
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 104

The Renewables Obligation Order (Northern Ireland) 2007

PART V

NIROCs: Issue and Revocation

Procedure and calculations for issue of NIROCs

21.—(1) The Authority shall when issuing NIROCs (other than replacement NIROCs certifying the matters within Article 54(2) and (2ZB) of the Energy Order, which shall be issued in accordance with Article 23(4)(b) and (6))—

- (a) allocate a number (“the NIROC sequence number”) to each NIROC issued;
 - (b) allocate NIROC sequence numbers sequentially in ascending numerical order—
 - (i) where the NIROCs are to be issued in respect of electricity generated from renewable sources by two or more generating stations which constitute a group for the purposes of Article 19, to all the NIROCs issued in respect of that group in a particular month;
 - (ii) in all other cases to all the NIROCs issued in respect of electricity generated from eligible renewable sources by a particular generating station in a particular month; and,
 - (c) in the case of a generating station which in a particular month generates electricity from eligible renewable sources under or in compliance with a qualifying arrangement, issue NIROCs in respect of that month—
 - (i) firstly to the licensed suppliers to whom Article 14(4) applies in that month on the basis of information provided to it by the Company; and,
 - (ii) thereafter, in the event that the generating station generates any electricity from eligible renewable sources in that month other than under a qualifying arrangement or which in that month is not required in compliance with such an arrangement to be made available to the Company, to the operator of that generating station.
- (2) Where it issues NIROCs pursuant to this Part the Authority shall—
- (a) determine the amount of electricity which is to be regarded as having been generated from eligible renewable sources by a generating station in a particular month (“the relevant month”) pursuant to Article 9;
 - (b) deduct from the amount determined in accordance with sub-paragraph (a) any electricity in respect of which in the relevant month any of the criteria in Article 16 were not satisfied;
 - (c) determine
 - (i) where any NIROC to be issued will certify the matters within Article 54 (2ZA) or (2ZC) of the Energy Order, the amount of electricity which results from the calculations in sub-paragraphs (a) and (b) in respect of each of the generating stations to which the NIROC relates, add the amounts so determined together, and round the

sum of those amounts to the nearest megawatt hour (with any exact half megawatt hour being rounded upwards);

(ii) in all other cases, the amount of electricity which results from the calculations in sub-paragraphs (a) and (b) and round the amount so determined to the nearest megawatt hour (with any exact half megawatt hour being rounded upwards);

(d) determine the number of NIROCs which it is appropriate to issue for the amount of electricity determined pursuant to sub-paragraph (c) on the basis that one NIROC represents one megawatt hour of electricity; and

(e) issue the appropriate number of NIROCs determined pursuant to sub-paragraph (d) to whomever it is required to issue them by virtue of Article 14 or 15.

(3) Subject to paragraphs (4), (5) and (6), for the purpose of paragraph (2)(a), the Authority shall use, in the case of the amounts for “gross output” and “input electricity” (as those two expressions are defined in Article 9(7)) either—

(a) the most accurate figures for those amounts which are provided to the Authority at the end of the second month following the end of the relevant month (the “relevant date”); or

(b) where the operator of a generating station satisfies the Authority by the relevant date that it will never be possible for it to provide accurate figures, such figures as are estimated by the operator by the relevant date on a basis agreed in advance by the Authority.

(4) Where the figures are neither provided under paragraph (3)(a) nor estimated under paragraph (3)(b), the Authority may, in circumstances which it considers exceptional, accept figures which the operator of the generating station provides after the relevant date.

(5) Where figures are provided under paragraph (3)(a) or accepted under paragraph (4) and, before the Authority makes a determination under paragraph (2)(a), the Authority becomes aware of figures which it considers to be more accurate, the Authority may, where it considers appropriate, accept the later figures and make determinations under paragraphs (2)(a) to (d) on the basis of the later figures.

(6) Where the Authority makes a determination under paragraph (2)(a) on the basis of figures provided under paragraph (3)(a) or accepted under paragraphs (4) or (5) and the Authority subsequently becomes aware of figures which it considers to be more accurate, the Authority—

(a) may, where it considers appropriate, accept the later figures and make new determinations under paragraphs (2)(a) to (d); and

(b) shall, where the new determination under paragraph (2)(d) differs from the original determination under that provision, either—

(i) if it has not already issued NIROCs under paragraph (2)(e), issue NIROCs under that paragraph in accordance with the new determination;

(ii) revoke NIROCs in accordance with Article 23 where it has issued too many; or

(iii) issue additional NIROCs in accordance with paragraph (2)(e) where it has issued too few.

(7) NIROCs in respect of the relevant month shall be issued no earlier than the relevant date.