

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		Standard	CMC_01_21
Contact Details for Modification Proposal Originator			
Name	Telephone number	Email address	
Kevin Lenaghan			
Modification Proposal Title			
Amendment relating to the provision of the CAM Report following a Capacity Auction			
Documents affected (delete as appropriate)	Section(s) Affected	Version number of CMC used in Drafting	
Capacity Market Code	B.10.4.1	4.0	
Explanation of Proposed Change (mandatory by originator)			
<p>The RAs propose a modification to paragraph B.10.4.1 of the CMC. Under this paragraph, CEPA (as the current Capacity Auction Monitor, appointed under paragraph B.10.1.1) is currently required to provide their report on the Capacity Auction two Working Days after the provisional Capacity Auction Results have been provided to the Regulatory Authorities (RAs). It is recommended that this paragraph is modified to instead require that they provide their report on the Capacity Auction two Working Days after the provisional Capacity Auction Results have been released to Participants.</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>B.10.4.1 Within two Working Days after the System Operators have submitted the provisional Capacity Auction Results of a Capacity Auction to the Regulatory Authorities under paragraph F.9.3.4 <u>release Provisional Capacity Auction Results to Participants under paragraph F.9.2.1</u>, the Capacity Auction Monitor shall provide a report to the Regulatory Authorities and the System Operators that:</p> <ul style="list-style-type: none"> (a) confirms the list of Participants with Capacity Market Units that have been allocated Awarded Capacity; (b) states whether or not the Capacity Auction Monitor considers that the Capacity Auction was conducted in accordance with this Code; and (c) where applicable, identifies any actual or potential non-compliance with this Code or other actual or potential irregularity in the conduct of the Capacity Auction together with the Capacity Auction Monitor's assessment as to the likely consequences of the actual or potential non-compliance or irregularity. 			
Modification Proposal Justification (Clearly state the reason for the Modification)			
<p>This proposed modification would link the submission of the Auction Monitor report on a Capacity Auction to an event that is less likely to vary, providing more certainty for all parties planning inputs to, preparation of, and review of the report on a Capacity Auction. It would also mirror the requirement for the Auction Monitor report on the Qualification Process, which is required two</p>			

Working Days following the release of Provisional Qualification Results to Participants under E.9.2.1, E.9.2.2, and E.9.2.3.

In previous Capacity Auctions, up to and including the T-4 Capacity Auction for the Capacity Year 2022/23, provisional Capacity Auction Results were provided to the RAs (under paragraph F.9.3.1) and released to Participants (under F.9.2.1) on the same date, occurring on the Provisional Capacity Auction Results Date as listed in the Capacity Auction Timetable.

However, for the T-1 CY2020/21 Capacity Auction and the T-2 CY2021/22 Capacity Auction, the System Operators provided the provisional Capacity Auction Results to the RAs on an earlier date. This earlier submission of provisional Capacity Auction Results from the SOs to the RAs resulted in an unexpected last-minute change to the deadline of Auction Monitor report on the Capacity Auction, requiring the Monitor to make resourcing changes to support earlier delivery of the report on the T-2 Capacity Auction.

Code Objectives Furthered

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

The proposed Modification furthers the CMC code objectives as follows:

- (a) to facilitate the efficient discharge by EirGrid and SONI of the obligations imposed by their respective Transmission System Operator Licences in relation to the Capacity Market;
- (e) to provide transparency in the operation of the SEM;

Implication of not implementing the Modification Proposal

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

Failure to implement this proposal could lead again to the requirement for the Auction Monitor facing unnecessary resourcing issues. A repeat of this issue may also lead to difficulties for the SOs in regards to their ability to provide all the information required by the Monitor to undertake the checks in the scope in time for an updated deadline.

Impacts

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

- A repeat of this issue would result in resourcing issues for the CAM;
- This would place unnecessary pressure on the SOs to provide the required information to the CAM ahead of the initial presumed deadline.

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.