Apr – Sept 2017 TAX REPORT

Transmission & Distribution RP5 Price Control

11 February 2021

Contents

1. LICENCE REQUIREMENT

Paragraph 12.35 of Annex 2 of Northern Ireland Electricity Ltd's Electricity Distribution and Participate in Transmission Licences requires NIE Networks to furnish the Utility Regulator with an annual tax report which sets out the following:

a) audited tax reports that enables a full reconciliation between:
   i. information submitted to HMRC on the Licensee's tax affairs; and
   ii. Information used for the calculation of the tax element of the Licensee's Maximum Regulated Distribution / Transmission Revenue, as calculated at paragraph 9 of Annex 2 of the Licences;

b) information submitted to HMRC on the Licensee's tax affairs;

c) information used for the calculation of the tax element of the Licensee's Maximum Regulated Distribution / Transmission Revenue, as calculated at paragraph 9 of Annex 2 of the Licences; and

d) any retrospective adjustments in respect of previous years together with any restatement of 12.35 (a), 12.35 (b) and 12.35 (c).

This audited report has been designed to fulfil this licence requirement. Sections 2 to 6 address the requirements of Paragraphs 12.35 (a), 12.35 (b) and 12.35 (c) and Section 7 addresses the requirement of Paragraph 12.35 (d).

Note that all figures in this report are in nominal prices.

2. TRANSMISSION TAX ENTITLEMENT

Apr – Sept 2017 Tax calculation

The following paragraphs set out the calculation of the tax amount included within Transmission Entitlement for the regulatory reporting year Apr – Sept 2017.

Tax Amount – TAX_t

The maximum regulated transmission revenue for NIE Networks is set out in Paragraph 3.5 of Annex 2 of the Transmission Licence. This formula is as follows:

$$RP5R_t = DEP_t + RET_t + BD_t + O_t + P_t + COI_t + TAX_t + K_t$$

TAX_t is one of the components of allowed revenue and is calculated in accordance with the following formula set out in Paragraph 9.1 of Annex 2:

$$TAX_t = TR_t / (1 - TR_t) * (RET_t + DEP_t - INT_t - CA_t)$$

Tax Rate – TR_t

TR_t represents the corporation tax rate applicable in Northern Ireland as specified by HMRC which in Apr – Sept 2017 is 19%. The tax factor TR_t / (1 – TR_t) is therefore 23.5%.

Return Amount – RET_t

RET_t represents the return on the Regulatory Asset Base (RAB). It is calculated by taking the average value of the opening ($ORAB\_X_t$) and closing ($CRAB\_X_t$) values of the individual RABs and multiplying them by the adjusted vanilla weighted average cost of capital ($AVWACC_t$). The formula for calculating RET_t is set out in Paragraph 5.1 of Annex 2:

$$RET_t = \left(\sum_{\text{All RAB\_X}} (ORAB\_X_t + CRAB\_X_t) / 2 \right) * AVWACC_t$$

In Apr – Sept 2017 the average value of all RABs is £332m and the adjusted vanilla WACC is 4.018%. The RET_t value for Apr – Sept 2017 is therefore **£6.673m.**

Depreciation amount – DEP_t

DEP_t represents the depreciation amount and is calculated in accordance with the formula set out in Paragraph 4.45 of Annex 2:

$$DEP_t = \sum_{\text{All RAB\_X}} (DEPADD\_X_t + FDEP\_X_t)$$

$DEPADD\_X_t$ represents the depreciation amount for capex incurred on network assets from 2012/13 onwards.

$FDEP\_X_t$ represents the depreciation amount of capex incurred on network assets prior to 2012/13.

The DEP_t value for Apr – Sept 2017 is **£7.654m.**

Interest amount – INT_t

INT_t means an amount equal to the interest on the value of the average of all RABs calculated in accordance with the following formula set out in Paragraph 9.1 of Annex 2:
:

$$INT_t = \left(\sum_{\text{All RAB\_X}} (ORAB\_X_t + CRAB\_X_t) / 2 \right) * G * NCOD$$

Where: G represents notional gearing and has a value of 45%

NCOD represents a notional nominal cost of debt with a value of 6.45%.

In Apr – Sept 2017 the average value of all RABs is £332m which equates to an INT_t figure of **£4.820m.**

Regulatory capital allowances – CA_t

CA_t represents the value of capital allowances calculated in accordance with guidelines published by HMRC. There are three main groupings or 'pools' used in the calculation of capital allowances; a) a long life asset pool, b) a general pool and c) a deferred revenue pool. There are three pools because different types of assets attract different capital allowance percentages.

Each pool is classed as follows:

Capital Allowance Pool	Useful economic life	Capital allowance rate for Apr – Sept 2017	Comments
Long life asset pool	25 years or greater	8% reducing balance	This includes transmission and renewables 40 year capex and tree cutting capex.
General pool	Less than 25 years	18% reducing balance	This includes non network IT capex.
Deferred revenue pool	N/A	2.5% straight line	This represents the proportion of capital expenditure which is classified as non-load related expenditure where we are replacing worn assets on a like-for-like basis or the nearest modern equivalent basis

The classification of capital expenditure for tax purposes across various tax pools is determined by tax legislation and HMRC working agreements.

CA_t is calculated by taking the opening written down value of the various capital allowance pools for the relevant year. Capital additions are then added to the opening value to give a total value on which capital allowances can be claimed for that year. The capital allowance figure is then deducted to give the closing written down value (WDV) which becomes the opening value for the next year.

The opening WDVs for Apr – Sept 2017 are set out in Table 4 of the 2016/17 Tax Report and shown in Table 1 below.

Table 1: Apr – Sept 2017 Opening Written Down Values

Pool	£m
Long Life Asset Pool	131.827
General Pool	1.360
Deferred Revenue Pool	35.015
Cumulative additions for Deferred Revenue Pool	42.224

Regulatory additions

The statutory capex additions for Transmission in Apr – Sept 2017 are £20.770m. Regulatory additions are £16.257m which includes a capex incentive adjustment of £1.628m. The reconciliation of statutory capex additions to regulatory additions is shown in Table 2 below.

Table 2: Reconciliation of Statutory Capex to Regulatory Additions

Ref	Description	£m
A	Gross Statutory Capex per "Rec 2 – Capex" of Financial Data RIGs	20.770
	Items included in Regulatory Additions but not in Statutory Capex Additions	
B	Customer Contributions	(6.062)
C	North South Interconnector opex costs recovered through Regulatory additions	(0.079)
D	**Total Regulatory Additions**	**14.629**
E	Capex Incentive Adjustment	1.628
F	**Total Regulatory Additions (Including Capex Incentive)**	**16.257**

This Regulatory additions figure is then adjusted for non qualifying capex items to give capital additions eligible for capital allowances of £16.121m. This is then split across the three tax pools shown in Table 3 in line with HMRC guidance.

Table 3: Allocation of Additions by Capital Allowance Pool

Ref	Description	Long Life Asset Pool	General Pool	Deferred Revenue Pool	Total
		£m	£m	£m	£m
A	Regulatory Additions	12.433	0.432	1.765	**14.629**
B	Capex Incentive Adjustment	1.674	(0.046)	-	**1.628**
C	Adjustment for Non Qualifying Capex	(0.137)	-	-	**(0.137)**
D	**Total Additions for TAX_t Capital Allowances**	**13.971**	**0.385**	**1.765**	**16.121**

The capex additions are then added to the opening WDV and capital allowances are calculated. Table 4 sets out the capital allowances used in the calculation of regulated revenue entitlement for Apr – Sept 2017.

Table 4: Apr – Sept 2017 Capital Allowance Calculation

Description	Long Life Asset Pool	General Pool	Deferred Revenue Pool	Total
	£m	**£m**	**£m**	**£m**
Opening WDV @ 01/04/2017	131.827	1.360	35.015	**168.268**
Additions (Doubled)	27.941	0.770	3.530	**32.241**
Adjusted WDV	159.768	2.130	38.544	**200.443**
Capital Allowances (Halved)	(6.391)	(0.192)	(0.572)	**(7.154)**
Closing WDV @ 30/09/2017	**153.377**	**1.939**	**37.972**	**193.288**
CA Rate	8% Reducing Balance	18% Reducing Balance	2.5% Straight Line	
Deferred Revenue Pool				
Cumulative Additions to 01/04/2017			42.224	
Additions			3.530	
Cumulative Additions to 30/09/2017			45.754	
Capital Allowances (Halved)			0.572	

The CA_t amount for Apr – Sept 2017 is **£7.154m**.

Calculation of TAX_t

When the various components of TAX_t are inserted into the licence formula, the value of TAX_t for Apr – Sept 2017 is **£0.552m** as detailed in Table 5 below.

$$TAX_t = TR_t / (1 - TR_t) * (RET_t + DEP_t - INT_t - CA_t)$$

Table 5: Calculation of TAX_t

Formula	£m
Return on RAB – RET_t	6.673
RAB Depreciation – DEP_t	7.654
Less Interest – INT_t	(4.820)
Less Capital Allowances – CA_t	(7.154)
	2.352
Tax Factor – TR_t / (1 - TR_t)	23.5%
Tax Entitlement – TAX_t	**0.552**

3. DISTRIBUTION TAX ENTITLEMENT

Apr – Sept 2017 Tax calculation

The following paragraphs set out the calculation of the tax amount included within Distribution Entitlement for the regulatory reporting year Apr – Sept 2017.

Tax Amount – TAX_t

The maximum regulated distribution revenue for NIE Networks is set out in Paragraph 3.5 of Annex 2 of the Distribution Licence. This formula is as follows:

$$RP5R_t = DEP_t + RET_t + BD_t + O_t + P_t + COI_t + TAX_t - RPSI_t + K_t$$

TAX_t is one of the components of allowed revenue and is calculated in accordance with the following formula set out in Paragraph 9.1 of Annex 2:

$$TAX_t = TR_t / (1 - TR_t) * (RET_t + DEP_t - INT_t - CA_t)$$

Tax Rate – TR_t

TR_t represents the corporation tax rate applicable in Northern Ireland as specified by HMRC which in Apr – Sept 2017 is 19%. The tax factor $TR_t / (1 - TR_t)$ is therefore 23.5%.

Return Amount – RET_t

RET_t represents the return on the Regulatory Asset Base (RAB). It is calculated by taking the average value of the opening ($ORAB\_X_t$) and closing ($CRAB\_X_t$) values of the individual RABs and multiplying them by the adjusted vanilla weighted average cost of capital ($AVWACC_t$). The formula for calculating RET_t is set out in Paragraph 5.1 of Annex 2:

$$RET_t = \left(\sum_{\text{All RAB\_X}} (ORAB\_X_t + CRAB\_X_t) / 2 \right) * AVWACC_t$$

In Apr – Sept 2017 the average value of all RABs is £1,133m and the adjusted vanilla WACC is 4.018%. The RET_t value for Apr – Sept 2017 is therefore **£22.766m.**

Depreciation amount – DEP_t

DEP_t represents the depreciation amount and is calculated in accordance with the formula set out in Paragraph 4.52 of Annex 2:

$$DEP_t = \sum_{\text{All RAB\_X}} (DEPADD\_X_t + FDEP\_X_t)$$

$DEPADD\_X_t$ represents the depreciation amount for capex incurred on network assets from 2012/13 onwards.

$FDEP\_X_t$ represents the depreciation amount of capex incurred on network assets prior to 2012/13.

The DEP_t value for Apr – Sept 2017 is **£34.154m.**

Interest amount – INT_t

INT_t means an amount equal to the interest on the value of the average of all RABs calculated in accordance with the following formula set out in Paragraph 9.1 of Annex 2:

$$INT_t = \left(\sum_{\text{All RAB\_X}} (ORAB\_X_t + CRAB\_X_t) / 2 \right) * G * NCOD$$

Where: G represents notional gearing and has a value of 45%

NCOD represents a notional nominal cost of debt with a value of 6.45%.

In Apr – Sept 2017 the average value of all RABs is £1,133m which equates to an INT_t figure of **£16.444m.**

Regulatory Capital Allowances – CA_t

CA_t represents the value of capital allowances calculated in accordance with guidelines published by HMRC. There are three main groupings or 'pools' used in the calculation of capital allowances; a) a long life asset pool, b) a general pool and c) a deferred revenue pool. There are three pools because different types of assets attract different capital allowance percentages.

Each pool is classed as follows:

Capital Allowance Pool	Useful economic life	Capital allowance rate for Apr – Sept 2017	Comments
Long life asset pool	25 years or greater	8% reducing balance	This includes distribution 40 year capex, tree cutting capex and domestic contributions.
General pool	Less than 25 years	18% reducing balance	This includes metering, market opening and IT capex.
Deferred revenue pool	N/A	2.5% straight line	This represents the proportion of capital expenditure which is classified as non-load related expenditure where we are replacing worn assets on a like-for-like basis or the nearest modern equivalent basis

The classification of capital expenditure for tax purposes across various tax pools is determined by tax legislation and HMRC working agreements.

CA_t is calculated by taking the opening written down value of the various capital allowance pools for the relevant year. Capital additions are then added to the opening value to give a total value on which capital allowances can be claimed for that year. The capital allowance figure is then deducted to give the closing written down value (WDV) which becomes the opening value for the next year.

The opening WDVs for Apr – Sept 2017 are set out in Table 9 of the 2016/17 Tax Report and shown in Table 6 below.

Table 6: Apr – Sept 2017 Opening Written Down Values

Pool	£m
Long Life Asset Pool	358.613
General Pool	52.071
Deferred Revenue Pool	198.156
Cumulative additions for Deferred Revenue Pool	234.147

Regulatory additions

The statutory capex additions for Distribution in Apr – Sept 2017 are £90.552m. Regulatory additions are £53,483m which includes a capex incentive adjustment of (£4.198m). The reconciliation of statutory capex additions to regulatory additions is shown in Table 7 below.

Table 7: Reconciliation of Statutory Capex to Regulatory Additions

Ref	Description	£m
A	Gross Statutory Capex per "Rec 2 – Capex" of Financial Data RIGs	90.552
	Items included in Regulatory Additions but not in Statutory Capex Additions	
B	Customer Contributions	(33.217)
C	IT Contestability opex costs recovered through Regulatory additions	0.396
	Items in Statutory Capex additions but not included in Regulatory Additions	
D	Capitalised Interest	(0.050)
E	**Total Regulatory Additions**	**57.681**
F	Capex Incentive Adjustment	(4.198)
G	**Total Regulatory Additions (Including Capex Incentive)**	**53.483**

This Regulatory additions figure is then adjusted for items such as asset disposals, domestic contributions and non qualifying capex to give additions that are eligible for capital allowances of £53.783m. This is then split across the three tax pools shown in Table 8 in line with HMRC guidance.

Table 8: Allocation of Additions by Capital Allowance Pool

Ref	Description	Long Life Asset Pool	General Pool	Deferred Revenue Pool	Total
		£m	£m	£m	£m
A	Regulatory Additions	35.265	9.474	12.942	**57.681**
B	Capex Incentive Adjustment	(5.569)	1.371	-	**(4.198)**
C	Domestic Contributions	1.546	-	-	**1.546**
D	Asset Disposals	(0.018)	-	-	**(0.018)**
E	Non Qualifying Capex	(1.229)	-	-	**(1.229)**
F	**Total Additions for TAX$_t$ Capital Allowances**	**29.996**	**10.845**	**12.942**	**53.783**

The capex additions are then added to the opening WDV and capital allowances are calculated. Table 9 sets out the capital allowances used in the calculation of regulated revenue entitlement for Apr – Sept 2017.

Table 9: Apr – Sept 2017 Capital Allowance Calculation

Description	Long Life Asset Pool	General Pool	Deferred Revenue Pool	Total
	£m	**£m**	**£m**	**£m**
Opening WDV @ 01/04/2017	358.613	52.071	198.156	**608.840**
Additions (Doubled)	59.992	21.690	25.884	**107.566**
Adjusted WDV	418.605	73.761	224.040	**716.406**
Capital Allowances (Halved)	(16.744)	(6.638)	(3.250)	**(26.633)**
Closing WDV @ 30/09/2017	**401.861**	**67.122**	**220.790**	**689.773**
CA Rate	8% Reducing Balance	18% Reducing Balance	2.5% Straight Line	
Deferred Revenue Pool				
Cumulative Additions to 01/04/2017			234.147	
Additions			25.884	
Cumulative Additions to 30/09/2017			260.031	
Capital Allowances (Halved)			3.250	

The CA_t amount for Apr – Sept 2017 is **£26.633m**.

Calculation of TAX_t

When the various components of TAX_t are inserted into the licence formula, the value of TAX_t for Apr – Sept 2017 is **£3.247m** as detailed in Table 10 below.

$$TAX_t = TR_t / (1 - TR_t) * (RET_t + DEP_t - INT_t - CA_t)$$

Table 10: Calculation of TAX_t

Formula	£m
Return on RAB – RET_t	22.766
RAB Depreciation – DEP_t	34.154
Less Interest – INT_t	(16.444)
Less Capital Allowances – CA_t	(26.633)
	13.843
Tax Factor – TR_t / (1 - TR_t)	23.5%
Tax Entitlement – TAX_t	**3.247**

4. COMPARISON OF TAX ENTITLEMENT TO STATUTORY TAX

NIE Networks submits statutory tax returns to HMRC in line with its statutory year end which is on a calendar year basis. For the regulatory period Apr to Sept 2017, consideration needs to be given to the tax return filed by NIE Networks for just the 12 month period Jan to Dec 2017.

Table 11 below shows the comparison of Tax Entitlement calculated above and statutory tax paid. As the information contained within the tax returns does not specify between Transmission and Distribution the entitlement amount is collated into a combined Transmission and Distribution view.

Table 11: Comparison of Tax Entitlement and Tax Paid

Date	Apr - Mar 2013	Apr - Mar 2014	Apr - Mar 2015	Apr - Mar 2016	Apr - Mar 2017	Apr - Sept 2017	Total
	£m	£m	£m	£m	£m	£m	£m
Tax Entitlement – TAX_t - Transmission (Table 5[1])	2.308	1.975	1.659	1.428	1.235	0.552	9.157
Tax Entitlement – TAX_t - Distribution (Table 10[1])	10.271	10.716	8.526	7.517	7.234	3.247	47.512
Total Tax Entitlement	12.578	12.692	10.186	8.945	8.469	3.799	56.669
Tax amount per Tax computation	15.560	13.095	7.980	6.523	6.368	(0.967)	48.559
Variance	**(2,982)**	**(0.403)**	**2.206**	**2.421**	**2.102**	**4.766**	**8.109**

The total variance for the period Apr 2012 to Sept 2017 is explained in Table 12 below.

Table 12: Reconciliation of Tax Entitlement to Statutory Tax

Date	Apr 2012 - Sept 2017	Comment
	£m	
Capital Allowances	2.909	At 1 April 2012 the opening pool figure for capital allowances was lower in the Regulatory Entitlement model than in the statutory tax pool. This has resulted in the tax entitlement allowance being greater than the Statutory tax paid. The difference in the capital allowance pool mainly related to the general pool and was due to the following factors: a) some allowances prior to RP5 being recovered as opex rather than capex. b) differences between actual market opening costs incurred and allowances granted along with the recovery of a proportion by PowerNI. Additionally there are differences in the treatment of capital additions as detailed in Sections 5 and 6 of this and previous reports.
Pension Deficit	4.514	Difference due to the ERDC disallowance of Pension deficit contributions.
Income / Opex Differences	1.465	This mainly relates to timing differences between actual income received and regulatory entitlement.
Interest Amount	(0.158)	Differences between notional interest in the tax entitlement calculation and actual interest paid.
Other	(0.619)	Relates to other minor adjustments within the tax return.
Variance	**8.109**	

[1] Relates to Tables 5 and 10 from the specific year's Tax Report.

5. ANALYSIS OF CAPITAL ADDITIONS IN TAX RETURNS

The capital additions eligible for capital allowances and the analysis across the various pools in the submitted tax return are shown in Table 13 below.

Table 13: Analysis of Capital Additions in 2017 Tax Return

Ref	**A**	**B**	**C**	**D**
Date	**Jan - Mar 2017**	**Apr - Sept 2017**	**Oct - Dec 2017**	**Jan - Dec 2017**
Gross Additions	**£m**	**£m**	**£m**	**£m**
Total Capex Additions per Tax Returns	52.090	111.322	41.813	205.225
Less: Total Customer Capital Contributions	(26.672)	(39.278)	(13.801)	(79.751)
Total Net Capex Additions	25.418	72.044	28.013	125.474
Add: Domestic Capital Contributions	0.060	1.546	0.868	2.474
Total Net Additions eligible for Capital Allowances	**25.477**	**73.590**	**28.881**	**127.948**
Analysis for tax purposes				
Long Life Asset Pool	15.413	47.958	19.210	82.582
General Pool	3.850	9.510	4.441	17.801
Deferred Revenue Pool	5.887	14.707	5.134	25.728
Non Qualifying Capex	0.289	1.366	0.096	1.751
Revenue deduction for Capitalized Interest	0.038	0.050	0.000	0.088
Total	**25.477**	**73.590**	**28.881**	**127.948**

6. RECONCILIATION OF REGULATORY CAPITAL ALLOWANCES TO STATUTORY TAX RETURNS

The information contained within the tax returns does not specify between Transmission and Distribution. Therefore in order to reconcile the regulatory amounts to the tax returns the amounts need to be collated in a combined Transmission and Distribution view shown in Table 14 below.

Table 14: Total Regulatory additions split by Capital Allowance pool

	Long Life Asset Pool	General Pool	Deferred Revenue Pool	Total
	£m	£m	£m	£m
Transmission (Table 3)	13.971	0.385	1.765	**16.121**
Distribution (Table 8)	29.996	10.845	12.942	**53.783**
Total Regulatory Additions	**43.967**	**11.230**	**14.707**	**69.904**

Table 15 provides a reconciliation of capital additions in each pool shown in the tax return (Table 13 – Column B) with the additions used in the calculation of regulatory entitlement for Apr – Sept 17 as set out in Table 14.

Table 15: Reconciliation of Additions in Tax return to Regulatory Capital Allowances Pools

Description	Long Life Asset Pool	General Pool	Deferred Revenue Pool	Total
	£m	£m	£m	£m
Capex per Tax Return (Table 13 - B)	47.958	9.510	14.707	**72.175**
Transmission Capex Incentive Adjustment (Table 3 – B)	1.674	(0.046)	-	**1.628**
Distribution Capex Incentive Adjustment (Table 8 – B)	(5.569)	1.371	-	**(4.198)**
Add IT Contestability opex costs recovered through Regulatory additions (Table 7 – C)	-	0.396	-	**0.396**
Add North South Interconnector opex costs recovered through Regulatory additions (Table 2 – C)	(0.079)	-	-	**(0.079)**
Less Asset Disposals (Table 8 – D)	(0.018)	-	-	**(0.018)**
Regulatory Additions (Table 14)	**43.967**	**11.230**	**14.707**	**69.904**

7. RETROSPECTIVE ADJUSTMENTS

With reference to Paragraph 12.35 (d) of Annex 2 of the Licences, there are no retrospective adjustments in respect of previous years and no restatement of 12.35 (a), 12.35 (b) and 12.35 (c) is required.

Independent Auditors' Report to the directors of Northern Ireland Electricity Networks Limited (the Company) and Utility Regulator (the Regulator)

Audit of regulatory tax reports in accordance with Paragraph 12.35 of Annex 2 of Northern Ireland Electricity Distribution and Participate in Transmission Licences (the Licences) for RP5 covering the period 1 April 2012 to 30 September 2017.

Introduction

This report is produced in accordance with the terms of our engagement letter with the Company dated 15 January 2021.

Background

This report is made in order to meet the requirements of Paragraph 12.35 of Annex 2 of the Company's Regulatory Licences. Our audit work has been undertaken to (a) assist the Company to meet its obligation under the Regulatory Licences to procure such a report and to (b) facilitate the carrying out by the Regulator of its regulatory functions, and for no other purpose. We do not accept or assume responsibility to anyone other than the Company and the Regulator, for our audit work, for this report or for the opinions we have formed. We understand that the format and content of the tax report has been agreed with the Regulator.

For clarification, the statutory tax returns are filed on a calendar year basis and the Company's Maximum Regulated Revenue is calculated on the regulatory year April – March. The information within the tax returns is converted into regulatory periods which can cause timing differences.

Scope of work

We draw your attention to the fact that the engagement is to review the reconciliation of the information submitted to HMRC on the Company's tax affairs with the information used for the calculation of the tax element of the Company's Maximum Regulated Revenue as calculated in accordance with Paragraph 9 of Annex 2 of the Licences.

Limitation of Scope

We would specifically note the following limitations on our procedures;

- We have not audited the Company's statutory tax returns submitted to HMRC nor have we reviewed the appropriateness of the capital spend allocation to the respective capital allowance pools in each of those statutory tax returns.
- We have not audited the Financial Data RIGs submitted to the Utility Regulator which set out actual costs for the Company in accordance with the various licence terms.
- We have not audited the components of the Company's Maximum Regulated Revenue as calculated in Paragraph 3 of Annex 2 of the Licences.
- In various schedules figures reflected in either the statutory tax returns or the statutory financial statements have been allocated to regulatory periods on different bases e.g. on a specific allocation basis or on a time apportioned basis. We have not audited in detail these allocations to the regulatory period, however where appropriate, we have

compared the total of the relevant figures across the entire period from 1 April 2012 – 30 September 2017.

- We would specifically note across the entire period from 1 April 2012 – 30 September 2017 there is a difference of £302k between the corporation tax liability in the statutory tax returns compared to the tax liability calculated on a regulatory year basis. The main reason for this difference is the rate of tax for the statutory period compared to the regulatory periods will vary year on year due to timing differences of changes in the rate of tax. We note that the total taxable profits (i.e. before applying the tax rate) did agree across the entire period.
- We note that there are a few nominal differences between the statutory tax returns and the allocation of the capital spend in the regulatory reports and the allocation to capital allowance pools in two periods (statutory periods ended 31 December 2012 and 31 December 2015). The differences noted are timing differences only.

Approach

In order to complete this engagement, we adopted the following approach:

- Meetings were held with the Regulatory Reporting team to discuss the content of the Tax Reports and the models used to calculate the tax entitlement amount.
- Verified the calculation of the Tax Amount per Paragraph 9 of Annex 2 of the RP5 Transmission and Distribution Licences.
- Verified the underlying numbers within the tax reports to the source documents as listed below;
    - Financial Data RIGS Reporting workbook
    - RP5 Financial model

  We understand the Regulator has reviewed the numbers within the above source documents. As noted above, we have not audited the source documents.
- Verified the opening balances of the regulatory capital allowance pools. The opening values for 2012/13 reflecting the values set out in Annex 2, Tables 11 and 14 respectively of the RP5 Transmission and Distribution Licences.
- Verified the allocation of capital additions (including the incentive amounts) to the appropriate regulatory capital allowance pools to ensure these reflected the same allocations as those in the Statutory Tax submission, other than differences as noted under limitations in scope.
- Checked the analysis of the tax allowance set out in the Tax Reports to the tax returns submitted to HMRC.
- Verified the allocation of capital additions per the Statutory tax return (based on a Calendar Year) to the allocation of capital additions per the regulatory reporting period (April to March).
- Agreed the reconciliation of Tax Entitlement to Statutory Tax, subject to the timing difference as highlighted under limitations in scope above.
- Verified the reconciliation of capital additions per the statutory tax return to regulatory additions for each capital allowance pool.

Opinion

Based on our examination as above, we report that based on our findings, in our opinion the Tax Reports are consistent with the records we inspected and has been prepared, in all respects, in accordance with the requirements of the Licence.

Brendan McSparran
Tax Director
Ernst & Young LLP
Belfast
11 February 2021