

## OPEN LETTER TO ALL ELECTRICITY GENERATION LICENCE HOLDERS

### Re: Licence Requirements for Electricity Generation Licences

10 January 2022

Dear Licence holder,

The Utility Regulator<sup>1</sup>, is currently reviewing electricity generation licence requirements. As you are aware the licence requires that a number of submissions are made to the Authority on an ongoing basis. These include:

#### Annual submissions

- **Licence Condition 2:** Separate accounts for Separate Businesses

##### Submission of financial information

In accordance with licence condition 2 there is a requirement for the submission of financial information (copies of accounts and auditors reports) within the time limits referred to in licence condition 2 sub-paragraph 3(d).

We would request that if this timeline is of concern that the licence holder should contact [ElecGenLicensing@uregni.gov.uk](mailto:ElecGenLicensing@uregni.gov.uk) as soon as possible.

We would also request that if you have not yet submitted the required information this year, please do so as soon as possible.

##### A change to financial year end since the licence was granted

Condition 2 paragraph 1 notes the financial year end of the licence holder which was notified to the Authority on granting of the licence. If the financial year end of the licence holder has since

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<sup>1</sup> In this letter references to Authority and we etc refer to the Northern Ireland Authority for Utility Regulation.

changed, please inform the Authority as this needs to be publicly consulted on in order to propose a modification to the licence.

- **Licence Condition 17:** Cost Reflective Bidding in the Single Electricity Market

This condition requires the submission of a certificate by 1 June each year which is:  
*“signed by at least one director on behalf of the board of directors of the Licensee, to confirm that during the period of twelve months ending on the preceding 31 March: (a) it has acted independently in relation to all submissions of Commercial Offer Data that have been made, by it or on its behalf, under the Single Electricity Market Trading and Settlement Code; and (b) no such submissions made by it or on its behalf have been co-ordinated with any other submissions made by or on behalf of any other party to the Code.”*

Should a licence holder be of the view that they do not need to comply with this condition, please inform us by the 1 June deadline with an explanation as to why.

We would also request that if you have not yet submitted the required information this year, please do so as soon as possible.

### **Other submissions as required**

- **Licence Condition 14:** Single Electricity Market Trading and Settlement Code

#### Intermediary status

Should a generation licence holder wish to use the services of a third party intermediary to participate in the Single Electricity Market on its behalf, regulatory consent is required from the Authority.

An application for regulatory consent can be found on the Utility Regulator’s website<sup>2</sup>; this should be sent to [ElecGenLicensing@uregni.gov.uk](mailto:ElecGenLicensing@uregni.gov.uk).

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<sup>2</sup> [Applying for Intermediary Status – Generators | Utility Regulator \(uregni.gov.uk\)](#)

- **Schedule 1** - Change of Control

There is a change in the control of the Licensee for the purposes of paragraphs 1(g) and (h) of Schedule 1 whenever a person has control of the Licensee who did not have control of the Licensee when the Licence was granted.

As per Schedule 1, the Authority requires notification of a Change of Control as soon as is practicable after such a Change in Control occurs.

If the Department (now Department for the Economy) was the licensing body then the Department should be notified of the change of control. Each licence holder should note the requirement in their own licence.

Attached at Annex 1 is a list of information the Authority will require to have provided along with the notification, to enable an assessment of the Change of Control to be undertaken.

The email address of [ElecGenLicensing@uregni.gov.uk](mailto:ElecGenLicensing@uregni.gov.uk) should be used for all submissions and notifications detailed above.

We would encourage licence holders to familiarise themselves with all of the obligations contained within the granted licence. Should you have any queries about the content of this letter, please contact [ElecGenLicensing@uregni.gov.uk](mailto:ElecGenLicensing@uregni.gov.uk)

Yours sincerely



**Colin Broomfield**

Director, Wholesale Markets Directorate

**Annex 1: Change of Control notification – information required by the Utility Regulator**

<p>Details of purchase including date of purchase and percentage of [Generator] or relevant parent company owned by [Purchaser]. Including an organisation chart where applicable to show the position of [Generator] within the [Purchaser] corporate structure</p>	
<p>Current statements of the accounts kept by the [Purchaser] in respect of any undertaking carried out by him, showing the financial state of affairs of that undertaking and its profit or loss and the statements for the most recent period, together with copies of the latest audited annual accounts where such have been prepared.</p>	
<p>The full names of the current Directors of [Purchaser] and the company's registered number.</p>	
<p>A statement by [Purchaser] of any changes to the original information provided in paragraphs 2, 3 or 4 of Part II of the application for a Generating Licence.</p>	
<p>Details of the interests of [Purchaser] in the transmission, distribution, generation or supply of electricity in Northern Ireland, Ireland and the European Union and the European economic area. Including details of any licences held, applied for or being applied for by the applicant in respect of the generation, participation in transmission or supply of electricity.</p>	
<p>Details of any ring fencing arrangements that have been put in place to prevent the transfer of information that could be used by a market participant to influence or provide an advantage in the market on the island of Ireland.</p>	
<p>Any additional information that would assist the Authority in deciding whether or not to exercise its power of revocation</p>	

under Schedule 1 sub-paragraph 1(g)(i) (relating to where there has been a change of control notified by the Licensee).	
Full contact details, including name, telephone number and postal and email address for the responsible person in relation to licence.	