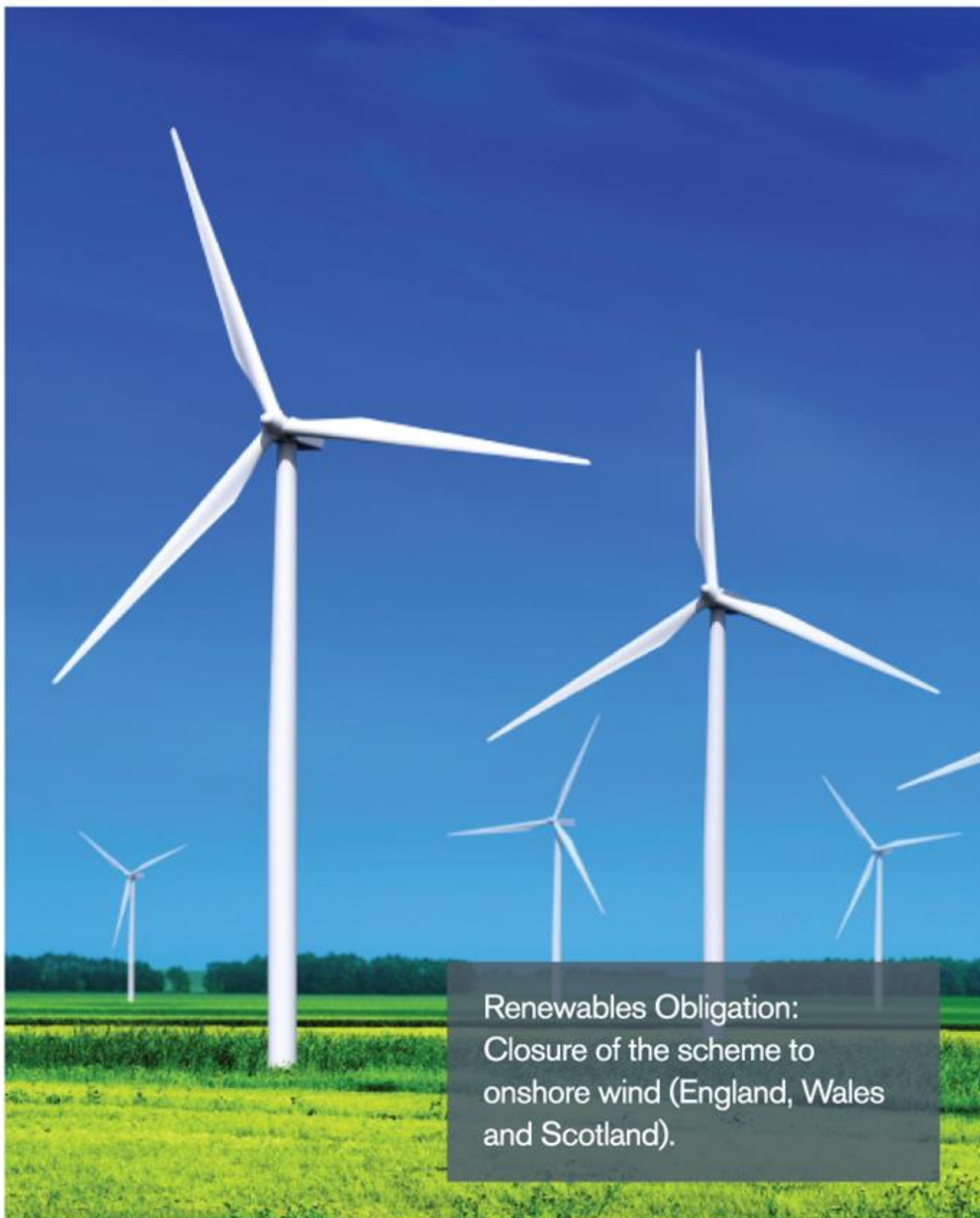


# Renewables Obligation

[ofgem.gov.uk/ro](http://ofgem.gov.uk/ro)

20 December 2017



Renewables Obligation:  
Closure of the scheme to  
onshore wind (England, Wales  
and Scotland).

## Overview

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This guidance is for developers and operators of onshore wind generating stations in England, Wales and Scotland<sup>1</sup> who are affected by the closure of the Renewables Obligation (RO) scheme to onshore wind which commenced on 13 May 2016. This document is not applicable to other technologies, which have been subject to the closure of the RO on 31 March 2017.<sup>2</sup> 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 operation of statutory amendments made to the Electricity Act 1989 by the Energy Act 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 grace periods, meaning that they could apply for accreditation after the closure date.

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

## 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 meet its requirements for 15 per cent of energy to be sourced from renewable sources by 2020. The Gas and Electricity Markets Authority (the Authority) administers the schemes, and its day-to-day functions are performed by Ofgem.

The RO and ROS schemes are provided for under the Renewables Obligation Order 2015 and the Renewables Obligation (Scotland) Order 2009 (as amended) respectively. 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 Energy Act 2016 amended the Electricity Act 1989 to close the RO schemes for new onshore wind generating capacity from 13 May 2016. The amendments introduced five grace periods. Subject to one or more of three specified conditions being met, the grace periods enable onshore wind generating capacity to be accredited on or after 13 May 2016.

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

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<sup>1</sup> The guidance does not apply to Northern Ireland. The Department for the Economy in Northern Ireland has closed the NIRO to large- and small-scale onshore wind. Please refer to [www.ofgem.gov.uk/ro](http://www.ofgem.gov.uk/ro) for guidance specific to the closure of NIRO.

<sup>2</sup> Please refer to <https://www.ofgem.gov.uk/environmental-programmes/ro/about-ro/ro-closure> for information on the wider closure of the RO.

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

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

## Associated documents

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The following documents support this publication:

### Policy and legislation

- Information on the proposals for early closure of the Renewables Obligation to onshore wind:

<https://www.gov.uk/government/publications/renewables-obligation-ro-grace-period-for-new-onshore-wind/information-on-the-proposed-ro-grace-period-for-new-onshore-wind>

- The Energy Act 2016:  
<http://www.legislation.gov.uk/ukpga/2016/20/contents/enacted/data.htm>
- The Renewables Obligation Order 2015, the Renewables Obligation (Scotland) Order 2009 as well as its amendment Orders for 2011, 2013, 2014 and 2015, and the RO Closure Order 2014 (as amended) can be found at: [www.legislation.gov.uk](http://www.legislation.gov.uk).

### Guidance

All documents are available at [www.ofgem.gov.uk/ro](http://www.ofgem.gov.uk/ro):

- [RO: Guidance for generators](#)
- [Renewables and CHP Register User Guide \('the User Guide'\)](#)
- [Renewables Obligation: Essential guide to commissioning](#)

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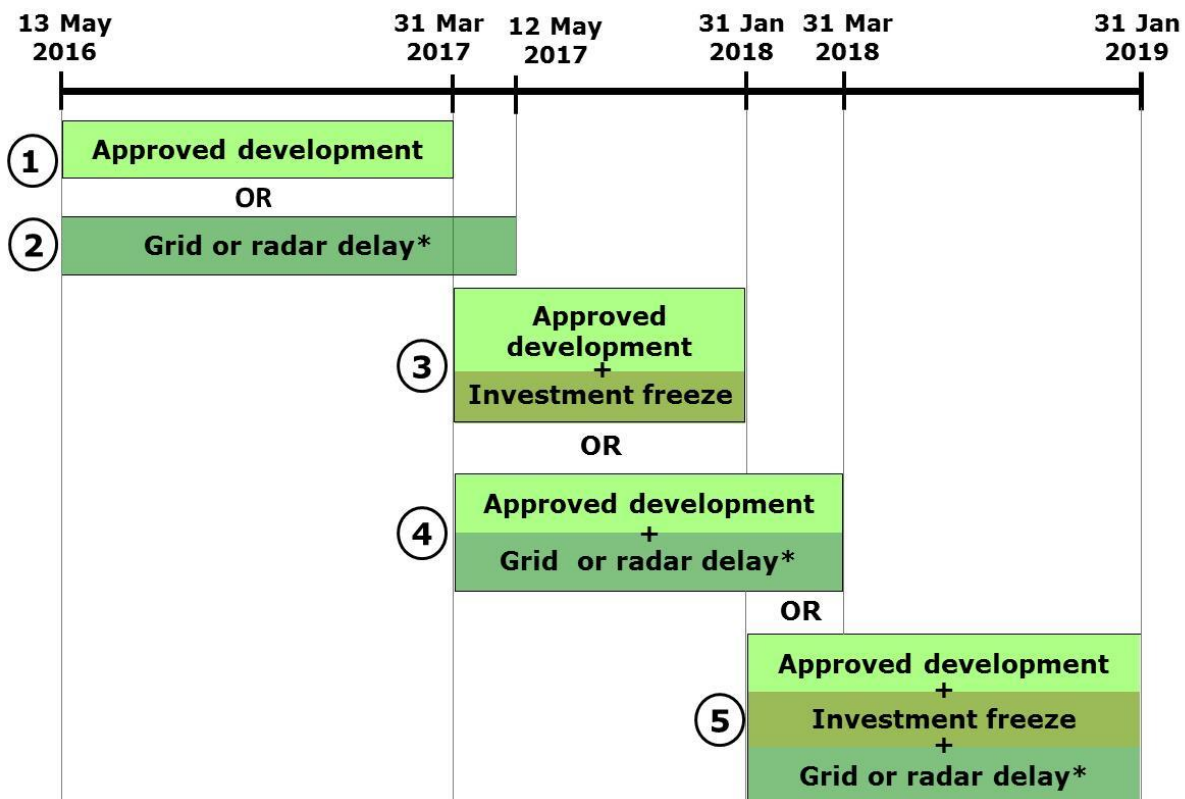
# Executive Summary

The Renewables Obligation (RO) and the Renewables Obligation (Scotland) (ROS) incentive schemes closed to new capacity on 31 March 2017. However, the Energy Act 2016 had amended the Electricity Act 1989 to close the RO and ROS schemes to all new onshore wind capacity from 13 May 2016. This means that the RO closed to any new onshore wind generating capacity (including additional capacity) in Great Britain from 13 May 2016.

From 1 April 2016 the Department for Economy in Northern Ireland closed the Northern Ireland RO (NIRO) to large-scale onshore wind, and from 1 July 2016 to small-scale onshore wind. This document and the changes referred to do not cover the NIRO. Separate guidance on these closures is available at [www.ofgem.gov.uk/ro](http://www.ofgem.gov.uk/ro).

The Energy Act 2016 introduced grace periods for stations affected by the early closure. If the grace period conditions, and all other RO eligibility criteria, are met, these grace periods enable a station to gain accreditation under the RO between 13 May 2016 and 31 January 2019. The grace periods and the conditions that 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 to be eligible for accreditation under the RO from 13 May 2016**



\*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’ – see 3.20 for details) will differ.

The three conditions contained in the Energy Act 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 18 June 2015<sup>3</sup>
- 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 Energy Act 2016 became law.

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

This guidance document also explains the process for applying for accreditation and a grace period at the same time. To gain accreditation for onshore wind stations on or after 13 May 2016, you will need to:

- submit an application for accreditation,
- commission the station, and
- meet all RO 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 January 2019, after which we will not accept any applications for the RO from onshore wind stations in Great Britain.

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<sup>3</sup> The condition can also be met where planning permission for the station was applied for but refused or not determined before 18 June 2015 and then subsequently granted on appeal. See chapter 3 for details.

# 1. Introduction

## Chapter summary

Explains the background to the changes for onshore wind generating stations that took effect from 13 May 2016, the key terms the operators should be aware of, and Ofgem's functions as administrator of the RO scheme.

- 1.1. The RO and ROS schemes closed to onshore wind capacity on 13 May 2016. The early closure applies to new onshore wind generating stations and any additional capacity added to existing stations that are accredited under the RO and ROS. An onshore wind station is defined in the Electricity Act 1989 (as amended) as 'a generating station that: (a) generates electricity from wind, and (b) is situated in England, Wales or Scotland, but not in waters in or adjacent to England, Wales or Scotland up to the seaward limits of the territorial sea.' Between 13 May 2016 and 31 January 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 the [RO: Guidance for generators](#), which provides fuller details on seeking accreditation under the RO.

## 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 detail about these terms you should refer to the [RO: Guidance for generators](#).
- 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 the [RO: Guidance for generators](#) gives further details on the factors we may consider when determining what constitutes a generating station.

## Commissioned

- 1.7. Generating stations must be commissioned in order to be eligible for accreditation. The Orders define "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 'RO'

1.9. 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.

## Ofgem's functions

1.10. The Orders detail what the Authority does for the RO schemes in England, Wales and Scotland. 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 Renewables Obligation Certificates (ROCs) and Scottish Renewables Obligation Certificates (SROCs)
- establishing and maintaining a register of ROCs and SROCs
- revoking ROCs and SROCs if 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 (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 RO from the buy-out fund
- publishing an annual report on the operation of and compliance with the requirements of the Orders.

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



## 2. Eligibility for the RO from 13 May 2016

### Chapter summary

Explains the impact of the closure of the scheme to new onshore wind generating capacity. Also covers the scenarios in which new onshore wind generating stations may or may not be eligible for the RO, and the scenarios in which RO accredited onshore wind generating stations may add additional extra capacity, including how 'excluded capacity' is treated.

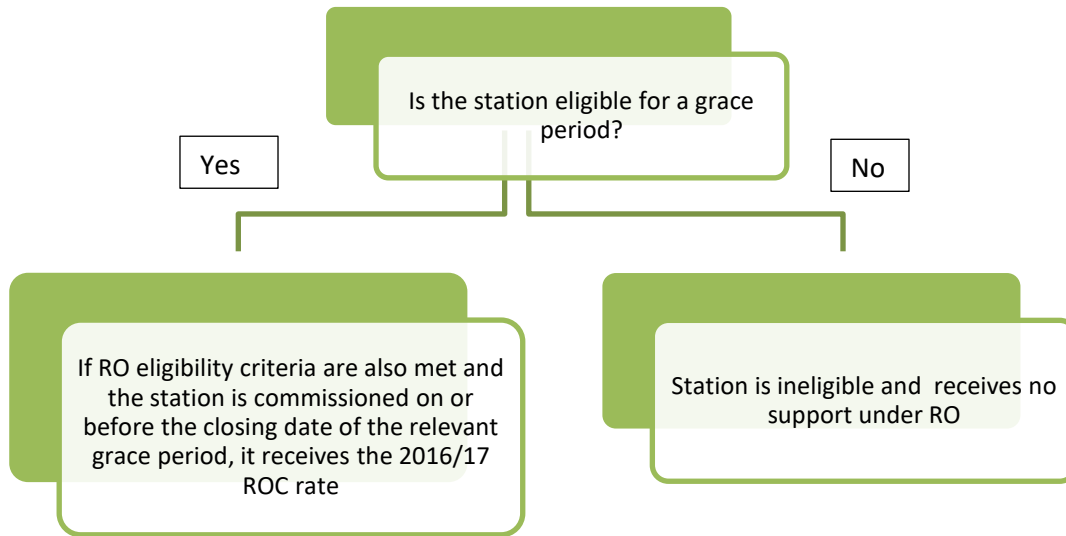
- 2.1. The RO closed to onshore wind stations on 13 May 2016. An onshore wind station is defined in the Electricity Act 1989 (as amended) as 'a generating station that: (a) generates electricity from wind, and (b) is situated in England, Wales or Scotland, but not in waters in or adjacent to England, Wales or Scotland up to the seaward limits of the territorial sea.'
- 2.2. From 13 May 2016:
  - any new onshore wind generating station is no longer eligible to apply for full accreditation under the RO, and
  - existing onshore wind stations cannot add additional capacity under the RO.
- 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 RO station may also wish to add capacity to a station in the knowledge that this capacity will not gain support under the RO. Such capacity is called 'excluded capacity' and must be declared to Ofgem. This is explained further in this chapter.

### Onshore wind generating station scenarios

#### New onshore wind generating stations

- 2.5. Figure 2 shows how we process applications from new onshore wind generating stations from 13 May 2016 until 31 January 2019. Any new onshore wind station that applies shall only be accredited if:
  - it is eligible for a grace period,
  - it meets the RO 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 meet the above criteria, they will gain accreditation under the RO.

Figure 2

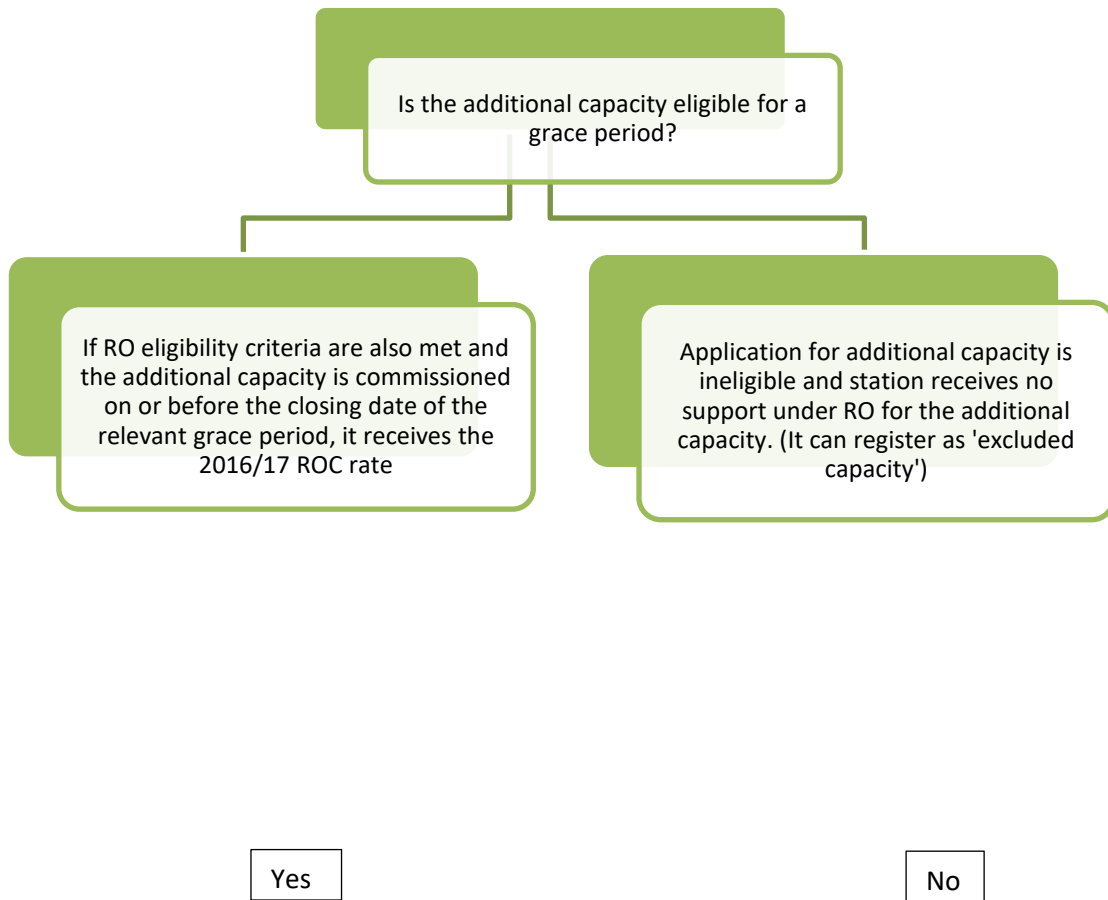


### Adding additional capacity

2.7. Figure 3 shows how we will process additional capacity being added to an onshore wind generating station from 13 May 2016 until 31 January 2019. Additional capacity added to a station will only be eligible for RO support if:

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

Figure 3



RO-accredited stations with "excluded capacity"

2.8. The closure of the RO to onshore wind may create a scenario where a station has some capacity accredited under the RO, its RO capacity, and some that is added later and is not supported under the RO, so it cannot be registered as additional capacity. This unsupported capacity is called 'excluded capacity'. Please see Chapter 3 of our [RO: Guidance for generators](#) for further information.



## 3. Eligibility for grace periods

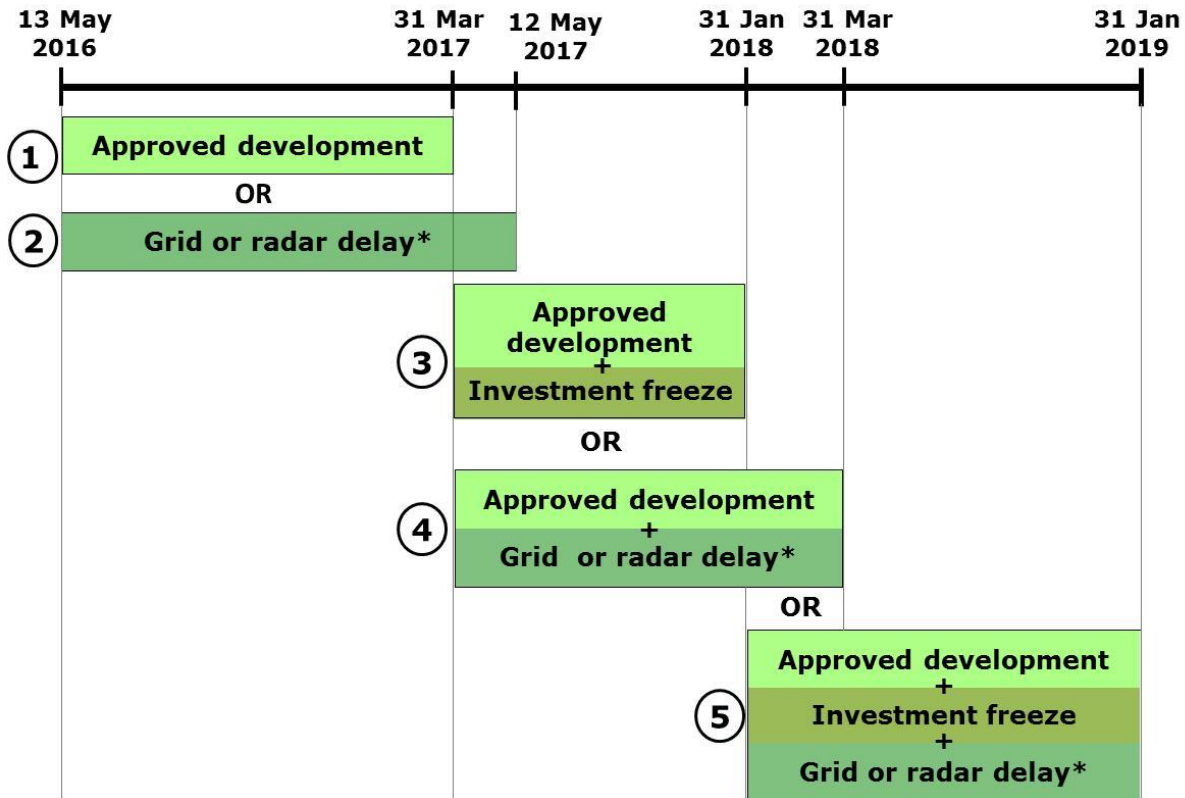
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### Chapter summary

Explains the five grace periods available for onshore wind generating capacity following closure, which will allow the operator of an onshore wind station to apply for accreditation on or after 13 May 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 13 May 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 Energy Act 2016. We will not accept any applications from operators of new onshore wind generating stations after 31 January 2019. The grace periods also cover operators applying for support for additional capacity.
- 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 (see Figure 4). Immediately after the early closure of the scheme until 31 March 2017 there are two grace periods available, each requiring you to meet one of the conditions set out in the legislation. Between 1 April 2017 and 11 May 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 13 May 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 3.20.

Figure 4: Grace periods available and the conditions that must be met for a station to be eligible for accreditation under the RO from 13 May 2016.



\*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’ – see 3.20 for details) 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 13 May 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, in most cases this means by 18 June 2015.

### Grace period available from 13 May 2016 to 12 May 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 12 May 2016 (the ‘primary date’), but have been subject to grid connection and/or radar delays that were not due to a breach by a developer.

### Grace periods available from 1 April 2017 to 31 January 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 during the passage of the bill through Parliament due to uncertainty over whether the legislation would be made and its wording if made.

### Grace periods available from 1 April 2017 to 31 March 2018

- **'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 and/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 connection and/or radar delays that were not due to a breach by a developer.

### Grace period available from 1 February 2018 to 31 January 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 and/or radar delay'** condition. These are generating stations that would have commissioned by 31 January 2018, but:
  - were delayed because the developer was unable to secure required finance during the passage of the bill through Parliament due to uncertainty over whether the legislation would be made and its wording if made, and
  - were unable to commission by 31 January 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 developer'

- 3.8. 'Relevant developer' in relation to an onshore wind generating station or additional capacity, is defined in the Electricity Act 1989 (as amended) as a person who:
- applied for planning permission for the station or additional capacity,
  - arranged for grid works to be carried out in relation to the station or additional capacity,
  - arranged for the construction of any part of the station or additional capacity,
  - constructed any part of the station or additional capacity, or

(e) operates, or proposes to operate, the station.

## Meeting the 'approved development' condition

3.9. 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 one of options A – E, and
- 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 Energy Act 2016)	What evidence could you provide?
Planning permission <sup>4</sup>	<b>A</b>	<p><b>Evidence that:</b></p> <p><b>(i)</b> planning permission for the station or additional capacity was granted on or before 18 June 2015, and</p> <p><b>(ii)</b> 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 confirming planning permission has been granted for the station, or capacity, in question, dated on or before 18 June 2015.</p> <p>For more detail see paragraphs 3.11 – 3.13</p> <p><b>AND</b></p> <p>If the planning permission required you to start development within a particular time period, then we will require confirmation from the relevant planning authority that time period conditions were not breached (if you have commissioned within the time period then this will not be required).</p>
	<b>B</b>	<p><b>Evidence that:</b></p> <p><b>(i)</b> planning permission for the station or additional capacity was refused on or before 18 June 2015, but granted after</p>	<p>The decision letter from the relevant planning authority (for example the Planning Inspectorate or the Scottish Directorate for Planning and</p>

<sup>4</sup> 'Planning permission' is defined in section 32LJ the Electricity Act 1989 as "(a) consent under section 36 of this Act, (b) 1990 Act permission, (c) 1997 Act permission, or (d) development consent under the Planning Act 2008".



Type of evidence	Evidence option	Legislative requirement (as appears in Energy Act 2016)	What evidence could you provide?
		<p>that date following an appeal or judicial review, and</p> <p><b>(ii)</b> 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>Environmental Appeals) confirming the success of the appeal. This letter will contain the original date of planning permission refusal, and identify the station in question and the technology and location.</p> <p><b>AND</b></p> <p>If the planning permission required you to start development within a particular time period, then we will require confirmation from the relevant planning authority that time period conditions were not breached (if you have commissioned within the time period then this will not be required).</p>
	C	<p><b>Evidence that:</b></p> <p><b>(i)</b> an application for 1990 Act permission or 1997 Act permission was made on or before 18 June 2015 for the station or additional capacity,</p> <p><b>(ii)</b> the period allowed under section 78(2) of the 1990 Act or (as the case may be) section 47(2) of the 1997 Act ended on or before 18 June 2015 without any of the things mentioned in section 78(2)(a) to (b) of the 1990 Act or section 47(2)(a) to (c) of the 1997 Act being done in respect of the application,</p> <p><b>(iii)</b> the application was not referred to the Secretary of State, Welsh Ministers or Scottish Ministers in accordance with directions given under</p>	<p>For (i), (ii) and (iv): the decision notice from the relevant planning authority (such as the Planning Inspectorate or Scottish ministers) confirming the success of the appeal. This letter will identify the station in question and the technology and location, and will contain:</p> <ul style="list-style-type: none"> <li>- the date of original planning application, and</li> <li>- the reason the appeal was made.</li> </ul> <p><b>AND</b></p> <p>For (iii): a declaration (if it is not clear in the planning permission itself) that the application was not referred to the Secretary of State, Welsh Ministers or Scottish Ministers in accordance with directions given under section 77 of the 1990 Act or section 46 of the 1997 Act.</p> <p><b>AND</b></p>

Type of evidence	Evidence option	Legislative requirement (as appears in Energy Act 2016)	What evidence could you provide?
		<p>section 77 of the 1990 Act or section 46 of the 1997 Act,</p> <p><b>(iv)</b> 1990 Act permission or 1997 Act permission was granted after 18 June 2015 following an appeal, and</p> <p><b>(v)</b> 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>For (v): If the planning permission required you to start development within a particular time period, then we will require confirmation from the relevant planning authority that time period conditions were not breached (if you have commissioned within the time period then this will not be required).</p>
	<b>D</b>	<p>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</p>	<p>We would expect planning permission to be required, but if not send us a document 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.</p>
<b>Grid works offer and acceptance</b>	<b>A</b>	<p>A copy of an offer from a licensed network operator<sup>5</sup> made on or before 18 June 2015 to carry out grid works in relation to the station or additional capacity, <b>and</b> evidence that the offer was accepted on or before that date (whether or not the acceptance was subject to any conditions or other terms).</p>	<p>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 18 June 2015. We would expect the offer to cover the non-contestable aspects of any grid works required at a minimum.</p> <p><b>AND one of the following:</b></p> <p>a. a letter from a licensed network operator confirming that the operator of the station</p>

<sup>5</sup> 'Licensed network operator' is defined in section 32LL the Electricity Act 1989 as 'a distribution licence holder or a transmission licence holder'.

Type of evidence	Evidence option	Legislative requirement (as appears in Energy Act 2016)	What evidence could you provide?
			<p>accepted the grid works offer on or before 18 June 2015</p> <p><b>or</b></p> <p>b. a signed acceptance form from the operator of the station on or before 18 June 2015.</p>
	<b>B</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 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.	We anticipate that grid works would usually have been required. However, if not, send us a document 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 were required to be carried out by a licensed network operator in order to enable the station to be commissioned.
<b>Land rights declaration</b>	N/A	<p>A declaration by the operator of the station that, to the best of the operator's knowledge and belief, as at 18 June 2015 a relevant developer<sup>6</sup> of the station or additional capacity (or a person<sup>7</sup> connected, within the meaning of section 1122 of the Corporation Tax Act 2010, with a relevant developer of the station or additional capacity)—</p> <p><b>(i)</b> was an owner or lessee of the land on which the station or additional capacity is situated,</p> <p><b>(ii)</b> had entered into an agreement to purchase or lease the land on which the station or additional capacity is situated,</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.

<sup>6</sup> See paragraph 3.8 for definition of 'relevant developer'.

<sup>7</sup> 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 Energy Act 2016)	What evidence could you provide?
		<p><b>(iii)</b> had an option to purchase or to lease the land on which the station or additional capacity is situated, or</p> <p><b>(iv)</b> was a party to an exclusivity agreement<sup>8</sup> in relation to the land on which the station or additional capacity is situated</p>	

3.10. Projects may need off-site supporting infrastructure, which may also require planning permission. However, we will only require evidence of planning permission and land rights for the site where the electricity generating equipment will be.

### Variations to the required evidence

3.11. When assessing eligibility for this grace period we are primarily concerned with the documentary evidence that was in place on or before 18 June 2015.

3.12. We are aware that variations may be made to a planning permission arrangements as a project progresses. Should such variations have happened after planning consent was granted in accordance with the requirements of the Energy Act 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 Energy Act 2016 clearly relates to the station for which the original planning permission was granted.

3.13. In terms of what constitutes a variation, the legislation defines “planning permission” as permission under the Town and Country Planning Act 1990, planning permission under the Town and Country Planning (Scotland) Act 1997, consent under section 36 of the Electricity Act 1989 or development consent under the Planning Act 2008. We recommend you refer to these pieces of legislation in order to understand which statutes are deemed to be acceptable variations as per the primary legislation.

### The parties that evidence was originally issued to

3.14. The Energy Act 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.

<sup>8</sup> ‘Exclusivity agreement’ is defined in section 32LJ the Electricity Act 1989 as ‘in relation 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’.

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.

### Grid connection evidence

- 3.15. We recognise that additional consents, easements and wayleaves will be required for grid connections. However, we don't need evidence of these.
- 3.16. 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

- 3.17. The grace periods have been designed in order to provide additional time 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.
- 3.18. 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.
- 3.19. Grid delay evidence that must be provided is in Table 2, radar delay evidence required is explained in Table 3.

### Primary date

- 3.20. 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 3 below is the cutoff date by which a station would have commissioned, but for grid connection and/or radar delays outside the developer's control. The 'primary date' is the final date before the start of each grace period:
- 12 May 2016 for the 13 May 2016 to 12 May 2017 grace period
  - 31 March 2017 for the 1 April 2017 to 31 March 2018 grace periods
  - 31 January 2018 for the 1 February 2018 to 31 January 2019 grace period.

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

Type of evidence	Legislative requirement (as appears in Energy Act 2016)	What evidence could you provide?
<b>Grid works agreement</b>	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").	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.

Type of evidence	Legislative requirement (as appears in Energy Act 2016)	What evidence could you provide?
		<p><b>AND one of the following:</b></p> <p>a. A letter from the network operator confirming that the operator of the station accepted the grid works offer</p> <p><b>or</b></p> <p>b. a signed acceptance form, signed by the operator of the station.</p>
<p><b>Estimated date of completion for grid works</b></p>	<p>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 the primary date.</p>	<p>A document, such as a copy of the grid works offer or a separate letter or email signed by an authorised signatory from the relevant network operator, which estimates or sets a “planned grid works completion date” (the estimated or set date for the completion of grid works) which is no later than the primary date. The location of the grid works and connection capacity should be clearly stated. If this is evidenced via a separate document, there should be clear reference to the connection offer or 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>If the grid works offer signed by the DNO or the letter from the DNO confirming the delay of grid works feature the original estimated date by which the grid works were to have been completed, then a separate letter regarding the estimated date is not required.</p>
<p><b>Confirmation of delay of grid works</b></p>	<p>A letter from the relevant network operator confirming (whether or not such confirmation is subject to any conditions or other terms) that—</p> <p><b>(i)</b> the relevant grid works were completed after the planned grid works completion date, and</p> <p><b>(ii)</b> in the relevant network operator’s opinion, the failure to</p>	<p>A letter or email signed by an authorised signatory from the network operator to the operator of the station explicitly confirming points (i) and (ii), see left-hand column.</p>

Type of evidence	Legislative requirement (as appears in Energy Act 2016)	What evidence could you provide?
	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.	
<b>Operator declaration on delayed grid works</b>	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 grid 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 Energy Act 2016)	What evidence could you provide?
<b>Radar works agreement</b>	Evidence of an agreement between a generating station developer and a person who is not a generating station developer ('the radar works agreement') for the carrying out of radar works ('the relevant radar works')	<p>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<sup>9</sup> to be carried out.</p> <p>We would expect to clearly see that this agreement was for radar works required in relation to the generating station the grace period application is for, and was entered into before the primary date. For example, you could demonstrate this by providing:</p>

<sup>9</sup> 'Radar works' is defined in section 32LL the Electricity Act 1989 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 Energy Act 2016)	What evidence could you provide?
		<p>a. evidence of an offer to carry out the radar works that clearly states the location of the radar works and the type of radar works to be carried out,</p> <p><b>AND</b></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 on or before the primary date.</p>
<p><b>Estimated date of completion for radar works</b></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, such as a letter or email, from a party to the radar works agreement (other than a generating station developer) which estimates or sets a "planned radar works completion date" (see 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>If the radar works offer signed by the radar works party, or the letter from the radar works party confirming the delay of radar works, feature the original estimated date by which the radar works were to have been completed, then a separate letter regarding the estimated date is not required.</p>
<p><b>Confirmation of delay of radar works</b></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>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), see left-hand column.</p>



Type of evidence	Legislative requirement (as appears in Energy Act 2016)	What evidence could you provide?
	<p><b>(i)</b> the relevant radar works were completed after the planned radar works completion date, and</p> <p><b>(ii)</b> in that party's opinion, the failure to complete the relevant radar works on or before the planned radar works completion date was not due to any breach of the radar works agreement by a generating station developer</p>	
<b>Operator declaration on delayed radar works</b>	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 of the generating station that follows the correct template in Appendix 3.

### Third party grid or radar delay evidence

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

### 'Generating station developer'

3.22. The Electricity Act 1989 (as amended) 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

3.23. 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

- 3.24. 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.
- 3.25. For example, if an original planned grid or radar works completion date was given which was before 12 May 2016, but the network operator subsequently modified this to after 12 May 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.
- 3.26. 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

- 3.27. The Energy Act 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

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

## Meeting the 'investment freezing' condition

- 3.29. 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 Energy Act 2016)	What evidence could you provide?
<b>Declaration</b>	<p>A declaration by the operator of the station that to the best of the operator's knowledge and belief, as at the Royal Assent date<sup>10</sup></p> <p><b>(i)</b> the relevant developer required funding from a recognised lender</p>	<p>A declaration signed by the operator of the generating station (the superuser of the account on the Register or other appropriate person) that follows the correct template in Appendix 3.</p>

<sup>10</sup> The date on which the Energy Act 2016 passed (12 May 2016).

Type of evidence	Legislative requirement (as appears in Energy Act 2016)	What evidence could you provide?
	<p>before the station could be commissioned or additional capacity could form part of the station,</p> <p><b>(ii)</b> the recognised lender was not prepared to provide that funding until enactment of the Energy Act 2016, because of uncertainty over whether the Act would be enacted or its wording if enacted, and</p> <p><b>(iii)</b> 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 the Royal Assent date.</p>	
<b>Investment freeze letter</b>	<p>A letter or other document, dated on or before the date which is 28 days after the Royal Assent date, 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 the Energy Act 2016, because of uncertainty over whether the Act would be enacted or its wording if enacted.</p>	<p>A letter or other document from the recognised lender* to the station operator <b>dated on or before 9 June 2016</b>, explicitly stating the confirmation required by the legislation (see left-hand column).</p> <p>*The letter should be signed by the Directors (or equivalent) of the recognised lender and be on headed paper, or otherwise be recognisable as being from that lender.</p>

### 'Recognised lender'

3.30. 'Recognised lender' is defined in the Electricity Act 1989 (as amended) as a provider of debt finance which has been issued with an investment grade credit rating<sup>11</sup> by a registered credit rating agency.<sup>12</sup> 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.

3.31. 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

<sup>11</sup> Defined as 'a credit rating commonly understood by registered credit rating agencies to be an investment grade' in section 32LK the Electricity Act 1989

<sup>12</sup> 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 on credit rating agencies', in section 32LK the Electricity Act 1989.

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.

- 3.32. 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 Energy Act 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 13 May 2016

### Chapter summary

Explains the process for operators of onshore wind generating stations submitting an application for accreditation and a grace period from 13 May 2016 onwards.

- 4.1. Operators of onshore wind generating stations that apply under the RO for accreditation from 13 May 2016 until 31 January 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 on the Register must be received by Ofgem on or before the close of the relevant grace period. Refer to Appendix 2 for the checklist of grace period 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 an RO 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 RO 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

#### Applying for accreditation

- 4.5. In applying for accreditation you should be familiar with the RO eligibility criteria by referring to the provisions introduced into the Electricity Act 1989 by the Energy Act 2016, the RO Orders 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 an 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 submitted, declarations are generated which must be agreed by the superuser. If you have set up your user account email notifications correctly, you will receive an automated email reminding you to submit your declarations.
- 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. You will need to send us your grace period evidence separately by email (see 'Submitting grace period evidence' below).

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

- 4.13. Operators of onshore wind stations that are already accredited under the RO and are adding additional capacity under the RO must submit evidence that the additional capacity is eligible for a grace period.
- 4.14. 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.

### Difficulties submitting an accreditation application

- 4.15. If you have problems submitting your application you should contact the Renewables team ([renewable@ofgem.gov.uk](mailto:renewable@ofgem.gov.uk) or 020 7901 7310).
- 4.16. 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.
- 4.17. 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 onshore wind generating stations after 31 January 2019.**

## Submitting grace period evidence

- 4.18. **Send grace period evidence to:** [renewable@ofgem.gov.uk](mailto:renewable@ofgem.gov.uk) stating in the subject line the station name and which grace period (or grace periods) are being applied for.
- 4.19. All the required evidence and declarations for the grace period you are applying for, as listed in the previous chapter, should be attached to the email and listed in the body of the email. In addition, the email should confirm the name of the generating station, the address of the station and the TIC. There is an example email template below. Also, there is a checklist for applying for accreditation and a grace period in Appendix 2.
- 4.20. Our system will reject emails larger than 20MB. If you are concerned about the size of your files, or you receive a notification that it has been rejected, please contact us. We have a file-sharing service which can be used to transfer large files.
- 4.21. 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: RO grace period, Ofgem, 9 Millbank, London, SW1P 3GE

**Figure 5: Example email for submitting grace period evidence**

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

Dear Ofgem Renewable Team,

I have [delete as appropriate]: submitted an application for accreditation for an 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 RO '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.

## Commissioning evidence

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

## Processing the application for accreditation and a grace period

- 4.23. Applications for accreditation must be received by us by the end of the relevant grace period (midnight on the closing date). We won't accept any applications received after this date from an onshore wind generating 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.
- 4.24. 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.
- 4.25. **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.
- 4.26. 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 RO eligibility criteria, the grace period criteria and the station commissioning on or before the relevant grace period closure date.
- 4.27. We anticipate receiving a lot of accreditation and grace period applications. So that we can make decisions promptly, it is essential that applicants familiarise themselves with the legislation and the guidance before applying. Applicants should ensure that all necessary information has been provided and that they respond to our queries promptly. These queries will be raised via email, and on the Register. Incomplete or unclear applications and evidence will slow down the decision-making process.
- 4.28. To aid this process further, Appendix 1 has some tips on how to complete aspects of the application form. Appendix 2 has a checklist of the 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 RO

4.29. 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

4.30. The Orders<sup>13</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](#).

4.31. 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

4.32. 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.

4.33. On occasion stations that apply for accreditation and a grace period may also be audited before they are accredited under the RO.

4.34. We can withdraw accreditation and revoke or permanently withhold ROCs 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](#).

4.35. Ofgem takes a zero tolerance approach to fraud. We have a dedicated Counter Fraud team who investigate allegations of suspected fraud and will seek to refer any matters to the relevant authorities where appropriate.

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<sup>13</sup> Article 89 of the Renewables Obligation Order 2015, article 58ZZA of the Renewables Obligation (Scotland) Order 2009

## Appendix 1: Application tips

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There are some questions in the application form which people often answer incorrectly. We have put together tips and specific examples to illustrate points to help you get your application right first time. Not all questions are covered in this guide. 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](#).

**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 rating of each type of turbine 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.

**QC251: Grace period.** The system will ask if you are applying for a grace period if you have selected onshore wind as the technology. If you select 'no' you will see a terminating message and you will only be able to go back and correct your previous answers. If you select 'yes' you will be able to complete and submit your application as normal.

**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 Senivon 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 ROCs 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 the [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 ROCs can only be issued on your net output electricity.

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

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

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

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

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

**Once you have completed the application and submitted it on the Register, you should send your grace period evidence by email to [renewable@ofgem.gov.uk](mailto:renewable@ofgem.gov.uk).** Further instructions on this are in 'Submitting grace period evidence' above.

## Appendix 2: Grace period checklists

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

**Table 5: Grace period checklist evidence to be submitted to Ofgem**

Evidence to be submitted	Grace period(s)				
	GP 1: 13 May 2016 – 31 March 2017 Approved development condition only	GP 2: 13 May 2016 – 12 May 2017 Grid or radar delay condition only	GP 3: 1 April 2017 – 31 January 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 February 2018 – 31 January 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 12 May 2017	N	Y	N	N	N
The completed accreditation application received by Ofgem on or before 31 January 2018	N	N	Y	N	N
The completed accreditation application received by Ofgem on or before 31 March 2018	N	N	N	Y	N
The completed accreditation application received by Ofgem on or before 31 January 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: 13 May 2016 – 31 March 2017 Approved development condition only	GP 2: 13 May 2016 – 12 May 2017 Grid or radar delay condition only	GP 3: 1 April 2017 – 31 January 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 February 2018 – 31 January 2019 Approved Development and investment freezing and grid or radar delay conditions
Land rights declaration (Template AD)	Y	N	Y	Y	Y
Investment freeze declaration (Template IF)	N	N	Y	N	Y
Investment freeze letter or other document	N	N	Y	N	Y
Estimated/ set 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 Section 32LJ(6) of the Electricity Act 1989 (as amended), 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 Section 32LJ of the Electricity Act 1989 (as amended). 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.

### **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 Section 32LL(7) of the Electricity Act 1989 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 12 May 2016 if the relevant grid/radar [*delete as appropriate*] works<sup>14</sup> had been completed on or before the planned grid/radar [*delete as appropriate*] works completion date,<sup>15</sup>
- I am the operator of the generating station stated in this declaration.

Signed .....

Full name .....

Position/Job title .....

Date .....

<sup>14</sup> As defined in section 32LL(4)(a) Electricity Act 1989 (as amended)

<sup>15</sup> As defined in section 32LL(4)(b) Electricity Act 1989 (as amended)



**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*] works<sup>16</sup> had been completed on or before the planned grid/radar [*delete as appropriate*] works completion date,<sup>17</sup>
- I am the operator of the generating station stated in this declaration.

Signed .....

Full name .....

Position/Job title .....

Date .....

<sup>16</sup> As defined in section 32LL(4)(a) Electricity Act 1989 (as amended)

<sup>17</sup> As defined in section 32LL(4)(b) Electricity Act 1989 (as amended)

**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*] works<sup>18</sup> had been completed on or before the planned grid/radar [*delete as appropriate*] works completion date,<sup>19</sup> and
  - ii) funding had been provided before the Energy Act 2016 was made,
- I am the operator of the generating station stated in this declaration.

Signed .....

Full name .....

Position/Job title .....

Date .....

<sup>18</sup> As defined in section 32LL(4)(a) Electricity Act 1989 (as amended)

<sup>19</sup> As defined in section 32LL(4)(b) Electricity Act 1989 (as amended)

**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 January 2018 if:
- i) the relevant grid/radar [*delete as appropriate*] works<sup>20</sup> had been completed on or before the planned grid/radar [*delete as appropriate*] works completion date,<sup>21</sup> and
- ii) funding had been provided before the Energy Act 2016 was made,
- I am the operator of the generating station stated in this declaration.

Signed .....

Full name .....

Position/Job title .....

Date .....

<sup>20</sup> As defined in section 32LL(4)(a) Electricity Act 1989 (as amended)

<sup>21</sup> As defined in section 32LL(4)(b) Electricity Act 1989 (as amended)

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

A declaration confirming investment freezing as set out under under Section 32LK(4) of the Electricity Act 1989 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 Energy Act 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 Energy Act 2016 was made, because of uncertainty over whether the Act 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 12 May 2016, the date the Energy Act 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 Energy Act 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 Energy Act 2016 was made, because of uncertainty over whether the Act 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 12 May 2016, the date the Energy Act 2016 was made, and
  - ii) the relevant grid/radar [*delete as appropriate*] works<sup>22</sup> had been completed on or before the planned grid/radar [*delete as appropriate*] works completion date.<sup>23</sup>

Signed .....

Full name .....

Position/Job title .....

Date .....

<sup>22</sup> As defined in section 32LL(4)(a) Electricity Act 1989 (as amended)

<sup>23</sup> As defined in section 32LL(4)(b) Electricity Act 1989 (as amended)

**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 Energy Act 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 Energy Act 2016 was made, because of uncertainty over whether the Act 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 12 May 2016, the date the Energy Act 2016 was made, and
  - ii) the relevant grid/radar [*delete as appropriate*] works<sup>24</sup> had been completed on or before 31 March 2017.

Signed .....  
Full name .....  
Position/Job title .....  
Date .....

<sup>24</sup> As defined in section 32LL(4)(a) Electricity Act 1989 (as amended)