

Single Electricity Market Committee

Late Modification Committee Determinations

Decision

SEM-08-174

8 December 2008

Introduction

As set out in the Consultation Paper on Late Modifications¹ (the Consultation Paper), Paragraph 2.192 of the SEM Trading and Settlement Code (the Code) requires that a Modification Recommendation Report shall be submitted to the Regulatory Authorities within 8 months of receipt of a Modification Proposal unless such period is extended with the consent of the Regulatory Authorities.

Paragraph 2.216 of the Code states that in the event that the Modifications Committee is unable to make a determination in respect of a Modification Proposal within the timescales set out in paragraph 2.192 of the Code the matter shall be referred to the Regulatory Authorities.

Paragraph 2.217 then provides that, should the Modifications Committee not make a determination and not refer the matter to the Regulatory Authorities, the Regulatory Authorities shall either make a binding decision on the Modification Proposal or shall extend the applicable time-limit under paragraph 2.192.

Accordingly, the RAs published a short Consultation Paper on 8 October 2008 on 3 Modification Proposals in respect of which no finally acceptable Modification Recommendation Report has been received by the Regulatory Authorities within the 8-month time-scale and the matter has not been referred to the Regulatory Authorities by the Modifications Committee.

The 3 Modifications concerned are as follows:

- Mod_20_07 "Publication of Market Data Transactions"
- Mod_66_07 "VAT"
- Mod 68_07 "Additional Market Data Transaction from SMO to TSOs"

Please refer to the Consultation Paper or the SEMO website for details of these modification proposals.

The SEM Committee proposed extending the applicable time-limit for the provision of the Modifications Committee report in respect of this modification and to set a new deadline for each Modification.

Responses

The RAs have received one set of comments on this consultation, from NIE Energy who were supportive of the RAs proposal to extend the timelines of the Modification Proposals referred to above.

¹ SEM/08/159

SEM Committee Decision

In view of the supportive though limited response to this consultation, the SEM Committee determines that the timelines of these three modifications shall be amended as proposed, that is:

Mod_20_07 “Publication of Market Data Transactions”

The SEM Committee determines that the applicable time-limit for the provision of the Modifications Committee report in respect of this modification shall be extended and that the end of November 2009 shall be the new deadline

Mod_66_07 “VAT”

The SEM Committee determines that the applicable time-limit for the provision of the Modifications Committee report in respect of this modification shall be extended and that the end of January 2009 shall be the new deadline

Mod 68_07 “Additional Market Data Transaction from SMO to TSOs”

The SEM Committee determines that the applicable time-limit for the provision of the Modifications Committee report in respect of this modification shall be extended and that the end of September 2009 shall be the new deadline