
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 94

The Renewables Obligation (Scotland) Amendment Order 2014

Registration of additional capacity

23. After article 58A insert—

“Registration of additional capacity

58B.—(1) This article applies to generating capacity which—

- (a) forms part of a generating station which is accredited;
- (b) first forms part of the station from a date no earlier than 1st April 2014 and no later than 31st March 2017; and
- (c) does not form part of the capacity of the station as accredited.

(2) Subject to paragraph (3), the Authority may, upon the application of an operator of a generating station using generating capacity to which this article applies, register that generating capacity under this article.

(3) The Authority must not register generating capacity under this article unless the Authority is satisfied that the application complies with the requirements of paragraphs (4) and (5).

(4) An application to register generating capacity under this article must—

- (a) describe the generating capacity in sufficient detail to enable the Authority to exercise its functions under this Order in relation to the issue of SROCs in respect of electricity generated using that generating capacity; and
- (b) state the total installed capacity of the generating capacity.

(5) An application to register generating capacity under this article must be accompanied by the following documents—

- (a) either—
 - (i) a declaration made in writing by the operator of the generating station that an application for a CFD has not been made at any time in relation to the generation of electricity by the station; or
 - (ii) a declaration made in writing by the operator of the generating station that every application made for a CFD in relation to the generation of electricity by the station has been rejected by the national system operator or by the Secretary of State;
- (b) either—
 - (i) a declaration made in writing by the operator of the generating station that an investment contract has never been made in relation to the generation of electricity by the station; or
 - (ii) a declaration made in writing by the operator of the generating station that any investment contract made in relation to the generation of electricity by

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- the station has been terminated or has otherwise ceased to have effect by reason of a permitted termination event; and
- (c) a declaration made in writing by the operator of the generating station that the national system operator has been sent—
 - (i) a copy of the documents that accompany the application in accordance with sub-paragraphs (a) and (b); and
 - (ii) a description of the location of the generating station.
 - (6) The Authority must notify the operator of the generating station in writing of its decision on an application to register generating capacity under this article.
 - (7) In this article, “permitted termination event” has the same meaning as in article 58(4).”