



CMC\_01\_25 Provision of Information Related to Application Rejection under E.7  
Capacity Workshop 42

## Background

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- This modification proposes that where a qualification application is rejected by the TSO under E.7, the TSOs shall provide to the participant, complete reasoning for its decision, as well as any commentary or analysis related to same.
- Where the TSOs have consulted with an external third party, any documents prepared by the third-party, and considered by the TSOs in their assessment shall also be shared.
- This information shall be made available to the participant in time to make a request for reconsideration of a qualification decision in line with E.9.3 of the Capacity Market Code.

## Rationale

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- Under the current arrangements, participants receive limited or no substantive reasons and/or incomplete information associated with rejection under E.7.
- This unfairly and prejudicially undermines the reconsideration process under E.9.3, as participants are limited in engaging with issues that the TSOs have identified because they are not properly informed of the reasons their project is rejected. Participants invest significant time and resources in developing projects for qualification and coming forward with much needed investment in the Capacity Market. It is unfair and poor regulatory practice that participants are not properly informed as to the full substantive reasons for rejection of their project, and this disincentivises critical investment in the context of NI security of supply and consumers interests.
- Full visibility of reasons for a rejection will enable participants to engage with the qualifications process more constructively, not have to result to the dispute resolution process every time just to understand and obtain reasons for rejection, better address concerns that the TSOs have flagged in relation to the application to achieve solutions in cooperation with the TSOs and preserve a participant's right to a fair and proper reconsideration when requested under the CMC.
- This modification will correct such inefficiencies and avoid delays in the qualification process and reduce the necessity of processes which defer resources and increase costs for both TSO and participant.