

Island of



Guernsey

Ordinance of the States

XXIII
2015

Made 24th June, 2015

Coming into Operation 24th June, 2015

The Electricity (Guernsey) Law, 2001 (Amendment) Ordinance, 2015

The Electricity (Guernsey) Law 2001 (Amendment) Ordinance, 2015

THE STATES, in pursuance of their Resolution of the 26th September, 2013^a, and in exercise of the powers conferred on them by section 36(1) of the Electricity (Guernsey) Law, 2001^b, hereby order:-

Amendment of the Electricity (Guernsey) Law, 2001.

1. (1) The Electricity (Guernsey) Law, 2001 is amended as follows.

(2) Immediately after section 11(3), insert the following subsections -

"(4) For the purposes of determining whether it is reasonable or not for a public electricity supply licensee to be required to give a supply of electricity to any premises under subsection (2)(c) the following considerations shall be taken into account -

- (a) the availability of the provision of the supply by means of any existing electric line or electrical plant of the licensee,
- (b) the effect of the provision of the supply on -
 - (i) any existing electric line or electrical plant, and

^a Article VI of Billet d'État No. XVIII of 2013.

^b Ordres en Conseil Vol. XLI, p. 343; Recueil d'Ordonnances Tome XXVIII, p. 545; Tome XXIX, p. 406; Ordinance No. XIII of 2012.

- (ii) the customers,

of the licensee,
- (c) the technical feasibility of the provision of the supply,
- (d) the investment and expenditure necessary to provide the supply including, without limitation, the recovery of reasonably incurred investment and expenditure from the person requiring the supply,
- (e) the provision of adequate security for recovery of payment of reasonably incurred investment and expenditure by the licensee from the person requiring the supply,
- (f) the economic viability of the supply taking into account -
 - (i) the demand for the supply, and
 - (ii) the period over which the demand is likely to occur,
- (g) the environmental impact of -
 - (i) any development it would be necessary to undertake, and

- (ii) the method it would be necessary to use,

to enable the provision of the supply,

- (h) the energy efficiency of the supply taking into account -

- (i) any such development, and

- (ii) any such method, and

- (i) such other considerations reasonably appearing to the licensee to be relevant in the circumstances.

(5) The Commerce and Employment Department may by regulation amend subsection (4)."

(3) For section 13(4), substitute the following subsection –

"(4) Any reference in this section to any expenses reasonably incurred in providing an electric line or electrical plant includes, for the avoidance of doubt -

- (a) a reference to the capitalised value of any expenses likely to be so incurred in maintaining it, in so far as they will not be recoverable by the public electricity supply licensee as part of the charges made by it for the supply, and

- (b) a reference to expenses reasonably incurred on researching and investigating the feasibility and cost of provision of any line or plant, irrespective of whether or not any such provision is made."

(4) Immediately after section 16(3), insert the following subsection -

"(4) For the avoidance of doubt, rights and liabilities under an agreement as provided for in subsection (1) may include rights and liabilities relating to the payment of expenses reasonably incurred on researching and investigating the feasibility and cost of provision of any supply to be made under such an agreement."

(5) In section 33(1), immediately after the definition of "Court" insert the following definition -

"**development**" has the meaning given by section 13 of the Land Planning and Development (Guernsey) Law, 2005,".

Citation.

2. This Ordinance may be cited as the Electricity (Guernsey) Law, 2001 (Amendment) Ordinance, 2015.

Commencement.

3. This Ordinance shall come into force on the 24th June, 2015.

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