

**To: All holders of an electricity generation licence**

**Electricity Act 1989  
Section 11A(1)(b)**

**MODIFICATION OF THE STANDARD CONDITIONS OF ELECTRICITY GENERATION LICENCES GRANTED UNDER SECTION 6(1)(a) OF THE ELECTRICITY ACT 1989**

Whereas

1. Each of the companies to whom this document is addressed (a "Licence Holder") has been granted an electricity generation licence (the "Licence") under 6(1)(a) of the Electricity Act 1989 (the "Act").
2. In accordance with section 11A(2) of the Act the Gas and Electricity Markets Authority (the "Authority") gave notice on 14 November 2014 (the "Notice") that it proposed to modify standard licence condition 16B ("SLC 16B") of the Licence and requiring any representations to the modification to be made on or before 12 December 2014.
3. In accordance with section 11A(4)(b) of the Act, the Authority gave notice of its intention to make the modification to the Secretary of State and did not receive a direction not to make the modification.
4. Prior to the close of the consultation period in respect of the Notice, the Authority received nine responses. All non-confidential responses were placed on the Ofgem website.
5. The Authority carefully considered in relation to the proposed modification all the representations made.
6. On 18 December 2014 the Authority issued a modification (the "18 December Modification") to modify SLC 16B of the Licence in the manner set out in Schedule 1 to that modification.<sup>1</sup> The reasons and effects of the changes were also set out in that modification. The Authority further stated within that modification that it was making a number of minor alterations in addition to the modifications in the Notice. This was to correct minor typographical errors and greater reflect our policy intent.
7. The 18 December Modification will take effect on and from 13 February 2015.
8. It has come to the attention of the Authority that the amendment to the definition of 'Relevant Licensee' in paragraph 11 of SLC 16B of the 18 December Modification does not reflect the policy intent. This is because it inadvertently excludes Licence Holders that are part of a vertically-integrated group of companies that supplies electricity and/or gas, either jointly or severally to over 250,000 domestic and/or non-domestic customers.

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<sup>1</sup> <https://www.ofgem.gov.uk/ofgem-publications/92229/decision-modificationofthestandardconditionsofelectricitygenerationlicences.pdf>

9. The Authority has therefore decided to revoke the amendment to the definition of 'Relevant Licensee' as set out in the 18 December Modification with the effect that the definition will remain unchanged when that modification takes effect on 13 February 2015.
10. The Authority has also decided to amend the definition of 'Relevant Licensee' in paragraph 11 of SLC 16B in the manner set out in Schedule 1.
11. The reason for making the modification is to ensure that the definition of 'Relevant Licensee' correctly captures the Licence Holders that are the target of the policy intent, namely if they are part of a vertically-integrated group of companies that supplies electricity and/or gas, either jointly or severally to over 250,000 domestic and/or non-domestic customers.
12. The effect of the modification will be to ensure Licence Holders that fall within the definition of 'Relevant Licensee' will have to comply with the requirements of SLC 16B.
13. Where an application for permission to appeal the Authority's decision is made to the Competition and Markets Authority under section 11C of the Act, Rule 5.7 of the CMA's Energy Licence Modification Appeals Rules<sup>2</sup> requires that the appellant must send to any relevant licence holders who are not parties to the appeal a non-confidential notice setting out the matters required in Rule 5.2. The attached Schedule 2 provides a list of the relevant licence holders in relation to this modification notice. The meaning of 'relevant licence holder' is set out in section 11A(10) of the Act.

### **Now therefore**

In accordance with the powers contained in section 11A(1)(b) of the Act, the Authority hereby modifies the definition of 'Relevant Licensee' in SLC 16B of the Licence in the manner set out in Schedule 1. This decision will take effect on and from 9 April 2015.

This document constitutes notice of the reasons for the decision to modify the electricity generation licences as required by section 49A of the Act.

**The Official Seal of the Gas and Electricity Markets Authority here affixed is authenticated by the signature of**



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**Neil Barnes – Associate Partner, Retail Markets**  
**Duly authorised on behalf of the Gas and Electricity Markets Authority**  
**11 February 2015**

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<sup>2</sup> The rules were published by the Competition Commission in September 2012. On 1 April 2014, the Competition Commission was abolished and its functions transferred to the Competition and Markets Authority (CMA).

## Schedule 1

Modification to the definition of 'Relevant Licensee' in SLC 16B:

**"Relevant Licensee"** means the holder of an electricity generation licence granted or treated as granted under section 6(1)(a) of the Act if it supplies or any of its Affiliates supply, either jointly or severally:

- i. ~~jointly supply~~ electricity to more than 250,000 domestic customers; or
- ii. ~~jointly supply~~ gas to more than 250,000 domestic customers; or
- iii. ~~jointly supply~~ electricity to more than 250,000 non-domestic customers; or
- iv. ~~jointly supply~~ gas to more than 250,000 non-domestic customers.

respectively.

## Schedule 2: Relevant Licence Holders<sup>3</sup>

2CO Power (Yorkshire) Limited	Intervate Limited
Abbey Power Generation Limited	IPM Energy Trading Limited
AES Barry Limited	Jade Power Generation Limited
Aikengall II Community Wind Company Limited	Keadby Developments Limited
Baglan Operations Limited	Keadby Generation Limited
Barking Power Limited	Keltneyburn Hydro Limited
Beatrice Offshore Windfarm Limited	Knottingley Power Limited
Breesea Limited	Lincs Wind Farm Limited
British Energy Generation (UK) Limited	London Array Limited
Carnedd Wen Wind Farm Limited	MacColl Offshore Windfarm Limited
Carrington Power Limited	Marchwood Power Limited
Celtpower Limited	Medway Power Limited
Centrica Barry Limited	MeyGen Limited
Centrica Brigg Limited	MGT Power Limited
Centrica KL Limited	MGT Teesside Limited
Centrica KPS Limited	Morecambe Wind Limited
Centrica Langage Limited	Morgan Credit Limited
Centrica PB Limited	Nathro Hill Wind Farm Limited
Centrica RPS Limited	Navitus Bay Development Limited
Centrica SHB Limited	NBW Wind Energy Limited
C.Gen Killingholme Limited	Near na Gaoithe Offshore Wind Limited
Citigen (London) Limited	Njord Limited
Clyde Windfarm (Scotland) Limited	NNB Generation Company Limited
Cogle Moss Renewables LLP	Npower Direct Limited
Corby Power Limited	NuGeneration Limited
Coryton Energy Company Limited	Optimus Wind Limited
Crystal Rig II Limited	Ormonde Energy Limited
Danske Commodities A/S	Pencloe Wind Energy Limited
Deeside Power Limited	Richborough A Limited
Deeside Power (UK) Limited	Rocksavage Power Company Limited
Derwent Cogeneration Limited	Rugeley Power Generation Limited
DONG Energy Burbo Extension (UK) Limited	RWE Generation UK Plc
DONG Energy Humber Renewables Limited	RWE Innogy Stallingborough Limited
DONG Energy RB (UK) Limited	Saltend Cogeneration Company Limited
DONG Energy Walney Extension (UK) Limited	Scira Offshore Energy Limited
Drax Biomass (Immingham) Limited	Scottish Power Generation Limited
Drax Power Limited	ScottishPower (DCL) Limited
Dudgeon Offshore Wind Limited	ScottishPower (SCPL) Limited
Dulater Hill Wind Park Limited	ScottishPower Renewables (UK) Limited
E.ON Climate & Renewables UK Humber Wind Limited	Seabank Power Limited
E.ON Climate & Renewables UK Rampion Offshore Wind Limited	Seagreen Alpha Wind Energy Limited
E.ON UK Plc	Seagreen Bravo Wind Energy Limited
East Anglia One Limited	Sellafield Limited

<sup>3</sup> Electricity licence holders are listed at: <https://www.ofgem.gov.uk/publications-and-updates/all-electricity-licensees-registered-addresses>

EDF Development Company Limited	Severn Power Limited
EDF Energy Renewables Limited	South Hook CHP Limited
EDF Energy (West Burton Power) Limited	Spalding Energy Company Limited
EDF Energy Nuclear Generation Limited	Spalding Energy Expansion Limited
Eggborough Power Limited	SPEP Limited
Enfield Energy Centre Limited	SSE Generation Limited
Esso Petroleum Company Limited	SSEPG (Operations) Limited
Fallago Rig Windfarm Limited	Stevenson Offshore Windfarm Limited
Fibre Power (Slough) Limited	Sutton Bridge Power Generation
First Hydro Company	Symbio Energy Solutions LLP
Galloper Wind Farm Limited	Telford Offshore Windfarm Limited
Gateway Energy Centre Limited	Tetragen Holdings Limited
GB Developers Limited	Thanet Offshore Wind Limited
GDF Suez Marketing Limited	The Green Renewable Energy Company Limited
GDF Suez Teesside Limited	The Nuclear Decommissioning Authority
Grangemouth CHP Limited	Thorpe Marsh Power Limited
Greater Gabbard Offshore Winds Limited	Triton Knoll Offshore Windfarm Limited
Green Hill Energy Limited	UK Power Reserve (Trumfleet) Limited
Griffin Wind Farm Limited	UK Power Reserve Limited
Gwynt Y Mor Offshore Wind Farm Limited	Uskmouth Power Company Limited
Heartlands Power Limited	Vattenfall Wind Power Ltd
Helius Energy Gamma Limited	Vi Aura Limited
Heron Wind Limited	VPI Immingham LLP
Hill of Glaschyle Renewables LLP	Wainstones Energy Limited
Horizon Nuclear Power Wylfa Limited	Walney (UK) Offshore Windfarms Limited
Inch Cape Offshore Limited	West Burton Limited
Indian Queens Power Limited	West Garty Renewables LLP
International Power Ltd.	Westermost Rough Limited
	Willowind Linfairn Limited