

MODIFICATION PROPOSAL FORM			
Proposer <i>(Company)</i>	Date of receipt <i>(assigned by System Operator)</i>	Type of Proposal <i>(delete as appropriate)</i>	Modification Proposal ID <i>(assigned by System Operator)</i>
RAs	8 th March 2024	Standard	CMC_05_24
Contact Details for Modification Proposal Originator			
Name	Telephone number	Email address	
Elvis Sebastian		esebastian@cru.ie	
Modification Proposal Title			
Amendment of J.6.1.6 to recognise extensions granted under SEM-23-101 and SEM-23-108			
Documents affected <i>(delete as appropriate)</i>	Section(s) Affected	Version number of CMC used in Drafting	
Capacity Market Code	J.6.1.6	10	
Explanation of Proposed Change <i>(mandatory by originator)</i>			
This modification proposes to amend J.6.1.6 of the Capacity Market Code to recognise extensions granted under J.5.7 and J.5.8, which were introduced as a result of SEM-23-101 ¹ (decision paper) and SEM-23-108 ² (approved legal drafting).			
Legal Drafting Change <i>(Clearly show proposed code change using tracked changes, if proposer fails to identify changes, please indicate best estimate of potential changes)</i>			
J.6.1.6 Except where an extension has been granted under paragraph J.5.5.2, J.5.7 or J.5.8 , the System Operators shall terminate all or part of the Awarded New Capacity in respect of New Capacity only for the first Capacity Year for which that capacity was awarded if requested to do so by the Regulatory Authorities if it is determined by the Regulatory Authorities (based on an independently verified report) prior to the T-1 Capacity Auction for the Capacity Year that all or part of the Awarded Capacity is not likely to be delivered by the start of the Capacity Year.			
Modification Proposal Justification <i>(Clearly state the reason for the Modification)</i>			
This modification is being raised to mitigate any concerns from market participants regarding the termination of Awarded New Capacity that has been granted an extension under the combined and modified delay mods (SEM-23-101). The approved legal drafting (SEM-23-108) did not consider this issue and, by amending J.6.1.6, this modification aims to address any concerns for market participants granted an extension under J.5.7 or J.5.8.			
Code Objectives Furthered <i>(State the Code Objectives the Proposal furthers, see Sub-Section A.1.2 of the CMC Code Objectives)</i>			
This modification would further Code Objectives (b), (c) and (g).			

¹ [SEM-23-101 Delay Mod Decision paper - for publication.pdf \(semcommittee.com\)](#)

² [Legal Drafting Delay Mods.pdf \(semcommittee.com\)](#)

Implication of not implementing the Modification Proposal <i>(State the possible outcomes should the Modification Proposal not be implemented)</i>
The CMC would not fully reflect the intent of SEM-23-101.
Impacts <i>(Indicate the impacts on systems, resources, processes and/or procedures)</i>
No impact on systems, resources, processes and/or procedures.
Please return this form to the System Operators by email to CapacityModifications@sem-o.com

Notes on completing Modification Proposal Form:

1. If a person submits a Modification Proposal on behalf of another person, that person who proposes the material of the change should be identified on the Modification Proposal Form as the Modification Proposal Originator.
2. Any person raising a Modification Proposal shall ensure that their proposal is clear and substantiated with the appropriate detail including the way in which it furthers the Code Objectives to enable it to be fully considered by the Regulatory Authorities.
3. Each Modification Proposal will include a draft text of the proposed Modification to the Code unless, if raising a Provisional Modification Proposal whereby legal drafting text is not imperative.
4. For the purposes of this Modification Proposal Form, the following terms shall have the following meanings:

CMC / Code:	means the Capacity Market Code for the Single Electricity Market
Modification Proposal:	means the proposal to modify the Code as set out in the attached form
Derivative Work:	means any text or work which incorporates or contains all or part of the Modification Proposal or any adaptation, abridgement, expansion or other modification of the Modification Proposal

The terms "System Operators" and "Regulatory Authorities" shall have the meanings assigned to those terms in the Code.

In consideration for the right to submit, and have the Modification Proposal assessed in accordance with the terms of Section B.12 of the Code, which I have read and understand, I agree as follows:

1. I hereby grant a worldwide, perpetual, royalty-free, non-exclusive licence:
 - 1.1 to the System Operators and the Regulatory Authorities to publish and/or distribute the Modification Proposal for free and unrestricted access;
 - 1.2 to the Regulatory Authorities to amend, adapt, combine, abridge, expand or otherwise modify the Modification Proposal at their sole discretion for the purpose of developing the Modification Proposal in accordance with the Code;
 - 1.3 to the System Operators and the Regulatory Authorities to incorporate the Modification Proposal into the Code;
 - 1.4 to all Parties to the Code and the Regulatory Authorities to use, reproduce and distribute the Modification Proposal, whether as part of the Code or otherwise, for any purpose arising out of or in connection with the Code.
2. The licences set out in clause 1 shall equally apply to any Derivative Works.
3. I hereby waive in favour of the Parties to the Code and the Regulatory Authorities any and all moral rights I may have arising out of or in connection with the Modification Proposal or any Derivative Works.
4. I hereby warrant that, except where expressly indicated otherwise, I am the owner of the copyright and any other intellectual property and proprietary rights in the Modification Proposal and, where not the owner, I have the requisite permissions to grant the rights set out in this form.
5. I hereby acknowledge that the Modification Proposal may be rejected by the Regulatory Authorities and that there is no guarantee that my Modification Proposal will be incorporated into the Code.