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STATUTORY RULES OF NORTHERN IRELAND

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**2007 No. 104**

**The Renewables Obligation Order (Northern Ireland) 2007**

**PART IV**

**Alternative Ways of Discharging Renewables Obligation**

**Alternative way of discharging renewables obligation: payments**

**10.**—(1) Instead of producing certificates pursuant to Article 3, a designated electricity supplier may discharge (in whole or in part) his renewables obligation in relation to a particular obligation period by making a payment to the Authority before the specified day relating to that obligation period.

(2) Subject to paragraphs (3) and (4), the payment to be made under paragraph (1) is thirty four pounds and thirty pence for each megawatt hour of electricity generated from eligible renewable sources for which the designated electricity supplier does not produce NIROCs pursuant to Article 3 or Article 12 or eligible GBROCs pursuant to Article 11 (“the buy-out price”).

(3) If, in the case of the calendar year 2007 or any subsequent calendar year, the annual retail prices index for that year (“the later year”) is higher or lower than that for the previous year, the buy-out price relating to the obligation period beginning on the 1st April immediately following the later year shall be increased (if the index is higher) or decreased (if the index is lower) by the annual percentage inflation rate of the retail prices index for the later year.

(4) When the buy-out price is calculated under paragraph (3) the result shall be rounded to the nearest penny (with any exact half of a penny being rounded upwards).

**Alternative way of discharging renewables obligation: GBROCs**

**11.**—(1) Subject to Article 13, instead of producing NIROCs pursuant to Article 3, a designated electricity supplier may discharge (in whole or in part) his renewables obligation in relation to a particular obligation period by producing to the Authority in accordance with this Article eligible GBROCs issued in respect of electricity that has been supplied to customers during that obligation period.

(2) A GBROC referred to in paragraph (1) shall be regarded as produced to the Authority in respect of an obligation period where, before the specified day relating to that period, the Authority receives, from the designated electricity supplier which is treated as holding the GBROC for the purposes of the GBRO Order under which it was issued, a notification in writing identifying the GBROC to be so produced and giving its GBROC identifier.

(3) Without prejudice to paragraph (2), the Authority may draw up procedural guidelines for the production of GBROCs under this Article.

**Alternative way of discharging renewables obligation: NIROCs certifying the matters in Article 54(2ZB) or (2ZC) of the Energy Order**

12.—(1) Subject to Article 13, instead of producing NIROCs pursuant to Article 3, a designated electricity supplier may discharge (in whole or in part) his renewables obligation in relation to a particular obligation period by producing to the Authority in accordance with this Article NIROCs issued by the Authority and certifying the matters in Article 54(2ZB) or (2ZC) of the Energy Order.

(2) A NIROC referred to in paragraph (1) shall be regarded as produced to the Authority in respect of an obligation period where before the specified day relating to that period the Authority receives from the designated electricity supplier which holds the NIROC a notification in writing identifying the NIROC to be produced for that purpose and the NIROC identifier.

(3) Without prejudice to paragraph (2), the Authority may draw up procedural guidelines for the production of NIROCs under this Article.

(4) For the purposes of Article 54 (2ZB) and (2ZC) of the Energy Order, electricity generated by any generating station is used in a permitted way if it is used in one of the ways mentioned in Article 54(2ZE) of the Energy Order.

**Further provision in relation to production of NIROCs and GBROCs**

13.—(1) A designated electricity supplier may discharge up to 25 per cent of his renewables obligation in respect of an obligation period by producing to the Authority NIROCs and eligible GBROCs relating to electricity supplied in the immediately preceding obligation period.

(2) Subject to paragraph (3), in respect of any obligation period which falls—

(a) from 1st April 2007 until 31st March 2011, no more than 10 per cent; and

(b) from 1st April 2011 until 31st March 2016, no more than 5 per cent

of a designated electricity supplier's renewables obligation may be satisfied by the production of NIROCs and eligible GBROCs issued in respect of generating stations which, during the month to which a NIROC or an eligible GBROC relates, have been fuelled partly by fossil fuel (as defined in Article 8) and partly by biomass (and by no other fuel).

(3) In the case of NIROCs or eligible GBROCs issued in respect of a generating station which, during the month to which those NIROCs or eligible GBROCs relate, has been fuelled partly by fossil fuel (as defined in Article 8) and partly by biomass consisting in whole or in part of energy crops (and no other fuel), the limits set out in paragraph (2) shall not apply to the production of those NIROCs or eligible GBROCs if and to the extent that they state the amount of electricity which is attributable to the energy crops.

(4) A designated electricity supplier shall not produce to the Authority a GBROC or a NIROC which has previously been or is simultaneously produced to the Great Britain Authority under a GBRO Order.