

Dear Stakeholder,

## **CONSULTATION ON OFGEM E-SERVE'S DRAFT GUIDANCE – RENEWABLES OBLIGATION: CLOSURE OF THE SCHEME TO SMALL-SCALE SOLAR PV**

We are writing to inform you that our draft guidance 'RO: closure of the scheme to small-scale solar PV' has been published today for a six week consultation period. The draft guidance is provided in annex 1.

**We are inviting stakeholders to provide feedback on the draft guidance. The closing date for responding to the consultation is 8 March 2016.**

The draft guidance explains our proposed administration of the closure of the RO to small-scale solar PV stations, including the process for applying for the grace periods that are available.

The guidance is based on the Department of Energy and Climate Change's (DECC's) RO Closure (Amendment) Order 2016 which was laid on 25 January 2016. The Closure Order is expected to come into operation on 1 April 2016.

The guidance has been drafted as if the RO Closure (Amendment) Order 2016 is already in force. If any changes are made to the legislation before it comes into force, we will amend the guidance document as appropriate.

This document does not take into account the proposed removal of the grandfathering policy for solar PV and changes to support levels. A separate guidance document will be published in due course once DECC have made a final decision on these proposals.

### How to respond

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

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

**Responses should be sent to either:**

[REDevelopment@ofgem.gov.uk](mailto:REDevelopment@ofgem.gov.uk) , or

RE Development Team  
Ofgem  
9 Millbank,  
London SW1P 3GE

Please be aware that this is not a consultation on the policy underpinning the Renewables Obligation, but on the clarity of the guidance document. Queries relating to the policy should be directed to DECC. Contact details can be found at: [www.decc.gsi.gov.uk](http://www.decc.gsi.gov.uk).

If you want your response to be kept confidential, please clearly mark the document/s to that effect and include your reasons for requesting confidentiality. (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 after the RO Closure (Amendment) Order 2016 has come into force.

**Until the Closure Order comes into force, stakeholders should refer to the current legislation and guidance.**

If you have any comments or concerns relating to how this consultation has been conducted please refer to annex 2 for details.

Yours sincerely,

**Renewable Electricity Development Team**

**ofgem e-serve**

# Annex 1

## Draft guidance

Renewables Obligation: Closure of the  
scheme to small-scale solar PV

# **DRAFT Renewables Obligation: closure of the scheme to small-scale solar PV**

## **Guidance**

26 January 2016

# Overview

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This draft guidance is for operators of solar photovoltaic (PV) generating stations in England, Wales and Scotland affected by the closure of the Renewables Obligation (RO) scheme to small-scale solar PV on 1 April 2016. This closure will be brought into effect by the RO Closure Etc. (Amendment) Order 2016<sup>1</sup>, which was laid in parliament on 25 January 2016.

The closure applies to new generating stations with a total installed capacity (TIC) less than or equal to 5MW and any additional capacity added to existing stations whose new TIC does not exceed 5MW. The RO closed to large-scale stations greater than 5MW on 1 April 2015<sup>2</sup>. Operators of small-scale stations that meet certain criteria may be eligible for a grace period, meaning that they can apply for accreditation for 12 months after the closure date, ie from 1 April 2016 until 31 March 2017.

This draft guidance document explains how we will administer the early closure and the grace periods that are available.

DECC has also proposed both a change to the levels of ROC support available to small-scale solar PV stations and a removal of the scheme's grandfathering policy<sup>3</sup>. Guidance on proposed changes to the grandfathering policy and the banding rates available for solar PV in England and Wales will be published at a later date. For more information on these proposals please see the government's final [consultation response](#) on the closure of the RO to small-scale solar and its [banding review consultation](#) document.

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<sup>1</sup> <http://www.legislation.gov.uk/id/ukdsi/2016/9780111142943>

<sup>2</sup> <https://www.ofgem.gov.uk/publications-and-updates/renewables-obligation-ro-guidance-closure-scheme-large-scale-solar-pv>

<sup>3</sup> Grandfathering is a statement of policy intent that once a generating station is accredited and receiving support under the RO at a certain level (or band), the level it receives (in Renewables Obligation Certificates per MWh) would not change for the lifetime of its support under the RO.

# Context

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The Renewables Obligation (RO) and the Renewables Obligation (Scotland) (ROS) are designed to incentivise large-scale renewable electricity generation in the UK and help the UK to meet its requirements for 15% of energy to come 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.

The RO and ROS schemes are provided for under the Renewables Obligation Order 2015 and the Renewables Obligation (Scotland) Order 2009 (as amended). The Orders place an obligation on licensed electricity suppliers in England, Wales and Scotland to source an increasing proportion of electricity from renewable sources. All references to the RO in this document cover the RO and ROS schemes.

The RO and ROS schemes are scheduled to close to all new capacity on 31 March 2017. The RO Closure (Amendment) Order 2016 will close the RO and ROS schemes early for new small-scale ( $\leq 5$ MW) solar PV generating capacity. From 1 April 2016 we will no longer accept any applications for accreditation from operators of small-scale solar PV stations, unless they can meet the criteria of one of three 12-month grace periods provided by the Order. These grace periods allow for applications for stations affected by the early closure to be submitted after the closure date of 1 April 2016 and up to 31 March 2017 on the condition of a:

- i. 'Preliminary accreditation' grace period for generating stations where preliminary accreditation was granted under the RO on or before 22 July 2015, or
- ii. 'Significant commitment' grace period for generating stations where significant commitments have been made on or before 22 July 2015, or
- iii. 'Grid delay' grace period for generating stations that have been subject to grid connection delays that are not due to a breach by a developer.

This draft guidance document explains how we will administer the early closure and the grace periods available. Read it in conjunction with chapter 3 of 'RO: Guidance for generators',<sup>4</sup> which has details on seeking accreditation under the RO. It does not apply to Northern Ireland. Separate guidance on the closure of the NIRO to all non-wind technologies from 1 April 2017 as a result of the RO Closure Order (Northern Ireland) 2015 will be issued in due course.

This draft document is for guidance only and is not intended to be a legal guide. Generators should seek their own legal and technical advice before applying.

The document is a working draft document and will be updated after a consultation process. If there is a scenario not addressed in these procedures, we will deal with it in a way that's consistent with legislation. Any guidance in addition to this document will be published on our website.

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<sup>4</sup> <https://www.ofgem.gov.uk/publications-and-updates/renewables-obligation-guidance-generators-2>

# Associated documents

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## Policy and legislation

- [Government consultation](#) and [consultation response](#) on changes to financial support for solar PV: Controlling spending on solar PV projects of 5 MW and below within the RO
- [Government consultation](#) on the levels of banded support for new solar PV under the Renewables Obligation
- The [Renewables Obligation Closure Etc. \(Amendment\) Order 2016](#)
- The [Renewables Obligation Closure Order 2014](#)
- [Renewables Obligation Order 2015](#), and the [Renewables Obligation \(Scotland\) Order 2009](#), as well as its amendment orders for [2011](#), [2013](#), [2014](#) and [2015](#)

## Guidance

- Renewables Obligation - [Guidance for generators](#)
- Renewables and CHP register [user guide](#)
- Renewables and CHP register account [guidance](#)
- [Guidance on the transition period and closure of the RO](#)
- [Guidance on the closure of the RO scheme to large-scale solar PV](#)

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# Executive summary

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The Renewables Obligation (RO) and the Renewables Obligation (Scotland) (ROS) schemes are scheduled to close to all new capacity on 31 March 2017. The Renewables Obligation Closure Order 2014, which came into force on 9 September 2014, brought this closure into effect. The RO Closure (Amendment) Order 2016<sup>5</sup> was laid in parliament on 26 January 2016. This closes the RO and ROS schemes early to new small-scale solar PV generating capacity. This means that from 1 April 2016:

- any new solar PV generating station  $\leq 5\text{MW}$  will be unable to apply for accreditation (either full or preliminary) under the RO, and
- existing solar PV generating stations with a TIC  $\leq 5\text{MW}$  cannot add more capacity where the new TIC would then exceed 5MW.
- solar PV generating stations accredited after 31 March 2016 cannot add any further additional capacity.

The scheme already closed to new and additional solar PV capacity  $>5\text{MW}$ , as a result of the RO Closure Order (Amendment) 2015<sup>6</sup>. This means that no new or additional solar capacity will be eligible to be added under the RO after 31 March 2016, with the exception of small-scale projects that meet the grace period criteria listed below.

The RO Closure (Amendment) Order 2016 introduces three grace periods for small-scale stations affected by the early closure. If the criteria for a grace period are met, and if all other RO eligibility criteria are met, these grace periods allow operators to gain accreditation under the RO after 31 March 2016, until 31 March 2017. The grace periods are:

- i. 'Preliminary accreditation' grace period for generating stations where preliminary accreditation was granted under the RO on or before 22 July 2015,
- ii. 'Significant commitment' grace period for generating stations where significant commitments have been made on or before 22 July 2015,
- iii. 'Grid delay' grace period for generating stations that have been subject to grid connection delays that are not due to a breach by a developer.

To gain accreditation between 1 April 2016 and 31 March 2017, operators will need to submit an application for accreditation, submit their grace period evidence, commission the station and meet all RO eligibility and grace period criteria on or before 31 March 2017. **From 1 April 2017, we will no longer accept any applications for accreditation from operators of small-scale solar PV generating stations.**

Guidance on proposed changes to the grandfathering policy and the banding rate in England and Wales will be published at a later date. For more information on these proposals please see the government's final [consultation response](#) on the closure of the RO to small-scale solar and its [banding review consultation](#) document.

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<sup>5</sup> <http://www.legislation.gov.uk/ukdsi/2015/9780111127971>

<sup>6</sup> <https://www.ofgem.gov.uk/publications-and-updates/renewables-obligation-ro-guidance-closure-scheme-large-scale-solar-pv>

# 1. Introduction

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## Chapter summary

Explains the background to the changes for small-scale solar PV generating stations introduced on 1 April 2016, the key terms that operators should be aware of, and Ofgem's functions as administrator of the RO scheme.

1.1. The RO and the ROS schemes will close to small-scale solar PV capacity on 1 April 2016. This applies to new solar PV generating stations with a TIC  $\leq$ 5MW and any additional capacity added to existing stations where the new TIC will not exceed 5MW. Three grace periods will be available for operators of generating stations affected by the closure, if they meet certain criteria.

1.2. These changes are being introduced by the RO Closure (Amendment) Order 2016.

1.3. Please be aware the RO scheme has already closed to large-scale solar PV projects over 5 MW.

1.4. Please note that this change does not apply to Northern Ireland. Separate guidance on the closure of the NIRO to all non-wind technologies from 1 April 2017 as a result of the RO Closure Order (Northern Ireland) 2015 will be issued in due course.

## Explaining key terms

1.5. If you're an operator, you should be aware of what the following terms mean before you read this document:

### Use of "RO" and "the Orders"

1.6. Where we use "RO" in this document, it means the Renewables Obligation (RO) scheme and the Renewables Obligation (Scotland) (ROS) scheme. In this guidance, the RO Order and ROS Order are collectively referred to as 'the Orders' but individually referenced where necessary. The RO Closure Order 2014 is referred to as 'the RO Closure Order' throughout this document. Its amendment the Renewables Obligation Closure (Amendment) Order 2016 is referred to as the 'RO Closure Order 2016'.

### Ofgem's functions

1.7. The Orders detail the Authority's functions on the RO schemes in England, Wales and Scotland. A number of these functions are carried out via our IT system – the Renewables and CHP register (the register) and include:

- accrediting generating stations as capable of generating electricity from eligible renewable energy sources
- issuing Renewable Obligation Certificates (ROCs) and Scottish Renewable Obligation Certificates (SROCs)
- establishing and maintaining a register of ROCs and SROCs
- revoking ROCs and SROCs where necessary

- monitoring compliance with the requirements of the Orders
- calculating annually the buy-out price resulting from the adjustments made to reflect changes in the Retail Price Index
- 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 RO from the buy-out fund
- publishing an annual report on the operation of and compliance with the requirements of the Orders.

1.8. We carry out these functions as efficiently and effectively as possible, according to the provisions of the Orders. We cannot act beyond the scope of the powers laid down in the Orders. For example, we have no remit over the operation or regulation of the ROC market itself or the underlying policy. Amendments to the relevant legislation for the RO are a matter for the Secretary of State and Scottish Ministers.

### Definition of a generating station

1.9. 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".

1.10. Guidance on what constitutes a generating station can be found on page 13 of the '[RO: Guidance for generators](#)'.

### How to calculate TIC

1.11. The Department of Energy and Climate Change (DECC) confirmed in 2014 that the TIC of a solar PV generating station should be calculated in this way:

"In the case of solar PV, the TIC of the generating station is to be calculated by multiplying the rated output of the solar PV modules used by the number of modules. This is also how TIC is calculated under the Feed-in Tariff scheme."<sup>7</sup>

1.12. An example calculation would be:

Panel type	Wattage x number of modules	Installed capacity of each module type
Panel type 1	330W x 4,490 modules	1,481.7kW
Panel type 2	335W x 9,566 modules	3,204.61kW
<b>Total Installed Capacity (sum of all the installed capacities)</b>		<b>4,686.31kW</b>

<sup>7</sup> Page 9, "Government response to further consultation on changes to financial support for solar PV": [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/360280/Government\\_response\\_RO-FIT\\_changes\\_to\\_Solar\\_PV\\_-\\_FINAL\\_2014-10-02.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/360280/Government_response_RO-FIT_changes_to_Solar_PV_-_FINAL_2014-10-02.pdf)

## **“Commissioned”**

1.13. The Orders define “commissioned” as “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”<sup>8</sup>.

1.14. For further information please refer to the [RO: Guidance for Generators](#). For a list of the evidence we would usually expect to see to show a station has commissioned, refer to the Ofgem [Essential Guide to Commissioning](#).

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<sup>8</sup> Article 2 of the Orders.

## 2. Eligibility for the RO from 1 April 2016

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### Chapter summary

Explains the impact of the closure of the scheme to solar PV generating capacity with a TIC  $\leq 5\text{MW}$ . Also covers the scenarios in which a new solar PV generating stations may or may not be eligible for the RO, and the scenarios in which RO-accredited solar PV generating stations may add more capacity under the RO, including how 'excluded capacity' is treated.

### Closure of the RO

2.1. From 1 April 2016 the RO is closed to small solar PV stations. A small solar PV station is defined in the RO Closure Order 2016 as "a solar PV station where the total installed capacity of the RO capacity of the station is less than or equal to 5 megawatts"<sup>9</sup>.

2.2. This means that from 1 April 2016:

- any new generating station  $\leq 5\text{MW}$  will be unable to apply for accreditation (either full or preliminary) under the RO,
- existing stations cannot add capacity,

**unless a station can prove they meet one of the three closure grace periods will be eligible to continue applying for the RO until 31 March 2017. This includes small-scale stations adding capacity up to a maximum station TIC of 5MW. These grace periods are explained in chapter 3.**

2.3. An existing RO station may add capacity to a station but not gain support for it under the RO. Such capacity is called 'excluded capacity' and is explained further in section 2.15.

2.4. Please note, the scheme already closed to large-scale stations  $> 5\text{MW}$  on 1 April 2015.

### Solar PV generating station scenarios

#### New solar PV generating stations

2.5. Figure 1 shows how we will handle applications from new small-scale solar PV generating stations from 1 April 2016 until 31 March 2017. For a new solar PV station  $\leq 5\text{MW}$ , the station will only be accredited if:

- it is eligible for a grace period,
- it meets the RO eligibility criteria,
- it is commissioned on or before 31 March 2017, and
- an application for the station is submitted on or before 31 March 2017.

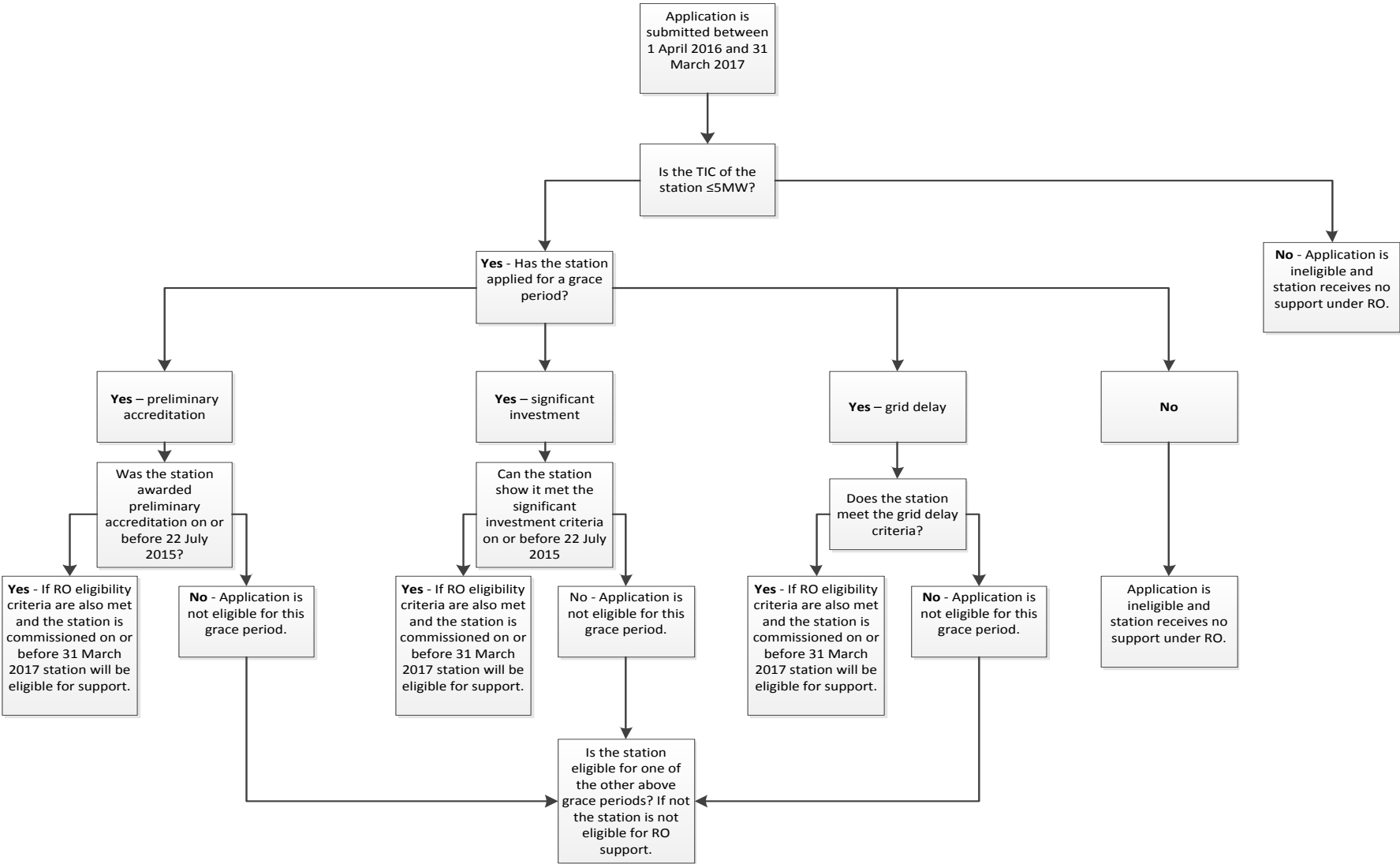
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<sup>9</sup> Article 2 of the RO Closure Order 2016.

2.6. Please note that for each grace period, an applicant's eligibility will depend on compliance with certain date criteria. In relation to:

- Preliminary accreditation – the station must have been granted preliminary accreditation on or before 22 July 2015
- Significant commitment – the applicant must show that a significant commitment was made on or before 22 July 2015
- Grid delay – the applicant must show that the station would have been commissioned before 1 April 2016, if it wasn't for the grid delay outside of their control.

Figure 1: New solar PV generating stations applying for RO accreditation from 1 April 2016 – 31 March 2017



2.7. From 1 April 2017 no new or additional solar capacity will be eligible for support under the RO. Capacity added after 31 March 2017 will be excluded capacity. The ROC rate on the original capacity will not be altered as a result of the capacity added.

### **Adding additional capacity**

2.8. Figure 2 sets out how we will handle additional capacity being added to a solar PV generating station from 1 April 2016 until 31 March 2017. Additional capacity added to a station that is  $\leq 5\text{MW}$ , and where the additional capacity will mean the station's TIC does not exceed 5MW, will only be eligible for RO support if:

- it meets the grace period eligibility criteria, and
- the RO eligibility criteria, and
- it has commissioned on or before 31 March 2017.

2.9. In addition to these criteria, an applicant's eligibility will depend on compliance with these further criteria. In relation to:

- Significant commitment – the station must have been accredited on or before 22 July 2015, and must show that a significant commitment was made in relation to the additional capacity on or before this date.
- Grid delay – the station must have been accredited before 1 April 2016 and must show that the additional capacity would have been commissioned before 1 April 2016, if it wasn't for the grid delay.

2.10. Please note that the preliminary accreditation grace period cannot be used to add additional capacity.

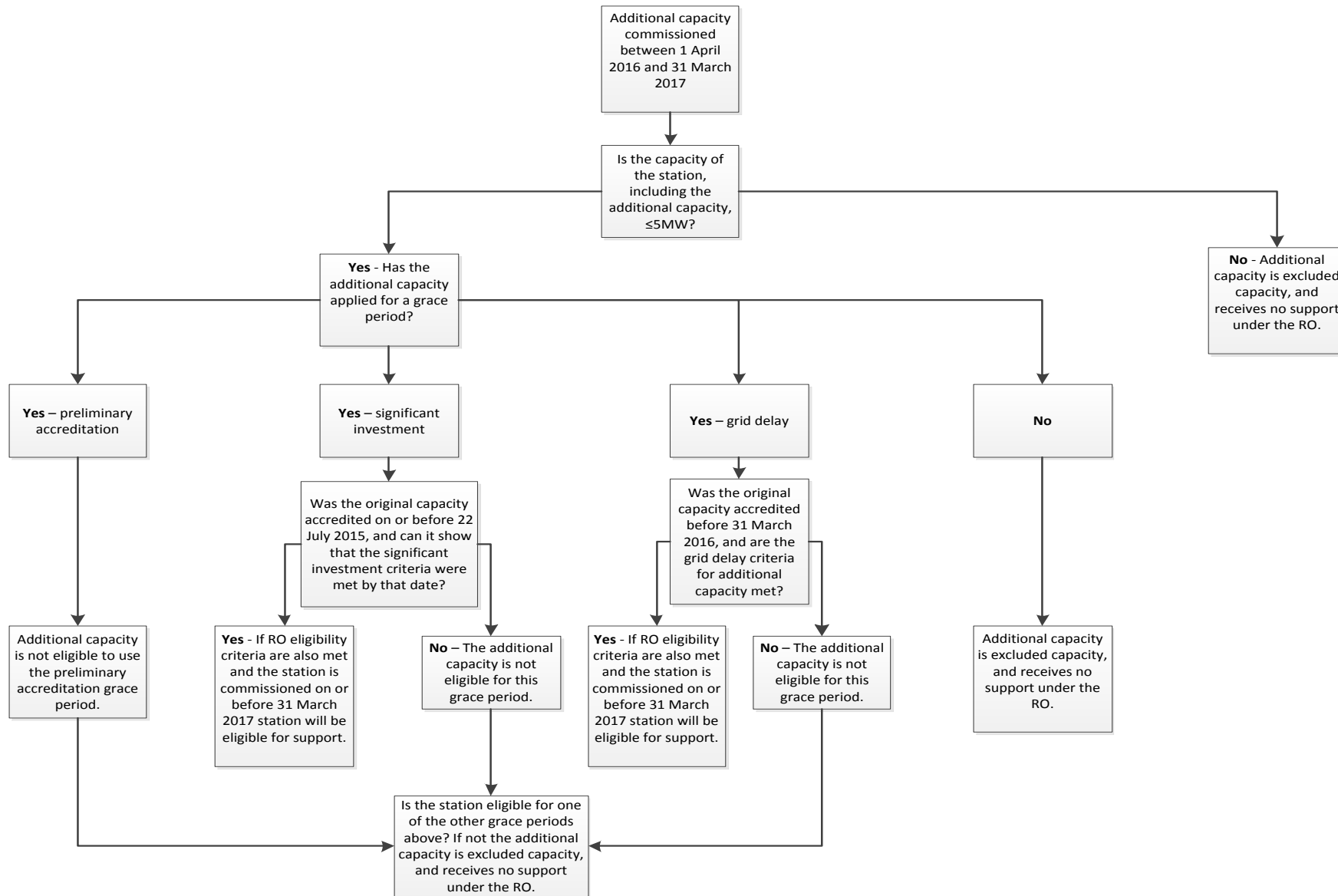
2.11. Where capacity is added to an RO station and the operator does not wish to gain RO support for it, this will be considered as 'excluded capacity'. See section 2.15 for further details on adding excluded capacity to an RO station.

2.12. Any additional capacity added to a solar PV station that brings the TIC to over 5MW is 'excluded capacity' and is not eligible for support under the RO. The original capacity is not affected.

2.13. For further information on adding additional capacity under the RO refer to our 'RO: Guidance for generators'.



Figure 2: RO-accredited solar PV generating station adding additional capacity from 1 April 2016 until 31 March 2017



2.14. Additional capacity of any size accredited after 31 March 2017 will not be eligible for ROCs. Capacity added after 31 March 2017 will be excluded capacity. The ROC rate on the original capacity will not be altered as a result of the capacity added.

### **RO-accredited stations with “excluded capacity”**

2.15. The closure of the RO to solar PV may create a scenario where a station has some capacity accredited under the RO, ie its original capacity, and some that is added later and is not supported under the RO.

2.16. This unsupported capacity is called “excluded capacity”<sup>10</sup>. If the excluded capacity is  $\geq 5\text{MW}$  then this may be eligible for support under the Contracts for Difference (CFD) scheme. An RO-accredited station that is successful in entering into a CFD for any excluded capacity is called a dual scheme facility.

2.17. Operators will need to ensure that the excluded capacity is separate from the RO capacity. This is so the correct level of support is issued for the capacity that each scheme supports. For a station with excluded capacity, whether it is a dual scheme facility or not, we would expect RO capacity and excluded capacity to be separated in line with the arrangements set out below.

#### *Output electricity*

2.18. The RO output electricity<sup>11</sup> is metered separately, or the excluded capacity output is metered separately, and deducted from the electricity metered for the whole generating station.

#### *Input electricity*

2.19. The RO input electricity<sup>12</sup> can be calculated either:

- pro rata on the basis of the TIC, ie by comparing the RO and excluded capacity,
- separate metering of the input electricity used for the excluded capacity, or
- separate metering of the input electricity used for the RO capacity.

#### *Information relating to the excluded capacity*

2.20. Operators that want to add excluded capacity should let us know as early as possible. You (the operator) will need to update the plant description (question QE100 on the register) to confirm the TIC of the excluded capacity and its expected commissioning date. You should also provide an updated diagram (question QI100 on the register) showing the entire capacity of the generating station (ie the RO capacity and the excluded capacity), including the separate metering arrangements. On this diagram, operators should highlight the RO capacity and the excluded capacity so they can be easily distinguished.

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<sup>10</sup> Article 2 of the Orders.

<sup>11</sup> Article 27 of the 2015 RO Order for England and Wales and Article 23A of the RO Order (Scotland) 2009 (as amended).

<sup>12</sup> Article 26 of the 2015 RO Order for England and Wales and Article 23A of the RO Order (Scotland) 2009 (as amended).

2.21. It is the operator's responsibility to ensure they are familiar with the metering arrangements and eligibility criteria of any scheme that they want to get support under.

2.22. Additional guidance on adding excluded capacity and on becoming a dual scheme facility is in 'RO: Guidance on the transition period and closure of the RO'<sup>13</sup>. This includes information on RO-accredited stations with excluded capacity that want to claim Renewable Energy Guarantees of Origin (REGO) certificates on both their RO capacity and their excluded capacity. For more information on applying for support under the CFD scheme, refer to National Grid's guidance<sup>14</sup>.

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<sup>13</sup> <https://www.ofgem.gov.uk/publications-and-updates/renewables-obligation-ro-guidance-transition-period-and-closure-ro>

<sup>14</sup>

<https://www.emrdeliverybody.com/Contracts%20for%20Difference%20Document%20Library/CFD%20User%20Guide.pdf>

## 3. Eligibility for grace periods

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### Chapter summary

Explains the three grace periods that are available for solar PV generating capacity  $\leq 5\text{MW}$ . If eligible for a grace period, the operator can apply for accreditation until 31 March 2017, rather than until 31 March 2016. We also describe the eligibility requirements and the evidence we would expect in support of an application.

3.1. In certain situations, the RO Closure Order 2014 allows operators of small-scale solar PV stations to apply for accreditation under the scheme after it has closed to small-scale solar PV generating capacity. This extension lasts for 12 months. To do so operators will need to apply for one of the three available grace periods at the same time as they apply for accreditation from 1 April 2016 until 31 March 2017. We will not accept applications from operators of new small-scale solar PV generating stations after 31 March 2017. The grace periods also cover operators applying for support for additional capacity, where the new TIC does not exceed 5MW.

3.2. A decision on eligibility for both accreditation and the grace period will be taken at the same time. Operators must also have commissioned by 31 March 2017 in order to be accredited under the scheme. The process for making an application, and the process for submitting grace period evidence and the evidence to demonstrate that the station is commissioned, are outlined in chapter 4.

3.3. There are three grace periods that an operator may apply for:

- i. **'Preliminary accreditation'**: for generating stations that were granted preliminary accreditation under the RO on or before 22 July 2015<sup>15</sup>.
- ii. **'Significant commitment'**: for generating stations where significant commitments have been made on or before 22 July 2015<sup>16</sup>.
- iii. **'Grid delay'**: for generating stations that have been subject to grid connection delays that are not due to a breach by a developer<sup>17</sup>.

3.4. 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 fully understand the RO Closure (Amendment) Order 2016 that sets out the evidence requirements.

### 'Significant commitment' grace period

3.5. **New** stations must be able to show that they had made a significant commitment by 22 July 2015, but the project itself does not need to have applied for accreditation until 31 March 2017. For existing stations wish to use the significant commitment grace period to add **additional** capacity, then the original capacity must have been accredited on or before 22 July 2015.

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<sup>15</sup> See article 2F(1)(b) of the RO Closure Order 2016.

<sup>16</sup> See article 2F(3) of the RO Closure Order 2016 for new generating stations. See article 2G of the same Order for generating stations accredited on or before 22 July 2015 which are adding additional capacity before 31 March 2017.

<sup>17</sup> See article 2F(2) of the RO Closure Order 2016 for new generating stations. See article 2H of the same Order for generating stations accredited before 1 April 2016 which are adding additional capacity on or before 31 March 2017.

3.6. The following evidence must accompany a significant commitment grace period application:

Table 1: Significant commitment grace period evidence

Type of evidence	Legislative requirement (as appears in the RO Closure (Amendment) Order 2016	What evidence could you provide?
1. Planning permission <sup>18</sup>	a. Evidence that a valid application for planning permission for the station was made on or before 22 July 2015, <u>or</u>	<p>A letter or email from the relevant planning authority that identifies the station in question by technology and location, and states that the application made (submitted) in relation to the station on or before 22 July 2015 and, based on the Town and Country Planning (Management Development Procedure) Order 2015, 2013 or 2012 for England, Scotland or Wales respectively, constituted a valid application.</p> <p>Determining whether a 'valid' planning application was submitted on or before 22 July will be done by the relevant planning authority. We expect that generators will show their application is valid through a letter or email from their planning authority confirming that a valid<sup>19</sup> planning application for the station that is seeking accreditation has been submitted, and stating the submission date of the complete application (ie the date that the final piece of required documentation was submitted).</p> <p>See also paragraph 5.23.</p>

<sup>18</sup> Planning permission means: "(i) consent under section 36 of the Electricity Act 1989,(ii) development consent under the Planning Act 2008, (iii) planning permission under the Town and Country Planning Act 1990(e), or (iv) planning permission under the Town and Country Planning (Scotland) Act 1997(a) except that in articles 2B(3) and 2C(2) it does not include—(a) outline planning permission within the meaning of section 92 of the Town and Country Planning Act 1990(a), or (b) planning permission in principle within the meaning of section 59 of the Town and Country Planning (Scotland) Act 1997(b)." See article 2 of the RO Closure Order 2014.

<sup>19</sup> As defined in Article 34(4) and 34(5) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: <http://www.legislation.gov.uk/ukxi/2015/595/contents/made>, Regulation 9 of the Town and Country Planning (Development Management Procedure) (Scotland) Order 2013: <http://www.legislation.gov.uk/ssi/2013/155/contents/made>, and Article 22(3) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012: <http://www.legislation.gov.uk/wsi/2012/801/contents/made>, as applicable.

Type of evidence	Legislative requirement (as appears in the RO Closure (Amendment) Order 2016	What evidence could you provide?
	b. a copy of the planning permission for the station which was granted on or before 22 July 2015, <u>or</u>	A copy of the planning permission for the station which clearly shows that planning permission was granted on or before 22 July 2015.
	c. a declaration by the operator of the station that, to the best of their knowledge and belief, planning permission is not required for the station.	<p>We would expect planning permission to be required. However, if not send us:</p> <p>A document signed by the operator of the station (ie, the super-user of the account on the register<sup>20</sup>) stating that to the best of their knowledge and belief planning permission is not required for the station.</p> <p>If this declaration is provided then evidence items 1a and 1b are not required.</p>
2. Grid works offer	a. A copy of an offer from a network operator <sup>21</sup> made on or before 22 July 2015 to carry out grid works in relation to the station, <u>or</u>	A copy of the offer to carry out grid works from a licensed network operator that clearly states the location of the grid works and the connection capacity. It must be evident that the offer was made on or before 22 July 2015. We would expect the offer to cover the non-contestable aspects of any grid works required at a minimum.
	b. A declaration by the operator of the station that, to the best of their knowledge and belief, no grid works were required to be carried out by a licensed network operator to let the station be commissioned.	<p>We anticipate that grid works would usually have been required. However, if not, send us a document signed by the operator of the station (ie, the super-user of the account on the register) stating that, to the best of their knowledge and belief, no grid works were required to be carried out by a licensed network operator in order to enable the station to be commissioned.</p> <p>If this declaration is provided then evidence items 2a and 3 are not required.</p>

<sup>20</sup> We would expect the operator to be the individual applying for accreditation, ie the super-user of the account created on the register for the purpose of applying for accreditation.

<sup>21</sup> Network operator means: "a distribution licence holder or a transmission licence holder." See article 2 of the RO Closure Order 2014.

Type of evidence	Legislative requirement (as appears in the RO Closure (Amendment) Order 2016)	What evidence could you provide?
3. Grid works offer acceptance	Evidence that the offer was accepted on or before 22 July 2015 (whether or not this was subject to any conditions or other terms)	A letter from a licensed network operator confirming that the operator of the station accepted the grid works offer on or before 22 July 2015,  <u>or</u>  A signed acceptance form from the operator of the station on or before 22 July 2015.
4. Land ownership declaration	A declaration by the operator of the station that, to the best of their knowledge and belief, as at 22 July 2015 a developer <sup>22</sup> of the station (or someone <sup>23</sup> connected with a developer of the station within the meaning of section 1122 of the Corporation Tax Act 2010):  (i) was an owner or lessee of the land on which the station is situated,  (ii) had entered into an agreement to purchase or to lease the land on which the station is situated,  (iii) had an option to purchase or to lease the land on which the station is situated; or  (iv) was a party to an exclusivity agreement <sup>24</sup> in relation to the land on which the station is situated.	A declaration signed by the operator of the station confirming whether (i), (ii), (iii) or (iv) applies.  (A template that may be used in providing this declaration can be found in Appendix 3).

### Planning permission evidence

3.7. When you are applying for the 'significant commitment' grace period, you will also need the final planning permission document that allowed the station to be built, if it has not already

<sup>22</sup> Developer: "in relation to a solar PV station, means a person who (a) applied for planning permission for the station, (b) arranged for grid works to be carried out in relation to the station, (c) arranged for the construction of any part of the station, (d) constructed any part of the station, or (e) operates, or proposes to operate the station". See article 2 of the RO Closure Order 2014.

<sup>23</sup> A person could include a registered director of a limited company (ie a director of the company who is registered as such at Companies House) or the company secretary.

<sup>24</sup> An exclusivity agreement: "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 a solar PV station on the land". See article 2 of the RO Closure Order 2014.

been provided. If this document does not relate to the same station for which planning permission was applied for on or before 22 July 2015 then we will not be able to accredit the station.

3.8. Projects may require off-site supporting infrastructure, which may need planning permission. However, we will only seek planning permission for the site where the electricity generating equipment will be.

3.9. Determining whether a 'valid' planning application was submitted on or before 22 July is done by the relevant planning authority. We expect that generators will show that their application was valid through a letter or email from their planning authority confirming that a valid<sup>25</sup> planning application for the station that is seeking accreditation has been submitted, and confirming the submission date of the complete application (ie the date that the final piece of required documentation was submitted). A template that the planning authority can use is provided in Appendix 4.

3.10. In some areas there is a difference between the date that the planning application is submitted by the developer and the date that it is reviewed by the planning authority. To meet the criteria, the relevant date is the submission date of an application that is deemed valid under the Town and Country Planning (Development Management Procedure) Orders for England (2015)<sup>26</sup>, Scotland (2013)<sup>27</sup> and Wales (2012)<sup>28</sup>. This submission date refers to the date that the final piece of evidence was submitted and not the date that the application is assessed.

### **Variations to the required evidence**

3.11. The 'significant commitment' grace period requires documents such as evidence of a valid application for planning permission and grid connection offers/acceptances. When assessing eligibility for this grace period, we are primarily concerned with the relevant documentary evidence that was in place on or before 22 July 2015.

3.12. We know that variations may be made to planning permission or grid connection arrangements as a project progresses. If any variations happen after 22 July 2015, we will not take them into account for our grace period assessment. However, if we think the relevant evidence was not in place on or before 22 July 2015, a grace period will not be granted. Similarly if, when we assess the application for accreditation, it is clear to us that the grace period evidence does not relate to the station we are assessing, a grace period will not be granted.

3.13. Some projects may have made a valid planning application on or before 22 July 2015 but subsequently resubmit on the advice of the local planning authority rather than going to appeal. In these cases, the projects would be deemed to meet the planning criterion for the grace period if the final planning permission document that enabled the construction of the station relates to the same station.

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<sup>25</sup> As defined in Article 34(4) and 34(5) of the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#), Regulation 9 of the [Town and Country Planning \(Development Management Procedure\) \(Scotland\) Order 2013](#), or Article 22(3) of the [Town and Country Planning \(Development Management Procedure\) \(Wales\) Order 2012](#), as applicable.

<sup>26</sup> Article 34(4) and 34(5) of the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

<sup>27</sup> Regulation 9 of the [Town and Country Planning \(Development Management Procedure\) \(Scotland\) Order 2013](#)

<sup>28</sup> Article 22(3) of the [Town and Country Planning \(Development Management Procedure\) \(Wales\) Order 2012](#)



3.14. For example, if a planning application was submitted on 10 April 2015 but underwent a minor amendment on 31 July 2015, we would not take this amendment into account. However, if it was clear to us that the planning permission and/or connection offer/acceptance that was in place on or before 22 July 2015 did not relate to the station for which an accreditation application was made, we would not grant a grace period. Similarly, if a connection offer was accepted on 21 February 2015 but was then varied on 17 August 2015, the offer would still meet our requirements.

### **The parties to whom evidence was originally issued**

3.15. The RO Closure Order 2014 does not specify that the planning permission must have been issued to the person applying for the grace period. Therefore, the party the planning permission was issued to will not form part of our grace period assessment. Similarly, the RO Closure Order 2014 does not specify that the grid connection offer must have been made to the person applying for accreditation. This means the party to which the grid connection offer was made will not form part of our grace period assessment.

### **Grid connection evidence**

3.16. We recognise that additional consents, easements and wayleaves will be required for grid connections. However, for this grace period, we won't need evidence of these.

### **'Grid delay' grace period**

3.17. Stations applying for a grid delay grace period, whether they are applying to add new capacity or additional capacity, can apply for accreditation up to 31 March 2017.

3.18. The following evidence must accompany a grid delay grace period application:

Table 2: Grid delay grace period evidence

<b>Type of evidence</b>	<b>Legislative requirement (as appears in the RO Closure (Amendment) Order 2016</b>	<b>What evidence could you provide?</b>
1. 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><u>And one of the following:</u></p> <p>A letter from the network operator confirming that the operator of the station accepted the grid works offer on or before 31 March 2016,</p>

Type of evidence	Legislative requirement (as appears in the RO Closure (Amendment) Order 2016)	What evidence could you provide?
		<p><u>or</u></p> <p>A signed acceptance form, signed by the operator of the station, on or before 31 March 2016.</p>
2. Date for completion of grid works	A copy of a document written by, or on behalf of, the relevant network operator which estimated or set a date for completion of the relevant grid works ("the planned grid works completion date") which was no later than 31 March 2016.	A document, eg a letter or email, from the relevant network operator which estimates or sets a "planned grid works completion date" <sup>29</sup> which is no later than 31 March 2016. There should be a clear reference to the location of the grid works and connection capacity. 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 from.
3. Confirmation of grid works delay	<p>A letter or email written by, or on behalf of, 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>(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 developer<sup>30</sup> of the station of any agreement with the relevant network operator.</p>	A letter or email from the network operator to the operator of the station confirming points (i) and (ii).
4. Operator declaration	A declaration by the operator that, to the best of their knowledge and	A declaration signed by the operator of

<sup>29</sup> The planned grid works completion date is the date (either estimated or set) that the network operator expects to have completed the relevant grid works. See article 2B(2)(b) of the RO Closure Order 2014.

<sup>30</sup> Developer: "in relation to a solar PV station, means a person who (a) constructed any part of the station, (b) operates, or proposes to operate, the station, or (c) arranged for the construction of any part of the station". See article 2 of the RO Closure Order 2014.

Type of evidence	Legislative requirement (as appears in the RO Closure (Amendment) Order 2016)	What evidence could you provide?
on delayed grid works	belief, the station would have been commissioned on or before 31 March 2016 if the relevant grid works had been completed on or before the planned grid works completion date.	the generating station.  (A template that may be used in providing this declaration is in Appendix 3).

### Variations to the required evidence

3.19. We are aware that variations may be made to grid connection offers and agreements as a project progresses. If they do, we will not take these into account for our grace period assessment. However, if, when we assess the application for accreditation, it is clear to us that the grace period evidence does not relate to the station we are assessing, a grace period will not be granted.

3.20. For example, if an original planned grid works completion date was given which was before 31 March 2016, but the network operator subsequently modified this to after 31 March 2016, we would not take this variation into account. However, if it was clear to us that the connection offer or agreement did not relate to the station that an accreditation application was made for, we would not grant a grace period.

3.21. Where a new connection offer refers to the original “planned grid works completion date” we expect this date to be on or before 31 March 2016.

### Who evidence was originally issued to

3.22. The RO Closure Order 2014 does not specify that the grid connection offer or agreement must have been made to the person applying for the grace period. So the party that the grid connection offer was made to will not form part of our grace period assessment.

### Grid connection evidence

3.23. We recognise that additional consents, easements and wayleaves may be required for grid connections. However, for this grace period, we won’t need evidence of these.

## ‘Preliminary accreditation’ grace period

3.24. Operators applying for this grace period do not need to provide any additional evidence, as we will assess the validity of the preliminary accreditation.

3.25. Additional capacity is not eligible to use the preliminary accreditation grace period.

3.26. For us to grant this grace period, we must be content that the preliminary accreditation was effective on or before 22 July 2015 and has not been invalidated since then. All preliminary accreditations come with a standard condition which means the applicant must tell

us about any material changes to the generating station in the period leading up to full accreditation being sought. These are changes that might affect the eligibility of the generating station under the RO. We will not grant accreditation if:

- there has been a material change in circumstances since the preliminary accreditation was granted meaning that, if the application for preliminary accreditation had been made after the change, it would have been refused
- the information that the decision to grant the preliminary accreditation was based on was incorrect, or
- the applicable legislation has changed since the preliminary accreditation was granted meaning that, had the application for preliminary accreditation been made after the change, it would have been refused.

3.27. For example, if a generating station's proposed TIC had changed (but remained at 5MW or below) since preliminary accreditation was granted, we would not view this as a material change and the preliminary accreditation would stand. The reason for this is that, regardless of the capacity, if we had assessed the new TIC, the station would still have been eligible under the scheme. Conversely, if it transpired that the electricity generated by the station was not to be supplied or used in a permitted way and ROCs could not be issued upon it, the preliminary accreditation would be invalidated and so too would the grace period application.

3.28. For information on obtaining full accreditation where preliminary accreditation has been granted, refer to pages 28-29 of the Guidance for generators.

## 4. Submitting an application

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### Chapter summary

Explains the process for operators of small-scale solar PV generating stations submitting an application for accreditation and a grace period.

### Applications submitted before 1 April 2016

4.1. Stations that submit an application for accreditation and commission before 1 April 2016 will NOT need to apply for a grace period.

4.2. However, projects that submit an application before 1 April 2016 but commission on or after that date will need to apply for a grace period. Operators of these projects should contact Ofgem at [Renewable@ofgem.gov.uk](mailto:Renewable@ofgem.gov.uk) for further guidance on how to finalise their applications.

### Applications made after 1 April 2016

4.3. Applications made between 1 April 2016 and 31 March 2017 (inclusive) will be asked whether they wish to apply for a grace period. **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 and the station must be commissioned on or before 31 March 2017. Refer to Appendix 2 for the checklist of evidence to provide that will constitute a complete application. More detailed explanation of each item of evidence can be found in chapter 3.

4.4. To be successful in applying for accreditation the operator must take the following steps:

- **Apply for accreditation:** Applicants must submit an RO accreditation application to Ofgem on or before 31 March 2017, or amend their existing accreditation if adding additional capacity, and meet the RO eligibility criteria. (Applications can be made up to two months before the date on which the generating station is to be commissioned).
- **Submit grace period evidence** to Ofgem, when requested as part of your RO accreditation application, on or before 31 March 2017, and meet all the grace period eligibility criteria. (We will ask for this if it hasn't been provided).
- **Commission** the generating station (or the additional capacity) on or before 31 March 2017 and provide commissioning evidence to Ofgem.

4.5. The next sections explain these steps in more detail.

4.6. Generators who wish to add capacity to an RO accredited station that is not eligible for a grace period, ie excluded capacity, should refer to section 2.15.

## The process for applying for accreditation and a grace period after 1 April 2016

### Applying for accreditation

4.7. In applying for accreditation, operators should be familiar with the RO eligibility criteria by referring to the Orders and the 'RO: Guidance for generators', section 3 in particular.

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

4.9. Our 'Renewables and CHP Register User Guide'<sup>31</sup> shows how to register an account, apply for accreditation and manage the account once the generating station has been accredited.

4.10. When completing the application form, applicants who select solar PV as their technology, and enter a TIC  $\leq 5$  MW will be asked whether they wish to apply for a grace period. If an applicant selects 'no' for this question, they will not be able to progress with their application. If 'yes', they will be told to send us supporting evidence by 31 March 2017. Your application will not be processed, or considered submitted, until this evidence has been supplied. Once your application is submitted, you will receive an email confirming the date it was received. Once you have submitted your grace period evidence, you will receive a separate email also confirming the date it was received.

### Submitting grace period evidence

4.11. We would not expect applicants to apply for more than one grace period because each relates to a different scenario. An applicant *could* apply for more than one grace period but, in the vast majority of cases, we would expect stations to fall into one of the three categories.

4.12. Please check the eligibility dates for each grace period carefully. These are explained in chapter 3 above.

4.13. Email grace period evidence to: [Renewable@ofgem.gov.uk](mailto:Renewable@ofgem.gov.uk) stating the station name and which grace period is being applied for in the subject line. Grace period evidence will either be the 'significant commitment' grace period or the 'grid delay' grace period. Applicants for the 'preliminary accreditation' grace period do not need to provide any grace period evidence and so do not need to send this email.

4.14. All the required information 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

4.15. Figure 3: Example email template Also, a checklist for applying for accreditation and a grace period is in Appendix 2.

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<sup>31</sup> <https://www.ofgem.gov.uk/publications-and-updates/renewables-and-chp-register-user-guide-april-2015>

4.16. Our system will automatically reject emails over 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 3: Example email template

**From:** Operator of a small-scale solar PV generating station  
**Sent:** 01 April 2016 09:44  
**To:** Renewable@ofgem.gov.uk  
**Subject:** [Station name] - Application for the ['significant commitment' / 'grid delay'] grace period for small-scale solar PV

Dear Ofgem Renewable Team

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

Generating station name: [insert name]

Generating station address: [insert address]

Total Installed Capacity: [insert capacity] kW

[Delete as applicable:]

I am applying for the 'significant commitment' grace period. The required information is attached:

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

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

1. Grid works agreement
2. Date for completion of grid works
3. Confirmation of grid works delay
4. My declaration

4.17. Grace period evidence may also be submitted by post. It should be clearly labelled, include all the required information and then sent to:

Renewable Electricity, ref: RO grace period, Ofgem, 9 Millbank, London, SW1P 3GE

4.18. We must receive the grace period evidence on or before 31 March 2017 in order to assess it.

### **Submitting a complete application**

4.19. We cannot accept incomplete applications. Operators should ensure the application is complete before submitting it, and that the declarations have been made on the register. You will receive an automated email reminding you to submit your declarations. Depending on the circumstances, if declarations or other information are provided after 31 March 2017, we won't be able to process the application and the station cannot be accredited.

4.20. If we receive the complete application on or before 31 March 2017, we may need more clarification or information. Some queries will be raised via the register, so it is important you set up email notifications or check the system regularly so you can respond quickly. If you need to edit your application please make sure you click through to the end of the application to submit it. A review screen will appear at the end of the application – you must scroll to the bottom of this and re-submit your application.

4.21. A project may have made a valid planning application on or before 22 July 2015 but is then resubmitted on the advice of the local planning authority rather than going to appeal. In this instance, it would be deemed to meet the planning criterion for the grace period if the final planning permission document that enabled the station to be built relates to the same station. We may need to you send us confirmation of this from the planning authority.

### **Existing RO stations adding additional capacity under the RO**

4.22. Some operators of generating stations that are already accredited under the RO may add capacity under the RO. If this means their TIC increases but still does not exceed 5MW, they will be asked via the register whether they wish to apply for a grace period. If an applicant selects 'yes', they will be asked to send in their supporting evidence to us by 31 March 2017.

4.23. Please send us a revised schematic diagram showing the position of the additional generating equipment and any changes to metering. The 'RO: Guidance for generators'<sup>32</sup> has more information on adding capacity.

### **Commissioning evidence**

4.24. Once a generating station has been commissioned, the operator needs to send us evidence of this via email to [Renewable@ofgem.gov.uk](mailto:Renewable@ofgem.gov.uk), by 31 March 2017. There is a list of the type of evidence we would usually expect to see in the Ofgem [Essential Guide to Commissioning](#).

### **Processing the application for accreditation and grace periods**

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<sup>32</sup> <https://www.ofgem.gov.uk/publications-and-updates/renewables-obligation-guidance-generators-2>



4.25. Applications for accreditation and grace period evidence and commissioning evidence must be received by us by the end of (ie midnight) 31 March 2017. We won't accept any applications received after this date from a small-scale solar PV generating station.

4.26. 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. We will then assess the application for eligibility, and raise any queries as required. Throughout the first two stages of the checking process, we will be in touch regularly with applicants via the register, email and phone.

4.27. Once the eligibility assessment 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. We will grant accreditation only if we are satisfied that all statutory requirements are met. This means the RO eligibility criteria, the grace period criteria and the station commissioning on or before 31 March 2017.

4.28. We expect to receive a lot of accreditation and grace period applications. So that we can make decisions promptly, it is essential that applicants fully understand the legislation and the guidance before applying. Please provide all necessary information and respond quickly to our queries, which will be raised via the register and email. Incomplete or unclear applications and evidence will slow the decision-making process down.

4.29. To help, Appendix 1 has some tips on how to complete parts of the application form. Appendix 2 has a checklist of the tasks to complete when applying for accreditation and the information to be submitted in applying for a grace period or grandfathering exception.

### **Accreditation under the RO**

4.30. To be issued with ROCs, a generating station must be accredited under the RO as being capable of generating electricity from eligible renewable sources. The generating station must also meet all other RO 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
- the date the generating station is commissioned.

4.31. The Orders<sup>33</sup> explain how we should grant and withdraw accreditation. They also detail 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'.

### **Audit**

4.32. We regularly audit accredited generating stations to guard against fraud and error. If an operator applied for one of the three available grace periods and/or grandfathering exception and the station is subsequently accredited and audited, the grace period/exception 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

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<sup>33</sup> Articles 89 and 90 of the RO Order 2015 and Articles 34 – 41 of the RO Scotland Order 2009

support of the commissioning date, other relevant dates and the TIC stated in the accreditation application.

4.33. On occasions we will also audit in advance of accreditation. Stations that apply for accreditation and a grace period may therefore be audited before they are accredited under the RO.

4.34. We have the power to withdraw accreditation and revoke or permanently withhold ROCs in certain circumstances, including where we later find that information provided to us was incorrect. More information is in chapter 3 of 'RO: Guidance for generators'.

# Appendices

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## Appendix 1 – Application tips

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Some questions in the application form are often answered incorrectly. We have put together tips and specific examples to help you get your application right first time. Not all questions are covered in this guide. This is not a definitive 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 the 'RO: Guidance for generators' at: <https://www.ofgem.gov.uk/publications-and-updates/renewables-obligation-guidance-generators-2>.

### **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 the definition of commissioning in the 'RO: Guidance for generators'. To give evidence of this, you will need to provide:

- a copy of a G59 test signed by the witnessing network operator,
- the inverter and DC string testing sheets, and
- half-hourly data which shows the output of the station before and after commissioning.

For this, and the TIC/DNC questions below, you can provide an independent audit of commissioning which also confirms these details. For further details, refer to the 'Example list of commissioning evidence' in chapter 4.

### **QA301: Total Installed Capacity (TIC)**

Refer to the definition of TIC in the 'RO: Guidance for generators', and to the specific PV definition in chapter 1 of this document. To confirm the TIC you will need to provide details of the number and rating of each type of solar panel 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 that the panels are on.

### **QB206 & 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.

### **QC252: Grace period**

The system will ask if you are applying for a grace period if you have selected PV as the technology and a TIC  $\leq$ 5MW. 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 reminded to submit your grace period evidence to Ofgem, and will be able to complete and submit your application as normal.

### **QC239: Method of generating electricity**

We would expect the answer to be 'ground mounted and building mounted solar PV only'

### **QC400, QC500 & QC600, QC700: CCL & REGO**

If applying to REGO the selection is 'solar (REGO code=PV)'. For further details, please see our website. Please note that the CCL has now closed. Please do not apply to the CCL.

### **QE100: Plant description**

This is an example of the level of detail we require for this question. This must match the details given elsewhere:

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 (NDNC).

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

### **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 ROCs can only be claimed on the net output electricity, if this is not measured directly the metering arrangements must show how this is 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 the '[RO: Guidance for generators](#)'. Generators must supply Ofgem with details of their Export MPAN feeding into the DNO network.

### **QG100 and QG200: Imported electricity and generated electricity used by the generation equipment**

For solar PV 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 ROCs can only be issued on your net output electricity.

### **QG120- QG129: Import 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'.

### **QH500: Connection capacity**

The connection capacity should be for the amount agreed with the network operator. A correct connection capacity gives us an additional method of confirming 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
- the TIC breakdown of the generating station.

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

## Appendix 2 - Application checklists

Table 3 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 3

	Evidence to be submitted to Ofgem	Grace period		
		Significant commitment	Grid delay	Preliminary accreditation
Application for accreditation	The completed accreditation application received by Ofgem on or before 31 March 2017	✓	✓	✓
	Commissioning evidence, showing station commissioned on or before 31 March 2017	✓	✓	✓
	Final planning permission document	✓	✗	✗
Grace period evidence	Has been granted preliminary accreditation [no evidence needs to be submitted]	✗	✗	✓
	Grid connection offer	✓	✓	✗
	Acceptance of the grid connection offer	✓	✓	✗
	Land rights/lease declaration	✓	✗	✗
	Planning permission date	✓	✗	✗
	Date for completion of the grid works	✗	✓	✗
	Confirmation of grid works delay	✗	✓	✗
	Operator declaration in relation to grid delay	✗	✓	✗

## Appendix 3 – Declaration templates

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### **Renewables Obligation: 'Significant commitment' grace period**

A declaration confirming land use rights, as set out under Article 2F(3)(c) of the Renewables Obligation Closure (Amendment) Order 2016, must be submitted. 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 use rights (example)

Generating station name:

.....

I confirm that, to the best of my knowledge and belief, as at 22 July 2015 a developer of the station (or a person connected with a developer of the station within the meaning of section 1122 of the Corporation Tax Act 2010) (delete as appropriate):

- (i) was an owner or lease of the land on which the station is situated,
- (ii) had entered into an agreement to purchase or to lease the land on which the station is situated,
- (iii) had an option to purchase or to lease the land on which the station is situated; or
- (iv) had entered into an exclusivity agreement in relation to the land that the station is on.

I confirm that 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 in Article 2F of the RO Closure Order 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 which is subject to this declaration qualifies.



**Renewables Obligation: 'Grid delay' grace period**

This is a declaration confirming that the generating station was ready to commission, and would have been commissioned before the 31 March 2016, had the grid connection delay not occurred, as set out under Article 2F of the Renewables Obligation Closure (Amendment) Order 2016. It must be submitted with the relevant supporting documentation, for a station to be considered for the grid delay grace period.

Set out below is an example declaration form that can be printed, signed by the applicant and sent to Ofgem.

Declaration of grid delay (example)

Generating station name:

.....

I confirm that, to the best of my knowledge and belief, the station would have been commissioned on or before 31 March 2016 if the relevant grid works had been completed on or before the planned grid works completion date.

I confirm that I am the operator of 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 in Article 2F of the RO Closure (Amendment) Order 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 which is subject to this declaration qualifies.

# Appendix 4 – Valid Planning Application Confirmation Template

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The template below can be used by planning authorities to confirm that a valid planning application was submitted on or before 22 July 2015. Use of this template is not mandatory, and planning authorities can submit confirmation in any form as long as it identifies the station and the application submission date, and provides confirmation of a valid application using the definitions supplied in the applicable Town and Country Planning (Development Management) Order.

## Valid Planning Application Confirmation

I hereby confirm that [station name] located at [address] has successfully submitted a valid planning application to [name of planning authority].

The application was submitted on [DATE], and meets all the requirements set out in [delete as applicable]:

- Article 34(4) and (5) (a) –(f) of the Town and Country Planning (Development Management Procedure) (England) Order 2015
- Article 22(3) (a)-(g) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012
- Article 9 of the Town and Country Planning (Development Management Procedure) (Scotland) Order 2013

The application was complete and correct at the time of submission and no further documentation or payment was required.

Signed .....

Full name .....

Position/Job title .....

Date .....

## **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](mailto:andrew.macfaul@ofgem.gov.uk)

Andrew MacFaul  
Consultation Co-ordinator  
Ofgem  
9 Millbank  
London  
SW1P 3GE