



Department
of Energy &
Climate Change

Contract for Difference: Draft Allocation Framework

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Any enquiries regarding this publication should be sent to us at emrcfdesign@decc.gsi.gov.uk.

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1. Citation and application

- 1.1 This document may be cited as the Contracts for Difference Allocation Framework 2014 and is referred to as the Allocation Framework in this document.
- 1.2 Pursuant to Regulation 6, this Allocation Framework applies to the first Allocation Round and all subsequent Allocation Rounds, unless and until a new Allocation Framework is published by the Secretary of State.
- 1.3 The offering of CfD Agreements, the Regulations and the Allocation Framework are subject to State Aid approval from the European Commission.

2. Interpretation

- 2.1 Definitions applying to the Allocation Framework are set out in **Schedule 1**, apart from the Valuation Formula and associated definitions, which are set out in **Schedules 2 and 3**.
- 2.2 Any reference to “£” or “pounds sterling” is to the lawful currency of the United Kingdom.
- 2.3 Any reference to “MW” is to megawatts and to “MWh” is to megawatt hours.
- 2.4 A reference to “capacity” means Installed Capacity Estimate unless otherwise stated.
- 2.5 A reference to a regulation is to the regulation of that number in the Regulations.

3. Assessment of Eligibility

The Delivery Body must determine whether or not an Applicant qualifies to take part in an Allocation Round, pursuant to Regulation 17, by carrying out the verification checks set out in **Schedule 4**.

4. **Applicable planning consents**

Pursuant to Regulation 23(a)(1)(a), the applicable planning consent(s) to be provided by an Applicant are set out in **Schedule 5**.

5. **Connection Agreements**

Pursuant to Regulation 25, the requirements in relation to Connection Agreements are set out in **Schedule 5**.

6. **Supplemental Requirements**

Pursuant to Regulation 28(1), the applicable Supplemental Requirements are set out in **Schedule 5**.

7. **Notices of determinations regarding qualification of Applicant**

Pursuant to Regulation 19(3), the period under Regulation 19(2)(a) for the Delivery Body to give a notice to an Applicant as to whether or not the Applicant is a Qualifying Applicant is set out in **Schedule 5**.

8. **Reviews of non-qualification determinations**

8.1 Pursuant to Regulation 20(7),

- (i) the period for a review notice pursuant to Regulation 20(1) is set out in **Schedule 5**.
- (ii) the period for a non-qualification review notice pursuant to Regulation 20(5) is set out in **Schedule 5**.

8.2 Pursuant to Regulation 31(1),

- (i) the Non-Qualification Review Request Date is set out in **Schedule 5**.

- (ii) the Appeals Deadline Date is set out in **Schedule 5**.
- (iii) the Post-Appeals Indicative Start Date is set out in **Schedule 5**.

9. Withdrawal of Applications

- 9.1 Pursuant to Regulation 16, the period in which an Application may be withdrawn by an Applicant is set out in **Schedule 5**.
- 9.2 An Application may also be withdrawn under Rule 14 below.

10. Valuation of Applications

- 10.1 Pursuant to Regulation 29(4)(a), the Delivery Body must use the Valuation Formula to calculate the Applications Valuations for each of the years specified in the Budget Profile, as set out in **Schedule 2**.
- 10.2 Pursuant to Regulation 29(4)(b), the dates by which (i) the Applications Valuations must be carried out and (ii) the Delivery Body must comply with Regulation 29(3), are set out in **Schedule 5**.
- 10.3 Pursuant to Regulation 30, the Delivery Body must carry out the steps in Rule 10.4 - 10.6 for each Allocation Round.
- 10.4 Where a Minimum is specified in the Budget Notice for that Allocation Round, for each Minimum the Delivery Body must sum the capacity and sum the value of the Applications of the technology type specified in the Minimum and:
 - (i) where the capacity sum is equal to or less than the relevant Minimum and the value of the relevant Applications do not exceed the Budget, determine that all such Applications are successful such that they will be offered CfD Agreements at the Administrative Strike Price; or

- (ii) where the capacity sum is equal to or less than the relevant Minimum and the value of the relevant Applications exceed the Budget, hold an auction in relation to that Minimum, in accordance with Rule 15 below;
- (iii) where the capacity sum exceeds the relevant Minimum and the value of all Applications (not limited to the Applications subject to the Minimum) do not exceed the Budget in any Delivery Year, determine that all such Applications are successful such that they will be offered CfD Agreements at the Administrative Strike Price; or
- (iv) where the capacity sum exceeds the relevant Minimum and the value of the Applications exceed the Budget in any Delivery Year, hold an auction in relation to that Minimum, in accordance with Rule 15 below.

10.5 In relation to the Budget, the Delivery Body must sum the value of all relevant Applications (including Applications to which a Maximum applies) and either:

- (i) where the value of the relevant Applications is equal to or less than the Budget in every Delivery Year, determine that all such Applications are successful such that they will be offered CfD Agreements at the Administrative Strike Price (subject to the application of any maxima, as set out at Rule 10.6 below); or
- (ii) where the value of the relevant Applications exceeds the Budget in any Delivery Year, hold an auction in relation to that Budget for all Delivery Years, in accordance with Rule 15.1(vii) below.

10.6 Where a Maximum is specified in the Budget Notice for that Allocation Round, for each Maximum the Delivery Body must sum the capacity of all Applications of the technology type specified in the Maximum and either:

- (i) where the capacity sum is equal to or less than the relevant Maximum, consider those Applications as part of the Budget as set out in Rule 10.5 above; or

- (ii) where the capacity sum exceeds the relevant Maximum:
 - (a) if the Budget is also exceeded, consider the Applications subject to the Maximum as part of the auction in relation to that Budget, to be held in accordance with Rule 15.2 below;
 - (b) if the Budget is not exceeded, hold an auction in relation to the relevant Maximum only, in accordance with Rule 17 below.

10.7 It follows from the above that an auction in relation to a Minimum will only be held if there is also an auction in relation to the relevant Budget, whereas an auction in relation to a Maximum will only be held when there is no auction in relation to the relevant Budget.

11. Notice of Auction and Auction Guidelines

11.1 If an auction is to be held pursuant to Rules 10.4 (in relation to a Minimum), 10.5 (in relation to a Budget) or 10.6 (in relation to a Maximum):

- (i) the Delivery Body must notify the Secretary of State, as soon as practicable, that it will hold an auction;
- (ii) if within [5] Working Days the Secretary of State notifies the Delivery Body of an increase to the budget (including the Budget, any Minima or Maxima) by way of a Budget Revision Notice in accordance with Regulations 12(5) and 13, the Delivery Body must revalue all the Applications in accordance with Rule 10 above with respect to the Budget Revision Notice. Following the revaluation, if an auction is required, the Delivery Body must, as soon as practicable:
 - (a) notify the Secretary of State that it will hold an auction; and

- (b) issue a Notice of Auction to the relevant Qualifying Applicants, inviting the submission of sealed bids; or
- (iii) if after [5] Working Days, no Budget Revision Notice is issued, the Delivery Body must issue a notice ("**Notice of Auction**") to the relevant Qualifying Applicants, inviting the submission of sealed bids.

11.2 The Notice of Auction must state the following:

- (i) that the value of Applications received has exceeded the Minimum, Maximum or Budget, as appropriate;
- (ii) that an auction is to be held in relation to the Minimum, Maximum or Budget, as appropriate;
- (iii) that sealed bids are invited in the prescribed form; and
- (iv) the sealed bid submission closing date, which is to be no less than 5 Working Days after the day the Delivery Body issues the Notice of Auction ("**Submission Closing Date**").

11.3 The Notice of Auction must be published by the Delivery Body in accordance with the Auction Guidelines.

11.4 The Delivery Body must publish auction guidelines that include further provision as to the processes relating to each individual auction (the "**Auction Guidelines**").

12. Submissions of bids

12.1 Each sealed bid must:

- (i) be submitted on or before the Submission Closing Date;

- (ii) be submitted in accordance with the instructions set out in the Notice of Auction and the Auction Guidelines; and
- (iii) contain the following:
 - (a) the Qualifying Applicant's proposed Strike Price in pounds sterling that it will accept for each megawatt hour of Metered Output, which must not be more than the applicable Administrative Strike Price;
 - (b) the proposed Delivery Year; and
 - (c) the proposed capacity of the CfD Unit.

12.2 For each Application, an Applicant must not submit more than one sealed bid (including one Strike Price) that is for the same Delivery Year and for the same capacity.

12.3 For each Application, an Applicant may submit up to [X] sealed bids with different Strike Prices relating to the same Application for different Delivery Years and/or different capacities ("**Flexible Bids**").

12.4 The Delivery Body must not disclose any sealed bid information to any third party except pursuant to an audit process in accordance with the Regulations or in accordance with a Legal Requirement or an order of a court.

12.5 Any sealed bid submitted after the Submission Closing Date or otherwise not in accordance with these requirements is invalid and the Delivery Body must not include such a bid in an auction.

13. Phased Offshore Wind Generating Stations

13.1 A phased Offshore Wind Generating Station will be treated as a single indivisible Application. As a result:

- (i) a sealed bid for a phased Offshore Wind Generating Station must include a single Strike Price to apply to all phases (but Flexible Bids may be submitted in accordance with Rule 12.3 above);
- (ii) the Delivery Year for the first phase of a phased Offshore Wind Generating Station will be treated as the first Delivery Year; and
- (iii) the Application must not result in the Budget being exceeded in any subsequent delivery years.

14. Withdrawal of sealed bids and withdrawal of Applications prior to auction

- 14.1 A sealed bid and/or an Application may be withdrawn by an Applicant by notice to the Delivery Body in the form prescribed by the Delivery Body [in the Auction Guidelines], which notice must be submitted to the Delivery Body on or before the Submission Closing Date.
- 14.2 Where an Applicant withdraws a sealed bid, the Applicant may submit another sealed bid provided it is submitted on or before the Submission Closing Date and in accordance with the requirements for sealed bids.

15. Minima auctions

- 15.1 Where an auction is to be held in relation to a Minimum pursuant to Rule 10.4, the Delivery Body must carry out the auction as follows:
 - (i) any Application which by itself exceeds the minimum or the Budget is unsuccessful;
 - (ii) the Delivery Body must rank the Applications subject to the Minimum in order of lowest Strike Price bid to highest, regardless of Delivery Year;
 - (iii) starting with the lowest Strike Price bid, Applications subject to the Minimum will be successful up to but not including the first

Application which would result in the Minimum or Budget being exceeded:

- (a) to assess whether the Minimum is exceeded, the Delivery Body must sum the capacity of the Application under consideration with that of the already successful Application(s);
- (b) to assess the impact on the Budget, the Delivery Body must apply a provisional clearing price to the already successful Application(s) which is equal to the highest Strike Price bid for each Delivery Year, capped at the Administrative Strike Price;
- (c) each time the provisional clearing price is increased, the impact on the Budget must be recalculated. If, following the recalculation:
 - (I) the value of the Applications is at or below the Budget and Minimum, all Applications are successful at the highest Strike Price bid for each Delivery Year, capped at the Administrative Strike Price, subject to Rule 16.1(iii)(c);
 - (II) the value of the Applications exceeds the Budget or Minimum, the Application under consideration is unsuccessful through the Minimum auction. Previously successful Applications have a clearing price equal to the Strike Price bid of the last successful Application;
- (iv) if two or more Applications have the same Strike Price bid (regardless of Delivery Year) and both cannot be successful (because this would result in the Minimum being exceeded), they must be evaluated in accordance with the Tiebreaker Rules set out in Rule 18 below;

- (v) if a sealed bid from an Applicant is successful, the Delivery Body must not consider any other bids from that Applicant in relation to that Application;
- (vi) the Delivery Body must close the Minimum auction when no more sealed bids subject to the Minimum remain or the Application under consideration would cause the Minimum to be exceeded, unless there are Flexible Bids from that Applicant whose Application would cause the Minimum to be exceeded. In such a case:
 - (a) the Delivery Body must consider one or more Flexible Bids from that Applicant if they are the next cheapest in order of Strike Price bid (and are not tied at the same Strike Price with any other Applicant's sealed bid);
 - (b) if an Applicant's Flexible Bid is successful, the Delivery Body must not consider any other bids (including Flexible Bids) from that Applicant in relation to that Application in the Minimum auction or in the auction in relation to the Budget;
 - (c) following consideration of any such Flexible Bids, the Delivery Body must close the auction; and
- (vii) any Applications not successful under the Minimum auction (including where an all of an Applicant's Flexible Bids are unsuccessful) or that are not subject to the Minimum must be considered in the auction in relation to the Budget.

15.2 Where multiple Minima are specified in the Budget Notice, steps 15.1(i) – 15.1(vii) above must be carried out in relation to each Minimum where an auction is required.

16. Auction in relation to the Budget

16.1 Where an auction is to be held in relation to the Budget pursuant to Rule 10.5, the Delivery Body must carry out the auction as follows:

- (i) any Application which by itself exceeds the Budget is unsuccessful;
- (ii) the Delivery Body must rank the Applications in order of lowest Strike Price bid to highest, regardless of Delivery Year;
- (iii) starting with the lowest Strike Price, the Delivery Body must determine that Applications are successful unless the Application under consideration would exceed the Budget for any Delivery Year or any relevant Maximum (subject to iv below):
 - (a) to assess whether the Maximum is exceeded, the Delivery Body sums the capacity of the Application under consideration with that of the already successful Application(s):
 - (I) if the Application exceeds a Maximum, it is unsuccessful, along with all other Applications subject to the same Maximum with a higher Strike Price bid;
 - (II) if no Maxima are exceeded (or no Maximum applies), the Delivery Body must continue with step (b) below;
 - (b) to assess the impact on the Budget, the Delivery Body must apply a provisional clearing price to the already successful Application(s) which is equal to the highest Strike Price bid for each Delivery Year, capped at the Administrative Strike Price;
 - (c) if the clearing price for any Delivery Year under the auction for the Budget exceeds the clearing price for Applications that were successful in any Minima auction(s) in the same Delivery Year, that higher price will become the clearing price applicable to the Applications subject to the

Minimum/Minima in that Delivery Year, capped at the Administrative Strike Price;

- (d) the impact on the Budget must be recalculated taking into account the revised clearing prices determined pursuant to Rule 16.1(iii)(a) and 16.1(iii)(c);
- (e) if, following the recalculation:
 - (I) where the value of the Applications is at or below the Budget, all Applications are successful at the highest Strike Price bid for each Delivery Year, capped at the Administrative Strike Price; or
 - (II) where the value of the Applications exceeds the Budget, the Application under consideration is unsuccessful. Previously successful Applications have a clearing price equal to the Strike Price bid of the last successful Application, capped at the Administrative Strike Price;
- (iv) if two or more Applications have the same Strike Price bid and both cannot be successful (because this would result in a Maximum or the Budget being exceeded), they must be evaluated in accordance with the Tiebreaker Rules set out at Rule 18 below;
- (v) if a sealed bid from an Applicant is successful, the Delivery Body must not consider any other bids from that Applicant in relation to that Application;
- (vi) the Delivery Body must not consider any further bids with the same Delivery Year for which the Budget is exceeded (i.e. that Delivery Year is closed to further Applications), unless there are Flexible Bids from the Applicant whose Application would cause the Budget to be exceeded. In such a case:

- (a) the Delivery Body must consider one or more Flexible Bids from that Applicant if they are the next cheapest in order of Strike Price bid (and are not tied at the same Strike Price with any other Applicant's sealed bid);
 - (b) if an Applicant's Flexible Bid is successful, the Delivery Body must not consider any other bids (including Flexible Bids) from that Applicant in relation to that Application in the auction;
 - (c) following consideration of any such Flexible Bids, the Delivery Body must close that Delivery Year;
- (vii) the Delivery Body must continue with steps (iii) – (vi) until all Delivery Years are closed or no more sealed bids remain; and
- (viii) when all Delivery Years are closed or no more bids remain, the Delivery Body must close the auction.

17. Maximum only auction

17.1 Where an auction is to be held in relation to a Maximum (only) pursuant to Rule 10.6, the Delivery Body must carry out the auction as follows:

- (i) the Delivery Body must rank the Applications in order of lowest Strike Price bid to highest, regardless of Delivery Year;
- (ii) starting with the lowest Strike Price bid, Applications subject to the Maximum will be successful up to but not including the first Application which would result in the Maximum being exceeded. To assess whether the Minimum would be exceeded, the Delivery Body must sum the capacity of the Application under consideration with that of the already successful Application(s);
- (iii) if two or more Applications subject to the Maximum have the same Strike Price bid (regardless of Delivery Year) and both cannot be

successful (because this would result in the Maximum being exceeded), they must be evaluated in accordance with the Tiebreaker Rules set out in Rule 18 below;

- (iv) if a sealed bid from an Applicant is successful, the Delivery Body must not consider any other bids from that Applicant in relation to the Application;
- (v) the Delivery Body must close the auction when no more bids remain or when the Application under consideration would cause the Maximum to be exceeded, unless there are Flexible Bids in relation to the Application which would cause the Maximum to be exceeded. In such a case:
 - (a) the Delivery Body must consider one or more Flexible Bids from that Applicant in relation to that Application if they are the next cheapest in order of Strike Price bid (and are not tied at the same Strike Price with any other Applicant's sealed bid);
 - (b) if an Applicant's Flexible Bid is successful, the Delivery Body must not consider any other bids from that Applicant in relation to that Application;
 - (c) following consideration of any such Flexible Bids, the Delivery Body must close the auction;
- (vi) any Applications not successful under the Maximum auction are unsuccessful (and not considered further); and
- (vii) where multiple maxima are specified in the Budget Notice, steps (ii) – (iii) above must be carried out in relation to each Maximum where an auction is required.

18. Tiebreaker Rules

18.1 Where two or more sealed bids in an auction being evaluated against a Minimum or Maximum include the same Strike Price and both cannot be successful because this would result in the Minimum or Maximum (as relevant) being exceeded (but would not result in the Budget being exceeded):

- (i) any Application which by itself would result in the Minimum or Maximum being exceeded (as relevant) (in terms of capacity) is not successful;
- (ii) the Application or combination of Applications (out of all possible combinations) which comes closest to fulfilling the Minimum or Maximum, without exceeding the Minimum or Maximum (in terms of capacity), will be successful;
- (iii) if two or more Applications or combination of Applications come equally close to fulfilling the Minimum or Maximum, the Delivery Body must choose the successful Application at random, using an electronic random assignment process;
- (iv) an Application subject to a Minimum which is unsuccessful under this Rule may benefit from the application of Rule 15.1(vi) and if unsuccessful, must be considered in the auction in relation to the Budget. An Application which is unsuccessful under a Maximum may benefit from the application of Rule 17.1(v), if relevant.

18.2 Where two or more sealed bids in an auction have the same Strike Price and both cannot be successful because this would result in the Budget being exceeded (but would not result in a Minimum or Maximum being exceeded):

- (i) any Application which by itself would result in the Budget being exceeded is not successful;

- (ii) the Application or combination of Applications (out of all possible combinations) which comes closest to fulfilling the Budget in the final year of the Budget Profile will be successful, provided this does not exceed the Budget;
- (iii) if two or more Applications or combination of Applications would cause the Budget to be exceeded by the same amount, the Delivery Body must choose the successful Application or Applications at random, using an electronic random assignment process;
- (iv) Applications which are unsuccessful under this Rule may benefit from the application of Rule 16.1(vi), if relevant.

18.3 Where two or more sealed bids in an auction include the same Strike Price and both cannot be successful, because this would result in both a Minimum or Maximum AND the Budget being exceeded:

- (i) any Application which by itself would result in the Budget being exceeded, or, if relevant a Minimum or Maximum (in terms of capacity) is not successful;
- (ii) the Application or combination of Applications (out of all possible combinations) which comes closest to fulfilling the Budget in the final year of the Budget Profile will be successful, provided this does not exceed the Budget (or Maxima);
- (iii) if two or more Applications or combination of Applications cause the Budget to be exceeded by the same amount, the Delivery Body must assess which of these Applications or combination of Applications comes closest to fulfilling the Minimum or Maximum (as relevant);
- (iv) if these Applications or combination of Applications fulfil the Minimum or Maximum by the same amount, the Delivery Body must choose the successful Application or Applications at random, using an electronic random assignment process;

- (v) Applications which are unsuccessful under this Rule may benefit from the application of Rule 16.1(vi), if relevant.

19. CfD Notifications

Pursuant to Regulation 41(2), any further information that must be contained in a CfD Notification is set out in **Schedule 5**.

20. Delay to the Allocation Process

- 20.1 Pursuant to Regulation [X], if 5 months or more have passed since the Application Closing Date and no Notice of Auction has been published by the Delivery Body, an Applicant may postpone its Target Commissioning Date and Target Commissioning Window by the same length of time as the delay.
- 20.2 Pursuant to Regulation [X], if 5 months or more have passed since the Application Closing Date and the Delivery Body has not issued any CfD Notification or Refusal Notices:
 - (i) the Delivery Body must re-run the auction [in accordance with Regulation [X]]; and
 - (ii) an Applicant may postpone its Target Commissioning Date and Target Commissioning Window by the same length of time as the delay.
- 20.3 Pursuant to Regulation [X], if 6 months or more have passed since the Application Closing Date when an Applicant receives notification that it has been successful in a Qualification Appeal, an Applicant may postpone its Target Commissioning Date and Target Commissioning Window by the same length of time as the delay.
- 20.4 If an Applicant wishes to postpone its Target Commissioning Date and Target Commissioning Window, it must give notice to the Delivery Body.

20.5 The Delivery Body must take such revised dates into account as appropriate.

21. Successful Qualification Appeals

21.1 If: 30 Days or more have passed since an Applicant submitted a Qualification Appeal and no determination has been reached by the Appeal Body and:

- (i) an auction applicable to that Applicant is required under Rule 10.3, Rules 21.2 - 21.4 apply; or
- (ii) no auction applicable to that Applicant is required under Rule 10.3, Rule 21.5 applies.

21.2 Where this Rule applies:

- (i) the Delivery Body must hold an auction in accordance with these Rules, excluding the Applicant referred to in Rule 21.1;
- (ii) the Delivery Body must invite that Applicant to submit a sealed bid, to be considered outside the auction process, by giving notice setting out:
 - (a) the prescribed form for making a sealed bid; and
 - (b) the sealed bid submission closing date, which is to be no less than [5] Working Days after the Delivery Body issues the notice to the Applicant;
- (iii) the Applicant may submit a sealed bid in accordance with Rule 21.3.

21.3 Where this Rule applies, the Applicant's sealed bid must:

- (i) be submitted on or before the sealed bid submission closing date specified in the notice referred to in Rule 21.2(ii)(b) above;
- (ii) be submitted in accordance with the instructions set out in the notice referred to in Rule 21.2(ii)(b) above; and
- (iii) contain the following:
 - (a) the Applicant's proposed Strike Price in pounds sterling that it will accept for each megawatt hour of Metered Output, which must not be more than the applicable Administrative Strike Price;
 - (b) the proposed Delivery Year; and
 - (c) the proposed capacity of the CfD Unit.

21.4 Where this Rule applies, if the Applicant is successful in its Qualification Appeal and the Strike Price included in the Applicant's sealed bid is equal to or below the relevant clearing price at auction, the Applicant's sealed bid is successful and the Delivery Body must issue a CfD Notification to the Applicant for the auction clearing price for the relevant Delivery Year, capped at the relevant Administrative Strike Price.

21.5 Where this Rule applies, if the Applicant is successful in its Qualification Appeal, the Delivery Body must issue a CfD Notification to the Applicant for the Administrative Strike Price.

22. Notification to the Authority and the Secretary of State of auction irregularity or bribery

22.1 If, in respect of any Qualifying Applicant or member of a Qualifying Applicant's Group, the Delivery Body becomes aware of:

- (i) any conduct which appears to it to indicate collusion or attempted collusion; or

- (ii) any irregularity with respect to the participants' conduct in an auction or any other conduct which appears to the Delivery Body as likely to have the effect of distorting the outcome of the auction process,

the Delivery Body must notify the Authority and the Secretary of State as soon as reasonably practicable.

- 22.2 If, in respect of any Applicant or member of an Applicant's Group, the Delivery Body becomes aware of any unlawful conduct (not covered by Rule 22.1), the Delivery Body must notify the relevant authority as soon as reasonably practicable.

23. Time and dates

- 23.1 Where a Deadline falls on a Working Day or any period is to run to a Working Day, this is to be taken as meaning 17:00 on that Working Day in London.

- 23.2 Where something is done after 17:00 on a Working Day in London or on a day which is not a Working Day, it is to be treated as having been done on the next following Working Day.

24. Notification to the Delivery Body

If in accordance with any provision of these Rules an Applicant is required, or wishes, to notify the Delivery Body of any fact or circumstance it must do so in accordance with the notice requirements set out in the Auction Guidelines or such other notice requirements as the Delivery Body may stipulate from time to time.

25. Changes to timing and submission requirements

- 25.1 If the IT Auction System fails or other exceptional circumstances arise such that compliance with these Rules is impaired, the Delivery Body may:

- (i) alter the method by which any data, information, document or sealed bid is required to be submitted to the Delivery Body under these Rules;
- (ii) extend the Deadline for submitting any data, information, document or sealed bid that is required to be submitted to the Delivery Body under these Rules; and/or
- (iii) extend the Deadline for undertaking any other action that is required to be undertaken under these Rules.

25.2 Where the Delivery Body takes action under Rule 25.1, the Delivery Body must publish details of the changes using the same method of publication as was used by the Delivery Body to publish the Notice of Auction under Rule 11.3.

26. Hierarchy of documents

In the event of any conflict or inconsistency between the Regulations, the Eligible Generator Regulations, this Allocation Framework and any Auction Guidelines, the following order of precedence must apply:

- (i) the Regulations and the Eligible Generator Regulations prevail over this Allocation Framework and any Auction Guidelines; and
- (ii) this Allocation Framework prevails over any Auction Guidelines.

Schedule 1

Definitions

1. Unless otherwise stated, terms defined in the Regulations and the Eligible Generator Regulations have the same meaning in the Allocation Framework. For ease of reference such definitions are replicated or referred to below.

2. In these Rules:

“Administrative Strike Price” means the Strike Price specified in a Budget Notice which:

- (i) is to be used by the Delivery Body to value an Application under Regulation 29; and
- (ii) is the Maximum Strike Price which applies to a Successful Application;

“Allocation Framework” has the meaning given in section 13(2)(a) of the EA 2013;

“Allocation Process” means the process included in this Allocation Framework by which the Delivery Body determines which Qualifying Applications are Successful Applications and the Strike Price applicable to Successful Applications;

“Allocation Round” has the meaning given in section 13(2)(b) of the EA 2013;

“Appeal Body” means the Authority;

“Appeals Deadline Date” means the date stated in the Allocation Framework for the Allocation Round which is latest date after the Non-Qualification Review Request Date by which an appeal may be made;

“Applicant” has the meaning given in Regulation 16(2);

“**Application**” means (except in paragraph 4(b) of Schedule 1) of the Regulations a request by an Applicant to the Delivery Body to take part in an Allocation Process in respect of a CfD Unit;

“**Application Closing Date**” in relation to an Allocation Round has the meaning given by Regulation 4(2)(b)(iii);

“**Applications Valuations**” has the meaning given in Regulation 29(2);

“**Associated**” has the same meaning as it has in section 67 of the Energy Act 2008 and as if that section applied to Scotland;

“**Associated Infrastructure**” means the following which enable electricity from the relevant CfD Unit to be supplied to the national transmission grid, transmission grid or to a private network:

- (i) any sub-station or station which converts electrical current;
- (ii) [any storage structure]; and
- (iii) any electric line;

“**Auction Guidelines**” have the meaning given in Rule 11.4;

“**Authority**” means the Gas and Electricity Markets Authority established pursuant to section 1 of the Utilities Act 2000;

“**Biomass Conversion Station**” has the meaning given in the Eligible Generator Regulations;

“**BM Unit**” has the meaning given in the BSC;

“**BSC**” means the Balancing and Settlement Code that is provided for in Standard Condition C3 (Balancing and Settlement Code (BSC)) of the Transmission Licence and Standard Condition C20 (Compliance with Core Industry Documents) of the Distribution Licence;

“**Budget**” means the Overall Budget, or where the Overall Budget is divided in the Budget Notice into parts [or pots], each such part [or pot].

“**Budget Profile**” means the budget for all relevant Delivery Years and 2020/2021 as set out in the Budget Notice;

“**Budget Notice**” means a notice required by Regulation 11;

“**Budget Revision Notice**” has the meaning given by Regulation 12(2)(b);

“**CfD Agreement**” means the agreement entered into between the CfD Counterparty and the Eligible Generator pursuant to an offer being made by the CfD Counterparty pursuant to section 14 of the EA 2013;

“**CfD Counterparty**” means CfD Counterparty Company Limited, a company incorporated under the laws of England and Wales whose registered office is at 3 Whitehall Place, London SW1A 2AW and whose company number is 08818711;

“**CfD Notification**” has the meaning given to the term “CFD notification” in section 12 of the EA 2013;

“**CfD Unit**” means the whole or part of an Eligible Generating Station;

“**Deadline**”, in relation to any requirement imposed on any person by or under the Allocation Framework, means (as the case may require):

- (i) the time,
- (ii) the date, or
- (iii) the date, and the time on that date,

by which that requirement must be fulfilled by that person;

“**Delivery Body**” means:

- (i) the National System Operator; or

- (ii) if the National System Operator's functions under Part 2, Chapter 2 of the EA 2013 have been transferred to an alternative delivery body by an order under section 46 of the EA 2013, that body;

"Delivery Year" means any of:

- (i) the period from the date the Regulations come into force and ending on 31st March 2015; and
- (ii) the 12 month periods commencing on 1st April 2015 and each anniversary of that date and ending with the 12 month period commencing on 1st April [2019];

"Development Order" means a development consent order under section 114 of the Planning Act 2008;

"Distribution Licence" means a licence granted or treated as granted pursuant to section 6(1)(c) of the EA 1989;

"EA 1989" means the Electricity Act 1989;

"EA 2013" means the Energy Act 2013;

"Electric Line" has the meaning given by section 64(1) of the EA 1989;

"Eligible Generating Station" has the meaning given in Regulation 3 of the Eligible Generator Regulations;

"Eligible Generator" has the meaning given in the Eligible Generator Regulations;

"Eligible Generator Regulations" mean the Contracts for Difference (Definition of Eligible Generator) Regulations 2014;

"Flexible Bids" has the meaning given in Rule 12.3;

"Generating Station" has the meaning given in the Eligible Generator Regulations;

“Hydro Generating Station” has the meaning given in the Eligible Generator Regulations;

“Initial Installed Capacity” means the initial Installed Capacity as notified to the Delivery Body in an Application as the “Initial Installed Capacity”;

“Installed Capacity” means the capacity of the CfD Unit (expressed in MW) were it to be operated on a continual basis at the maximum capacity possible without causing damage to it (assuming any source of power used by it to generate electricity was available to it without interruption);

“IT Auction System” means the IT infrastructure used to submit Applications and sealed bids;

“Landfill Gas” has the meaning given in the Eligible Generator Regulations;

“Legal Requirement” means any Act of Parliament, regulation or licence granted to the Delivery Body pursuant to section 6(1) of the EA 1989;

“Licensable Marine Activity” has the meaning given:

- (i) except where sub-paragraph (ii) applies, in Part 4 of the Marine and Coastal Act 2009; or
- (ii) in respect of activities related to the construction of a CfD Unit [or Associated Infrastructure] which take place in the Scottish marine area, in Part 4 of the Marine (Scotland) Act 2010;

“Marine Licence” has the meaning given:

- (i) except where sub-paragraph (ii) applies, in Part 4 of the Marine and Coastal Act 2009; or
- (ii) in respect of activities related to the construction of a CfD Unit [or Associated Infrastructure] which take place in the Scottish Marine Area, in Part 4 of the Marine (Scotland) Act 2010;

“Maximum” (or **“Maxima”**) has the meaning given in Regulation 11(2)(b); and an Application is subject to a Maximum where the Application falls within a description of Application set out in a Budget Notice to which a Maximum applies;

“Metered Output” has the meaning given in the most recently published version of the CfD Standard Terms and Conditions;

“Minimum” (or **“Minima”**) has the meaning given in Regulation 11(2)(a); and an Application is subject to a Minimum sub-budget where the Application falls within a description of Application set out in a Budget Notice to which a Minimum applies;

“National System Operator” has the same meaning given in section 8(3) of the EA 2013;

“Non-Qualification Review Request Date” means the date stated in the Allocation Framework for the Allocation Round which is the latest date after the Application Closing Date by which a Review Notice may be given;

“Notice of Auction” has the meaning given in Rule 10.6(ii)(b);

“Offshore Wind Generating Station” has the meaning given in the Eligible Generator Regulations;

“Onshore” means England, Wales or Scotland, including the waters in or adjacent to them up to the mean low water mark;

“Overall Budget” means the Maximum amount, set out in a Budget Notice, potentially payable by the CfD Counterparty (or if more than one person is designated as a CfD counterparty body, by them jointly) under CfD Agreements to Eligible Generators in a Delivery Year;

“Planning Permission” means in respect of a relevant CfD Unit [or Associated Infrastructure] (or those parts of the unit [or infrastructure]) situated (or to be situated) in:

- (i) England or Wales, planning permission under Part 3 of the Town and Country Planning Act 1990; or
- (ii) Scotland, planning permission under [XX] of the Town and Country Planning (Scotland) Act [XX]

“Post-Appeals Indicative Start Date” means the date stated in the Allocation Framework for the Allocation Round which is the date on which the Secretary of State is minded to require the Allocation Process to commence but which date must be no earlier than 10 working days after the Appeals Deadline Date;

“Qualification Appeal” has the meaning given by Regulation 43(1);]

“Qualifying Applicant” has the meaning given in Regulation 17(2) and includes a person determined by the Appeals Body as a Qualifying Applicant;

“Qualifying Applicant’s Group” means, in relation to a Qualifying Applicant:

- (i) that Qualifying Applicant; and
- (ii) any person Associated with that Qualifying Applicant;

“Qualifying Application” has the meaning given by Regulation 17(2);

“Refusal Notice” means a notice given by the Delivery Body to a Qualifying Applicant that a CfD Agreement is not to be allocated to the Qualifying Applicant in respect of the relevant CfD Unit identified in the notice;

“Regulations” mean The Contracts for Difference (Allocation) Regulations 2014 and a reference to any particular Regulation is a reference to those Regulations;

“Rules” means the rules set out in this Allocation Framework;

“**Scottish Marine Area**” has the meaning given by section 1 of the Marine (Scotland) Act 2010;

“**Section 36 Consent**” means a consent under section 36 of the EA 1989;

“**Secretary of State**” means, unless otherwise expressly stated or the context otherwise requires, the Secretary of State for Energy and Climate Change;

“**Settlement Unit**” means each half hour period in a day divided into half hour-long periods starting at 00:00 on such day;

“**Sewage Gas**” has the meaning given in the Eligible Generator Regulations;

“**Solar Photovoltaic**” has the meaning given in the Eligible Generator Regulations;

“**Strike Price**” means a price (“**SP**”) for one megawatt hour of electricity generated by a CfD Unit; and where the price (“**MP**”) obtainable on the electricity market for one megawatt hour of electricity generated by that CfD Unit:

- (i) is below SP, the difference between SP and MP is a sum payable under a CfD Agreement by the CfD Counterparty to the Eligible Generator who is a party to the CfD Agreement; and
- (ii) is above SP, the difference between SP and MP is a sum payable under a CfD Agreement by the Eligible Generator who is a party to the CfD Agreement to the CfD Counterparty;

“**Submission Closing Date**” has the meaning given in Rule 11.2(iv);

“**Successful Application**” means an Application in respect of which, further to an Allocation Process, a CfD Notification may be made;

“**Supplemental Requirements**” has the meaning given in Regulation 28;

“**Target Commissioning Date**” means the date notified to the Delivery Body in an Application as the “Target Commissioning Date” within the Target Commissioning Window;

“Target Commissioning Window” means the period notified to the Delivery Body in an Application as the “Target Commissioning Window”;

“Trading Unit” has the meaning given in the BSC;

“Transmission Licence” means an electricity transmission licence granted or treated as granted pursuant to section 6(1)(b) of the EA 1989 that authorises a person to transmit electricity;

“TWA order” means an order under section 3 of the Transport and Works Act 1992; and

“Working Day” means 09:00 to 17:00 on Mondays to Fridays excluding:

- (i) bank holidays within the meaning of section 1 of the Banking and Financial Dealings Act 1971, including those bank holidays in part only of the United Kingdom;
- (ii) Good Friday; and
- (iii) when it falls on a day that would otherwise be a working day, Christmas Day.

Schedule 2

Valuation Formula

“Valuation Formula” means:

$$Budget\ Impact_{s,yr} = ((Strike\ Price_{t,cy} \times Inflation\ Index_{yr}) - (Reference\ Price_{yr} \times Inflation\ Index_{yr})) \\ \times (Capacity\ Deployed_s \times Hours_{yr} \times Load\ Factor_t \times RQM_t \times (1 - TLM_{yr}) \times CHPQM_s)$$

where:

Term	Definition and/or value
Strike Price	See Schedule 1 above for definition. See Appendix 1 below for values.
Inflation Index	Inflation Index means 1 for the Allocation Round(s) subject to this Allocation Framework.
Reference Price	Reference Price means the average of the Baseload Market Reference Price and the Intermittent Market Reference Price as applicable to the relevant Technology Type pursuant to Schedule 3 as is set out at Appendix 2 below, (as such may be amended, supplemented, restated or replaced from time to time). Baseload Market Reference Price has the meaning given in the most recently published version of the CfD Standard Terms and Conditions. Intermittent Market Reference Price has the meaning given in the most recently published version of the CfD Standard Terms and Conditions.
Capacity Deployed	Capacity Deployed means (i) the Installed Capacity Estimate; and (ii) (following agreement or determination of the Final Installed Capacity pursuant to the CfD standard terms and

conditions) the Final Installed Capacity.

Installed Capacity Estimate means the generator’s estimate of the Installed Capacity from time to time, being the Initial Installed Capacity estimate as may be adjusted pursuant to the CfD standard terms and conditions).

Final Installed Capacity means the Installed Capacity which has been specified by the generator pursuant to the CfD standard terms and conditions).

Hours Number of hours in the budget year

Load Factor Load Factor is as set out at **Appendix 3** below, (as such may be amended, supplemented, restated or replaced from time to time).

RQM is the Renewable Qualifying Multiplier Renewable Qualifying Multiplier is as set out at **Appendix 4** below, (as such may be amended, supplemented, restated or replaced from time to time).

TLM is the Transmission Loss Multiplier Transmission Loss Multiplier is as set out at **Appendix 5** below, (as such may be amended, supplemented, restated or replaced from time to time).

CHPQM is the CHP Qualifying Multiplier CHP Qualifying Multiplier means, in respect of any Settlement Unit: (i) the decimal fraction identified as such multiplier in a valid CHPQA Guidance Note 44 Certificate or (ii) if the CfD Unit does not have a valid CHPQA Guidance Note 44 Certificate, zero (0).

CHPQA means the Combined Heat and Power Quality Assurance Standard, as published by DECC (Issue 5, dated November 2013) (as such standard may be amended, supplemented,

restated or replaced from time to time).

CHPQA Guidance Note 44 means Guidance Note 44, as published by DECC at the date of the CfD Agreement in relation to the CHPQA.

t is the **Technology Type**

Technology Type means the technology type notified to the Delivery Body in an Application as the CfD Unit's Technology Type.

cy is the **Commissioning Year**

Commissioning Year means the year in which the Target Commissioning Date falls.

yr is the **Budget Year**

Budget Year means each Delivery Year and each subsequent year thereafter (each being a budget year).

s is the **Applying Plant**

Applying Plant means the CfD Unit which is the subject of the Application.

Appendix 1 Strike Prices

The Strike Prices as published in the Final Delivery Plan 2013 are set out below. DECC will published Strike Prices for 2019/2020 and 2020/2021 in the 2015 Annual Update to the Delivery Plan.

Note that for the 2014 Allocation Round, the strike prices below will apply. For the 2015 Allocation Round and subsequent Allocation Rounds, the Strike Prices below will be indexed – these will be published by DECC in July 2014.

£/MWh, 2012 Prices					
Technology	2014/15	2015/16	2016/17	2017/18	2018/19
ACT (with or without CHP)	155	155	150	140	140
AD (with or without CHP; >5MW)	150	150	150	140	140
Biomass Conversion	105	105	105	105	105
Dedicated Biomass (with CHP)	125	125	125	125	125
Energy from Waste (with CHP)	80	80	80	80	80
Geothermal (with or without CHP)	145	145	145	140	140
Hydro (>5MW and <50MW)	100	100	100	100	100
Landfill Gas	55	55	55	55	55
Sewage Gas	75	75	75	75	75
Offshore Wind	155	155	150	140	140
Onshore Wind (>5MW)	95	95	95	90	90
Solar PV (>5MW)	120	120	115	110	110

£/MWh, 2012 Prices					
Technology	2014/15	2015/16	2016/17	2017/18	2018/19
Tidal Stream	305	305	305	305	305
Wave	305	305	305	305	305
Scottish Islands - onshore wind (>5MW)	-	-	-	115	115

Decimal places required (for all years)	2
Deflator to convert into 2011/12 prices	1.02
Decimal Places required for deflator	14

Appendix 2 Reference Price

Baseload wholesale price £/MWh 2012 prices	201 3	201 4	201 5	201 6	201 7	201 8	201 9	202 0	202 1	202 2	202 3	202 4	202 5	202 6	202 7	202 8	202 9	203 0
Reference Case	46.2 0	50.3 0	54.9 5	57.6 3	59.2 7	60.8 9	62.2 4	62.5 9	65.0 7	67.3 3	67.5 4	70.7 8	72.3 5	72.7 0	74.8 9	74.8 5	74.4 0	71.8 6

Decimal places required (for all years) 13

Deflator to convert into 2011/12 prices 1.02

Decimal Places required for deflator 14

Appendix 3 Load Factors

	2012	2013	2014	2015	2016	2017	2018	2019
Onshore >5 MW	0.28	0.28	0.28	0.28	0.28	0.28	0.28	0.28
Offshore	0.0	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Tidal stream shallow	0.0	0.3	0.3	0.3	0.3	0.3	0.3	0.3
NG Wave	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Biomass CHP	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
Conversion	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7
ACT advanced	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
ACT CHP	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8
ACT standard	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
AD >5MW	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8
AD CHP	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8
EfW CHP	0.0	0.9	0.9	0.9	0.9	0.9	0.9	0.9
Geothermal	0.0	0.9	0.9	0.9	0.9	0.9	0.9	0.9
Geothermal CHP	0.0	0.9	0.9	0.9	0.9	0.9	0.9	0.9
Hydro	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Landfill	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Sewage Gas	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Solar250-5000kW	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Onshore Wind Orkney	0.0	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Onshore Wind Shetland	0.0	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Onshore Wind W Isles	0.0	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Tidal stream deep	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4

Decimal Places required

<15

Appendix 4

Renewable Qualifying Multiplier

Technology	RQM
Onshore >5 MW	1.000
Offshore	1.000
Tidal stream shallow	1.000
NG Wave	1.000
Biomass CHP	1.000
Conversion	1.000
ACT advanced	0.635
ACT CHP	0.635
ACT standard	0.635
AD >5MW	1.000
AD CHP	1.000
EfW CHP	0.635
Geothermal	1.000
Geothermal CHP	1.000
Hydro	1.000
Landfill	1.000
Sewage Gas	1.000
Solar250-5000kW	1.000
Onshore Wind Orkney	1.000
Onshore Wind Shetland	1.000
Onshore Wind W Isles	1.000

Decimal places required 3

Appendix 5

Transmission Loss Multiplier

Year	Assumed losses	Decimal Places
2010	0.0068	4
2011	0.0083	4
2012	0.0083	4
2013	0.0083	4
2014	0.0084	4
2015	0.0085	4
2016	0.0085	4
2017	0.0087	4
2018	0.0088	4
2019	0.0089	4
2020	0.0089	4
2021	0.0090	3
2022	0.0090	3
2023	0.0090	3
2024	0.0090	3
2025	0.0090	3
2026	0.0091	4
2027	0.0091	4
2028	0.0091	4
2029	0.0091	4
2030	0.0092	4
2031	0.0092	4
2032	0.0092	4

Year	Assumed losses	Decimal Places
2033	0.0093	4
2034	0.0093	4
2035	0.0093	4

Max Decimal Places 4

Schedule 3 Applicable Reference Price

Technology Type	Baseload Reference Price	Intermittent Reference Price
Advanced Conversion Technology	X	
Anaerobic Digestion	X	
Carbon Capture and Storage	X	
Dedicated Biomass with Combined Heat and Power (CHP)	X	
Biomass Conversion Station	X	
Landfill Gas	X	
Sewage Gas	X	
Waste with CHP	X	
Geothermal	X	
Hydroelectric	X	
Nuclear	X	
Offshore Wind		X
Onshore Wind		X
Solar Photovoltaic		X
Tidal range		X
Tidal Stream		X
Wave		X

Schedule 4 Assessment of Eligibility

Eligibility Criteria	Regulation No. ¹	Documentary Evidence	Format Submitted	Verification Checks- against CfD application form				
				Project / Company Name	Location	MW	Date	Technology
Low carbon energy generation	26	Applicant to provide a statement from Secretary of State in relation to the relevant CfD Unit and pursuant to the Contracts for Difference (Supplier Obligation) Regulations 2014 [DECC to confirm that these will exist by first Allocation Round]		X	X	X	X	X
Applicable Planning Consents - Offshore >100MW	24	Development Consent Order under s.(a)114 of Planning Act 2008 Marine Licence under Part 4	Copy of entire document(s)	X	X	X	X	X

¹ All references are to version 4 of the Contracts for Difference (Allocation) Regulations 2014 unless otherwise specified.

		of the Marine and Coastal Act 2009 unless in Scotland where it will be Part 4 of the Marine (Scotland) Act 2010						
Applicable Planning Consents - Offshore <=100MW	24	Marine Licence Section 36 under section 36(g) of the EA 1989	Copy of entire document(s)	X	X	X	X	X
Applicable Planning Consents - Onshore >50MW	24	Marine Licence (unless Applicant confirms that this is not required) Section 36 or Development Consent Order (TWA Order under section 3(h) of the Transport and Works Act 1992 if to be situated in waters in or adjacent to Wales up to the seaward limits of the territorial sea)	Copy of entire document(s)	X	X	X	X	X

Applicable Planning Consents - Onshore <=50MW	24	Marine Licence (unless Applicant confirms that this is not required) Planning permission - In England & Wales part 3(e) of Town and Country Planning Act 1990 and in Scotland under part 3(f) of Town and Country Planning (Scotland) Act 1997	Copy of entire document(s)	X	X	X	X	X
Connection Agreements	25	If grid connection: Countersigned Transmission and/or Distribution Offer(s) If Private Wire: self declaration from CfD Applicant	Copy of entire document(s)	X	X	X	X	X
Qualifying Low Carbon Generator	14, The Contracts for Difference (Definition of Eligible Generator) Regulations (ER) Schedule 1,	None required	n/a			X		X

	part 1							
Non-receipt of funds under other Government support schemes.	14, 18, Schedule 1	Self declaration Letter from CfD Applicant		X	X	X	X	X
Incorporation	Schedule 1	<p>UK Registered Companies: Companies Register Certificate of Incorporation; VAT Certificate of Registration.</p> <p>Overseas: Equivalent certificate of registration and tax certificate from the jurisdiction in which the entity is domiciled.</p> <p>Name of person with legal</p>	Copy of entire document(s)	X			X	

		personality if applicant has no legal powers to sign contract.						
Authorisation of officers	Schedule 1 (2)	No evidence required other than name of Applicant						
Declaration on contract conditions acceptance.	23	Version number that applies + actual copy of the terms (which references this version number)	Notification from applicant and copy of the standard terms / copy of the agreed variations - format to be determined	X	X		X	X
Offshore generating stations	27 and Schedule 2	Agreement for lease with Crown Estate or lease granted by Crown Estate	Copy of entire document(s)	X	X	X	X	X
Accredited CHP stations (biomass CHP and waste CHP)	ER Schedule 2 part 4 (1)	CHPQA "Guidance Note 44" certificate this certificate will need to be provided for by a CfD applicant if it defines itself as either (a) biomass CHP, or (b) waste fuelled CHP station	Certificate	X	X	X	X	X

Schedule 5

Additional information

1. Paragraph 4: Applicable planning consents

1.1 Pursuant to Regulation 23(1)(a), the applicable planning consents to be provided by an Applicant are set out below.

1.2 Paragraph 1.3 applies in relation to a relevant CfD Unit which—

- (i) once established or altered, is intended by the Eligible Generator to have a capacity to generate electricity exceeding 100 MW; and
- (ii) is situated (or to be situated) wholly offshore.

1.3 Where this paragraph applies, the applicable planning consents are—

- (i) a Development Order for the construction of the CfD Unit [and any Associated Infrastructure] ; and
- (ii) where a Licensable Marine Activity takes place in relation to such construction, a marine licence.

1.4 Paragraph 1.5 applies in relation to a relevant CfD Unit which—

- (i) once established or altered, is intended by the Eligible Generator to have a capacity to generate electricity of 100 MW or less; and
- (ii) is situated (or to be situated) wholly offshore.

1.5 Where this paragraph applies, the applicable planning consents are—

- (i) a Section 36 Consent for the construction of the CfD Unit [and any Associated Infrastructure]; and

- (ii) where a licensable marine activity takes place in relation to such construction, a marine licence.

1.6 Paragraph 1.7 applies in relation to a relevant CfD Unit which—

- (i) once established or altered, is intended by the Eligible Generator to have a capacity to generate electricity exceeding 50 MW; and
- (ii) is situated (or to be situated) wholly or partly Onshore.

1.7 Where this paragraph applies, the applicable planning consents are—

- (i) a Development Order or a Section 36 Consent for the construction of the relevant CfD Unit [and any Associated Infrastructure]; and
- (ii) where a Licensable Marine Activity takes place in relation to such construction, a marine licence.

1.8 Paragraph 1.9 applies in relation to a relevant CfD Unit which—

- (i) once established or altered, is intended by the Eligible Generator to have a capacity to generate electricity of 50 MW or less; and
- (ii) is situated (or to be situated) wholly or partly Onshore.

1.9 Where this paragraph applies, the applicable planning consents are—

- (i) a planning permission for the construction of the relevant CfD Unit [and any Associated Infrastructure]; and
- (ii) where a Licensable Marine Activity takes place in relation to such construction, a marine licence.

1.10 Where a relevant CfD Unit is situated (or to be situated) in waters in or adjacent to Wales up to the seaward limits of the territorial sea, reference in the above paragraphs to “a development order” is to be read as “a development order or a TWA order”.

1.11 No marine licence is required under the above paragraphs to the extent the licensable marine activity is exempt from the requirement for a licence.

2. Paragraph 5: Connection agreements

2.1 The requirements under Regulation 25(2) are [set out in Regulation 25(1), without amendment] /insert requirements]

3. Paragraph 6: Supplemental Requirements

3.1 The Supplemental Requirements pursuant to Regulation 28 are:

(i) Sub-paragraph (ii) applies where the relevant CfD Unit is (or is to be) an Offshore Wind Generating Station and:

(a) will be completed in phases; and

(b) each part of the relevant CfD Unit will be located within [•]

(ii) Where this paragraph applies, the Applicant must demonstrate that:

(a) after all phases are completed, the CfD Unit will not be capable of generating more than 1500 MW;

(b) the first phase must represent at least 25% of the capacity capable of being generated after all phases are completed;

- (c) the first phase is targeted to complete by a date no later than 31st March 2019 (subject to any changes to the Target Completion Date as a result of delays to the Allocation Process under [Regulation [X] and Rule 20); and
- (d) the Target Commissioning Date is no later than 2 years after the target completion date for the first phase referred to in paragraph 3.1(ii)(c) above.

4. Paragraph 7: Notices of determinations

- 4.1 The period for a notice of determination pursuant to Regulation 19 is set out in Regulation 19(2)(a), without amendment.

5. Paragraph 8.1: Reviews of non-qualification determinations

- 5.1 The period for a review notice pursuant to Regulation 20 [is set out in Regulation 20(2)(a), without amendment] / [[•] Working Days]
- 5.2 The period for a non-qualification review notice pursuant to Regulation 20 is [set out in Regulation 20(6), without amendment] / [[•] Working Days].
- 5.3 The Non-Qualification Review Request Date is [•].
- 5.4 The Appeals Deadline Date is [•].
- 5.5 The Post-Appeals Indicative Start Date is [•].

6. Paragraph 9.1: Withdrawal of Applications

- 6.1 The period for withdrawal of an Application pursuant to Regulation 16 is set out in Regulation 16(3), without amendment.

7. Paragraph 10.2: Valuation of Applications

7.1 The date by which the Delivery Body must inform the Secretary of State of the Application Valuations pursuant to Regulation 29(3) is [insert date].

8. Paragraph 19: CfD Notifications

8.1 The following additional information must be included in a CfD Notification issued by the Delivery Body:

- (i) the Target Commissioning Date and start of the Target Commissioning Window;
- (ii) the Initial Installed Capacity estimate;
- (iii) the Reference Price applicable to the Application;
- (iv) name and contact information (including email address) of the Applicant;
- (v) a description and/or location map of the facility in respect of which the CfD Agreement is sought, if provided by the Applicant; and
- (vi) the version of the CfD Standard Terms and Conditions applicable to the Application.

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Department of Energy & Climate Change
3 Whitehall Place
London SW1A 2AW
www.gov.uk/decc
URN 14D/107