
STATUTORY INSTRUMENTS

1999 No. 439

The Electricity (Non-Fossil Fuel Sources) (Scotland) Order 1999

Requirement to make arrangements etc.

3.—(1) Each public electricity supplier in Scotland shall before 1st May 1999 make, in so far as he has not already done so, and produce to the Director evidence showing that he has made such additional arrangements as will secure that for each period shown in tables A to F in Schedule 1 the aggregate amount of generating capacity available to him from the non-fossil fuel generating stations of the description specified in relation to each table and falling within the description of non-fossil fuel generating station specified in paragraph (2), will not be less than the amount specified in that table in relation to him for that period.

- (2) The description of non-fossil fuel generating station specified in this paragraph is either—
- (a) a non-fossil fuel generating station, other than a waste to energy generating station which is fuelled as specified in sub-paragraph (a) of paragraph 3(2) of Schedule 1, and in respect of which—
 - (i) the commissioning process was not satisfactorily completed before 3rd December 1997;
 - (ii) there is not and has not been a premium price arrangement, other than a relevant arrangement, under which any payment has been or may be made in respect of electricity generated before 1st April 2019 by such station; and
 - (iii) the commissioning and operation would not reduce the declared net capacity of any other non-fossil fuel generating station existing at its planned commissioning date; or
 - (b) a waste to energy generating station which—
 - (i) is fuelled as specified in sub-paragraph (a) of paragraph 3(2) of Schedule 1; and
 - (ii) has new foundations;but which may use an existing gas collection system, provided that, during the period of the relevant arrangements entered into in relation to that generating station, it—
 - (a) will not adversely affect the supply of gas to another generating set which is connected to that system; and
 - (b) would not have adversely affected the supply of gas to another generating set which was connected to that system at 3rd December 1997 but is no longer so connected.