

Trading and Settlement Code Modifications Committee
c/o Esther Touhey
SEMO Modifications Committee Secretariat
The Oval
160 Shelbourne Rd
Dublin 4

25 June 2020

Our Ref: D/20/12073

Mod_15_19 Version 2 Legal Advice Approval Request

Dear Esther,

We are writing in response to the Modifications Committee's request to allow the Secretariat to undertake procurement of legal advice in relation to Mod_15_19 Version 2. The Regulatory Authorities note that the Committee has requested legal review of the following points;

- Addition of transparency provision in the modification regarding publishing some details of the DRB decisions – is it consistent with confidentiality or would it cause conflict in the future?
- B.19.6.1– clarification on how these changes would affect the obligations of the DRB
- B.19.5.1 – what is the legal impact of the proposed change in wording?
- B.19.5.1.d and B.19.10.1 – is there a conflict with either of these and is it limiting the powers of the DRB?

At meeting 98 on 23 April 2020, the Secretariat provided an indicative costing for procuring this advice of approximately £45,000. While it was generally agreed to proceed with procurement of this advice by the Modifications Committee, a number of Members raised a concern with the estimated level of expenditure on this advice. The Regulatory Authorities have discussed this

matter further with SEMO and are content to approve this request provided that an initial cap on expenditure of €25,000 is indicated as part of the procurement process, on the understanding that this advice will focus on providing a written response to the four questions raised by the Modifications Committee. Should any follow up queries arise these will be considered by the Regulatory Authorities and Modifications Committee before proceeding with any further request for advice.

Yours Sincerely,

Barry Hussey
Manager, CRU,
Wholesale Electricity Markets

Leigh Greer
Manager, UR,
Wholesale Electricity Markets

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