STATUTORY INSTRUMENTS

2018 No. 967

ELECTRICITY, ENGLAND AND WALES

The Electricity (Individual Exemptions from the Requirement for a Generation Licence) (England and Wales) Order 2018

Made - - - -	*4th September 2018*
Laid before Parliament	*6th September 2018*
Coming into force - -	*28th September 2018*

The Secretary of State, in exercise of the powers conferred by section 5 of the Electricity Act 1989(**a**), makes the following Order.

The Secretary of State, in accordance with sections 5(2) and 5(3) of that Act, has given notice of the proposal to make this Order. No representations in respect of the proposal have been made.

Citation and commencement

1. This Order may be cited as the Electricity (Individual Exemptions from the Requirement for a Generation Licence) (England and Wales) Order 2018 and comes into force on 28th September 2018.

Interpretation

2.—(1) In this Order—

"the Act" means the Electricity Act 1989;

"Ferrybridge MFE 2 Limited" means the company of that name registered in England and Wales with number 09685158;

"Ferrybridge Multifuel 2 Generating Station" means the electricity generating station known as Ferrybridge Multifuel 2 Power Station or as FM2 whose entrance is situated at Ordnance Survey map reference SE473253, in Knottingley, West Yorkshire;

"K3 CHP Limited" means the company of that name registered in England and Wales with number 09240062;

"Kemsley Generating Station" means the electricity generating station known as Wheelabrator Kemsley Generating Station whose entrance is situated at Ordnance Survey map reference TQ918670, on the Sittingburne Relief Road, Swale Way, Kemsley, Kent;

"licensed generator" means the holder of a licence under section 6(1)(a) of the Act;

"the total system in England and Wales" means—

(a) the transmission system of the holder of a licence under section 6(1)(b) of the Act; and

(**a**) 1989 c.29; section 5 was substituted by section 29 of the Utilities Act 2000 (c.27).

(b) all distribution systems,

in each case, to the extent located in England and Wales.

Exemptions from prohibition of unlicensed generation of electricity for supply

3. Exemption is granted from section 4(1)(a) of the Act to—

(a) K3 CHP Limited in respect of Kemsley Generating Station; and

(b) Ferrybridge MFE 2 Limited in respect of Ferrybridge Multifuel 2 Generating Station.

Conditions on exemptions

4. The exemption granted by article 3(a) of this Order is subject to compliance with the following conditions—

(a) Kemsley Generating Station is connected to the total system in England and Wales;

(b) Kemsley Generating Station does not export more than 100 megawatts of electrical power to the total system in England and Wales, except in circumstances outside the reasonable control of K3 CHP Limited; and

(c) K3 CHP Limited is not a licensed generator.

5. The exemption granted by article 3(b) of this Order is subject to compliance with the following conditions—

(a) Ferrybridge Multifuel 2 Generating Station is connected to the total system in England and Wales;

(b) Ferrybridge Multifuel 2 Generating Station does not export more than 100 megawatts of electrical power to the total system in England and Wales, except in circumstances outside the reasonable control of Ferrybridge MFE 2 Limited; and

(c) Ferrybridge MFE 2 Limited is not a licensed generator.

Claire Perry
Minister of State
4th September 2018 Department of Business, Energy and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Order)

This Order grants exemptions from the requirements of section 4(1)(a) of the Electricity Act 1989 (which prohibits the generation of electricity for supply to any premises without a licence) in relation to two electricity generating stations. The companies granted exemptions are:

- K3 CHP Limited in relation to Kemsley Generating Station, an electricity generating station whose entrance is situated at Ordnance Survey map reference TQ918670, on the Sittingburne Relief Road, Swale Way, Kemsley, Kent.
- Ferrybridge MFE 2 Limited in relation to Ferrybridge Multifuel 2 Generating Station, an electricity generating station whose entrance is situated at Ordnance Survey map reference SE473253, in Knottingley, West Yorkshire.

A regulatory impact assessment in respect of exemptions from the requirements of section 4(1)(a) of the Electricity Act 1989 was prepared in 2001 and can be obtained from the Department for Business, Energy and Industrial Strategy, Wholesale Energy Markets Division, 1 Victoria Street, London SW1H 0ET. Copies have been placed in the libraries of both Houses of Parliament.

© Crown copyright 2018

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£4.90

UK201809041014 09/2018 19585

http://www.legislation.gov.uk/id/uksi/2018/967

ISBN 978-0-11-117245-2

