

MODIFICATION PROPOSAL FORM			
Proposer (Company)	Date of receipt (assigned by Secretariat)	Type of Proposal (delete as appropriate)	Modification Proposal ID (assigned by Secretariat)
CRU and UR	14 <sup>th</sup> April 2021	Standard	Mod_10_21
Contact Details for Modification Proposal Originator			
Name	Telephone number	Email address	
Gina Kelly		gkelly@cru.ie	
Modification Proposal Title			
Documents affected (delete as appropriate)	Section(s) Affected	Version number of T&SC or AP used in Drafting	
T&SC Part B Glossary Part B	New Temporary Section H.16	3 November 2020	
Explanation of Proposed Change (mandatory by originator)			
<p>This Modification aims to introduce a new Flexible Participant Seat on the Modifications Committee to be appointed by the Regulatory Authorities under Section B.17.3.4. Following a number of discussions concerning the overall composition of the Modifications Committee, it was identified that Interconnector Owners, Pumped Storage Units and Battery Storage Units are not adequately represented on the Modifications Committee at present.</p> <p>Using the provision under B.17.3.4, the Regulatory Authorities intend to seek nominations from relevant persons for these unit types in order to appoint a voting member of the Modifications Committee for an initial term of two years. Following this period, the seat will be reviewed with a view to more enduring changes being made.</p> <p>In order to appoint a new voting member as a Flexible Participant, this temporary Modification introduces a Flexible Participant and Nominating Flexible Participant to the Glossary for the purposes of Section B.17 in relation to the Modifications Committee. This includes;</p> <ol style="list-style-type: none"> <li>1. A Battery Storage Unit</li> <li>2. A Pumped Storage Unit</li> <li>3. An Interconnector Owner</li> </ol> <p>This also amends the Generation Participant Glossary term on a temporary basis to account for this change.</p>			
Legal Drafting Change (Clearly show proposed code change using <b>tracked</b> changes, if proposer fails to identify changes, please indicate best estimate of potential changes)			
<p>This implements a new Section H.16 to the Code;</p> <p><b>H.16 Temporary Glossary Changes to introduce a Flexible Participant Seat to the Modifications Committee</b></p>			

H.16.1 These Glossary Definitions will apply for a two-year period from the date of appointment of a Flexible Participant to the Modifications Committee.

<b>Flexible Participant</b>	Means, for the purpose of Section B.17 in relation to the Modifications Committee, a Participant which has registered one or more Battery Storage Units, Pumped Storage Units or which is an Interconnector Owner
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<b>Nominating Flexible Participant</b>	Means, for the purpose of Section B.17 in relation to the Modifications Committee, a Party which is a Participant which has registered one or more Battery Storage Units, Pumped Storage Units or which is an Interconnector Owner and is allowed to nominate and vote for Flexible Participant nominees to the Modifications Committee
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<b>Generation Participant</b>	means a Participant which has registered one or more Generator Units other than Interconnector Error Units, Interconnector Residual Capacity Units, Demand Side Units or Assetless Units. For the purpose of Section B.17 in relation to the Modifications Committee this does not include Units included in the Glossary definition of Flexible Participants.
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**Modification Proposal Justification**  
*(Clearly state the reason for the Modification)*

This temporary Modification will allow the Regulatory Authorities to appoint a Flexible Participant voting member to the Modifications Committee for a two-year period, in order to assess how well this structure works.

**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)*

(a) to facilitate the participation of electricity undertakings engaged in the generation, supply or sale of electricity in the trading arrangements under the Single Electricity Market;

This change is intended to allow for wider participation in the Modifications Committee by interested market participants.

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

If this Modification is not implemented, there will continue to be unit types that are not clearly represented under the current Modifications Committee structure.

<b>Working Group</b> <i>(State if Working Group considered necessary to develop proposal)</i>	<b>Impacts</b> <i>(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.)</i>
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	N/A
<i>Please return this form to Secretariat by email to <a href="mailto:balancingmodifications@sem-o.com">balancingmodifications@sem-o.com</a></i>	

### 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.