
STATUTORY INSTRUMENTS

2014 No. 2511

The Power Purchase Agreement Scheme Regulations 2014

PART 2

Power purchase agreement scheme

Information in connection with power purchase agreement scheme

CFD Counterparty to provide information requested by the Authority

14.—(1) For the purposes of enabling the Authority to make a determination under regulation 6(1) in respect of an electricity generator, the Authority may request a CFD counterparty to provide it with information about any relevant contract which has been entered into by that generator.

(2) Where a request is made under paragraph (1), the CFD counterparty must provide the information to the Authority within the period of 2 days which starts with the day on which the CFD counterparty receives the request.

Licensed suppliers to provide information requested by the Authority

15.—(1) The Authority may by notice require a licensed supplier to provide it with—

- (a) a statement of the amount of electricity the licensed supplier has supplied in Great Britain in an OLR year; and
- (b) any other information which the Authority believes the licensed supplier holds and which, in the Authority's opinion, the Authority requires in order to discharge its functions in connection with the power purchase agreement scheme.

(2) A licensed supplier must comply with a requirement under paragraph (1) within such period as the Authority may specify when imposing the requirement.

(3) The Authority may by notice require an OLR which has entered into a BPPA to provide the Authority with a statement, in respect of any periodic levelisation period which falls wholly or partly within the period during which the BPPA is in force, of the electrical output of the electricity generator provided under the BPPA during that period.

(4) An OLR must comply with a requirement under paragraph (3) within such period as the Authority may specify when imposing the requirement.

Records to be maintained by the Authority

16.—(1) The Authority must establish and maintain records of each generating station in respect of which—

- (a) an electricity generator fails to provide any project information or confirmation requested in a notice under regulation 6(5) or paragraph 3(1) of the Schedule within the 5-day period starting with the date on which the notice was given;

- (b) an expression of interest is withdrawn by an electricity generator after the date on which the generator's statement of confirmation in respect of the generating station was submitted;
 - (c) an electricity generator fails to enter into a BPPA within 3 days of receiving a copy of the BPPA which was signed by a licensed supplier and sent to the generator under paragraph 5(6)(c), 7(3)(b), 9(5)(c) or 11(4)(b) of the Schedule; and
 - (d) a BPPA is terminated by the OLR in exercise of a right of termination under the BPPA in favour of the OLR, where the circumstances specified in regulation 6(6)(d)(i) or (ii) apply in respect of the exercise of that right of termination.
- (2) The Authority must also maintain—
- (a) a list of each BPPA which has been entered into between an eligible generator and an OLR;
 - (b) a statement of the unique identifier for the relevant contract to which the eligible generator was a party at the time that the BPPA was entered into;
 - (c) a statement of the management fee which is payable to the OLR under the BPPA, expressed as an amount for each megawatt hour of electricity purchased by the OLR; and
 - (d) a statement of the date notified to the Authority by the OLR in accordance with relevant supply licence conditions as being the date on which the BPPA commenced.
- (3) The Authority must make any record, list or statement maintained by it under paragraph (1) or (2) available for inspection by members of the public in a legible form at such times and in such place or places as the Authority may determine.
- (4) The Authority must maintain and publish records of the standard terms which are issued, revised or amended under regulation 3 and the date on or by reference to which any such term, revision or amendment applies.
- (5) In paragraph (2)(b), the “unique identifier” of a relevant contract is—
- (a) in relation to a contract for difference under Chapter 2 of Part 2 of the Act, the unique identifier assigned to the contract by the CFD counterparty under regulation 12(2)(a) of the Contracts for Difference (Standard Terms) Regulations 2014(1);
 - (b) in relation to an investment contract within the meaning of Schedule 2 to the Act, the name specified in the contract by which the project to which the contract relates is known or any unique identifier assigned to the contract by a person to whom property, rights or liabilities under the contract are transferred by a scheme made under paragraph 16 of Schedule 2 to the Act.

Annual reports

- 17.—(1) On or before 31st December after the end of each OLR year the Authority must provide to the Secretary of State a report in respect of that OLR year setting out—
- (a) the total number of BPPAs entered into in that OLR year;
 - (b) the total number of electricity generators which have entered into a BPPA in that OLR year;
 - (c) the total number of generating stations of each particular technology in respect of which BPPAs have been entered into in that OLR year;
 - (d) the total amount of management fees payable to OLRs under BPPAs which are in force for the whole or part of that OLR year;
 - (e) the total amount of electricity purchased by OLRs under BPPAs in that OLR year; and
 - (f) any information that the Authority is required to make public under these Regulations.
- (2) The Authority must publish any report it provides under paragraph (1).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
