

<b>MODIFICATION PROPOSAL FORM</b>			
<b>Proposer</b> <i>(Company)</i>	<b>Date of receipt</b> <i>(assigned by Secretariat)</i>	<b>Type of Proposal</b> <i>(delete as appropriate)</i>	<b>Modification Proposal ID</b> <i>(assigned by Secretariat)</i>
CRU & UR	14 <sup>th</sup> April 2021	Standard	Mod_12_21
<b>Contact Details for Modification Proposal Originator</b>			
<b>Name</b>	<b>Telephone number</b>	<b>Email address</b>	
Conall Heussaff		cheussaff@cru.ie	
<b>Modification Proposal Title</b>			
<b>Clarification of text regarding the Effective Date of a Modification</b>			
<b>Documents affected</b> <i>(delete as appropriate)</i>	<b>Section(s) Affected</b>	<b>Version number of T&amp;SC or AP used in Drafting</b>	
T&SC Part B	T&SC B.17.20.4	T&SC V21	
<b>Explanation of Proposed Change</b> <i>(mandatory by originator)</i>			
<p>This modification seeks to clarify Section B.17.20.4 of the T&amp;SC regarding the date that modification decisions of the Regulatory Authorities become effective. This modification sets out to change the T&amp;SC to state more explicitly the existing provision that the RAs may specify that a modification shall become effective on the first available date following the delivery of the required system changes.</p> <p>In advance of becoming effective in the T&amp;SC, modifications often require system changes to be delivered by the Market Operator. These system changes typically occur on a biannual basis. However, the specific release date of these system changes may not yet be known at the time a modification is approved. In such circumstances it may be inappropriate for the Regulatory Authorities to specify a particular calendar date for the modification to become effective.</p> <p>This modification proposes to amend the T&amp;SC in order to make clear that the RAs may specify in their decision on a modification that that modification shall become effective on the first available date following the delivery of the required system changes.</p>			
<b>Legal Drafting Change</b> <i>(Clearly show proposed code change using <b>tracked</b> changes, if proposer fails to identify changes, please indicate best estimate of potential changes)</i>			
<p>B.17.20.4 If approved by the Regulatory Authorities, the Modification shall become effective two Working Days after the date of the decision of the Regulatory Authorities or such other date as may be specified by the Regulatory Authorities in its decision, <b>including the first available date following the delivery of any required system changes by the Market Operator.</b></p>			
<b>Modification Proposal Justification</b> <i>(Clearly state the reason for the Modification)</i>			
<p>Modifications often require system changes. The Market Operator is responsible for making and releasing such system changes. The system changes must be integrated into the Market Operator work plan and are subject to changes in schedule. Therefore, in the case of modifications which require system changes, it is impractical and often impossible for the Regulatory Authorities to precisely specify a particular calendar date for such modifications to become effective. This current modification is being proposed in order to clarify the modification approval and implementation procedure in the T&amp;SC in this respect and to prevent confusion amongst market participants.</p>			
<b>Code Objectives Furthered</b> <i>(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</i>			

*the T&SC for Code Objectives)*

1.3

2. to facilitate the efficient, economic and coordinated operation, administration and development of the Single Electricity Market in a financially secure manner;

This modification will facilitate the efficient and coordinated operation, administration and development of the Single Electricity Market in a financially secure manner by increasing clarity in the modification approval process and avoiding market disruptions.

5. to provide transparency in the operation of the Single Electricity Market;

This modification will clarify the modification approval and implementation process and increase transparency in the operation of the Single Electricity Market by providing participants with better information about the date on which modifications will become effective.

**Implication of not implementing the Modification Proposal**

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

If the modification proposal is not implemented, there may be a lack of clarity about the ability of the RAs to specify that a modification shall become effective on the first available date following the delivery of the required system changes, where such changes are required.

<b>Working Group</b> <i>(State if Working Group considered necessary to develop proposal)</i>	<b>Impacts</b> <i>(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.)</i>
	No system changes

**Please return this form to Secretariat by email to [balancingmodifications@sem-o.com](mailto: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.