

MODIFICATION PROPOSAL FORM

Proposer <i>(Company)</i>	Date of receipt <i>(assigned by Secretariat)</i>	Type of Proposal <i>(delete as appropriate)</i>	Modification Proposal ID <i>(assigned by Secretariat)</i>
SEMO	21 st November 2023	Standard	Mod_12_23

Contact Details for Modification Proposal Originator

Name	Telephone number	Email address
Fergus O'Boyle		fergus.o'boyle@eirgrid.com

Modification Proposal Title

Extension to Timing for Execution of Deeds

Documents affected <i>(delete as appropriate)</i>	Section(s) Affected	Version number of T&SC or Agreed Procedure used in Drafting
Agreed Procedure 1, Part B	3.1.7	V26.0

Explanation of Proposed Change
(mandatory by originator)

SEMO are proposing to extend the timeline specified in Agreed Procedure 01, in which the Market Operator must execute an Accession Deed and issue by email. We propose, if the modification is accepted, that EirGrid must issue the executed Accession Deed by the Effective Date of first Unit.

Legal Drafting Change

*(Clearly show proposed code change using **tracked** changes, if proposer fails to identify changes, please indicate best estimate of potential changes)*

Market Operator executes and dates the Accession Deed and sends a copy to the Applicant. Applicant becomes a Party to the Code on the date specified in the Accession Deed.	Within 10 WD of receipt of signed Accession Deed By the Effective Date of the first Unit.	Email	Market Operator	Applicant
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Modification Proposal Justification

(Clearly state the reason for the Modification)

The requirement to execute documents within 10 WD is one that has been in place since the legacy market. However, since Go-Live, there has been an increase in the number of deeds requiring execution across the markets. In 2022, there were 36 Accession Deeds executed, along with other legal documents, such as Non-Disclosure Agreements, and Settlement Reallocation Agreements. There were 25 in 2017 and 16 in 2016.

Due to hybrid working, there are now less opportunities to have the legal documents signed and sealed by EirGrid and SONI, as this must happen in person. It can create delays, ensuring the relevant people are available in the office at the same time.

Once an Accession Deed is fully executed before the unit goes live in the market, there is no risk on the Participant or SEMO. This modification will streamline the Market Operator audit process, without impacting the registration process for Participants.

Code Objectives Furthered

(State the Code Objectives the Proposal furthers, see Section 1.3 of Part A and/or Section A.2.1.4 of Part B of the T&SC for Code Objectives)

- a) to facilitate the efficient discharge by the Market Operator of the obligations imposed upon it by its Market Operator Licences.
- b) to facilitate the efficient, economic and coordinated operation, administration, and development of the Single Electricity Market in a financially secure manner.

Implication of not implementing the Modification Proposal

(State the possible outcomes should the Modification Proposal not be implemented)

If not implemented, SEMO will continue to try issue executed Accession Deeds as efficiently as possible, however it is likely the required deadline of 10 working days will continue to be missed, due to circumstances explained above.

Working Group

(State if Working Group considered necessary to develop proposal)

Impacts

(Indicate the impacts on systems, resources, processes and/or procedures; also indicate impacts on any other Market Code such as Capacity Market Code, Grid Code, Exchange Rules etc.)

Impact to CMC, will be seeking to extend timeline too under this Code.
Process documents will be updated to reflect this change. No impact to systems.

Please return this form to Secretariat by email to balancingmodifications@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 Modifications Committee.
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:

Agreed Procedure(s):	means the detailed procedures to be followed by Parties in performing their obligations and functions under the Code as listed in either Part A or Part B Appendix D "List of Agreed Procedures". The Proposer will need to specify whether the Agreed Procedure to modify refers to Part A, Part B or both.
T&SC / Code:	means the Trading and Settlement Code for the Single Electricity Market. The Proposer will also need to specify whether all Part A, Part B, Part C of the Code or a subset of these, are affected by the proposed Modification;
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 "Market Operator", "Modifications Committee" 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 2 of Part A or Chapter B of Part B of the Code (and Part A Agreed Procedure 12 or Part B Agreed Procedure 12) , 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 Market Operator and the Regulatory Authorities to publish and/or distribute the Modification Proposal for free and unrestricted access;
 - 1.2 to the Regulatory Authorities, the Modifications Committee and each member of the Modifications Committee 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 Market Operator 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 Modifications Committee and/or the Regulatory Authorities and that there is no guarantee that my Modification Proposal will be incorporated into the Code.