
STATUTORY INSTRUMENTS

2014 No. 2043

The Electricity Capacity Regulations 2014

PART 4

Capacity auctions

CHAPTER 3

Eligibility criteria and prequalification

Excluded capacity: long term STOR CMUs

18.—(1) The Delivery Body must not prequalify a CMU (“CMU i”) that is the subject of a relevant STOR contract unless the applicant has provided to it, by the close of the prequalification window, a withdrawal declaration.

(2) In this regulation, “relevant STOR contract” means a contract entered into pursuant to a tender by the national system operator for short term operating reserve—

- (a) between the national system operator and a person responsible for CMU i;
- (b) which relates to CMU i, or to one or more generating units or demand side response CMU components comprised in CMU i; and
- (c) where—
 - (i) the contract is entered into before the date on which this regulation comes into force; and
 - (ii) the expiry date of the contract is after the start of that delivery year.

(3) For the purposes of paragraph (2), a contract for short term operating reserve—

- (a) is entered into on the date on which the national system operator notifies its acceptance of a tender; and
- (b) expires on the date specified in or determined in accordance with the contract.

(4) In paragraph (1), a “withdrawal declaration” means a declaration in writing by an applicant that, if the applicant is awarded a capacity obligation for CMU i, it will offer to the national system operator to withdraw from or terminate the relevant STOR contract with effect from a date no later than the start of the delivery period.