
STATUTORY INSTRUMENTS

2013 No. 426

ELECTRICITY, ENGLAND AND WALES

The Electricity (Exemption from the
Requirement for a Generation Licence)
(Middlemoor) (England and Wales) Order 2013

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| <i>Made</i> | - - - - | <i>25th February 2013</i> |
| <i>Laid before Parliament</i> | | <i>28th February 2013</i> |
| <i>Coming into force</i> | - - | <i>28th March 2013</i> |

The Secretary of State makes the following Order in exercise of the powers conferred by section 5 of the Electricity Act 1989(1).

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

Citation, commencement and extent

1.—(1) This Order may be cited as the Electricity (Exemption from the Requirement for a Generation Licence) (Middlemoor) (England and Wales) Order 2013 and shall come into force on 28th March 2013.

(2) This Order extends to England and Wales only.

Interpretation

2. In this Order—

“the Act” means the Electricity Act 1989;

“Middlemoor Wind Farm” means the generating station located at Ordnance Survey map reference NU153227, approximately 12 kilometres north of Alnwick in Northumberland;

“RWE Npower Renewables Limited” means the company of that name registered in England and Wales with company number 02550622; and

“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
- (b) all distribution systems,

(1) 1989 c.29; section 5 was substituted by section 29 of the Utilities Act 2000 (c.27).

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

Exemption from section 4(1)(a) of the Act

3. Subject to article 4, exemption is granted from section 4(1)(a) of the Act (prohibition on unlicensed generation of electricity for supply) to RWE Npower Renewables Limited in respect of Middlemoor Wind Farm.

Conditions on exemption

4. The exemption granted by article 3 is subject to compliance with the following conditions—
- (a) that RWE Npower Renewables Limited does not hold a licence under section 6(1)(a) of the Act⁽²⁾ (a generation licence);
 - (b) that Middlemoor Wind Farm is connected to the total system in England and Wales; and
 - (c) that Middlemoor Wind Farm is not normally capable of exporting more than 100 megawatts to the total system in England and Wales disregarding power temporarily provided in excess of 100 megawatts due to technical circumstances outside the reasonable control of RWE Npower Renewables Limited.

25th February 2013

John Hayes
Minister of State,
Department of Energy and Climate Change

(2) Section 6 was substituted by section 30 of the Utilities Act 2000.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order grants exemption 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) to RWE Npower Renewables Limited in relation to Middlemoor Wind Farm, which is located approximately 12 kilometres north of Alnwick in Northumberland (Ordnance survey map reference NU153227).

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 of Energy and Climate Change, Energy Markets Unit, 4th Floor, 3 Whitehall Place, London, SW1A 2AW. Copies have been placed in the libraries of both Houses of Parliament.