
DRAFT STATUTORY INSTRUMENTS

2016 No. 0000

ELECTRICITY

The Electricity Capacity (Amendment) Regulations 2016

Made - - - - 2016

Coming into force in accordance with regulation 1

**THE ELECTRICITY CAPACITY
(AMENDMENT) REGULATIONS 2016**

1. Citation, commencement and application
 2. Amendment of the Electricity Capacity Regulations 2014
 3. Amendment of the Electricity Capacity (Supplier Payment etc.) Regulations 2014
- Signature

SCHEDULE 1 — Amendments to the Electricity Capacity Regulations 2014

PART 1 — Supplementary auction

1. Regulation 2 (interpretation)
 2. Regulation 7 (annual electricity capacity report)
 3. Regulation 10 (determining whether capacity auction is to be held)
 4. Regulation 12 (determination of auction parameters by the Secretary of State)
 5. Regulation 14 (eligibility to bid in capacity auctions)
 6. Regulation 59 (requirement to provide applicant credit cover)
 7. Regulation 61 (draw down of applicant credit cover)
- PART 2 — Termination fees etc. and credit cover
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 9. Regulation 31 (capacity market register)
 10. Regulation 32 (termination fee rates)
 11. Regulation 43 (termination fees)
 12. New regulation 43ZA
 13. Regulation 43B (repayment of capacity payments on termination)
 14. Regulation 53 (interpretation of Part 7)
 15. Regulation 56 (maintenance of credit cover)
 16. Regulation 57 (downgrade of letter of credit)
 17. Regulation 59 (requirement to provide applicant credit cover)

18. Regulation 60 (credit obligation period)
19. Regulation 61 (draw down of applicant credit cover)
 - PART 3 — Transfer of capacity obligations, volume reallocation and over-delivery payments
20. Regulation 2 (interpretation)
21. Regulation 30 (capacity agreements)
22. New regulation 30A
23. Regulation 32 (termination fee rates)
24. Regulation 39 (determination of adjusted load-following capacity obligation etc.)
25. Regulation 41 (capacity provider penalty charges)
26. Regulation 42 (over-delivery payments)
27. Regulation 43 (termination fees)
28. Regulation 43B (repayment of capacity payments on termination)
29. Regulation 68 (delivery body reviewable decisions)
30. Amendments to Schedule 1
31. Paragraph 1 (interpretation)
32. Paragraph 3 (calculations to be made annually)
33. Paragraph 5 (calculation of settlement period penalty)
34. Paragraph 6 (calculation of monthly penalty charge)
35. New paragraph 6A
36. Paragraph 7 (over-delivery payments)
 - PART 4 — DSR transitional auctions: eligibility
37. Regulation 2 (interpretation)
38. New regulation 29A
 - PART 5 — Review of secondary legislation
39. Regulation 81 (review by Secretary of State)
40. Regulation 82 (review of capacity market rules)
 - PART 6 — Miscellaneous and minor amendments
41. Regulation 2 (interpretation)
42. Regulation 6 (reliability standard)
43. Regulation 7 (annual electricity capacity report)
44. Regulation 11 (meaning of auction parameters)
45. Regulation 12 (determination of auction parameters by the Secretary of State)
46. Regulation 13 (adjustment of auction parameters following prequalification)
47. Regulation 15 (general eligibility criteria)
48. Regulation 23 (notifying prequalification results to the Secretary of State)
49. Regulation 29 (DSR transitional auctions)
50. Regulation 30 (capacity agreements)
51. Regulation 39 (determination of adjusted load-following capacity obligation, net output and adjusted net output)
52. Regulation 40 (capacity payments)
53. Regulation 45 (payment and non-payment, general)
54. Regulation 46 (payment of invoices and accruing interest)
55. Regulation 47 (the non-payment register)
56. Regulation 48 (payment of credit notes)
57. Regulation 50 (reducing capacity payments: failure to demonstrate satisfactory performance)
58. Regulation 69 (requesting reconsideration by the Delivery Body)
59. Regulation 77 (Authority's power to make capacity market rules)
60. New Regulation 87B

SCHEDULE 2 — Amendments to the Electricity Capacity (Supplier Payment etc.)
Regulations 2014

1. Regulation 2 (interpretation)
2. Regulation 7 (capacity market supplier charge: mutualisation)
3. Regulation 8 (penalty residual supplier amount)
4. Regulation 11 (payment of invoices and accruing interest)
5. Regulation 12 (non-payment of invoices: draw down of credit cover)
6. Regulation 13 (payment of credit notes)
7. Regulation 22 (reconciliation invoices and payment)
8. Regulation 23 (draw down of credit cover)
9. Regulation 25 (reconciliation credit notes and payment)
10. Regulation 30 (the credit default register)

Explanatory Note