
STATUTORY INSTRUMENTS

2008 No. 188

The Electricity and Gas (Carbon Emissions Reduction) Order 2008

PART 6

Excess actions, transfers, determination and reporting

Credit of excess actions

17.—(1) Not later than 16th May 2008, a supplier may apply to the Authority to credit towards its carbon emissions reduction obligation the reduction in carbon emissions achieved by excess action.

(2) Excess action means the number of actions—

- (a) approved by the Authority under the 2004 Order; and
- (b) which exceeded that required by the supplier to meet its energy efficiency obligation under that Order.

(3) The reduction in carbon emissions achieved by excess action must be determined in accordance with this Order.

(4) The Authority must approve the application if it is satisfied that the supplier—

- (a) has met its energy efficiency obligation under the 2004 Order; and
- (b) has excess action.

Transfers

18.—(1) The carbon emissions reduction obligation of one supplier (“supplier A”) may be treated as achieved in whole or part by qualifying action completed by another supplier (“supplier B”) (“a supplier transfer”).

(2) A supplier transfer requires approval by the Authority.

(3) Suppliers A and B must—

- (a) apply for approval in writing to the Authority by 31st March 2011; and
- (b) provide to the Authority such information, including the number and type of qualifying actions in question, as the Authority may require.

(4) The Authority must not approve a supplier transfer where it has reasonable grounds to believe that, if the transfer were approved, the carbon emissions reduction obligation placed on supplier B will not be achieved.

(5) The completed qualifying action under a supplier transfer does not count towards the carbon emissions reduction obligation of supplier B.

Notification of actions and determination of reductions in carbon emissions

19.—(1) A supplier must notify the Authority not later than 30th April 2011 of the number and type of qualifying actions which it has completed—

- (a) in the priority group; and
- (b) otherwise than in the priority group.

(2) On receipt of that notification, the Authority must determine the reduction in carbon emissions to be attributed to those actions.

(3) To determine the reduction for a standard action, the Authority must apply to that action the appropriate carbon co-efficient values set out in Schedule 3.

(4) To determine the reduction for a market transformation action, the Authority must—

- (a) apply to that action the appropriate carbon co-efficient values set out in Schedule 3; and
- (b) increase the reduction in carbon emissions achieved by that action by 50%.

(5) To determine the reduction for a priority group flexibility action, the Authority must do so in accordance with article 20.

(6) To determine the reduction for a demonstration action, the Authority must do so in accordance with article 21.

Carbon emissions reduction for priority group flexibility action

20.—(1) To determine the carbon emissions reduction to be attributed to a priority group flexibility action, the Authority must—

- (a) apply to that action the appropriate carbon co-efficient values set out in Schedule 3; and
- (b) increase the reduction in carbon emissions achieved by an action listed in paragraph (2) by the percentage given in that paragraph.

(2) The actions and percentages are—

- (a) the installation of a ground source heat pump, 245%;
- (b) the installation of internal solid wall insulation, 95%;
- (c) the installation of external solid wall insulation, 175%.

Carbon emissions reduction for demonstration action

21.—(1) The carbon emissions reduction to be attributed to a demonstration action is provided by the formula—

$$\text{carbon emissions reduction} = \frac{x}{18} \text{ lifetime tonnes of carbon dioxide}$$

where x is the estimated cost of promoting and monitoring the action, which cost the Authority was satisfied was reasonable under article 12.

Final determination and reporting

22.—(1) The Authority must determine whether a supplier has achieved its carbon emissions reduction obligation and notify the supplier of that determination not later than 31st July 2011.

(2) Not later than 31st July 2011 the Authority must submit to the Secretary of State a final report setting out—

- (a) whether each supplier has complied with its—

- (i) carbon emissions reduction obligation;
 - (ii) priority group obligation;
- and
- (b) whether the overall carbon emissions reduction target was achieved.