

MODIFICATION PROPOSAL FORM			
Proposer <i>(Company)</i>	Date of receipt <i>(assigned by Secretariat)</i>	Type of Proposal <i>(delete as appropriate)</i>	Modification Proposal ID <i>(assigned by Secretariat)</i>
RAs	9th June 2023	Standard	Mod_08_23
Contact Details for Modification Proposal Originator			
Name	Telephone number	Email address	
Kevin Hagan		khagan@cru.ie	
Modification Proposal Title			
Archiving Part A and C of the T&SC			
Documents affected <i>(delete as appropriate)</i>	Section(s) Affected	Version number of T&SC or Agreed Procedure used in Drafting	
T&SC	Part A, Part B and Part C		
Explanation of Proposed Change <i>(mandatory by originator)</i>			
<p>This modification proposes to archive Part A and C of the Trading and Settlement Code, and to change the name of Part B of the Trading and Settlement Code to the Trading and Settlement Code.</p> <p>Part A and C of the Trading and Settlement Code were introduced as part of mod_01_17 in order to allow the I-SEM changes to the single electricity market to be given effect. Mod_01_17 was approved to comply with the consultation paper on Energy Trading Arrangements (SEM-16-075), published on 15 November 2016.</p> <p>This modification is being proposed to tidy up the code since the I-SEM changes have come into effect since October 2018. Up until now, Part A was left 'live' to facilitate M+4 and M+13 resettlement for the pre I-SEM market rules and also to allow time for potential queries up to 2 years. This means that Part A is no longer needed and can be archived.</p> <p>Part C only has transitional clauses between SEM and I-SEM so it is no longer needed and can be archived.</p> <p>The current T&SC is named Part B of the code, but when Part A and Part C are archived it can simply be named the Trading and Settlement Code. The change proposed will ensure that there is clarity regarding the current version of the code and make it easier to follow the T&SC and the relevant part of the SEMO website in the future, especially for new entrants.</p> <p>The new format for the relevant part of the SEMO website has not yet been finalised. The following layout is provided for illustrative purposes only to give a graphic example of how the webpage may be re-arranged with regards to Parts A, B, and C.</p> <p><u>Current website format</u></p>			

Codes and procedures

Click below to see full links to each part of the Trading and Settlement Code and Agreed Procedures.

Trading and Settlement Code Part A	+
Agreed Procedures Part A	+
Trading and Settlement Code Part B	+
Agreed Procedures Part B	+
Trading and Settlement Code Part C	+

Example of potential new website format

Codes and procedures

Click below to see full links to each part of the Trading and Settlement Code and Agreed Procedures.

Trading and Settlement Code
Agreed Procedures
Trading and Settlement Code Archive
Trade and Settlement Code Part A
Agreed Procedures Part A
Trade and Settlement Code Part C

Legal Drafting Change

*(Clearly show proposed code change using **tracked** changes, if proposer fails to identify changes, please indicate best estimate of potential changes)*

The changes required in the T&SC are:

- remove the Part B references in the title of all the Code documents (T&SC, appendices, Glossary and Agreed Procedures) – what is currently titled T&SC Part B becomes T&SC;
- remove introductory Notes from T&SC on page 1;
- remove references in T&SC section H1.2;
- version history removed from what is currently titled T&SC Part A and added to what is currently T&C Part B; and
- remove Part A and C from the Market Rule section on the SEMO website and relocate to the Market Rule Archived section as shown above.

Note that this proposed modification does not have the full actual tracked changes of the legal drafting as is usually required.

This is for practical reasons as otherwise a very large number of amendments would need to be included here for what is an administrative tidying up exercise. This modification does not affect anything in the operation of the market, does not introduce new drafting and is purely an administrative tidying up of redundant sections,

and therefore it is submitted as a high-level description for practical reasons, as agreed with SEMO who will have to apply the proposed changes.

Modification Proposal Justification
(Clearly state the reason for the Modification)

Part A and C are not required to be part of T&SC as they have fulfilled their intended purposes and can be archived. Part A was left 'live' to facilitate M+4 and M+13 for the pre I-SEM market rules and also to allow time for potential queries up to 2 years. Part C only has transitional clauses between SEM and I-SEM so it is no longer needed.

Code Objectives Furthered
(State the Code Objectives the Proposal furthers, see Section 1.3 of Part A and/or Section A.2.1.4 of Part B of the T&SC for Code Objectives)

(b) 'to facilitate the efficient, economic and coordinated operation, administration and development of the Single Electricity Market in a financially secure manner'

(d) 'to promote competition in the single electricity wholesale market on the island of Ireland;'

This modification aims to facilitate clarity in the code by removing parts of it which are no longer needed and do not fulfill any purpose.

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

If this modification is not implemented, there could be lack of clarity regarding the current version of the code and there will continue to be parts of the code that don't fulfil any purpose and hence could cause confusion among people referring to the T&SC, especially new entrants.

Working Group <i>(State if Working Group considered necessary to develop proposal)</i>	Impacts <i>(Indicate the impacts on systems, resources, processes and/or procedures; also indicate impacts on any other Market Code such as Capacity Market Code, Grid Code, Exchange Rules etc.)</i>
No working group is to be required	There are expected to be no systems impact.

Please return this form to Secretariat by email to balancingmodifications@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 Modifications Committee.
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:

Agreed Procedure(s):	means the detailed procedures to be followed by Parties in performing their obligations and functions under the Code as listed in either Part A or Part B Appendix D "List of Agreed Procedures". The Proposer will need to specify whether the Agreed Procedure to modify refers to Part A, Part B or both.
T&SC / Code:	means the Trading and Settlement Code for the Single Electricity Market. The Proposer will also need to specify whether all Part A, Part B, Part C of the Code or a subset of these, are affected by the proposed Modification;
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 "Market Operator", "Modifications Committee" 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 2 of Part A or Chapter B of Part B of the Code (and Part A Agreed Procedure 12 or Part B Agreed Procedure 12) , 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 Market Operator and the Regulatory Authorities to publish and/or distribute the Modification Proposal for free and unrestricted access;
 - 1.2 to the Regulatory Authorities, the Modifications Committee and each member of the Modifications Committee 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 Market Operator 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 Modifications Committee and/or the Regulatory Authorities and that there is no guarantee that my Modification Proposal will be incorporated into the Code.