

<b>MODIFICATION PROPOSAL FORM</b>			
<b>Proposer (Company)</b>	<b>Date of receipt (assigned by Secretariat)</b>	<b>Type of Proposal (delete as appropriate)</b>	<b>Modification Proposal ID (assigned by Secretariat)</b>
<b>UR/CRU</b>	<b>18<sup>th</sup> November 2021</b>	<b>Standard</b>	<b>Mod_19_21</b>
<b>Contact Details for Modification Proposal Originator</b>			
<b>Name</b>	<b>Telephone number</b>	<b>Email address</b>	
<b>Karen Shiels</b>		<b>karen.shiels@uregni.gov.uk</b>	
<b>Modification Proposal Title</b>			
<b>Publication of Information by SEMO</b>			
<b>Documents affected (delete as appropriate)</b>	<b>Section(s) Affected</b>	<b>Version number of T&amp;SC or AP used in Drafting</b>	
<b>T&amp;SC Part B</b>	<b>B.13 Market Operator</b>	<b>Version 24 July 2021</b>	
<b>Explanation of Proposed Change (mandatory by originator)</b>			
<p>This proposal follows the recent considerations of SEMO's Key Performance Indicators (KPIs) which formed part of the SEMO price control consultation (SEM-21-046) and decision (SEM-21-073) process.</p> <p>Within that process market participants raised concerns that the Timely Publication of Key Market Information KPI which had been introduced for the 2019 – 2021 period (SEM-19-033) was not having the desired effect and also were concerned with the RAs' proposal in SEM-21-046 to remove this KPI for the period from October 2021 onwards. Market participant responses to the SEMO price control consultation emphasised that users of this information had a clear dependency on the provision of data by the Market Operator and that there should be accountability in order that it will publish complete and accurate information. They therefore suggested alternatives such as a TSC modification or licence modifications.</p> <p>Reflecting on the responses received, the KPI decision contained within SEM-21-073 stated the following:</p> <p><i>“While recognising respondents were concerned with the proposed removal of the Timely Publication of Key Market Information KPI, the RAs consider a more appropriate approach is to consider a modification to the Trading and Settlement Code due to the limitations (regarding performance measurement) experienced during 2019/20 with this requirement within the KPI framework. We note that SEMO has licence obligations to comply with the Trading and Settlement Code.”</i></p> <p>This proposed modification seeks to take forward the commitment made within SEM-21-073 in relation to the publication of key market information by SEMO and is based upon the requirements which the TSC already places on Parties in B.14.1.5 (d).</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>			

## B.13 MARKET OPERATOR

### B.13.1 General

....

B.13.1.8 The Market Operator shall make available to the Regulatory Authorities details of its disaster recovery plan to the extent that it relates to its functions and obligations under the Code and it shall, to that extent, maintain and develop such disaster recovery plan.

B.13.1.9 Where this Code requires data to be published by the Market Operator, it shall, to the best of the Market Operator's knowledge and belief, be true, valid, correct, complete and accurate at the time it is given and the Market Operator shall keep each Party or Participant, Market Auditor or any other person under the Code informed in a timely way of any mistakes or omissions in, and corrections or updates to any information or data which has been published by the Market Operator.

#### Modification Proposal Justification

*(Clearly state the reason for the Modification)*

This Modification aims to make explicit reference to the importance of data published by the Market Operator and to inform relevant persons of any errors or corrections within the data published by the Market Operator.

#### 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)*

- (b) 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 coordinated operation, administration and development of the Single Electricity Market by increasing clarity associated with the vital role of data publication.

- (e) to provide transparency in the operation of the Single Electricity Market;

This Modification will improve transparency associated with data published by the Market Operator including the timely notification of, *inter alia*, errors and correction to information or data already published by the Market Operator.

#### Implication of not implementing the Modification Proposal

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

If this Modification proposal is not implemented there may continue to be a lack of clarity and lack of transparency in relation to publication of data and information which is a vital role of the Market Operator.

#### 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.)*

n/a

May impact quality assurance procedures/processes within SEMO.

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.