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DRAFT STATUTORY INSTRUMENTS

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**2015 No.**

**The Electricity Supplier Obligations (Amendment  
& Excluded Electricity) Regulations 2015**

**PART 2**

Excluded electricity

**CHAPTER 2**

EII excluded electricity

**Applications for EII certificates**

**10.**—(1) A person who uses electricity for a specified activity in the course of business may apply to the Secretary of State for an EII certificate in respect of the electricity meter which measures the supply of electricity used for that activity.

(2) Subject to paragraph (3), the application must be made in writing and must contain—

- (a) evidence of the earnings and staff costs of that business for each financial year in the relevant period;
- (b) where the meter which measures the supply of electricity used for a specified activity—
  - (i) is registered in SMRS, the MSID that relates to that meter;
  - (ii) is registered in CMRS, the BM Unit Identification Number and MSID that relates to that meter;
- (c) evidence of the amount of electricity measured by that meter which was supplied in the calendar year which immediately preceded the calendar year in which the EII application is made;
- (d) evidence of the proportion of electricity measured by that meter which was used for a specified activity in that year;
- (e) except where sub-paragraph (d) is complied with, sufficient evidence of the activities which are carried out using electricity measured by the meter to enable the Secretary of State to estimate the proportion of electricity measured by that meter which was used for a specified activity in that year;
- (f) information identifying the electricity supplier who, when the application is made, supplies electricity which is measured by that meter;
- (g) evidence of the amount of electricity used by that business in each financial year in the relevant period in relation to that business;
- (h) an address and an email address at which the applicant can be contacted.

(3) Where regulation 8(5) applies to a person's business, the application does not need to contain the evidence described in paragraph (2)(a) or (g).

(4) Where an EII application does not comply with paragraph (2)(d) the Secretary of State must, if sufficient evidence has been provided under paragraph (2)(e), estimate the proportion of electricity measured by that meter which was used for a specified activity.

(5) Where the Secretary of State, after making an estimate under paragraph (4), concludes that a different estimate should have been made the Secretary of State may revise that estimate.

(6) Where an EII application does not comply with paragraph (2)(d) and the Secretary of State is not satisfied that sufficient evidence has been provided under regulation (2)(e), the Secretary of State must notify the applicant and give reasons why any evidence provided is not sufficient.