

---

STATUTORY INSTRUMENTS

---

**2015 No. 1947**

**The Renewables Obligation Order 2015**

**PART 7**

Cases and circumstances when a ROC must not be issued

**Generating stations using excluded capacity to generate electricity**

**45.**—(1) This article applies to a generating station where excluded capacity forms all or part of the total installed capacity of the station.

(2) ROCs are not to be issued in respect of any electricity generated in any month by a generating station to which this article applies unless during that month—

- (a) all of the electricity generated by the station using the excluded capacity is measured separately from any electricity generated by the station using RO capacity, or
  - (b) all of the electricity generated by the station using RO capacity is measured separately from any electricity generated by the station using the excluded capacity.
- (3) ROCs are not to be issued in respect of any electricity generated using excluded capacity.
- (4) In this article, “excluded capacity” means—
- (a) generating capacity which—
    - (i) in the Authority's view formed part of a generating station from a date no earlier than 1st April 2014,
    - (ii) does not form part of the original capacity of the station,
    - (iii) is not registered under article 92, and
    - (iv) is not an offshore wind turbine;
  - (b) an offshore wind turbine which—
    - (i) forms part of a generating station accredited on or before 31st March 2011,
    - (ii) does not form part of the original capacity of the station,
    - (iii) was not used to generate electricity before 1st April 2011, and
    - (iv) is not registered under article 91;
  - (c) an offshore wind turbine which—
    - (i) forms part of a generating station first accredited after 31st March 2011, and
    - (ii) is not registered under article 91;
  - (d) a combustion unit in relation to which a capacity market transfer notice (within the meaning of article 48(3)) has come into force; or
  - (e) a combustion unit in relation to which a CFD transfer notice (within the meaning of article 50(3))—
    - (i) has come into force, <sup>F1</sup>...

<sup>F1</sup>(ii) .....

(5) For the purposes of paragraph (4)—

- (a) the date on which a capacity market transfer notice comes into force is to be determined in accordance with article 48(6), and
- (b) the date on which a CFD transfer notice comes into force is to be determined in accordance with article 50(7).

---

**Textual Amendments**

**F1** Art. 45(4)(e)(ii) and word omitted (31.12.2020) by virtue of [The Renewables Obligation \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/35\)](#), reg. 1(2), **Sch. 1 para. 3(2)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Renewables Obligation Order 2015, Section 45.