

---

STATUTORY INSTRUMENTS

---

**2018 No. 1380**

**The Feed-in Tariffs (Closure, etc.) Order 2018**

**Amendment to article 27 (calculation of FIT contributions, etc.)**

13.—(1) Article 27 is amended as follows.

(2) In paragraph (2)—

- (a) at the end of sub-paragraph (c), omit “and”;
- (b) at the end of sub-paragraph (d), insert “; and”;
- (c) after sub-paragraph (d), insert—

“(e) for FIT year 10 and each subsequent FIT year, net metered export payments.”.

(3) In paragraph (4), for “the relevant amount of electricity supplied by A”, substitute “A’s relevant amount of electricity”.

(4) In paragraph (6)—

(a) after the definition of “customer”, insert—

““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(1); 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;”;

(b) in the definition of “the electricity supply market of Great Britain”—

- (i) at the end of paragraph (a), omit “and”;
- (ii) in paragraph (b), for “FIT year 7 and subsequent FIT years”, substitute “FIT years 7 to 9”;
- (iii) after paragraph (b), insert—

“(c) for FIT year 10 and each subsequent FIT year, the total of all licensees’ relevant amount of electricity;”;

(c) for the definition of “net deemed export payments”, substitute—

““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;”;

- (d) after the definition of “net deemed export payments”, insert—
- ““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);”;
- (e) for the definition of “the relevant amount of electricity supplied by A”, substitute—
- ““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 year 10 and each subsequent FIT year, 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; and
  - (d) for FIT year 10 and each subsequent FIT year, where the calculation in paragraph (c) results in an amount that is less than zero, nil electricity.”.