
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 432

The Renewables Obligation (Scotland) Amendment Order 2017

Amendment of the 2009 Order

9. After article 12 insert—

“Determining the number of renewables obligation certificates to be produced by a designated electricity supplier in order to discharge its renewables obligation: obligation periods beginning on or after 1st April 2019

12A.—(1) This article applies in respect of an obligation period beginning on or after 1st April 2019.

(2) Where the total obligation for the obligation period is calculation A, the number of renewables obligation certificates that a designated electricity supplier is required to produce in order to discharge its renewables obligation is, for each megawatt hour of relevant electricity that it supplies during that period, equal to—

$$\frac{0.154 \times C}{C - D}$$

(3) Where the total obligation for the obligation period is calculation B, the number of renewables obligation certificates that a designated electricity supplier is required to produce in order to discharge its renewables obligation is, for each megawatt hour of relevant electricity that it supplies during that period, equal to—

$$\frac{E \times C}{C - D}$$

(4) For the purposes of paragraphs (2) and (3)—

- (a) C is the estimate made by the Secretary of State under article 8(1) of the 2015 Order of the total amount of electricity likely to be supplied to customers in Great Britain during the obligation period;
- (b) D is the estimate made by the Secretary of State under article 13A(2) of the 2015 Order⁽¹⁾ of the total amount of EII excluded electricity likely to be supplied to customers in Great Britain during the obligation period; and
- (c) E is equal to—

$$\frac{\textit{Calculation B for the obligation period} \times 0.154}{\textit{Calculation A for the obligation period}}$$

(5) The Scottish Ministers must publish, by the 1st October preceding the obligation period, the number of renewables obligation certificates that a designated electricity supplier is required to produce in respect of each megawatt hour of relevant electricity that it supplies during that period in order to discharge its renewables obligation for that period.

(1) Article 13A is inserted by S.I. 2017/xxx.

Determining the number of renewables obligation certificates to be produced by a designated electricity supplier in order to discharge its renewables obligation: special arrangements for obligation periods in respect of which article 12A does not apply

12B.—(1) This article applies in respect of—

- (a) the 2017/18 obligation period; and
- (b) the 2018/19 obligation period.

(2) Subject to paragraph (3), following the publication under article 12(4) of the obligation level for an obligation period in respect of which this article applies, the Scottish Ministers may revise the obligation level in accordance with paragraph (4).

(3) The Scottish Ministers must not revise an obligation level under paragraph (2)—

- (a) after the 23rd November falling within the obligation period to which the obligation level relates; or
- (b) more than once in relation to any obligation period.

(4) Any revision of an obligation level under paragraph (2) must be calculated in accordance with—

- (a) article 12A(2) where the total obligation for the obligation period is calculation A; or
- (b) article 12A(3) where the total obligation for the obligation period is calculation B,

with the references to “D” in the formulae set out in article 12A(2) and (3) being treated as references to the estimate made by the Secretary of State under article 13B(4) of the 2015 Order⁽²⁾ of the total amount of EII excluded electricity likely to be supplied to customers in Great Britain during the obligation period.

(5) If the Scottish Ministers revise an obligation level under paragraph (2), they must publish the revised obligation level within 7 days.

(6) In the case of the 2017/18 obligation period—

- (a) if the Scottish Ministers publish a revised obligation level under paragraph (5) on or before 31st October 2017, the number of renewables obligation certificates a designated electricity supplier is required to produce in order to discharge its renewables obligation is—
 - (i) for each megawatt hour of relevant electricity that it supplies during the part of the obligation period beginning with the first day of the obligation period and ending with 31st December 2017, the original obligation level; and
 - (ii) for each megawatt hour of relevant electricity that it supplies during the part of the obligation period beginning with 1st January 2018 and ending with the last day of the obligation period, the revised obligation level;
- (b) if the Scottish Ministers publish a revised obligation level under paragraph (5) on or after 1st November 2017, the number of renewables obligation certificates a designated electricity supplier is required to produce in order to discharge its renewables obligation is—
 - (i) for each megawatt hour of relevant electricity that it supplies during the part of the obligation period beginning with the first day of the obligation period and ending with the last day of the third month after the publication date, the original obligation level; and

(2) Article 13B is inserted by S.I. 2017/xxx.

- (ii) for each megawatt hour of relevant electricity that it supplies during the part of the obligation period beginning with the first day of the fourth month after the publication date and ending with the last day of the obligation period, the revised obligation level.
- (7) In the case of the 2018/19 obligation period—
 - (a) if the Scottish Ministers publish a revised obligation level under paragraph (5) on or before 31st December 2017 the number of renewables obligation certificates a designated electricity supplier is required to produce in order to discharge its renewables obligation is, for each megawatt hour of relevant electricity that it supplies during that obligation period, the revised obligation level; and
 - (b) if the Scottish Ministers publish a revised obligation level under paragraph (5) on or after 1st January 2018 the number of renewables obligation certificates a designated electricity supplier is required to produce in order to discharge its renewables obligation is—
 - (i) for each megawatt hour of relevant electricity that it supplies during the part of the obligation period beginning with the first day of the obligation period and ending with the last day of the third month after the publication date, the original obligation level; and
 - (ii) for each megawatt hour of relevant electricity that it supplies during the part of the obligation period beginning with the first day of the fourth month after the publication date and ending with the last day of the obligation period, the revised obligation level.
- (8) In this article—
 - “2017/18 obligation period” means the obligation period beginning on 1st April 2017;
 - “2018/19 obligation period” means the obligation period beginning on 1st April 2018;
 - “obligation level” means the number of renewables obligation certificates that a designated electricity supplier is required to produce in respect of each megawatt hour of electricity that it supplies to customers in Scotland during an obligation period in order to discharge its renewables obligation for that period as determined under article 12(1) or (2);
 - “original obligation level” means the obligation level as published under article 12(4);
 - “publication date” means the date of publication of the revised obligation level under paragraph (5); and
 - “revised obligation level” means the obligation level as revised in accordance with paragraph (4).”.