STATUTORY RULES OF NORTHERN IRELAND

2007 No. 285

ELECTRICITY

The Electricity (Applications for Licences and Extensions of Licences) Regulations (Northern Ireland) 2007

Made - - - -	*4th May 2007*
Coming into operation	*5th May 2007*

The Department of Enterprise, Trade & Investment, in exercise of the powers conferred by Articles 10(3) and 64 of the Electricity (Northern Ireland) Order(**1**) and of every other power enabling it in that behalf hereby makes the following Regulation:

Citation and Commencement

1. These Regulations may be cited as the Electricity (Applications for Licences and Extensions of Licences) Regulations (Northern Ireland) 2007 and shall come into operation on 5th May 2007.

Interpretation

2. In these Regulations—

"the Order" means the Electricity (Northern Ireland) Order 1992;

"application" means an application for a licence or for an extension;

"extension" means an extension, under Article 10(2)(b) of the Order, of a private electricity supply licence;

"generating licence" means a licence under Article 10(1)(a) of the Order;

"private electricity supply licence" means a licence under Article 10(2)(a) of the Order;

"public electricity supply licence" means a licence under Article 10(1)(c) of the Order;

"transmission licence" means a licence under Article 10(1)(b)(**2**) of the Order;

"SEM operator licence" means a licence under Article 10(1)(d)(**3**) of the Order.

(**1**) S.I.1992/231 (N.I. 1)
(**2**) As amended by Article 28 of the Energy (Northern Ireland) Order 2003
(**3**) As amended by Article 4 of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007

Form of applications

3.—(1) An application for a public electricity supply licence shall be in the form, and shall contain the particulars, specified in Part I of Schedule 1.

(2) An application for a private electricity supply licence, or for an extension, shall be in the form, and shall contain the particulars, specified in Part I of Schedule 2.

(3) An application for a transmission licence shall be in the form, and shall contain the particulars, specified in Part I of Schedule 3.

(4) An application for a generating licence shall be in the form, and shall contain the particulars, specified in Part I of Schedule 4.

(5) An application for a SEM operator licence shall be in the form, and shall contain the particulars specified in Part I of Schedule 5.

Documents to accompany applications

4.—(1) An application for a public electricity supply licence shall be accompanied by the documents and particulars specified in Part II of Schedule 1.

(2) An application for a private electricity supply licence, or for an extension, shall be accompanied by the documents and particulars specified in Part II of Schedule 2.

(3) An application for a transmission licence shall be accompanied by the documents and particulars specified in Part II of Schedule 3.

(4) An application for a generating licence shall be accompanied by the documents and particulars specified in Part II of Schedule 4.

(5) An application for a SEM operator licence shall be accompanied by the documents and particulars specified in Part II of Schedule 5.

Lodgement of applications

5. All applications shall be delivered to or sent by prepaid post to the Authority at its principal office.

Manner of publishing applications

6.—(1) A copy of the application shall be published by the applicant—

(a) in the Belfast Gazette; and

(b) in a newspaper or newspapers circulating—

(i) in the case of a public electricity supply licence, a transmission licence or a SEM operator licence, in each part of the area to which the application relates;

(ii) in the case of a private electricity supply licence or an extension, in the area which includes the premises specified or described in the application; and

(iii) in the case of a generating licence, in every area in which is or may be located any generating station to be operated under the licence.

(2) Where a map forms part of the documents and particulars provided in accordance with Regulation 4, there shall be published together with the application a notice stating that a copy of that map is available for inspection by the public at the principal office of the Authority between 10.00 a.m. and 4.00 p.m. on any working day.

(3) A copy of the Belfast Gazette and of each newspaper in which the application is published shall be delivered to or sent by prepaid post to the Authority at its principal office.

Fees payable with applications

7.—(1) The fee payable with an application for a public electricity supply, transmission or SEM operator licence shall be £500.00.

(2) The fee payable with an application for a private electricity supply licence or generating licence shall be £100.00.

(3) The fee payable with an application for an extension shall be £50.00.

(4) All fees shall be paid when the application is lodged.

Revocation

8. The Electricity (Applications for Licences and Extensions of Licences) Regulations (Northern Ireland) 1992(**4**) are hereby revoked.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 4th May 2007.

Jenny Pyper
A senior officer of the Department

(**4**) S.R. 1992 No. 177

SCHEDULE 1 Regulations 3(1) and 4(1)

PART I

FORM OF APPLICATION FOR A PUBLIC ELECTRICITY SUPPLY LICENCE

1. Full name of the applicant(s).

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2. Address of the applicant(s) or, in the case of a body corporate, the registered or principal office.

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3. Where the applicant is a company, the full names of the current Directors and the company's registered number.

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4. Where a holding of 20 per cent, or more of the shares (see Note) of an applicant is held by a body corporate or partnership or an unincorporated association carrying on a trade or business with or without a view to profit, the name(s) and address(es) of the holder(s) of such shares shall be provided.

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5. Desired date from which the licence is to take effect.

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6. A list of the local government districts included (in whole or in part) in the area to which the application relates.

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7. Details of any licences held, applied for, or being applied for by the applicant in respect of the generation, participation in transmission or supply of electricity.

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Note

References to shares—

(a) in relation to an applicant with a share capital, are to allotted shares;

(b) in relation to an applicant with capital but no share capital, are to rights to share in the capital of the applicant;

(c) in relation to an applicant without capital, are to interests—

(i) conferring any right to share in the profits or liability to contribute to the losses of the applicant; or

(ii) giving rise to an obligation to contribute to the debts or expenses of the applicant in the event of a winding up.

PART II

DOCUMENTS AND PARTICLARS TO ACCOMPANY AN APPLICATION FOR A PUBLIC ELECTRICITY SUPPLY LICENCE

1. Current statements of the accounts kept by the applicant in respect of any undertaking carried on by him, showing the financial state of affairs of that undertaking and its profit or loss, and the statements for the most recent period, together with copies of the latest audited annual accounts wheresuch have been prepared.

2. An outline statement of the business proposals, for that business of the applicant to which the application relates, for the next five years, which includes:

(a) particulars of the person or persons from whom the applicant intends to acquire the electricity which he will supply, and particulars of the arrangements made for the transmission and distribution of that electricity;

(b) forecast annual maximum demand (MW) to be supplied, giving a breakdown of the demand for each type of customer, eg. industrial, commercial etc. and energy (GWh) to be supplied;