

1993 No. 299

ELECTRICITY

**Electricity (Non-Fossil Fuel Sources) Regulations
(Northern Ireland) 1993.**

Made 1st July 1993

Coming into operation 2nd August 1993

The Department of Economic Development, in exercise of the powers conferred on it by Articles 35(5) and 64(3) of the Electricity (Northern Ireland) Order 1992(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Electricity (Non-Fossil Fuel Sources) Regulations (Northern Ireland) 1993 and shall come into operation on 2nd August 1993.

Interpretation

2. In these Regulations—

“the Order” means the Electricity (Northern Ireland) Order 1992;

“relevant licence holder” means the holder of a licence under Article 10(1)(b) or (c) of the Order.

Treatment of capacity as available

3.—(1) Subject to paragraph (2), if throughout any period any relevant licence holder—

(a) is entitled under a contract to purchase, at any wattage specified in the contract, electricity generated by a particular non-fossil fuel generating station; or

(b) operates a non-fossil fuel generating station and, of the station’s capacity, any wattage does not fall to be treated, by virtue of sub-paragraph (a), as available to any other person,

a generating capacity of that wattage shall be treated for the purposes of Article 35 of the Order as available to that relevant licence holder from that station for that period.

(2) The amount of a non-fossil fuel generating station’s capacity which may be treated as available for the purposes of Article 35 of the Order shall not

(a) S.I. 1992/231 (N.I. 1)

exceed that station's declared net capacity; and where different parts of such a station's capacity fall to be treated as available to different persons, any excess over that station's declared net capacity shall be apportioned between those persons in such manner as the Director may determine.

(3) For the purposes of paragraph (2)—

(a) the declared net capacity of a non-fossil fuel generating station which is driven by any means other than water, wind or solar power is the highest generation of electricity (at the main alternator terminals) which can be maintained indefinitely without causing damage to the plant, less—

(i) so much of that electricity as is consumed by the plant; and

(ii) in the case of a station which is capable of being fuelled by a fossil fuel, so much of that electricity as the Director may determine;

(b) the declared net capacity of a non-fossil fuel generating station which is driven by water, wind or solar power shall be calculated by the application of the formula A multiplied by B where—

A is the highest generation of electricity (at the main alternator terminals or, in the case of direct current generation, at the output terminals of the direct current to alternating current converter) which, on the assumption that the source of power is available uninterruptedly, can be maintained indefinitely without causing damage to the plant less—

(i) so much of that electricity as is consumed by the plant; and

(ii) in the case of a station which is capable of being fuelled by a fossil fuel, so much of that electricity as the Director may determine; and

B has the value set out in column (2) of the Table as applicable to the particular description of station specified opposite thereto in column (1).

(1) <i>Description of station</i>	(2) <i>Value of B</i>
1. Station driven by tidal or wave power	0.33
2. Station driven by any form of water power other than tidal or wave power	1.00
3. Station driven by wind power	0.43
4. Station driven by solar power	0.17

Sealed with the Official Seal of the Department of Economic Development on 1st July 1993.

(L.S.)

D. Thomson

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations set out the manner in which the capacity of a non-fossil fuel generating station is to be treated as available for the purposes of Article 35 of the Electricity (Northern Ireland) Order 1992 (electricity from non-fossil fuel sources). They also prescribe the method for calculating such capacity. In the case of a station driven by water, wind or solar power, the calculation is made by the application of a formula.

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These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.