STATUTORY INSTRUMENTS

2015 No. 1412

ELECTRICITY

The Power Purchase Agreement Scheme (Amendment) Regulations 2015

Made - - - - 23rd June 2015

Laid before Parliament 25th June 2015

Coming into force in accordance with regulation 1(2) and (3)

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 51(1) to (5) of the Energy Act 2013(**1**).

In accordance with section 51(6) of that Act, the Secretary of State has consulted licensed suppliers, the Authority and such other persons as the Secretary of State considered it appropriate to consult.

Citation and commencement

1.—(1) These Regulations may be cited as the Power Purchase Agreement Scheme (Amendment) Regulations 2015.

(2) Regulations 1, 2 and 8(1) come into force on 20th July 2015.

(3) Except as stated in paragraph (2), these Regulations come into force on 1st October 2015.

Amendment of the Power Purchase Agreement Scheme Regulations 2014

2. The Power Purchase Agreement Scheme Regulations 2014(**2**) are amended as follows.

Amendment of regulation 5 (sending expressions of interest to all licensed suppliers)

3. In regulation 5(4)(a), after "expression of interest" omit "or project information".

Amendment of regulation 6 (determination as to whether electricity generator meets eligibility requirements)

4. For regulation 6(6)(a) substitute—

(**1**) 2013 c.32.
(**2**) S.I. 2014/2511.

"(a) the electricity generator has (or a previous party to the relevant contract in respect of the generating station specified in the expression of interest has) failed to provide to the Authority within the 5-day period starting with the date on which the relevant notice was given—

(i) in respect of the expression of interest to which the current determination relates, any project information requested in a notice under paragraph (5);

(ii) in respect of a previous expression of interest, any project information requested in a notice under paragraph (5) or any updated project information or confirmation requested in a notice under paragraph 3(1) of the Schedule.".

Amendment of regulation 16 (records to be maintained by the Authority)

5. For regulation 16(1)(a) substitute—

"(a) an electricity generator fails to provide any—

(i) project information requested in a notice under regulation 6(5); or

(ii) updated project information or confirmation requested in a notice under paragraph 3(1) of the Schedule,

within the 5-day period starting with the date on which the relevant notice was given;".

Amendment of regulation 17 (annual reports)

6. For regulation 17(1)(e) substitute—

"(e) the total amount of electricity provided by electricity generators under BPPAs in that OLR year; and".

Amendment of regulation 19 (calculations required for purposes of Part 3 of the 2014 Regulations)

7. In regulation 19(2)(a), for "purchased by" substitute "provided to".

Amendment of regulation 21 (periodic levelisation payments)

8.—(1) In regulation 21(1), after "apply in" omit "in".

(2) In regulation 21(8), for "an annual" substitute "a periodic".

Amendment of regulation 27 (termination of supply licence)

9. In regulation 27(1), for "(E)" substitute "("E")".

Amendment of Part 1 of the Schedule (the auction)

10.—(1) In paragraph 2(2) of the Schedule, after "subject to paragraph" insert "3(1A) and".

(2) After paragraph 3(1) of the Schedule insert—

"(1A) If within the first 2 days of the 10-day period specified in paragraph 2 the Authority receives an updated version of the project information from the eligible generator—

(a) the date on which the auction closes is unchanged;

(b) the Authority must send a revised OLR notice to all licensed suppliers in accordance with regulation 7(1)(b); and