



LOW CARBON
CONTRACTS COMPANY

Initial Conditions Precedent (ICP) Guidance

Version 1. September 2019



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Disclaimer

This guidance does not and is not intended to supersede or replace the provisions of the CfD. This guidance does not constitute legal or investment advice and should not be relied upon as such. Generators should consult their professional advisors where they require advice, whether legal or otherwise. LCCC further reserves the right to amend this guidance and any associated guidance from time to time.

This guidance should not be viewed as in any way restricting LCCC in the nature, type and/or amount of evidence, information and documentation it will require to satisfy itself of the Generator's fulfilment of the Initial Conditions Precedent, nor as to the nature, level and timing of our consideration or reconsideration of the evidence that is provided. LCCC reserves the right at any time to amend this guidance and/or request further or additional evidence, and to review or reconsider the evidence already provided.

1. Introduction

This document provides AR3 Generators with guidance on Initial Conditions Precedent (ICP) process under the CfD.

1.1 The Initial Conditions Precedent (ICPs) are the first milestone of the CfD. They are set to ensure Generators who are awarded a contract provide specific information after signing their CfD. Successful Generators must deliver the ICPs for the CfD contract to come into force. For Generators holding phased project agreements, each will require a separate ICP submission. The ICPs consist of:

- A Legal Opinion - This confirms the Generator's legal capacity and authority to enter into the CfD
- Know Your Customer (KYC) form - This is a process by which LCCC must be satisfied of the legal identity, ownership and control of the Generator
- Facility Description - This requires the Generator to provide details of the assets comprising the Facility and a map or plan of the Facility
- A description of any Electricity Storage Facility - including details of any assets which are intended to be located within the Facility site or be used by or associated with the Facility

1.2 ICPs are part of the contract signing process following an allocation round. The contract signature process under the CfD is triggered once the EMR Delivery Body issues a CfD Notification to successful Generators and to the LCCC. The LCCC can only offer a contract to a party named in the CfD Notification.

1.3 From this point draft contracts are issued and by no later than 5:00pm 20 Business Days after the original CfD Notification, the LCCC must receive a counter-signed final contract from the Generator. The date this is received is known as defined at the "CfD Agreement Date".

1.4 Following contract signature, the ICP criteria must be met within 10 Business Days of the CfD Agreement Date.

2. Definitions

2.1 The "CfD Counterparty" is the Low Carbon Contracts Company Ltd.

2.2 Defined terms used in this guidance and not defined herein should be given the meaning provided in the "CfD" (which is comprised of the CfD Agreement and the CfD Standard Terms and Conditions as published by the Department of Business, Energy and Industrial Strategy 01 May 2019). The terms, clauses and definitions in this guidance document represent those in the third allocation round version of the CfD. Generators with Investment Contracts or CfDs issued as part of the first and second allocation rounds are advised to review the equivalent clauses, as some of these have changed in the third allocation round.

3: Contract signature process and ICP

3.1 Following the allocation process, the EMR Delivery Body will provide the LCCC with the information necessary to offer CfDs to successful applicants in the form of the CfD Notification. This enables LCCC to produce and issue contracts and trigger the ICP process. This is outlined below in figure 1, “Timeline of Business Days”

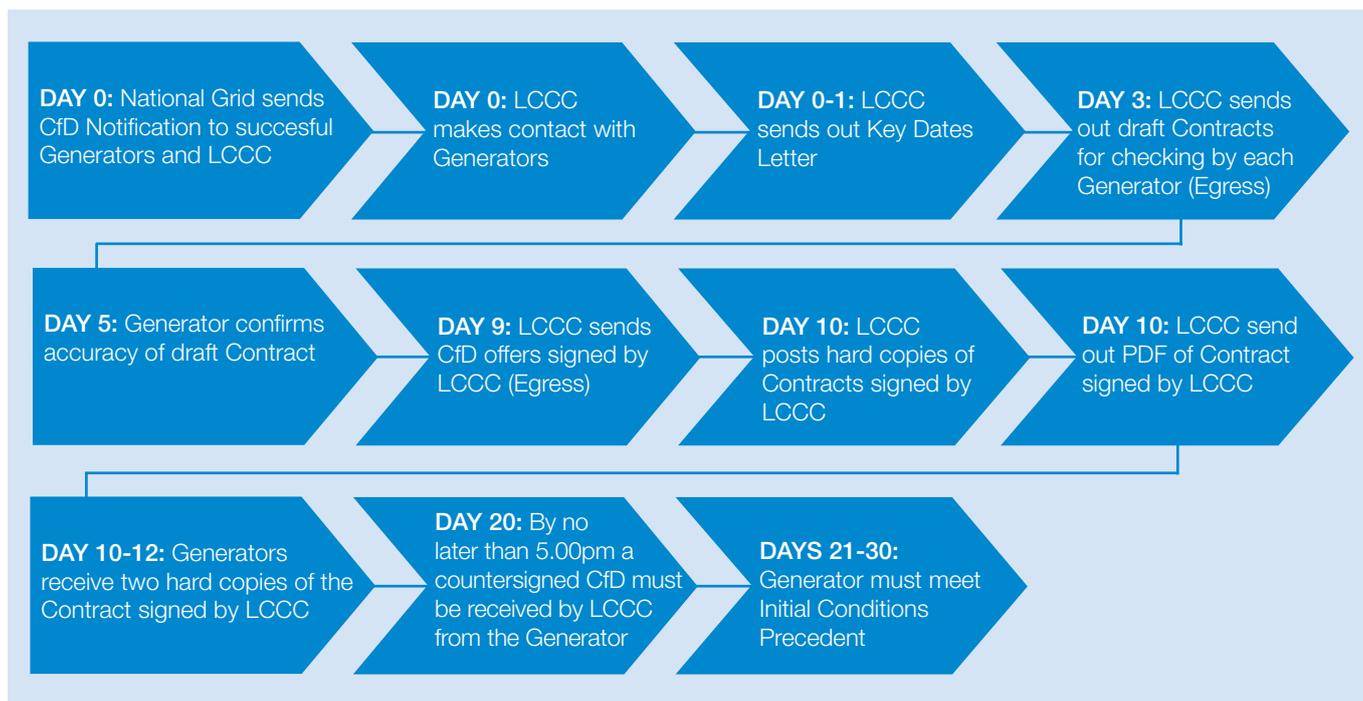


Figure 1 Timeline of Business Days

Following contract signature, the provisions of, and the rights and obligations of the Parties pursuant to, the Agreement Date Provisions become binding as of the Agreement Date. The provisions of and rights and obligations of the Parties pursuant to, the ICP provisions are conditional upon the ICP being fulfilled by the Generator no later than 10 Business Days after the CfD Agreement Date. LCCC has the right to terminate the CfD if any of these conditions are not fulfilled.

3.2 Whilst the fulfilment of ICPs is at the end of this process for contract production and signature, LCCC advises early preparedness of relevant documents and engagement on queries to ensure a smooth process.

Figure 1 To note: LCCC can only offer a contract to a party named in the CfD Notification. It can only be that party who signs the agreement.

4. Legal Opinion

- 4.1 Schedule 1 (Conditions Precedent) Part A (Initial Conditions Precedent) paragraph A requires a legal opinion to be provided by an external law firm.
- 4.2 The template legal opinion is set out in Appendix 1 of this guidance document. This template may only be tailored to include details specific to the Generator.
- 4.3 This form of legal opinion is drafted on the basis that the Generator is a company incorporated in England and Wales. Minor consequential changes may be proposed if the Generator is incorporated in another jurisdiction outside of England and Wales. Amendments in respect of companies registered outside of England and Wales must be satisfactory to LCCC. All such alternative forms of wording must provide equivalent assurance to the wording in this template and be submitted in draft form to the LCCC for consideration.
- 4.4 The legal opinion must be dated on or have a date which is within ten (10) Business Days after the Generator has signed the CfD, but must not contain a date which is more than three (3) Business Days prior to receipt of the legal opinion by LCCC.

5. Know Your Customer

5.1 In order to address anti-money laundering and managing public money obligations, LCCC follows a “Know Your Customer” (KYC) process where information is collected and reviewed at the ICP stage and at intervals thereafter. LCCC will ask for KYC information at various points including:

- ICP stage
- Whenever it becomes aware of a legal or beneficial change of ownership in a project
- Circa 3 months before the anticipated Start Date
- At regular intervals, typically of a year or two in duration, commencing from the Start Date KYC check

5.2 Please see Appendix 2 or follow the link for an updated and editable example of a completed [know your customer \(KYC\) form](#). Generators will need to provide supporting information with the KYC form and should allow themselves sufficient time to gather this information in advance of the ICP process.

6. Facility Description

The Facility Description must be provided by the Generator under the Initial Conditions Precedent and is an important descriptor, used in other conditions within the contract where “Facility” is referred to. It is therefore important that Generators give proper consideration to how they describe their Facility at the outset, and this guidance is aimed at ensuring consistency of approach.

6.1 This description of the Facility is required pursuant to paragraphs (C) and (D) of Part A (Initial Conditions Precedent) of Schedule 1 (Conditions Precedent) to the Contract for Difference Standard Terms and Conditions (May 2019 template).¹

6.2 Paragraph (C) states that Generators must provide:

“a description of the Facility² in a form and content satisfactory to the CfD counterparty (acting reasonably), including:

- (i) details of the assets comprising the Facility, and
- (ii) an aerial view of the unique geographical location of the Facility, whether an extract from the Ordnance Survey map or equivalent, showing the proposed locations of:
 - (a) the Facility
 - (b) the Facility Metering Equipment; and
 - (c) (if the Facility Generation Technology is Offshore Wind), the Offshore Transmission System...”

6.3 Paragraph (D) states that Generators must provide:

“a description of any Electricity Storage Facility, in form and content satisfactory to the CfD Counterparty (acting reasonably), including details of any assets relating to Electricity Storage or Electricity Storage Facilities which are intended to be located within the Facility site or be used by or be associated with the Facility”.

General guidance

6.4 In compliance with paragraph (C)(i), details of the assets comprising the Facility should include:

6.5 A detailed description of the location of the Facility site (including the lease area or the property boundaries).

6.6 A description of assets which should include the following:

6.7 A description of the main assets, elements and systems comprising “a description of the Facility³ including those assets which are or will be used to generate or deliver electricity and those taken into account to determine the Initial Installed Capacity Estimate. This description must include a statement of the total net capacity of the Facility (expressed in MW).

6.8 A description of the main assets, elements and systems forming part of, or required for, the operation of the Facility such as substations, which are not, or are not intended to be, located within the area shown on the map provided pursuant to paragraph (C)(ii) of Part A of Schedule 1. A description of where these assets are, or are intended to be, located should be provided.

¹ Please note that the fact that the CfD Counterparty, for the purposes of the Initial Conditions Precedent, accepts the provision of a Facility Description does not and shall not be deemed to constitute an acceptance or agreement for the purposes of any other provision of the Contract for Difference.

² The term “Facility” is defined in the CfD Agreement, available at: <https://www.gov.uk/government/publications/contracts-for-difference-standard-terms-and-conditions-version-2-march-2017>

³ The term “Facility” is defined in the CfD Agreement, available at: <https://www.gov.uk/government/publications/contracts-for-difference-standard-terms-and-conditions-version-2-march-2017>

- 6.9 A description of any material assets, elements and systems which are connected to and/or related to the operation of the Facility, such as feedstock preparation system, loading and store facilities, remote control and remote operations centres, any assets within a combined heat and power system dedicated to supply heat or steam to other premises. A description of where these assets are, or are intended to be, located should be provided.
- 6.10 A statement of the assets, elements and systems, which the Generator considers are Material Equipment as described in Annex 5 of the CfD Agreement in relation to its Facility Generation Technology.⁴ Unless otherwise indicated assets and systems described under 2.3.1 and 2.3.2 are intended to be considered as Material Equipment.
- 6.11 A description of the proposed Facility Metering Equipment (including location of meters and the number of proposed Balancing Mechanism Units (“BM Units”) where applicable).
- 6.12 A description of the transmission or distribution system network entry point to which the Facility is expected to connect.

Technology specific guidance

- 6.13 According to the relevant generating technology, when providing the description of the assets above, the Generators should also provide the additional information as described below.

Onshore wind or offshore wind

- 6.13.1 Where the generation technology is onshore or offshore wind, in compliance with Paragraph (C)(i), the description⁴ should also include as a minimum:
- (i) the number of turbines and the expected nameplate capacity of each turbine (expressed in MW)
 - (ii) a brief description of the relevant Offshore Transmission System assets (clearly identifying such assets as Offshore Transmission System assets), and
 - (iii) details of expected capacity of the electrical collector system(s).

Thermal technology

- 6.13.2 Where the generation technology is a thermal technology, in compliance with Paragraph (C)(i), the description should also include as a minimum:
- (i) the number and size of combustion systems, boilers, combustion chambers and the number, and nameplate capacity, of prime movers such as steam turbines, engines and turbines including electric Generators (expressed in MWe or MWth as appropriate);
 - (ii) the main components for the balance of plant such as gasification or pyrolysis units, syngas cleaning, water treatment, ash handling, flue gas cleaning system and condensers or other main auxiliary systems, together with an estimate of likely relevant electrical loads (expressed in MW).

Please note that the total net capacity of the Facility cannot exceed the amount set out in the Generator’s application for a CfD.⁵ For the purposes of calculating the total net capacity of the Facility you must deduct from the maximum total gross generating capacity, all electrical loads required so to operate the Facility and/or deliver electricity and all electrical losses that would be incurred from the Generating Unit to the Metering Equipment at the Boundary Point (assuming that any source of power used by the Facility was available to it without interruption. Where the Facility uses combined heat and power, the total net capacity of the Facility must be determined by reference to a condition where any reduction of heat generation would not result in any increase in electrical generation.

⁴ Please note that the fact that LCCC, for the purposes of the Initial Conditions Precedent, receives or accepts the provision of a Facility Description which includes a description of the assets, components or elements which the Generator considers constitute Material Equipment is not determinative of whether or not those items are indeed Material Equipment for the purposes of the CFD. For the avoidance of doubt, LCCC’s position is that it will give consideration in due course and at the appropriate to the question of what items constitute Material Equipment for the purposes of the relevant CFD technology and LCCC reserves its rights in this regard.

⁵ This may be referred to in the application form as “Provisional Capacity Estimate”.

Advanced Conversion Technology

6.13.3 Where the generation technology is Advanced Conversion Technology and has been awarded a CfD in Allocation Round 3, in addition to the requirements outlined in 6.2.9, the description should include specific reference to the Synthesis Chamber, Combustion Chamber, Purification Unit/s and/or Compression Unit/s that shall be installed at the Facility. The defined terms are associated to the Physical Separation Requirements. For further details on the Physical Separation Requirements refer to the guidance document published by the Department of Business Energy and Industrial Strategy “Compliance with the Physical Separation Requirements in the Contract for Difference scheme”⁶.

Additionally, ACT Generators should submit as part of their ICP submission a process flow diagram, which should as a minimum clearly identify and label:

- (i) The Synthesis Chamber (e.g. gasifier or pyrolysis chamber)
- (ii) The Combustion Chamber* (e.g. combustion chamber/steam boiler, gas engine or gas turbine-generator)
- (iii) The pipe or conduct connecting the Synthesis and Combustion Chambers
- (iv) The Purification Units and/or Compression Units which are located between the Synthesis Chamber* and the Combustion Chamber (e.g. electrostatic precipitator (ESP), scrubber, catalytic reactors, etc.)
- (v) The contaminants that are removed from the Advanced Fuel in each Purification Unit* (e.g. tar, particulates/dust, acids, etc.) and any consumable used for the operation of each Purification Unit (e.g. steam, oxygen, air, lime)
- (vi) The differential pressure of each Compression Unit; and
- (vii) The normal flow direction of Advanced Fuel in the pipe or conduct.

Location of assets and site

6.14 In compliance with both Paragraphs (C)(i) and C(ii), the description should include an aerial view of the unique geographical location of the Facility, whether an extract from the Ordnance Survey map or equivalent, in the form of an aerial map, chart or plan showing:

- a) the unique geographic co-ordinates of the Facility site that is to scale, with the scale set out clearly;
- b) a minimum of four extreme compass co-ordinates which **must** be shown in WGS84 format⁷, and for facilities with different and complex phase boundaries, more detailed compass co-ordinates should be provided⁷
- c) all boundaries of the Facility; and
- d) the location of all main assets, components and elements of the Facility.

Prior to delivery and acceptance of the Initial Condition Precedent set out at Schedule 1 Part A Paragraph (C), that the Generator complies with the terms and conditions of the CfD including for example, obligations regarding Installed Capacity and the Required Authorisations, the Generator may adjust the boundaries or coordinates of any of the phases of a project within the extreme boundaries of the total area comprising all of the phases.

For eligibility requirements you will need to ensure that the boundary on your map is within the parameters of your planning consents. You can then state the co-ordinates for your entire unit (latitude and longitude for N, S, W and E) on your map and then split the co-ordinates on your application form for each phase.

The phases should not overlap each other.

⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/765492/ACT_Guidance_-_Compliance_with_the_Physical_Separation_Requirement.pdf

⁷ See Appendix for illustrative example

6.15 Without limitation, a Facility description which suffers from the following defects will not be considered to be in the form and content acceptable to the CfD Counterparty:

- a) vague or ambiguous references to assets, location or Material Equipment;
- b) simply referencing the aerial view of the Facility, for example “see map provided...”, or
- c) qualifications or disclaimers, for example “the area may change depending on...”.

Electricity storage

6.16 In compliance with paragraph (D), the Generator should provide:

- a) a statement of whether the Facility is, or is not, intended to use or be associated with an Electricity Storage Facility.
- b) a description of any such Electricity Storage Facilities, including details of the expected capacity of the Electricity Storage Facility and of any assets relating to the Electricity Storage Facilities which are intended to be located within the Facility site and/or be used by or associated with the Facility.
- c) a statement as to whether the Facility Metering Equipment (including any BM Units associated with the Facility) are, or will be, separate from and not also constitute the metering equipment (including any BM Units) associated with any Electricity Storage Facilities.
- d) where Electricity Storage is included as part of the Facility or associated with it, a brief description is required as to how it is intended that such Electricity Storage would operate.⁸

⁸ Please specifically note that the fact that LCCC, for the purposes of the Initial Conditions Precedent, accepts the provision of a Facility Description which includes a description of Electricity Storage or an Electricity Storage Facility does not and shall not be deemed to constitute an acceptance or agreement to any matter for the purposes of Condition 31.1(B) (E) and (F).

Appendix 1: Legal Opinion Template

This is a sample legal opinion for the purpose of paragraph (A) of Part A (Initial Conditions Precedent) of Schedule 1 (Conditions Precedent) to the Contract for Difference Standard Terms and Conditions. It is issued by the CfD Counterparty as guidance. It is not a binding form and is merely an illustration of a form of opinion that is currently likely to be acceptable to the CfD Counterparty. This form of legal opinion is drafted on the basis that the Generator is a company, incorporated in England and Wales.

[Generator's Unique Reference Number]

To: Low Carbon Contracts Company Ltd
Fleetbank House
2-6 Salisbury Square
London
EC4Y 8JX
(as the “CfD Counterparty”).

[Date]

Dear Sirs,

Contract for Difference relating to [name of Project]

Introduction

1. We refer to the Contract for Difference (the “**Contract for Difference**”) dated [], 20[] and made between (1) [Generator] (the “**Generator**”) and (2) the CfD Counterparty. Unless otherwise defined in this letter, terms and expressions defined in the Contract for Difference have the same meanings when used in this letter.
2. This letter is provided pursuant to paragraph (A) of Part A (*Initial Conditions Precedent*) of Schedule 1 (*Conditions Precedent*) to the Conditions forming part of the Contract for Difference.
3. We have acted as English legal advisers to the Generator in connection with the Contract for Difference. This letter may be relied upon only by the Generator and the CfD Counterparty and may be used only in connection with the Contract for Difference.
4. The provision of this opinion is not to be taken as implying that we owe any duty of care to anyone other than our client in relation to the content of the Contract for Difference or the commercial and financial implications of the Contract for Difference. The provision of this opinion does not create or give rise to any client relationship between this firm and the CfD Counterparty.
5. This letter sets out our opinion on certain matters of English law as at today's date and as currently applied by the English courts. We express no opinion on European Union law as it affects or would be applied in any jurisdiction other than England and Wales. We have not made any investigation of, and do not express any opinion on, any other law.

6. This letter is to be governed by and construed in accordance with English law.
7. For the purposes of this letter, we have examined:
 - (A) an executed copy of the Contract for Difference including version [], 20[] of the Contract for Difference Standard Terms and Conditions incorporated into the Contract for Difference;
 - (B) a copy of the Certificate of Incorporation, [*the Certificate[s] of Change of Name,*] Memorandum and Articles of Association (together with the resolutions and agreements filed under section 30 of the Companies Act 2006 and its predecessors) of the Generator, certified as true, complete and up to date by [*name of certifying director or secretary*];
 - (C) a copy of the minutes of a meeting of the Board of Directors of the Generator held on [], 20[], certified as true, complete and up to date by [*name of certifying director or secretary*]; and
8. For the purposes of this letter, we have carried out:
 - (A) a search at the Registrar of Companies in respect of the Generator on [], 20[]; and
 - (B) a [*telephone*] search at the Central Registry of Winding-Up Petitions in respect of the Generator on [], 20[],together the “**Searches**”.
9. We have made all due enquiry [*details can be given*] and are satisfied that:-
 - (A) the resolutions passed and authorisations given at the meeting referred to in paragraph 7(C) have not subsequently been amended, revoked, rescinded or superseded;
 - (B) no proposal for a voluntary arrangement has been made, and no moratorium has been obtained, in relation to the Generator under Part I of the Insolvency Act 1986;
 - (C) the Generator has not given any notice in relation to or passed any winding-up resolution;
 - (D) no application has been made or petition presented to a court, and no order has been made by a court, for the winding up or administration of the Generator, and no step has been taken to strike off or dissolve the Generator;
 - (E) no liquidator, administrator, receiver, administrative receiver, trustee in bankruptcy or similar officer has been appointed in relation to the Generator or any of its assets or revenues, and no notice has been given or filed in relation to the appointment of such an officer;
 - (F) no insolvency proceedings or analogous procedures have been commenced in any jurisdiction outside England and Wales in relation to the Generator or any of its assets or revenues; and
 - (G) any restrictions on borrowing in the Articles of Association of the Generator will not be contravened by entry into and performance by the Generator of the Contract for Difference.

Assumptions

10. For the purposes of this letter, we have assumed each of the following:
 - (A)
 - (i) the information disclosed by the Searches was complete, up to date and accurate as at the date each was conducted and has not since then been altered or added to; and
 - (ii) the Searches did not fail to disclose any information which they should have disclosed relevant for the purposes of this opinion;
 - (B) the minutes referred to in paragraph 7(C) truly record the proceedings of a duly convened, constituted and conducted meeting of the Board of Directors of the Generator; and
 - (C) the directors of the Generator have acted in good faith in relation to the approval of and entry into the Contract for Difference.

Opinion

11. Based on and subject to the foregoing, and subject to the reservations set out below, we are of the opinion that the Generator:
- (A) is duly formed and validly existing under the laws of England; and
 - (B) has the power to enter into and perform, and has taken all necessary action to authorise its entry into and performance of, the Contract for Difference.

Reservations

12. Our reservations are as follows:
- (A) we express no opinion in this letter as to the validity, binding effect or enforceability of the rights or obligations of the Generator under the Contract for Difference; and
 - (B) the Searches are not conclusive as to whether or not insolvency proceedings have been commenced in relation to the Generator or any of its assets. For example, information required to be filed with the Registrar of Companies or the Central Registry of Winding up Petitions is not in all cases required to be filed immediately (and may not be filed at all or on time); once filed, the information may not be made publicly available immediately (or at all); information filed with a District Registry or County Court may not, and in the case of administrations will not, become publicly available at the Central Registry; and the Searches may not reveal whether insolvency proceedings or analogous procedures have been commenced in jurisdictions outside England and Wales.

Yours faithfully,

Appendix 2: KYC form template

This form sets out the information that Generators need to provide pursuant to their “know your customer” obligations under paragraph (B) of Part A (Initial Conditions Precedent) of Schedule 1 (Conditions Precedent) to the Contract for Difference Standard Terms and Conditions.

Low Carbon Contracts Company Limited (“LCCC”) as the CfD Counterparty reserves the right to amend this form from time to time. It may also request such additional information from Generators, or clarifications of information provided, as it considers necessary.

The purpose of this form is to ensure that LCCC fully understands who owns and/or controls the Generator (whether directly or indirectly). This means that LCCC must be fully informed of the chain of ownership leading to the ultimate persons or entities that own or control, or exert significant influence, over the Generator. In order to be fully informed, LCCC must be provided with information about the Parent Company¹ and Ultimate Parent Company² of the Generator. It also needs information about any person or entity (referred to in this form as a “Beneficial Owner”) who directly or indirectly owns or controls 25% or more of the shares or voting or other control rights in or over the Generator, its Parent Company and/or Ultimate Parent Company.

Generators are required to complete this form, which is in three sections:

- **Section A** – is to provide information about the Generator.
- **Section B** – is to provide information about the Parent Company and Ultimate Parent Company of the Generator. If the Generator does not have a Parent Company or Ultimate Parent Company, the Generator should insert the words – “Not applicable” in Section B.
- **Section C** – is to provide information about the Beneficial Owners of the Generator, its Parent Company and/or Ultimate Parent Company.

The form requires Generators to provide specified supporting documentation. Unless LCCC otherwise requires, this information can be provided in the form of scanned documents, provided that such documents are clear and easily legible. LCCC does, however, always reserve the right to ask to be provided with the documents in some other form, including as original certified documents.

Where the form requires a document to be certified, the document must be certified as true and accurate by a solicitor or notary. The certification must be dated, the name of the solicitor or notary must be clearly printed near the signature and the roll number or other registered number (if any) of the solicitor or notary must be included. If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

¹ An entity will be a Parent Company in relation to another entity (a “subsidiary”) if any of the following apply:

- it holds a majority of the voting rights in the subsidiary;
- it is a member of the subsidiary and has the right to appoint or remove a majority of the subsidiary’s board of directors;
- it has the right to exercise a dominant influence over the subsidiary by virtue of either provisions contained in the subsidiary’s articles of association or a control contract;
- it is a member of the subsidiary and controls alone, under an agreement with other shareholders or members, a majority of its voting rights; or
- it has the power to exercise, or actually exercises, a dominant influence or control over the subsidiary, or the entity and the subsidiary are managed on a unified basis.

² The Ultimate Parent Company is the highest parent company in the chain of ownership of the Generator.

Section A – Please complete this section to provide information about the Generator and attach the requested supporting documentation.

1	Full name of Generator	
2	Legal structure – please describe the legal structure or status of the Generator (e.g. company).	Company: Limited Liability Partnership: Other: If other, please state or describe the legal structure or status of the Generator:
3	Company registration number (or legal entity registration number, if any)	
4	Place of incorporation/registration	
5	Date of incorporation/registration	
6	Does the Generator have a VAT registration number?	Yes: No: If yes, please provide VAT number:
7	Full registered office address and, if different, principal place of business. Please provide proof of registered office address and, if different, principal place of business. ³	Registered office address: Principal place of business: Proof of address attached: Yes: <input type="checkbox"/> No: <input type="checkbox"/> If no, please provide a reason:
8	Provide the Generator's Certificate of Incorporation ⁴	Attached: Yes: <input type="checkbox"/> No: <input type="checkbox"/> If no, please provide a reason:
9	List all Beneficial Owners ⁵ of the Generator	Any Beneficial Owner(s)? Yes: <input type="checkbox"/> No: <input type="checkbox"/> <i>If yes, please list them here and complete Part B for the Parent Company and Ultimate Parent Company and a separate Part C for each Beneficial Owner.</i>

³ For UK registered companies, a copy of a recent utility bill or bank statement containing the address of their principal place of business will provide adequate evidence of their address. For all non-UK companies or legal entities, a certified copy of a recent utility bill or bank statement containing the address of their principal place of business is required. If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

⁴ An extract from the Companies House register will be sufficient for UK registered companies (it does not need to be certified). If the Generator is not a UK registered entity, please provide a certified copy of the equivalent proof of registration in the country of registration. If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

⁵ A Beneficial Owner, for the purposes of this form, is a person (whether an individual or legal entity) who owns or controls, directly or indirectly, 25% or more of the shares or voting rights or other control rights in an entity.

10	Where the Generator is part of a corporate group, please provide details of group structure ⁶	Attached: Yes: <input type="checkbox"/> No: <input type="checkbox"/> If no, please provide a reason:
11	Provide the following details for each of the Generator's current company director(s) ⁷ i) Full name ii) Date of birth iii) Nationality	
12	Are any of the company director(s) of the Generator categorised as Politically Exposed Person's? ⁸	Yes: <input type="checkbox"/> No: <input type="checkbox"/> If yes, provide details:
13	Is the Generator or a member of the Generator's group a licenced generator or supplier (i.e. licenced to generate or supply electricity under section 6(1)(a) of the Electricity Act 1989)?	Yes: <input type="checkbox"/> No: <input type="checkbox"/> If yes, please provide: i) name of licenced generator/supplier ii) type of licence iii) date of grant of licence:
14	Is the Generator listed on the main market of the London Stock Exchange, or other recognised stock exchange?	Yes: <input type="checkbox"/> No: <input type="checkbox"/> If yes, please attach details of the listing and name of entity which is listed. ⁹ If no, the Generator must for each company director of the Generator provide certified copies ¹⁰ of the following for identity purposes: <ul style="list-style-type: none"> • For an individual - current passport or current driving licence. • For a director who is a company (or other legal entity) - a certificate of incorporation. In the case of a non-UK company, this certificate of incorporation (or equivalent proof of registration in the country of registration) must be certified as a true and accurate (with any translation also being certified as true and accurate). And (in both cases) <ul style="list-style-type: none"> • Utility bill <u>or</u> bank statement - must be dated within the last 3 months.

⁶ We would like an understanding of where the Generator sits within its group of companies, including the chain of ownership up to the Ultimate Parent Company and the other companies in the group. This can be provided to us as a description and/or as an organogram.

⁷ This may be completed on a separate sheet of paper, if necessary, and presented as an annex.

⁸ A Politically Exposed Person, for the purposes of this form, is an overseas member of parliament, Head of State, Head of Government or Government Minister.

⁹ If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

¹⁰ If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

15	Provide details of the Generator’s bank	Name: Branch address:
16	Provide details of the Generator’s external auditors, if any	Name: Address:

Section B - Complete this section to provide information about the Parent Company¹¹ and Ultimate Parent Company¹² of the Generator; and attach the requested supporting documentation. If the Generator does not have a Parent Company or Ultimate Parent Company, please insert the words “Not applicable” into Question 18 and proceed to Section C.

17	Full Name of Parent Company and Ultimate Parent Company	Parent Company: Ultimate Parent Company:
18	Company registration number	Parent Company: Ultimate Parent Company:
19	Place of incorporation/registration	Parent Company: Ultimate Parent Company:
20	Date of incorporation/registration	Parent Company: Ultimate Parent Company:
21	VAT registration number?	Yes: <input type="checkbox"/> No: <input type="checkbox"/> If yes, please provide number(s): Parent Company: Ultimate Parent Company:
22	Registered office address and, if different, principal place of business ¹³	Parent Company: Registered address: Principal place of business: Ultimate Parent Company Registered address: Principal place of business:

¹¹ For an explanation of the term “Parent Company” – please see footnote 1.

¹² For explanation of the term “Ultimate Parent Company” – please see footnote 2.

¹³ For UK registered companies, a copy of an extract from Companies House showing the registered office address plus a copy of a recent utility bill or bank statement containing the address of the principal place of business will provide adequate evidence. For all non-UK companies or legal entities, a certified copy of a document evidencing the address at which they are formally registered in their country of registration plus a certified copy of a recent utility bill or bank statement containing the address of their principal place of business is required. If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

23	Provide Certificate of Incorporation ¹⁴	<p>Parent Company: Attached - Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>If no, please provide a reason:</p> <p>Ultimate Parent Company: Attached - Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>If no, please provide a reason</p>
24	Does the Parent Company or Ultimate Parent Company have any Beneficial Owners ¹⁵ ?	<p>Any Beneficial Owner(s) of Parent Company? Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>Any Beneficial Owner(s) of Ultimate Parent Company?</p> <p>Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p><i>If yes, please note that you will need to complete both the rest of Section B and Section C. Section B gives information about the Parent Company and Ultimate Parent Company. Section C gives information about the Beneficial Owners of the Parent Company and Ultimate Parent Company.</i></p>
25	<p>Provide the following details of all current company director(s) of Parent Company and Ultimate Parent Company</p> <p>i) Full name ii) Date of birth iii) Nationality</p>	
26	Is the Parent Company or Ultimate Parent Company listed on the main market of the London Stock Exchange, or another recognised stock exchange?	<p>Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>If yes, please attach details of the listing and name of entity which is listed¹⁶.</p> <p>If no, the Generator must for each company director of the Generator provide certified copies¹⁷ of the following for identity purposes:</p> <ul style="list-style-type: none"> • For an individual - current passport or current driving licence. • For a director who is a company (or other legal entity) - a certificate of incorporation. In the case of a non-UK company, this certificate of incorporation (or equivalent proof of registration in the country of registration) must be certified as a true and accurate. <p><u>And (in both cases)</u></p> <ul style="list-style-type: none"> • A utility bill or bank statement – must be dated within the last 3 months¹⁸.

¹⁴ An extract from the Companies House register will be sufficient for UK registered companies (it does not need to be certified). If the Generator is a non-UK registered entity, please provide a certified copy of the equivalent proof of registration in the country of registration. If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

¹⁵ A Beneficial Owner, for the purposes of this form, is a person (whether an individual or legal entity) who owns or controls, directly or indirectly, 25% or more of the shares or voting rights or other control rights in an entity.

¹⁶ If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

¹⁷ If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

¹⁸ If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

27	Are any company director(s) of the Parent Company or Ultimate Parent Company Politically Exposed Persons? ¹⁹	Yes: <input type="checkbox"/> No: <input type="checkbox"/> If yes, provide an explanation:
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Section C - Complete this section separately for each Beneficial Owner²⁰ of each of the Generator, Parent Company and Ultimate Parent Company; and attach the requested supporting documentation. If the Generator's only Beneficial Owners are its Parent Company and Ultimate Parent Company, you do not have to complete Section C. You only need to complete Section C if there are Beneficial Owners of the Generator, its Parent Company and Ultimate Parent Company who are not covered by Sections A and B.

28	Full Name of Beneficial Owner	
29	State whether the person is the Beneficial Owner of the Generator, of the Parent Company or of the Ultimate Parent Company.	
30	State whether the Beneficial Owner is an individual or a company or other form of legal entity?	
31	Date of birth (if an individual). or Date of incorporation/registration (if a company or other legal entity).	
32	Nationality (if an individual). or Place of incorporation/registration (if a company or other legal entity).	
33	Full personal address (if an individual). or Registered office address and, if different, principal place of business address (if a company or other legal entity). Please provide proof of address ²¹ .	Address (of individual): Registered office address: Principal place of business: Proof of address attached: Yes: <input type="checkbox"/> No: <input type="checkbox"/> If no, please provide a reason:

¹⁹ A Politically Exposed Person, for the purposes of this form, is an overseas member of parliament, Head of State, Government or Government Minister.

²⁰ A Beneficial Owner, for the purposes of this form, is a person (whether an individual or legal entity) who owns or controls, directly or indirectly, 25% or more of the shares or voting rights or other control rights in an entity.

²¹ For UK registered companies, a copy of a recent utility bill or bank statement containing the address of their principal place of business will provide adequate evidence of their address. For all non-UK companies or legal entities, a certified copy of a recent utility bill or bank statement containing the address of their principal place of business is required. If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

34	<p>For an individual who is a Beneficial Owner, provide the required identification and proof of address, both to be certified.</p>	<p>Required proof of identity, all of which must be certified²²:</p> <ul style="list-style-type: none"> • current passport or current driving licence <p>And</p> <ul style="list-style-type: none"> • Utility bill or bank statement – must be dated within the last 3 months.
35	<p>If a company or other legal entity is the Beneficial Owner, provide:-</p> <ul style="list-style-type: none"> • company (or legal entity) registration number. • VAT number (if any). • copy of Certificate of Incorporation (or certified copy of the equivalent document for non-UK entities)²³. • names of all current directors (or, if applicable, equivalent members), their date of birth and nationality. • list of Beneficial Owners of the company (or legal entity) and percentage ownership held by each* <p><i>* Without limiting its other rights to request further information, LCCC may require further information to be given in relation to Beneficial Owners.</i></p>	
36	<p>Whether any individual who is a Beneficial Owner and whether any directors (or, if applicable, members) of Beneficial Owners are Politically Exposed Persons²⁴.</p>	<p>Yes: <input type="checkbox"/> No: <input type="checkbox"/></p> <p>If yes, provide an explanation:</p>

²² If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided

²³ If the documentation is not in English, an English translation, certified as a true and accurate translation of the original document, must be provided.

²⁴ A Politically Exposed Person, for the purposes of this form, is an overseas member of parliament, Head of State, Government or Government Minister.

Appendix 3: Facility description illustrative examples

The following illustrative descriptions are not intended to be overly prescriptive and Generators should feel free to add any further relevant details.

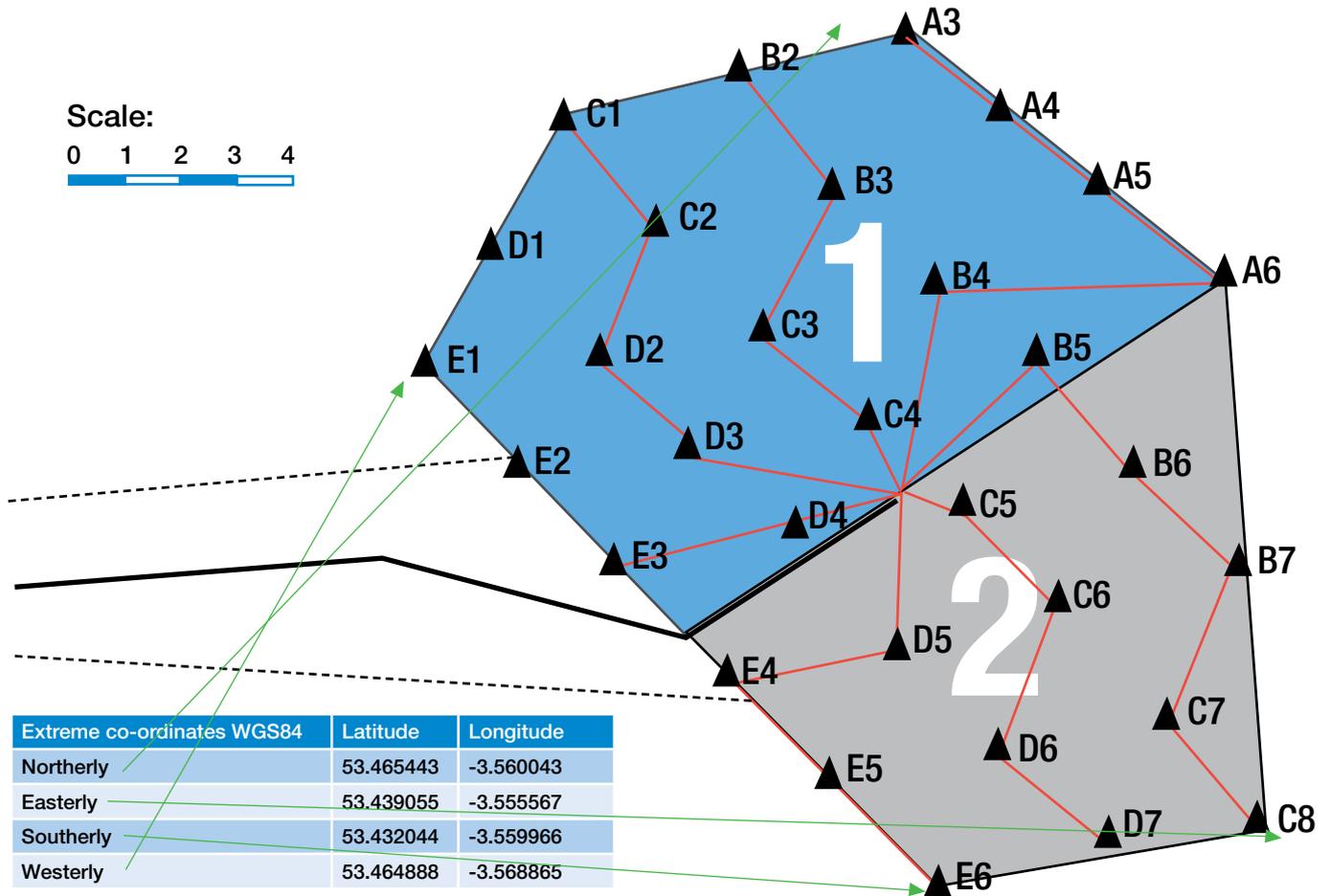
Wind Technologies

Details of the assets comprising an Offshore Wind Facility:

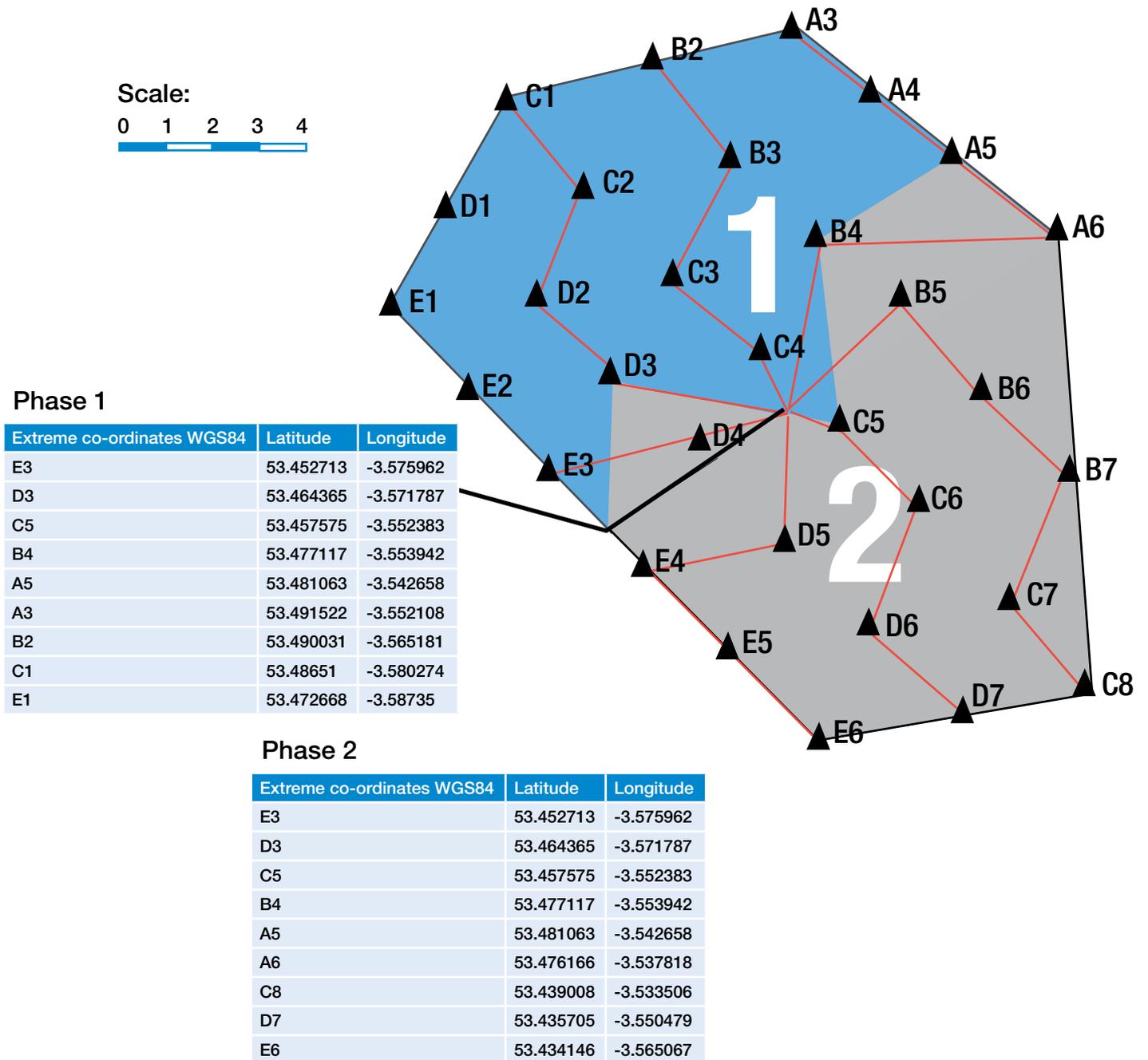
- The Facility site is located in the UK North Sea, 32km East of Dunbar, County of East Lothian and covers an area of approximately 48km².
- The Facility is located on a Crown Estate lease area which was granted on 28 August 2013 as part of the Scottish Territorial Waters programme. A map of the leased area with the reference GPS coordinates is shown in Figure [x].
- The water depth of the site range between 18m and 22m. The expected foundation type for the WTGs and the Offshore Substation (OSS) is piled jackets.
- The Facility is an offshore wind farm and consists of 40 wind turbine generators (WTGs), each with a nameplate capacity of 7MW, totalling 280MW Facility total gross generating capacity.
- The estimated electrical losses and electrical parasitic loads amount to 2.5% of the Facility total gross generating capacity;
- The Facility total estimated net capacity is 273MW.
- The main assets, elements and systems forming the Facility are:
 - > 40 WTGs;
 - > 40 jacket foundation structures for the WTGs;
 - > 40 transition pieces;
 - > 37km of array cables rated at 33kV and organised in 8 strings; and
 - > Metering equipment includes 5 meters [description] and 1BM Unit located on the OSS shown on the map as Item 3.
- The assets which are part of the Offshore Transmission System (OFTO) are identified on the map and include:
 - > 1 33kV/220kV OSS with associated equipment (including two 33kV/220kV/150MVA transformers) shown on the map as Item 3;
 - > 1 foundation structure for the OSS;
 - > 1 export cable of 32km length rated at 220kV shown on the map as Item 4; and
 - > 1 220kV/400kV Onshore Substation (ONS) with associated equipment (including one 220kV/400kV/300MVA transformer) shown on the map as Item 5.
- The assets, elements and systems that are Material Equipment are the 40 WTGs, 40 foundation structures, 37Km array cables [etc];
- The OFTO will connect to the Transmission System at the 400kV Dunbar substation.

- The following assets, elements and systems required for the operation of the Facility, are not located within the area shown on the map provided pursuant to paragraph (c)(ii) of Part A of Schedule 1:
 - > Wind farm remote control and operations centres, located respectively in London and Hull, England, and
 - > Operations and maintenance harbour and storage facilities, located in Dunbar, Scotland.
- The Facility does not include an Electricity Storage Facility.

Extreme Compass Co-ordinates



Extreme Compass Co-ordinates (example with complex phase boundaries)



Thermal Technologies

Details of the assets comprising a **Thermal** Facility:

- The Facility site is located in Ickleford, 10km North of Stevenage, Hertfordshire and covers an area of 1km² (as shown on the Facility site map provided pursuant to paragraph (c)(ii) of Part A of Schedule 1 (attached)). The Facility is located to the south of the Facility site, as shown on the Facility site map.
- The Facility is a biomass power plant with a total Facility gross generating capacity of 27MWe, generated by one steam turbine generator.
- The Facility will be a combined heat and power generating station. Steam will be taken from the steam turbine and supplied to [Name], [Type of facility] facility located next to the site. The steam off-take is expected to be approximately [number] t/year, at [number] bar, [number]C (corresponding to [number] MWth).

- The main assets, elements and systems forming the Facility are:
 - > 1 x boilers;
 - > 1 x steam turbine generators;
 - > Fuel pre-processing (1 x wood chipper);
 - > Fuel handling (wood chip reclaimer/conveyors);
 - > Air cooled condenser;
 - > Flue gas cleaning system;
 - > Water treatment plant;
 - > Waste water treatment plant;
 - > Compressed air system;
 - > CHP system (circulating pumps, condensate return pumps, heat exchanger);
 - > Electricity storage system; > Electrical export system; and > Building services.
- The assets, elements and systems that are Material Equipment are [boilers, steam turbines generators... [etc]/ [as follows/referred to in paragraph x above].
- The estimated relevant cumulative electric parasitic loads and electrical losses are 2.7MWe. The resulting Facility total net capacity is 24.3MWe (calculated as gross turbine-generator output – parasitic load/electrical losses).
- The following systems were not taken into account to determine the Installed Capacity Estimate:
 - > Fuel pre-processing (1 x wood chipper); and
 - > Fuel handling (wood chip reclaimer/conveyors).
- All assets comprising the Facility are located on the Facility site as shown on the map [x].
- The Facility includes an Electricity Storage Facility. The Electricity Storage Facility (or the following assets system or components) will be located on the Facility site as shown on the map [x] and connected to the Facility as detailed in diagram [x]. The following describes the Electricity Storage Facility and sets out how the Electricity Storage Facility will operate [description].
- The Facility Metering Equipment for the Facility is 1 meter [description] and [description]
- The Facility Metering Equipment will be separate from the metering equipment associated with any Electricity Storage Facility as detailed in the drawing [x].
- The Facility will connect to the distribution network at 33kV at the point clearly marked on the Facility site map.

Advanced Conversion Technologies

Details of the assets comprising an **Advanced Thermal Conversion** Facility:

- The Facility site is located in Crowland, Lincolnshire, 16km North West of Peterborough, Cambridgeshire and covers an area of 1400m² (as shown on the Facility site map provided pursuant to paragraph (c)(ii) of Part A of Schedule 1 (attached)). The Facility is located to the south of the Facility site, as shown on the Facility site map.

- The Facility is a six stream refuse derived fuel fed advanced conversion pyrolysis power plant with a total Facility gross generating capacity of 8MWe, generated by one 8 Gas Engines.
- The main assets, elements and systems forming the Facility are:
 - > refuse derived fuel mechanical pre-treatment plant (4 shredders, 4 trommels, 2 overband magnets, 2 eddy current separators, conveyors);
 - > 6 x Pyrolysis Chambers;
 - > 6 x char handling systems;
 - > 6 x gas conditioning units (oil quench column and sodium hydroxide scrubber);
 - > 8 Gas Engines;
 - > Oil recovery system;
 - > Water treatment plant;
 - > Waste water treatment plant;
 - > Compressed air system;
 - > gas ductwork;
 - > LV Electrical Systems;
 - > Transformers;
 - > HV Electrical System;
 - > DCS & Control System.
- The assets, elements that are Material Equipment, i.e., which will have been ordered and/or concluded in accordance with the Target Commissioning Date are as detailed above. There is nothing outside the Facility that fulfils the definition of Material Equipment
- The estimated relevant cumulative electric parasitic loads and electrical losses are 2MWe. The resulting Facility total net capacity is 6MWe (calculated as Gas Engine output – parasitic load/electrical losses).
- All assets comprising the Facility are located on the Facility site as shown on the map [].
- The Facility Metering Equipment for the Facility will be 2 BSC compliant meters which will meter both import and export electricity The Facility Metering Equipment will be separate from the metering equipment associated with any Electricity Storage Facility as detailed in the drawing [].
- The Facility will connect to the distribution network at 33kV at the point clearly marked on the Facility site map.
- There will be no electrical storage facility on site.

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