



July 2002

**DRAFT MODIFICATION REPORT**  
**MODIFICATION PROPOSAL P93 -**  
**Introduction Of A Process For**  
**Amendment Of Proposed**  
**Modification Implementation Dates**

Prepared by ELEXON on behalf of the Balancing  
and Settlement Code Panel

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Version	Date	Reviewer	Signature	Responsibility

### b Distribution

Name	Organisation
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Each BSC Agent	Various
The Gas and Electricity Markets Authority	Ofgem
Each BSC Panel Member	Various
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### c References

Ref.	Document	Owner	Issue Date	Version
1	BSC Panel Paper 47/010 – Presented	ELEXON	7 June 2002	FINAL
2	P93 Initial Assessment	ELEXON	18 July 2002	1.0

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## 1 SUMMARY AND RECOMMENDATIONS

### 1.1 Recommendation

On the basis of the analysis, consultation and assessment undertaken in respect of this Modification Proposal during the Assessment Phase, and the resultant findings of this report, the BSC Panel recommends that:

**Modification Proposal P93 should be made with an Implementation Date of:**

- **30 September 2002 if an Authority determination is made on or prior to 9 September 2002; or**
- **15 Working Days after such Authority determination if that determination is made after the 9 September 2002.**

### 1.2 Background

Modification Proposal P93 'Introduction of a Process for Amendment of Proposed Modification Implementation Dates' (P93) was raised on behalf of the BSC Panel on 8 July 2002.

P93 seeks to amend Section F of the Balancing and Settlement Code to enable the Panel to apply to the Authority to amend the proposed Implementation Date in a Modification Report that has already been submitted to the Authority for determination, but where the Authority has not yet made a determination.

### 1.3 Rationale for Recommendations

The unanimous view of the Panel was that P93 would promote efficiency in the implementation and administration of the balancing and settlement arrangements (Applicable BSC Objective (d)). This would be achieved by allowing the Implementation Date of a Modification Proposal, or any Alternative Modification, contained within a Modification Report that is with the Authority for determination, to be amended. The date contained within the Modification Report, that is with the Authority for determination, can be either brought forward, where it becomes practical to implement a Modification Proposal earlier than the date specified within the Modification Report, or later, where the date contained within a Modification Report becomes untenable. This introduces a consistent approach, within the Code, for the treatment of Modification Proposals that have had an Authority determination and for those that are with the Authority for determination.

***[The view of the consultation responses will be inserted here i.e. if they expressed support for the Panel's recommendation or not]***

## 2 INTRODUCTION

This Report has been prepared by ELEXON Ltd., on behalf of the Balancing and Settlement Code Panel ('the Panel'), in accordance with the terms of the Balancing and Settlement Code ('the Code'). The Code is the legal document containing the rules of the balancing mechanism and imbalance settlement process and related governance provisions. ELEXON is the company that performs the role and functions of the BSCCo, as defined in the Code.

This Modification Report is addressed and furnished to the Gas and Electricity Markets Authority ('the Authority') and none of the facts, opinions or statements contained herein may be relied upon by any other person.

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### 3 DESCRIPTION OF PROPOSED MODIFICATION

P93 has been raised to address the issue of the need to change an Implementation Date after submission of a Modification Report to the Authority but before a determination is made in respect of that Modification Report by the Authority.

Section F of the Code requires the Panel to stipulate an Implementation Date for each Modification Proposal and Alternative Modification that it submits to the Authority for determination. Each Implementation Date is intended to reflect the necessary time for systems and processes to be developed, tested and implemented, and where relevant, to be consistent with the BSC Release Strategy. Where a specific Implementation Date is stipulated for a Modification Proposal or Alternative Modification, it will usually be proposed on the basis that the Authority decision will be made by a particular date, the 'latest date'. This means that if the Authority's decision is not made by the 'latest date', the specified Implementation Date may not be achievable. Alternatively, circumstances may change following the submission of a Modification Report, such that an earlier Implementation Date may be possible for a Modification Proposal or Alternative Modification.

Section F2.11.7, F2.11.8 and F2.11.9 of the Code allow the Panel to seek an extension to bring forward the Implementation Date for an Approved Modification if circumstances arise that are likely to delay or make it possible to advance the Implementation Date.

This Modification Proposal would enable the Panel, after consultation with interested parties, to seek to amend the proposed Implementation Date for a Modification Proposal or an Alternative Modification contained in a Modification Report submitted to the Authority for determination but for which no Authority decision has yet been made.

### 4 HISTORY OF PROPOSED MODIFICATION

P93 was raised on 8 July 2002 on behalf of the BSC Panel on 8 July 2002 following a discussion by the Panel of paper 47/010 (reference 1) at their meeting on 13 June 2002. The Initial Written Assessment (IWA), (reference 2), was presented to the Panel meeting of 18 July 2002. The Panel agreed to the recommendation within the IWA to submit P93 to the Report Phase with a provisional recommendation that the Modification Proposal should be made with an Implementation Date of:

- 30 September 2002 if an Authority determination is made on or prior to 9 September 2002; or
- 15 Working Days after such Authority determination if that determination is made after the 9 September 2002.

A draft Modification Report for P93 was issued for consultation on 26 July 2002. XX responses, representing YY Parties, were received. On the basis of the support for P93 the Panel recommends to the Authority that the Modification Proposal as set out in this report be made.

## 5 RATIONALE FOR PANEL RECOMMENDATIONS

The Panel agreed with the recommendation of ELEXON as set out within the IWA in that approval of P93 would better facilitate the achievement of applicable BSC Objective (d). The rationale for this is that it will allow consistency in the treatment of those Modifications that have been approved and those that are still with the Authority for determination.

## 6 LEGAL TEXT TO GIVE EFFECT TO THE PROPOSED MODIFICATION

P93 requires minor changes to section F of the Code. The changes to the legal text of the Code in the following sections are based on version 4.0 of Section F. If the baseline of the Code changes prior to implementation of P93, or if other Modification Proposals are to be implemented at the same time as P93, the legal text may need to be amended to realign to the new baseline.

The change marked version of the Legal text changes are included in Annex 2. In summary:

- Section F Inserts new paragraphs after paragraph F2.7.7 to allow the Panel, if they consider that a proposed Implementation Date should be extended or brought forward to apply to the Authority to amend the Implementation Date following a consultation with Parties.

## 7 SUMMARY OF REPRESENTATIONS

A summary of responses to the consultation on Draft Modification Report will be inserted here. Copies of the responses will be inserted in Annex 1.

### ANNEX 1 – REPRESENTATIONS

[Copies of representations on Draft Modification Report will be inserted here]

### ANNEX 2 – LEGAL TEXT

See attached document.

### ANNEX 3 – P93 MODIFICATION PROPOSAL

See attached document.