

Dear stakeholder,

CONSULTATION ON OFGEM E-SERVE'S DRAFT GUIDANCE – NORTHERN IRELAND RENEWABLES OBLIGATION: CLOSURE OF THE SCHEME

We're writing to let you know that we've published draft guidance 'Northern Ireland Renewables Obligation (NIRO): closure of the scheme' today for an eight-week consultation period. The draft guidance is in annex 1.

We'd like your feedback on the draft guidance. The closing date for responding to the consultation is 10 February 2017.

The draft guidance explains our proposed administration of the closure of the NIRO to non-wind technologies, including the process for applying for the grace periods that are available. The guidance is based on the Renewables Obligation Closure Order (Northern Ireland) 2015 which was made on 29 September 2015. The closure comes into force on 1 April 2017.

How to respond

The purpose of this consultation is to obtain your views on our proposed administration of the grace periods and the process for applying. In responding, please answer the following questions:

- 1.** Do you have any concerns relating to the proposed processes for administering the closure of the NIRO and the grace periods as set out in this document?
- 2.** Are there any aspects of this guidance that could be made clearer or improved? If so, please provide specific comments including section references.
- 3.** Are there any omissions in this guidance? If so, please provide comments.

Email your response to:

REDevelopment@ofgem.gov.uk

Or send it to:

RE Development Team
Ofgem
9 Millbank
London SW1P 3GE

We are also holding a workshop in Belfast on 24 January 2017. You are welcome to come and discuss the guidance at this event, although you are still encouraged to submit your comments in writing. If you would like to attend please sign up at [Eventbrite](#) by Thursday 12 January. We will confirm times and locations by email; if you have any further queries, please email us.

Please be aware that this is not a consultation on the policy underpinning the Renewables Obligation, but on the clarity of the guidance document. If you have queries about the policy, send them to the Department for the Economy in Northern Ireland (DfE). You can find contact details at: www.economy-NI.gov.uk.

If you want your response to be kept confidential, please clearly mark the document/s to that effect and include your reasons. (However, this may be subject to any obligations to disclose information, for example, under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004).

Next steps

Once we have considered the responses to this consultation, we will publish the final guidance document as soon as possible.

If you have any comments or concerns about how this consultation has been conducted, please refer to annex 2.

Yours sincerely,

Renewable Electricity Development Team

Annex 1

DRAFT: Northern Ireland Renewables Obligation: closure of the scheme

Guidance

9 December 2016



Overview

This guidance is for developers and operators of renewable generating stations in Northern Ireland¹ who are affected by the closure of the Northern Ireland Renewables Obligation (NIRO) scheme on 31 March 2017. This document is not applicable to onshore wind, which has been subject to early closure². This document explains how we administer the 2017 closure and the grace periods that are available.

The closure of the scheme was brought into effect by the NIRO Closure Order 2015. The closure applies to new generating stations and any additional capacity added to existing stations. Operators of stations that meet certain specified conditions may be eligible for a grace period, meaning that they can apply for accreditation or accredit additional capacity after the closure date.

This document is for guidance only and is not a legal guide.

Context

The Northern Ireland Renewables Obligation (NIRO) is designed to incentivise renewable electricity generation in the Northern Ireland and help the UK meet its requirements for 15 per cent of energy to be sourced from renewable sources by 2020. The Gas and Electricity Markets Authority (the Authority) administers the schemes, and its day-to-day functions are performed by Ofgem E-Serve.

We administer the Northern Ireland Renewables Obligation (NIRO) in accordance with the NIRO Order on behalf of the Utility Regulator Northern Ireland (UREGNI) under an Agency Services Agreement. Under this agreement, the Authority is required to carry out the functions listed in the introduction in respect of the NIRO. However, UREGNI continues to retain responsibility under the legislation for administering the NIRO.

The NIRO scheme is provided for under the Renewables Obligation Order (Northern Ireland) 2009 (as amended). The NIRO places an obligation on licensed electricity suppliers in Northern Ireland to source an increasing proportion of electricity from renewable sources.

The NIRO Closure Order 2015 came into force in Northern Ireland on 29 September 2015 to close the NIRO scheme to new generating capacity from 31 March 2017, excluding onshore wind which closed in 2016. The order introduced three grace periods. Subject to specified conditions being met, the grace periods enable generating capacity to be accredited after 31 March 2017.

This guidance document explains how we administer the closure and the grace periods available.

¹ The guidance does not apply to Great Britain (England, Scotland and Wales). Please refer to www.ofgem.gov.uk/ro-closure for guidance specific to the closure of the RO in England, Scotland and Wales.

² This guidance does not apply to onshore wind generating stations. Please refer to www.ofgem.gov.uk/ro-closure for guidance specific to the early closure of the scheme to onshore wind.

This document should be read in conjunction with chapter 3 of the [RO: Guidance for generators](#), which has full details on seeking accreditation under the NIRO. This document is for guidance only and is not a legal guide.

Generators might find it helpful to seek their own legal and technical advice before applying. This document does not anticipate every scenario which may arise. If a scenario arises that is not addressed in these procedures, we will act in a way that's consistent with legislation. We will publish any additional guidance on our website.

Associated documents

The following documents support this publication:

Policy and legislation

- The Department for Enterprise, Trade and Investment's (DETI) 'Response to NIRO Closure Grace Periods Proposals in relation to non-wind renewable technologies' <https://www.economy-ni.gov.uk/sites/default/files/consultations/deti/DETI%20Response%20to%20NIRO%20Closure%20Grace%20Periods%20Proposals%20in%20relation%20to%20non-wind%20renewable%20technologies.PDF>
- The NIRO Closure Order 2015: <http://www.legislation.gov.uk/nisr/2015/346/contents/made>
- The Renewables Obligation Order (Northern Ireland) 2009, as well as its amendment Orders for 2010, 2011, 2013, 2014, 2015 and 2016 can be found at: www.legislation.gov.uk.

Guidance

All documents are available at www.ofgem.gov.uk/ro:

- [RO: Guidance for generators](#)
- [Renewables and CHP Register User Guide \('the User Guide'\)](#)
- [Renewables Obligation: Essential guide to commissioning](#)
- [Northern Ireland Renewables Obligation: The 'enabling financial decisions grace period' guidance](#)
- [Northern Ireland Renewables Obligation: Closure of the scheme to onshore wind >5MW](#)
- [Northern Ireland Renewables Obligation: Closure of the scheme to onshore wind ≤5MW](#)

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Executive Summary

The Northern Ireland Renewables Obligation (NIRO) scheme closes to new capacity on 31 March 2017. This means that the NIRO will close to any new non-wind generating capacity in Northern Ireland from 31 March 2017, including additional capacity. The NIRO has already closed to small and large scale onshore wind generating capacity. Please refer to www.ofgem.gov.uk/ro-closure for guidance on these closures and their associated grace periods.

This document and the changes referred to do not cover the RO in Great Britain. Separate guidance on the closure of the RO is available at www.ofgem.gov.uk/ro-closure.

The NIRO Closure Order 2015 introduced grace periods for stations affected by the closure. The purpose of these grace periods is to address certain challenges that generators might face as a result of the NIRO closure date. If the grace period conditions, and all other NIRO eligibility criteria, are met, these grace periods enable a station to gain accreditation under the NIRO between 1 April 2017 and 31 March 2018.

The three grace periods in the NIRO Closure Order 2015 are:

- i. 'grid or radar connection delay' grace period: a 12-month grace period to address grid and/or radar connection delays, where the station, or additional capacity, was scheduled to commission on or prior to 31 March 2017
- ii. 'enabling financial decisions' (EFD) grace period: a 12-month grace period for Advanced Conversion Technologies (ACT, for example gasification and pyrolysis) projects that could demonstrate evidence of substantial financial decisions and investments. This grace period closed to applications on 5 January 2016. Operators have already received confirmation of their eligibility for this grace period
- iii. 'preliminary accreditation' grace period: a 12-month grace period for ACT projects which have been granted preliminary accreditation on or before 31 March 2015.

Generators who wish to apply before the closure comes into force should review our [RO: Guidance for generators](#) which provides full details on seeking accreditation under the NIRO. This guidance document explains how we administer the grace periods, and should be read together with the guidance for generators, if you wish to apply under a grace period.

This guidance document also explains the process for applying for accreditation and a grace period at the same time. To gain accreditation for a generating station, or additional capacity between 1 April 2017 and 31 March 2018 you will need to:

- submit an application for accreditation by 31 March 2018, or amend your existing application to add the additional capacity
- commission the station or additional capacity by 31 March 2018 and
- meet all NIRO eligibility and relevant grace period conditions.

You should submit the necessary grace period evidence alongside your full application for accreditation. All grace periods for non-wind technologies will close on 31 March 2018, after which we will not accept any applications for the NIRO from generating stations (excluding onshore wind) in Northern Ireland.

The closure only affects new capacity, existing stations will continue to receive ROCs on accredited capacity for the lifetime of their support under the scheme (20 years).

1. Introduction

Chapter summary

Explains the background to the changes in accreditation for generating stations that take effect from 1 April 2017, the key terms the operators should be aware of, and Ofgem E-Serve's functions as administrator of the NIRO scheme.

- 1.1. The NIRO scheme closes to new non-wind generating capacity on 31 March 2017. The closure applies to new generating stations and any additional capacity added to existing stations that are accredited under the NIRO. Between 1 April 2017 and 31 March 2018, three grace periods are available for operators of generating stations affected by the closure, providing they meet certain conditions. This closure excludes onshore wind stations³, for which the scheme has already closed.
- 1.2. This guidance document explains how we administer the closure and the grace periods that are available. It should be read in conjunction with the [RO: Guidance for generators](#), which provides full details on seeking accreditation under the NIRO.
- 1.3. Stations that are accredited under the RO before the closure, or during the grace periods, are eligible to receive ROCs on their generation, and must continue to follow the processes listed in the [RO: Guidance for generators](#), such as submitting output data.

Key terms explained

- 1.4. You should be aware of the meaning of the following key terms and approaches in reading this document. For full explanations and further detail about these terms you should refer to the [RO: Guidance for generators](#).
- 1.5. The terms "generators", "operators", "developers", "you" and "your" are used interchangeably throughout the document.

Generating stations

- 1.6. There is no definition of 'generating station' in the legislation. It is defined in the Shorter Oxford English Dictionary as a "building and site for generating electrical current" and in the Oxford English Dictionary as a "power station for the generation of electricity".
- 1.7. Chapter 2 in the [RO: Guidance for generators](#) gives further details on the factors we may consider when determining what constitutes a generating station.

Commissioned

- 1.8. Generating stations must be commissioned in order to be eligible for accreditation. The NIRO defines "commissioned" as:

"commissioned", in relation to a generating station, means the completion of such procedures and tests in relation to that station as constitute, at the time they are undertaken, the usual industry standards and practices for commissioning that type of

³ The [Renewables Obligation Closure Order \(Northern Ireland\) 2016](#) closed the scheme to large scale onshore wind, and the [Renewables Obligation Closure \(No.2\) Order \(Northern Ireland\) 2016](#) closed the scheme to small scale onshore wind.

generating station in order to demonstrate that that generating station is capable of commercial operation.'

- 1.9. The [RO: Guidance for generators](#) and [RO: Essential guide to commissioning](#) provide more information on what is required to demonstrate a generating station has been commissioned.

Use of 'NIRO'

- 1.10. Where we use "NIRO" in this document, it means the Renewables Obligation (Northern Ireland) scheme, or the Renewables Obligation Order (Northern Ireland) 2009 as amended. The "NIRO Closure Order 2015" means the Renewables Obligation Closure Order (Northern Ireland) 2015. Where we use "RO", it means the Renewables Obligation scheme, the Renewables Obligation (Scotland) scheme and the Renewables Obligation (Northern Ireland) scheme.

Ofgem E-Serve's functions

- 1.11. The NIRO details the functions that the Authority carries out on behalf of the Utility Regulator Northern Ireland (UREGNI). A number of these functions are carried out via our IT system, which is called the Renewables and CHP Register (the Register). These duties include:

- accrediting generating stations as being capable of generating electricity from eligible renewable energy sources,
- issuing Northern Ireland Renewable Obligation Certificates (NIROCs),
- establishing and maintaining a register of NIROCs,
- revoking NIROCs if necessary,
- monitoring compliance with the requirements of the NIRO,
- calculating annually the buy-out price resulting from the adjustments made to reflect changes in the Retail Price Index (RPI),
- receiving buy-out payments and redistributing the buy-out fund,
- receiving late payments and redistributing the late payment fund,
- recovering the administration costs of the NIRO from the buy-out fund, and
- publishing an annual report on the operation of and compliance with the requirements of the RO Orders, including the NIRO.

- 1.12. Further information about the NIRO scheme is available in the associated documents (see page 2).

2. Eligibility for the NIRO before 1 April 2017

Chapter summary

Explains the impact of the closure of the scheme to new generating capacity.

- 2.1. We provide information on eligibility for the NIRO in our [RO: Guidance for generators](#).
- 2.2. Generators applying are reminded that they must accredit on or before 31 March 2017. This means:
 - **Submit a full NIRO accreditation application** to us on or before 31 March 2017, and meet the NIRO eligibility criteria. You can apply up to two months before the date the generating station is to be commissioned, and we recommend doing this if you are commissioning close to the deadline. If you are adding additional capacity you will need to amend your existing application as soon as the capacity is commissioned and resubmit your application for review,
 - **Commission the generating station** (or the additional capacity) on or before 31 March 2017.
- 2.3. Before we can assess the application, but potentially after 31 March 2017, we will also need you to:
 - **Provide commissioning evidence**, for more information see our [RO: Essential guide to commissioning](#)
- 2.4. Once you have submitted your accreditation application, you should follow the processes in our [RO: Guidance for generators](#), particularly around submitting output data before you receive your accreditation. The time we take to process your accreditation does not affect your accreditation date.
- 2.5. Appendix 1 has some tips on how to complete aspects of the application form.

3. Eligibility for the NIRO from 1 April 2017

Chapter summary

Covers the scenarios in which new generating stations may or may not be eligible for the NIRO, and the scenarios in which NIRO accredited generating stations may add additional capacity from 1 April 2017.

- 3.1. The NIRO closes to new capacity on 31 March 2017. The closure applies to new generating stations and any additional capacity added to existing stations that are accredited under the NIRO. It excludes onshore wind, for which the scheme has already closed. Please refer to www.ofgem.gov.uk/ro for guidance on onshore wind early closures and the relevant grace periods.
- 3.2. From 1 April 2017:
 - any new generating station is no longer eligible to apply for full accreditation under the NIRO, and
 - existing stations cannot add additional capacity under the NIRO.
- 3.3. There are exceptions to these rules for capacity that is eligible for one of the grace periods available. See chapter 3 for details of what makes a station eligible for these grace periods.
- 3.4. Capacity that gains accreditation from 1 April 2017 will not receive the full 20 years of support under the NIRO, as no NIROCs can be issued after 31 March 2037⁴.
- 3.5. If an existing NIRO station adds capacity to a station that is not eligible for a grace period, this capacity will not gain support under the NIRO. Such capacity must be declared to Ofgem E-Serve.

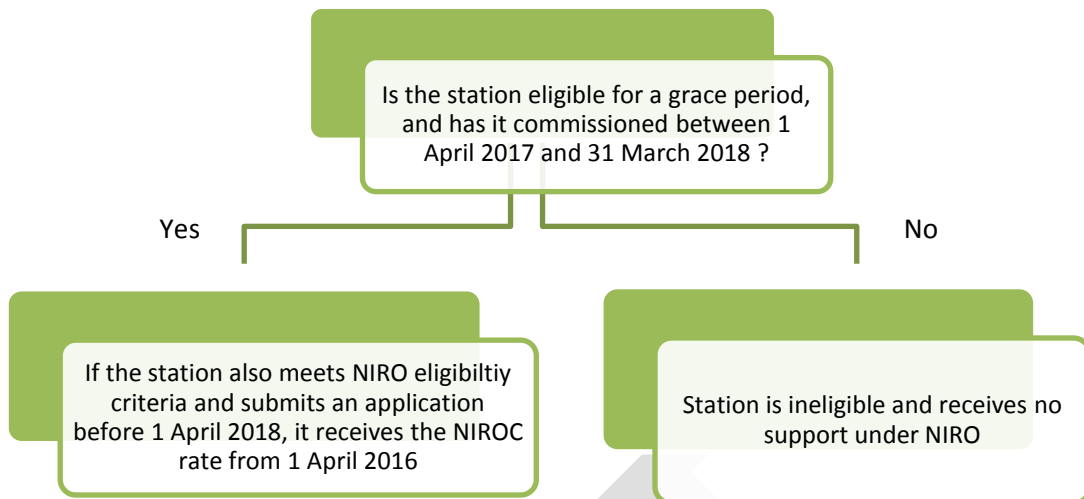
Generating station scenarios

New generating stations

- 3.6. Figure 1 shows how we handle applications from new generating stations from 1 April 2017 until 31 March 2018. Any new station that applies shall only be accredited if:
 - it is eligible for a grace period,
 - it meets the NIRO eligibility criteria,
 - it commissioned before 1 April 2018, and
 - a full accreditation application in relation to the station was submitted before 1 April 2018.

⁴ Article 18A of the NIRO.

Figure 1

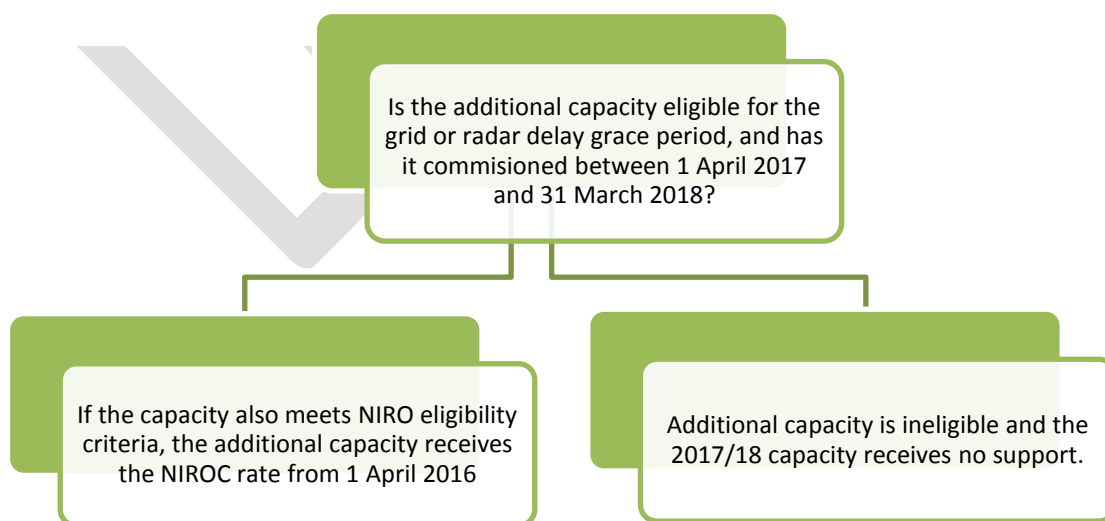


Adding additional capacity

3.7. Figure 2 shows how we will handle additional capacity being added to a generating station from 1 April 2017 until 31 March 2018. The original capacity must be accredited on or before 31 March 2017. Additional capacity added to a station will only be eligible for NIRO support if:

- the accreditation date of original capacity is on or before 31 March 2017,
- the additional capacity is eligible for the grid or radar delay grace period,
- the additional capacity meets the NIRO eligibility criteria, and
- the additional capacity commissions before 1 April 2018.

Figure 2



3.8. For information on adding additional capacity which is not eligible for support under the NIRO, please refer to the [RO: Guidance for generators](#).

4. Eligibility for grace periods

Chapter summary

Explains the three grace periods available for generating capacity (excluding for onshore wind) following the closure, which will allow the operator of a generating station to apply for accreditation on or after 1 April 2017. This chapter also describes the eligibility requirements and the evidence we would expect in support of an application.

- 4.1. You will need to be eligible for one of the available grace periods when you apply for accreditation or commission from 1 April 2017 onwards. The preliminary accreditation and Enabling Financial Decisions (EFD) grace periods are open to ACT technologies only, and the EFD grace period required a previous application. To obtain accreditation under a grace period you will need to provide evidence that you meet the conditions set out in the NIRO Closure Order 2015.
- 4.2. We will not accept any applications from operators of new generating capacity after 31 March 2018 and capacity added after this date will not receive any support (although it must be declared).
- 4.3. For all grace periods, you must have commissioned by 31 March 2018 in order to be accredited under the scheme. The process for making the accreditation application, providing grace period evidence and commissioning evidence, is outlined in chapter 4.

Grace periods

Grace periods available from 1 April 2017 to 31 March 2018

- 4.4. **Grid and/or radar connection delay:** A grace period for generating stations that were scheduled to commission on or before 31 March 2017, but were unable to do so because of grid and/or radar connection delays outside the control of the generator. All technologies are eligible for this 'grid and/or radar connection delay' grace period. Evidence must be submitted alongside your application for accreditation. You must submit your full NIRO accreditation application and commission your station or additional capacity on or before 31 March 2018.

Preliminary accreditation: A grace period for ACT projects that have been granted preliminary accreditation on or before 31 March 2015, but were unable to commission, for any reason, before 31 March 2017. No evidence needs to be submitted, but you need to convert your preliminary accreditation to full.

Enabling financial decisions (EFD): A grace period for ACT projects that could demonstrate evidence of substantial financial decisions and investments made before 5 January 2016, where the project was scheduled to commission on or before 31 March 2017. You can only be accredited under this grace period if you have already been granted it as the application process for this grace period has now closed. You must submit evidence that you have been granted this grace period alongside your application for accreditation. Projects which have been granted this grace period need to submit a full NIRO accreditation application and commission the station or additional capacity on or before 31 March 2018. Separate [guidance on the NI EFD](#) grace period was published on 19 October 2015.

- 4.5. The eligibility criteria for each grace period and the evidence we would expect to see in support of a grace period application are outlined in the following sections. However, applicants should ensure that they understand the legislation that sets out the evidential

requirements, before submitting an application. You can supply alternative evidence, if it satisfies the legislative requirement.

Key terms

'Generating station developer'

4.6. 'Generating station developer' in relation to a generating station or additional capacity, is defined in the NIRO Closure Order 2015 as "the operator of the station, or a person who arranged for the construction of the station (for generating stations first accredited after 31 March 2017) or construction of the 2017/18 capacity of the station (for generating stations first accredited before 31 March 2017)".

'2017/18 capacity'

4.7. '2017/18 capacity' is defined in the NIRO Closure Order 2015 as "any generating capacity (a) which does not form part of the original capacity of the station, and (b) which, in the Authority's view, first formed part of the station from a date no earlier than 1 April 2017 and no later than 31 March 2018".

Meeting the 'grid or radar delay' grace period

4.8. This grace period has been designed in order to provide additional time for a generating station to accredit, if it would have been commissioned by 31 March 2017 but for grid and/or radar delays that were not due to a breach by the generator.

4.9. The 'grid or radar delay' condition applies to two distinct types of delay that may affect a generating station's ability to commission. Both types of delay are entitled to the same grace period, but require distinct sets of evidence.

4.10. Grid delay evidence is explained in Table 1; radar delay evidence is explained in Table 2.

Table 1: Grid delay evidence for the 'grid or radar delay' grace period

Type of evidence	Legislative requirement (as appears in NIRO Closure Order 2015)	What evidence could you provide?
Grid works agreement	Evidence of an accepted agreement with a network operator ("the relevant network operator") to carry out grid works in relation to the station ("the relevant grid works").	A copy of the offer to carry out grid works ⁵ from a network operator that clearly states the location of the grid works and the connection capacity. We would expect the offer to cover the non-contestable aspects of any grid works required at a minimum. AND one of the following: a. a letter signed by an appropriate person from the network operator confirming that the operator of the station accepted the grid works offer on or before 31 March 2017

⁵ 'Grid works' in relation to a generating station is defined in the NIRO Closure Order 2015 as "(a) the construction of a connection between the station and a transmission or distribution system for the purpose of enabling electricity to be conveyed from the station to that system, or (b) the carrying out of modifications to a connection between the station and a transmission or distribution system for the purpose of enabling an increase in the amount of electricity that can be conveyed over that connection from the station to that system".

Type of evidence	Legislative requirement (as appears in NIRO Closure Order 2015)	What evidence could you provide?
		<p>or</p> <p>b. an acceptance form, signed by the operator of the station, on or before 31 March 2017.</p>
<p>Estimated date of completion for grid works</p>	<p>A copy of a document written by, or on behalf of, the relevant network operator which confirms that at the date of receipt of the connection application for the generating station, it was the intention of the relevant network operator to complete the relevant grid works no later than 31 March 2017.</p>	<p>If the planned grid works completion date is not evident from the grid works agreement (above), or the confirmation of delay of grid works (below), we will need to see a document, for example a letter or email, from the relevant network operator which confirms that when they received the application for grid works they intended to complete the works no later than 31 March 2017.</p> <p>The location of the grid works and connection capacity should be clearly stated. If a document refers to a grid connection needing to be completed within a specific number of months it must be clear when this period of time starts.</p>
<p>Confirmation of delay of grid works</p>	<p>A letter from the relevant network operator confirming (whether or not such confirmation is subject to any conditions or other terms) that—</p> <p>(i) the relevant grid works were completed after 31 March 2017, and</p> <p>(ii) in the relevant network operator’s opinion, the failure to complete the relevant grid works on or before 31 March 2017 was outside the control of the generating station developer and was not due to any breach by a generating station developer of any agreement with the relevant network operator.</p>	<p>A letter or email from the network operator to the operator of the station explicitly confirming points (i) and (ii), see left-hand column.</p>
<p>Operator declaration on delayed grid works</p>	<p>A declaration by the operator of the generating station that, to the best of their knowledge and belief, the station would have been commissioned (for generating stations first accredited after 31 March 2017), or the 2017/18 capacity (for generating stations first accredited before 31 March 2017) would have formed part of the station, on or before 31 March 2017 if the relevant grid works had been completed on or before that date.</p>	<p>A declaration signed by the operator of the generating station (the superuser of the account on the Register or other appropriate person) that follows template 1 in Appendix 3.</p>

Table 2: Radar delay evidence for 'grid or radar delay' grace period

Type of evidence	Legislative requirement (as appears in NIRO Closure Order 2015)	What evidence could you provide?
<p>Radar works agreement</p>	<p>Evidence of an agreement between a generating station developer and a person who is not a generating station developer ("the radar works agreement") for the carrying out of radar works ("the relevant radar works")</p>	<p>A copy of a document (or documents) that shows an agreement between a generating station developer and a person who is not a generating station developer for radar works⁶ to be carried out.</p> <p>We would expect to clearly see that this agreement was for radar works required for the generating station the grace period application is for, and was entered into before 31 March 2017. For example, you could demonstrate this by providing:</p> <ul style="list-style-type: none"> a. evidence of an offer to carry out the radar works that clearly states the location of the radar works and the type of radar works to be carried out, <p>AND</p> <ul style="list-style-type: none"> b. a letter from a person who is not a generating station developer confirming that the operator of the station accepted the radar works offer on or before 31 March 2017.
<p>Estimated date of completion for radar works</p>	<p>A copy of a document written by, or on behalf of, a party to the radar works agreement (other than a generating station developer) which estimated or set a date for completion of the relevant radar works ("the planned radar works completion date") which was no later than 31 March 2017.</p>	<p>If the planned radar works completion date is not evident from the radar works agreement (above), or the confirmation of delay of radar works (below), we will need to see a document, such as a letter or email, from a party to the radar works agreement (other than a generating station developer) which estimates or sets a "planned radar works completion date" (see left-hand column) which is no later than 31 March 2017.</p> <p>The document should clearly identify the location of the radar works and the type of radar works to be carried out. If a document refers to radar works needing to be completed within a specific number of months it must be clear when this period of time starts.</p>
<p>Confirmation of delay of radar works</p>	<p>A letter from a party to the radar works agreement (other than a generating station developer) confirming, whether or not such confirmation is subject to any conditions or other terms, that—</p> <ul style="list-style-type: none"> (i) the relevant radar works were completed after the planned radar works completion date, and (ii) in that party's opinion, the failure to complete the relevant 	<p>A letter or email from a party to the radar works agreement (other than a generating station developer) to the operator of the station which must explicitly confirm points (i) and (ii), see left-hand column.</p>

⁶ 'Radar works' is defined in the NIRO Closure Order 2015 as "(a) the construction of a radar station, (b) the installation of radar equipment, (c) the carrying out of modifications to a radar station or radar equipment, or (d) the testing of a radar station or radar equipment".

Type of evidence	Legislative requirement (as appears in NIRO Closure Order 2015)	What evidence could you provide?
	radar works on or before the planned radar works completion date was not due to any breach of the radar works agreement by a generating station developer	
Operator declaration on delayed radar works	A declaration by the operator of the generating station that, to the best of their knowledge and belief, the station would have been commissioned (for generating stations first accredited after 31 March 2017), or the 2017/18 capacity (for generating stations first accredited before 31 March 2017) would have formed part of the station, on or before 31 March 2017 if the relevant radar works had been completed on or before the planned radar works completion date.	A declaration signed by the operator of the generating station (the superuser of the account on the Register or other appropriate person) that follows template 1 in Appendix 3.

Third party grid or radar delay evidence

4.11. By providing confirmation of a grid/radar works delay, the DNO or radar works party is not in any way admitting liability to the developer/operator or Ofgem E-serve for any costs or damages. The sole purpose of the letter shall be for the assessment of NIRO grace period eligibility.

Grid and radar delay

4.12. It is possible that your project may experience both grid and radar delays. You can meet the 'grid or radar delay' condition by only providing evidence that relates to one delay. However, the legislation sets out that you could provide evidence (see tables above) to show that both had occurred and a declaration stating that the station was unable to commission by 31 March 2017 due to delays to both the planned radar works and planned grid works.

Grace period eligibility for microgenerators

4.13. Depending on the connection type for microgenerators, it may not be possible for stations to provide the evidence specified in legislation to meet the criteria for the grid delay condition due to the nature of the grid connection agreement. Although generators will need to liaise with Northern Ireland Electricity (NIE) regarding their connections, a formal application for connection is not required for G83/1 Stage 1 connections, which are also known as 'fit and inform' connections. Stations that cannot provide the evidence specified in legislation are not eligible for the grid delay grace period. These microgenerators may be eligible for the radar delay condition, if they can provide the relevant evidence. Those microgenerators who can provide the evidence in legislation, because they have a G83 Stage 2 connection offer, may apply for the grid connection delay grace period.

Variations to the required evidence

- 4.14. Grid connection/radar works offers and agreements may vary as a project progresses. In these cases, we will generally not take these changes into account for our grace period assessment, as the legislation does not ask for the latest offer or agreement. For example, if an original planned grid or radar works completion date was given which was before 31 March 2017, but the network operator subsequently modified this to after 31 March 2017, we would not take this variation into account – our assessment would be based on the original offer and agreement.
- 4.15. However, we won't grant a grace period if, when we are assessing the application for accreditation, it is not clear to us that the grid offer/radar works evidence submitted relates to the station covered by the application.
- 4.16. We would expect any new connection offer to refer to the original "planned grid/radar works completion date" as being on or before 31 March 2017.

The parties that evidence was originally issued to

- 4.17. The NIRO Closure Order 2015 does not specify that the grid connection/radar works offer or agreement must have been made to the person applying for the grace period. Therefore, the party to which the grid connection/radar works offer was made will not form part of our grace period assessment.

Grid connection and/or radar works evidence

- 4.18. We recognise that additional consents, easements and wayleaves may be required for grid connections and radar works. However, for this grace period, we will not ask for evidence of these.

Meeting the 'enabling financial decisions' grace period

- 4.19. The application period for the EFD grace period closed on 5 January 2016.
- 4.20. Generators who have been granted this grace period must commission their ACT (standard and advanced gasification or pyrolysis) project by 31 March 2018 in order to gain accreditation under the NIRO.
- 4.21. The generator will also need to submit an application for accreditation on the Register by 31 March 2018, and send us a copy of the letter Ofgem E-Serve sent confirming the station's eligibility for the EFD grace period. This will allow us to ensure that the accreditation application is for the same station which has been granted the EFD grace period.
- 4.22. For further information on the EFD grace period please refer to the [Northern Ireland Renewables Obligation: The 'enabling financial decisions grace period'](#) guidance.

Meeting the 'preliminary accreditation' grace period

- 4.23. ACT (standard and advanced gasification or pyrolysis) projects which have been granted preliminary accreditation on or before 31 March 2015 are able to gain full accreditation under the NIRO until 31 March 2018. The generator does not need to provide any additional information, they simply need to convert their preliminary application to full on the Register and commission the station or additional capacity on or before 31 March 2018.
- 4.24. For further information on preliminary accreditation and converting this to a full accreditation please refer to chapter 3 of the [RO: Guidance for generators](#).

5. Submitting an application on or after 1 April 2017

Chapter summary

Explains the process for operators of non-wind generating stations submitting an application for accreditation and a grace period from 1 April 2017 onwards.

- 5.1. Operators of generating stations that apply under the NIRO for accreditation or commission their additional capacity from 1 April 2017 until 31 March 2018 will be asked if they are applying for a grace period as part of their application for accreditation. Any operator that does not apply for a grace period will not be able to proceed with their application. The complete application for accreditation on the Register, including the signing of the relevant declarations, must be received by Ofgem E-Serve on or before 31 March 2018.
- 5.2. To apply for accreditation, the operator must:
 - **Submit a full NIRO accreditation application** to us on or before 31 March 2018, and meet the NIRO eligibility criteria. You can apply up to two months before the date the generating station is to be commissioned. If you are adding additional capacity you will need to amend your existing application as soon as the capacity is commissioned and resubmit your application for review,
 - **Commission the generating station** (or the additional capacity) on or before 31 March 2018.
- 5.3. Before we can assess the application, but potentially after 31 March 2018, we will also need you to:
 - **Submit grace period evidence to us**, which meets the grace period eligibility conditions. We will request this evidence if it has not been provided. All evidence in support of the grace period must be received by Ofgem E-Serve before a decision whether to accredit the generating station can be made. If you are applying under the preliminary accreditation grace period, you do not need to submit any grace period evidence. Refer to Appendix 2 for the checklists of grace period evidence that should be provided.
 - **Provide commissioning evidence**
- 5.4. The next sections explain these steps in more detail.

Applying for accreditation and a grace period

Applying for accreditation

- 5.5. When applying for accreditation you should be familiar with the NIRO eligibility criteria by referring to the NIRO and the [RO: Guidance for generators](#), chapter 3 in particular.
- 5.6. Before applying for accreditation the operator must register an account for their organisation (or themselves as applicable). Register at: <https://renewablesandchp.ofgem.gov.uk/>

- 5.7. It is possible to submit an application for accreditation up to two months before your anticipated date of commissioning, and we recommend that you do this if your commissioning date is close to 31 March 2018.
- 5.8. Our [Renewables and CHP Register – User Guide](#) has a step-by-step guide to registering an account, applying for accreditation and managing the account once the generating station has been accredited.
- 5.9. Applicants will need to submit their application for accreditation and, if relevant, submit evidence that they are eligible for a grace period. For the grid and/or radar delay grace period, your application will not be processed until this evidence has been supplied (and we will not review the grace period eligibility evidence until we've received an application for accreditation). When we receive your application for accreditation we will request the grace period eligibility evidence if it has not already been received. Further instructions on this can be found in the 'Submitting grace period evidence' section below.
- 5.10. Once your accreditation application has been submitted, declarations are generated which must be agreed by the superuser. If you have set up your user account email notifications correctly, you will receive an automated email reminding you to submit your declarations.
- 5.11. Applications are not considered fully submitted until the superuser of the account agrees the electronic declarations, so you need to **make sure the declarations are signed on or before 31 March 2018.**
- 5.12. You will need to send us your grace period evidence separately (see 'Submitting grace period evidence' below).

Existing NIRO stations adding additional capacity under the NIRO

- 5.13. Operators of stations that are already accredited under the NIRO and are adding additional capacity under the NIRO must submit evidence that the additional capacity is eligible for the grid and/or radar delay grace period, and amend their application.
- 5.14. Operators must amend their application to update their Total Installed Capacity (TIC), Declared Net Capacity (DNC) and capacity grid (QC237), and submit a revised schematic diagram to us showing the position of the additional generating equipment and any changes to metering. Please refer to the [RO: Guidance for generators](#) for more information on this.

Difficulties submitting an accreditation application If you have problems submitting your application you should contact the Renewables team (renewable@ofgem.gov.uk or 020 7901 7310).

- 5.16. Generators looking to commission their stations before 31 March 2018 should submit accreditation applications well in advance to avoid the risk of experiencing problems accessing the system. Applications can be submitted up to two months before commissioning.
- 5.17. Please let us know as soon as possible by email if you become aware that the Register is not functioning correctly, and provide a screenshot of the problem. **We will not accept any applications for accreditation after 31 March 2018.**

Submitting grace period evidence

- 5.18. **Send grace period evidence to:** renewable@ofgem.gov.uk stating in the subject line the station name and which grace period you are applying for.

- 5.19. All the required evidence and declarations for the grace period you are applying for, as listed in the previous chapter, should be attached to the email and listed in the body of the email. In addition, the email should confirm the name of the generating station, the address of the station and the TIC. There is an example email template in Figure 3 below. Also, there is a checklist for applying for accreditation and a grace period in Appendix 2.
- 5.20. Your application will not be processed until the evidence in support of the grace period has been supplied. Once you have submitted your grace period evidence to us, you will receive an email also confirming the date it was received.
- 5.21. Our system will reject emails larger than 20MB. If you are concerned about the size of your files, or you receive a notification that it has been rejected, please contact us. We have a file-sharing service which can be used to transfer large files.
- 5.22. Grace period evidence may also be submitted by post. It should be clearly labelled, include all the required information and sent to:

Renewable Electricity, ref: NIRO grace period, Ofgem E-Serve, 9 Millbank, London, SW1P 3GE

Figure 3: Example email for submitting grace period evidence

From: Operator of a generating station
Sent: 01 June 2017 09:44
To: Renewable@ofgem.gov.uk
Subject: Application for the NIRO 'grid delay' grace period [station name]

Dear Ofgem E-Serve Renewable Team,

I have [delete as appropriate]: submitted an application for accreditation for a generating station via the register / amended an existing accreditation via the register to add capacity to an existing generating station.

Generating station name: [insert name]
Generating station address: [insert address]
Total Installed Capacity: [insert capacity] kW

I am applying for the NIRO 'grid delay' grace period. The required evidence is attached:

1. Grid works agreement
2. Estimated date of completion for grid works
3. Confirmation of delay of grid works
4. Operator declaration on delayed grid works.

Commissioning evidence

- 5.23. Once a generating station has been commissioned, the operator needs to email us evidence of this to renewable@ofgem.gov.uk. For more detail, consult our [Essential Guide to Commissioning](#).

Processing the application for accreditation and a grace period

- 5.24. Applications for accreditation must be received by us by midnight on 31 March 2018. We will not accept any applications received after this date for a generating station in Northern Ireland.
- 5.25. All grace period evidence in support of the grid or radar delay grace period application must be received by Ofgem E-Serve before a decision whether to accredit the generating station can be made, but may be provided to Ofgem E-Serve after the closing date of the relevant grace period.
- 5.26. Similarly, all commissioning evidence in support of a grace period application must be received by Ofgem E-Serve before a decision whether to accredit the generating station can be made, but this may be provided to Ofgem E-Serve after the closing date of the relevant grace period.
- 5.27. We will review the evidence provided in support of the applications for accreditation and for a grace period at the same time (except in the case of the EFD grace period). We will check the information provided initially and ask for any missing information to be submitted to us (this is during our "initial review"). We will then assess the application for eligibility, and raise any queries as required (this is during our "technical review"). Throughout the first two stages of the checking process, we will contact applicants via the Register, email and phone if we have queries.
- 5.28. **It is important you set up email notifications or check the system and your email inbox regularly** so you can respond to queries quickly. If you need to edit your application please make sure you click through to the end of the application to submit it. Note that a review screen will appear at the end of the application – you must scroll to the bottom of this and re-submit your application.
- 5.29. Once the technical review is complete, the application will go to a member of staff with authority to do a final check and, if appropriate, grant accreditation and the grace period (this is the "decision review"). We will grant accreditation only if we are satisfied that all statutory requirements are met. This means the NIRO eligibility criteria, the grace period criteria and the station commissioning on or before 31 March 2018.
- 5.30. We anticipate receiving a lot of accreditation and grace period applications. So that we can make decisions promptly, it is essential that applicants familiarise themselves with the legislation and the guidance before applying. Applicants should ensure that all necessary information has been provided and that they respond to our queries promptly. These queries will be raised via email, and on the Register. Incomplete or unclear applications and evidence will slow down the decision-making process.
- 5.31. To aid this process further, Appendix 1 has some tips on how to complete aspects of the application form. Appendix 2 has a checklist of the information to be submitted in applying for a grace period.
- 5.32. Once you have submitted your accreditation application, you should follow the processes in our [RO: Guidance for generators](#), particularly around submitting output data before you receive your accreditation. The time we take to process your accreditation does not affect your accreditation date.

Accreditation under the NIRO

- 5.33. To be issued with NIROCs, a generating station must be accredited under the NIRO as being capable of generating electricity from eligible renewable sources. The generating station must also meet all other NIRO eligibility criteria. When accreditation is granted, it will be effective from the later of the following dates:
- The date the application was submitted to us via the Register
 - The date the generating station was commissioned
- 5.34. The NIRO⁷ explains how we should grant and withdraw accreditation. It also sets out when we may attach and amend conditions to any preliminary accreditation or accreditation granted. For more information on the scheme's eligibility requirements see the [RO: Guidance for generators](#).
- 5.35. Applicants will be notified should Ofgem E-Serve be minded to reject an application if it is considered to be ineligible for the scheme. This allows applicants to provide further evidence prior to a final decision being made.

Audit

- 5.36. We regularly audit accredited generating stations to guard against fraud and error. If an operator applied for one of the available grace periods, and the station is subsequently audited, the grace period evidence and declarations will be reviewed alongside the information provided in support of the accreditation application. Our auditors will pay particular attention to evidence provided in support of the commissioning date and other dates relevant to the grace period conditions.
- 5.37. Stations that apply for accreditation and a grace period may be audited before they are accredited under the NIRO. In certain circumstances, including if we find that information provided to us in support of the application or the grace period is incorrect, we can refuse to accredit the station.
- 5.38. We can withdraw accreditation and revoke or permanently withhold NIROCs in certain circumstances, including if we later find that information provided to us was incorrect. There is more information in chapter 3 of the [RO: Guidance for generators](#).
- 5.39. Ofgem E-Serve takes a zero tolerance approach to fraud. We have a dedicated Counter Fraud team who investigate allegations of suspected fraud and will refer any matters to the relevant authorities where appropriate.

⁷ Article 50 of the NIRO

Appendix 1: Application tips

We have put together tips and specific examples to illustrate points to help you get your application right first time. Not all questions are covered in this guide. For more detailed information, we encourage you to read the [RO: Guidance for generators](#).

QA100: Name for the generating station. Use the same name here as in any correspondence. Think carefully about the name you choose as once the name has been entered it cannot be amended.

QA201: Commissioning date. Refer to our [Essential Guide to Commissioning](#) for details of how to work out your commissioning date and what evidence we expect to see in support of this.

QA301: Total Installed Capacity (TIC). Refer to the definition of TIC in the [RO: Guidance for generators](#).

QA302: Declared Net Capacity (DNC). Refer to the definition of DNC in the [RO: Guidance for generators](#). To confirm the DNC you will need to provide details of the inverters and/or any other internally-used electricity.

QB201: Address. The address of the station should be for the land on which the station is situated.

QB206 and QB300: Postcode and ordnance survey (OS) grid reference. The OS grid reference should match the location of the postcode. Please use the link in the question text to convert your postcode into an OS grid reference and double check to make sure they are the same, correct, location.

QC237: Capacity details. The capacity details must match the values given QA201, QA301 and QA401.

QC258: Grace period. The system will ask if you are applying for a grace period if you are applying for accreditation, or enter a commissioning date, after 31 March 2017. If you select 'no' you will see a terminating message and you will only be able to go back and correct your previous answers. If you select 'yes' you will be able to complete and submit your application as normal.

QC600 and QC700: REGO. QC600 should be answered YES if applying for REGOs. At QC700 you should choose the correct technology type. For further details on the REGO scheme please see [our website](#).

QE100: Plant description. These are examples of the level of detail we require for this question. This must match the details given elsewhere.

Solar plant

14,056 PV modules in total:

- 4,490 at rated power output of 330 Wp.
- 9,566 at rated power output of 335 Wp.

This gives you a system with a total DC power output of about 4,685.31 kWp (at peak power). The total installed capacity (TIC) is thus 4,685.31 kW. The total inverters power output (as AC power) is 4200 kW (DNC).

- 1 x PowerElectronics FreeSun FS1120CH (360V) (Rated power 1,200 kW)
- 2 x PowerElectronics FreeSun FS1400CH (360V) (Rated power 1,500 kW)

or

Biogas plant

2 X 500kW Deutz Gas Engine and AAB synchronous 200v generator, or 1 x Moving Grate Biomass Boiler 1 x Steam Turbine & Generator rated at 200 kW.

QF100 and QF400: Claiming certificates. Please make it very clear about how you measure your electricity, and how this relates to your chosen method for claiming certificates. The method of claiming certificates and responses on the metering must match the metering set up at the station. Definitions of input, export, gross output and net output electricity are provided in the [RO: Guidance for generators](#). As NIROCs can only be claimed on the net output electricity, if this is not measured directly the metering arrangements must show how this can be calculated.

QF500- QF528: Export metering. The details of the metering must be provided in full. They also must match the details provided on the single line diagram. The meters used must be approved meters. Explanations of approved meters are in the [RO: Guidance for generators](#).

QG100 and QG200: Imported electricity and generated electricity used by the generation equipment. For grid connected generating stations we expect the answer to these to be yes. If you answer yes, you will need to provide the monthly data for imported electricity or electricity generated and used by the system, as NIROCs can only be issued on your net output electricity.

QG120- QG129: Import metering. Provide the details of the metering in full. They also must match the details provided on the single line diagram. The meters used must be approved meters. Explanations of approved meters are provided in the [RO: Guidance for generators](#).

QH500: Connection capacity. The connection capacity should be for the amount agreed with the network operator. A correct connection capacity gives us another way to confirm the TIC and expected export.

QI100: Single line diagram. The single line diagram should be uploaded and include the points detailed in QI100:

- all generating equipment,
- all import and export connections,
- location of all metering and serial numbers,
- any standby generation, and
- the TIC breakdown of the generating station.


These details should also match the information given elsewhere in the application form.

Once you have completed the application and submitted it on the Register, you should send your grace period evidence by email to renewable@ofgem.gov.uk. Further instructions on this are in 'Submitting grace period evidence', Chapter 4, above.

Appendix 2: Grace period checklists

Table 5 is a checklist of the information that should be submitted for each type of grace period.

Table 5: Grace period checklist evidence to be submitted to Ofgem E-Serve with your application

Evidence to be submitted	Grid works delay grace period evidence checklist	
Grid works agreement & acceptance		
Estimated date of completion for grid works document*	*if not included in grid works agreement document	
Confirmation of delay of grid works		
Operator declaration		
		
Evidence to be submitted	Radar works delay grace period evidence checklist	
Radar works agreement & acceptance		
Estimated date of completion for radar works document*	*if not included in grid works agreement document	
Confirmation of delay of radar works		
Operator declaration		
Evidence to be submitted	Enabling financial decisions grace period evidence checklist	
Ofgem E-serve confirmation letter		

Appendix 3: Declaration templates

Template 1: Grid or radar delay declaration for the 'grid or radar delay' grace period

This is a template declaration confirming that the generating station would have been commissioned before 31 March 2017, had the grid connection or radar works delay not occurred, as required by articles 5 and 6 of the Renewables Obligation Closure Order (Northern Ireland) 2015. It must be submitted with the relevant supporting documentation, for a station to be assessed as meeting the grid or radar delay condition. This form should be printed, signed by the operator of the station and sent to Ofgem E-Serve.

<p><u>Declaration of grid or radar delay (example)</u></p> <p>Generating station name:</p> <p>.....</p> <p>I confirm that,</p> <ul style="list-style-type: none">- to the best of my knowledge and belief, the station named above would have been commissioned/the 2017/18 capacity at the station named above would have formed part of the station [<i>delete as appropriate</i>] on or before 31 March 2017 if the relevant grid/radar [<i>delete as appropriate</i>] works had been completed on or before the planned grid/radar works completion date, and- I am the operator of the generating station stated in this declaration. <p>Signed</p> <p>Full name</p> <p>Position/Job title</p> <p>Date</p>
--

This declaration is to be submitted once you have submitted your application for accreditation and with the other documents set out in articles 5 and 6 of the Renewables Obligation Closure Order (Northern Ireland) 2015).

Before making this declaration you should read and understand the relevant legislation and, if necessary, take your own independent legal advice to ensure that the proposed generating station which is subject to this declaration qualifies.

Annex 2 – Consultation process

We are keen to consider any comments or complaints about how this consultation has been conducted and to gain your views on the following:

Question 1: Do you have any comments about the process adopted for this consultation?

Question 2: Please add any further comments.

Please send your comments to:

andrew.macfaul@ofgem.gov.uk
Andrew MacFaul
Consultation Co-ordinator
Ofgem
9 Millbank
London
SW1P 3GE

DRAFT