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STATUTORY RULES OF NORTHERN IRELAND

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**2011 No. 169**

**The Renewables Obligation (Amendment)  
Order (Northern Ireland) 2011**

**Amendments to Article 29 (qualifying existing onshore wind stations, qualifying existing solar photovoltaic stations and qualifying existing hydro stations)**

11. After Article 29 insert—

**“Qualifying existing onshore wind stations and qualifying existing solar photovoltaic stations**

**29A.**—(1) This Article applies to a qualifying existing onshore wind station or a qualifying existing solar photovoltaic station.

(2) For the purposes of paragraph (1)

(a) “qualifying existing onshore wind station” means a generating station which—

(i) generates electricity from onshore wind,

(ii) was accredited on or before 31st March 2010, and

(iii) has not had a declared net capacity in excess of 250 kilowatts at any time after 31st March 2010;

(b) “qualifying existing solar photovoltaic station” means a generating station which—

(i) generates electricity from the direct conversion of sunlight into electricity,

(ii) was accredited on or before 31st March 2010, and

(iii) has not had a declared net capacity in excess of 50 kilowatts at any time after 31st March 2010;

(3) Subject to paragraph (4) Articles 25(4) and (5), 27 and 28 (as appropriate) shall apply for the purposes of determining the amount of electricity to be stated in each NIROC which is issued in respect of electricity generated by a generating station to which this Article applies.

(4) Where, at the time it generates electricity, to which a NIROC relates, the total installed capacity of a generating station to which this Article applies is greater than it was on 31st March 2010—

(a) the provisions referred to in paragraph (3) apply only in relation to NIROCs which are to be issued in respect of electricity generated using the station’s original capacity; and

(b) the amount of electricity to be stated in each NIROC which is issued in respect of electricity generated using the station’s additional capacity is  $\frac{1}{4}$  megawatt hour.

(5) In this Article and Article 29B—

“additional capacity” means capacity which does not form part of the capacity of the station as at 31<sup>st</sup> March 2010

“original capacity” means, in the case of an existing generating station, the capacity of the station as accredited and any additional capacity which (in the Authority’s view) formed part of the station as at 31<sup>st</sup> March 2010.

(6) Where electricity generated by a generating station using additional capacity is not measured separately from electricity generated by it using its original capacity, the electricity generated by it which is to be treated (for the purposes of paragraphs (3) and (4)) as having been generated using the relevant additional capacity is the relevant percentage (the appropriate percentage for these purposes being the additional capacity of the station expressed as a percentage of the total installed capacity of the station as at the date of the generation of the electricity).

### **Qualifying existing hydro stations**

**29B.—**(1) This Article applies to a generating station which is a qualifying existing hydro station, that is to say; a hydro generating station which was accredited on or before 31st March 2010 and has not had a declared net capacity in excess of 1 megawatt at any time after 31st March 2010;

(2) Subject to paragraph (3) Articles 25(4) and (5), 27 and 28 (as appropriate) shall apply for the purposes of determining the amount of electricity to be stated in each NIROC which is issued in respect of electricity generated by a generating station to which this Article applies..

(3) Where, at the time it generates the electricity, the generating station’s total installed capacity is greater than it was on 31st March 2010—

- (a) the provisions referred to in paragraph (2) apply only in relation to NIROCs which are to be issued in respect of electricity generated using the station’s original capacity; and
- (b) the amount of electricity to be stated in each NIROC which is issued in respect of electricity generated using the station’s additional capacity is—
  - (i) in relation to additional capacity which, taken together with the original capacity, does not exceed 20 kilowatts, ¼ megawatt hour;
  - (ii) in relation to additional capacity which, taken together with the original capacity, exceeds 20 kilowatts but does not exceed 250 kilowatts, ⅓ megawatt hour;
  - (iii) in relation to additional capacity which, taken together with the original capacity, exceeds 250 kilowatts, ½ megawatt hour.

(4) Where electricity generated by a generating station using additional capacity is not measured separately from electricity generated by it using its original capacity, the electricity generated by it which is to be treated (for the purposes of paragraphs (2) and (3)) as having been generated using the relevant additional capacity is the relevant percentage (the appropriate percentage for these purposes being the additional capacity of the station expressed as a percentage of the total installed capacity of the station as at the date of the generation of the electricity.”.