



## Single Electricity Market

### FINAL RECOMMENDATION REPORT

MOD\_19\_21 MODIFICATION RE PUBLICATION OF INFORMATION  
BY SEMO

12 JANUARY 2022

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**Document History**

Version	Date	Author	Comment
1.0	12 Jan 2022	Modifications Committee Secretariat	Issued to Modifications Committee for review and approval
2.0	19 Jan 2022	Modifications Committee Secretariat	Issued to Regulatory Authorities for final decision

**Reference Documents**

Document Name
<a href="#">Trading and Settlement Code Proposal</a>

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## 1. MODIFICATIONS COMMITTEE RECOMMENDATION

### RECOMMENDED FOR APPROVAL– UNANIMOUS VOTE

Recommended for Approval by Unanimous Vote		
Kevin Hannafin	Generator Member	Approve
Patrick Larkin	Assetless Alternate	Approve
Robert McCarthy	DSU Member	Approve
Paraic Higgins (Chair)	Generator Member	Approve
David Caldwell	Supplier Alternate	Approve
Ian Mullins	Supplier Member	Approve
Bryan Hennessy	Supplier Member	Approve
Brigid Reilly	Supplier Alternate	Approve
Eamonn Boland	Renewable Generator Alternate	Approve
Rochelle Broderick	Supplier Member	Approve
Stacy Feldmann	Generator Member	Approve
Cormac Daly	Generator Member	Approve
Nick Heyward	Flexible Participant Alternate	Approve

## 2. BACKGROUND

This Modification Proposal was raised by CRU and Uregni and received by the Secretariat on the 18<sup>th</sup> November 2021. The Proposal was raised and voted on at Meeting 108 on 2<sup>nd</sup> December 2021.

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.

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.

Reflecting on the responses received, the KPI decision contained within SEM-21-073 stated the following:

*“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.”*

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).

### 3. PURPOSE OF PROPOSED MODIFICATION

#### 3A.) JUSTIFICATION OF 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.

#### 3B.) IMPACT OF NOT IMPLEMENTING A SOLUTION

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.

#### 3C.) IMPACT ON CODE OBJECTIVES

- (a) 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.

### 4. WORKING GROUP AND/OR CONSULTATION

N/A

### 5. IMPACT ON SYSTEMS AND RESOURCES

May impact quality assurance procedures/processes within SEMO.

### 6. IMPACT ON OTHER CODES/DOCUMENTS

N/A

### 7. MODIFICATION COMMITTEE VIEWS

#### MODIFICATIONS MEETING 108 – 2 DECEMBER 2021

The Proposer of this Modification gave a brief summary of the proposal noting that this relates to one of the follow up actions from the SEMO price control consultation and the removal of a KPI related to publications timeliness.

The Proposer advised that feedback was given from Industry which was concerned with removal of the KPI and wanting to ensure that a Modification Proposal was submitted to cover the void. B.13 and the obligations to the Market Operator were reviewed and changes would be made to ensure complete, accurate and timely information from the Market Operator.

A discussion ensued on whether the legal drafting should make a reference to timeliness in a more precise way to increase the incentives on the MO. The Proposer advised that the responses were more focused on accuracy and correct information, but timeliness was something that could be looked at. SEMO provided assurance that publications timeliness were already covered in detail in the Code and errors or issues with accuracy were communicated through different recognized and well-established channels such as Market Participants calls, MOUGs and Market Messages.

It was queried if there was an existing obligation on SEMO to provide details of issues and errors and if not, should it be codified?

A discussion ensued with SEMO advising that there wasn't an explicit obligation in place, but that SEMO have the ability to raise queries and relate issues and errors.

It was suggested that generic statements regarding timeliness could be included in the legal drafting and anything market effective with a trading day timeframe on a weekly or monthly basis would be published within a day. SEMO felt that this would be overly prescriptive and not always feasible.

SEMO proposed to include additional wording to provide assurance that timeliness would be better recognized in the text. Also, further suggestions would include 'best endeavour efforts' and maintain consistency between the two sections of the drafting by repeating 'data and Information' in both parts. The updates that were suggested by SEMO were accepted by Members.

## 8. PROPOSED LEGAL DRAFTING

Update to legal drafting as recommended in Mods Meeting 108.

**B.13.1.9** Where this Code requires information or 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 use best endeavours to keep each Party or Participant, Market Auditor or any other person under the Code informed in a timely way and without undue delay of any mistakes or omissions in, and corrections or updates to any information or data which has been published by the Market Operator.

## 9. LEGAL REVIEW

N/A

## 10. IMPLEMENTATION TIMESCALE

It is recommended that this Modification is implemented on a Settlement Day basis on the first Settlement Day following publication of RAs decision.

## 1 APPENDIX 1: MOD\_19\_21 MODIFICATION RE PUBLICATION OF INFORMATION BY SEMO

<b>MODIFICATION PROPOSAL FORM</b>			
<b>Proposer</b> <i>(Company)</i>	<b>Date of receipt</b> <i>(assigned by Secretariat)</i>	<b>Type of Proposal</b> <i>(delete as appropriate)</i>	<b>Modification Proposal ID</b> <i>(assigned by Secretariat)</i>
UR/CRU	18 <sup>th</sup> November 2021	Standard	Mod_19_21
<b>Contact Details for Modification Proposal Originator</b>			
<b>Name</b>	<b>Telephone number</b>	<b>Email address</b>	
Karen Shiels		karen.shiels@uregni.gov.uk	
<b>Modification Proposal Title</b>			
<b>Publication of Information by SEMO</b>			
<b>Documents affected</b> <i>(delete as appropriate)</i>	<b>Section(s) Affected</b>	<b>Version number of T&amp;SC or AP used in Drafting</b>	
T&SC Part B	B.13 Market Operator	Version 24 July 2021	
<b>Explanation of Proposed Change</b> <i>(mandatory by originator)</i>			
<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>			

“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.”

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).

**Legal Drafting Change**

(Clearly show proposed code change using **tracked** changes, if proposer fails to identify changes, please indicate best estimate of potential changes)

**A.2 B.13 MARKET OPERATOR**

**A.2.4 B.13.1 General**

....

**A.2.4.1 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.

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**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)

~~(a)~~(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;

<p>This Modification will improve transparency associated with data published by the Market Operator including the timely notification of, <i>inter alia</i>, errors and correction to information or data already published by the Market Operator.</p>	
<p><b>Implication of not implementing the Modification Proposal</b>  <i>(State the possible outcomes should the Modification Proposal not be implemented)</i></p>	
<p>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.</p>	
<p><b>Working Group</b>  <i>(State if Working Group considered necessary to develop proposal)</i></p>	<p><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></p>
<p>n/a</p>	<p>May impact quality assurance procedures/processes within SEMO.</p>
<p><b>Please return this form to Secretariat by email to <a href="mailto:balancingmodifications@sem-o.com">balancingmodifications@sem-o.com</a></b></p>	