
STATUTORY INSTRUMENTS

2014 No. 3219

The Electricity and Gas (Energy
Company Obligation) Order 2014

PART 4

Achievement of obligations, determining savings and surplus actions

Surplus actions

27.—(1) Not later than 30th November 2015 a supplier may apply to the Administrator in writing to credit a surplus action towards its—

- (a) total carbon emissions reduction obligation;
- (b) total carbon saving community obligation; or
- (c) total home heating cost reduction obligation.

(2) An application under this article must—

- (a) give details of the measure which the supplier considers constitutes a surplus action;
- (b) indicate which of those obligations the supplier intends the surplus action to be credited towards; and
- (c) provide a calculation of the carbon saving or cost score for the surplus action, determined in accordance with article 28 or 29 as applicable.

(3) A surplus action is a measure which—

- (a) is an ECO1 qualifying action which was achieved by the applicant supplier;
- (b) is not required by the supplier to meet its obligations under the 2012 Order; and
- (c) if it is intended to contribute towards—
 - (i) the carbon emissions reduction obligation, is an ECO1 carbon qualifying action;
 - (ii) the carbon saving community obligation, is an ECO1 carbon saving community qualifying action which was promoted in an ECO1 area of low income or in accordance with article 13(4) of the 2012 Order⁽¹⁾; or
 - (iii) the home heating cost reduction obligation, meets the applicable requirements in paragraph (4).

(4) The requirements referred to in paragraph (3)(c)(iii) are that—

- (a) the installation of the measure was carried out in the period starting with 1st January 2014 and ending with 31st March 2015;
- (b) the measure is an ECO1 heating qualifying action which was promoted in accordance with article 15(2) of the 2012 Order; and

(1) Article 13(3) is amended by [S.I. 2104/3210](#).

- (c) if installation of the measure was carried out in the period starting with 1st January 2015 and ending with 31st March 2015 and the measure is—
 - (i) a replacement boiler, it was accompanied at the time the installation was completed by a qualifying warranty;
 - (ii) a replacement electric storage heater, it was accompanied by a warranty for one year.
- (5) The Administrator must approve the application if satisfied that the measure to which the application relates is a surplus action.
- (6) A surplus action which is—
 - (a) the installation of solid wall insulation; and
 - (b) credited against a supplier’s total carbon emissions reduction obligation,may be credited against the supplier’s solid wall minimum requirement.
- (7) A surplus action which is credited against a supplier’s total carbon saving community obligation may be credited against the requirement in article 14(3) which applies to the supplier if the Administrator is satisfied that it was promoted—
 - (a) to a member of the affordable warmth group living in a rural area; or
 - (b) in a deprived rural area.
- (8) In this article, “ECO1 area of low income” means an area of low income as defined in article 2 of the 2012 Order.