
STATUTORY INSTRUMENTS

2020 No. 130

The Electricity Supplier Obligations (Excluded Electricity) (Amendment) Regulations 2020

Regulation 12 amended (notifications and reports)

10.—(1) Regulation 12 is amended as follows.

(2) In paragraph (1)—

- (a) in sub-paragraph (a) for “a specified activity” substitute “every specified activity”;
- (b) in sub-paragraph (b) for “8(2)” substitute “8(2)(a)”;
- (c) omit sub-paragraph (d).

(3) Omit paragraph (3).

(4) For paragraph (4) substitute—

“(4) Subject to paragraph (4A), where an EII certificate issued in respect of an electricity meter is in force on the first day of a quarter, the person who applied for the certificate or, where a notice under paragraph (7)(a) has been issued in respect of the certificate, the person identified in the notice must send a report (the “quarterly report”) in respect of the certificate to the Secretary of State during the quarter.

(4A) Paragraph (4) does not apply if the EII certificate ceases to be valid before the last day of the quarter.

(4B) The quarterly report must set out—

- (a) whether or not the electricity measured by the meter is still being used in the course of the person’s business for the specified activity set out in the EII application under regulation 10(2)(d);
- (b) any other specified activity for which the electricity is being used in the course of the person’s business.

(4C) This paragraph applies where the proportion of electricity constituting EII excluded electricity specified in the EII certificate mentioned in paragraph (4) or, if a notice under regulation 12A has effect in relation to the certificate, in the notice is determined by reference to—

- (a) a period of less than 12 months in length; or
- (b) where at the date of the quarterly report there is a continuing change in relation to the meter (whether commencing before or after the date of the EII application), a period that does not begin on the date on which the last-commencing continuing change commenced.

(4D) Subject to paragraph (4F), the quarterly report must include—

- (a) where paragraph (4C)(a) or (b) applies, the evidence mentioned in regulation 10(2)(h)(i) or, as the case may be, regulation 10(2)(h)(ii)(bb);
- (b) where paragraph (4C)(b) applies—
 - (i) the date on which the last-commencing continuing change commenced;

(ii) where the last-commencing continuing change is a continuing change by virtue of regulation 2A(3), the identity of the person mentioned in that paragraph with whom electricity measured by the meter continues to be shared.

(4E) For the purposes of paragraph (4D)(a)—

- (a) where a notice under paragraph (7)(a) has been issued in respect of the certificate, the reference in regulation 10(2)(h) to the business of the person applying for an EII certificate includes a reference to the business of the person identified in the notice;
- (b) references in regulation 10(2)(h)(i) and (ii)(bb) to the date of the EII application must be treated as references to the date of the quarterly report.

(4F) Paragraph (4D) does not require evidence or information to be included in the quarterly report if it was contained in the EII application for the certificate or included in a previous report under paragraph (4) in respect of the certificate.”

(5) After paragraph (8) insert—

“(9) In this regulation, “quarter” means a period of 3 months beginning on 1st January, 1st April, 1st July or 1st October.”