

Appendix D – Legal Text

Section J (*version 3.0*)

Add new clause (c) to paragraph 1.3.2 as follows:

(c) To provide the BSCCo with data from such registration systems for the purposes of monitoring in accordance with BSCP533.

Amend paragraph 3.2.1 as follows:

3.2 Certification Agent

3.2.1 Where an Applicant's Agency System requires certification by the Certification Agent, The Certification Agent shall:

Amend paragraph 3.3.2 (b) as follows:

3.3.2 Save where the person which a Party is wishing to or intending to appoint as its Party Agent is already Accredited and its Agency Systems (where applicable) are already Certified, each Party shall:

- (a) comply with and ensure that its Party Agents comply with the Accreditation Process and the Certification Process (as applicable) such that the Performance Assurance Board can properly determine whether an Applicant should be Accredited and whether its Agency Systems should be Certified;
- (b) if applicable, co-operate with and ensure that its Party Agents co-operate with the Certification Agent in the execution of its duties to the Performance Assurance Board.

Amend paragraph 3.3.5(a) as follows:

3.3.5 The Performance Assurance Board shall:

- (a) subject to paragraph 3.8, and if applicable, provide each Applicant with, or arrange for each Applicant to be provided with, a copy of all opinions of the Certification Agent in relation to the Agency System(s) of that Applicant delivered pursuant to paragraph 3.2.1(f) at the same time as the Performance Assurance Board notifies such Applicant whether its Agency System(s) has (have) been Certified and/or (as the case may be) such Applicant has been Accredited; and

Amend paragraph 3.3.7 as follows:

3.3.7 Where an Applicant's Agency System requires certification by the Certification Agent, The Performance Assurance Board shall not Certify the Agency System of any person unless the Certification Agent has provided an opinion (not being a disclaimer of opinion, howsoever called) in the terms of paragraph 3.2.1(f) in relation to that Agency System.

Annex S-1 (*version 2.0*)

Amend paragraph 2.2, 2.2.1, 2.2.2 and 2.2.3 as follows:

2.2 ~~Provision of Non Half Hourly Data Energy and Metering Systems on Annual Advances and Actual Readings at Each Volume Allocation Run- Serial 4SP08~~

2.2.1 In relation to each GSP Group, the percentage of total energy attributable to a Supplier in respect of Non Half Hourly Metering Systems settled on the basis of Annualised Advances for each Settlement Day shall be not less than the percentage set out in the table below against the applicable Volume Allocation Run:

Volume Allocation Run	Performance Level
Initial Volume Allocation Run	3% n/a
First Reconciliation Volume Allocation Run	17% 30%
Second Reconciliation Volume Allocation Run	43% 60%
Third Reconciliation Volume Allocation Run	78% 80%
Final Reconciliation Volume Allocation Run	97% 97%

2.2.2 For the purpose of ~~this~~ paragraph 2.2.1:

(a) the percentage of total energy attributable to a Supplier settled on the basis of Annualised Advances shall be calculated in accordance with the following formula:-

$$\left(\frac{A_{HZ}}{A_{HZ} + E_{HZ}} \right) \times 100$$

where:-

A_{HZ} means $\sum_{N(AA)} \sum_j (C_{iNj} + CLOSS_{iNj})$; and

E_{HZ} means $\sum_{N(EAC)} \sum_j (C_{iNj} + CLOSS_{iNj})$;

(b) the following summations shall bear the following respective meanings:

$\sum_{N(AA)}$ means summed over all Consumption Component Classes (N) that are associated with Annualised Advances; and

$\sum_{N(EAC)}$ means summed over all Consumption Component Classes (N) that are associated with Estimated Annual Consumptions and are not associated with Unmetered Supplies;

(c) the relevant values shall be those included in the relevant run of Settlement.

2.2.3 The Performance Levels set out in the table in paragraph 2.2.1 are referred to elsewhere in this Annex S-1 as Serial ~~4SP08~~a.

Amend paragraph 2.3 as follows:

~~**2.3 Provision of Half Hourly Data for 100kW Premises - Serials 2-5**~~

~~2.3.1 In relation to each GSP Group and in respect of Metering Systems at 100kW Premises for which the Supplier is responsible, the Supplier shall ensure that (in accordance with the relevant BSC Procedure) in respect of each month-~~

~~(a) actual or estimated values in respect of all Applicable Settlement Periods are provided by its Half Hourly Data Collector to its Half Hourly Data Aggregator (in sufficient time to enable such Half Hourly Data~~

~~Aggregator to provide such data to the SVAA so as to enable the SVAA to include such data in the relevant Initial Volume Allocation Run) and that such Half Hourly Data Aggregator does so provide such values to the SVAA; and~~

- ~~(b) actual (rather than estimated) values in respect of not less than 98 per cent. of the total energy attributable to that Supplier relating to such Metering Systems for the aggregate of the Applicable Settlement Periods are provided by its Half Hourly Data Aggregator to the SVAA in time for the relevant Initial Volume Allocation Run.~~

2.3.22.2.4 In relation to each GSP Group and in respect of Half Hourly Metering Systems at 100kW Premises for which the Supplier is responsible, the Supplier shall ensure that (in accordance with the relevant BSC Procedure) in respect of each month:-

- ~~(a) actual or estimated values in respect of all Applicable Settlement Periods are provided by its Half Hourly Data Collector to its Half Hourly Data Aggregator (in sufficient time to enable such Half Hourly Data Aggregator to provide such data to the SVAA so as to enable the SVAA to include such data in the relevant First Reconciliation Volume Allocation Run) and that such Half Hourly Data Aggregator does so provide such values to the SVAA; and~~

- ~~(b) actual (rather than estimated) values in respect of not less than 99 per cent. of total energy attributable to that Supplier relating to such Metering Systems for the aggregate of the Applicable Settlement Periods are provided by its Half Hourly Data Aggregator to the SVAA in time for the relevant each First Reconciliation Supplier Volume Allocation Run.~~

2.3.32.2.5 For the purposes of paragraphs ~~2.3.1 and 2.43.2:~~

- (a) the percentage of total energy attributable to a Supplier represented by actual values in respect of any month shall be calculated in accordance with the following formula:-

$$\left(\frac{A_{HZ}}{A_{HZ} + E_{HZ}} \right) \times 100$$

where:-

A_{HZ} means $\sum_d^m \sum_{N(HHA)} \sum_j (C_{iNj} + CLOSS_{iNj})$; and

E_{HZ} means $\sum_d^m \sum_{N(HHE)} \sum_j (C_{iNj} + CLOSS_{iNj})$;

- (b) the following summations shall bear the following respective meanings:-

\sum_d^m means summed over all Applicable Settlement Days;

$\sum_{N(HHA)}$ means summed over all Consumption Component Classes (N) that are associated with actual values and with half hourly data aggregation in relation to premises which are 100kW Premises save those Consumption Component Classes associated with Third Party Generating Plant comprised in SVA Metering System(s);

$\sum_{N(HHE)}$ means summed over all Consumption Component Classes (N) that are associated with estimated values and with half hourly data aggregation in relation to premises which are 100kW Premises save those Consumption Component

Classes associated with Third Party Generating Plant comprised in SVA Metering System(s);

- (c) the relevant values shall be those included in the relevant Volume Allocation Run.

~~2.3.42.2.6~~ In calculating the Performance Levels set out in paragraphs ~~2.3.1 and 2.43.2~~, no account shall be taken of any Metering System which is at the relevant time de-energised for the purposes of BSC Procedure BSCP 502, unless a consumption value has in fact been provided to the SVAA for the relevant Volume Allocation Run.

~~2.3.52.2.7~~ The Performance Levels set out in paragraphs ~~2.3.1(a), 2.3.1(b), 2.3.2(a)4 and 2.3.2(b)~~ are referred to elsewhere in this Annex S-1 as Serials ~~2, 3, 4 and 5 SP08b~~ respectively.

Amend paragraph 2.4 as follows:

~~2.4 Provision of Half Hourly Data for Non-100kW Premises Serials 6 and 7~~

~~2.4.1 In relation to each GSP Group and in respect of Half Hourly Metering Systems for which a Supplier is responsible at premises which are identified as being not 100kW Premises, the Supplier shall ensure that (in accordance with the relevant BSC Procedure) actual or estimated values in respect of all Applicable Settlement Periods in respect of each month are provided by its Half Hourly Data Collector to its Half Hourly Data Aggregator (in sufficient time to enable such Half Hourly Data Aggregator to provide such data to the SVAA so as to enable the SVAA to include such data in the relevant Initial Volume Allocation Run) and that such Half Hourly Data Aggregator does so provide such values to the SVAA.~~

~~2.4.22.2.8~~ In relation to each GSP Group and in respect of Half Hourly Metering Systems at premises for which a Supplier is responsible which are identified as being not 100kW Premises, the Supplier shall ensure that (in accordance with the relevant BSC Procedure) in respect of each month actual (rather than estimated) values in respect of not less than 99 per cent. of the total energy attributable to that Supplier relating to such Metering Systems for the aggregate of the Applicable Settlement Periods are provided by its Half Hourly Data Aggregator to the SVAA in time for the relevant Final Reconciliation Volume Allocation Run.

~~2.4.32.2.9~~ For the purpose of paragraph ~~2.4.2.8~~:

- (a) the percentage of total energy attributable to a Supplier represented by actual values in respect of any month shall be calculated in accordance with the following formula:

$$\left(\frac{A_{HZ}}{A_{HZ} + E_{HZ}} \right) \times 100$$

where:-

A_{HZ} means $\sum_d^m \sum_{N(HHA)} \sum_j (C_{iNj} + CLOSS_{iNj})$; and

E_{HZ} means $\sum_d^m \sum_{N(HHE)} \sum_j (C_{iNj} + CLOSS_{iNj})$;

- (b) the following summations shall bear the following respective meanings:-

\sum_d^m means summed over all Applicable Settlement Days;

$\sum_{N(HHA)}$ means summed over all Consumption Component Classes (N) that are associated with actual values and with half hourly data aggregation in relation to premises which are

identified as being not 100kW Premises save those Consumption Component Classes associated with Third Party Generating Plant comprised in SVA Metering System(s);

$\sum_{N(HHE)}$ means summed over all Consumption Component Classes (N) that are associated with estimated values and with half hourly data aggregation in relation to premises which are not 100kW Premises save those Consumption Component Classes associated with Third Party Generating Plant comprised in SVA Metering System(s);

(c) the relevant values shall be those included in the relevant Volume Allocation Run.

~~2.4.42.2.10~~ In calculating the Performance Levels set out in paragraphs ~~2.2.84.1 and 2.4.2~~, no account shall be taken of any Metering System which is at the relevant time de-energised for the purposes of BSC Procedure BSCP 502, unless a consumption value has in fact been provided to the SVAA for the relevant Volume Allocation Run in respect of that Metering System.

~~2.2.114.5~~ The Performance Levels set out in paragraphs ~~2.2.84.1 and 2.4.2~~ are referred to elsewhere in this Annex S-1 as Serial ~~SP08c6 and Serial 7~~ respectively.

~~2.4A.2.3~~ Use of Default Values of Estimated Annual Consumption - Serial ~~SP097A~~

~~2.34A.1~~ In relation to each GSP Group and in respect of Non Half Hourly Metering Systems for which the Supplier is responsible, the Supplier shall ensure that the number of such Non Half Hourly Metering Systems (whether metered Metering Systems or Metering Systems for Unmetered Supplies) that are settled on the basis of Default Estimated Annual Consumption For Metered Metering Systems or Default Estimated Annual Consumption For Unmetered Metering Systems, as the case may be, expressed as a percentage of the total number of Non Half Hourly Metered Metering Systems (both metered Metering Systems and Metering Systems for Unmetered Supplies) for which the Supplier is responsible, shall be no greater than the values set out in the table below against the applicable Volume Allocation Run, provided that this paragraph ~~2.3-4A.1~~ shall not apply where the total number of Non Half Hourly Metering Systems for which the Supplier is responsible is less than 1000.

Volume Allocation Run	Performance Level
Initial Volume Allocation Run	0.5%
First Reconciliation Volume Allocation Run	0.5%
Second Reconciliation Volume Allocation Run	0.2%
Third Reconciliation Volume Allocation Run	0.1%
Final Reconciliation Volume Allocation Run	0%

- 2.3.4A.2 In relation to each GSP Group and in respect of Non Half Hourly Metering Systems for which the Supplier is responsible, the number of such Non Half Hourly Metering Systems (whether metered Metering Systems or Metering Systems for Unmetered Supplies) that are settled on the basis of Default Estimated Annual Consumption For Metered Metering Systems or Default Estimated Annual Consumption For Unmetered Metering Systems, as the case may be, shall be no greater than the values set out in the table below against the applicable Volume Allocation Run provided that this paragraph 2.3.4A.2 shall not apply where the total number of Non Half Hourly Metering Systems for which the Supplier is responsible is 1000 or more.

Volume Allocation Run	Performance Level (number of Metering Systems)
Initial Volume Allocation Run	5
First Reconciliation Volume Allocation Run	5
Second Reconciliation Volume Allocation Run	2
Third Reconciliation Volume Allocation Run	1
Final Reconciliation Volume Allocation Run	0

- 2.3.4A.3 The Performance Levels set out in this paragraph 2.3.4A are referred to elsewhere in this Menu of Supplier Charges as Serial [SP097A](#).

Amend paragraph 2.5 as follows:

~~2.5 — Meter Operation — Serial 8~~

- ~~2.5.1 In respect of each month, not less than 95 per cent. of material faults rectified in that month in relation to Metering Equipment comprised in Non Half Hourly Metering Systems for which a Supplier is responsible shall have been rectified within 5 Business Days after the date when the Meter Operator Agent was first notified of the relevant fault by the Supplier or its Data Collector in accordance with Party Service Line 110.~~
- ~~2.5.2 In respect of each month, not less than 99 per cent. of material faults rectified in that month in relation to Metering Equipment comprised in Non Half Hourly Metering Systems for which a Supplier is responsible shall have been rectified within 15 Business Days after the date when the Meter Operator Agent was first notified of the relevant fault by the Supplier or its Data Collector in accordance with Party Service Line 110.~~
- ~~2.5.3 In respect of each month, not less than 95 per cent. of material faults rectified in that month in relation to Metering Equipment comprised in Half Hourly Metering Systems for which a Supplier is responsible shall have been rectified within 5 Business Days after the date when the Meter Operator Agent was first notified of the relevant fault by the Supplier or its Data Collector in accordance with Party Service Line 110.~~

- ~~2.5.4 In respect of each month, not less than 99 per cent. of material faults rectified in that month in relation to Metering Equipment comprised in Half Hourly Metering Systems for which a Supplier is responsible shall have been rectified within 15 Business Days after the date when the Meter Operator Agent was first notified of the relevant fault by the Supplier or its Data Collector in accordance with Party Service Line 110.~~
- ~~2.5.5 For the purpose of this paragraph 2.5, a "material fault" in relation to particular Metering Equipment is one which, in the case of Half Hourly Metering Equipment, causes the relevant Metering Equipment to fail to record data in accordance with the relevant Code of Practice and, in the case of Non Half Hourly Metering Equipment, affects in any respect the quality of the data recorded by that Metering Equipment.~~
- ~~2.5.6 The Performance Levels set out in this paragraph 2.5 are referred to elsewhere in this Annex S-1 as Serial 8.~~

Amend paragraph 2.6 as follows:

- 2.46 Installation of Half Hourly Metering - Serial [SP049](#)**
- 2.46.1 A Supplier shall comply with the requirements of Section L2.1.1 in relation to the installation of Half Hourly Metering Equipment for each Metering System at 100kW Premises for which it is responsible.
- 2.46.2 The Performance Level set out in paragraph 2.46.1 is referred to elsewhere in this Annex S-1 as Serial [SP049](#).

Amend paragraph 2.7 as follows:

- 2.57 Reporting by Suppliers - Serials [SP01](#) and ~~SP0210 and 11~~**
- 2.57.1 A Supplier shall deliver, or procure the delivery of, its Routine Performance Monitoring Report in respect of each GSP Group to the Performance Assurance Board or as it may direct, in accordance with the relevant BSC Procedure, by not later than 20 Business Days after the end of each month.
- 2.57.2 A Supplier shall update, or procure the updating of, its Routine Performance Monitoring Log in respect of each GSP Group in accordance with the relevant BSC Procedure, by not later than 20 Business Days after the end of each month and shall make such updated logs available promptly on request from time to time to the Performance Assurance Board or as it may direct.
- 2.57.3 The Performance Levels set out in paragraphs 2.7.1 and 2.7.2 are referred to elsewhere in this Annex S-1 as Serial ~~SP0110~~ and Serial ~~SP0211~~ respectively.

Amend paragraph 3.2 as follows:

- 3. CHARGES**
- 3.1 Application of Charges**
- 3.1.1 This paragraph 3 will have effect in determining the charges payable by a Supplier in respect of any failure to comply with the Performance Levels including the maximum amount payable by a Supplier under paragraph 3.8.
- 3.1.2 The arrangements for payment, collection and distribution of the charges are set out in paragraphs 4 of this Annex S-1.

3.1.3 The charges specified in this paragraph 3 are cumulative and not mutually exclusive one of the other.

3.2 Failure to Comply with Serial SP08a4

3.2.1 A Supplier who fails to comply with Serial SP08a4 shall be liable to the charge set out in the table below against the relevant item in Serial SP08a4:

Item in Serial <u>SP08a4</u> (as referred to in the table in paragraph 2.2.1)	Amount per Chargeable MWh
Initial Volume Allocation Run	No Charge
First Reconciliation Volume Allocation Run	No Charge
Second Reconciliation Volume Allocation Run	No Charge
Third Reconciliation Volume Allocation Run	£0.13
Final Reconciliation Volume Allocation Run	£1.43

3.2.2 For the purposes of paragraph 3.2.1, the Chargeable MWh for a Supplier shall be calculated in respect of a GSP Group for any month for each Settlement Day (if any) in relation to which the relevant Volume Allocation Run was carried out in that month, in respect of which there has been a failure to comply with Serial SP08a4, in accordance with the following formula:

$$\text{SCMWh} = \text{NHHEA} \times \frac{p}{100}$$

where:-

SCMWh is the Chargeable MWh attributable to that Supplier for the relevant Settlement Day in respect of the relevant GSP Group;

NHHEA is the sum of A_{HZ} and E_{HZ} (expressed in MWh) attributable to that Supplier in respect of such GSP Group for such Settlement Day, as determined in accordance with paragraph 2.2.2; and

p is the number of percentage points by which the Performance Level in Serial 1 was not met by that Supplier in such GSP Group in respect of such Settlement Day, rounded to 2 decimal places.

Amend paragraph 3.3 as follows:

3.3 Failure to Comply with Serial SP08bs 2-5

3.3.1 A Supplier who fails to comply with ~~any of~~ Serial SP08bs 2 to 5 (both inclusive) shall be liable to the charge set out in the table below against the relevant Serial:-

<u>Serial Number</u>	<u>Amount per Chargeable MWh</u>
<u>2</u>	<u>£0.13</u>
<u>3</u>	<u>£0.13</u>
<u>4</u>	<u>£1.43</u>
<u>5</u>	<u>£1.43</u>

<u>Item in Serial <u>SP08b</u> (as referred to in paragraph 2.2.4)</u>	<u>Amount per Chargeable MWh</u>
<u>Initial Volume Allocation Run</u>	<u>£0.13</u>
<u>First Reconciliation Volume Allocation Run</u>	<u>£1.43</u>
<u>Second Reconciliation Volume Allocation Run</u>	<u>£0.00</u>
<u>Third Reconciliation Volume Allocation Run</u>	<u>£0.00</u>

Item in Serial SP08b (as referred to in paragraph 2.2.4)	Amount per Chargeable MWh
Final Reconciliation Volume Allocation Run	£0.00

3.3.2 For the purposes of paragraph 3.3.1, the Chargeable MWh for a Supplier shall be calculated in respect of a GSP Group for any month in respect of which there has been a failure to comply with ~~any of Serial SP08bs 2 to 5 (both inclusive)~~ in accordance with the following formula:

$$SCMWh = HHEA \times \frac{p}{100}$$

where:-

- SCMWh is the Chargeable MWh attributable to that Supplier for all Applicable Settlement Periods in respect of the relevant GSP Group;
- HHEA is the sum of A_{HZ} and E_{HZ} (expressed in MWh) attributable to that Supplier for such month in respect of the relevant GSP Group for the relevant month, as determined in accordance with paragraph 2.2.53-3; and
- p is the number of percentage points by which the relevant Performance Level was not met by the Supplier in such GSP Group in respect of such month, rounded to 2 decimal places.

~~3.3.3 For the purposes of paragraph 3.3.2, the number of percentage points by which Serial 2 or (as the case may be) Serial 4 was not met shall be calculated by reference to the percentage of instances across all Applicable Settlement Periods where actual or estimated values are expected but not received.~~

Amend paragraph 3.4 as follows:

3.4 Failure to Comply with Serial ~~SP08cs 6 and 7~~

3.4.1 A Supplier who fails to comply with Serial ~~SP08c6 or Serial 7~~ shall be liable to ~~a~~ the charge ~~of £1.43 per chargeable MWh, set out in the table below against the relevant Serial:-~~

Serial Number	Amount per Chargeable MWh
6	£0.13
7	£1.43

3.4.2 For the purposes of paragraph 3.4.1, the Chargeable MWh for a Supplier shall be calculated in respect of a GSP Group for any month in respect of which there has been a failure to comply with Serial ~~SP08c 6 or (as the case may be) Serial 7~~, in accordance with the following formula:

$$SCMWh = HHEA \times \frac{p}{100}$$

where:-

- SCMWh is the Chargeable MWh attributable to that Supplier for all Applicable Settlement Periods in the relevant month in respect of the relevant GSP Group;
- HHEA is the sum of A_{HZ} and E_{HZ} (expressed in MWh) attributable to that Supplier in respect of the relevant GSP Group for the relevant month, as determined in accordance with paragraph 2.2.84-3; and

p is the number of percentage points by which the Performance Level in Serial ~~SP08c6~~ or (as the case may be) ~~Serial 7~~ was not met by the Supplier in such GSP Group in respect of such month, rounded to the nearest 2 decimal places.

~~3.4.3 For the purposes of paragraph 3.4.2, the number of percentage points by which Serial 6 was not met shall be calculated by reference to the percentage of instances across all Applicable Settlement Periods where actual or estimated values are expected but not received.~~

Amend paragraph 3.4A as follows:

~~3.4A. Failure to comply with Serial 7A~~

~~3.4A.1 A Supplier who fails to comply with Serial 7A shall not be liable to pay any charges in respect of the failure.~~

Amend paragraph 3.5 as follows:

~~3.5 Failure to Comply with Serial 8~~

~~3.5.1 A Supplier who fails to comply with Serial 8 shall not be liable to pay any charges in respect of the failure.~~

Amend paragraph 3.6 as follows:

~~3.56~~ **Failure to Comply with Serial SP049**

~~3.56.1~~ Subject to paragraph 3.56.2, a Supplier who fails to comply with Serial ~~SP049~~ shall be liable, in relation to each relevant Metering System, to a charge of £2.68 per day (or part thereof) during which the failure continues.

~~3.56.2~~ A Supplier shall not be liable to a charge in accordance with paragraph 3.56.1 in respect of any failure to install Half Hourly Metering Equipment during the three months following the date on which any premises (identified as not being 100kW Premises) to which that Metering Equipment relates first become 100kW Premises.

Amend paragraph 3.7 as follows:

~~3.67~~ **Failure to Comply with Serial SP0110 and Serial SP0211**

~~3.67.1~~ A Supplier who fails to comply with Serial ~~SP0110~~ or (as the case may be) Serial ~~SP0211~~ shall be liable to a charge of £25.50 per Business Day in respect of each Routine Performance Monitoring Report which is not provided or, as the case may be, each Routine Performance Monitoring Log which is not maintained in accordance with the time limits and in the manner specified in Serial ~~SP0110~~ and Serial ~~SP0211~~ respectively.

Insert new paragraph 3.7 as follows:

3.7 Application of Charges to Named Serials or Where Current Value is £0

3.7.1 The Performance Assurance Board reserves the right to apply a charge to any of the Serials identified in paragraph 3.7.2 or to any of the Serials outlined in this Annex S-1, where a charge is not currently applied or set at £0.

- 3.7.2 [The Serials for which the Performance Assurance Board may apply a discretionary charge are Serials SP03, SP05, SP06, SP07, SH02, SH03 and DA02. These Serials and the associated performance standards are detailed in BSCP533.](#)
- 3.7.3 [Any charge that the Performance Assurance Board proposes to apply will be subject to industry consultation.](#)

Amend paragraph 3.9 as follows:

3.9 Adjustment to Charges and Caps

- 3.9.1 The charges specified in paragraphs 3.2.1, 3.3.1, 3.4.1, 3.56.1 and 3.67.1 and the figure of £1,275,000 in paragraphs 3.8.3 (for the purposes of this paragraph 3.9 in each case described as the "**Base Sum**"), shall be calculated, in respect of each 12 month period beginning on 1st April, from and including 1st April, 2001, in accordance with the following formula:

$$\text{adjusted Base Sum} = \text{Base Sum} \times \left(1 + \frac{\text{RPI}_p}{100} \right)$$

where RPI_p is the percentage change (whether of a positive or negative value) in the Retail Price Index between that published in, or (as the case may be) the substitute index for, the third month before 1st April, 2000 and that published in, or the substitute index for, the third month before the anniversary from which the adjusted charges and the adjusted GSP Group liability cap are to take effect.