

Capacity Market Code Modifications

WORKSHOP 43B REPORT

9 JUNE 2025

MS TEAMS

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Document History

Version	Date	Author	Comment
1.0	12 June 2025	Market Modifications Team	A Workshop Report summarising the proposals and noting any actions taken.

Distribution List

Name	Organisation
Workshop Attendees	Various

Reference Documents

Document Name
Capacity Market Code
CMC_10_25 Amendments to E.7
CMC_11_25 Clarifications on provisions relating to 'final and binding' and dispute resolution under the CMC
CMC_12_25 RAs role in relation to FQDs
CMC_13_25 Amendments to Capacity Auction Timetable
CMC_14_25 New Dates in Capacity Auction Timetable
CMC_15_25 Performance Securities for Extended Projects in T-4 2026/2027

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Esther Touhey (Secretariat)	SONI
Sandra Linnane (Secretariat)	EirGrid

1.1 SECRETARIAT UPDATE

Secretariat welcomed all to Capacity Market Modifications Workshop 43B. It was advised that only new modifications were on the agenda as this was an additional session of Workshop 43 to accommodate the high number of proposals raised. Secretariat confirmed that for future workshops due process would be adhered to with proposals submitted in advance of the workshop in line with published submission deadlines.

CMC_10_25 Amendments to E.7

The RAs provided an overview of the presentation listing the lessons learned from previous auctions and the RAs role in the qualification process.

Proposer delivered a [presentation](#) on this Modification Proposal noting that it related to section E.7 and to overlapping provisions regarding E.7.2.1(f) and E.7.5.1. It was summarised that this was a clarificatory proposal which looked to amalgamate sub sections of Section E.7.

A number of Participants raised concerns in relation to this proposal advising that the proposal doesn't appear to improve transparency and that more clarity was needed regarding the definitions of achievability and feasibility. RAs advised that a view was expressed in relevant NI judgment on the term feasibility and indicated their view that the term achievability was a clearer term to use, and more clarification would sought to be provided on the difference between the terms in the consultation.

Modification Status – Under Consultation

CMC_11_25 Clarification on provisions relating to “final and binding” and dispute resolution under the CMC

Proposer delivered a [presentation](#) on the Modification Proposal noting that its main elements were to clarify the “final and binding” nature of decisions in the CMC.

Participants looked for more clarity on the specifics of the proposal and the new terms introduced. RAs confirmed they welcomed feedback around the terms. Some confusion around a placeholder reference in B.2.1.2 to 'XX' was highlighted to which the RAs assured that this referred to a new paragraph being proposed in separate Modification Proposal CMC_12_25.

Modification Status – Under Consultation

CMC_12_25 RAs role in relation to FQDs

Proposer delivered a [presentation](#) on the Modification Proposal noting that it was the most substantive of the RA proposals raised for this Workshop. It was advised that the Modification Proposal would allow the RAs to rely on the information shown at earlier stages and be more closely integrated with the process of resolving qualification disputes.

A Participant noted their view that Participants have a right to request a judicial review under applicable law and queried how this would interact with CMC Section B regarding priority over what was stipulated in the Code. RAs advised that there may be different views or interpretations on what was being proposed and if this was a legal perspective, assurance was given that this would be looked at in more detail if feedback can be left in the consultation.

Participants agreed that this was a substantial change to the role of the RAs and that the RAs role would change to more of a review role at the end of the process. Participants requested whether more time would need to be given to the RAs and SOs to discuss the information provided regarding qualification and whether an amendment to the auction timetable is required. The RAs noted there are two options in the Modification

Proposal with the first the more substantive one and if progressed may require further consideration in this regard.

A further request was made for the RAs to provide a description of their current role in relation to the qualification process and the changes that the new role will bring about.

Modification Status – Under Consultation

CMC_13_25 Amendments to Capacity Auction Timetable

Proposer delivered a [presentation](#) on the Modification Proposal noting that it was another clarificatory proposal that allowed the RAs and SOs to amend the Capacity Auction Timetable ('CAT') without reference to a time frame.

A Participant raised a concern regarding the legal drafting proposed and whether an auction could be cancelled after it had commenced. The Proposer provided assurance that this was not the intent and that this proposal only referred to amending the CAT. It was also agreed that more clarity would be provided in the consultation.

Modification Status – Under Consultation

CMC_14_25 New Dates in Capacity Auction Timetable

Proposer delivered a [presentation](#) on the Modification Proposal advising it was administrative in nature and concerned submission of data relating to Capacity Requirements from the SOs to RAs. It was advised that there were 2 parts to the proposal covering LCC volumes and the addition of a requirement on SOs to submit their final LCC volumes by specific dates in the CAT.

The SOs advised there would be a process impact on the timings for running calculations and that this would be required prior to making any decision in this regard.

Support was given by Participants who welcomed visibility on earlier LCC data however it was queried whether earlier provision of this information would result in less accurate data and whether the SOs require additional resources. Participants also queried how the Modification Proposal would interact with the Panel of Technical Experts proposed previously under separate policy. RAs advised they were currently working through administrative procurement regarding the Panel of Technical Experts.

Modification Status – Under Consultation

CMC_15_25 Performance Securities for Extended Projects in T-4 2026/2027

Proposer delivered a [presentation](#) on the Modification Proposal noting that it was raised to address the concerns set out in SEM-25-017, which rejected CMC_06_24. An overview of the points was given, and it was advised that this proposal was time limited only applying to the T-4 26/27 auction.

A Participant supported the principle of addressing the issue of all risks resting with the developer in instances of third-party planning delays.

The SOs raised concern that from an SO viewpoint it is increasingly difficult to track provisions from a process perspective which apply to different auctions and not others.

A Participant requested more information on why J.5.7 was referenced. The SOs further noted that references to 'planning' under the Modification Proposal may need further definition.

A Participant advised they were opposed to this Modification Proposal on the grounds that it appeared to be a bespoke Modification for a particular auction that was not in line or consistent with previous modifications that were not auction specific in nature.

Modification Status – Under Consultation

2.AOB

Secretariat advised that Capacity Market Modifications Workshop 44 would take place on Wednesday, 23rd of July with a closing date for proposals on Wednesday, 9th July 2025.

Next Steps

1. TSOs to publish Workshop Report.

Status as of 9 June 2025
Modification Proposals ‘Under Consultation’ without System impacts

Title	Sections Modified	Decision Due
CMC_01_25 Provision of Information Related to Application Rejection under E.7	Section E	4 th July 2025
CMC_03_25 Clarification of Proportion of Delivered Capacity for multiple tranches	Section G	4 th July 2025
CMC_04_25 Adjustment of CMC Auction Qualification criteria to facilitate complex projects with State Aid Approval	Section E, Glossary	TBC
CMC_05_25 Early Treatment of intermediate length Contract Capacity	Section J	TBC
CMC_06_25 Amendment of ARHL De-rating Factor Definition to Exclude Intermediate Length Contracts	Glossary	TBC
CMC_08_25 Ensuring robust, transparent and objective qualification criteria in the Capacity Market	Section E, Appendix D	TBC
CMC_09_25 Registration and Qualification Auction Timetable Milestones	Section E, Glossary, Appendix C & AUP 3	TBC

Modification Proposals ‘Under Consultation’ with System impacts

CMC_02_25 Separate De-rating Factor for New Vs Existing Capacity	Appendix D, Section C, Section D, Section E, Section G, Section I	4 th July 2025
CMC_07_25 Maintaining Net Present Value in new capacity market contracts for no-fault delays	Section J, Glossary	TBC

RA Decision ‘Further Work Required

CMC_07_24 Treatment of Capacity Contracts of Varying Duration in Constrained Auction Solution	F.8	TBC – following completion and analysis of SOs impact assessment
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RA Decision Approved Modifications with System Impacts

Title	Sections Modified	Effective
CMC_09_22 Secondary Trade Approval Notification	M.7, M.12	system update required
CMC_11_21 Extending Current ASTN Form	M	TBC – following completion and analysis of SOs impact assessment

RA Decision Approved Modifications with no System Impacts

N/A	N/A	N/A
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RA Decision Rejected

CMC_06_24 Performance Securities for Extended Projects	J.3.2.9, J.7.1.3	13 th May 2025
CMC_04_24 Recovery of Net Interest Value Lost as a Result of No-Fault delays to new capacity	J, Glossary	13 th May 2025

CMC_02_24 Modification to the Performance Security Requirement	J	13 th May 2025
Withdrawal Notifications		
CMC_12_24 Proportion of Delivered Capacity in respect of Incremental New Capacity	G	27 th May 2025
Capacity Working Group 44 – 23rd July 2025		