the Electricity Act 1998 applies in the event that the offshore grid is unavailable due to late delivery or when it is unavailable for the transport of electricity. The definition of the offshore grid is included in the Electricity Act 1998, and the determination of the transfer point of the offshore grid on the national high-voltage grid is laid down in the Electricity Grid Code.
10 TenneT has drawn up an Appropriate Assessment Offshore Grid Hollandse Kust Noord and West Alpha by TenneT in relation to the appeal procedure, as a back-up for the substantiation in the previously granted Wnb permit. The appeal was heard by the Council of State on 5 February 2020. Where can I find this Appropriate Assessment?	The Appropriate Assessment can be found on the website of Bureau Energieprojecten (Dutch only) .