

Responses from P185 Draft Report Consultation

Consultation Issued 19 April 2005

Representations were received from the following parties

No	Company	File number	No BSC Parties Represented	No Non-Parties Represented
1.	EDF Energy	P185_dMR_001	9	0
2.	Scottish Power	P185_dMR_002	6	0
3.	British Gas Trading *	P185_dMR_003	1	0
4.	SSE Energy Supply Ltd *	P185_dMR_004	6	0
5.	British Energy	P185_dMR_005	5	0
6.	Npower	P185_dMR_006	10	0

* Late Response

P185 REPORT PHASE CONSULTATION QUESTIONS

BSC Parties ("Parties") and other interested parties are invited to respond to this consultation expressing their views or provide any further evidence on any of the matters contained within this document. In particular views are sought in respect of the following questions. Parties are invited to supply the rationale for their responses.

Respondent:	EDF Energy
No. of Parties Represented	9
Parties Represented	EDF Energy Networks (EPN) plc; EDF Energy Networks (LPN) plc EDF Energy Networks (SPN) plc; EDF Energy (Sutton Bridge Power) Jade Power Generation Ltd; EDF Energy (West Burton Power) Ltd; EDF Energy plc; London Energy plc; Seeboard Energy Limited
No. of Non Parties Represented	0
Non Parties represented	N/A
Role of Respondent	Supplier/Generator/ Trader

Q	Question	Response Error! Bookmark not defined.	Rationale
1.	Do you agree with the Panel's views on P185 and the provisional recommendation to the Authority contained in the draft Modification Report that P185 should be made? Please give rationale.	Yes	
2.	Do you agree with the Panel's view that the legal text provided in the draft Modification Report correctly addresses the defect or issue identified in the Modification Proposal? Please give rationale.	Yes	
3.	Do you agree with the Panel's provisional recommendation concerning the Implementation Date for P185? Please give rationale.	Yes	
4.	Are there any further comments on P185 that you wish to make?	No	

Please send your responses by **12:00 on Wednesday 27 April 2005** to modification.consultations@elexon.co.uk and please entitle your email 'P185 Report Phase Consultation'. Please note that any responses received after the deadline may not receive due consideration by the Panel.

Any queries on the content of the consultation pro-forma should be addressed to David White on 020 7380 4374, email address david.white@elexon.co.uk.

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Respondent:	<i>Name James Kelly (SAIC Ltd)</i>
No. of Parties Represented	6
Parties Represented	<i>Please list all Parties responding on behalf of (including the respondent company if relevant).</i> Scottish Power UK plc; ScottishPower Energy Management Ltd.; ScottishPower Generation Ltd; ScottishPower Energy Retail Ltd.; SP Transmission Ltd; SP Manweb plc.
No. of Non Parties Represented	0
Non Parties represented	<i>Please list all non Parties responding on behalf of (including the respondent company if relevant).</i>
Role of Respondent	<i>(Supplier/Generator/ Trader / Consolidator / Exemptable Generator / BSC Agent / Party Agent / other – please state ¹)</i> Supplier / Generator / Trader / Consolidator / Exemptable Generator

Q	Question	Response ¹	Rationale
1.	Do you agree with the Panel's views on P185 and the provisional recommendation to the Authority contained in the draft Modification Report that P185 should be made? Please give rationale.	Yes	The Modification provides clarity with regards to the processes following an Extra Settlement Determination between Settlement Runs and will lead to more efficient operation of the balancing and settlement arrangements. The Modification will also assist the TDC in making more the options following a dispute more concise.
2.	Do you agree with the Panel's view that the legal text provided in the draft Modification Report correctly addresses the defect or issue identified in the Modification Proposal? Please give rationale.	Yes	The draft legal text provides appropriate clarification in addressing the issues addressed by this Modification.
3.	Do you agree with the Panel's provisional recommendation concerning the Implementation Date for P185? Please give rationale.	Yes	The implementation date is reasonable and gives an adequate amount of time to ensure that correct processes and procedure are in place.
4.	Are there any further comments on P185 that you wish to make?	No	

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¹ Delete as appropriate – please do not use strikethrough, this is to make it easier to analyse the responses

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Our Ref.
Your Ref.
25 April 2005

Dear Sirs,

Re: Modification Proposal P185 – Redrafting of BSC Sections U and W in relation to clauses pertaining to the process rectifying Trading Queries and Trading Disputes

Thank you for the opportunity of responding to this draft modification report considering Modification Proposal P185. British Gas Trading (BGT) agrees with the Panel's provisional recommendation that the Modification should be made.

BGT believe that the modification will provide greater clarity and therefore improve the efficiency of the process. This will better facilitate Applicable BSC Objective (d).

BGT agrees with the proposed implementation date.

If you have any questions regarding this response please contact me 01753 431137.

Yours faithfully

Mark Manley
Contract Manager

P185 REPORT PHASE CONSULTATION QUESTIONS

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Respondent:	<i>Andrew Colley</i>
No. of Parties Represented	6
Parties Represented	<i>SSE Energy Supply Ltd, SSE Generation Ltd, Keadby Generation Ltd, Medway Power Ltd, Southen Electric Power Distribution plc, Scottish Hydro-Electric Power Distribution Ltd</i>
No. of Non Parties Represented	0
Non Parties represented	
Role of Respondent	<i>Supplier/Generator/Trader/LDSO</i>

Q	Question	Response Error! Bookmark not defined.	Rationale
1.	Do you agree with the Panel's views on P185 and the provisional recommendation to the Authority contained in the draft Modification Report that P185 should be made? Please give rationale.	Yes	The modifications described remove areas of uncertainty within the Code and will improve the efficiency of the business conducted by Trading Disputes Committee and the Disputes Administrator. Tightening the legal text in these areas gives greater direction to the market.
2.	Do you agree with the Panel's view that the legal text provided in the draft Modification Report correctly addresses the defect or issue identified in the Modification Proposal? Please give rationale.	Yes	
3.	Do you agree with the Panel's provisional recommendation concerning the Implementation Date for P185? Please give rationale.	Yes	
4.	Are there any further comments on P185 that you wish to make?	No	

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P185 REPORT PHASE CONSULTATION QUESTIONS – TRADING QUERIES/DISPUTES – ESD / DISPUTE RESOLUTION

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Respondent:	British Energy Power & Energy Trading Ltd
No. of Parties Represented	5
Parties Represented	British Energy Power & Energy Trading Ltd, British Energy Generation Ltd, British Energy Direct Ltd, British Energy Generation (UK) Ltd, Eggborough Power Ltd
No. of Non Parties Represented	-
Non Parties represented	-
Role of Respondent	<i>Supplier/Generator/Trader/Consolidator/Exemptable Generator/Party Agent</i>

Q	Question	Response	Rationale
1.	Do you agree with the Panel's views on P185 and the provisional recommendation to the Authority contained in the draft Modification Report that P185 should be made? Please give rationale.	Yes	Desirable clarification of obvious intent concerning payments relating to Extra Settlement Determination.
2.	Do you agree with the Panel's view that the legal text provided in the draft Modification Report correctly addresses the defect or issue identified in the Modification Proposal? Please give rationale.	Yes, but	Section U2.2.3 added last paragraph says ‘ <i>A relevant Settlement Run for the purposes of this paragraph 2.2.3(i) is a Settlement Run (or, where relevant, the first Settlement Run) in which the settlement error in respect of which the Extra – Settlement Determination was carried out has been corrected.</i> ’ Surely the relevant run will always be the first settlement run in which the error has been corrected. Otherwise the original ESD payments would be liable to be repaid again for each subsequent settlement run in which the data was corrected? In practice, who takes responsibility for checking that the error has been corrected in a settlement run before invoicing the ‘ESD Unwinding’?
3.	Do you agree with the Panel's provisional recommendation concerning the Implementation Date for P185? Please give rationale.	Yes	
4.	Are there any further comments on P185 that you wish to make?	No	

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Respondent:	<i>Louisa Gilchrist</i>
No. of Parties Represented	10
Parties Represented	RWE Trading GmbH, RWE Npower plc, Npower Co-gen Ltd, Npower Co-gen Trading Ltd, Npower Direct Ltd, Npower Ltd, Npower Northern Ltd, Npower Northern Supply Ltd, Npower Yorkshire Ltd, Npower Yorkshire Supply Ltd
No. of Non Parties Represented	N/A
Non Parties represented	N/A
Role of Respondent	<i>Supplier/Generator/ Trader / Consolidator / Exemptable Generator / Party Agent¹)</i>

Q	Question	Response ¹	Rationale
1.	Do you agree with the Panel's views on P185 and the provisional recommendation to the Authority contained in the draft Modification Report that P185 should be made? Please give rationale.	Yes	We agree with the recommendation that Modification P185 should be implemented
2.	Do you agree with the Panel's view that the legal text provided in the draft Modification Report correctly addresses the defect or issue identified in the Modification Proposal? Please give rationale.	Yes	The legal text has clarified all issues raised within the initial proposal and removes the perceived ambiguity that already exists.
3.	Do you agree with the Panel's provisional recommendation concerning the Implementation Date for P185? Please give rationale.	Yes	Nov 2005 is the best date for implementation, given that this does not involve any significant changes to systems and processes and therefore should be quite easy to implement, the sooner the ambiguities are removed the better
4.	Are there any further comments on P185 that you wish to make?	No	

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