

ENERGY

FEED-IN TARIFFS

MODIFICATIONS TO THE STANDARD CONDITIONS OF ELECTRICITY SUPPLY LICENCES

The Secretary of State makes the following licence modifications in exercise of the powers conferred by section 41(1) of the Energy Act 2008 (“the Act”).

The Secretary of State has consulted the holders of any licence being modified, the Gas and Electricity Markets Authority and such other persons as the Secretary of State considered appropriate in accordance with section 42(1) of the Act.

A draft of these licence modifications is laid before Parliament in accordance with section 42(3) of the Act.

Modifications

1. Schedule A to Standard Condition 33 of the standard conditions of supply licences granted, or treated as granted, under section 6(1)(d) of the Electricity Act 1989¹ is, with effect from 1st August 2011, modified as follows.

2. For clause 3.3 of Part 1 substitute:

“3.3 The Mandatory FIT Licensee shall make FIT Payments in accordance with the Tariff Code and other information recorded in the Central FIT Register:

3.3.1 in respect of FIT Year 1, at the rates set out in the FIT Payment Rate Table at Annex 2 as it applied on 1st April 2010;

3.3.2 in respect of FIT Year 2, at the rates set out in the FIT Payment Rate Table at Annex 2 as substituted with effect from 1st August 2011;

3.3.3 subject to clause 3.4, in respect of each following FIT Year at the rates set out in the FIT Payment rates table which shall be published for each FIT Year by the Authority, which shall comprise-

(a) for FIT Year 3, the figures in the FIT Payment Rate Table at Annex 2 (as substituted with effect from 1st August 2011), and

¹ Standard Condition 33 was inserted into the standard conditions of electricity supply licences with effect from 1st April 2010 by modifications made by the Secretary of State under section 41(1) of the Act. The full text of Standard Condition 33 is available at http://epr.ofgem.gov.uk/document_fetch.php?documentid=14642.

(b) for FIT Year 4 and subsequent FIT Years, the figures in the FIT Payment rates table published by the Authority for the preceding FIT Year, adjusted (in either case) by the percentage increase or decrease in the Retail Price Index over the 12 month period ending on 31st December immediately before the commencement of the relevant FIT year.

3.4 If the Secretary of State amends this Schedule by substituting a new FIT Payment Rate Table at Annex 2-

3.4.1 the Mandatory FIT Licensee shall from the date on which that amendment comes into force make FIT Payments in accordance with the new FIT Payment Rate Table at Annex 2, and any FIT Payment rates table published by the Authority for the FIT Year in which that date falls shall be superseded; and

3.4.2 the FIT Payment rates table to be published by the Authority for the following FIT Year shall comprise the figures in the new FIT Payment Rate Table at Annex 2, adjusted by the percentage increase or decrease in the Retail Price Index over the 12 month period ending on 31st December immediately before the commencement of the relevant FIT year.

3.5 The FIT Payments made by the Mandatory FIT Licensee shall be such that:

3.5.1 the Generation Payment shall be available to all FIT Generators with Accredited FIT Installations;

3.5.2 the Export Payment shall be available only to FIT Generators with Accredited FIT Installations which have the necessary Plant for FIT Export and have requested to receive Export Payments in accordance with Part 1, clause 7.1.”

3. For Annex 2, substitute Annex 2 as set out in the Schedule to this instrument.

Date

Minister of State
Department of Energy and Climate Change

SCHEDULE

ANNEX 2

FIT PAYMENT RATE TABLE

Notes:

1. The FIT payment rate for an Eligible Installation of a description specified in the first column of the table is, subject to Note 2, the rate specified in the corresponding entry in the column for the FIT Year in which the installation's Eligibility Date falls. All FIT payment rates in the table are pence per kilowatt hour at 2011/12 values.
2. FIT payments in respect of FIT Year 3 and subsequent FIT Years are subject to adjustment under clause 3 as a result of changes in the Retail Price Index.
3. For Eligible Installations with an Eligibility Date in FIT Year 2, the payment rates in this table supersede those in the table previously published by the Authority under clause 3 on 25th February 2011.
4. The conditional date referred to in the first and second entries in the column for FIT Year 2 applies only where the European Commission gives state aid approval on or before the end of FIT Year 2 for the higher FIT payment rate specified in the entry and in such case the conditional date is:
 - (a) 1st August 2011; or
 - (b) if later, the date on which the approval is given.
5. The FIT payment rates in the columns for FIT Year 3 to FIT Year 11 for:
 - (a) anaerobic digestion with total installed capacity of 250kW or less; and
 - (b) anaerobic digestion with total installed capacity greater than 250kW but not exceeding 500kW,are subject to the European Commission giving state aid approval for those rates, and a FIT payment rate of 12.1 pence per kilowatt hour shall apply if such approval is not given.

Description	FIT Year in which the Eligibility Date of an Eligible Installation falls											
	FIT Year 1 2010/11	FIT Year 2 2011/12	FIT Year 3 2012/13	FIT Year 4 2013/14	FIT Year 5 2014/15	FIT Year 6 2015/16	FIT Year 7 2016/17	FIT Year 8 2017/18	FIT Year 9 2018/19	FIT Year 10 2019/20	FIT Year 11 2020/21	
not exceeding 100kW												
Hydro generating station with total installed capacity greater than 100kW but not exceeding 2MW	11.5	11.5	11.5	11.5	11.5	11.5	11.5	11.5	11.5	11.5	11.5	
Hydro generating station with total installed capacity greater than 2MW	4.7	4.7	4.7	4.7	4.7	4.7	4.7	4.7	4.7	4.7	4.7	
Combined Heat and Power with total installed electrical capacity of 2kW or less (Tariff available only for 30,000 units)	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	10.5	
Solar photovoltaic with total installed capacity of 4kW or less, where attached to or wired to provide electricity to a new building before first occupation	37.8	37.8	34.6	31.6	29.0	26.4	24.0	21.8	19.9	18.1	16.4	
Solar photovoltaic with total installed capacity of 4kW or less, where attached to or wired to provide electricity to a building which is already occupied	43.3	43.3	39.6	36.3	33.2	30.2	27.5	25.0	22.7	20.7	18.8	
Solar photovoltaic (other than stand-alone) with total installed capacity greater than 4kW but not exceeding 10kW	37.8	37.8	34.6	31.6	29.0	26.4	24.0	21.8	19.9	18.1	16.4	
Solar photovoltaic (other than stand-alone) with total installed capacity greater than 10kW but not exceeding 50kW	32.9	32.9	30.1	27.5	25.2	22.9	20.9	19.0	17.3	15.7	14.3	
Solar photovoltaic (other than stand-alone) with total installed capacity greater than 50kW but not exceeding 100kW	32.9	If Eligibility Date is before 1st August 2011	32.9	17.4	15.9	14.6	13.2	12.1	11.0	10.0	9.1	8.5
		If Eligibility Date is on or after 1st August 2011	19									
Solar photovoltaic (other than stand-alone) with total installed capacity greater than 100kW but not exceeding 150kW	30.7	If Eligibility Date is before 1st August 2011	30.7	17.4	15.9	14.6	13.2	12.1	11.0	10.0	9.1	8.5
		If Eligibility Date is on or after 1st August 2011	19									
Solar photovoltaic (other than stand-alone) with total installed capacity greater than	30.7	If Eligibility Date is before 1st August 2011	30.7	13.7	12.6	11.5	10.5	9.5	8.7	8.5	8.5	

