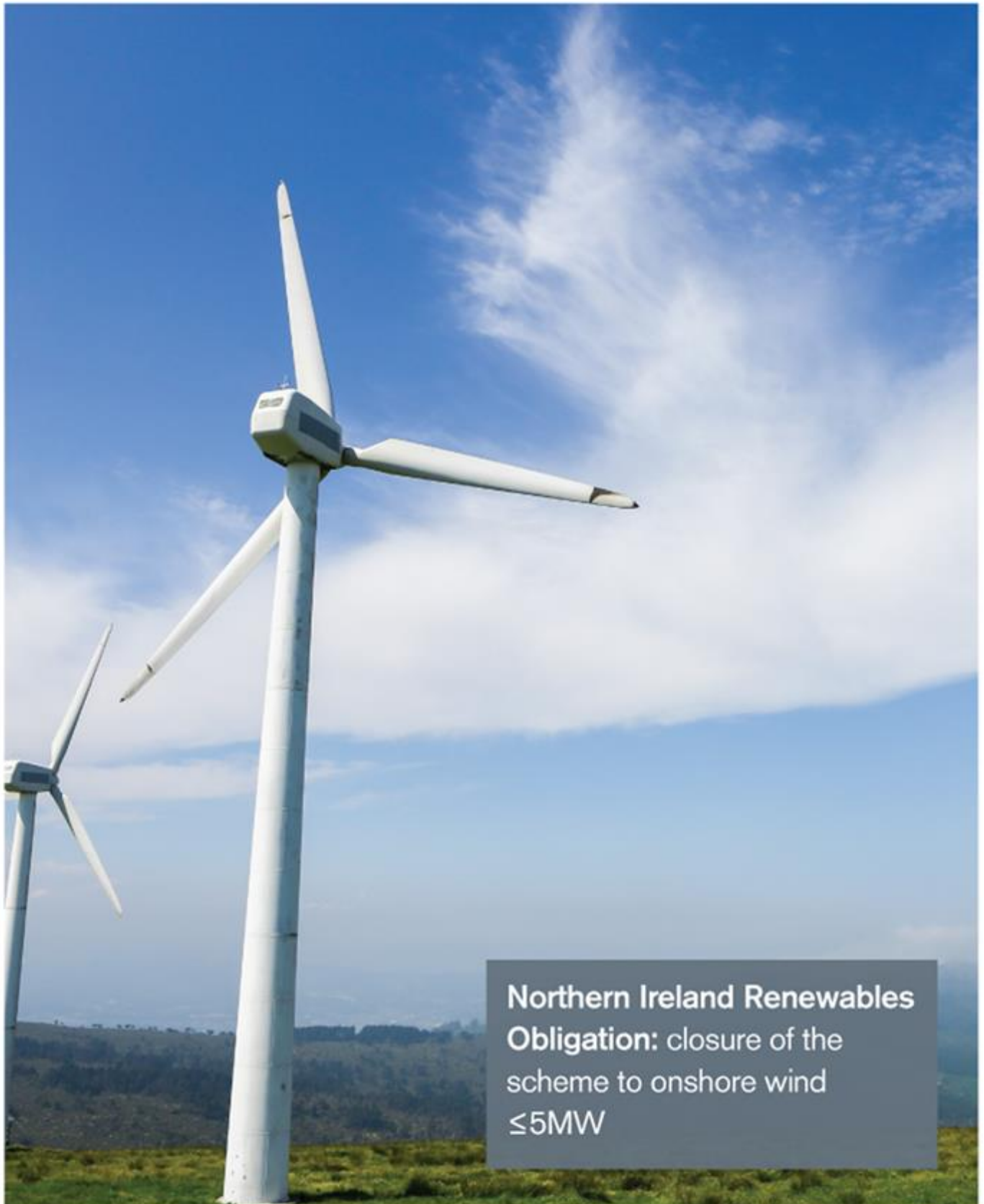


Northern Ireland Renewables Obligation

ofgem.gov.uk/ro

20 December 2017



**Northern Ireland Renewables
Obligation:** closure of the
scheme to onshore wind
 $\leq 5\text{MW}$

Overview

This guidance is for developers and operators of small ($\leq 5\text{MW}$) onshore wind generating stations in Northern Ireland who are affected by the closure of the Northern Ireland Renewables Obligation (NIRO) scheme to small onshore wind, which commenced on 1 July 2016. This document is not applicable to other technologies, which have been subject to the closure of the NIRO on 31 March 2017.¹ It explains how we administer the early closure and the grace periods that are available.

The early closure of the scheme was brought into effect by the Renewables Obligation Closure (No. 2) Order (Northern Ireland) 2016. 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 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 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 scheme on behalf of the Northern Ireland Authority for Utility Regulation (NIAUR), and its day-to-day functions are performed by Ofgem.

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

The Renewables Obligation Closure (No. 2) Order (Northern Ireland) 2016 closed the NIRO scheme for new small ($\leq 5\text{MW}$) onshore wind generating capacity from 1 July 2016. This Order also introduced five grace periods. Subject to one or more of three specified conditions being met, the grace periods enable small onshore wind generating capacity to be accredited after 1 July 2016.

This guidance document explains how we administer the early closure and the grace periods that are available since the Renewables Obligation Closure (No. 2) Order (Northern Ireland) 2016 came into operation on 29 June 2016.

This document should be read in conjunction with chapter 3 of [RO: Guidance for generators](#), which has full details on seeking accreditation under the NIRO. Microgenerators ($< 50\text{kW}$) should also refer to [Applying under the NIRO: A step-by-step guide](#). These documents are for guidance only and are not a legal guide.

¹ Please refer to www.ofgem.gov.uk/environmental-programmes/ro/about-ro/ro-closure for information on the wider closure of the NIRO

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 but 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

- Information on the proposals to close the Northern Ireland Renewables Obligation to small onshore wind early:

<https://www.economy-ni.gov.uk/consultations/consultation-proposed-closure-northern-ireland-renewables-obligation-new-small-scale>

- The Renewables Obligation Closure (No. 2) Order (Northern Ireland) 2016:

<http://www.legislation.gov.uk/nisr/2016/252/contents/made>

The Renewables Obligation Order (Northern Ireland) 2009, as well as its amendment Orders for 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:

- Renewables Obligation: Guidance for generators
- Applying under the Northern Ireland Renewables Obligation: A step-by-step guide
- Renewables and CHP Register User Guide ('the User Guide')
- Renewables Obligation: Essential guide to commissioning

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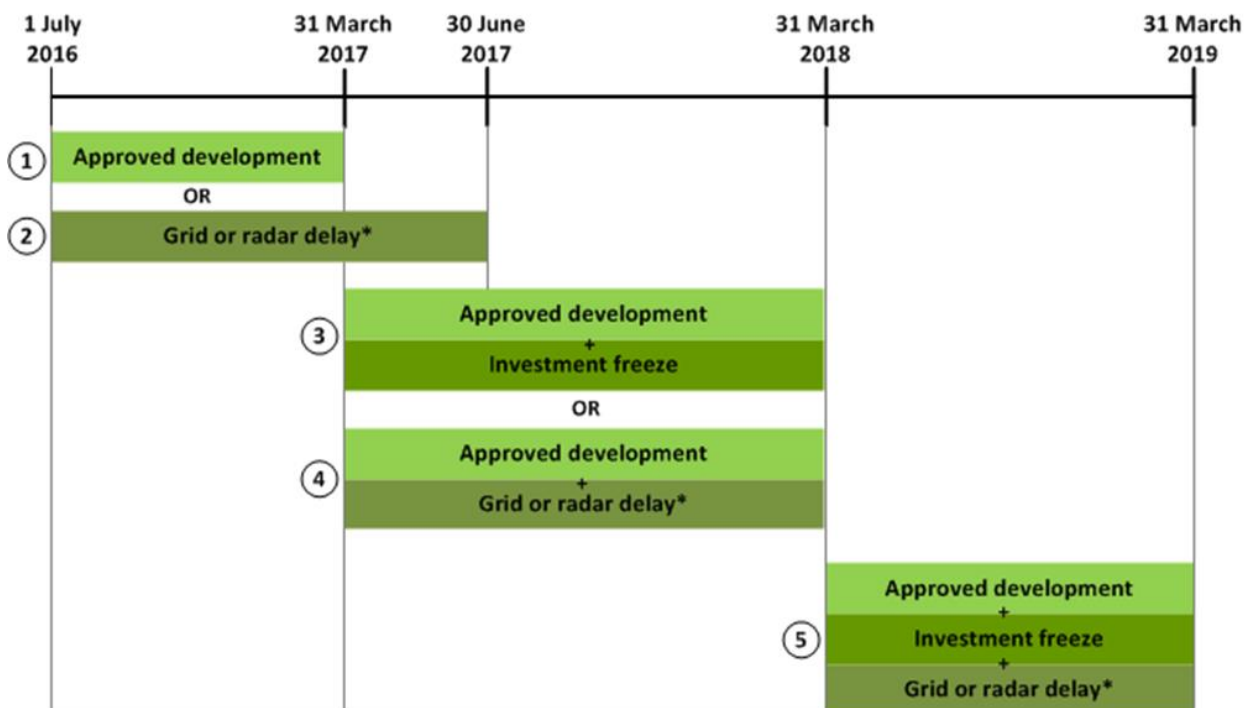
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Executive Summary

The Northern Ireland Renewables Obligation (NIRO) incentive scheme closed to new capacity on 31 March 2017. However, the Renewables Obligation Closure (No. 2) Order (Northern Ireland) 2016 (NIRO Closure (No. 2) Order 2016), closed the NIRO scheme to all new small ($\leq 5\text{MW}$) onshore wind capacity early. This means that from 1 July 2016 the NIRO was closed to any new small onshore wind generating capacity in Northern Ireland, including additional capacity.

The NIRO Closure (No. 2) Order 2016 also introduced grace periods for stations affected by the early closure. If the grace period conditions, and all other NIRO eligibility criteria, are met, the grace periods enable small onshore wind generating capacity to gain accreditation under the NIRO between 1 July 2016 and 31 March 2019. The grace periods and the conditions which must be met for each are shown in Figure 1.

Figure 1: The grace periods available and the conditions that must be met for an onshore wind station $\leq 5\text{MW}$ to be eligible for accreditation under the NIRO from 1 July 2016 and the applicable dates for each grace period



*Depending on when the grid or radar delay condition is being applied for, the cutoff date by which a station would have commissioned but for a grid or radar delay outside the developer's control (the 'primary date') will differ.

The three conditions that are set out in the NIRO Closure (No. 2) Order 2016 are:

- i. 'approved development' condition: for generating stations where a grid connection agreement, land rights and planning permission were in place on or before the relevant eligibility date²
- ii. 'grid or radar delay' condition: for generating stations that have been subject to grid connection or radar works delays that were not because of a breach by a developer, and
- iii. 'investment freezing' condition: for generating stations where required finance could not be obtained as a result of legislative uncertainty before the NIRO Closure (No. 2) Order 2016 was made.

This guidance document explains how we administer the early closure and the grace periods. Please read it together with [RO: Guidance for generators](#) and [Applying under the NIRO: A step-by-step guide](#) which provide full details on seeking accreditation under the NIRO.

This guidance document also explains the process for applying for accreditation and a grace period at the same time. To gain accreditation for small onshore wind stations from 1 July 2016, you will need to:

- submit an application for accreditation,
- commission the station, and
- meet all NIRO eligibility and relevant grace period conditions on or before the grace period closing date.

You should submit the necessary grace period evidence alongside your full application for accreditation. The individual grace periods end on different dates, but all grace periods will be closed by 31 March 2019, after which we will not accept any applications for the NIRO from small onshore wind stations in Northern Ireland.

² The 'relevant eligibility date' is 30 September 2015

1. Introduction

Chapter summary

Explains the background to the changes for small onshore wind generating stations that took effect from 1 July 2016, the key terms the operators should be aware of, and Ofgem's functions as administrator of the NIRO scheme.

- 1.1. The Renewables Obligation Closure (No. 2) Order (Northern Ireland) 2016 (NIRO Closure (No. 2) Order 2016) closed the Northern Ireland Renewables Obligation scheme (NIRO) to small onshore wind capacity from 1 July 2016. Small onshore wind generating stations are onshore wind generating stations where the total installed capacity³ (TIC) is equal to or less than 5 megawatts (MW). The early closure applies to new small onshore wind generating stations and any additional capacity added to existing stations that are accredited under the NIRO where the TIC (including both the original and additional capacity) would be equal to or less than 5MW. Between 1 July 2016 and 31 March 2019, five grace periods are available for operators of generating stations affected by the closure, providing they meet certain conditions.
- 1.2. This guidance document explains how we administer the early closure, and the grace periods that are available. It should be read in conjunction with [RO: Guidance for generators](#) and [Applying under the NIRO: A step-by-step guide](#) which provide fuller details on seeking accreditation under the NIRO.

Key terms explained

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

Generating stations

- 1.5. 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".
- 1.6. Chapter 2 in [RO: Guidance for generators](#) gives further details on the factors we may consider when determining what constitutes a generating station.

³ As defined by Article 2 of the NIRO, "total installed capacity" in relation to a generating station, means the maximum capacity at which the station could be operated for a sustained period without causing damage to it (assuming the source of power used by it to generate electricity was available to it without interruption)

Commissioned

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

1.8. 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”

1.9. Where we use “NIRO” in this document, it means the Renewables Obligation (Northern Ireland) scheme as amended. The “NIRO Closure (No. 2) Order 2016” means the Renewables Obligation Closure (No. 2) Order (Northern Ireland) 2016. Where we use “RO”, it means the Renewables Obligation scheme, the Renewables Obligation (Scotland) scheme and the Renewables Obligation (Northern Ireland) scheme.

Ofgem’s functions

1.10. The NIRO details what the Authority does for the NIRO scheme 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 functions include:

- accrediting generating stations as being capable of generating electricity from eligible renewable energy sources
- issuing Northern Ireland Renewables 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
- publishing an annual report on the operation of and compliance with the requirements of the NIRO.

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

2. Eligibility for the NIRO from 1 July 2016

Chapter summary

Explains the impact of the closure of the scheme to small onshore wind generating capacity. Also covers the scenarios in which new small onshore wind generating stations may or may not be eligible for the NIRO, and the scenarios in which NIRO accredited onshore wind generating stations may add additional capacity under the NIRO.

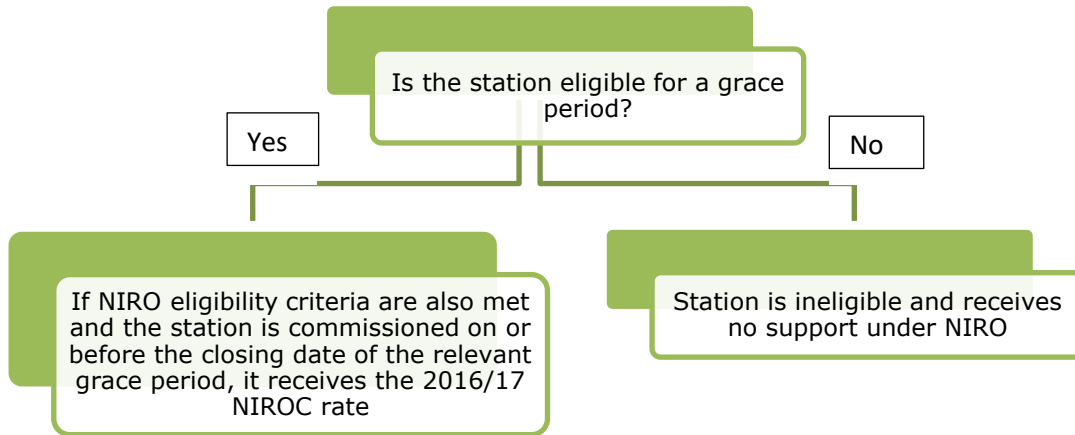
- 2.1. The NIRO closed to small onshore wind stations (an onshore wind generating station where the TIC is equal to or less than 5MW) on 1 July 2016.
- 2.2. From 1 July 2016:
 - any new small onshore wind generating station is no longer eligible to apply for full accreditation under the NIRO, and
 - existing small onshore wind stations cannot add additional capacity under the NIRO.
- 2.3. 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).
- 2.4. An existing NIRO station may also wish to add capacity to a station in the knowledge that this capacity will not gain support under the NIRO. This is explained further in this chapter.

Onshore wind generating station scenarios

New small onshore wind generating stations

- 2.5. Figure 2 shows how we process applications from new small onshore wind generating stations made from 1 July 2016 until 31 March 2019. Any new small onshore wind station that applies shall only be accredited if:
 - it is eligible for a grace period,
 - it meets the NIRO eligibility criteria,
 - it commissioned before the end of the appropriate grace period, and
 - an application in relation to the station was submitted before the end of the appropriate grace period.
- 2.6. Provided they have met the above criteria, they will gain accreditation under the NIRO.

Figure 2

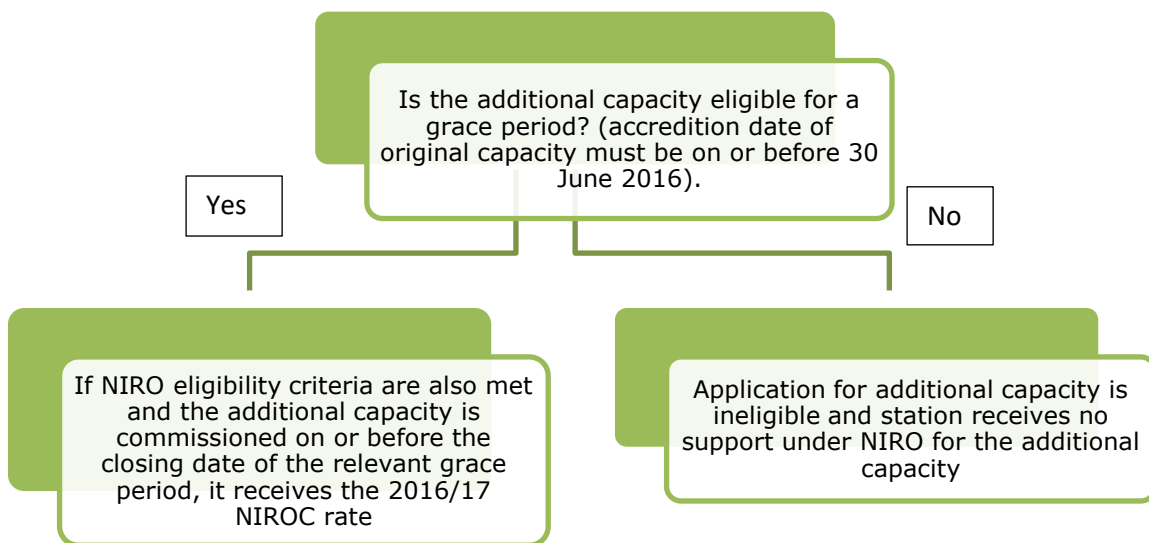


Adding additional capacity

2.7. Figure 3 shows how we process additional capacity being added to an onshore wind generating station from 1 July 2016 until 31 March 2019 where the TIC including both original and additional capacity is less than or equal to 5MW. Additional capacity added to a station where the TIC is equal to or less than 5MW will only be eligible for NIRO support if:

- it is eligible for a grace period
- it meets the NIRO eligibility criteria, and
- it commissioned before the close of the appropriate grace period.

Figure 3



2.8. For further information on adding additional capacity under the NIRO, refer to our [RO: Guidance for generators](#).

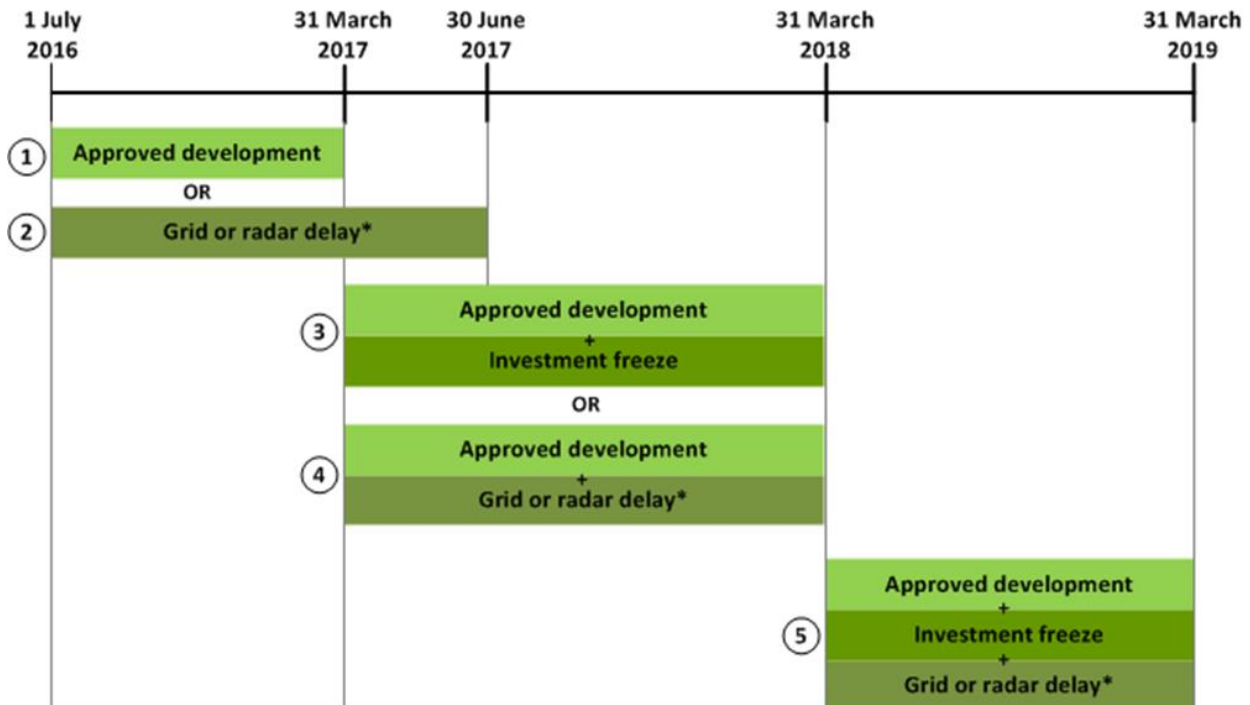
3. Eligibility for grace periods

Chapter summary

Explains the five grace periods that are available for small onshore wind generating capacity following the closure, which will allow the operator of a small onshore wind station to apply for accreditation from 1 July 2016. This chapter also describes the eligibility requirements and the evidence we would expect in support of an application.

- 3.1. You will need to apply for one of the available grace periods when you apply for accreditation from 1 July 2016 onwards. The grace period you are able to apply for will vary depending on whether you can provide evidence that you meet one or more of the conditions set out in the NIRO Closure (No. 2) Order 2016. We will not accept any applications from operators of new small onshore wind generating stations after 31 March 2019. The grace periods also cover operators applying for support for additional capacity where the TIC (including the original and additional capacity) is equal to or less than 5MW.
- 3.2. A decision on eligibility for both accreditation and the grace period will be taken at the same time. You will have to be eligible for both. We will not assess your eligibility for a grace period before we receive an application for full accreditation. You must have commissioned by the end of your relevant grace period 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. The evidence we would expect in order for you to meet the conditions is outlined below.
- 3.3. There are five grace periods that you may apply for. If you apply for accreditation in the first year after closure (1 July 2016 – 31 March 2017), there are two grace periods available, each requiring you to meet one of the conditions set out in the NIRO Closure (No. 2) Order 2016. Between 1 April 2017 and 30 June 2017 there are three grace periods you could apply for which may require one, two or three conditions to be met.
- 3.4. If you wish to apply for accreditation from 1 July 2017, the grace period you apply for will mean you will have to meet at least two conditions. In order to qualify for any grace period after this date, evidence that the station is eligible for the 'approved development' condition will be required alongside the 'grid and/or radar delay' condition and/or the 'investment freezing condition'.
- 3.5. This means that, generally, the later you commission within the whole onshore wind grace period window, the more conditions you will have to meet to be eligible under the scheme.
- 3.6. If applying for any of the grace periods which require you to meet the grid or radar delay condition, you should be aware of the importance of the 'primary date'. The primary date is the relevant cut-off date by which a station would have commissioned, but for grid and/or radar delays outside the developer's control, and the date is different depending on when you apply for accreditation. There is more detail on the primary date in paragraph 3.23.

Figure 4: The grace periods available and the conditions that must be met for an onshore wind station ≤5MW to be eligible for accreditation under the NIRO from 1 July 2016 and the applicable dates for each grace period



*Depending on when the grid or radar delay condition is being applied for, the cutoff date by which a station would have commissioned but for a grid or radar delay outside the developer's control (the 'primary date') will differ.

N.B. Evidence should not be submitted until the time you apply for accreditation - see chapter 4.

Grace periods

Grace period available from 1 July 2016 to 31 March 2017

- **Approved development (GP 1):** A grace period for generating stations that meet the 'approved development' condition. These are generating stations that had planning permission, grid connection and land rights in place in line with the condition, by the relevant eligibility date.⁴

Grace period available from 1 July 2016 to 30 June 2017

- **Grid and/or radar delay (GP 2):** A grace period for generating stations that meet the 'grid and/or radar delay' condition. These are generating stations that would have commissioned by 30 June 2016 (the 'primary date'), but have been subject to grid and/or radar delays that were not due to a breach by a developer.

⁴ See paragraph 3.8 for the definition of "relevant eligibility date"

Grace periods available from 1 April 2017 to 31 March 2018

- **'Approved development' AND 'investment freezing' (GP 3):** A grace period for stations that meet **both** the **'approved development'** condition and the **'investment freezing'** condition. These are generating stations that would have commissioned by 31 March 2017, but were delayed beyond this date because the developer was unable to secure required finance due to uncertainty over whether the NIRO Closure (No. 2) Order 2016 would be made and its wording if made.

OR

- **'Approved development' AND 'grid and/or radar delay' (GP 4):** A grace period for stations that meet **both** the **'approved development'** condition and the **'grid or radar delay'** condition. These are generating stations that would have commissioned by 31 March 2017 (the 'primary date'), but have been subject to grid and/or radar connection delays that were not due to a breach by a developer.

Grace period available from 1 April 2018 to 31 March 2019

- **'Approved development' AND 'investment freezing' AND 'grid and/or radar delay' (GP 5):** A grace period for generating stations that meet the **'approved development'** condition, and the **'investment freezing'** condition, and the **'grid or radar delay'** condition. These are generating stations that would have commissioned by 31 March 2018, but:
 - were delayed because the developer was unable to secure required finance due to uncertainty over whether the Order would be made and its wording if made, and
 - were unable to commission by 31 March 2018 (the 'primary date') because of grid and/or radar connection delays that were not due to a breach by a developer.

3.7. 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. Applicants should also ensure that they understand the legislation that sets out the evidence requirements.

Key terms

'Relevant eligibility date'

3.8. 'Relevant eligibility date' for a small onshore wind generating station or additional capacity, is defined in the NIRO Closure (No. 2) Order 2016 as 30 September 2015.

3.9. The 'relevant eligibility date' is not the same as the accreditation date of the generating station ('effective date' on the Register), which is sometimes referred to as the 'eligibility date' of the station.

'Relevant developer'

3.10. 'Relevant developer' in relation to an onshore wind generating station or additional capacity, is defined in the NIRO Closure (No. 2) Order 2016 as a person who:

- (a) applied for planning permission for the station or additional capacity,

- (b) arranged for grid works to be carried out in relation to the station or additional capacity,
- (c) arranged for the construction of any part of the station or additional capacity,
- (d) constructed any part of the station or additional capacity, or
- (e) operates, or proposes to operate, the station.

Meeting the 'approved development' condition

3.11. Table 1 lists the evidence and/or declarations that must accompany an application for a grace period which requires the approved development condition to be met. You must provide:

- for planning permission: documents in relation to either option A or B,
- for grid works offer and acceptance: documents in relation to either option A or B, and
- for land rights: the required declaration

Table 1: 'Approved development' condition evidence

Type of evidence	Evidence option	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
Planning permission ⁵	A	<p>(i) evidence that planning permission for the station or additional capacity was granted on or before the relevant eligibility date,⁶ and</p> <p>(ii) any conditions as to the time period within which the development to which the permission relates must be begun have not been breached.</p>	<p>Decision notice from the relevant planning authority (for example, the council) confirming planning permission has been granted for the station, or capacity in question, dated on or before 30 September 2015.</p> <p>AND</p> <p>If the planning permission required you to start development within a particular time period, then we will require evidence that the time period conditions were not breached. This could be confirmation from the planning authority that pre-commencement conditions were satisfied and evidence of notification to</p>

⁵ 'Planning permission' is defined in the NIRO Closure (No. 2) Order 2016 as "(a) consent under section 39 of the Electricity (Northern Ireland) Order 1992(**c**), or (b) permission under the Planning (Northern Ireland) Act 2011 (Except outline planning permission, within the meaning of section 62 of that Act). The Planning (Northern Ireland) Order 1991 is covered within the scope of this legislation.

⁶ See paragraph 3.8 for definition of 'relevant eligibility date'

Type of evidence	Evidence option	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
Grid works offer and acceptance			the planning authority of the commencement of works. If you have commissioned within the time period in your planning permission then this evidence will not be required.
	B	A declaration by the operator of the station that, to the best of the operator's knowledge and belief, planning permission is not required for the station or additional capacity.	We would expect planning permission to be required, but if not send us: a declaration signed by the operator of the station (the superuser of the account on the Register or other appropriate person) stating that to the best of their knowledge and belief planning permission is not required for the station.
	A	A copy of an offer from a licensed network operator ⁷ made on or before the relevant eligibility date to carry out grid works in relation to the station or additional capacity, and evidence that the offer was accepted on or before the date (whether or not the acceptance was subject to any conditions or other terms).	A copy of the offer to carry out grid works from a licensed network operator that was made on or before 30 September 2015 and 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 from a licensed network operator confirming that the operator of the station accepted the grid works offer on or before 30 September 2015 OR b. a signed acceptance form from the operator of the station dated on or before 30 September 2015 .
B	A declaration by the operator of the station that, to the best of the operator's knowledge and belief, no grid works were required to	We anticipate that grid works would usually have been required, unless your station is 'off-grid' and is therefore entirely without connection to the electricity network. If no grid works were required send us a declaration	

⁷ 'Licensed network operator' is defined in the NIRO Closure (No. 2) Order 2016 as 'a distribution licence holder or a transmission licence holder'.

Type of evidence	Evidence option	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
Land rights declaration		be carried out by a licensed network operator in order to enable the station to be commissioned or the additional capacity to form part of the station.	signed by the operator of the station (the superuser of the account on the Register or other appropriate person) stating that, to the best of their knowledge and belief, no grid works needed to be carried out by a licensed network operator to enable the station to be commissioned.
	N/A	<p>A declaration by the operator of the station that, to the best of the operator's knowledge and belief, as at the relevant eligibility date a relevant developer⁸ of the station or additional capacity (or a person⁹ connected, within the meaning of section 1122 of the Corporation Tax Act 2010(a), with a relevant developer of the station or additional capacity)—</p> <p>(a) was an owner or lessee of the land on which the station or additional capacity is situated,</p> <p>(b) had entered into an agreement to purchase or lease the land on which the station or additional capacity is situated,</p> <p>(c) had an option to purchase or to lease the land on which the station or additional capacity is situated, or</p>	A declaration signed by the operator (the superuser of the account on the Register or other appropriate person) that follows template AD in Appendix 3.

⁸ See paragraph 3.10 for definition of 'relevant developer'.

⁹ A person could include a registered director of a limited company (such as a director of the company who is registered as such at Companies House) or the company secretary.

Type of evidence	Evidence option	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
		(d) was a party to an exclusivity agreement ¹⁰ in relation to the land on which the station or additional capacity is situated	

3.12. In addition, projects may need off-site supporting infrastructure, which may require planning permission. Given this, we will only seek planning permission for the site where the electricity generating equipment will be.

Variations to the required evidence

3.13. When assessing eligibility for this grace period we are primarily concerned with the documentary evidence that was in place on or before the relevant eligibility date, 30 September 2015.

3.14. We are aware that variations may be made to planning permission arrangements as a project progresses. Should such variations have happened after planning consent was granted in accordance with the requirements of the conditions in the NIRO Closure (No. 2) Order 2016, we will consider these to be acceptable variations for the purpose of our grace period assessment, as long as:

- It is clear from the timeline of the planning permission evidence issued by the planning authority that the relevant eligibility date was met when the original planning permission was granted, and
- The variation(s) granted by the relevant planning authority to planning permission granted in accordance with the requirements of the conditions in the NIRO Closure (No. 2) Order 2016 clearly relates to the station for which the original planning permission was granted.

3.15. In terms of what constitutes a variation, the legislation defines “planning permission” as permission under the Planning Act (Northern Ireland) 2011 or consent under section 39 of the Electricity (Northern Ireland) Order 1992. We recommend you refer to these pieces of legislation in order to understand what are deemed to be acceptable variations.

The parties that evidence was originally issued to

3.16. The NIRO Closure (No. 2) Order 2016 does not specify that the planning permission must have been issued to, or the grid connection offer made to, the person applying for the grace period. Therefore, the party the planning permission was issued to, or the grid connection offer was made to, will not form part of our grace period assessment.

¹⁰ ‘Exclusivity agreement’ is defined in the NIRO Closure (No. 2) Order 2016 as ‘in relation to land, means an agreement by the owner or a lessee of the land not to permit any person (other than the persons identified in the agreement) to construct an onshore wind generating station on the land’.

Grid connection evidence

- 3.17. Zero export connections are required to undergo the normal grid connection application process with NIE as an assessment of the impact is still required. Therefore, if a project does not have an accepted grid connection offer for zero export by the relevant date, it will not meet the eligibility criteria for the approved development condition.
- 3.18. We recognise that additional consents, easements and wayleaves will be required for grid connections. However, we don't need evidence of these.
- 3.19. Variations to an accepted grid connection offer are permitted as long as the new offer clearly relates to the station for which the original accepted offer was made.

Meeting the 'grid or radar delay' condition

- 3.20. The grace periods have been designed in order to provide an additional 12-month period for a generating station to accredit, if it would have been commissioned by the 'primary date' (see below) but for grid and/or radar delays that were not due to a breach by the generator.
- 3.21. The 'grid or radar delay' condition applies to two distinct types of delays that may affect a generating station's ability to commission. Both types of delay are entitled to the same grace periods, but require distinct sets of evidence.
- 3.22. Grid delay evidence that must be provided is explained in Table 2, radar delay evidence required is explained in Table 3.

Primary date

- 3.23. As the grid or radar delay condition is a requirement of multiple grace periods that start at different times, the term 'primary date' in Table 2 and Table 3 below is used to describe the relevant cut-off date by which a station would have commissioned, but for grid and/or radar delays outside the developer's control. The 'primary date' is the final date before the start of each grace period:
- 30 June 2016 for the grace period 1 July 2016 to 30 June 2017,
 - 31 March 2017 for the grace periods 1 April 2017 to 31 March 2018, and
 - 31 March 2018 for the grace period 1 April 2018 to 31 March 2019.

Table 2: Grid delay evidence for the 'grid or radar delay' condition

Type of evidence	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
Grid works agreement	Evidence of an agreement with a network operator ("the relevant network operator") to carry out grid works in relation to the station ("the relevant grid works").	<p>A copy of the offer to carry out grid works 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.</p> <p>AND one of the following:</p> <p>a. A letter signed by an appropriate person from the network operator confirming that the operator of the station accepted the grid works offer,</p> <p>OR</p> <p>b. a signed acceptance form, signed by the operator of the station.</p>
Estimated date of completion for grid works	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 from the generating station, it was the intention of the relevant network operator to complete the relevant grid works ("the planned grid works completion date") no later than the primary date.	<p>A document, for example, a letter or email, from the relevant network operator which confirms that they intended to complete the grid works no later than the relevant primary date. 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>The document can be written retrospectively, so long as it is clear that the letter relates to the generating station for which a grace period application is being made.</p>
Confirmation of delay of grid works	<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 the planned grid works completion date, and</p>	<p>A letter or email from the network operator to the operator of the station explicitly confirming points (i) and (ii).</p> <p>The document can be written retrospectively, so long as it is clear that the letter relates to the generating station for which a grace period application is being made.</p>

Type of evidence	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
	(ii) in the relevant network operator's opinion, the failure to complete the relevant grid works on or before the planned grid works completion date was not due to any breach by a generating station developer of any agreement with the relevant network operator.	
Operator declaration on delayed grid works	A declaration by the operator of the station that, to the best of the operator's knowledge and belief, the station would have been commissioned, or the additional capacity would have formed part of the station, on or before the primary date if the relevant works had been completed on or before the planned grid works completion date.	A declaration signed by the operator (the superuser of the account on the Register or other appropriate person) of the generating station that follows the correct template in Appendix 3.

Table 3: Radar delay evidence for 'grid or radar delay' condition

Type of evidence	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
Radar works agreement	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 ¹¹ ('the relevant radar works').	<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 works 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. For example, you could demonstrate this by providing:</p> <p>a. evidence of an offer to carry out the radar works that clearly states the</p>

¹¹ We will interpret 'radar works' as defined in the Renewables Obligation Closure Order (Northern Ireland) 2015 as "the construction of a radar station, the installation of radar equipment, the carrying out of modifications to a radar station or radar equipment, or the testing of a radar station or radar equipment"

Type of evidence	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
		<p>location of the radar works and the type of radar works to be carried out,</p> <p>AND</p> <p>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.</p>
<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 the primary date.</p>	<p>If the planned radar works completion date is not evident from the radar works agreement (above), we will need to see a document, for example 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 across) which is no later the primary date.</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>The document can be written retrospectively, so long as it is clear that the letter relates to the generating station for which a grace period application is being made.</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> <p>(i) the relevant radar works were completed after the planned radar works completion date, and</p> <p>(ii) in that party’s opinion, the failure to complete the relevant radar works on or before the planned radar works</p>	<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 explicitly confirms points (i) and (ii).</p> <p>The document can be written retrospectively, so long as it is clear that the letter relates to the generating station for which a grace period application is being made.</p>

Type of evidence	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
	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 that, to the best of the operator's knowledge and belief, the station would have been commissioned or the additional capacity would have formed part of the station, on or before the primary date if the relevant radar works had been completed on or before the planned radar works completion date.	A declaration signed by the operator (the superuser of the account on the Register or other appropriate person) of the generating station that follows the correct template in Appendix 3.

Third party grid or radar delay evidence

3.24. By providing confirmation of a grid/radar works delay, the licensed network operator or radar works party is not in any way admitting liability to the developer/operator or Ofgem for any costs or damages. The sole purpose of the letter shall be for the assessment of RO eligibility.

'Generating station developer'

3.25. The NIRO Closure (No. 2) Order 2016 defines "generating station developer" in relation to an onshore wind generating station or additional capacity, as meaning—

(a) the operator of the station, or

(b) a person who arranged for the construction of the station or additional capacity.

Grid and radar delay

3.26. 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 with your application evidence to show that both had occurred (see tables above) and a declaration stating that the station was unable to commission by the primary date due to delays to both the planned radar works and planned grid works.

Variations to the required evidence

3.27. 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. But we won't grant a grace period if, when we are assessing the application

for accreditation, it is clear to us that the grid offer/radar works evidence submitted does not relate to the station covered by the application.

- 3.28. For example, if an original planned grid or radar works completion date was given which was before 30 June 2016, but the network operator subsequently modified this to after 30 June 2016, we would not take this variation into account - our assessment would be based on the original offer and agreement. But we would not grant a grace period if it was clear to us that the original offer or agreement did not relate to the station that an accreditation application was made for.
- 3.29. We would expect any new connection offer to refer to the original "planned grid/radar works completion date" as being on or before the primary date.

The parties that evidence was originally issued to

- 3.30. The NIRO Closure (No. 2) Order 2016 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

- 3.31. 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.
- 3.32. Off-grid stations are entirely without connection to the electricity network. As no grid connection is necessary such stations cannot avail of the grid delay condition.
- 3.33. Zero export connections are required to undergo the normal grid connection application process with NIE as an assessment of the impact is still required. Therefore, providing that the relevant evidence as per Table 2 can be provided these stations could avail of the grid delay condition.

Meeting the 'investment freezing' condition

- 3.34. Table 4 sets out the documents that must accompany an application for a grace period which requires the 'investment freezing' condition to be met:

Table 4: 'Investment freezing' condition evidence

Type of evidence	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
Declaration	A declaration by the operator of the station that to the best of the operator's knowledge and belief as at the date on which this Order is made— (i) the relevant developer required funding from a recognised lender	A declaration signed by the operator of the generating station (the superuser of the account on the Register or other appropriate person) that follows the correct template in Appendix 3.

Type of evidence	Legislative requirement (as appears in NIRO Closure (No. 2) Order 2016)	What evidence could you provide?
	<p>before the station could be commissioned or additional capacity could form part of the station,</p> <p>(ii) the recognised lender was not prepared to provide that funding until this Order is made, because of uncertainty over whether the Order would be made and its wording if enacted, and</p> <p>(iii) the station would have been commissioned, or the additional capacity would have formed part of the station, on or before 31 March 2017 if the funding had been provided before this Order is made.</p>	
Investment freeze letter	<p>A letter or other document, dated on or before the date which is 28 days after the date on which this Order is made, from a recognised lender confirming (whether or not the confirmation is subject to any conditions or other terms) that the lender was not prepared to provide funding in respect of the station or additional capacity until enactment of this Order, because of uncertainty over whether this Order would be made and its wording if made.</p>	<p>A letter or other document from the recognised lender* to the operator of the station, dated on or before 26 July 2016 (the date which is 28 days after the date the NIRO Closure (No. 2) Order 2016 was made), explicitly stating the confirmation required by the legislation (see left-hand column).</p> <p>*The letter should be signed by the Director(s) (or equivalent) of the recognised lender and be on headed paper, or otherwise recognisable as being from that lender.</p>

'Recognised lender'

3.35. 'Recognised lender' is defined in the NIRO Closure (No. 2) Order 2016 as a provider of debt finance which has been issued with an investment grade credit rating¹² by a registered credit rating agency.¹³ Please note, parent companies and their subsidiaries are distinct legal entities – a subsidiary must have its own investment grade credit rating in order to meet this definition.

3.36. It should be noted that there is no requirement for the recognised lender that provides the Investment Freeze letter to ultimately provide funding. Provision of the letter for the purpose of RO accreditation does not bind or commit the lender to investing in the

¹² Defined as 'a credit rating commonly understood by registered credit rating agencies to be investment grade' in the NIRO Closure (No. 2) Order 2016.

¹³ Defined as 'a credit rating agency registered in accordance with Regulation (EC) No 1060/3009 of the European Parliament and the Council of 16 September 2009(a) on credit rating agencies', in the NIRO Closure (No. 2) Order 2016.

project, and the recognised lender will not be liable for any costs/damages from Ofgem or the developer/operator by the act of providing the investment freeze letter.

- 3.37. We recommend that recognised lenders directly apply the language of the legislation in their letter, stating that the lender “was not prepared to provide funding in respect of the station or additional capacity until enactment of the NIRO Closure (No.2) Order 2016, because of uncertainty over whether the Act would be enacted or its wording if enacted.” Lenders are free to include any other terms, caveats or conditions in the letter, as long as these do not contradict the above statement.

4. Submitting an application on or after 1 July 2016

Chapter summary

Explains the process for operators of small onshore wind generating stations submitting an application for accreditation and a grace period from 1 July 2016 onwards. It also highlights some key differences in this process for microgenerators (DNC $\leq 50\text{kW}$).

- 4.1. Operators of small onshore wind generating stations that apply under the NIRO for accreditation from 1 July 2016 until 31 March 2019 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 must be received by Ofgem on or before the close of the relevant grace period. Refer to Appendix 2 for the checklist of evidence that should be provided and that will constitute a complete application.
- 4.2. To be successful in applying for accreditation, the operator must:
 - **Submit a NIRO accreditation application** to us on or before the final date of the relevant grace period, or amend the existing application if adding additional capacity, and meet the NIRO eligibility criteria. (You can apply up to two months before the date the generating station is to be commissioned).
 - **Commission the generating station** (or the additional capacity) on or before the final date of the relevant grace period and provide commissioning evidence.
- 4.3. To assess the application we will also need you to:
 - **Submit grace period evidence to us by email** 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 before a decision whether to accredit the generating station can be made.
 - **Provide commissioning evidence.**
- 4.4. The next sections explain these steps in more detail.

Applying for accreditation and a grace period for a station >50kW

Applying for accreditation

- 4.5. In 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.
- 4.6. Before applying for accreditation the operator must register an account for their organisation (or themselves as applicable). Register at: <https://renewablesandchp.ofgem.gov.uk/>

- 4.7. It is possible to submit an application for accreditation up to two months before your anticipated date of commissioning, and this is recommended should your commissioning date be close to the relevant cut-off date.
- 4.8. 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.
- 4.9. Applicants with a small onshore wind generating station will need to submit their application for accreditation, and submit evidence that they are eligible for a 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). We will request the grace period eligibility evidence if it has not been received when we receive your application for accreditation. Further instructions on this are in 'Submitting grace period evidence' below.
- 4.10. Once your accreditation application has been completed, 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.
- 4.11. 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 the closing date of the relevant grace period.**
- 4.12. Once the application has been submitted, you will receive an email confirming the date we received your application.
- 4.13. You will need to send us your grace period evidence separately by email (see 'Submitting grace period evidence' below).

Existing NIRO stations adding additional capacity under the NIRO

- 4.14. Operators of onshore wind stations that are already accredited under the NIRO and are adding additional capacity under the NIRO where the TIC (including both original and additional capacity) would be equal to or less than 5MW must submit evidence that the additional capacity is eligible for a grace period.
- 4.15. Operators must submit a revised schematic diagram to us showing the position of the additional generating equipment and any changes to metering. Our [RO: Guidance for generators](#) has more information.

Meeting the conditions to apply for a grace period

- 4.16. As off-grid stations are entirely without connection to the electricity network and therefore no grid connection is necessary such stations cannot avail of the grid delay condition.
- 4.17. Zero export connections are required to undergo the normal grid connection application process with NIE as an assessment of the impact is still required. Therefore, providing that the relevant evidence can be provided these stations could avail of the grid delay condition.

Applying for accreditation and a grace period for a station DNC ≤50kW

Applying for accreditation

- 4.18. If you are applying for accreditation you should be familiar with the NIRO eligibility criteria by referring to the guidance [Applying under the NIRO: A step-by-step guide](#). Agents applying on behalf of a generator should refer to our [Guidance for Agents](#). These guidance documents will provide information on how to register an account. This must be done before you can begin an application for accreditation.
- 4.19. Applicants with a micro-onshore wind generating station will need to submit their application for accreditation, and submit evidence that they are eligible for a 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). We will request the grace period eligibility evidence if it has not been received when we receive your application for accreditation. Further instructions on this are in 'Submitting grace period evidence' below.
- 4.20. Once your accreditation application has been completed, 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.
- 4.21. 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 the closing date of the relevant grace period**.
- 4.22. Once the application has been submitted, you will receive an email confirming the date we received your application.
- 4.23. You will need to send us your grace period evidence separately by email (see 'Submitting grace period evidence' below).

Existing micro NIRO stations adding additional capacity under the NIRO

- 4.24. Operators of onshore wind stations that are already accredited under the NIRO and are adding additional capacity under the NIRO where the DNC (including both original and additional capacity) would be equal to or less than 50kW must submit evidence that the additional capacity is eligible for a grace period.
- 4.25. Operators must submit a revised MCS to us, and a revised schematic diagram showing the position of the additional generating equipment and any changes to metering. The [RO: Guidance for generators](#) has more information on adding additional capacity to a wind station already accredited under the NIRO.

Meeting the conditions to apply for a grace period

- 4.26. Depending on the connection type for microgenerators, it may not be possible for all stations to provide the evidence to meet the criteria for the grid delay condition due to their very nature. Table 5 addresses this for each condition. G83/1 Stage 1 connections are also known as 'fit and inform' connections. Although generators will need to liaise with NIE regarding their connections, a formal application for connection is not required. Therefore such stations cannot avail of the grid delay condition.

Table 5: Grace Period conditions which could be met by microgenerators connecting through G83/1 Stage 1 and G83/1 Stage 2 connection types

Condition to be met	G83/1 Stage 1 connection	G83/1 Stage 2 connection
Approved development	Yes	Yes
Investment freezing	Yes	Yes
Grid delay	No	Yes
Radar delay	Yes	Yes

- 4.27. In addition, it is important to note that off-grid stations are entirely without connection to the electricity network. As no grid connection is necessary such stations cannot avail of the grid delay condition.
- 4.28. Zero export connections are required to undergo the normal grid connection application process with NIE as an assessment of the impact is still required. Therefore, providing that the relevant evidence can be provided these stations could avail of the grid delay condition.

Submitting grace period evidence (all capacities $\leq 5\text{MW}$)

Submitting grace period evidence

- 4.29. For all capacities $\leq 5\text{MW}$, **send grace period evidence to renewable@ofgem.gov.uk** stating in the subject line the station name and which grace period (or grace periods) are being applied for.
- 4.30. 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 (or DNC for microgenerators). There is an example email template in Figure 5. Also, there is a checklist for applying for accreditation and a grace period in Appendix 2.
- 4.31. 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 confirming the date it was received.
- 4.32. Our system will automatically 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.

Figure 5: Example email for submitting grace period evidence

From: Operator of an onshore wind generating station
Sent: 01 July 2016 09:44
To: Renewable@ofgem.gov.uk
Subject: Application for the NIRO small onshore wind 'approved development' grace period [station name]

Dear Ofgem Renewable Team,

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

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

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

1. The planning permission decision notice
2. The grid connection offer
3. The acceptance of the grid connection offer
4. My land rights declaration.

- 4.33. 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, 9 Millbank, London, SW1P 3GE

Commissioning evidence

- 4.34. 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](#).

Difficulties submitting an accreditation application

- 4.35. If you have problems submitting your application you should contact the Renewables team (renewable@ofgem.gov.uk or 020 7901 7310).
- 4.36. Generators looking to commission their stations before a grace period deadline 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.
- 4.37. Email us immediately 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 from operators of small scale onshore wind generating stations in Northern Ireland after 31 March 2019.**

Processing the application for accreditation and a grace period

- 4.38. Applications for accreditation must be received by us by the end of the relevant grace period (for example, midnight on the closing date). We won't accept applications received after this date from a small onshore wind station. All evidence in support of the grace period application must be received by Ofgem before a decision whether to accredit the generating station can be made, but may be provided to Ofgem after the closing date of the relevant grace period.
- 4.39. We will review the evidence provided in support of the applications for accreditation and for a grace period at the same time. We will check the information provided initially and ask for any missing information to be submitted to us (initial review). We will then assess the application for eligibility, and raise any queries as required (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.
- 4.40. **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.
- 4.41. 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 (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 the relevant grace period closure date.
- 4.42. 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 by email, and on the Register. Incomplete or unclear applications and evidence will slow down the decision-making process.
- 4.43. To aid this process further, Appendix 1 has some tips on how to complete certain aspects of the application form. Appendix 2 has a checklist of the tasks that will need to be completed in applying for accreditation and the information to be submitted in applying for a grace period.

Accreditation under the NIRO

- 4.44. 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 is submitted to us via the Register, or
 - The date the generating station is commissioned.

- 4.45. The NIRO¹⁴ explains how we should grant and withdraw accreditation. It also details when we may attach and amend conditions to any preliminary accreditation or accreditation. For more information on the scheme's eligibility requirements see [RO: Guidance for generators](#).
- 4.46. Applicants will be notified should Ofgem 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

- 4.47. We regularly audit accredited generating stations to guard against fraud and error. If an operator applied for one of the five 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.
- 4.48. On occasions stations that apply for accreditation and a grace period may also be audited before they are accredited under the RO.
- 4.49. 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 [RO: Guidance for generators](#).
- 4.50. Ofgem takes a zero-tolerance approach to fraud. We have a dedicated Counter Fraud team which investigates allegations of suspected fraud and will seek to refer any matters to the relevant authorities where appropriate.

¹⁴ Article 50 of the Renewables Obligation Order (Northern Ireland) 2009

Appendix 1: Application tips

Where the DNC of the generating station is $\leq 50\text{kW}$ this is considered to be microgeneration for the purpose of the NIRO accreditation process. The application form for microgenerators has fewer questions than are included in this Appendix, please read the [Applying under the NIRO: A step-by-step guide](#) for further information. Agents applying on behalf of a customer should refer to our [Guidance for Agents](#).

There are some questions in the application form for onshore wind DNC $>50\text{kW}$ which people often answer incorrectly. We have put together tips and specific examples below to illustrate points to help you get your application right first time. Not all questions are covered in this guide. This is not a legal guide and is not a substitute for getting your own independent legal or technical advice. For more detailed information, we encourage you to read [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](#). To confirm the TIC you will need to provide details of the number and type of turbines you have.

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 turbine(s) are 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.

QC239: Method of generating electricity. Answer 'onshore wind only'.

QC600 and QC700: REGO. If applying for REGO the selection is 'onshore wind (REGO code=NW)'. For further details on the REGO scheme please see our website.

QE100: Plant description. Tell us the number and type of wind turbine and any associated equipment used at your generating station. For example, 4 x Senvion MM82 2.05MW wind turbine generators; 33kV sub-station and associated control equipment.

QF100, QF200, QF300, 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-QF516: 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 [RO: Guidance for generators](#).

QG100 and QG200: Imported electricity and generated electricity used by the generation equipment. For onshore wind applications we expect the answer to these to be yes. This means that 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 [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' above.

Appendix 2: Application checklists

Table 6 is a checklist of the information that should be submitted for each type of generating station when applying for accreditation and a grace period.

Table 6: Application checklist evidence to be submitted to Ofgem

Evidence to be submitted	Grace period(s)				
	GP 1: 1 July 2016 – 31 March 2017 Approved development condition only	GP 2: 1 July 2016 – 30 June 2017 Grid or radar delay condition only	GP 3: 1 April 2017 – 31 March 2018 Approved development and investment freezing conditions	GP 4: 1 April 2017 – 31 March 2018 Approved development and grid or radar delay conditions	GP 5: 1 April 2018 – 31 March 2019 Approved Development and investment freezing and grid or radar delay conditions
The completed accreditation application received by Ofgem on or before 31 March 2017	Y	N	N	N	N
The completed accreditation application received by Ofgem on or before 30 June 2017	N	Y	N	N	N
The completed accreditation application received by Ofgem on or before 31 March 2018	N	N	Y	Y	N
The completed accreditation application received by Ofgem on or before 31 March 2019	N	N	N	N	Y
Final planning permission document (or declaration)	Y	N	Y	Y	Y
Grid connection offer and acceptance (or declaration)	Y	Y	Y	Y	Y

Evidence to be submitted	Grace period(s)				
	GP 1: 1 July 2016 – 31 March 2017 Approved development condition only	GP 2: 1 July 2016 – 30 June 2017 Grid or radar delay condition only	GP 3: 1 April 2017 – 31 March 2018 Approved development and investment freezing conditions	GP 4: 1 April 2017 – 31 March 2018 Approved development and grid or radar delay conditions	GP 5: 1 April 2018 – 31 March 2019 Approved Development and investment freezing and grid or radar delay conditions
Land rights declaration (Template AD)	Y	N	Y	Y	Y
Investment freeze letter or other document	N	N	Y	N	Y
Investment freeze declaration (Template IF)	N	N	Y	N	Y
Date for completion of grid works	N	Y	N	Y	Y
Confirmation of grid works delay	N	Y	N	Y	Y
Operator declaration in relation to grid or radar delay (Template GD)	N	Y	N	Y	Y

Appendix 3: Declaration templates

Template AD: Renewables Obligation: "Approved development" condition

A declaration confirming land use rights, as set out under Article 11 of the NIRO Closure (No.2) Order 2016, must be submitted for a station to be assessed as meeting the approved development condition. Set out below is an example declaration form that can be printed, signed by the operator of the generating station and sent to Ofgem.

Declaration of land rights (example)

Generating Station name:

I confirm that,

- to the best of my knowledge and belief, as at the relevant eligibility date* a relevant developer of the station or additional capacity (or a person connected, within the meaning of section 1122 of the Corporation Tax Act 2010(a):
 - a) was an owner or lessee of the land on which the station or additional capacity is situated,
 - b) had entered into an agreement to purchase or lease the land on which the station or additional capacity is situated,
 - c) had an option to purchase or to lease the land on which the station or additional capacity is situated, or
 - d) was a party to an exclusivity agreement in relation to the land on which the station or additional capacity is situated, and
 [delete as appropriate]
- I am the operator for the generating station stated in this declaration.

Signed

Full name

Position/Job title

Date

This declaration is to be submitted once you have submitted your application for accreditation with the documents set out in Article 11 of the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016. Before making this declaration you should read the relevant legislation and take your own independent legal advice to ensure that the proposed generating station subject to this declaration qualifies.

* 'the relevant eligibility date' is 30 September 2015

Templates GD1 - GD4: Renewables Obligation: Declarations in relation to the "grid or radar delay" condition

A declaration confirming grid or radar delay as set out under Article 10 of the NIRO Closure (No.2) Order 2016 must be submitted for a station to be assessed as meeting that condition. The declarations in Templates GD1 – GD4 below provide an example declaration form, depending on whether the station is applying for:

- The "grid/radar delay" grace period (GD1) or
- The "approved development + grid/radar delay" grace period (GD2) or
- Both the "approved development + investment freeze" AND "approved development + grid/radar delay" grace periods (GD3) or
- The "approved development + investment freeze + grid/radar delay" grace period (GD4)

The correct declaration should be submitted with the relevant supporting documentation, for a station to be assessed as meeting the "grid or radar delay" condition.

Template GD1 - Declaration of grid or radar delay condition, where a station is applying for the "grid/radar delay" grace period

Generating station name:

.....

I confirm that,

- to the best of my knowledge and belief, the station named above would have been commissioned/the additional capacity at the station named above would have formed part of the station [*delete as appropriate*] on or before 30 June 2016 if the relevant grid/radar [*delete as appropriate*] works¹⁵ had been completed on or before the planned grid/radar [*delete as appropriate*] works completion date,¹⁶
- I am the operator of the generating station stated in this declaration.

Signed

Full name

Position/Job title

Date

¹⁵ As defined in article 10(4)(a) NIRO Closure (No.2) Order 2016

¹⁶ As defined in article 10(4)(b) NIRO Closure (No.2) Order 2016

Template GD2 - Declaration of grid or radar delay condition, where a station is applying for the “approved development + grid/radar delay” grace period

Generating station name:

.....

I confirm that,

- to the best of my knowledge and belief, the station named above would have been commissioned/the additional capacity at the station named above would have formed part of the station [*delete as appropriate*] on or before 31 March 2017 if the relevant grid/radar [*delete as appropriate*] works¹⁷ had been completed on or before the planned grid/radar [*delete as appropriate*] works completion date,¹⁸
- I am the operator of the generating station stated in this declaration.

Signed

Full name

Position/Job title

Date

¹⁷ As defined in article 10(4)(a) NIRO Closure (No.2) Order 2016

¹⁸ As defined in article 10(4)(b) NIRO Closure (No.2) Order 2016

Template GD3 - Declaration of grid or radar delay condition, where a station is applying for both the "approved development + investment freezing" and "approved development + grid/radar delay" grace periods

Generating station name:

.....

I confirm that,

- to the best of my knowledge and belief, the station named above would have been commissioned/the additional capacity at the station named above would have formed part of the station [*delete as appropriate*] on or before 31 March 2017 [*delete as appropriate*] if:
 - i) the relevant grid/radar [*delete as appropriate*] works¹⁹ had been completed on or before the planned grid/radar [*delete as appropriate*] works completion date,²⁰ and
 - ii) funding had been provided before the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made,
- I am the operator of the generating station stated in this declaration.

Signed

Full name

Position/Job title

Date

¹⁹ As defined in article 10(4)(a) NIRO Closure (No.2) Order 2016

²⁰ As defined in article 10(4)(b) NIRO Closure (No.2) Order 2016

Template GD4 - Declaration of grid or radar delay condition, where a station is applying for the “approved development + investment freezing + grid/radar delay” grace period

Generating station name:

.....

I confirm that,

- to the best of my knowledge and belief, the station named above would have been commissioned/the additional capacity at the station named above would have formed part of the station [*delete as appropriate*] on or before 31 March 2018 if:
 - i) the relevant grid/radar [*delete as appropriate*] works²¹ had been completed on or before the planned grid/radar [*delete as appropriate*] works completion date,²² and
 - ii) funding had been provided before the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made,

- I am the operator of the generating station stated in this declaration.

Signed

Full name

Position/Job title

Date

²¹ As defined in article 10(4)(a) NIRO Closure (No.2) Order 2016

²² As defined in article 10(4)(b) NIRO Closure (No.2) Order 2016

Templates IF1 - IF3: Renewables Obligation: Declarations in relation to the "investment freezing" condition

A declaration confirming investment freezing as set out under Article 12 of the NIRO Closure (No.2) Order 2016 must be submitted for a station to be assessed as meeting that condition. The declarations in Templates IF1 – IF3 below provide an example declaration form, depending on whether the station is applying for:

- The "approved development + investment freeze" grace period (IF1) or
- Both the "approved development + investment freeze" AND "approved development + grid/radar delay" grace periods (IF2) or
- The "approved development + investment freeze + grid/radar delay" grace period (IF3)

The correct declaration should be submitted with the relevant supporting documentation, for a station to be assessed as meeting the "investment freezing" condition.

Template IF1 - Declaration of investment freezing condition, where a station is applying for the “approved development + investment freezing” grace period

Generating station name:

.....

I confirm that, to the best of my knowledge and belief, as at the date the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made:

- the station named above required funding from a recognised lender before it could be commissioned/additional capacity could form part of the station [*delete as appropriate*],
- the recognised lender was not prepared to provide that funding until the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made, because of uncertainty over whether the Order would be made and its wording if enacted,
- the station would have been commissioned/the additional capacity would have formed part of the station [*delete as appropriate*] on or before 31 March 2017 if the funding had been provided before 28 June 2016, the date the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made.

Signed

Full name

Position/Job title

Date

Template IF2 - Declaration of investment freezing condition, where a station is applying for both the “approved development + investment freezing” and “approved development + grid/radar delay” grace periods

Generating station name:

.....

I confirm that, to the best of my knowledge and belief, as at the date the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made:

- the station named above required funding from a recognised lender before it could be commissioned/additional capacity could form part of the station [*delete as appropriate*],
- the recognised lender was not prepared to provide that funding until the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made, because of uncertainty over whether the Order would be made and its wording if enacted,
- the station would have been commissioned/the additional capacity would have formed part of the station [*delete as appropriate*] on or before 31 March 2017, if:
 - i) the funding had been provided before 28 June 2016, the date the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made, and
 - ii) the relevant grid/radar [*delete as appropriate*] works²³ had been completed on or before the planned grid/radar [*delete as appropriate*] works completion date.²⁴

Signed

Full name

Position/Job title

Date

²³ As defined in article 10(4)(a) NIRO Closure (No.2) Order 2016

²⁴ As defined in article 10(4)(b) NIRO Closure (No.2) Order 2016

Template IF3 - Declaration of investment freezing condition, where a station is applying for the “approved development + investment freezing + grid/radar delay” grace period

Generating station name:
.....

I confirm that, to the best of my knowledge and belief, as at the date the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made:

- the station named above required funding from a recognised lender before it could be commissioned/additional capacity could form part of the station [*delete as appropriate*],
- the recognised lender was not prepared to provide that funding until the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made, because of uncertainty over whether the Order would be made and its wording if enacted,
- the station would have been commissioned/the additional capacity would have formed part of the station [*delete as appropriate*] on or before 31 March 2017, if:
 - i) the funding had been provided before 28 June 2016, the date the Renewables Obligation Closure (No.2) Order (Northern Ireland) 2016 was made, and
 - ii) the relevant grid/radar [*delete as appropriate*] works²⁵ had been completed on or before 31 March 2017.

Signed
Full name
Position/Job title
Date

²⁵ As defined in article 10(4)(a) NIRO Closure (No.2) Order 2016