
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 346

**The Renewables Obligation Closure
Order (Northern Ireland) 2015**

Circumstances relating to certain delays in grid or radar works in the case of generating stations first accredited after 31st March 2017

6.—(1) The circumstances set out in this Article are where the electricity is generated using the original capacity of a generating station—

- (a) which was not accredited on or before 31st March 2017,
- (b) which was accredited on or before 31st March 2018, and
- (c) in respect of which the documents specified in paragraph (2), (3) or (4) were submitted by the operator of the station and received by the Authority on or before the date on which the Authority made its decision to accredit the station.

(2) The documents specified in this paragraph are—

- (a) evidence of an accepted agreement with a network operator (“the relevant network operator”) to carry out grid works in relation to the station (“the relevant grid works”);
- (b) a copy of a document written by, or on behalf of, the relevant network operator which confirms that at the date of receipt of the connection application for the generating station, it was the intention of the relevant network operator to complete the relevant grid works no later than 31st March 2017;
- (c) a letter from the relevant network operator confirming (whether or not such confirmation is subject to any conditions or other terms) that—
 - (i) the relevant grid works were completed after 31st March 2017, and
 - (ii) in the relevant network operator’s opinion, the failure to complete the relevant grid works on or before 31st March 2017 was outside the control of the generating station developer and was not due to any breach by a generating station developer of any agreement with the relevant network operator; and
- (d) a declaration by the operator of the generating station that, to the best of their knowledge and belief, the station would have been commissioned on or before 31st March 2017 if the relevant grid works had been completed on or before that date.

(3) The documents specified in this paragraph are—

- (a) evidence of an agreement between a generating station developer and a person who is not a generating station developer (“the radar works agreement”) for the carrying out of radar works (“the relevant radar works”);
- (b) a copy of a document written by, or on behalf of, a party to the radar works agreement (other than a generating station developer) which estimated or set a date for completion of the relevant radar works (“the planned radar works completion date”) which was no later than 31st March 2017;

- (c) a letter from a party to the radar works agreement (other than a generating station developer) confirming, whether or not such confirmation is subject to any conditions or other terms, that—
 - (i) the relevant radar works were completed after the planned radar works completion date, and
 - (ii) in that party’s opinion, the failure to complete the relevant radar works on or before the planned radar works completion date was not due to any breach of the radar works agreement by a generating station developer; and
 - (d) a declaration by the operator of the generating station that, to the best of their knowledge and belief, the station would have been commissioned on or before 31st March 2017 if the relevant radar works had been completed on or before the planned radar works completion date.
- (4) The documents specified in this paragraph are—
- (a) the documents specified in paragraph (2)(a), (b) and (c);
 - (b) the documents specified in paragraph (3)(a), (b) and (c); and
 - (c) a declaration by the operator of the generating station that, to the best of their knowledge and belief, the station would have been commissioned on or before 31st March 2017 if—
 - (i) the relevant grid works had been completed on or before that date, and
 - (ii) the relevant radar works had been completed on or before the planned radar works completion date.
- (5) In this Article, “generating station developer”, in relation to a generating station, means the operator of the station, or a person who arranged for the construction of the station.