



Trading and Settlement Code Modifications Committee  
C/O Aisling O'Donnell  
SMO Modifications Committee Secretariat  
The Oval  
160 Shelbourne Rd  
Dublin 4

26<sup>th</sup> May 2010

Our Ref: 39416

**SEM Committee Decision for the Regulatory Authorities in relation to Mod\_13\_10  
(Recommendation Report FRR\_13\_10)**

Dear Aisling,

On 21<sup>st</sup> May 2010, the Modifications Committee submitted its Modification Recommendation Report with regard to a Modification Proposal, Mod\_13\_10 (Ex-Post LOLP Determination Clarification), in accordance with paragraph 2.213 of the SEM Trading and Settlement Code (the Code).

This Modification Proposal, raised by the Market Operator, seeks to change the obligation in paragraphs M.28 and M.29 to calculate the Ex-Post Margin from the System Operator to the Market Operator, as this obligation currently lies with the wrong Party. The SEM Committee notes that the Modifications Committee agreed unanimously that the Modification Proposal furthers the Code Objective "to provide transparency in the operation of the Single Electricity Market" and that the modification should be implemented on a Settlement Day basis. The report does not recommend on which day to implement the decision, however the RAs consider it appropriate for the Modification Proposal to be effective from the next Working Day after the date of this letter.

Considering the above, and in accordance with paragraph 2.218 of the Code, the SEM Committee directs that a modification be made in accordance with the Final Recommendation Report of the Modifications Committee (FRR\_13\_10), for the avoidance of doubt based upon the legal drafting set out in Appendix 1 of that report. The Regulatory Authorities therefore direct that a Modification be made on a Settlement Day basis with effect from the next Working Day after the date of this letter.

Yours sincerely,

A handwritten signature in black ink that reads 'Dana Kelleher'. The signature is written in a cursive, flowing style.

Dana Kelleher  
Analyst - Wholesale Electricity Market