

## SCHEDULE 2

Regulation 6

### PART 1

#### FURTHER INFORMATION AND DOCUMENTS TO ACCOMPANY AN APPLICATION IN RESPECT OF A TRANSMISSION LICENCE<sup>(a)</sup>

1. Provide a brief description of the activities that the applicant intends to carry out with respect to the transmission of electricity.
2. Provide a sufficient description of—
  - (a) the area to which the application relates; and
  - (b) where different to the area in sub-paragraph (a), the area in which the applicant intends to carry out activities under a transmission licence<sup>(d)</sup>.

#### *MODIFICATION OF AN AREA OF A TRANSMISSION LICENCE*

3. If the application is for a modification of an area of a transmission licence and the modification in question constitutes a restriction of the area, also provide details of any of the following persons who may be affected by the application—
  - (a) any person authorised by a licence granted under section 6(1) of the Act or an exemption granted under section 5(1) of the Act;
  - (b) any person directly connected to the applicant's transmission system; and
  - (c) any other person who may reasonably be affected by the restriction which is the subject of the application.

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(a) 1988 c.53.

(b) 1974 c.53.

(c) In this Part of this Schedule, if the application is for an extension or restriction of a licence, information and documents need only be given in so far as, in any material respect, they differ from or add to the most recent information or documents which were provided in relation to the same requirement— (i) with an application made by the applicant in accordance with these Regulations; or (ii) subsequent to such an application in pursuance of a condition of the applicant's licence.

(d) The description should enable the areas to be adequately and readily identified by map if the applicant so desires or by any other convenient means.

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## PART 2

### FURTHER INFORMATION AND DOCUMENTS TO ACCOMPANY AN APPLICATION IN RESPECT OF A DISTRIBUTION LICENCE<sup>(a)</sup>

1. A distribution licence may authorise the holder to operate—
  - (a) throughout Great Britain; or
  - (b) within a specified area or areas or at specified premises.

Please specify which of (a) or (b) is applicable, and in the case of (b) provide a sufficient description adequately specifying the area(s) or premises to which the application relates<sup>(b)</sup>.

2. Provide a statement of the extent (if any) to which the applicant considers it necessary for powers under Schedule 3 (compulsory acquisition of land etc.) and under Schedule 4 (other powers etc.) to the Act to be given through the licence for which he is applying.

3. Provide particulars of the applicant's proposed arrangements for compliance with the applicable requirements of standard conditions 6 (Safety and Security of Supplies Enquiry Service), 17 (Provision of Services for Persons who are of Pensionable Age, Disabled or Chronically Sick), 18 (Provision of Services for Persons who are Blind or Deaf), 19 (Code of Practice on Procedures with Respect to Site Access), and 21 (Complaint Handling Procedure).

4. Provide particulars of the applicant's proposed arrangements for compliance with the applicable requirements of any modifications that the Authority has indicated, in writing, that it proposes to make to the standard licence conditions prior to the granting of any distribution licence.

5. Provide particulars of the applicant's proposed arrangements for compliance with the applicable requirements of standard conditions BA4 (Undertaking from Ultimate Controller) and BA5 (Credit Rating of Licensee).

### RESTRICTION OF A DISTRIBUTION LICENCE

6. —(1) If the application is for a restriction of a licence provide—
  - (a) an estimate of the total number of premises to which the applicant distributes electricity at the time of the application and to which the applicant would cease to distribute electricity if the application were acceded to ("relevant premises");
  - (b) unless there are, at the date of the application, no relevant consumers (within the meaning set out in paragraph (2)) in relation to the applicant, a description of the applicant's proposed arrangements to ensure compliance with section 16 of the Act (ensuring the connection of all such relevant consumers is maintained); and
  - (2) For the purposes of paragraph (1)(b), a person is a relevant consumer if—
    - (a) immediately before the restriction takes effect, he is connected to the distribution system of the holder of the licence; and
    - (b) his premises are to be excluded from the licence by the restriction.

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(a) In this Part of this Schedule, if the application is for an extension or restriction of a licence, information and documents need only be given insofar as, in any material respect, they differ from or add to the most recent information or documents which were provided in relation to the same requirement- (i) with an application made by the applicant in accordance with these Regulations; or (ii) subsequent to such an application in pursuance of a condition of the applicant's licence.

(b) The description should enable the areas, location or premises concerned to be adequately and readily identified by map if the applicant so desires or by any other convenient means.

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## PART 3

### FURTHER INFORMATION AND DOCUMENTS TO ACCOMPANY AN APPLICATION IN RESPECT OF A SUPPLY LICENCE<sup>(a)</sup>

1. A supply licence may authorise the holder to supply electricity—
- (a) to any premises;
  - (b) only to premises specified in the licence, or to premises of a description so specified; or
  - (c) only to any premises situated in a specified area, or to premises of a specified description which are so situated (section 6(3) of the Act).

Please specify which of (a), (b) or (c) above is applicable. Provide a sufficient description adequately specifying <sup>(b)</sup> the premises or a description of the premises and the location of the premises intended to be supplied, and, in the case of an application that relates to (c) above, also the specified area. Also state whether the application relates to domestic premises.

#### *RESTRICTION OF A SUPPLY LICENCE*

2. If the application is for a restriction of a licence provide—
- (a) an estimate of the total number of premises to which the applicant supplies electricity at the time of the application and which the applicant would cease to supply if the application were acceded to; and
  - (b) unless there are, at the date of the application, no relevant consumers (within the meaning set out in sub-paragraph (c)) in relation to the applicant, a description of the applicant's proposed arrangements under standard condition 10 (Restriction or Revocation of licence) for—
    - (i) ensuring continuity of supply for all such relevant consumers; and
    - (ii) in the case of each such consumer who is supplied with electricity in pursuance of a contract (which does not include any contract which, by virtue of paragraph 3 of Schedule 6 to the Act, is deemed to have been made), securing such continuity on the same terms as nearly as may be as the terms of the contract.
  - (c) For the purposes of sub-paragraph (b), a person is a relevant consumer if—
    - (i) immediately before the restriction takes effect, he is being supplied with electricity by the holder of the licence; and
    - (ii) his premises are to be excluded from the licence by the restriction.

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## PART 4

### FURTHER INFORMATION AND DOCUMENTS TO ACCOMPANY AN APPLICATION IN RESPECT OF AN INTERCONNECTOR LICENCE

**1.** An application in respect of an interconnector licence must specify the actual or proposed point of connection to an electricity transmission or electricity distribution network. Where the applicant is unable to specify a point of connection the applicant should provide Ordnance Survey Grid References co-ordinates for the proposed point of connection.

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- (a) In this Part of this Schedule, if the application is for an extension or restriction of a licence, information and documents need only be given insofar as, in any material respect, they differ from or add to the most recent information or documents which were provided in relation to the same requirement— (i) with an application made by the applicant in accordance with these Regulations; or (ii) subsequent to such an application in pursuance of a condition of the applicant's licence.
- (b) The description should enable the areas, location or premises to be adequately and readily identified by map if the applicant so desires or by any other convenient means.

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2. Where an application for a licence relates to an interconnector the construction of which was not completed by 3 August 2003, state whether the applicant seeks not to have applied to the licence any or all of the following standard licence conditions—

- (a) conditions relating to the use of revenues;
- (b) conditions relating to the charging methodology to apply to third party access to the licensee's interconnector;
- (c) conditions relating to the requirement to offer terms to an applicant for access to the licensee's interconnector.

3. Where the applicant so seeks for any or all of the licence conditions relating to the matters referred to in paragraphs 2(a), 2(b) and 2(c) above not to be in effect the following additional information must be provided in respect of those licence conditions—

- (a) the period of time for which the applicant seeks that the licence condition or conditions not be in effect;
- (b) a statement setting out the evidence and reasoning as to why the applicant considers —
  - (i) the investment in the interconnector enhances competition in electricity supply;
  - (ii) the level of risk attached to the investment to be made in relation to the interconnector is such that the investment would not be or would not have been made unless those licence conditions were not in effect;
  - (iii) that, should the licence conditions not be in effect for the period of time sought, this will not be detrimental to competition or the effective functioning of the internal electricity market, or the efficient functioning of the regulated system to which the interconnector is connected; and
- (c) a further statement that —
  - (i) the interconnector will be owned by a natural or legal person who is separate, at least in terms of its legal form, from the system operators in whose systems the interconnector to which this application relates will be built;
  - (ii) charges will be levied on users of the interconnector; and
  - (iii) since the partial market opening referred to in Article 19 of Directive 96/92/EC, no part of the capital or operating costs of the interconnector has been recovered from any component of charges made for the use of transmission or distribution systems linked by the interconnector.