

An Coimisiún
um Rialáil Fóntas
Commission for
Regulation of Utilities



Trading and Settlement Code Modifications Committee
c/o Esther Touhey
SEMO Modifications Committee Secretariat
The Oval
160 Shelbourne Rd
Dublin 4

6 February 2020

Our Ref: F/19/20837

SEM Committee Decision for the Regulatory Authorities in relation to Mod_23_19 V2 (Final Recommendation FRR_23_19 V2)

Dear Esther,

On 14 January 2020, the Modifications Committee submitted its Final Recommendation Report (FRR) with regard to Modification Proposal Mod_23_19 V2 'Modification to Allow the Market Operator to Seek Relief from and Obligation under Section E.3.8 of the TSC in Exceptional Circumstances (until 1 January 2021)' in accordance with Paragraph B.17.18.1 of Part B of the SEM Trading and Settlement Code (TSC).

The Modification Mod_23_19 was raised by the Regulatory Authorities and received by the Secretariat on the 28th of November 2019. It was raised at Meeting 95 and Version 2 of the Modification was voted on at Meeting 96 on 18th December 2019.

This Modification was raised on the basis of the SEM Committee Decision Paper on 'Repricing and Price Materiality Threshold' (SEM-19-068), which set out the decision that repricing should not be carried out for the period between 1 October 2018 and 11 June 2019. This Modification

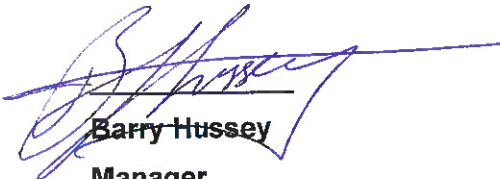
was raised following consultation and under a particular set of circumstances and should not be taken as a precedent for any derogations from obligations under the Code in future.

The Modification provides for a temporary amendment to Section B.14 of the Trading and Settlement Code (to be added via Section H 'Interim Arrangements') in order to allow for the Market Operator to seek a derogation in respect of a specific obligation under Section E.3.8 of the Code for a limited period from the RAs if a number of requirements are met and if deemed appropriate by the RAs. This provision could only be used in certain exceptional circumstances and until 1 January 2021.

The Regulatory Authorities note that a discussion took place with the Modifications Committee at Modifications Committee Meeting 95 and Extraordinary Meeting 96 on 18 December 2019. Following the discussion, the Modification was recommended for approval by 8 Committee Members, with one Member voting to reject the Modification and one abstaining. This Modification was raised following consultation and under a particular set of circumstances and should not be taken as a precedent for any derogations from obligations under the Code in future.

Considering the above, and in accordance with Paragraph B.17.20 of the Code, the SEM Committee direct that a Modification, as set out in Appendix 1 of FRR_23_19, is implemented on a Settlement day basis following receipt of this Decision. Following implementation of this Modification, SEMO is requested to write to the RAs to seek a derogation in line with SEM-19-068.

Yours sincerely,



Barry Hussey

Manager

Wholesale Electricity Markets