
STATUTORY INSTRUMENTS

2014 No. 2043

The Electricity Capacity Regulations 2014

PART 6

Payments

CHAPTER 2

Calculations and determinations: capacity providers

[F1Over-delivery payments

42.—(1) A person (“P”) is entitled to receive from the Settlement Body an over-delivery payment in respect of a delivery year (“year X”) if—

- (a) any capacity committed CMU (“CMU i”) for which P was the capacity provider over-delivered in any relevant settlement period in year X; or
- (b) P has made a qualifying delivery in any such settlement period.

(2) For the purposes of this regulation—

- (a) CMU i over-delivers in a relevant settlement period j if AE_{ij} is greater than $ALFCO_{ij}$ in that settlement period;
- (b) P makes a qualifying delivery in a relevant settlement period j if—
 - (i) P was a qualified person (but not a capacity provider) in respect of a CMU (“CMU i”) during that period, and
 - (ii) in that period, AE_{ij} is greater than zero;
- (c) a “qualified person” is a person who—
 - (i) has registered with the delivery body under capacity market rules in respect of a CMU for the purpose of participating in volume reallocation, and
 - (ii) is an “acceptable transferee” within the meaning of capacity market rules; and
- (d) “volume reallocation” has the meaning given in regulation 39(5).

(3) The Settlement Body must, by not later than the 28th working day after the end of year X—

- (a) determine the amount, if any, of the payments payable to each person under this regulation in respect of year X; and
- (b) issue to each person who is entitled to such a payment a credit note for the amount determined for it.

(4) The amount payable to P under paragraph (3)(a) is the sum of—

- (a) $TODP_{ix}$, as calculated in accordance with paragraph 7 of Schedule 1, for each CMU—
 - (i) for which P was registered on the capacity market register as the capacity provider for the whole of year X, or
 - (ii) in respect of which P was a qualified person for the whole of year X; and

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- (b) P's proportion of $TODP_{ix}$, as calculated in accordance with paragraphs 7 and 8 of Schedule 1, for each CMU—
- (i) for which P was registered on the capacity market register as the capacity provider for part of year X, or
 - (ii) in respect of which P was a qualified person for part of year X.]

Textual Amendments

F1 Reg. 42 substituted (14.7.2016) by [The Electricity Capacity \(Amendment\) Regulations 2016 \(S.I. 2016/742\)](#), reg. 1(2), [Sch. 1 para. 26](#) (with reg. 1(4))

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 2(5) words substituted by [S.I. 2024/434 reg. 12\(a\)](#)
- reg. 3(3) words inserted by [S.I. 2024/434 reg. 8](#)
- reg. 4(b) word substituted by [S.I. 2024/434 reg. 9\(c\)](#)
- reg. 4(2)(aa) inserted by [S.I. 2024/434 reg. 9\(b\)\(iii\)](#)
- reg. 19(aa) inserted by [S.I. 2024/434 reg. 11\(b\)](#)