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DRAFT STATUTORY INSTRUMENTS

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**2015 No.**

**The Renewables Obligation Order 2015**

**PART 10**

Functions of the Authority

**Registration of additional capacity**

**92.**—(1) This article applies to generating capacity which—

- (a) forms part of a generating station which is accredited,
- (b) first forms part of the station from a date no earlier than 1st April 2014, and
- (c) does not form part of the original capacity of the station.

(2) Subject to paragraph (3), the Authority may, upon the application of an operator of a generating station using generating capacity to which this article applies, register that generating capacity under this article.

(3) The Authority must not register generating capacity under this article unless the Authority is satisfied that the application complies with the requirements of paragraphs (4) and (5).

(4) An application to register generating capacity under this article must—

- (a) describe the generating capacity in sufficient detail to enable the Authority to exercise its functions under this Order in relation to the issue of ROCs in respect of electricity generated using that generating capacity, and
- (b) state the total installed capacity of the generating capacity.

(5) An application to register generating capacity under this article must be accompanied by the following documents—

(a) either—

- (i) a declaration made in writing by the operator of the generating station that an application for a CFD has not been made at any time in relation to the generation of electricity by the station, or
- (ii) a declaration made in writing by the operator of the generating station that every application made for a CFD in relation to the generation of electricity by the station has been rejected by the delivery body or by the Secretary of State; and

(b) either—

- (i) a declaration made in writing by the operator of the generating station that an investment contract has never been entered into in relation to the generation of electricity by the station, or
- (ii) a declaration made in writing by the operator of the generating station that any investment contract entered into in relation to the generation of electricity by the station has been terminated (or has otherwise ceased to have effect) by reason of a permitted termination event.

(6) The Authority must notify the operator of the generating station in writing of its decision on an application to register generating capacity under this article.