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STATUTORY INSTRUMENTS

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**2023 No. 464**

**The Energy Bills Discount Scheme  
(Non-Standard Cases) Regulations 2023**

**PART 3**

**Energy and Trade Intensive Industries and Domestic Heat Consumers**

**ETII and QHS proportions**

**9.**—(1) The ETII proportion and the QHS proportion applying for any period in respect of a non-standard customer or a provider are determined as follows—

- (a) the ETII proportion in respect of a non-standard customer which is a certified ETII operator and is not a provider, is 1;
- (b) the ETII proportion in respect of a provider (P), is a proportion of the base scheme benefit for that period calculated as—

$$(A+B) / C$$

- (c) the QHS proportion in respect of a provider (P), is a proportion of the base scheme benefit for that period calculated as—

$$D / C$$

Where

A, if P is a certified ETII operator, is that part of the base scheme benefit which is not required to be passed on by P to any person under these Regulations, and, if P is not a certified ETII operator, is zero;

B is that part of the base scheme benefit which is required to be passed on under these Regulations (by any immediate ETII provider, whether or not that is P) to certified ETII operators;

C is the base scheme benefit;

D is that part of the base scheme benefit which is required to be passed on under these Regulations (by any certified heat supplier, whether or not that is P) to qualifying heat consumers,

provided that if a qualifying heat consumer is also a certified ETII operator, the amount of base scheme benefit required to be passed on to it—

- (i) is counted in determining D;
- (ii) is not counted in determining B.

(2) In this regulation—

- (a) “base scheme benefit” means, in respect of a provider (P), for any period, the amount of energy cost support that would be provided for that period to P under a scheme agreement or under Part 4 of these Regulations, calculated in accordance with the Scheme Terms, as if—
- (i) the GSDP decrement and the MER increment were zero, and
  - (ii) the applicable government supported discount price and maximum ECS rate in respect of QHS eligible energy were equal to the government supported discount price and maximum ECS rate for general eligible energy;
- (b) “general eligible energy”, “government supported discount price”, “GSDP decrement”, “maximum ECS rate”, “MER increment” and “QHS eligible energy” have the meanings given in the Scheme Terms<sup>(1)</sup>.

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<sup>(1)</sup> See sections 3 and 6 of the Scheme Terms.