

## STATUTORY INSTRUMENTS

# 2014 No. 2043

## The Electricity Capacity Regulations 2014

### PART 5

#### Capacity agreements, capacity market register and termination

##### Termination fee rates

32.—(1) In this regulation—

[<sup>F1</sup>“TF<sub>x</sub><sub>rate</sub>” (for any value of x from x = 1 to x = 5) means] the rate at which a termination fee is payable by a capacity provider if—

- (a) a capacity agreement is terminated on a ground specified in capacity market rules; and
- (b) capacity market rules specify [<sup>F2</sup>that TF<sub>x</sub>] is payable in the event of the capacity agreement being terminated on that ground;

<sup>F3</sup> ...

[<sup>F4</sup>(2) Those rates are as follows—

- TF1<sub>rate</sub> is £5,000/MW;
- TF2<sub>rate</sub> is £25,000/MW;
- TF3<sub>rate</sub> is £10,000/MW;
- TF4<sub>rate</sub> is £15,000/MW;
- TF5<sub>rate</sub> is £35,000/MW.]

(4) References in this regulation to a rate expressed as £/MW are to that amount in pounds per MW of de-rated capacity <sup>F5</sup>... for which the capacity agreement is issued, as specified in the capacity market register.

[<sup>F6</sup>(5) This regulation applies to the termination of a transferred part as it applies to the termination of a capacity agreement; but in that case, the reference in paragraph (4) to the de-rated capacity <sup>F5</sup>... for which the capacity agreement is issued is to be construed as a reference to the capacity obligation comprised in the transferred part.]

##### Textual Amendments

- F1** Words in [reg. 32\(1\)](#) substituted (14.7.2016) by [The Electricity Capacity \(Amendment\) Regulations 2016 \(S.I. 2016/742\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 10\(1\)\(a\)](#) (with [reg. 1\(3\)](#))
- F2** Words in [reg. 32\(1\)](#) substituted (14.7.2016) by [The Electricity Capacity \(Amendment\) Regulations 2016 \(S.I. 2016/742\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 10\(1\)\(b\)](#) (with [reg. 1\(3\)](#))
- F3** Words in [reg. 32\(1\)](#) omitted (14.7.2016) by virtue of [The Electricity Capacity \(Amendment\) Regulations 2016 \(S.I. 2016/742\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 10\(1\)\(c\)](#) (with [reg. 1\(3\)](#))
- F4** [Reg. 32\(2\)](#) substituted for [reg. 32\(2\)\(3\)](#) (14.7.2016) by [The Electricity Capacity \(Amendment\) Regulations 2016 \(S.I. 2016/742\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 10\(2\)](#) (with [reg. 1\(3\)](#))

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- F5** Words in reg. 32(4)(5) omitted (2.11.2017) by virtue of The Electricity Capacity (Amendment) Regulations 2017 (S.I. 2017/1053), reg. 1(2), **Sch. 1 para. 4**
- F6** Reg. 32(5) inserted (14.7.2016) by The Electricity Capacity (Amendment) Regulations 2016 (S.I. 2016/742), reg. 1(2), **Sch. 1 para. 23** (with reg. 1(4))

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 2(5) words substituted by [S.I. 2024/434 reg. 12\(a\)](#)
- reg. 3(3) words inserted by [S.I. 2024/434 reg. 8](#)
- reg. 4(b) word substituted by [S.I. 2024/434 reg. 9\(c\)](#)
- reg. 4(2)(aa) inserted by [S.I. 2024/434 reg. 9\(b\)\(iii\)](#)
- reg. 19(aa) inserted by [S.I. 2024/434 reg. 11\(b\)](#)