



16<sup>th</sup> February 2009

Our Ref: 38120

Trading and Settlement Code Modifications Committee  
C/O Marie-Therese Campbell  
SMO Modifications Committee Secretariat  
The Oval  
160 Shelbourne Rd  
Dublin 4

**SEM Committee Decision for the Regulatory Authorities in relation to Mod\_03\_08  
(Recommendation Report FRR\_03\_08\_V3)**

Dear Marie-Therese,

On 1<sup>st</sup> February 2009, the Modifications Committee submitted its final Modification Recommendation Report with regard to a Modification Proposal; Mod\_03\_08 (Suspension Delay Period Decision Changes) in accordance with paragraph 2.231 of the SEM Trading and Settlement Code (the Code).

This Modification Proposal, raised by the Regulatory Authorities (RAs), seeks to amend the provisions of the Code in accordance with their Conclusions and Decision paper on the Supplier and Generator Suspension Delay Periods (AIP/SEM/07/460) of 5<sup>th</sup> September 2007.

The SEM Committee notes that the Modifications Committee determines that this modification furthers the Code objective to 'facilitate the efficient, economic and coordinated operation, administration and development of the Single Electricity Market in a financially secure manner'. The SEM Committee further notes that the Modifications Committee voted unanimously to recommend this proposal to the RAs and that it should be implemented on a Settlement Day basis on the second Working Day after the day on which the RA decision is made. The SEM Committee notes however that the proposed legal drafting in Appendix 2 of the report contains the statement "Modify paragraph 2.248 as shown:" and the paragraph shown is numbered 2.249. This is clearly an error and the paragraph shown should have been numbered 2.248.

Considering the above, and in accordance with paragraph 2.218 of the Code, the SEM Committee decides that a modification be made in accordance with the Final Recommendation Report of the Modifications Committee (FRR\_03\_08\_V3), for the avoidance of doubt, based upon the legal drafting set out in Appendix 2 of that report. The Regulatory Authorities therefore direct that the modification as set out in FRR\_03\_08\_V3, with the minor correction mentioned above, be made on a Settlement Day basis with effect from the second Working Day after the date of this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sheenagh Rooney', is written over a horizontal line.

Sheenagh Rooney  
Manager – Wholesale Electricity Market