

MODIFICATION PROPOSAL FORM			
<b>Proposer</b> <i>(Company)</i>	<b>Date of receipt</b> <i>(assigned by System Operator)</i>	<b>Type of Proposal</b> <i>(delete as appropriate)</i>	<b>Modification Proposal ID</b> <i>(assigned by System Operator)</i>
Utility Regulator	25 April 2018	Standard	CMC_01_18
<b>Contact Details for Modification Proposal Originator</b>			
<b>Name</b>	<b>Telephone number</b>	<b>Email address</b>	
<b>Modification Proposal Title</b>			
<b>Proposed Modifications in regards to NIROCS in the CRM</b>			
<b>Documents affected</b> <i>(delete as appropriate)</i>	<b>Section(s) Affected</b>	<b>Version number of CMC used in Drafting</b>	
Capacity Market Code	E.2.1.1, E.7.2.1, E.7.4.1	1.0	
<b>Explanation of Proposed Change</b> <i>(mandatory by originator)</i>			
State aid approval does not permit units with NIROCs to participate in the CRM.			
<b>Legal Drafting Change</b> <i>(Clearly show proposed code change using <b>tracked</b> changes, if proposer fails to identify changes, please indicate best estimate of potential changes)</i>			
E.2.1.1	<p>Subject to paragraphs E.2.1.3 and E.2.1.4, a Participant with a Candidate Unit that satisfies any of the following criteria shall apply for the Candidate Unit to be Qualified in a Qualification Process:</p> <p>(a) the Candidate Unit is a Dispatchable Generator Unit having a Registered Capacity (or, in the case of a Demand Side Unit, a DSU MW Capacity) greater than or equal to the De Minimis Threshold at the time of the Qualification Process;</p> <p>(b) the Candidate Unit is:</p> <p>(i) a proposed Dispatchable Generator or an existing Dispatchable Generator Unit in respect of which the Participant intends to commission an increase in capacity, such that in either case the Participant expects the Generator or Generator Unit to have a Registered Capacity greater than or equal to the De Minimis Threshold prior to the start of the Capacity Year to which the Qualification Process relates; and</p> <p>(iii) not a Demand Side Unit; ...</p>		
E.2.1.4	<p>Where a Participant is <b>either</b></p> <p>(a) an Intermediary for a Generator Unit, and its Form of Authority does not authorise the Participant to participate in respect of the Generator Unit in the Capacity Market, or</p> <p>(b) <b>the Candidate Unit is in possession of a contract under the Northern Ireland Renewable Order for any part of the Capacity Year,</b></p> <p>the Participant shall not submit an Application for Qualification in relation to the Generator Unit.</p>		
<i>Add</i>			

E.7.2.2 The System Operators shall reject an Application for Qualification for a Capacity Year in respect of each Candidate Unit, or each Generator Unit forming part of each Candidate Unit, which holds a contract under the Northern Ireland Renewable Obligation for any part of the Capacity Year.

*Add*

E.7.4.3 The System Operators shall reject an Application for Qualification for a Capacity Year for an Aggregated Generator Unit where any of the Generators comprising it is in possession of a contract under the Northern Ireland Renewable Order for any part of the Capacity Year.

*Add to Glossary:*

Northern Ireland Renewable Obligation: as defined in article 52 of the Energy (Northern Ireland) Order 2003

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

Requirement of State Aid approval.

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

To facilitate compliance with decision from competent authority.

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

Non-implementation of modification proposal leaves the CMC in conflict with State aid approval.

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

No material impact to systems, resources and processes/procedures.

**Please return this form to the System Operators by email to [modifications@sem-o.com](mailto:modifications@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 Appendix D "List of Agreed Procedures".

**T&SC / Code:** means the Trading and Settlement 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 "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 the Code (and 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.