

SEM Committee Meeting

228 Minutes

Location: CRU Offices, Tallaght

Date: Thursday 28 May 2026

at 09.00 a.m.

SEM Committee:

Commission for Regulation of Utilities (CRU): Jim Gannon, Fergal Mulligan, Dr Tanya Harrington

Utility Regulator (UR): Rosamund Blomfield-Smith (Chair), John French, Paul McGowan

Independent members: Jonathan Hodgkin, Chris Harris (Deputy)

In attendance:

All items: John Melvin (CRU), Colin Broomfield (UR), Jon Carlton (SEMC advisor), Clare Newcomb (UR)

Item 3 – Gordon Downie (Shepperd and Wedderburn), Natasha Durkin (Shepperd and Wedderburn), Jonathan Carey (Shepperd and Wedderburn), Shauna

Item 4 - Ross McFaul (UR), James Gillan (UR), Damien Doone (UR)

Item 5 – Ross McFaul (UR), Damien Doone (UR)

Item 6 – Emer Gerrard (CRU), Charlene Little (CRU), Elvis Sebastian (CRU), Marie-Therese Campbell (CRU), Grainne Black (Afry), Gabriela Vargas-Restrepo (Afry), Stephen Woodhouse (Afry)

Item 7 - Barry Hussey (CRU), Clodagh Hunt-Sheridan (CRU), Michael Barrett (CRU), Eoin McCullagh SC and Eoin Mac Aodha (legal counsel)

Item 8 - Lisa Murray (CRU), Sheena Byrne (CRU), Ashish Maheshwari (CRU), Zoe Fannin (NERA), Isaac Murphy (NERA)

Item 9 – James Carson (UR), Dylan Ashe (CRU)

Item 10 – Barry Hussey (CRU), Merin Joseph (CRU)

Item 12 - Jean-Pierre Miura (UR), Owen Keams (UR), Arjoo Gupta (UR)

Apologies: None

Minutes: Greg Irwin (SEMC Secretariat)

Declarations of interest: None

1. Approval and adoption of the agenda

The agenda was approved and adopted.

2. Review and approval of minutes from meeting 227, Thursday 23 April 2026

The minutes from SEM Committee meeting 227 were approved for publication subject to a minor amendment.

3 Legal update - Overview of ongoing litigation

The Chair invited Gordon Downie to provide an overview and update on various ongoing legal proceedings and related matters relating to certain market participants.

4. Extension requests

Damien Doone and James Gillen introduced and briefed the Committee on this item which sought the Committee's approval for substantial financial completion requests for two generators.

The Committee explored the reasons for the delay for each generator.

The Committee approved a Substantial Financial Completion (SFC) extension request separately received by the Regulatory Authorities (RAs) under J.5.2.2 of the Capacity Market Code (CMC) for the two generators.

5. T-4 2030/31 Timetable

Damien Doone introduced this item relating to the proposed Capacity Auction Timetable for the T-4 2030/2031 Capacity Auction.

The focus of the Committee's discussion was around learnings from the previous capacity auction processes. In that context, it was agreed that it would be beneficial for the Committee to meet with the Dispute Resolution Board. A query relating to the timing of subsequent capacity auctions was addressed.

The Committee approved the proposed Capacity Auction Timetable for the T-4 2030/2031 Capacity Auction.

6. CRM Development Programme – CRM 2.0 Emerging Design thinking

Emer Gerrard introduced an update on the progress of the CRM Development project and State aid application.

The scope and focus of the CRM development programme was considered in discussion and the Committee discussed the emerging design options. There was consideration of the locational constraints design element of the CRM. The Committee briefly discussed the latest situation regarding the development of the north south electricity interconnector. The issue of availability incentives was touched on.

The Committee was briefed on the next stage of the CRM development programme and proposed further papers to SEMC.

In commending the quality of the paper, and the associated presentation, the Committee endorsed the sharing of emerging thinking with key stakeholders.

7. Update on SEM-22-009 Redispatch next steps

Barry Hussey introduced this update on proceedings currently before the EU Court of Justice (CJEU) relating to compensation arrangements for renewable generators required to reduce their output because of electricity network constraints or curtailments. Counsel clarified legal aspects of the legal process to date

The update provided a timeline of developments, outlined the key aspects of the opinion provided by the Advocate General on the case before CJEU, and briefed the Committee on next steps.

The Committee clarified aspects of the legal process to date. There was a discussion on the Advocate General's opinion. In that context, the Committee also discussed the possible outcomes of proceedings and the implications of these for the SEM, and other jurisdictions.

8. Review of the Market Concentration Model for Determining Directed Contracts Volumes Consultation Paper

John Melvin introduced this item relating to the review of the market concentration model and the proposal to consult on the model for determining directed contracts volumes. Lisa Murray briefed the Committee on the detail of the review and the proposed consultation paper.

The rationale for the proposed changes to the current market concentration model approach was considered. The Committee explored the proposed change to a Residual Supplier Index (RSI) approach as the key measure of market concentration for determining directed contracts. The choice of specific values for the key parameters used in the RSI calculation, and the potential publication of these (as part of the consultation), was also discussed.

The Committee agreed to the publication of the consultation paper, the consultation response template and the review report from NERA.

9. FASS Market Power Consultation Paper – Presentation

James Carson introduced this item relating to a proposed consultation on Future Arrangements for System Services (FASS) and the issue of FASS market power and market participation. Along with Dylan Ashe and NERA, a presentation was delivered on the key issues.

The Committee discussed aspects of the market-based approach to system services. This included consideration of rules to prevent market abuse, market participation and barriers to market entry and the adjustment mechanism for system services payments. On the latter, the Committee requested that there be engagement with the TSOs on their consultation.

The Committee noted that a consultation paper on market power in FASS would be provided to the June SEMC meeting.

10. Remit update

Merin Joseph provided an overview of this information item on a CRU report on Remit.

The Committee briefly discussed the level of penalties compared to other jurisdictions.

The Committee noted the update.

11. Market Monitoring Unit (MMU) update

- a) Owen Kearns provided an overview of the latest MMU update for the period to the end of April. Data relating to the difference in prices between the SEM and the GB market and renewable generation, was noted.
- b) Owen Kearns also provided a briefing on proposed revisions to the Bidding Code of Practice (BCOP) and related legal advice.

In a wide-ranging discussion, Committee members variously commented on: the rationale and impact of the proposed modifications, the clarity and level of prescription of drafting relating to the proposed modifications, cost recovery and data gathering elements, the usefulness of including an over-arching 'good faith' provision in the BCOP, and the context of ongoing litigation and any BCOP changes.

The Committee also considered the resourcing for the BCOP review work, and the timeline for advancing this, and risks to progress.

At the conclusion of the discussion, the Committee was updated on next steps leading to the publication of a BCOP consultation paper.

12. Updates

(a) SEMC communications and governance update. Jonathan Hodgkin reported on the most recent meeting of the Risk Sub-Committee and the plans for evolving the risk management approach in advance of the next Sub-Committee meeting.

Greg Irwin briefed the Committee on plans for the meeting with Ministers on 17 June and the Committee discussed SEMC members' attendance and preparations for the meeting.

(b) The Committee briefly reviewed the Forward Look.

(c) CRU/UR/Independent Members update
Given time constraints, this item was deferred.

(d) Legal Update
This item was deferred.

13. Review of actions from SEMC meeting 227, Thursday 23 April 2026

Progress on SEMC actions was noted.

14. SEMC correspondence

The Committee noted several items of correspondence with priority accorded to finalising a response to a Ministerial letter.

15. AOB

SEMC strategy – Jon Carlton noted the impending close of the consultation on the draft SEMC strategy and plans to engage with SEM staff at the Staff day on this, the intention that a SEMC strategy paper be presented to the next SEMC meeting in June.

The meeting concluded at 14.50 p.m.

Signed: _____
Rosamund Blomfield-Smith, SEM Committee Chair