

Research RES LEGAL – Access to the grid

Country: UK

1. Overview of access to the grid

Overview of access to the grid	In the United Kingdom, access of renewable energy systems to the grid is subject to the general provisions of energy law. Renewable energy sources are not given priority.
Statutory provisions	<ul style="list-style-type: none">• The Electricity Act 1989 (EA 1989)• The Connection and Use of System Code (CUSC)
Connection to the grid	System operators are contractually entitled to connection to the grid by the grid operator. The grid operator is not obliged to give priority to renewable energy when connecting systems to the grid.
Usage of the grid	A given system operator is contractually entitled against the grid operator to use the grid. The grid operator is obliged to enter into this contract without discriminating against certain system operators. The grid operator has no obligation to give priority to renewable energy like, for example, an obligation to purchase electricity.
Expansion of the grid	A given system operator may be contractually entitled to a grid expansion by the grid operator. The grid operator is obliged to enter into this contract without discriminating against certain system operators. Electricity from renewable energy sources is not given priority.

2. Basic information on legal sources

Name of legal source (original language)	The Electricity Act 1989, c.29 (EA 1989)	The Connection and Use of System Code (CUSC)	
Name of legal source (full name)			
Name of legal source (English)			
Abbreviated form	EA 1989	CUSC	
Type of law	Act of parliament	Agreement on the conditions for the use of the British power grid, enacted by the Department of Trade and Industry	
Document structure	Part, section, subsection	Section, subsection	
Entering into force	27/07/1989	18/09/2001	
Latest amendment	22/07/2008	24/06/2009	
Future amendments	The EA 1989 will be substantially amended by the Energy Bill 2009. The amendment primarily aims to differentiate between several renewable electricity generation technologies. After the amendment, small-scale systems will come under the feed-in tariff instead of being subject to the quota system.		
Purpose	The act opens the electricity and gas markets in Great Britain.	Regulating the conditions for the use of the British grid.	
Relation to renewable energy	Sections 32, 32 A-C of the Act authorise the issuing of the Renewables Obligation Orders and thus the introduction of the quota	Producers of electricity from renewable sources have to become a party to the CUSC in order to be entitled to conclude bilateral connection agreements according	

	obligation and the certificate system. Furthermore, the Act includes general provisions on the access of electricity to the grid.	to the guidelines of the standard form agreements.	
Link to full text of legal source (original language)	http://www.statutelaw.gov.uk/legResults.aspx?LegType=All+Legislation&Year=1989&number=29&searchEnacted=0&extentMatchOnly=0&confersPower=0&blanketAmendment=0&TYPE=QS&NavFrom=0&activeTextDocId=643311&PageNumber=1&SortAlpha=0	http://www.nationalgrid.com/uk/Electricity/Codes/systemcode/contracts/	
Link to full text of legal source (English)			

3. Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Office of Gas and Electricity Markets (Ofgem) – regulatory authority	Ofgem website http://www.ofgem.gov.uk/		+44 20 7901 72 95	
National Grid – transmission grid operator	National Grid website http://www.nationalgrid.com/uk		+44 192 665 30 00	

4. Connection to the grid

Abbreviated form of legal source	<ul style="list-style-type: none"> • EA 1989 • The Connection and Use of System Code (CUSC) 	
Legal basis for a claim/addressees	<input type="checkbox"/> statutory basis <input checked="" type="checkbox"/> contractual basis	System operators are contractually entitled to connection to the grid by the grid operator. The grid operator is obliged to enter into these contracts (sec. 16 par. 1 EA 1989 in connection with sec. 1.3 CUSC).
	Entitled party	The persons entitled are the system operators.
	Obligated party	The person obligated is the grid operator in charge (sec. 16 par.1 EA 1989 in connection with 1.3 CUSC).
Priority to renewable energy (qualitative criteria)	<input type="checkbox"/> Priority to renewable energy <input checked="" type="checkbox"/> Non-discrimination	The grid operator is obliged to connect systems to his grid according to non-discriminatory criteria. Electricity generated from renewable energy sources is not given priority.
Capacity limits	A given system operator must not exceed the connection entry capacity specified in the connection agreement (sec. 2.2.4 CUSC).	
Limitations/deadlines	Time limits on connection depend on the terms of a given connection agreement (sec. 2.13.4 CUSC).	
Arising/enforcement of a claim	A claim for connection arises on the date on which a given connection agreement is concluded (sec. 1.3 CUSC).	
Funding		
	State	
	Consumers	
	Grid operator	
	System operator	The costs of the connection of a system to the grid are borne by the system operator (sec. 19 par. 1 EA 1989 in conjunction with sec. 2.14.1 CUSC).
	Distribution mechanism	

5. Usage of the grid

Abbreviated form of legal source	The Connection and Use of System Code (CUSC)	
Legal basis for a claim/addressees	() statutory basis () contractual basis	System operators are contractually entitled against the grid operator to use the grid. The grid operator is statutorily obliged to enter into such contracts (sec. 1.3 CUSC).
	Entitled party	The persons entitled are the system operators.
	Obligated party	The obligated party is the grid operator.
Priority to renewable energy (qualitative criteria)	() Priority to renewable energy (x) Non-discrimination	The grid operator is obliged to grant access to the grid without discriminating against certain users. Electricity from renewable sources is not given priority.
Capacity limits	A given system operator must not exceed the connection entry capacity specified in the connection agreement (sec. 2.2.4 CUSC).	
Limitations/deadlines		
Arising/enforcement of a claim	The claim arises when the agreement is concluded (sec. 3.2.2 CUSC).	
Funding		
	State	
	Consumers	
	Grid operator	
	System operator	The costs of the connection of a system to the grid are borne by the system operator (sec. 3.9.1. CUSC).
	Distribution mechanism	

6. Expansion of the grid

Abbreviated form of legal source		The Connection and Use of System Code (CUSC)
Legal basis for a claim/addressees	() statutory basis (x) contractual basis	A given system operator may be contractually entitled to the expansion of the grid by the grid operator. This system operator has to file with the grid operator a request for the expansion of the grid. The grid operator is obliged to make a "modification offer". If the offer is accepted by the system operator, the connection agreement will be varied to include the terms on which the grid will be modified (6.9.2 CUSC).
	Entitled party	The persons entitled to the expansion of the grid are the system operators (6.9.2 CUSC).
	Obligated party	The grid operator is obliged to expand the grid (6.9.2 CUSC).
Priority to renewable energy (qualitative criteria)	() Priority to renewable energy (x) Non-discrimination	The grid operators are generally obliged to expand their grids. Renewable energy sources are not given priority.
Capacity limits		
Limitations/deadlines	The scope and the limits of a claim for grid expansion depend on the provisions set out in a given connection agreement (6.9.2.4 CUSC).	
Arising/enforcement of a claim	A claim for the expansion of the grid arises when a given connection agreement is varied to include the terms on which the grid will be modified (6.9.2.4 CUSC).	
Funding		
	State	
	Consumers	
	Grid operator	The grid operator has to bear the costs of an expansion of the grid he carried out on his own initiative (6.10.3 CUSC).
	System operator	The costs of an expansion of the grid are borne by the system operator to whose benefit the grid was expanded (6.10.3 CUSC).
	Distribution mechanism	