

MODIFICATION PROPOSAL FORM			
Proposer (Company)	Date of receipt (assigned by System Operator)	Type of Proposal (delete as appropriate)	Modification Proposal ID (assigned by System Operator)
RAs	30 th May 2025	Standard	CMC_10_25
Contact Details for Modification Proposal Originator			
Name	Telephone number	Email address	
		CRMsubmissions@cru.ie CRMsubmissions@uregni.gov.uk	
Modification Proposal Title			
Amendments to E.7			
Documents affected (delete as appropriate)	Section(s) Affected	Version number of CMC used in Drafting	
Capacity Market Code	E.7.1.1, E.7.2.1, E.7.5.1	12.0	
Explanation of Proposed Change (mandatory by originator)			
<p>The RAs have undertaken a review of the Capacity Market Code ahead of the next T-4 auction. In doing so, a number of Modification Proposals are being raised. The proposal aims to increase clarity and avoid potential inconsistencies between provisions within the Code.</p> <p>The first part of this Modification proposes to add wording to E.7.1.1 of the Capacity Market Code (CMC).</p> <p>The second part of this Modification proposes to delete E.7.2.1 (f) and amalgamate E.7.5.1 (b) and (c) into one.</p>			
Legal Drafting Change (Clearly show proposed code change using tracked changes, if proposer fails to identify changes, please indicate best estimate of potential changes)			
<p><u>Include the following in E.7.1.1:</u></p> <p>E.7 REQUIREMENTS FOR QUALIFICATION</p> <p>E.7.1 General</p> <p>E.7.1.1 The System Operators shall accept an Application for Qualification and determine that the relevant Candidate Unit is Qualified to be a Capacity Market Unit, or part of a Capacity Market Unit, under section E.6, <u>if (and only if) they have determined that the Application for Qualification should not be rejected</u> except in the circumstances set out in this section E.7.</p> <p><u>Remove the following from E.7.2.1:</u></p> <p>E.7.2 Administrative Considerations</p> <p>E.7.2.1 The System Operators may reject an Application for Qualification for a Capacity Year in respect of a Candidate Unit or combination of Candidate Units where:</p>			

- (a) the Application for Qualification was submitted after the Qualification Application Date specified in the applicable Capacity Auction Timetable;
- (b) they consider that the information contained in the Application for Qualification is materially deficient or incorrect;
- (c) subject to paragraph B.13.5.3, a Suspension Order is in effect in relation to the relevant Participant;
- (d) they consider that the Participant is in Default under this Code or is in Default under the Trading and Settlement Code (and in the case of the latter, the term "Default" has the meaning given to it in the Trading and Settlement Code);
- ~~(e)~~ the Generator Unit or Interconnector comprising each Candidate Unit is registered under the Trading and Settlement Code to a Participant other than the one submitting the Application for Qualification; or
- ~~(f)(e)~~ ~~they consider the delivery of a part or all of any New Capacity proposed in the Application for Qualification is not feasible (either technically or in the applicable time frame); or~~
- ~~(g)(f)~~ in respect only of the next Capacity Year to begin, the Application for Qualification relates to New Capacity to be supplied from a Capacity Market Unit which has had Awarded New Capacity for that Capacity Year terminated under paragraph J.6.1.6 based on progress reported in a T-1 Implementation Progress Report.

Amend E.7.5.1:

E.7.5 Requirements for New Capacity

E.7.5.1 The System Operators shall reject an Application for Qualification for a Capacity Year in respect of New Capacity for a Generator Unit or Interconnector comprising a Candidate Unit unless they consider that:

- (a) where New Capacity is under development, the information provided reflects an accurate view of the state of that development;
- ~~(b)~~ the Implementation Plan dates (including, but not limited to, the date for achieving Substantial Completion of the Generator Unit or Interconnector prior to the start of the Capacity Year) are achievable;
- ~~(c)(b)~~ ~~Substantial Completion of the Generator Unit or Interconnector can be achieved prior to the start of the relevant Capacity Year;~~
- ~~(d)(c)~~ all Qualification Data required to be provided in the Application for Qualification is provided and is accurate; and
- ~~(e)(d)~~ the New Capacity will comply with the CO₂ Limits.

Modification Proposal Justification

(Clearly state the reason for the Modification)

Currently, E.7.1.1 includes a degree of uncertainty in regard to presumptions on qualification. The first part of the Modification Proposal seeks to remove any presumption of qualification and make clear that no candidate unit should be considered qualified unless the qualification tests are satisfied.

The second part of the Modification Proposal seeks to avoid the overlapping of provisions in E.7.2.1(f) and E.7.5.1, which could give rise to confusion in various aspects, and merge them into one. The RAs consider that the concept of 'achievability' is clearer than that of 'feasibility'. Therefore, the RAs propose to retain E.7.5.1, with some amendments, and delete E.7.2.1(f).

In terms of the proposed amendments to E.7.5.1, following review, the RAs consider that E.7.5.1(c) is a subset of E.7.5.1(b) and therefore have reflected this in the proposed legal drafting.

Code Objectives Furthered

(State the Code Objectives the Proposal furthers, see Sub-Section A.1.2 of the CMC Code Objectives)

This Modification Proposal would further the following CMC Objectives:

(b) to facilitate the efficient, economic and coordinated operation, administration and development of the Capacity Market and the provision of adequate future capacity in a financially secure manner

And

(c) to facilitate the participation of undertakings including electricity undertakings engaged or seeking to be engaged in the provision of electricity capacity in the Capacity Market

Implication of not implementing the Modification Proposal

(State the possible outcomes should the Modification Proposal not be implemented)

Should this Modification Proposal not be implemented and the clarifications laid out in the legal drafting, the CMC would continue to hold a degree of uncertainty and confusion.

Impacts

(Indicate the impacts on systems, resources, processes and/or procedures)

No impacts on systems, resources, processes and/or procedures.

Please return this form to the System Operators by email to CapacityModifications@sem-o.com

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 Regulatory Authorities.
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:

CMC / Code:	means the Capacity Market Code for the Single Electricity Market
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 "System Operators" 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 B.12 of the Code, 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 System Operators and the Regulatory Authorities to publish and/or distribute the Modification Proposal for free and unrestricted access;
 - 1.2 to the Regulatory Authorities 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 System Operators 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 Regulatory Authorities and that there is no guarantee that my Modification Proposal will be incorporated into the Code.