
STATUTORY INSTRUMENTS

2024 No. 434

**The Electricity Capacity (Supplier Payment etc.)
(Amendment and Excluded Electricity) Regulations 2024**

PART 3

Amendment of the Supplier Payment Regulations

Amendment of the Supplier Payment Regulations

6. The Supplier Payment Regulations are amended in accordance with regulations 7 to 12.

Regulation 2 (interpretation)

7. In regulation 2(1)—

- (a) in the appropriate places insert the following definitions—

““CM EII excluded electricity” means any amount of electricity determined as such in accordance with regulation 3 of the CM Excluded Electricity Regulations;

“CM Excluded Electricity Regulations” means the Electricity Capacity (Supplier Payment etc.) (Amendment and Excluded Electricity) Regulations 2024;”;

““relevant arrangements” means arrangements which are approved by the Settlement Body under paragraph (2) or (3)(a) of regulation 4 of the CM Excluded Electricity Regulations;

“relevant demand” in relation to an electricity supplier (“S”) means the amount of electricity (expressed in MWh) supplied by S to premises in Great Britain;”;

- (b) omit the definition of “gross demand”.

Regulation 3 (the supplier settlement calculations)

8. In regulation 3(3), after “capacity market rules” insert “or is provided to the Settlement Body pursuant to the relevant arrangements”.

Regulation 4 (forecast of gross demand)

9. In regulation 4—

- (a) in the heading, for “gross demand”, substitute “relevant demand and CM EII excluded electricity”;

- (b) in paragraph (2)—

(i) in sub-paragraph (a) for “gross demand” substitute “relevant demand”;

(ii) omit the “and” after that sub-paragraph;

(iii) after that sub-paragraph insert—

“(aa) forecast the amount of CM EII excluded electricity that it will supply through meters in respect of which an EII certificate is in force during periods of high demand in year X; and”;

(c) in sub-paragraph (b), for “forecast” substitute “forecasts”.

Regulation 6 (capacity market supplier charge)

10. For regulation 6(3), substitute—

“Where, under regulation 4, S provided to the Settlement Body forecasts for year X of—

- (a) relevant demand (other than a forecast of zero relevant demand), and
- (b) CM EII excluded electricity,

S must make a monthly payment to the Settlement Body in each month of year X on account of its liability under paragraph (1) (a “monthly capacity market supplier charge”).”.

Regulation 19 (recalculation of payments: general)

11. In regulation 19—

- (a) omit the “and” after paragraph (a);
- (b) after paragraph (a) insert—

“(aa) make use of any revised or additional data provided to the Settlement Body pursuant to the relevant arrangements in respect of CM EII excluded electricity, in place of the data previously used or estimates made to make a calculation or determination;”.

Schedule 1 (calculation of amounts)

12. In Schedule 1—

- (a) in paragraph 2(5), for the definition of *FSSPD_{sx}* substitute—

““*FSSPD_{sx}*” means the amount of the relevant demand forecast by S for year X under regulation 4(2)(a) and given to the Settlement Body under regulation 4(2)(b) less the CM EII excluded electricity forecast by S for year X under regulation 4(2)(aa) and given to the Settlement Body under regulation 4(2)(b).”;

- (b) in paragraph 3—

- (i) in sub-paragraph (1) for “gross demand” substitute “relevant demand and CM EII excluded electricity”;
- (ii) in sub-paragraph (5), for the definition of *ASSPD_{sx}* substitute—

““*ASSPD_{sx}*” means the actual relevant demand of S during periods of high demand in year X less the actual CM EII excluded electricity supplied by S during periods of high demand in year X.”;

- (c) in paragraph 7(4), for the definition of *ASSPD_{sy}* substitute—

““*ASSPD_{sy}*” means—

- (a) subject to paragraph (b), the actual relevant demand of S during periods of high demand (“AD”) in the relevant months less the actual CM EII excluded electricity supplied by S during periods of high demand (“AEE”); or

- (b) if, at the date on which the calculation in sub-paragraph (2) is to be made, the Settlement Body does not have the data necessary to calculate AD or AEE for all suppliers for one or more of the relevant months, AD in the relevant months for which data is available to the Settlement Body less AEE in the same relevant months.”;
- (d) in paragraph 8(4) for the definitions of $ASSPD_{sy}$ and $\sum_i ASSPD_{iy}$ substitute—
- ““ $ASSPD_{sy}$ ” means the actual relevant demand of S during periods of high demand in year Y less the actual CM EII excluded electricity supplied by S during periods of high demand in year Y;
- “ $\sum_i ASSPD_{iy}$ ” means the sum of the actual relevant demand of every electricity supplier who is liable to pay the settlement costs levy in the relevant month less the sum of the actual CM EII excluded electricity supplied by every electricity supplier who is liable to pay the settlement costs levy in the relevant month.”.