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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 154**

**The Renewables Obligation Order (Northern Ireland) 2009**

**PART 6**

**Banding and Grandfathering**

**Generating stations which were accredited as at 11th July 2006**

**28.**—(1) This Article applies to a generating station—

- (a) which was accredited as at 11th July 2006;
- (b) which has not ceased to be accredited since that date; and
- (c) to which neither Article 26 nor Article 27 applies.

(2) Subject to paragraphs (3) to (6), the amount of electricity to be stated in each NIROC issued in respect of electricity generated by a generating station to which this Article applies to be determined in accordance with Article 25(4) and (5).

(3) Where the electricity generated by a generating station to which this Article applies is generated in a way described in the first column of Part 3 of Schedule 2, the amount of electricity to be stated in each NIROC issued in respect of that electricity is (subject to paragraphs (4) to (6)) the amount which corresponds to that description in the second column of that Part of that Schedule.

(4) Where, at the time it generates the electricity, the generating station's total installed capacity is greater than it was on 11th July 2006, paragraph (3) applies only in relation to NIROCs which are to be issued in respect of—

- (a) where electricity generated using the total installed capacity of the station as at 11th July 2006 (“the original capacity”) is measured separately from electricity generated using capacity which has been added to the station since that date (“additional capacity”), the electricity which is generated using the station's original capacity;
- (b) in any other case, the appropriate percentage of the electricity generated by the station (the appropriate percentage for these purposes being the total installed capacity of the station as at 11th July 2006 expressed as a percentage of the total installed capacity of the station as at the date of generation of the electricity).

(5) In relation to the remainder of the electricity generated by the generating station, the amount of electricity to be stated in each NIROC is to be determined in accordance with Article 25(4) and (5) except to the extent that the electricity—

- (a) is generated using additional capacity which was operational before 1st April 2011 (“relevant additional capacity”); and
- (b) is generated in a way described in the first column of Part 4 of Schedule 2.

(6) Where the electricity generated by the generating station is generated using relevant additional capacity in a way described in the first column of Part 4 of Schedule 2, the amount of electricity to be stated in each NIROC which is to be issued in respect of that electricity is the amount which corresponds to that description in the second column of that Part of that Schedule.

(7) In paragraphs (5) and (6), the reference to electricity being generated using relevant additional capacity is a reference to—

- (a) where electricity generated using relevant additional capacity is measured separately from electricity generated otherwise than by using such capacity, the electricity which is generated using that capacity;
  - (b) in any other case, the appropriate percentage of the electricity generated by the generating station (the appropriate percentage for these purposes being the relevant additional capacity of the station at the date of generation of the electricity expressed as a percentage of the total installed capacity of the station at that date).
- (8) This Article is subject to Article 30.