

The Single Electricity Market (SEM)

Part A Agreed Procedure 12
Modification Committee Operation

Version 28.0

18 August 2023

SEM Part A Agreed Procedure

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| Title | Part A Agreed Procedure 12: Modifications Committee Operation |
| Version | 28.0 |
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Table of Contents

[1. Introduction 7](#_Toc356217894)

[1.1. Background and Purpose 7](#_Toc356217895)

[1.2. Scope of Agreed Procedure 7](#_Toc356217896)

[1.3. Definitions 7](#_Toc356217897)

[1.4. Compliance with Agreed Procedure 7](#_Toc356217898)

[2. Procedure Definition 8](#_Toc356217899)

[2.1. Quorum and Voting 8](#_Toc356217900)

[2.2. Responsibilities of the Secretariat and meetings 9](#_Toc356217901)

[2.3. Working Group Meetings 11](#_Toc356217902)

[2.4. Functions of a Working Group 11](#_Toc356217903)

[3. Procedural Definition 12](#_Toc356217904)

[3.1. Submission and acceptance of a New OR REVISED Standard Modification Proposal 12](#_Toc356217905)

[3.2. Submission of a New Or Revised Urgent Modification Proposal 13](#_Toc356217906)

[3.3. Ordinary Meetings of the Modifications Committee 15](#_Toc356217907)

[3.4. Emergency Meetings of the Modification Committee 15](#_Toc356217908)

[3.5. Progressing And Reaching a decision on Standard Modification Proposals and AP Modification Proposals 16](#_Toc356217909)

[3.6. Progressing And Reaching a Decision on an Urgent Modification Proposal 23](#_Toc356217910)

[3.7. Nominating Participant Annual Election Procedure 24](#_Toc356217911)

[3.8. Nominating Participant Ad-Hoc Election Procedure 27](#_Toc356217912)

[APPENDIX 1: Definitions and Abbreviations 29](#_Toc356217913)

[Definitions 29](#_Toc356217914)

[Abbreviations 30](#_Toc356217915)

[APPENDIX 2: Modification Proposal Form 31](#_Toc356217916)

Document History

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Related Documents

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| Document Title | Version  | Date | By |
| Trading and Settlement Code  | V28.0 | 18/08/2023 | SEMO |
| Agreed Procedure 11 “Market System Operation, Testing, Upgrading and Support” |  |  |  |

Introduction

Background and Purpose

The Trading and Settlement Code (“the Code”) contains high-level arrangements describing how to amend its own terms through Modification Proposals. The Code sets out how Modification Proposals should be submitted, developed, and approved. This Agreed Procedure provides detail and supplements the Modifications Process set out in the Code.

Scope of Agreed Procedure

This Agreed Procedure defines the procedural steps to be followed by the Secretariat, Modifications Committee Chairperson, and members of the Modifications Committee with respect to:

* The arrangement, location, and form of Meetings;
* The Quorum and voting procedures;
* The communication of the Modifications Process;
* The procedural steps of how to develop Modification Proposals and
* The procedural steps on the election of Members to the Modifications Committee

This Agreed Procedure does not cover the constitution of the Modifications Committee.

While the Regulatory Authorities are not contractually bound by this Agreed Procedure, it also describes the required actions from the Regulatory Authorities to facilitate this Agreed Procedure consistent with the requirements for approval under Condition 1(c) of the Market Operator Licence.

This Agreed Procedure forms an annex to, and is governed by, the Code. This document is a statement of process and procedure which supplements and sets out in procedural steps the Modifications Process described in Section 2 of the Code.

Definitions

Save as expressly defined in Appendix I, words and expressions defined in the Code shall have the same meanings when used in this Agreed Procedure.

References to particular sections relate internally to this Agreed Procedure unless specifically noted.

Compliance with Agreed Procedure

Compliance with this Agreed Procedure is required under the terms of the Code.

Procedure Definition

This section sets out procedural detail relating to the Quorum and voting procedures of the Modifications Committee, the responsibilities of the Secretariat and arrangements for Meetings of the Modifications Committee as provided for pursuant to Section 2 of the Code.

Quorum and Voting

The Modifications Committee Quorum is nine Members and the Secretariat.

To form a Quorum, the following membership is required:

* At least four of the nine Members must be voting Members:
	+ At least two Supplier Unit registrant representatives;
	+ At least two Generator Unit registrant representatives.
* The remaining Members must comprise:
	+ At least one Regulatory Authorities appointee;
	+ At least one System Operator appointee;
	+ The Market Operator appointee; and
	+ At least two Meter Data Provider appointees, where one of the Meter Data Provider appointees is not a System Operator.

Save as expressly provided otherwise, the Quorum is the same for all types of meeting. The Modifications Committee Chairperson or Vice-chairperson must be present to make up a Quorum.

A Quorum requires that Members be present at the Meeting, either in person or alternatively via video or phone conferencing or equivalent.

Any meeting at which a Quorum is not present shall be adjourned until such time as a Quorum may be achieved.

Any resolution of adjournment of a Meeting shall state when and where the next Meeting will be reconvened, and communicated by the Secretariat via the Website and the mailing list within two Working Days of the adjourned Meeting.

The Modifications Committee will vote as follows:

* All decisions of the Modifications Committee are carried by simple majority vote providing that a Quorum is present, with the exception of certain decisions in respect of Agreed Procedure Modification Proposals as outlined below.
* Each voting Member of the Modifications Committee is entitled to one vote.
* Voting may be conducted by open ballot, i.e. by each voting Member openly approving or disapproving the resolution to be made.
* Voting may be conducted by a show of hands, i.e. by each voting Member openly approving or disapproving the resolution to be made.
* In the event of a tied vote, the Modifications Committee Chairperson (or Vice-chairperson, as appropriate) will cast the deciding vote.

In accordance with the Code, a decision may be made to accept or reject an Agreed Procedure Modification Proposal if all Members, with the exception of the Regulatory Authorities, vote unanimously. For the avoidance of doubt, a unanimous decision must include:

* The Market Operator Member;
* System Operator Members and
* Meter Data Provider Members.

If there is no unanimous decision, voting on the Agreed Procedure Modification Proposal shall be in accordance with the usual voting procedures.

Responsibilities of the Secretariat and meetings

The Secretariat shall maintain the following lists:

* Modifications Committee Members: to include name, address, organisation, telephone number (including a mobile number to facilitate Urgent Modification Proposals) and email address for all Members of the Modifications Committee ; and
* Interested Parties: to include email address and name of all interested parties who wish to be informed of updates to the Website.

The Secretariat shall maintain the Website, updating it within five Working Days of new material becoming available. The following information is for inclusion on the Website:

* All Modification Proposals, uniquely numbered, version controlled, with their status as defined in the procedure below;
* All information related to the Modification Proposals, including impact assessments, consultation notes, consultation responses, final recommendation reports, decisions from the Regulatory Authorities, etc. subject to the confidentiality provisions set out on the Code;
* A Modification Proposal Form including a licence of Intellectual Property Rights, and waiver of moral rights in respect of the content, format or other aspects of the proposal.
* All Meeting agendas and minutes which are approved by the Committee prior to publication on the Website;
* A schedule of Meetings published at the beginning of the year, and the time and location of new Meetings as they arise;
* All the latest versions of approved Market Documentation. This includes the latest approved Code, Agreed Procedures, and approved Modifications which have not yet been incorporated into the current baseline versions of the Code and APs. The Code and APs will be version controlled and each new version will identify in the version history what Modification Proposals have been included since the previous version.
* The quarterly report summarising the progress of the Modification Proposals.

The Secretariat shall prepare an agenda for each Meeting to include:

* Approval and amendments of the minutes from the previous Meeting;
* Recommendations, opinions and voting on Modification Proposals;
* Update on implementation;
* Any other business; and
* Any agenda item that can be generated by a person other than the Secretariat may be provided to the Secretariat up to and including the same Working Day of the issue of the agenda for that Meeting.

Meetings will be held as per the fixed yearly schedule, at least once every two months. If there are no proposed agenda items, the scheduled Meeting may be cancelled with the agreement of the Members.

Emergency Meetings or Extraordinary Meetings can be called as per the procedure outlined in Section 3.4.

Emergency Meetings will be limited to discussion of the relevant Urgent Modification Proposal.

If there are no Modification Proposals under discussion, a meeting can be cancelled.

* Emergency Meetings are called after an Urgent Modification Proposal has been raised and is deemed to be Urgent by the Regulatory Authorities;
* Extraordinary Meetings may be called:
	+ By the Modifications Committee Chairperson, or
	+ By a notice emailed by at least four Members of the Modifications Committee, or
	+ By a notice emailed by at least five Parties to the Code, provided to the Secretariat, or
	+ Through agreement at an ordinary Meeting.

The Secretariat shall take all minutes at all Meetings, and shall:

* Circulate draft minutes to members for comment within five Working Days of an ordinary Meeting or Extraordinary Meeting, and within two Working Days of an Emergency Meeting.
* Allow members of the Modifications Committee five Working Days to return comments on the minutes to the Secretariat.
* Include all these comments as tracked changes to the minutes or as an addition to the end of the minutes, detailing who made the comments, and publish the minutes on the Website within two Working Days for final approval at the next Meeting.
* Note in the minutes of the next ordinary Meeting any objections to the minutes from the previous Meeting.

The Secretariat is also responsible for:

* The production of a quarterly report summarising the progress of the Modification Proposals and submit this to the Regulatory Authorities.
* Updating the Code and Agreed Procedures with approved Modification Proposals as soon as practical, but no less frequently than twice yearly in line with the Scheduled Release.
* The management of the progression of Modification Proposals through the process, with responsibility on the Modifications Committee for the full development of Modification Proposals. The onus is on the Modifications Committee to review and further the progress of the Modification Proposal.
* The management of the arrangement of Modification Working Groups, and will follow up on actions of the Working Groups.
* The production of Final Recommendation Reports for each Modification where appropriate, with input from the Committee Members. An initial draft may be circulated by the Secretariat, but the onus is on the Members to ensure all detail is captured in the report.
* Where a Modification has been deemed by a Regulatory Authority decision as 'requiring further work', the Secretariat shall, based on the direction in the decision paper and with the Committee's input, allocate responsibilities and track the progress of this work.
* The management of responses to all queries on Modifications Committee business, delegating responses to Members where appropriate.

Working Group Meetings

In accordance with the Code, the Modifications Committee may direct a Working Group to develop a Modification Proposal. The Working Group may consist of members from the Modifications Committee and other interested parties as appropriate.

Functions of a Working Group

A Working Group may convene where the Modifications Committee believes it necessary for further work to take place in advance of making a decision on a Modification Proposal. The Modifications Committee may at any time decide to end a Working Group or direct further work to take place following a Working Group recommendation.

* The Terms of Reference shall be drafted and approved by the Modifications Committee in advance of a Working Group meeting.
* The Secretariat shall publish the Terms of Reference on the Website in advance of the Working Group and communicate to the Working Group participants in advance of the meeting. The Secretariat shall note any additional comments on the Terms of Reference and a decision made by the Modifications Committee with regard to any necessary amendment following receipt of comments.
* The Secretariat shall nominate a chair for the meeting from the list of attendees.
* The Secretariat shall prepare a timeline for progression of each Working Group topic and update the Modifications Committee at Meetings regarding the outcome of each Working Group meeting.
* The Secretariat shall prepare a report following each meeting for the Modifications Committee with input from the Working Group participants. The report will detail any actions and recommendations of the group.
* The Working Group shall consider options for a given proposal and may request appropriate impact assessments where necessary, including those procured from the vendor.
* The Working Group will make a recommendation to the Modifications Committee with regard to how the group believes it best to proceed.

Procedural Definition

Submission and acceptance of a New OR REVISED Standard Modification Proposal

| **#** | **Procedural Step** | **Timing** | **Method** | **From/By** | **To** | **Linkage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1 | Fill out Modification Proposal Form, indicating that it is a Standard Modification Proposal. Indicate if it is a revision of an existing Modification Proposal. | As required | Modification Proposal form available from Appendix 2 of this AP | Any person | n/a | n/a |
| 2 | Send Modification Proposal Form to the email addresses indicated on the Modification Proposal Form. | At least 10 WD prior to Meeting at which the proposer wishes it to be considered | Email | Any person | Secretariat | n/a |
| 3 | Send email acknowledgement to Proposer. Determine if form is filled out completely. If form is complete, go to step 5. If form is incomplete, go to step 4. | Within 2WD of receipt of Modification Proposal | In accordance with the check-list appended to the Modification Proposal Form and Secretariat process checks | Secretariat |  MPO | n/a |
| 4 | Send a reply indicating where the Modification Proposal Form is not correct or omits detail. The process restarts if Proposer resubmits email with newly submitted Modification Form. Otherwise, end process.  | Within 2WD of receipt of email | Email | Secretariat | Proposer and person who submitted Modification Proposal if different | n/a |
| 5 | Determine if the Modification Proposal merits consideration as “Urgent”. If it does go to Step 6 of section 3.2, otherwise go to Step 6 of this section.  | Within 2WD of receipt of email | n/a | Secretariat or MC |  | 3.2 |
| 6 | Designate the accepted Modification Proposal with a unique tracking number and version number if required and publish it on the Website with a status of 'new'. | Within 2WD of receipt of email | n/a | Secretariat | n/a | n/a |
| 7 | Send out email notifying update to Website. | Within 2WD of receipt of email | Email | Secretariat | MC mailing list and Interested Parties | n/a |
| 8 | Include Modification Proposal on the next Meeting agenda.  | At least 5WD prior to the next Meeting | n/a | Secretariat | n/a | n/a |
| 9. | Present Modification Proposal at the next Meeting which is at least 10 WDs after the date of submission of the Modification Proposal.  | At First Meeting | n/a | MPO  | n/a | n/a |

Submission of a New Or Revised Urgent Modification Proposal

| **#** | **Procedural Step** | **Timing** | **Method** | **From/By** | **To** | **Linkage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1 | If possible, contact RAs and Secretariat giving as much notice as possible of the intention to raise an Urgent Modification Proposal. If contact is received, go to step 2. If not, go to step 3. | As required, but ideally as soon as the intention to raise an Urgent Modification Proposal is formed. | Email / telephone | Any person | Secretariat, RAs | n/a |
| 2 | Notify MC of imminent Urgent Modification Proposal. Go to step 3. | As required | Email / telephone | Secretariat | MC | n/a |
| 3 | Fill out Modification Proposal Form, indicating that it is an Urgent Modification Proposal. Indicate if it is a revision of an existing Modification Proposal. | As required | Utilise Appendix 2 to this AP | Any person | n/a | n/a |
| 4 | Send Modification Proposal Form to the email address indicated on the Modification Proposal Form, highlighting the urgency of the proposed Modification Proposal to Secretariat in the email.  | As required | Email | Proposer or person submitting form on their behalf | Secretariat | n/a |
| 5 | Determine if form is filled out completely. If the form is incomplete, notify Proposer and seek clarification or new version of Modification Proposal. Process restarts if the Proposer resubmits an email with a newly submitted Modification Proposal Form. Otherwise process terminates. If form is complete, designate the Urgent Modification Proposal with a unique tracking number and version number, and publish it on the Website with a status of 'new'. | Within 1WD of receipt of email with original Urgent Modification Proposal | n/a | Secretariat | n/a | n/a |
| 6 | Send a copy of Modification Proposal to the RAs. | As soon as possible following receipt or decision by Secretariat or MC that Modification Proposal appears Urgent | Email | Secretariat | RAs | n/a |
| 7 | RAs determine whether or not Modification Proposal is Urgent in accordance with the Code and notify Secretariat of decision. | As soon as possible following receipt | Email | RAs | Secretariat | n/a |
| 8 | If RAs determine that Modification Proposal is Urgent, proceed to Emergency Meeting and see section 3.4. If not, process as Standard Modification Proposal, go to Section 3.5. | n/a | n/a | RAs | n/a | 3.4,3.5 |

Ordinary Meetings of the Modifications Committee

| **#** | **Procedural Step** | **Timing** | **Method** | **From/By** | **To** | **Linkage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1 | Circulate the agenda for the Meeting and publish to Website, indicating the details of the location of the Meeting and requesting MC and observer notification of attendance. | At least 5WD before Meeting | Email | Secretariat | MC, Website | n/a |
| 2 | Send email requesting MC notification of attendance | At least 10WD before Meeting | Email | Secretariat | MC mailing list | n/a |
| 3 | Committee advise Secretariat of attendance at Meeting; go to step 4.All Non-Committee or observers request permission to attend Meeting.  | No later than 5WD before Meeting | Email | MC or Non-Committee Members and Alternates | Secretariat | n/a |
| 4 | If a Quorum is present at the meeting, proceed with business. If a Quorum is not present, go to step 5. | At Meeting | n/a | All Members and Secretariat | n/a | n/a |
| 5 | Refer to the RAs for guidance or disband the Meeting upon direction by the Chair, recording the reason why and the agreed time for the next Meeting in the Meeting minutes.  | At Meeting | n/a | MC, Secretariat | n/a | n/a |

Emergency Meetings of the Modification Committee

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **#** | **Procedural Step** | **Timing** | **Method** | **From/By** | **To** | **Linkage** |
| 1 | Circulate Proposed date and time for the Meeting and request notification of availability from MC. | As early as possible before Meeting  | Email  | Secretariat | Members and Alternates of MC | n/a |
| 2 | MC advise Secretariat of their availability. | As early as possible before Meeting  | Email  | MC  | Secretariat | n/a |
| 3 | Circulate the agenda for the Meeting, include the time, location and conference call numbers, if relevant. | As early as possible before Meeting | Email  | Secretariat | MC | n/a |
| 4 | If a Meeting cannot be convened, of if a quorum is not present, refer to RAs for guidance. | Within 2 WD of RAs deeming that Modification Proposal is Urgent or at Meeting if a quorum is not present | Email  | Secretariat | RAs | n/a |

Progressing And Reaching a decision on Standard Modification Proposals and AP Modification Proposals

| **#** | **Procedural Step** | **Timing** | **Method** | **From/By** | **To** | **Linkage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1 | For each Modification Proposal on the Meeting agenda, assess the followinga. Is the Modification Proposal New? If Yes, go to Step 2b. Was the Modification Proposal deferred at a previous meeting, go to Step 5 and if the Modification Proposal deemed to require further work by the RAs go to Step 5. | At Meeting | n/a | MC | n/a | n/a |
| 2 | If the MC determines the Modification Proposal is spurious go to step 3. If not go to step 5. | At f Meeting | n/a | MC | n/a | n/a |
| 3 | If the RAs veto the determination that the Modification Proposal is spurious, go to step 5 (and references to “first Meeting” should be construed as references to the next Meeting following receipt by the Secretariat of the RAs veto) otherwise, go to step 4.  | At next Meeting following notification of veto of RAs | n/a | RA's | n/a | n/a |
| 4 | Update the Modification Proposal status as “spurious”.  | Within 2WD of first Meeting | n/a | Secretariat | Modifications Website | n/a |
| 5 | Can the Modification Proposal be voted on at this Meeting without further development? If Yes, go to step 31.If No determine the method and timetable for progression of Modification Proposal identifying:a. Is further work on the proposal required? If Yes, go to step 7 and/or go to question b.b. Is a Working Group required? If Yes, determine who may be involved in drafting Terms of Reference, input to the meeting and select chairperson, and go to step 9. If No go to question c.c. Is a public consultation required? If Yes, determine who is involved in the consultation paper drafting and go to step 16. If No go to step 13.and set the Proposal status to 'deferred' | At Meeting | n/a | MC, Secretariat | n/a | n/a |
| 6 | Distribute method and timetable as determined at the Meeting as part of the minutes. | Within 2WDs of Meeting | n/a | Secretariat | n/a | n/a |
| 7 | Select Member, Alternate or Proposer to draft the amended, "combined" or "modified" Modification Proposal and allocate 'expected date' for this task. Update the Modification Proposal status to "deferred". | At Meeting | n/a | Members, Alternate, Proposer | n/a | n/a |
|  8 | Include deferred Modification Proposal on the next Meeting agenda.  | As appropriate with regard to timetable | n/a | Secretariat | n/a | n/a |
| 9 | Invite nominations to Working Group; invite Modifications Committee to submit agenda items, collate agenda items; circulate initial draft of terms of reference for Working Group. | As appropriate with regard to timetable | Email | Secretariat | n/a | n/a |
| 10 | Determine Working Group chairperson. Send nominations for Working Group and provide input to terms of reference . |  As appropriate with regard to the timetable | Email | MC, Secretariat | n/a | n/a |
| 11 | Invite Working Group members to meeting.Circulate agenda items. | As appropriate with regard to timetable | Email | Secretariat | n/a | n/a |
| 12 | Circulate and monitor actions from the Working Group meeting; if resolution is made to hold consultation, go to step 16. | After Working Group , as appropriate with regard to timetable | Email | Secretariat | n/a | n/a |
| 13 | Procure high-level impact assessment by MC or third party if necessary. If analysis of systems impact is required, go to Agreed Procedure 11 “Market System Operation, Testing, Upgrading and Support”, returning to step 14. | As appropriate with regard to timetable | n/a | Secretariat /MC | n/a | AP11 5.2.1.1 to 5.2.1.4 |
| 14 | Collate and publish information from high-level impact analysis.  | As appropriate following impact assessment and with regard to timetable | n/a | Secretariat | n/a | n/a |
|  15 | Update Modification Proposal status as appropriate. Create new action items for next MC agenda.Go to step 20, or if consultation is being performed, go to step 16. | Within 2WD of completion of impact assessment report | n/a | Secretariat | Website | n/a |
| 16 | Initiate a consultation paper and questions and circulate to get input from Committee Members. Publishe consultation notice of determined duration, with a minimum consultation period of 10 Working Days.  | Within 5WD of Meeting | n/a | Secretariat/MC  | n/a | n/a |
| 17 | Respond to consultation. | As appropriate depending on agreed timelines for consultation | As appropriate | MC and any interested parties | n/a | n/a |
| 18 | Collate and publish information from consultation.  | As appropriate depending on agreed timelines for consultation | As appropriate | Secretariat | n/a | n/a |
| 19 | Update detail of Modification Proposal appropriately, create new action items for next MC agenda as appropriate. | Within 2WD of completion of consultation  | n/a | Secretariat | Website | n/a |
| 20 | Is further information required from Participants, Meter Data Providers, System Operators, RAs, etc.? If Yes, go to step 21. If No, go to step 22. | At Meeting | n/a | MC/Secretariat | n/a | n/a |
|  21 | Request information from relevant body, adding it on to next Meeting agenda item, and collates information.  | As appropriate depending on timetable  | As appropriate | Secretariat | n/a | n/a |
| 22 | Is third party consultant’s report required to inform decision? If Yes, determine business case and fixed costs and go to step 23. If No, go to step 27. | At Meeting | n/a | MC and Secretariat | n/a | n/a |
| 23 | Send fixed costs and business case to RAs for approval. | Within 2WD of Meeting | Business Case Form in email  | Secretariat | RAs | n/a |
| 24 | Do the RAs approve the procurement? If Yes, go to step 25. If No, go to step 27. | Within 5WD of receipt of business case and costs | Email | RA's | Secretariat | n/a |
| 25 | Run procurement competitions, procure consultants, collate information. | As appropriate under agreed timeframes | As appropriate | MC, assisted by the Secretariat (Secretariat to approve costs) | n/a | n/a |
| 26 | Update detail of Modification Proposal appropriately, create new action items for next Meeting as appropriate. | Within 2WD of completion of consultant’s report | n/a | Secretariat | Website | n/a |
| 27 | Has any alternative proposal been received in sufficient time to consider it during the process? If Yes, go to step 28, if No go to step 31. |  | n/a | n/a | n/a |  |
| 28 | Determine whether to develop both proposals, reject the alternative proposal or replace the original proposal with the alternative proposal. Repeat steps 5 to 27 as necessary/appropriate for the alternative proposal, if applicable. | At Meeting | n/a | n/a | n/a |  |
| 29 | Update detail of Modification Proposal and Website appropriately, create new action items for next MC agenda as appropriate. | Within 2WD of completion of consultant’s report | n/a | Secretariat | Website | n/a |
| 30 | Send out email notifying update to Website.  | As appropriate | Email | Secretariat | MC mailing list | n/a |
| 31 | If it is a Code change, vote on whether or not Modification Proposal should be adopted. Make note of the reasons for the decision and dissenting opinions. Go to step 34. If the Modification Committee cannot reach a decision go to step 38.If it is an AP only change, go to step 32. | At Meeting | n/a | MC | n/a |  |
| 32 | Vote on whether AP Modification Proposal should be adopted. If there is a unanimous agreement to accept or reject, notify RAs of determination and go to step 34.  | At Meeting | Unanimous vote of all Members (except RA's) | MC | n/a | n/a |
| 33 | If RAs veto decision of MC, advise Committee. | As soon as possible after the Meeting | n/a | Secretariat | n/a |  |
| 34 | Ensure that all exhibits to the Final Recommendation Report/AP Notification are prepared and have been submitted to the Secretariat. If any exhibits are missing, allocate a Member or Alternate to provide the necessary information to the Secretariat within a specified time. | At Meeting | n/a | n/a | n/a | n/a |
|  35 | Prepare initial draft of Final Recommendation Report or AP Notification and exhibits and submit to the Committee for all Code and AP Modification Proposals. If any exhibits are missing, allocate a Member or Alternate of the MC to prepare and submit to the Secretariat. | After the meeting when MC votes on Modifications Proposal. | Email | Secretariat & MC  | Secretariat | n/a |
| 36 | Finalise and sign off on the Final Recommendation Report/ AP Notification. | In accordance with Secretariat timetable | Email | MC | Secretariat | n/a |
| 37 | Submit the Final Recommendation Report / AP Notification and exhibits to the RAs. | As soon as possible after the vote of the MC | Email | Secretariat | RAs | n/a |
| 38 | RAs make determination and send decision to Secretariat, either approving or rejecting the change at a fixed date for all Code Modification Proposals,(go to step 39), or directing the MC to further develop the Modification Proposal in accordance with a specified timeframe (go to step 41). For AP Modification Proposals, any veto of Committee’s recommendation is notified to the Secretariat.  | Within 5WD of receipt of Modification Recommendation Report / 3 WD of receipt of AP Notification | Email | RAs | Secretariat | n/a |
| 39 | Update the Website, changing status of Modification Proposal as appropriate. Send out email notifying update to Website. Modification becomes effective on the date as specified by the RAs. | Within 2WD of RAs decision, or veto timelines elapsed  | n/a | Secretariat | Website | n/a |
| 40 |  Return to steps 7 to 36 as appropriate. Update the Website, changing status of Modification Proposal to “further work required” and send out email notifying update to Website. | In accordance with RAs timetable | n/a | Secretariat and MC | n/a | n/a |
| 41 | Allocate actions for further work arising out of RA decision. Monitor work and include Modification on next Meeting agenda. | Set new timetable for work | n/a | Secretariat | n/a | n/a |

Progressing And Reaching a Decision on an Urgent Modification Proposal

| **#** | **Procedural Step** | **Timing** | **Method** | **From/By** | **To** | **Linkage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1 | Can the Modification Proposal be voted on at this Meeting without further development, Working Group or Consultation? If Yes, go to step 2If No, determine any other outcome in accordance with steps 5 onwards of Standard Modification Proposal procedure; finalise responsibility for working on detail of Modification Proposal; and decide on the timetable for processing Urgent Modification Proposal. | At Meeting  | n/a | MC | n/a | n/a |
| 2. | Vote on Modification Proposal (in accordance with Standard Modification Code and AP voting procedure) and notify RAs of decision. | At Meeting in accordance with agreed timetable | n/a | MC | n/a | n/a |
| 3 | Distribute Meeting minutes and timetable. | Within 1WD of Meeting | At Meeting in accordance with agreed timetable. | n/a | n/a | n/a |
| 4 | If RAs amend or veto timetable, if necessary, arrange for telephone conference with RAs to agree timetable and proceed in accordance with revised timetable suggested or approved by Regulatory Authorities. Otherwise, proceed in accordance with the timetable agreed at the Meeting. | Within 2 WDs of submission of proposed timetable to Regulatory Authorities | Email/Telephone | RAs | MC | n/a |
| 5 | Complete Final Recommendation Report and go to step 34 and onwards of Standard Modification Proposal procedure. | See Standard Modification Proposal procedure. | n/a | Secretariat | n/a | n/a |

Nominating Participant Annual Election Procedure

| **#** | **Procedural Step** | **Timing** | **Method** | **From/By** | **To** | **Linkage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1 | Send notice inviting candidate membership nominations for Nominating Participant Election to all Participants. The notice should identify:* The expiring memberships (Member Name, Participant type)
* Membership duties
* Nominations due date

The notice should request:* Candidate job-title, company and Descriptions
 | 6 weeks prior to expiry of all Members terms | Email | Secretariat | Participants | n/a |
| 2 | Send in membership nominations.  | By nominations due date | Email | Participants | Secretariat | n/a |
| 3 | Acknowledge membership nominations. | As received | Email | Participants | Secretariat | n/a |
| 4 | Send ballot paper and candidate descriptions to all Participants. The notice should give election instructions and specify:* Ballot paper due date
* Who is eligible to Vote
* Date result will be announced
* Voting instructions eg ballot secrecy
 | 4 weeks prior to expiry of all members terms (Ballot paper due date) | Email | Secretariat | Participants |  |
| 5 | In the event of equal numbers of votes being cast for candidates, consult RA's for final determination of election result. | As soon as is practicable |  | Secretariat |  |  |
| 6 | Votes are cast as follows:* Nominating Generation Participants cast one vote per Participant, in relation to Generation Participant Members vacancy
* Nominating Supply Participants cast one vote per Participant, in relation to Supply Participant Members vacancy
* Nominating Demand Side Participants cast one vote per Participant, in relation to Demand Side Participant Members vacancy
* Nominating Interconnector Participants cast one vote per Participant, in relation to Interconnector Participant Members vacancy

Voting Rules: * In the event of only 1 candidate nomination for the relevant Participant Member position, this candidate will be automatically deemed the successful candidate in an uncontested election.
* In the event of 2 or more candidate nominations for 1 relevant Participant Member position, voters have one vote only, and election is by a simple majority; the successful candidate is the candidate with the highest number of votes. In the event of a tie, another round of voting may occur.
* If 2 or more candidates are put forward for nomination for multiple Participant member positions, each voter is asked to rank the candidates in order of preference. The candidates with the least amount of the highest preference votes will be eliminated, and the candidates with the majority of highest preference votes will be elected.
 | Within 4 weeks of expiry of all members terms (ballot paper due date) | Email | Participants | Secretariat | n/a |
| 7  | Send notification of close of ballot.  | ballot paper due date as above | Email | Secretariat | Participants | n/a |
| 8. | Count and file votes; in the event of tie or inconclusive election results, consult RA's for final determination. | 2 days after ballot paper due date or as soon as possible thereafter | Email | Secretariat | Participants | n/a |
| 9. | Notify candidates of election result.  | 2 days after ballot paper due date or as soon as possible thereafter | Email | Secretariat | Candidates | n/a |
| 10 | Notify Participants of election result. | 2 days after ballot paper due date or as soon as possible thereafter | Email | Secretariat | Participants |  |

Nominating Participant Ad-Hoc Election Procedure

| **#** | **Procedural Step** | **Timing** | **Method** | **From/By** | **To** | **Linkage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1 | If Member is resigning or retiring, send notice to the Secretariat; If Member is being removed, Secretariat sends notice to the Member. | At least 2 weeks prior to next scheduled Modification Panel Meeting | Email | Secretariat/Members | Secretariat/Members | n/a |
| 2 | Include Member vacancy as an item on the next Committee Meeting agenda.  | If applicable | n/a | Secretariat | Members | n/a |
| 3 | Committee decides that Nominating Participant Ad-Hoc Election will take place or that the Alternate Member may fill this vacancy in accordance with paragraph 2.180 of the Code.* If the Alternate shall fill the vacancy, end process.
* If Member is to be elected, go to Step 4.
 | At next scheduled Meeting or as soon as is practicable | Email or at Meeting | Members  | n/a | n/a |
| 4 | Send notice inviting candidate membership nominations for the election to* all Generation Participants, in the event of a Generator election,
* all Supplier Participants, in the event of a Supplier Election
* all Demand Side Participants, in the event of a Demand Side election
* all Interconnector Participants, in the event of an Interconnector Participant election

The notice should specify:* Membership Duties
* Membership Nominations Due Date

The notice should request:* Candidate job-title, company and Descriptions

Go to Step 2 to 6 of Nominating Participant Annual Election Procedure in section 3.7. | Immediately following Meeting or as soon as is practicable  | Email | Secretariat | Participants | n/a |
| 5  | Count and file votes. The successful candidate is the candidate with the highest number of votes.  | 2 days after ballot paper due date or as soon as possible  | Email | Secretariat | Participants | n/a |
| 6. | Notify candidates of election result.  | 2 days after ballot paper due date or as soon as possible | Email | Secretariat | Candidates | n/a |
| 7. | Notify Participants of election result. | 2 days after ballot paper due date or as soon as possible | Email | Secretariat | Participants |  |

APPENDIX 1: Definitions and Abbreviations

## Definitions

|  |  |
| --- | --- |
| **Ad-hoc Nominating Participant Election** | means an ad-hoc election for the replacement of members appointed in respect of Generation Participants, Supply Participants, Demand Side Participants or Interconnector Participants who have resigned, retired or been removed outside of the annual election timeframe. |
| **Annual Nominating Participant Election** | means an election for the replacement of members appointed in respect of Generation Participants, Supply Participants, Demand Side Participants or Interconnector Participants whose terms are due to expire on the annual membership expiry date.  |
| **Alternate Member** | means a nominated representative who may exercise the vote of a Member of the Modifications Committee where that Member is unable to attend a Meeting. |
| **AP Notification** | means a notification to the Regulatory Authorities in respect of a decision by the Modifications Committee to modify an Agreed Procedure in accordance with paragraph 2.223 of the Code. |
| **Business Case Form** | means the form used by the Market Operator from time to time to be sent to the Regulatory Authorities setting out the business case for a procured consultancy where the Modifications Committee is required as part of a Modification Proposal. |
| **First Meeting** | means the first meeting at which a Modification Proposal is considered, or where the Regulatory Authorities have exercised a right of veto regarding a determination by the Modifications Committee at such meeting that (i) a Modification Proposal is spurious or (ii) accepting or rejecting an AP Modification Proposal, the next meeting following receipt by the Secretariat of the Regulatory Authorities’ decision. |
| **Final Recommendation Report** | as defined in the Code. |
| **Market Documentation** | means documents which together comprise the full contractual information of the Code and Agreed Procedures, including any approved Modification Proposals which have not been fully incorporated into those documents. |
| **Member** | means a member of the Modifications Committee. |
| **Modifications Committee Chairperson** | means the chairperson of the Modifications Committee appointed in accordance with the Code. |
| **Modifications Committee Vice-Chairperson** | means the Vice-Chairperson of the Modifications Committee appointed in accordance with the Code. |
| **Modification Proposal Form** | means the Form for submitting a Modification Proposal as shown in Appendix 2. |
| **Modification Proposal Originator** | means the person named on the Modification Proposal as the author of the Modification Proposal. |
| **Working Group** | as defined in the Code. |
| **Proposer** | as defined in the Code. |
| **Public Consultation** | means a consultation run via the Website and the Secretariat, seeking the public’s views on a particular Modification Proposal. |
| **Standard Modification Proposal** | means a Modification Proposal that is non-Urgent. A Modification Proposal is a Standard Modification Proposal under this Agreed Procedure unless expressly identified as Urgent.  |
| **Urgent Modification Proposal Form** | means a form for submitting a Urgent Modification Proposal. |
| **Website** | means the SEM-O website or part of a website designated for information about the Modifications Process. |
| **Working Group** | as defined in the Code. |

## Abbreviations

|  |  |
| --- | --- |
| **AOB** | Any Other Business |
| **AP** | Agreed Procedure |
| **IA** | Impact Assessment |
| **MC** | Modifications Committee |
| **MDPs** | Meter Data Providers |
| **MO** | Market Operator |
| **MPO** | Modification Proposal Originator |
| **FRR** | Final Recommendation Report |
| **RA** | Regulatory Authorities |
| **SEM** | Single Electricity Market |
| **SO** | System Operators |
| **WD** | Working Day |

APPENDIX 2: Modification Proposal Form

|  |
| --- |
| **MODIFICATION PROPOSAL FORM** |
| **Proposer***(Company)* | **Date of receipt***(assigned by Secretariat)* | **Type of Proposal***(Standard or Urgent)* | **Modification Proposal ID***(assigned by Secretariat)* |
|  |  |  |  |
| **Contact Details for Modification Proposal Originator** |
| **Name** | **Telephone number** | **Email address** |
|  |  |  |
| **Modification Proposal Title** |
|  |
| **Documents affected***(delete as appropriate)* | **Section(s) Affected** | **Version number of T&SC or AP used in Drafting** |
| **T&SC****AP** |  |  |
| **Explanation of Proposed Change***(mandatory by originator)* |
|  |
| **Legal Drafting Change***(Clearly show proposed code change using* ***tracked*** *changes, if proposer fails to identify changes, please indicate best estimate of potential changes)* |
|  |
| **Modification Proposal Justification***(Clearly state the reason for the Modification)* |
|  |
| **Code Objectives Furthered***(State the Code Objectives the Proposal furthers, see Section 1.3 of T&SC for Code Objectives)* |
|  |
| **Implication of not implementing the Modification Proposal***(State the possible outcomes should the Modification Proposal not be implemented)* |
|  |
| **Working Group***(State if Working Group considered necessary to develop proposal)* | **Impacts***(Indicate the known impacts on systems, resources, processes and/or procedures)* |
|  |  |
| ***Please return this form to Secretariat by email to*** ***modifications@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 in accordance with 2.190.**
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 Appendix D “List of Agreed Procedures”.**

**T&SC / Code: means the Trading and Settlement Code for the Single Electricity Market**

**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 the Code (and 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. **to the Market Operator and the Regulatory Authorities to publish and/or distribute the Modification Proposal for free and unrestricted access;**
	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;**
	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.**