

Commission Regulation (EU) 2016/631 of 14 April 2016 establishing a network code on requirements for grid connection of generators (Text with EEA relevance)

TITLE VI **U.K.**

TRANSITIONAL ARRANGEMENTS FOR EMERGING TECHNOLOGIES

Article 66 **U.K.**

Emerging technologies

- 1 With the exception of Article 30, the requirements of this Regulation shall not apply to power-generating modules classified as an emerging technology, in accordance with the procedures set out in this Title.
- 2 A power-generating module shall be eligible to be classified as an emerging technology pursuant to Article 69, provided that:
 - a it is of type A;
 - b it is a commercially available power-generating module technology; and
 - c the accumulated sales of the power-generating module technology within a synchronous area at the time of application for classification as an emerging technology do not exceed 25 % of the maximum level of cumulative maximum capacity established pursuant to Article 67(1).

Article 67 **U.K.**

Establishment of thresholds for classification as emerging technologies

- 1 The maximum level of cumulative maximum capacity of power-generating modules classified as emerging technologies in a synchronous area shall be 0,1 % of the annual maximum load in 2014 in that synchronous area.
- 2 Member States shall ensure that their maximum level of cumulative maximum capacity of power-generating modules classified as emerging technologies is calculated by multiplying the maximum level of cumulative maximum capacity of power-generating modules classified as emerging technologies of a synchronous area with the ratio of annual electrical energy generated in 2014 in the Member State to the total annual electrical energy generated in 2014 in the respective synchronous area to which the Member State belongs.

For Member States belonging to parts of different synchronous areas, the calculation shall be carried out on a pro rata basis for each of those parts and combined to give the total allocation to that Member State.
- 3 The source of the data for applying this Article shall be the ENTSO for Electricity's *Statistical factsheet* published in 2015.

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Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) 2016/631. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Article 68 **U.K.**

Application for classification as an emerging technology

1 Within six months of the entry into force of this Regulation manufacturers of Type A power-generating modules may submit to the relevant regulatory authority a request for classification of their power-generating module technology as an emerging technology.

2 In connection with a request pursuant to paragraph 1, the manufacturer shall inform the relevant regulatory authority of the accumulated sales of the respective power-generating module technology within each synchronous area at the time of application for classification as an emerging technology.

3 Proof that a request submitted pursuant to paragraph 1 complies with the eligibility criteria laid down in Articles 66 and 67 shall be provided by the manufacturer.

4 Where applicable in a Member State, assessment of requests and approval and withdrawal of classification as an emerging technology may be undertaken by authorities other than the regulatory authority.

Article 69 **U.K.**

Assessment and approval of requests for classification as an emerging technology

1 By 12 months of the entry into force of this Regulation, the relevant regulatory authority shall decide, in coordination with all the other regulatory authorities of a synchronous area, which power-generating modules, if any, should be classified as an emerging technology. Any regulatory authority of the relevant synchronous area may request a prior opinion from the Agency, which shall be issued within three months of receipt of the request. The decision of the relevant regulatory authority shall take into account the opinion of the Agency.

2 A list of power-generating modules approved as emerging technologies shall be published by each regulatory authority of a synchronous area.

Article 70 **U.K.**

Withdrawal of classification as an emerging technology

1 From the date of the decision of the regulatory authorities pursuant to Article 69(1), the manufacturer of any power-generating module classified as an emerging technology shall submit to the regulatory authority every two months an update of the sales of the module per Member State for the past two months. The regulatory authority shall make publicly available the cumulative maximum capacity of power-generating modules classified as emerging technologies.

2 In the event that the cumulative maximum capacity of all power-generating modules classified as emerging technologies connected to networks exceeds the threshold established in Article 67, the classification as an emerging technology shall be withdrawn by the relevant regulatory authority. The withdrawal decision shall be published.

3 Without prejudice to the provisions of paragraphs 1 and 2, all regulatory authorities of a synchronous area may decide in a coordinated manner to withdraw a classification as

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an emerging technology. The regulatory authorities of the synchronous area concerned may request a prior opinion from the Agency, which shall be issued within three months of receipt of the request. Where applicable, the coordinated decision of the regulatory authorities shall take into account the opinion of the Agency. The withdrawal decision shall be published by each regulatory authority of a synchronous area.

Power-generating modules classified as emerging technologies and connected to the network prior to the date of withdrawal of that classification as an emerging technology shall be considered as existing power-generating modules and shall therefore only be subject to the requirements of this Regulation pursuant to the provisions of Article 4(2) and Articles 38 and 39.

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