

---

## STATUTORY INSTRUMENTS

---

# 2010 No. 678

## The Feed-in Tariffs (Specified Maximum Capacity and Functions) Order 2010 (revoked)

### PART 6

#### Levelisation process

##### CHAPTER 1

##### Annual Levelisation

#### Annual levelisation payments

**22.**—(1) The Authority must make annual levelisation payments to licensees and receive annual levelisation payments from licensees.

(2) Subject to article 35, the Authority must make annual levelisation payments out of the levelisation fund and ensure that annual levelisation payments are made into the levelisation fund.

(3) The Authority must, in respect of a FIT year, ensure that the total amount of annual and periodic levelisation payments made out of the levelisation fund is equal to the total amount of annual and periodic levelisation payments made into the fund.

#### Calculation of levelisation payments

**23.**—(1) On or before 1st October following the end of a FIT year, the Authority must calculate whether or not each FIT licensee is liable to make an annual levelisation payment to the Authority or is entitled to receive an annual levelisation payment from the Authority in respect of that FIT year.

(2) The Authority must make a calculation under paragraph (1) in accordance with article 24.

#### Calculation of levelisation payments

**24.** Where in respect of a FIT year the amount of the adjusted FIT contribution of a licensee (“A”)—

- (a) exceeds the amount of A's market share contribution, A is entitled to receive an annual levelisation payment from the Authority in respect of the difference between those amounts; or
- (b) is less than the amount of A's market share FIT contribution, A must make an annual levelisation payment to the Authority in respect of the difference between those amounts.

#### Calculation of FIT contributions

**25.**—(1) The FIT contribution of a licensee in respect of a FIT year means the sum of the following payments made and costs incurred by the licensee during that year—

- (a) generation payments;

*Status: Point in time view as at 30/05/2011.*

*Changes to legislation: There are currently no known outstanding effects for the The Feed-in Tariffs (Specified Maximum Capacity and Functions) Order 2010 (revoked), CHAPTER 1. (See end of Document for details)*

- (b) net metered export payments;
- (c) net deemed export payments; and
- (d) qualifying FIT costs.

(2) The amount of the adjusted FIT contribution of a licensee means the licensee's FIT contribution adjusted by any periodic levelisation payments made by the licensee or periodic levelisation payments received by the licensee in the FIT year.

(3) In this article—

- (a) “net deemed export payments” means deemed export payments made by a licensee, less the value of deemed exports to that licensee, that value having been determined by the Secretary of State under article 28;
- (b) “net metered export payment” means a payment made to a FIT generator or nominated recipient by a FIT licensee in respect of the export of electricity from an accredited FIT installation measured by meter, less the value of that export, that value having been determined by the Secretary of State under article 28;
- (c) “qualifying FIT costs” means the reasonable costs of a licensee incurred as a result of the FIT scheme (excluding the cost of FIT payments), as determined by the Secretary of State under article 28.

#### **Market share FIT contribution**

**26.** The amount of a market share FIT contribution of a licensee (“A”) in respect of a FIT year means the sum of FIT contributions for all licensees for that year multiplied by the market share of A for that year.

#### **Market share**

**27.—**(1) The market share of a licensee (“A”) in a FIT year means the relevant amount of electricity supplied by A in that year expressed as a percentage of the electricity supply market of Great Britain.

(2) In paragraph (1)—

- (a) the electricity supply market of Great Britain means the amount of electricity supplied by all licensees to customers in Great Britain, less the amount of any electricity so supplied that is sourced from renewable sources and generated outside the United Kingdom;
- (b) the relevant amount of electricity supplied by A means the amount of electricity supplied by A to customers in Great Britain, less the amount of any electricity so supplied that is sourced from renewable sources and generated outside the United Kingdom.

(3) In paragraph (2) “customer” has the same meaning as it has in the standard conditions of electricity supply licences.

#### **Determinations and publications made by the Secretary of State**

**28.—**(1) The Secretary of State must determine in respect of a FIT year—

- (a) the value per kilowatt hour of electricity for the purpose of net metered exports;
- (b) the value of deemed exports for the purpose of net deemed export payments;
- (c) the costs of a licensee which constitute qualifying FIT costs.

(2) Except in respect of FIT year 1, the Secretary of State must publish a determination made under paragraph (1) 1 month before the beginning of each FIT year.

(3) For FIT year 1, the values under sub-paragraphs (1)(a) and (b) are as follows—

- (a) the value of electricity for the purpose of net metered exports is 3 pence per kilowatt hour;
  - (b) the value of deemed exports for the purpose of deemed export payments is the amount of electricity deemed to have been exported by accredited FIT installations during FIT year 1, multiplied by the average time weighted system sell price for electricity given in the Balancing and Settlement Code in respect of FIT year 1, this value to be apportioned to a licensee in accordance with the market share of the licensee.
- (4) For FIT year 1, the costs under sub-paragraph (1)(c) may be—
- (i) determined by the Secretary of State during FIT year 1; and
  - (ii) published by the Secretary of State during FIT year 1 after determination has been made.

**Status:**

Point in time view as at 30/05/2011.

**Changes to legislation:**

There are currently no known outstanding effects for the The Feed-in Tariffs (Specified Maximum Capacity and Functions) Order 2010 (revoked), CHAPTER 1.