

STATUTORY INSTRUMENTS

**2012 No. 2782**

The Feed-in Tariffs Order 2012

**PART 6**

Levelisation

**Calculation of FIT contributions, etc.**

27.—(1) Before the Authority calculates annual levelisation payments under article 26, it must determine in relation to each licensee—

- (a) the FIT contribution (if any);
- (b) the adjusted FIT contribution;
- (c) the market share; and
- (d) the market share FIT contribution,

of the licensee for the FIT Year.

(2) The FIT contribution of a licensee (“A”) in respect of a FIT year is the sum of the following [<sup>F1</sup>payments made and incurred] by A during that FIT year—

- (a) generation payments;
- <sup>F2</sup>(b) .....
- (c) net deemed export payments; <sup>F3</sup>...
- (d) qualifying FIT costs [<sup>F4</sup>; and]
- <sup>F5</sup>(e) for FIT year 10 and each subsequent FIT year, net metered export payments.]

(3) The adjusted FIT contribution of A in respect of a FIT year is A's FIT contribution (if any) adjusted by—

- (a) adding the amounts of any periodic levelisation payments [<sup>F6</sup>and mutualisation payments] made by A in respect of that FIT year; and
- (b) subtracting the amounts of any periodic levelisation payments [<sup>F7</sup>and mutualisation distributions”; and] received by A in respect of that FIT year.

(4) The market share of A in a FIT year means [<sup>F8</sup>A's relevant amount of electricity] in that FIT year, expressed as a percentage of the electricity supply market of Great Britain.

(5) The market share FIT contribution of A in respect of a FIT year is the sum of the FIT contributions of all licensees for that FIT year multiplied by the market share of A in that FIT year.

(6) In this article—

[<sup>F9</sup>“the capped amount of qualifying renewable electricity” is calculated in accordance with article 27A;]

“customer” has the same meaning as in the standard conditions of electricity supply licences;

[<sup>F10</sup>“EII excluded electricity” means electricity which—

- (a) constitutes EII excluded electricity within the meaning of regulation 6(1) of the Electricity Supplier Obligations (Amendment & Excluded Electricity) Regulations 2015; and
- (b) is supplied on or after—
  - (i) 1st April 2019, where the Secretary of State is satisfied on or before 31st March 2019 that its deduction as set out in the definition of “relevant amount of electricity” would not breach the law relating to state aid; or
  - (ii) where the Secretary of State is not so satisfied on or before 31st March 2019, the first day of the first month following the day on which the Secretary of State is so satisfied;]

[<sup>F11</sup>“the electricity supply market of Great Britain” means—

- (a) for all FIT years up to and including FIT year 6, the amount of electricity supplied by all licensees to customers in Great Britain less the amount of electricity so supplied that is sourced from renewable resources and generated outside the United Kingdom; <sup>F12</sup>...
- (b) for [<sup>F13</sup>FIT years 7 to 9], the amount of electricity supplied by all licensees to customers in Great Britain less any qualifying renewable electricity;
- (c) [<sup>F14</sup>for FIT year 10 and each subsequent FIT year, the total of all licensees’ relevant amount of electricity;]

[<sup>F15</sup>“net deemed export payments” means deemed export payments made by a FIT licensee, less the value of deemed exports to the licensee as determined by the Secretary of State under article 38(1)(a), apportioned to the licensee in accordance with the market share of the licensee;]

[<sup>F16</sup>“net metered export payments” means payments made to a FIT generator or nominated recipient by a FIT licensee in respect of metered exported electricity from an accredited FIT installation, less the value of the export to the licensee as calculated in accordance with the determination of the Secretary of State under article 38(1)(f);]

<sup>F17</sup>  
...

“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 38(1)(c); and

[<sup>F18</sup>“qualifying renewable electricity” is electricity which is—

- (a) produced from renewable sources (as defined in regulation 2(1) of the Electricity (Guarantees of Origin of Electricity Produced from Renewable Energy Sources) Regulations 2003);
- (b) generated in a member State of the European Union <sup>F19</sup>...; and
- (c) generated by a generating installation which—
  - (i) had a capacity equal to or less than the specified maximum capacity; and
  - (ii) became operational on or after 1st April 2010;]

[<sup>F20</sup>“relevant amount of electricity” in relation to A means—

- (a) for all FIT years up to and including FIT year 6, 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;
- (b) for FIT years 7 to 9, the amount of electricity supplied by A to customers in Great Britain, less A’s capped amount of qualifying renewable electricity for that FIT year;

- (c) subject to paragraph (d), for FIT [<sup>F21</sup>years 10 to 13], the amount of electricity supplied by A to customers in Great Britain, less—
  - (i) the amount of electricity supplied by A that is EII excluded electricity for that FIT year; and
  - (ii) A's capped amount of qualifying renewable electricity for that FIT year; <sup>F22</sup>...
- (d) for FIT [<sup>F23</sup>years 10 to 13], where the calculation in paragraph (c) results in an amount that is less than zero, nil electricity; [<sup>F24</sup>and]
- (e) [<sup>F25</sup>for FIT year 14 and each subsequent FIT year, the amount of electricity supplied by A to customers in Great Britain, less the amount of electricity supplied by A that is EII excluded electricity for that FIT year.]]

#### Textual Amendments

- F1** Words in art. 27(2) substituted (15.1.2016) by [The Feed-in Tariffs \(Amendment\) \(No. 3\) Order 2015 \(S.I. 2015/2045\)](#), arts. 1, **18(2)** (with art. 24)
- F2** Art. 27(2)(b) omitted (1.7.2013) by virtue of [The Feed-in Tariffs \(Amendment\) Order 2013 \(S.I. 2013/1099\)](#), arts. 1, **6(2)**
- F3** Word in art. 27(2)(c) omitted (1.2.2019) by virtue of [The Feed-in Tariffs \(Closure, etc.\) Order 2018 \(S.I. 2018/1380\)](#), arts. 1, **13(2)(a)**
- F4** Word in art. 27(2)(d) inserted (1.2.2019) by [The Feed-in Tariffs \(Closure, etc.\) Order 2018 \(S.I. 2018/1380\)](#), arts. 1, **13(2)(b)**
- F5** Art. 27(2)(e) inserted (1.2.2019) by [The Feed-in Tariffs \(Closure, etc.\) Order 2018 \(S.I. 2018/1380\)](#), arts. 1, **13(2)(c)**
- F6** Words in art. 27(3)(a) added (1.7.2013) by [The Feed-in Tariffs \(Amendment\) Order 2013 \(S.I. 2013/1099\)](#), arts. 1, **6(3)(a)**
- F7** Words in art. 27(3)(b) added (1.7.2013) by [The Feed-in Tariffs \(Amendment\) Order 2013 \(S.I. 2013/1099\)](#), arts. 1, **6(3)(b)**
- F8** Words in art. 27(4) substituted (1.2.2019) by [The Feed-in Tariffs \(Closure, etc.\) Order 2018 \(S.I. 2018/1380\)](#), arts. 1, **13(3)**
- F9** Words in art. 27(6) inserted (15.1.2016) by [The Feed-in Tariffs \(Amendment\) \(No. 3\) Order 2015 \(S.I. 2015/2045\)](#), arts. 1, **18(3)(b)** (with art. 24)
- F10** Words in art. 27(6) inserted (1.2.2019) by [The Feed-in Tariffs \(Closure, etc.\) Order 2018 \(S.I. 2018/1380\)](#), arts. 1, **13(4)(a)**
- F11** Words in art. 27(6) substituted (15.1.2016) by [The Feed-in Tariffs \(Amendment\) \(No. 3\) Order 2015 \(S.I. 2015/2045\)](#), arts. 1, **18(3)(a)(i)** (with art. 24)
- F12** Word in art. 27(6) omitted (1.2.2019) by virtue of [The Feed-in Tariffs \(Closure, etc.\) Order 2018 \(S.I. 2018/1380\)](#), arts. 1, **13(4)(b)(i)**
- F13** Words in art. 27(6) substituted (1.2.2019) by [The Feed-in Tariffs \(Closure, etc.\) Order 2018 \(S.I. 2018/1380\)](#), arts. 1, **13(4)(b)(ii)**
- F14** Words in art. 27(6) inserted (1.2.2019) by [The Feed-in Tariffs \(Closure, etc.\) Order 2018 \(S.I. 2018/1380\)](#), arts. 1, **13(4)(b)(iii)**
- F15** Words in art. 27(6) substituted (1.2.2019) by [The Feed-in Tariffs \(Closure, etc.\) Order 2018 \(S.I. 2018/1380\)](#), arts. 1, **13(4)(c)**
- F16** Words in art. 27(6) inserted (1.2.2019) by [The Feed-in Tariffs \(Closure, etc.\) Order 2018 \(S.I. 2018/1380\)](#), arts. 1, **13(4)(d)**
- F17** Words in art. 27(6) omitted (1.7.2013) by virtue of [The Feed-in Tariffs \(Amendment\) Order 2013 \(S.I. 2013/1099\)](#), arts. 1, **6(3)(c)**
- F18** Words in art. 27(6) inserted (15.1.2016) by [The Feed-in Tariffs \(Amendment\) \(No. 3\) Order 2015 \(S.I. 2015/2045\)](#), arts. 1, **18(3)(c)** (with art. 24)

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**Changes to legislation:** There are currently no known outstanding effects for the  
The Feed-in Tariffs Order 2012, Section 27. (See end of Document for details)

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- F19** Words in art. 27(6) omitted (31.12.2020) by virtue of The Feed-in Tariffs and Contracts for Difference (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1092), regs. 1, 2; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Words in art. 27(6) substituted (1.2.2019) by The Feed-in Tariffs (Closure, etc.) Order 2018 (S.I. 2018/1380), arts. 1, **13(4)(e)**
- F21** Words in art. 27(6) substituted (1.4.2023) by The Feed-in Tariffs (Amendment) Order 2023 (S.I. 2023/127), arts. 1, **2(2)(a)(i)**
- F22** Word in art. 27(6) omitted (1.4.2023) by virtue of The Feed-in Tariffs (Amendment) Order 2023 (S.I. 2023/127), arts. 1, **2(2)(a)(ii)**
- F23** Words in art. 27(6) substituted (1.4.2023) by The Feed-in Tariffs (Amendment) Order 2023 (S.I. 2023/127), arts. 1, **2(2)(b)(i)**
- F24** Word in art. 27(6) inserted (1.4.2023) by The Feed-in Tariffs (Amendment) Order 2023 (S.I. 2023/127), arts. 1, **2(2)(b)(ii)**
- F25** Words in art. 27(6) inserted (1.4.2023) by The Feed-in Tariffs (Amendment) Order 2023 (S.I. 2023/127), arts. 1, **2(2)(c)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Feed-in Tariffs Order 2012, Section 27.