

Draft licence modifications laid before Parliament under section 42(3) of the Energy Act 2008; draft to lie for forty days pursuant to section 42(4) of that Act, during which period either House of Parliament may resolve that the licence modifications not be made.

ENERGY

FEED-IN TARIFFS

FEED-IN TARIFFS: MODIFICATIONS TO THE STANDARD CONDITIONS OF ELECTRICITY SUPPLY LICENCES (No. 4 of 2012)

The Secretary of State makes the following licence modifications in exercise of the powers conferred by section 41(1) of the Energy Act 2008 (“the Act”).

The Secretary of State has consulted the holders of any licence being modified, the Gas and Electricity Markets Authority and such other persons as the Secretary of State considered appropriate in accordance with section 42(1) of the Act.

A draft of these licence modifications is laid before Parliament in accordance with section 42(3) of the Act.

Modification to the standard conditions of electricity supply licences

The standard conditions of supply licences granted, or treated as granted, under section 6(1)(d) of the Electricity Act 1989 are modified with effect from 1st December 2012 by substituting, for Schedule A to Standard Condition 33, Schedule A as set out in the Schedule to this instrument.

Date

Name
Minister of State
Department of Energy and Climate Change

SCHEDULE

“SCHEDULE A TO STANDARD CONDITION 33 OF THE ELECTRICITY SUPPLY LICENCE

DEFINITIONS AND INTERPRETATION

“Accredited FIT Installation” means an Eligible Installation which the Authority has entered onto the Central FIT Register in accordance with the FIT Order;

“Annual FIT Payment Rates Tables” means the tables of FIT Payment rates to be published annually by the Authority in accordance with the FIT Order and Part 1, clause 3.4 of and Annex 4 to this Schedule A;

“Cancellation of Export Payment Opt Out Notification” means a notice in writing from a FIT Generator to a FIT Licensee in terms of which the FIT Generator elects to resume receipt of Export Payments from a date specified therein;

“Central FIT Register” means the register kept and maintained by the Authority for the purpose of recording details of FIT Generators, Accredited FIT Installations and other such matters relating to the FIT Scheme;

“Commissioned” means, in relation to an Eligible Installation, that:

- (a) such procedures and tests have been completed as constitute, at the time they are undertaken, the usual industry standards and practices for commissioning that type of installation such that it is capable of operating at its Declared Net Capacity (assuming that the relevant Eligible Low-Carbon Energy Source was available to it without interruption or limitation); and
- (b) the installation is connected to Plant such that the whole of its maximum output could be used in a permitted way;

For this purpose:

- (1) the maximum output of an installation is the amount of electricity that it would generate if operated at its Declared Net Capacity; and
- (2) electricity is used in a permitted way if it is:
 - (i) consumed by the FIT Generator or (if different) the operator of the installation, or by persons to whom it is supplied by the FIT Generator; or
 - (ii) Exported.

“Complaints Procedure” means the procedure available to a FIT Generator in the event it has a complaint about any action taken by a FIT Licensee in relation to the FIT Scheme;

“Confirmation Date” means, in relation to an Eligible Installation, the date on which the FIT Generator is entered onto the Central FIT Register by the Authority, such that the Eligible Installation becomes an Accredited FIT Installation;

“Connected Person”	in relation to a FIT Generator or a Nominated Recipient, means any person connected to that person within the meaning of section 1122 of the Corporation Tax Act 2010;
“Declared Net Capacity”	means the maximum capacity at which an installation can be operated for a sustained period without causing damage to it (assuming the source of power used by it to generate electricity was available to it without interruption) less the amount of electricity that is consumed by the Plant;
“Deemed Export”	means Export from an Accredited FIT Installation which is deemed to be a percentage of the equivalent Generation Meter Reading for the same Accredited FIT Installation and period in cases where: <ul style="list-style-type: none"> (a) it is not possible or practical to measure the Export by way of Export Meter Readings; and (b) the FIT Order provides for the determination by the Secretary of State of the percentage or a methodology for determining it;
“Deemed Export Reading”	means the data by reference to which the FIT Licensee may calculate the Export Payment as regards the Deemed Export of an Accredited FIT Installation;
“EA08”	means the Energy Act 2008;
“Eligibility Date”	means the date as regards a particular Eligible Installation from which eligibility for FIT Payments commences which, unless the FIT Order provides otherwise, shall be the later of: <ul style="list-style-type: none"> (a) the date, as applicable, of <ul style="list-style-type: none"> (i) receipt by the Authority of a FIT Generator’s written request for ROO-FIT Accreditation in a form acceptable to the Authority; or (ii) receipt by a FIT Licensee of a FIT Generator’s written request for MCS-certified Registration, accompanied by an MCS Certificate for the installation; (b) the date on which the installation is Commissioned; or (c) 1st April 2010;
“Eligibility Period”	means the maximum period during which a FIT Generator can receive FIT Payments for a particular Eligible Installation, as set out in the table at Annex 1;
“Eligible Installation”	means any Plant on a Site which is capable of Small-scale Low-carbon Generation; and except as provided otherwise in the FIT Order all such Plant on the same Site which is capable of generating electricity from the same type of Eligible Low-carbon Energy Source is to be treated as a single Eligible Installation;

“Eligible Low-carbon Energy Source”	means the following sources of energy or technology: (a) anaerobic digestion, as defined in the FIT Order; (b) hydro generating station, as defined in the FIT Order; (c) combined heat and power with an electrical capacity of 2kW or less; (d) solar photovoltaic; (e) wind;
“Energy Efficiency Requirement”	is to be interpreted in accordance with paragraphs 4 to 7 of Annex 5;
“Export”	means the flow of electricity from an Eligible Installation onto a distribution system or transmission system and, if the FIT Licensee so elects, accounted for in settlement in accordance with the BSC, and Export used as a verb shall be construed accordingly;
“Export Meter”	means a meter which measures the quantity of Export which, if registered pursuant to the BSC, such registration is to be the responsibility of the FIT Licensee;
“Export Meter Reading”	means the measure by an Export Meter of the amount of Export;
“Export Payment”	means the sum paid to the FIT Generator or Nominated Recipient, as applicable, by a FIT Licensee, for FIT Export in any period, calculated by reference to the Export Tariff and Export Meter Reading or Deemed Export Reading;
“Export Payment Opt Out Notification”	means a notice in writing from a FIT Generator to a FIT Licensee in terms of which the FIT Generator opts out of receiving Export Payments from a date specified therein;
“Export Tariff”	means the payment rate per kilowatt hour for FIT Export from an Accredited FIT Installation;
“Extension”	means a modification to an Accredited FIT Installation to increase its Total Installed Capacity from the same type of Eligible Low-carbon Energy Source, and Extend as a verb shall be construed accordingly;
“FIT Export”	means Export or Deemed Export from an Accredited FIT Installation in relation to which a FIT Generator has requested to receive Export Payments in accordance with Part 1, clause 7.1;
“FIT Generator”	means: (a) in relation to an Accredited FIT Installation, the person identified as the Owner in the Central FIT Register; and (b) in relation to any other Eligible Installation, the Owner, whether or not that person is also operating or intending to operate the Eligible Installation;

“FIT Licensee”	means the collective term for Mandatory FIT Licensees and Voluntary FIT Licensees;
“FIT Notification”	means the notification to be submitted to the Authority annually by each licensee under Part 3, clause 2;
“FIT Order”	means the Feed-in Tariffs Order 2012 (including any amendments to that Order);
“FIT Payments”	means, as applicable, Generation Payments and/or Export Payments;
“FIT Scheme”	means the scheme for feed-in tariffs introduced in accordance with sections 41 to 43 EA08, as set out in Standard Condition 33 of the Electricity Supply Licence (including this Schedule A, Parts 1 to 3 and Annexes 1 to 5) and the FIT Order;
“FIT Year”	means the year commencing on 1st April and ending on 31st March numbered sequentially from FIT Year 1 (being 1st April 2010 to 31st March 2011);
“Generation Meter”	means a meter which measures the quantity of electricity generated by an Accredited FIT Installation, for which the FIT Generator is responsible;
“Generation Payment”	means the sum paid to the FIT Generator or Nominated Recipient, as applicable, by a FIT Licensee, for the electricity generated by Accredited FIT Installations in any period, calculated by reference to the Generation Tariff and Generation Meter Readings;
“Generation Meter Reading”	means the measure by a Generation Meter of the gross amount of electricity generated by an Accredited FIT Installation;
“Generation Tariff”	means the payment rate per kilowatt hour of electricity generated by an Accredited FIT Installation;
“Insolvency Event”	means an event or circumstance referred to in paragraph 1(f) of Schedule 2 on Revocation of the Electricity Supply Licence;
“Levelisation Payment”	means a payment required to be made by a FIT Licensee to the Authority or by the Authority to the FIT Licensee in accordance with the Levelisation Process as determined in the FIT Order;
“Levelisation Process”	means the process by which the total cost of the FIT Scheme is allocated between licensees in proportion to the size of their share in the electricity supply market of Great Britain, as determined in accordance with the FIT Order;

“Mandatory FIT Licensee”	means a licensee which either: <ul style="list-style-type: none"> (a) supplies electricity to at least 250,000 domestic customers; or (b) together with its Affiliates jointly supplies electricity to at least 250,000 domestic customers, as at 31 December before the start of each FIT Year; and effective on and from the 1 April of the current FIT Year;
“MCS Certificate”	means a certificate by MCS or equivalent confirming that an Eligible Installation is an MCS-certified Installation;
“MCS-certified Installation”	means an Eligible Installation using an MCS-FIT Technology which has been recognised by MCS or equivalent as satisfying relevant equipment and installation standards;
“MCS-certified Registration”	means the process whereby an Eligible Installation confirmed as an MCS-certified Installation is entered onto the Central FIT Register by the Authority;
“MCS or equivalent”	means the Microgeneration Certification Scheme or equivalent schemes accredited under EN 45011, which certify microgeneration products and installers in accordance with consistent standards;
“MCS-FIT Technology”	means the following Eligible Low-carbon Energy Sources for which MCS-certified Registration is required: <ul style="list-style-type: none"> (a) solar photovoltaic with a declared net capacity of 50kW or less; (b) wind with a declared net capacity of 50kW or less; (c) hydro generating station with a declared net capacity of 50kW or less (in relation to Eligible Installations with an Eligibility Date before 1st December 2012 only); (d) combined heat and power with an electrical capacity of 2kW or less;
“Metering Legislation”	means: <ul style="list-style-type: none"> (a) Schedule 7 to the Electricity Act 1989; (b) The Meters (Approval of Pattern or Construction and Manner of Installation) Regulations 1998 (S.I. 1998/1565); (c) The Meters (Certification) Regulations 1998 (S.I. 1998/1566); (d) The Electricity (Approval of Pattern or Construction and Installation and Certification) (Amendment) Regulations 2002 (S.I. 2002/3129) ; (e) The Measuring Instruments (EC Requirements) (Electrical Energy Meters) Regulations 1995 (S.I. 1995/2607); (f) The Measuring Instruments (EC Requirements) (Electrical Energy Meters) (Amendment) Regulations 2002 (S.I. 2002/3082); (g) The Measuring Instruments (Active Electrical Energy Meters) Regulations 2006 (S.I. 2006/1679);
“Migrated ROO Generator”	means a generator whose installation was accredited under the ROO as at 1st April 2010 and has subsequently become an Accredited FIT Installation;

“Nominated Recipient”	means a person appointed by a FIT Generator to receive FIT Payments in respect of an Accredited FIT Installation owned by that FIT Generator and recorded as such on the Central FIT Register;
“Owner”	means, in relation to any Plant which is the subject of a hire purchase agreement, a conditional sale agreement or any agreement of a similar nature, the person in possession of the Plant under that agreement, and in all other contexts it shall bear its ordinary meaning, and Owned as a verb shall be construed accordingly;
“Part 1”	means Part 1 of Schedule A to Standard Condition 33 of the Electricity Supply Licence;
“Part 2”	means Part 2 of Schedule A to Standard Condition 33 of the Electricity Supply Licence;
“Part 3”	means Part 3 of Schedule A to Standard Condition 33 of the Electricity Supply Licence;
“Plant”	means any equipment, apparatus or appliance;
“Principal FIT Licensee Terms”	means the principal terms, to be included in the Statement of FIT Terms, which relate to the obligations which a FIT Generator must satisfy in order to receive FIT Payments from a FIT Licensee;
“Principal Generator Terms”	means the principal terms, to be included in the Statement of FIT Terms, which relate both to FIT Payments and the protection of FIT Generators;
“Quarterly Solar Tariff Table”	means the table of Generation Tariffs for solar photovoltaic Eligible Installations to be published by the Authority in accordance with the FIT Order and Part 1, clause 3.4 of and Annexes 3 and 5 to this Schedule A;
“Reduction”	means a modification to an Eligible Installation to decrease its Total Installed Capacity;
“ROO”	means collectively the Renewables Obligation Order 2009 and Renewables Obligation (Scotland) Order 2009 (including any amendments to those Orders or re-enactments of the renewables obligation upon revocation of those Orders);
“ROO-FIT Accreditation”	means the process of accreditation pursuant to the FIT Order to be undertaken in respect of an Eligible Installation not using an MCS-FIT Technology;
“Site”	is to be interpreted in accordance with Part 1, clause 4.3 and the FIT Order;

“Small-scale Low-carbon Generation”	means the generation of electricity by any Plant: (a) which, in generating electricity, relies wholly or mainly on an Eligible Low-carbon Energy Source; and (b) the Total Installed Capacity of which does not exceed the Specified Maximum Capacity;
“Solar Deployment Period”	has the meaning given in Annex 3, paragraph 1;
“Solar Tariff Period”	has the meaning given in Annex 3, paragraph 1;
“Specified Maximum Capacity”	means the maximum capacity specified in the FIT Order;
“Statement of FIT Terms”	means the statement of terms and conditions agreed between the FIT Licensee and FIT Generator in relation to participation in the FIT Scheme;
“Switching”	means the process involved when a FIT Generator elects to change its FIT Licensee, and Switch used as a verb shall be construed accordingly;
“Tariff Code”	means a code allocated to each Accredited FIT Installation by the Authority to enable identification of the FIT Payment rates applying to that installation;
“Tariff Date”	in relation to an Eligible Installation for which the method of determining the Tariff Date is specified in the FIT Order means the date determined in accordance with the FIT Order, and in relation to any other Eligible Installation means the Eligibility Date;
“Total Installed Capacity”	means the maximum capacity at which an Eligible Installation could be operated for a sustained period without causing damage to it (assuming the Eligible Low-carbon Energy Source was available to it without interruption), a declaration of which is submitted as part of the processes of ROO-FIT Accreditation and MCS-certified Registration;
“Transfer Date”	means the date upon which a FIT Generator is deemed to have Switched in relation to an Accredited FIT Installation;
“Voluntary FIT Licensee”	means a licensee which is not a Mandatory FIT Licensee but which voluntarily elects to participate in making FIT Payments under the FIT Scheme.

PART 1 - MANDATORY FIT LICENSEES

A. BASIC PRINCIPLES

1. Application of Part 1

- 1.1 This Part 1 shall apply where the licensee is a Mandatory FIT Licensee.
- 1.2 A Mandatory FIT Licensee is required to publish its status as a Mandatory FIT Licensee such that this information is easily accessible to the public.

2. To whom obligation is owed

- 2.1 The Mandatory FIT Licensee shall, subject to the terms of the FIT Scheme, be obliged to accept a request for FIT Payments from a FIT Generator as regards an Accredited FIT Installation:
 - 2.1.1 which occupies a Site in relation to which that Mandatory FIT Licensee is the Relevant Electricity Supplier; or
 - 2.1.2 which occupies a Site—
 - (a) in relation to which that Mandatory FIT Licensee is not the Relevant Electricity Supplier; and
 - (b) which is supplied by an Electricity Supplier which is not itself a Mandatory FIT Licensee; or
 - 2.1.3 which occupies a Site which does not receive a supply of electricity from any Electricity Supplier.
- 2.2 A Mandatory FIT Licensee may accept a request for FIT Payments from a FIT Generator as regards any other Accredited FIT Installation.

3. Payment of FIT

- 3.1 The Mandatory FIT Licensee shall be obliged to make FIT Payments as regards an Accredited FIT Installation only in the event the following conditions are satisfied:
 - 3.1.1 The Mandatory FIT Licensee is satisfied that the FIT Generator is not registered on the Central FIT Register as being in receipt of FIT Payments from another FIT Licensee as regards that Accredited FIT Installation;
 - 3.1.2 the Mandatory FIT Licensee must have access to or have received from the FIT Generator or Nominated Recipient the Generation Meter Readings, Export Meter Readings or Deemed Export Readings required, as applicable, in order to calculate the FIT Payments and the meters from which such readings are taken must comply with the provisions of the Metering Legislation;
 - 3.1.3 the FIT Generator must not also be registered to benefit from the ROO as regards the Accredited FIT Installation in relation to which it is seeking FIT Payments; and

- 3.1.4 the FIT Generator must have agreed a Statement of FIT Terms with the Mandatory FIT Licensee.
- 3.2 In the event Part 1, clause 3.1 is satisfied, the Mandatory FIT Licensee shall be required as regards making FIT Payments to:
- 3.2.1 calculate FIT Payments as accruing from the Eligibility Date of an Accredited FIT Installation or from the Transfer Date, as applicable;
- 3.2.2 commence FIT Payments to the FIT Generator or Nominated Recipient from the next payment cycle occurring after the later of the:
- (a) Confirmation Date; or
 - (b) date on which the Statement of FIT Terms is agreed between the FIT Generator and Mandatory FIT Licensee,
- which shall include FIT Payments which may have accrued since the Eligibility Date or the Transfer Date, as applicable, such retrospective accrual to be limited as regards a Migrated ROO Generator to a period of no more than 6 months between its Eligibility Date and Confirmation Date;
- 3.2.3 ensure such FIT Payment is attributable to a period within the Eligibility Period of the Accredited FIT Installation;
- 3.2.4 ensure a process is implemented to regulate how data from FIT Generators as regards Generation Meter Readings, Export Meter Readings and Deemed Export Readings, as applicable, is to be provided and managed and communicate this to FIT Generators;
- 3.2.5 make FIT Payments no less than quarterly, except insofar as otherwise agreed in the Statement of FIT Terms;
- 3.2.6 take all reasonable steps to:
- (a) review on receipt the reasonableness of any Generation Meter Readings and Export Meter Readings provided by a FIT Generator or Nominated Recipient as regards an Accredited FIT Installation, in accordance with expected tolerances by reference to relevant Total Installed Capacity and Eligible Low-carbon Energy Source;
 - (b) verify at least once every 2 years the Generation Meter Readings and Export Meter Readings provided by a FIT Generator or Nominated Recipient, and any Deemed Export Readings, taking due account of guidance from the Authority.
- 3.3 The Mandatory FIT Licensee shall make FIT Payments in accordance with the Tariff Code and other information recorded in the Central FIT Register, at the rates determined in accordance with the following table:

<i>Type of Eligible Installation</i>	<i>Period in respect of which FIT Payments are made</i>	<i>Tariff Date of the Eligible Installation</i>	<i>Applicable FIT Payment Rates</i>
Solar photovoltaic	FIT Year 1 or 2	Any	The rates determined in accordance with the FIT payment rate table which was in force at the time the electricity was generated or exported.
	FIT Year 3	1st April 2010 to 31st January 2013	The rates set out in Tables 1 and 3 of Annex 2.
		1st February 2013 to 31st March 2013	Generation Tariff: The rates set out in the table referred to in paragraph 5 of Annex 2. Export Tariff: The rates set out in Table 3 of Annex 2.
	FIT Year 4 and subsequent FIT Years	Any date during the FIT Year in respect of which the FIT Payments are made	Generation Tariff: The rates set out in the Quarterly Solar Tariff Table published by the Authority for the Solar Tariff Period in which the Tariff Date of the Eligible Installation falls (subject to paragraph 2 of Annex 3). Export Tariff: The rates set out in the Annual FIT Payment Rates Tables published by the Authority for the FIT Year in respect of which the FIT Payments are made.
		Any date before the start of the FIT Year in respect of which the FIT Payments are made	The rates set out in the Annual FIT Payment Rates Tables published by the Authority for the FIT Year in respect of which the FIT Payments are made.

<i>Type of Eligible Installation</i>	<i>Period in respect of which FIT Payments are made</i>	<i>Tariff Date of the Eligible Installation</i>	<i>Applicable FIT Payment Rates</i>
Anaerobic digestion Hydro generating station Combined heat and power	FIT Year 1 or 2	Any	The rates determined in accordance with the FIT payment rate table which was in force at the time the electricity was generated or exported.
Wind	FIT Year 3	Any	The rates set out in Tables 2 and 3 of Annex 2.
Eligible Installations with a Declared Net Capacity of 50kW or less Commissioned on or before 14th July 2009 and accredited under the ROO on or before 31st March 2010	FIT Year 4 and subsequent FIT Years	Any	The rates set out in the Annual FIT Payment Rates Tables published by the Authority for the FIT Year in respect of which the FIT Payments are made, or, where the Authority has published any amendments to those tables, in accordance with those amendments.

3.4 The FIT Payment rates tables referred to in the fourth column of the table in clause 3.3, which shall be published by the Authority in accordance with the FIT Order, are as follows—

3.4.1 the Quarterly Solar Tariff Table setting out the Generation Tariffs to apply, for the FIT Year in which the Tariff Date of the installation falls, to solar photovoltaic Eligible Installations with a Tariff Date in the Solar Tariff Period to which the table relates;

3.4.2 the Annual FIT Payment Rates Tables setting out the following FIT payment rates to apply for the FIT Year to which the tables relate—

- (a) the Generation Tariffs for all Eligible Installations with a Tariff Date before the start of that FIT Year;
- (b) the Generation Tariffs for Eligible Installations, other than solar photovoltaic installations, with a Tariff Date in that FIT Year (subject to any mid-year amendment of the Generation Tariffs for those installations under Part 3, Chapter 4 of Annex 4); and
- (c) the Export Tariffs for all Eligible Installations.

3.5 Annex 3 contains provision about the Quarterly Solar Tariff Table.

3.6 Annex 4 contains provision about the Annual FIT Payment Rates Tables.

3.7 Annex 5 contains additional provision about Generation Tariffs for solar photovoltaic Eligible Installations.

- 3.8 In clauses 3.3 to 3.7 and in Annexes 2 to 5, references to installations using a particular type of Eligible Low-Carbon Energy Source are to be treated as excluding any such installations with a Declared Net Capacity of 50kW or less Commissioned on or before 14th July 2009 and accredited under the ROO on or before 31st March 2010.
- 3.9 The FIT Payments made by the Mandatory FIT Licensee shall be such that:
- 3.9.1 the Generation Payment shall be available to all FIT Generators with Accredited FIT Installations;
- 3.9.2 the Export Payment shall be available only to FIT Generators with Accredited FIT Installations which have the necessary Plant to Export electricity and have requested to receive Export Payments in accordance with Part 1, clause 7.1.

B TREATMENT OF FIT GENERATORS AND ACCREDITED FIT INSTALLATIONS

4. MCS-certified Registration

- 4.1 The Mandatory FIT Licensee shall take all reasonable steps to support the process of MCS-certified Registration.
- 4.2 When the Mandatory FIT Licensee receives a request for FIT Payments from a FIT Generator using an MCS-FIT Technology, the Mandatory FIT Licensee shall not submit details of that FIT Generator to the Authority for the purposes of entry onto the Central FIT Register until it has first-
- 4.2.1 confirmed that the request relates to an MCS-certified Installation;
- 4.2.2 determined the Site of the installation in accordance with clause 4.3; and
- 4.2.3 obtained sufficient information, if the request relates to a solar photovoltaic installation, to determine—
- (a) whether the Energy Efficiency Requirement applies in relation to the installation and, if so, whether that requirement is satisfied; and
- (b) whether paragraph 9 of Annex 5 applies in relation to the installation.
- 4.3 Where the Mandatory FIT Licensee is required to determine the Site of an installation, it shall do so in accordance with the same principles, set out in the FIT Order, as the Authority is to apply in determining the Site of an installation when carrying out ROO-FIT Accreditation.
- 4.4 When the Mandatory FIT Licensee has confirmed and determined the matters referred to in Part 1, clause 4.2, the Mandatory FIT Licensee shall submit to the Authority such information on the FIT Generator as is required by the process of MCS-certified Registration for entry of the FIT Generator and the relevant Eligible Installation onto the Central FIT Register.
- 4.5 As soon as reasonably practicable after receiving notification from the Authority of the Confirmation Date (subject to the requirement of Part 1, clause 6.1), the Mandatory FIT Licensee shall provide the FIT Generator with a Statement of FIT Terms to review and seek agreement.

4.6 A Mandatory FIT Licensee shall not be required to support MCS-certified Registration as regards a Migrated ROO Generator using an MCS-FIT Technology and shall not make any FIT Payments to that Migrated ROO Generator until the provisions of Part 1, clauses 3.1 and 3.2 are satisfied.

5. ROO-FIT Accreditation

5.1 The Mandatory FIT Licensee shall not be responsible for ROO-FIT Accreditation.

5.2 When the Mandatory FIT Licensee receives a request for FIT Payments from a FIT Generator whose circumstances are such that ROO-FIT Accreditation is appropriate for participation in the FIT Scheme, the Mandatory FIT Licensee shall refer that FIT Generator to the Authority which shall undertake ROO-FIT Accreditation.

5.3 When the Mandatory FIT Licensee receives a request for FIT Payments from a FIT Generator which demonstrates its ROO-FIT Accreditation is complete, the Mandatory FIT Licensee shall submit to the Authority such information on the FIT Generator as is required for entry to the Central FIT Register.

5.4 As soon as reasonably practicable after receiving notification from the Authority of the Confirmation Date (subject to the requirement of Part 1, clause 6.1), the Mandatory FIT Licensee shall provide the FIT Generator with a Statement of FIT Terms to review and seek agreement.

5.5 The Mandatory FIT Licensee shall not be obliged to make FIT Payments to the FIT Generator until the provisions of Part 1, clauses 3.1 and 3.2 are satisfied.

6. Statement of FIT Terms

6.1 The Mandatory FIT Licensee shall take all reasonable steps to agree in writing a Statement of FIT Terms with a FIT Generator as regards an Accredited FIT Installation within ten working days of the Confirmation Date, such agreement not to be unreasonably withheld.

6.2 The Mandatory FIT Licensee shall ensure that the Statement of FIT Terms incorporates as a minimum the Principal Generator Terms detailed in Part 1, clause 6.3 and the Principal FIT Licensee Terms detailed in Part 1, clause 6.4, in accordance with any guidance issued by the Authority.

6.3 The Principal Generator Terms shall include:

6.3.1 obligations relevant to FIT Payments, including:

- (a) Tariff Code;
- (b) Confirmation Date;
- (c) Eligibility Date and Eligibility Period;
- (d) Tariff Date;
- (e) the Generation Tariff applying at the Confirmation Date;

- (f) the Export Tariff applying at the Confirmation Date (where applicable) and how to elect to receive Export Payments;
- (g) frequency of FIT Payment;
- (h) data on which calculation of FIT Payments shall be based and the process by which such data is to be provided;
- (i) the consequences of ceasing to be eligible for FIT Payments;
- (j) and any other term that may reasonably be considered to significantly affect the evaluation by the FIT Generator of the arrangement under which FIT Payments shall be made by the Mandatory FIT Licensee; and

6.3.2 obligations relevant to the protection of the FIT Generator to which the Mandatory FIT Licensee shall be obliged to adhere, including:

- (a) a description of the Complaints Procedure and a stated duty to participate in the Complaints Procedure on disputes in relation to compliance with obligations under the FIT Scheme;
- (b) a duty not to discriminate without objective justification in terms of changing Relevant Electricity Supplier or the prices for supply and other charges as between FIT Generators and other parties to whom electricity is supplied by the Mandatory FIT Licensee;
- (c) a description of the process of Switching and a stated duty to participate as required to facilitate the Switching of a FIT Generator;
- (d) a duty not to impose any obligations on a FIT Generator which are additional to, or more onerous than those that are necessary to enable the Mandatory FIT Licensee to meet its obligations under the FIT Scheme;
- (e) a duty to fulfil obligations under the FIT Scheme efficiently and expeditiously;
- (f) a term setting out the termination rights which permit the FIT Generator to withdraw from the FIT Scheme or Switch;
- (g) a term identifying the risks to a FIT Generator of failure to adhere to the Statement of FIT Terms, for example following failure to provide the required data in a timely fashion and as regards suspension and recoupment of FIT Payments.

6.4 The Principal FIT Licensee Terms shall include:

- 6.4.1 a term explaining that FIT Payments shall be made by reference to data in the Central FIT Register;
- 6.4.2 a term identifying the FIT Generator's obligations as regards providing information, declarations and evidence to the Mandatory FIT Licensee and the Authority (as well as any consents required for the purposes of data protection) as required for the administration of the FIT Scheme;

- 6.4.3 a term requiring the FIT Generator to inform the Mandatory FIT Licensee as soon as reasonably possible in the event there is a change in ownership of an Accredited FIT Installation;
- 6.4.4 a term requiring the FIT Generator to inform the Mandatory FIT Licensee as soon as reasonably possible of Extensions or Reductions to an Accredited FIT Installation;
- 6.4.5 a term setting out the circumstances and procedures for changing the Nominated Recipient on the Central FIT Register;
- 6.4.6 a term explaining meter ownership and responsibilities, including as regards access to the property of the FIT Generator if required for inspection, testing and (in the case of the Export Meter) maintenance and if appropriate replacement.
- 6.5 In the event the Central FIT Register is amended by the Authority to correct an error or to reflect any change in circumstances relevant to the content of the Statement of FIT Terms, for example, the Extension of an Accredited FIT Installation, the Mandatory FIT Licensee shall revise the Statement of FIT Terms as required and an amended version shall be supplied to the FIT Generator.
- 6.6 The Mandatory FIT Licensee shall be required to take due account of guidance issued by the Authority as regards the content and the form of the Statement of FIT Terms but can agree terms more favourable to the FIT Generator if so desired;
- 6.7 In addition to what is stipulated in the Statement of FIT Terms, the Mandatory FIT Licensee shall have the following specific duties as regards FIT Generators in the context of the FIT Scheme:
 - 6.7.1 when providing information to a FIT Generator (whether in writing, by electronic display or orally) in relation to the FIT Scheme, the Mandatory FIT Licensee shall take all reasonable steps to ensure it:
 - (a) is complete and accurate;
 - (b) is capable of being easily understood by the FIT Generator;
 - (c) does not mislead the FIT Generator; and
 - (d) is otherwise fair, transparent, appropriate and delivered in a professional manner both in terms of content and in terms of how it is presented (with more important information being given appropriate prominence);
 - 6.7.2 when making FIT Payments to a FIT Generator or Nominated Recipient, the Mandatory FIT Licensee shall ensure that the Statement of FIT Terms by reference to which it does so does not materially discriminate without objective justification between one group of FIT Generators and any other such group;
 - 6.7.3 the Mandatory FIT Licensee shall notify FIT Generators and Nominated Recipients to which it makes FIT Payments as soon as reasonably possible at the occurrence of an Insolvency Event.
- 6.8 To the extent a FIT Generator falls into the definition of Customer, Domestic Customer or Micro-business Consumer under the Electricity Supply Licence, participation in the FIT Scheme and

involvement in Small-scale Low-carbon Generation shall have no effect on the rights and obligations resulting from that status under Sections A and B of the Electricity Supply Licence.

7. Export

7.1 Where a FIT Generator's request for FIT Payments includes a request for Export Payments, in addition to the requirements of Part 1, clause 3 above, the Mandatory FIT Licensee shall be obliged to purchase FIT Export from the Accredited FIT Installation by offering an amount equivalent to the appropriate Export Payments.

7.2 Where payments have commenced in accordance with Part 1, clause 7.1 above, the Mandatory FIT Licensee remain obliged to make Export Payments until the earlier of termination in accordance with the FIT Scheme or the receipt of an Export Payment Opt Out Notification from the FIT Generator.

7.3 The Mandatory FIT Licensee shall act in accordance with an Export Payment Opt Out Notification received from a FIT Generator and cease to apply the FIT Scheme to such Export unless:

7.3.1 it is due to take effect within one year of a request for Export Payments from the FIT Generator;

7.3.2 it requires the Mandatory FIT Licensee to act retrospectively; or

7.3.3 it receives a Cancellation of Export Payment Opt Out Notification.

7.4 A Cancellation of Export Payment Opt Out Notification shall not take effect if:

7.4.1 it is due to take effect within one year of receipt of an Export Payment Opt Out Notification; or

7.4.2 it requires the Mandatory FIT Licensee to act retrospectively.

7.5 The Mandatory FIT Licensee shall remain obliged to make Generation Payments, as appropriate, to FIT Generators irrespective of whether they request Export Payments pursuant to Part 1, clause 7.1.

7.6 The Mandatory FIT Licensee may calculate the Export Payment for FIT Export by reference either to:

7.6.1 Export Meter Readings; or

7.6.2 Deemed Export Readings, as regards Deemed Export only.

C ADMINISTRATION, ERROR AND ABUSE OF SCHEME

8. Reducing, recouping and withholding FIT Payments

8.1 The Mandatory FIT Licensee shall take all reasonable steps to ensure any FIT Payments it has made to a FIT Generator or Nominated Recipient reflect only that to which that FIT Generator or Nominated Recipient is entitled.

8.2 The Mandatory FIT Licensee may, and must if directed by the Authority, reduce or withhold FIT Payments from a FIT Generator or take steps to recoup FIT Payments:

8.2.1 when it is identified (either through notification from the Authority or following an internal review by the Mandatory FIT Licensee) that there has been an error by the:

- (a) Mandatory FIT Licensee; or
- (b) FIT Generator; or
- (c) Authority,

which has led that Mandatory FIT Licensee to make FIT Payments in excess of entitlement;

8.2.2 when the Authority has established that a FIT Generator has received FIT payments to which it is not entitled and has noted this fact in the Central FIT Register,

except that it is not required to take steps to recoup incorrect FIT Payments made by another FIT Licensee.

8.3 Where the Authority informs the Mandatory FIT Licensee that the accreditation of an installation as an Accredited FIT Installation has been suspended or withdrawn, the Mandatory FIT Licensee shall not make any further FIT Payments in respect of that installation until such time as notified by the Authority that the suspension has ended or the withdrawal has been revoked, except insofar as otherwise directed by the Authority to make a reduced FIT Payment.

8.4 The Mandatory FIT Licensee must comply with any direction by the Authority as to the making of FIT payments in respect of an installation, in the event that the Authority ends the suspension or revokes the withdrawal of the installation's accreditation as an Accredited FIT Installation.

9. Audit of Scheme

9.1 The Mandatory FIT Licensee shall take all reasonable steps actively to reduce error and combat abuse of the FIT Scheme, taking into account any guidance issued by the Authority.

9.2 The Mandatory FIT Licensee shall, in particular, take all reasonable steps in making FIT Payments to a FIT Generator or Nominated Recipient to ensure that:

9.2.1 such payments are consistent with the information on the Central FIT Register;

9.2.2 it notifies the Authority expeditiously of any information of which it becomes aware which relates to data contained on the Central FIT Register and necessitates an update;

9.2.3 any FIT Generator or Nominated Recipient to which it makes FIT Payments is actively required to comply with its obligations as set out in the Statement of FIT Terms.

9.3 The Mandatory FIT Licensee shall promptly notify the Authority of any suspected abuse of the FIT Scheme by FIT Generators, providing detail of:

9.3.1 reasons for suspicion;

9.3.2 any action it has taken or intends to take pursuant to Part 1, clauses 8.1 and 8.2, as regards making FIT Payments to a FIT Generator.

10. Modifications to an Accredited FIT Installation etc.

10.1 On receiving information from a FIT Generator as regards an Extension or Reduction to an Accredited FIT Installation, the Mandatory FIT Licensee shall:

10.1.1 notify the Authority;

10.1.2 provide such information as is required by the Authority to assess whether any Extension causes the Accredited FIT Installation to exceed the Specified Maximum Capacity and to update the Central FIT Register as regards such modifications.

10.2 On notification from the Authority that the Central FIT Register has been updated to reflect the new information, the Mandatory FIT Licensee shall:

10.2.1 unless clause 10.2.2 applies:

(a) treat the modified Accredited FIT Installation for the purposes of calculating FIT Payments in accordance with the updated Central FIT Register and any instruction which may be issued by the Authority; and

(b) amend the Statement of FIT Terms as required and provide a copy to the FIT Generator;

10.2.2 if the Specified Maximum Capacity is exceeded, cease making FIT Payments.

10.3 In the event that the output of separate Accredited FIT Installations is not being separately measured, in calculating FIT Payments the Mandatory FIT Licensee shall pro-rate the amount of electricity generated or Exported by reference to the Total Installed Capacity of each Accredited FIT Installation.

10.4 In the event a FIT Generator increases Small-scale Low-carbon Generation at a Site using an Eligible Low-carbon Energy Source different to that used in the existing Accredited FIT Installation Owned by the same FIT Generator, the Mandatory FIT Licensee shall treat this as a separate Accredited FIT Installation.

11. Change of status

11.1 In the event a Mandatory FIT Licensee ceases to have Mandatory FIT Licensee status, it shall be required subject to clauses 11.2 and 11.3 to:

11.1.1 continue its participation in the FIT Scheme as a Mandatory FIT Licensee until the later of:

(a) its next FIT Notification;

(b) the end of the FIT Year in which its status altered;

(c) the expiry of the period of at least 6 weeks' notice, required by clause 11.1.2 below;

11.1.2 notify in writing its change in status and consequences of that to the FIT Generators to which it makes FIT Payments allowing a notice period of at least 6 weeks.

11.2 Clause 11.3 applies to a licensee which—

11.2.1 was a Mandatory FIT Licensee immediately before 1st August 2012; but

11.2.2 is not within the definition of “Mandatory FIT Licensee” as amended with effect from 1st August 2012; and

11.2.3 gave notice to the Authority in writing by 30th September 2012 that it wished to-

(a) cease to be a FIT Licensee; or

(b) become a Voluntary FIT Licensee instead of a Mandatory FIT Licensee.

11.3 Where this clause applies to a licensee—

11.3.1 clause 11.1 shall not apply to it;

11.3.2 it shall be required to continue to participate in the FIT Scheme as a Mandatory FIT Licensee until the expiry of the notice period required by clause 11.3.3;

11.3.3 it must notify in writing its change of status and the consequences of that to the FIT Generators to which it makes FIT Payments allowing a notice period of at least 6 weeks; and

11.3.4 upon the expiry of that notice period it shall cease to be a FIT Licensee, or become a Voluntary FIT Licensee, as the case may be.

PART 2 – VOLUNTARY FIT LICENSEES

A. BASIC PRINCIPLES

1. Application of Part 2

1.1 This Part 2 shall apply where the licensee is a Voluntary FIT Licensee.

1.2 A licensee must give notice to the Authority of its decision to act as a Voluntary FIT Licensee before it may participate in the FIT Scheme.

1.3 The Voluntary FIT Licensee is required to publish its status as a Voluntary FIT Licensee such that this information is easily accessible to the public.

2. To whom obligation is owed

2.1 The Voluntary FIT Licensee shall, subject to the terms of this FIT Scheme, be obliged to accept a request for FIT Payments from a FIT Generator as regards an Accredited FIT Installation with Total Installed Capacity of 50kW or less which occupies a Site to which the Voluntary FIT Licensee is the Relevant Electricity Supplier and as regards which the FIT Generator is also a Customer of that Voluntary FIT Licensee at that Site.

2.2 The Voluntary FIT Licensee shall not be obliged to make the FIT Scheme available to any FIT Generator falling outside the category in Part 2, clause 2.1 above but may elect to do so.

3. Applicability of principles in Part 1 to Voluntary FIT Licensees

3.1 The Voluntary FIT Licensee shall be bound by the obligations set down in Part 1, clauses 3 to 10, the necessary changes having been made to adjust for the differing context, as regards both:

3.1.1 FIT Generators falling into the category listed in Part 2, clause 2.1 which it is obliged to accept as a result of electing to become a Voluntary FIT Licensee; and

3.1.2 FIT Generators which it elects to accept into the FIT Scheme pursuant to Part 2, clause 2.2.

4. Change of status

4.1 In the event a Voluntary FIT Licensee elects no longer to participate in the FIT Scheme as a Voluntary FIT Licensee, it shall:

4.1.1 notify the Authority and comply with any instructions provided;

4.1.2 be required to continue its existing obligations as a Voluntary FIT Licensee under the FIT Scheme until the later of:

(a) its next FIT Notification;

(b) the end of the FIT Year in which the notification required by Part 2, clause 4.1.1 is made;

(c) the expiry of the period of at least 6 weeks' notice, required by Part 2, clause 4.1.3;

4.1.3 notify in writing its change in status and the consequences of that to the FIT Generators to which it makes FIT Payments, allowing a notice period of at least 6 weeks.

PART 3 – ALL LICENSEES

1. Application of Part 3

1.1 This Part 3 shall apply to all licensees.

2. Change of status

2.1 The licensee shall submit a FIT Notification to the Authority on or before 14th February in each year.

2.2 The FIT Notification shall state whether, in the following FIT Year, the licensee is to be-

2.2.1 a Mandatory FIT Licensee (by reference to its status as at 31st December of the preceding calendar year);

2.2.2 a Voluntary FIT Licensee; or

2.2.3 neither a Mandatory FIT Licensee nor a Voluntary FIT Licensee.

3. Levelisation Process

3.1 The licensee shall participate in the Levelisation Process as set out in the FIT Order, in accordance with the Authority's instructions, and:

3.1.1 cooperate with the Authority to provide such information as is required by it for the efficient administration of the Levelisation Process;

3.1.2 make Levelisation Payments in accordance with the Authority's instructions.

4. Insolvency Event

4.1 The licensee shall be obliged to take all reasonable steps to notify the Authority at the occurrence of an Insolvency Event.

5. Provision of information to Authority

5.1 The licensee shall be obliged to provide in a timely and practical format information reasonably required by the Authority in accordance with the FIT Order and pursuant to obligations arising from the FIT Scheme.

5.2 The licensee shall be obliged to retain documents relating to the FIT Scheme for a period of 5 years or such other period as the Authority may direct.

6. Modification

6.1 Modifications to the provisions of the FIT Scheme set out in these Standard Licence Conditions shall be made in accordance with the provisions of section 42 EA08 insofar as such modifications fall within the scope of section 41 EA08.

7. In the event of inconsistency

7.1 In the event of inconsistency between any provision of this Schedule and any Order issued by the Secretary of State under sections 41 to 43 EA08, the latter shall prevail.

7.2 Where a licensee reasonably considers that complying with any Order by the Secretary of State under sections 41 to 43 EA08 will require it to act in a manner which is inconsistent with any provision of its Electricity Supply Licence, the licensee shall, without delay, inform the Authority and Secretary of State of such inconsistency.

ANNEX 1

ELIGIBILITY PERIOD TABLE

<i>Installation</i>	<i>Eligible Low-Carbon Energy Source</i>		
	<i>Solar Photovoltaic</i>	<i>Combined heat and power with an electrical capacity of 2kW or less</i>	<i>All other Eligible Low-carbon Energy Sources</i>
Eligible Installations Commissioned on or after 1 April 2010	If the Eligibility Date is before 1 August 2012, 25 years commencing on the Eligibility Date. If the Eligibility Date is on or after 1 August 2012, 20 years commencing on the Eligibility Date.	10 years commencing on the Eligibility Date	20 years commencing on the Eligibility Date
Eligible Installations Commissioned during the period commencing on 15 July 2009 and ending on 31 March 2010 which have not received accreditation under the ROO	25 years commencing on 1 April 2010	10 years commencing on 1 April 2010	20 years commencing on 1 April 2010
Eligible Installations with a declared net capacity of 50kW or less Commissioned during the period commencing on 15 July 2009 and ending on 31 March 2010 which have received accreditation under the ROO	25 years commencing on 1 April 2010		20 years commencing on 1 April 2010
Eligible Installations with a declared net capacity greater than 50kW Commissioned during the period commencing on 15 July 2009 and ending on 31 March 2010 which were previously accredited under the ROO and which have an Eligibility Date of 1 April 2010	24 years and 6 months commencing on 1 April 2010		19 years and 6 months commencing on 1 April 2010
Eligible Installations with a declared net capacity greater than 50kW Commissioned during the period commencing on 15 July 2009 and ending on 31 March 2010 which were previously accredited under the ROO and which have an Eligibility Date of 1 April 2011	23 years and 6 months commencing on 1 April 2011		18 years and 6 months commencing on 1 April 2011
Eligible Installations with a declared net capacity of 50kW or less Commissioned on or before 14 July 2009 and accredited under the ROO on or before 31 March 2010	the period commencing on 1 April 2010 and ending on 31 March 2027		the period commencing on 1 April 2010 and ending on 31 March 2027

ANNEX 2

FIT PAYMENT RATES FOR ELECTRICITY GENERATED OR EXPORTED IN FIT YEAR 3

1. The FIT payment rates in Tables 1 to 3 apply in respect of electricity generated or exported in FIT Year 3.
2. The FIT payment rate for an Accredited FIT Installation of a description specified in the first column of one of Tables 1 to 3 and with a Tariff Date specified in the second column is the applicable rate specified in the corresponding entry in the third column.
3. All FIT payment rates in Tables 1 to 3 are pence per kilowatt hour at 2012/13 values.
4. In Table 2, the conditional date referred to in the entries in the second column for certain descriptions of installations applies only where the European Commission gives state aid approval on or before 31 March 2013 for the higher rate specified in the entry and in such case the conditional date is the later of (a) 1 December 2012, or (b) the date on which the approval is given. If state aid approval is not given on or before 31 March 2013, the lower rate specified in the entry applies throughout FIT Year 3.
5. The Generation Tariffs for electricity generated in FIT Year 3 by solar photovoltaic installations with a Tariff Date from 1 February to 31 March 2013, are the rates set out in the table published by the Authority for the period 1 February to 30 April 2013 pursuant to article 13(2) of the Feed-in Tariffs (Specified Maximum Capacity and Functions) Order 2010.

Table 1 – Generation tariffs for solar photovoltaic Eligible Installations with a Tariff Date on or before 31 January 2013

<i>Description</i>	<i>Period in which Tariff Date falls</i>	<i>Tariff</i>	
Solar photovoltaic with total installed capacity of 4kW or less, where attached to or wired to provide electricity to a new building before first occupation	1 April 2010 to 2 March 2012	39.60	
	3 March 2012 to 31 March 2012	21.00	
	1 April 2012 to 31 July 2012	Higher rate	21.00
		Middle rate	16.80
		Lower rate	9.00
	1 August 2012 to 31 October 2012	Higher rate	16.00
Middle rate		14.40	
Lower rate		7.10	
1 November 2012 to 31 January 2013	Higher rate	15.44	
	Middle rate	13.90	
	Lower rate	7.10	

Solar photovoltaic with total installed capacity of 4kW or less, where attached to or wired to provide electricity to a building which is already occupied	1 April 2010 to 2 March 2012	45.40	
	3 March 2012 to 31 March 2012	21.00	
	1 April 2012 to 31 July 2012	Higher rate	21.00
		Middle rate	16.80
		Lower rate	9.00
1 August 2012 to 31 October 2012	Higher rate	16.00	
	Middle rate	14.40	
	Lower rate	7.10	
1 November 2012 to 31 January 2013	Higher rate	15.44	
	Middle rate	13.90	
	Lower rate	7.10	
Solar photovoltaic (other than stand-alone) with total installed capacity greater than 4kW but not exceeding 10kW	1 April 2010 to 2 March 2012	39.60	
	3 March 2012 to 31 March 2012	16.80	
	1 April 2012 to 31 July 2012	Higher rate	16.80
		Middle rate	13.40
		Lower rate	9.00
1 August 2012 to 31 October 2012	Higher rate	14.50	
	Middle rate	13.05	
	Lower rate	7.10	
1 November 2012 to 31 January 2013	Higher rate	13.99	
	Middle rate	12.59	
	Lower rate	7.10	
Solar photovoltaic (other than stand-alone) with total installed capacity greater than 10kW but not exceeding 50kW	1 April 2010 to 2 March 2012	34.50	
	3 March 2012 to 31 March 2012	15.20	
	1 April 2012 to 31 July 2012	Higher rate	15.20
		Middle rate	12.20
		Lower rate	9.00
1 August 2012 to 31 October 2012	Higher rate	13.50	
	Middle rate	12.15	
	Lower rate	7.10	
1 November 2012 to 31 January 2013	Higher rate	13.03	
	Middle rate	11.73	
	Lower rate	7.10	
Solar photovoltaic (other than stand-alone) with total installed capacity greater than 50kW but not exceeding 100kW	1 April 2010 to 31 July 2011	34.50	
	1 August 2011 to 2 March 2012	19.90	
	3 March 2012 to 31 March 2012	12.90	
	1 April 2012 to 31 July 2012	Higher rate	12.90
		Middle rate	10.30
Lower rate		9.00	
1 August 2012 to 31 January 2013	Higher rate	11.50	
	Middle rate	10.35	
	Lower rate	7.10	

Solar photovoltaic (other than stand-alone) with total installed capacity greater than 100kW but not exceeding 150kW	1 April 2010 to 31 July 2011	32.20	
	1 August 2011 to 2 March 2012	19.90	
	3 March 2012 to 31 March 2012	12.90	
	1 April 2012 to 31 July 2012	Higher rate	12.90
		Middle rate	10.30
Lower rate		9.00	
1 August 2012 to 31 January 2013	Higher rate	11.50	
	Middle rate	10.35	
	Lower rate	7.10	
Solar photovoltaic (other than stand-alone) with total installed capacity greater than 150kW but not exceeding 250kW	1 April 2010 to 31 July 2011	32.20	
	1 August 2011 to 2 March 2012	15.70	
	3 March 2012 to 31 March 2012	12.90	
	1 April 2012 to 31 July 2012	Higher rate	12.90
		Middle rate	10.30
Lower rate		9.00	
1 August 2012 to 31 January 2013	Higher rate	11.00	
	Middle rate	9.90	
	Lower rate	7.10	
Solar photovoltaic (other than stand-alone) with total installed capacity greater than 250kW	1 April 2010 to 31 July 2011	32.20	
	1 August 2011 to 31 July 2012	8.90	
	1 August 2012 to 31 January 2013	7.10	
Stand-alone (autonomous) solar photovoltaic (not attached to a building and not wired to provide electricity to an occupied building)	1 April 2010 to 31 July 2011	32.20	
	1 August 2011 to 31 July 2012	8.90	
	1 August 2012 to 31 January 2013	7.10	

Table 2 – Generation tariffs for other Eligible Installations with a Tariff Date on or before 31 March 2013

<i>Description</i>	<i>Period in which Tariff Date falls</i>	<i>Tariff</i>
Anaerobic digestion with total installed capacity of 250kW or less	1 April 2010 to 29 September 2011	12.70
	30 September 2011 to 31 March 2013	14.70
Anaerobic digestion with total installed capacity greater than 250kW but not exceeding 500kW	1 April 2010 to 29 September 2011	12.70
	30 September 2011 to 31 March 2013	13.60
Anaerobic digestion with total installed capacity greater than 500kW	1 April 2010 to 30 November 2012	9.90
	1 December 2012 to 31 March 2013	8.96
Hydro generating station with total installed capacity of 15kW or less	1 April 2010 to 30 November 2012	21.90
	1 December 2012 to 31 March 2013	21.00
Hydro generating station with total installed capacity greater than 15kW but not exceeding 100kW	1 April 2010 to 31 March 2013	19.60
Hydro generating station with total installed capacity greater than 100kW but not exceeding 500kW	before the Conditional Date	12.10
	on or after the Conditional Date	15.50

Hydro generating station with total installed capacity greater than 500kW but not exceeding 2MW	1 April 2010 to 31 March 2013	12.10
Hydro generating station with total installed capacity greater than 2MW	1 April 2010 to 30 November 2012	4.90
	1 December 2012 to 31 March 2013	4.48
Wind with total installed capacity of 1.5kW or less	1 April 2010 to 31 March 2012	37.90
	1 April 2012 to 30 November 2012	35.80
	1 December 2012 to 31 March 2013	21.00
Wind with total installed capacity greater than 1.5kW but not exceeding 15kW	1 April 2010 to 31 March 2012	29.30
	1 April 2012 to 30 November 2012	28.00
	1 December 2012 to 31 March 2013	21.00
Wind with total installed capacity greater than 15kW but not exceeding 100kW	1 April 2010 to 31 March 2012	26.50
	1 April 2012 to 30 November 2012	25.40
	1 December 2012 to 31 March 2013	21.00
Wind with total installed capacity greater than 100kW but not exceeding 500kW	1 April 2010 to 30 November 2012	20.60
	1 December 2012 to 31 March 2013	17.50
Wind with total installed capacity greater than 500kW but not exceeding 1.5MW	1 April 2010 to 30 November 2012	10.40
	1 December 2012 to 31 March 2013	9.50
Wind with total installed capacity greater than 1.5MW	1 April 2010 to 30 November 2012	4.90
	1 December 2012 to 31 March 2013	4.48
Combined Heat and Power with total installed electrical capacity of 2kW or less (tariff only available for 30,000 units)	before the Conditional Date	11.00
	on or after the Conditional Date	12.50
Eligible Installations with a declared net capacity of 50kW or less Commissioned on or before 14 July 2009 and accredited under the ROO on or before 31 March 2010	1 April 2010 to 31 March 2013	9.90

Table 3 – Export Tariffs

<i>Description</i>	<i>Period in which Tariff Date falls</i>	<i>Tariff</i>
Solar photovoltaic Eligible Installations	1 April 2010 to 31 July 2012	3.20
	on or after 1 August 2012	4.50
All other Eligible Installations	1 April 2010 to 30 November 2012	3.20
	on or after 1 December 2012	4.50

ANNEX 3

FIT PAYMENT RATES FOR SOLAR PHOTOVOLTAIC ELIGIBLE INSTALLATIONS WITH A
TARIFF DATE ON OR AFTER 1 APRIL 2013

Interpretation

1. “Solar Tariff Period” means one of the periods specified in the first column of the following table; and “Solar Deployment Period”, in relation to a Solar Tariff Period specified in the first column of the following table, means the period specified in the corresponding entry in the second column.

Solar Tariff Period	Solar Deployment Period
1 August 2012 to 31 October 2012	
1 November 2012 to 31 January 2013	
1 February 2013 to 30 April 2013	
1 May 2013 to 30 June 2013	1 November 2012 to 31 January 2013
1 July 2013 to 30 September 2013	1 February 2013 to 31 March 2013
1 October to 31 December (in 2013 or any subsequent year)	the preceding 1 April to 30 June
1 January to 31 March (in 2014 or any subsequent year)	the preceding 1 July to 30 September
1 April to 30 June (in 2014 or any subsequent year)	the preceding 1 October to 31 December
1 July to 30 September (in 2014 or any subsequent year)	the preceding 1 January to 31 March

Installations with a Tariff Date in April 2013

2. For Eligible Installations with a Tariff Date from 1 April 2013 to 30 April 2013, the Generation Tariff applicable in relation to electricity generated in FIT Year 4 is the rate set out in the table referred to in paragraph 5 of Annex 2.

Contents of the Quarterly Solar Tariff Table

3. The following paragraphs apply in relation to Eligible Installations with a Tariff Date on or after 1 May 2013.
4. The Quarterly Solar Tariff Table shall set out the Generation Tariffs which are to apply, in relation to electricity generated in the FIT Year in which the Tariff Date falls, to Eligible Installations of each of the following descriptions with a Tariff Date in the Solar Tariff Period to which the table relates—
- Solar photovoltaic with total installed capacity not exceeding 4kW, wired to provide electricity to a new building;

- Solar photovoltaic with total installed capacity not exceeding 4kW, wired to provide electricity to an existing building;
- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 4kW but not exceeding 10kW;
- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 10kW but not exceeding 50kW;
- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 50kW but not exceeding 100kW;
- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 100kW but not exceeding 150kW;
- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 150kW but not exceeding 250kW;
- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 250kW;
- Stand-alone solar photovoltaic (not wired to provide electricity to a building).

5. The Quarterly Solar Tariff Table shall specify-

- (a) a higher rate, middle rate and lower rate for the first to seventh descriptions of installations in paragraph 4; and
- (b) a standard rate for the eighth and ninth descriptions of installations in paragraph 4.

6. Where a higher rate, middle rate and lower rate are to be specified for a description of Eligible Installation—

- (a) the higher rate shall be determined in accordance with paragraphs 9 to 22;
- (b) the middle rate shall be 90% of the higher rate unless that is less than the lower rate, in which case it shall be equal to the lower rate; and
- (c) the lower rate shall be equal to the standard rate for stand-alone solar photovoltaic installations for that Solar Tariff Period.

7. Where only a standard rate is to be specified for a description of Eligible Installation, that rate shall be determined in accordance with paragraphs 9 and 16 to 22.

8. FIT payment rates in the Quarterly Solar Tariff Table shall be expressed as pence per kilowatt hour and calculated to two decimal places.

Determination of higher rate and standard rate

9. The higher rate or standard rate for a description of Eligible Installation shall, subject to paragraphs 19 to 22, be the higher rate or standard rate applying to installations of that description with a Tariff Date in the preceding Solar Tariff Period, minus the relevant percentage of that rate (the “degression rate”) determined in accordance with the following paragraphs.

(a) Installations with up to and including 10kW total installed capacity (other than stand-alone installations)

10. Paragraph 11 applies to the following descriptions of Eligible Installations—

- Solar photovoltaic with total installed capacity of 4kW or less, wired to provide electricity to a new building;
- Solar photovoltaic with total installed capacity of 4kW or less, wired to provide electricity to an existing building;
- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 4kW but not exceeding 10kW.

11. Where the aggregate capacity of all solar photovoltaic installations with a Declared Net Capacity of 10kW or less deployed in the relevant Solar Deployment Period is within a range specified in the first column of the following table, the degression rate for each description of installation to which this paragraph applies is the rate specified in the corresponding entry in the second column:

<i>Aggregate Declared Net Capacity of all solar photovoltaic installations with a Declared Net Capacity of 10kW or less deployed in the Solar Deployment Period</i>	<i>Degression rate</i>
Not more than 100MW	nil
More than 100MW but not more than 200MW	3.5%
More than 200MW but not more than 250MW	7.0%
More than 250MW but not more than 300MW	14.0%
More than 300MW	28.0%

12. For the purposes of paragraph 11, the aggregate Declared Net Capacity of solar photovoltaic installations with a Declared Net Capacity of 10kW or less deployed in a Solar Deployment Period shall be taken to be the amount determined and published by the Secretary of State under paragraph 2(a) of Schedule 2 to the FIT Order in relation to that Solar Deployment Period.

(b) Installations with more than 10kW and up to and including 50kW total installed capacity (other than stand-alone installations)

13. Paragraph 14 applies to the following description of Eligible Installations—

- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 10kW but not exceeding 50kW.

14. Where the aggregate Declared Net Capacity of all solar photovoltaic installations with a Declared Net Capacity of more than 10kW but not more than 50kW deployed in the relevant Solar Deployment Period is within a range specified in the first column of the following table, the degression rate for the description of installations to which this paragraph applies is the rate specified in the corresponding entry in the second column:

<i>Aggregate Declared Net Capacity of all solar photovoltaic installations with a Declared Net Capacity of more than 10kW but not more than 50kW deployed in the Solar Deployment Period</i>	<i>Degression rate</i>
Not more than 50MW	nil
More than 50MW but not more than 100MW	3.5%
More than 100MW but not more than 150MW	7.0%
More than 150MW but not more than 200MW	14.0%
More than 200MW	28.0%

15. For the purposes of paragraph 14, the aggregate Declared Net Capacity of solar photovoltaic installations with a Declared Net Capacity of more than 10kW but not more than 50kW deployed in a Solar Deployment Period shall be taken to be the amount determined and published by the Secretary of State under paragraph 2(b) of Schedule 2 to the FIT Order in relation to that Solar Deployment Period.

(c) Installations with more than 50kW total installed capacity and stand-alone installations

16. Paragraph 17 applies to the following descriptions of Eligible Installations—

- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 50kW but not exceeding 100kW
- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 100kW but not exceeding 150kW
- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 150kW but not exceeding 250kW
- Solar photovoltaic (other than stand-alone) with total installed capacity greater than 250kW
- Stand-alone solar photovoltaic (not wired to provide electricity to a building)

17. Where the aggregate Total Installed Capacity of solar photovoltaic installations with a Declared Net Capacity of more than 50kW deployed in the relevant Solar Deployment Period is within a range specified in the first column of the following table, the degression rate for each description of installation to which this paragraph applies is the rate specified in the corresponding entry in the second column:

<i>Aggregate Total Installed Capacity of solar photovoltaic installations with a Declared Net Capacity of more than 50kW deployed in Solar Deployment Period</i>	<i>Degression rate</i>
Not more than 50MW	nil
More than 50MW but not more than 100MW	3.5%
More than 100MW but not more than 150MW	7.0%
More than 150MW but not more than 200MW	14.0%
More than 200MW	28.0%

18. For the purposes of paragraph 17, the aggregate Total Installed Capacity of solar photovoltaic installations deployed in a Solar Deployment Period with a Declared Net Capacity of more than 50kW shall be taken to be the total of the amounts determined and published by the Secretary of State under paragraph 2(c)(i) and 2(c)(ii) of Schedule 2 to the FIT Order in relation to that Solar Deployment Period.

Degression for installations with a Tariff Date in the Solar Tariff Period from 1 July to 30 September 2013

19. In relation to the Quarterly Solar Tariff Table setting out the FIT Payment Rates to apply to installations with a Tariff Date in the Solar Tariff Period from 1 July to 30 September 2013, paragraphs 11, 14 and 17 are to apply as if each of the aggregate capacities in the tables in those paragraphs was two-thirds of the amount specified, rounded up to the nearest megawatt.

Adjustments to tariffs

20. The higher rate or standard rate for the Generation Tariff for a description of Eligible Installation with a Tariff Date in the Solar Tariff Period from 1 May to 30 June 2013 or any subsequent Solar Tariff Period shall not exceed a rate 3.5% less than the higher rate or standard rate which applied to installations of that description (or the most nearly corresponding description in Table 1 in Annex 2) with a Tariff Date three Solar Tariff Periods previously.
21. Paragraph 22 applies if, upon applying paragraphs 9 to 20—
- (a) the higher rate for installations (other than stand-alone) with Total Installed Capacity greater than 10kW but not exceeding 50kW would be more than the higher rate for installations (other than stand-alone) with Total Installed Capacity greater than 4kW but not exceeding 10kW; or
 - (b) the higher rate for installations (other than stand-alone) with Total Installed Capacity—
 - (i) greater than 50kW but not exceeding 100kW;
 - (ii) greater than 100kW but not exceeding 150kW; or
 - (iii) greater than 150kW but not exceeding 250kW,
would be more than the higher rate (after any adjustment under paragraph 20) for installations (other than stand-alone) with total installed capacity greater than 10kW but not exceeding 50kW; or

- (c) the rate for—
 - (i) installations (other than stand-alone) with Total Installed Capacity greater than 250kW, or
 - (ii) stand-alone installations,would be more than the higher rate (after any adjustment under paragraph 20) for installations (other than stand-alone) with Total Installed Capacity greater than 150kW but not exceeding 250kW.

22. Where this paragraph applies, the higher rate or standard rate for installations of the first-mentioned descriptions in sub-paragraph (a), (b) or (c) of paragraph 21 shall be reduced so that it is equal to the higher rate for installations of the second-mentioned description in that sub-paragraph.

ANNEX 4

ANNUAL FIT PAYMENT RATE TABLES FOR FIT YEAR 4 (2013-14) AND SUBSEQUENT YEARS

PART 1

General

Interpretation

1. In this Annex—

“existing installation” means an Eligible Installation with a Tariff Date before the start of the relevant FIT Year;

“new installation” means an Eligible Installation with a Tariff Date in the relevant FIT Year;

“relevant FIT Year”, in relation to Annual FIT Payment Rate Tables, means the FIT Year in relation to which those tables apply; and

“RPI” means the percentage increase or decrease in the Retail Price Index over the 12 month period ending on 31st December immediately before the start of the relevant FIT Year.

Contents of the Tables

2. The Annual FIT Payment Rate Tables for a FIT Year shall set out—

(a) the Generation Tariffs which (subject to Chapter 4 of Part 3, if applicable), are to apply in the relevant FIT Year to new installations other than solar photovoltaic installations;

(b) the Generation Tariffs which are to apply in the relevant FIT Year to existing installations; and

(c) the Export Tariffs which are to apply in the relevant FIT Year to all Eligible Installations.

3. FIT payment rates in the Annual FIT Payment Rate Tables—

(a) for FIT Year 4, are to be determined in accordance with Part 2 of this Annex; and

(b) for FIT Year 5 and subsequent FIT Years, are to be determined in accordance with Part 3 of this Annex.

4. FIT payment rates in the Annual FIT Payment Rate Tables shall be expressed as pence per kilowatt hour and calculated to two decimal places.

PART 2

FIT Payment Rates for FIT Year 4 (2013-14)

5. The Generation Tariff for electricity generated in FIT Year 4 by a new installation other than a solar photovoltaic installation shall, subject to paragraphs 6 and 7, be the rate applying in FIT Year 3 to an installation of the same description with a Tariff Date of 31 March 2013, adjusted by RPI.

6. The Generation Tariff for electricity generated in FIT Year 4 by a new installation of a description in the first column of the following table shall be the rate set out in the corresponding entry in the second column, adjusted by RPI.

<i>Description of installation</i>	<i>Generation Tariff (subject to adjustment by RPI)</i>
Wind with total installed capacity greater than 1.5MW	4.03 p/kWh
Hydro generating station with total installed capacity greater than 2MW	3.13 p/kWh

7. If—

- (a) under Table 2 in Annex 2, different Generation Tariffs for a description of installation are specified as applying in FIT Year 3 to installations of that description with a Tariff Date before, and to installations with a Tariff Date on or after, the Conditional Date; and
- (b) the Conditional Date does not occur during FIT Year 3, but occurs during FIT Year 4,

the Generation Tariff for electricity generated in FIT Year 4 by a new installation of that description shall be—

- (i) for a new installation with a Tariff Date before the Conditional Date, the lower of the rates specified in Table 2 in Annex 2 for installations of that description, adjusted by RPI; and
- (ii) for a new installation with a Tariff Date on or after the Conditional Date, the higher of the rates specified in Table 2 in Annex 2 for installations of that description, adjusted by RPI.

8. The Generation Tariff for electricity generated in FIT Year 4 by an existing installation shall be—

- (a) for—
 - (i) existing installations other than solar photovoltaic installations, and
 - (ii) solar photovoltaic installations except those referred to in sub-paragraph (b),
the rate applying in FIT Year 3 adjusted by RPI; and
- (b) for solar photovoltaic installations with a Tariff Date between 1 November 2012 and 31 March 2013, the rate applying in FIT Year 3 without any adjustment.

9. The Export Tariff for electricity exported in FIT Year 4—

- (a) from an existing installation, shall be the rate applying in FIT Year 3 adjusted by RPI; and
- (b) from a new installation, shall be the rate applying in FIT Year 3 to an installation of the same description with a Tariff Date of 31 March 2013, adjusted by RPI.

PART 3

FIT Payment Rates for FIT Year 5 (2014-15) and subsequent FIT Years

Chapter 1

Generation Tariffs for new installations

Hydro generating stations, wind and anaerobic digestion installations

10. The Generation Tariff for a new hydro generating station, wind installation or anaerobic digestion installation shall, subject to paragraphs 24 to 26, be:

$$E - (E \times D)$$

where—

E is the Generation Tariff which is to apply in the relevant FIT Year to an existing installation of the same description with a Tariff Date of 30 September in the preceding FIT Year; and

D is the percentage of E (the “degression rate”) determined in accordance with paragraphs 11 to 23.

(a) Degression rates for new hydro generating stations

11. Where relevant deployment in the preceding calendar year was within a range specified in the first column of the following table, the degression rate for each description of hydro generating station is, subject to paragraph 12, the rate specified in the corresponding entry in the second column:

<i>Aggregate capacity of relevant deployment of hydro generating stations in preceding calendar year</i>	<i>Degression rate</i>
Not more than 12.5MW	2.5%
More than 12.5MW but not more than 25MW	5.0%
More than 25MW but not more than 50.1MW	10.0%
More than 50.1MW	20.0%

12. If relevant deployment—

- (a) was not more than 25MW in the preceding calendar year; and
(b) has not been more than 25MW in any previous calendar year,

the degression rate for hydro generating stations with total installed capacity greater than 2MW is nil.

13. For the purposes of paragraphs 11 and 12, relevant deployment in the previous calendar year shall be taken to be the sum of the amounts determined and published by the Secretary of State for that year under paragraph 3(a) of Schedule 2 to the FIT Order.

(b) Degression rates for new wind installations

14. Where relevant deployment in the preceding calendar year is within a range specified in the first column of the following table, the degression rate for the following descriptions of Eligible Installations—

- Wind with total installed capacity of 1.5kW or less
- Wind with total installed capacity greater than 1.5kW but not exceeding 15kW
- Wind with total installed capacity greater than 15kW but not exceeding 100kW

is the rate specified in the corresponding entry in the second column:

<i>Aggregate capacity of relevant deployment of wind installations with a declared net capacity of 100kW or less in preceding calendar year</i>	<i>Degression rate</i>
Not more than 3.3MW	2.5%
More than 3.3MW but not more than 6.5MW	5.0%
More than 6.5MW but not more than 13.1MW	10.0%
More than 13.1MW	20.0%

15. For the purposes of paragraph 14, relevant deployment in the previous calendar year shall be taken to be the sum of the amounts determined and published by the Secretary of State for that year under paragraphs 3(b) and (c) of Schedule 2 to the FIT Order.

16. Where relevant deployment in the preceding calendar year is within a range specified in the first column of the following table, the degression rate for the following descriptions of Eligible Installation—

- Wind with total installed capacity greater than 100kW but not exceeding 500kW
- Wind with total installed capacity greater than 500kW but not exceeding 1.5MW
- Wind with total installed capacity greater than 1.5MW

is, subject to paragraph 17, the rate specified in the corresponding entry in the second column:

<i>Aggregate capacity of relevant deployment of wind installations with a declared net capacity of more than 100kW in preceding calendar year</i>	<i>Degression rate</i>
Not more than 36.7MW	5.0%
More than 36.7MW but not more than 73.4MW	10.0%
More than 73.4MW	20.0%

17. If relevant deployment—
- (a) was not more than 36.7MW in the preceding calendar year; and
 - (b) has not been more than 36.7MW in any previous calendar year,

the degression rate for wind installations with total installed capacity greater than 1.5MW is nil.

18. For the purposes of paragraphs 16 and 17, relevant deployment in the previous calendar year shall be taken to be the sum of the amounts determined and published by the Secretary of State for that year under paragraph 3(d) of Schedule 2 to the FIT Order.

(c) Degression rates for new anaerobic digestion installations

19. Where relevant deployment in the preceding calendar year was within a range specified in the first column of the following table, the degression rate for the following descriptions of Eligible Installations—

- Anaerobic digestion with total installed capacity of 250kW or less
- Anaerobic digestion with total installed capacity greater than 250kW but not exceeding 500kW

is the rate specified in the corresponding entry in the second column:

<i>Aggregate capacity of relevant deployment of anaerobic digestion installations with a declared net capacity of 500kW or less in previous calendar year</i>	<i>Degression rate</i>
Not more than 2.3MW	2.5%
More than 2.3MW but not more than 4.5MW	5.0%
More than 4.5MW but not more than 9.0MW	10.0%
More than 9.0MW	20.0%

20. For the purposes of paragraph 19, relevant deployment in the previous calendar year shall be taken to be the sum of the amounts determined and published by the Secretary of State for that year under paragraph 3(e) of Schedule 2 to the FIT Order.

21. Where relevant deployment in the previous calendar year is within a range specified in the first column of the following table, the degression rate for anaerobic digestion installations with total installed capacity greater than 500kW is, subject to paragraph 22, the rate specified in the corresponding entry in the second column:

<i>Aggregate capacity of relevant deployment of anaerobic digestion installations with a declared net capacity of more than 500kW in previous calendar year</i>	<i>Degression rate</i>
Not more than 19.2MW	2.5%
More than 19.2MW but not more than 38.4MW	5.0%
More than 38.4MW but not more than 76.9MW	10.0%
More than 76.9MW	20.0%

22. If relevant deployment—
- (a) is not more than 38.4MW in the preceding calendar year; and
- (b) has not been more than 38.4MW in any previous calendar year,
- the degression rate is nil (but paragraph 26 applies).
23. For the purposes of paragraphs 21 and 22, relevant deployment in the previous calendar year shall be taken to be the sum of the amounts determined and published by the Secretary of State for that year under paragraph 3(f) of Schedule 2 to the FIT Order.
- (d) Adjustments to tariffs
24. Paragraph 25 applies if—
- (a) upon applying paragraphs 14 to 18, the Generation Tariff for a new wind installation of a description mentioned in paragraph 16 would be greater than the Generation Tariff for a new wind installation with total installed capacity greater than 15kW but not exceeding 100kW; or
- (b) upon applying paragraphs 19 to 23, the Generation Tariff for a new anaerobic digestion installation with total installed capacity greater than 500kW would be greater than the Generation Tariff for a new anaerobic digestion installation with total installed capacity greater than 250kW but not exceeding 500kW.
25. Where this paragraph applies, the Generation Tariff for installations of the first-mentioned descriptions in sub-paragraph (a) or (b) of paragraph 24 shall be reduced so it is equal to the Generation Tariff for installations of the second-mentioned description in that sub-paragraph.
26. The Generation Tariff for new anaerobic digestion installations with total installed capacity greater than 500kW shall not exceed the maximum tariffs specified in the following table, adjusted by the percentage increase or decrease in the Retail Prices Index over the period beginning on 1 January 2012 and ending on 31 December immediately before the commencement of the relevant FIT Year:

<i>Relevant FIT Year</i>	<i>Maximum Generation Tariff (pence per kWh)</i>
FIT Year 6 (1 April 2015-31 March 2016)	8.51
FIT Year 7 and subsequent FIT Years	8.06

Combined heat and power installations

27. The Generation Tariff for a new installation using combined heat and power shall be the same as the Generation Tariff applying in the preceding FIT Year to an existing installation of the same description with a Tariff Date of 31 March in the preceding FIT Year, adjusted by RPI.

Chapter 2

Generation Tariffs for existing installations

28. The Generation Tariff for electricity generated by an existing installation in the relevant FIT Year shall be—
- (a) for-
- (i) existing installations other than solar photovoltaic installations, and
- (ii) solar photovoltaic installations except those referred to in sub-paragraph (b),
- the rate applying in the preceding FIT Year, adjusted by RPI;
- (b) for solar photovoltaic installations with a Tariff Date between 1 January and 31 March in the preceding FIT Year, the rate applying in the preceding FIT Year without any adjustment.

Chapter 3

Export Tariffs

29. The Export Tariff for electricity exported in the relevant FIT Year—
- (a) from an existing installation, shall be the rate applying in the preceding FIT Year adjusted by RPI; and
- (b) from a new installation, shall be the same as the rate applying in the preceding FIT Year to an existing installation of the same description with a Tariff Date of 31 March in the preceding FIT Year, adjusted by RPI.

Chapter 4

Mid-year adjustments to Generation Tariffs for new installations

30. In the circumstances set out in this Chapter, the Generation Tariffs specified in the Annual FIT Payment Rate Table shall be reduced to the extent specified, for new hydro generating stations, wind and anaerobic digestion installations with a Tariff Date on or after 1 October in the relevant FIT Year.
31. Where relevant half-year deployment is within a range specified in the first column of the following table, the degression rate for each description of hydro generating station is the rate specified in the corresponding entry in the second column:

<i>Aggregate capacity of relevant half-year deployment of hydro generating stations</i>	<i>Degression rate</i>
More than 16.5MW but not more than 33.1MW	5.0%
More than 33.1MW	10.0%

32. For the purposes of paragraph 31, relevant half-year deployment shall be taken to be the sum of the amounts determined and published by the Secretary of State for the relevant deployment period under paragraph 3(a) of Schedule 2 to the FIT Order.

33. Where relevant half-year deployment is within a range specified in the first column of the following table, the degression rate for the following descriptions of Eligible Installations—

- Wind with total installed capacity of 1.5kW or less
- Wind with total installed capacity greater than 1.5kW but not exceeding 15kW
- Wind with total installed capacity greater than 15kW but not exceeding 100kW.

is the rate specified in the corresponding entry in the second column:

<i>Aggregate capacity of relevant half-year deployment of wind installations with a declared net capacity of 100kW or less</i>	<i>Degression rate</i>
More than 4.3MW but not more than 8.6MW	5.0%
More than 8.6MW	10.0%

34. For the purposes of paragraph 33, relevant half-year deployment shall be taken to be the sum of the amounts determined and published by the Secretary of State for the relevant deployment period under paragraphs 3(b) and (c) of Schedule 2 to the FIT Order.

35. Where relevant half-year deployment is within a range specified in the first column of the following table, the degression rate for the following descriptions of Eligible Installation—

- Wind with total installed capacity greater than 100kW but not exceeding 500kW
- Wind with total installed capacity greater than 500kW but not exceeding 1.5MW
- Wind with total installed capacity greater than 1.5MW

is the rate specified in the corresponding entry in the second column:

<i>Aggregate capacity of relevant half-year deployment of wind installations with a declared net capacity of more than 100kW</i>	<i>Degression rate</i>
More than 24.2MW but not more than 48.5MW	5.0%
More than 48.5MW	10.0%

36. For the purposes of paragraph 35, relevant half-year deployment shall be taken to be the sum of the amounts determined and published by the Secretary of State for the relevant deployment period under paragraph 3(d) of Schedule 2 to the FIT Order.

37. Where relevant half-year deployment is within a range specified in the first column of the following table, the degression rate for the following descriptions of Eligible Installations—

- Anaerobic digestion with total installed capacity of 250kW or less
- Anaerobic digestion with total installed capacity greater than 250kW but not exceeding 500kW

is the rate specified in the corresponding entry in the second column:

<i>Aggregate capacity of relevant half-year deployment of anaerobic digestion installations with a declared net capacity of 500kW or less</i>	<i>Degression rate</i>
More than 3.0MW but not more than 5.9MW	5.0%
More than 5.9MW	10.0%

38. For the purposes of paragraph 37, relevant half-year deployment shall be taken to be the sum of the amounts determined and published by the Secretary of State for the relevant deployment period under paragraphs 3(e) of Schedule 2 to the FIT Order.

39. Where relevant half-year deployment is within a range specified in the first column of the following table, the degression rate for anaerobic digestion installations with total installed capacity greater than 500kW is the rate specified in the corresponding entry in the second column:

<i>Aggregate capacity of relevant half-year deployment of anaerobic digestion installations with a declared net capacity of more than 500kW</i>	<i>Degression rate</i>
More than 25.4MW but not more than 50.7MW	5.0%
More than 50.7MW	10.0%

40. For the purposes of paragraph 39, relevant half-year deployment shall be taken to be the sum of the amounts determined and published by the Secretary of State for the relevant deployment period under paragraph 3(f) of Schedule 2 to the FIT Order.
41. In this Chapter, “relevant deployment period” means the period from 1 January to 30 June in the calendar year in which tariff reductions are to have effect.

ANNEX 5

GENERATION TARIFFS FOR SOLAR PHOTOVOLTAIC INSTALLATIONS: APPLICATION OF HIGHER, MIDDLE AND LOWER RATES

1. This Annex applies in relation to solar photovoltaic Eligible Installations which are of a description, and have a Tariff Date, for which higher, middle and lower rates of Generation Tariffs are specified in the applicable FIT Payment rate table.
2. In this paragraph and the following paragraphs—
 - 2.1 the expressions “asset rating”, “dwelling” and “energy performance certificate”—
 - (a) in relation to a building in England or Wales, have the same meanings as in the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007;
 - (b) in relation to a building in Scotland, have the same meanings as in the Energy Performance of Buildings (Scotland) Regulations 2008, subject to paragraph 7;
 - 2.2 the following expressions have the same meanings as in the FIT Order—

“community energy installation”;

“school installation”;
 - 2.3 “energy efficiency rating” means an asset rating which is described on an energy performance certificate as an energy efficiency rating;
 - 2.4 “rating band” means the band to which an asset rating is assigned, as shown on an energy performance certificate by a letter from A to G;
 - 2.5 “relevant building” means a roofed construction having walls, for which energy is used to condition the indoor climate, other than such a building for which an energy performance certificate cannot be issued; and a reference to a relevant building includes a reference to part of such a building which has been designed or altered to be used separately;
 - 2.6 “relevant installation” means a solar photovoltaic Eligible Installation described in paragraph 1.
3. The lower rate applies to a relevant installation if—
 - 3.1 the Energy Efficiency Requirement applies in relation to that installation; and
 - 3.2 on the installation’s Eligibility Date, that requirement is not satisfied.
4. The Energy Efficiency Requirement applies in relation to a relevant installation if that installation is wired to provide electricity to one or more relevant buildings.

5. Where the Energy Efficiency Requirement applies in relation to a relevant installation, it is satisfied if an appropriate EPC for a relevant building to which the installation is wired as mentioned in paragraph 4 certifies that the building has a qualifying asset rating.
6. For the purposes of paragraph 5—
 - 6.1 an appropriate EPC, in relation to a relevant building to which a relevant installation is wired as mentioned in paragraph 4, is an energy performance certificate for that building which—
 - (a) was issued on or before, but not more than 10 years before, the Eligibility Date of the installation; and
 - (b) was, on the Eligibility Date of the installation, the most recently issued energy performance certificate for that building; and
 - 6.2 a qualifying asset rating is—
 - (a) for a dwelling, an energy efficiency rating within rating bands A to D;
 - (b) for a building which is not a dwelling-
 - (i) an asset rating within rating bands A to D, unless sub-paragraph (ii) applies;
 - (ii) an asset rating within rating bands A to G, if the relevant installation is a community energy installation or a school installation and, in the case of an installation with a declared net capacity of 50kW or less, has been pre-registered in accordance with the FIT Order.
7. If a recommendations report accompanying an appropriate EPC for a relevant building in Scotland which is not a dwelling specifies what the asset rating of the building would be if it was calculated according to the methodology by which asset ratings for buildings of that kind are calculated in England and Wales (an “England and Wales equivalent asset rating”), then for the purposes of paragraph 6.2 the asset rating of the building is its England and Wales equivalent asset rating.
8. The middle rate applies to a relevant installation from its Tariff Date if—
 - 8.1 either-
 - (a) the Energy Efficiency Requirement does not apply in relation to the installation; or
 - (b) the Energy Efficiency Requirement applies in relation to the installation, and, on the installation’s Eligibility Date, that requirement is satisfied; and
 - 8.2 paragraph 9 applies.
9. This paragraph applies if, at the date on which a request for accreditation of the relevant installation is received by the Authority or a FIT Licensee—
 - 9.1 the FIT Generator for the relevant installation and any persons who are Connected Persons in relation to the FIT Generator (taken together) are, or have applied to be, the FIT Generator or Nominated Recipient for 25 or more other solar photovoltaic Eligible Installations on different Sites; or

- 9.2 the Nominated Recipient for the relevant installation (if there is one) and any persons who are Connected Persons in relation to the Nominated Recipient (taken together) are, or have applied to be, the FIT Generator or Nominated Recipient for 25 or more other solar photovoltaic Eligible Installations on different Sites.
10. Where notice is given to the Authority or a FIT Licensee of a change to the identity of the FIT Generator, or the nomination of a new Nominated Recipient, the middle rate applies to the relevant installation from the date on which the change took place or the nomination takes effect if—
 - 10.1 the higher rate previously applied to the installation; and
 - 10.2 paragraph 11 applies.
11. This paragraph applies if, at the date on which notice of such a change or nomination is received by the Authority or a FIT Licensee, the new FIT Generator or Nominated Recipient (as the case may be) and any persons who are Connected Persons in relation to that person (taken together) are, or have applied to be, the FIT Generator or Nominated Recipient for 25 or more other solar photovoltaic Eligible Installations on different Sites.
12. The higher rate applies to a relevant installation if neither the lower rate nor the middle rate applies to it.
13. The tariff applying to a relevant installation cannot change—
 - 13.1 from the lower rate to the middle rate or the higher rate; or
 - 13.2 from the middle rate to the higher rate.”