

GB ASSESSMENT CONSULTATION for Modification Proposal P168 Publication of BMU GC and DC values on ELEXON website

Prepared by: ELEXON on behalf of the P168 Modification Group (P168 MG)

For attention of: GB BSC Parties and all other interested parties
Responses due: **17:00 on Friday 17 September 2004**
(to: modification.consultations@elexon.co.uk)

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This document has been distributed in accordance with Section F2.1.10¹ of the Balancing and Settlement Code.

Purpose of document

Following BETTA Go-Active, this consultation seeks respondents' views on the GB-wide issues raised by P168, and in particular:

- Whether the Proposed Modification P168 would better facilitate the achievement of the GB Applicable BSC Objectives;
- Whether any of the points raised during the Modification Group's discussions give rise to any Alternative Modification which, when compared with the Proposed Modification, would better facilitate achievement of the GB Applicable BSC Objectives in relation to the defect identified by the Modification Proposal; and
- Whether there are any substantive issues not considered by the Modification Group which should be brought to the Group's attention for inclusion in its GB-wide assessment of P168.

Respondents are also invited to provide an indication of the extent to which they would use Generation Capacity and Demand Capacity values if published on the BSC Website, and the activities in which such data would be used.

The P168 MG also specifically invites the views of smaller BSC Parties and new entrants as to whether publication of Generation Capacity and Demand Capacity values would reduce barriers to participation in the GB-wide electricity market.

You are invited to provide a response to the questions contained in the attached pro-forma.

Please send responses, entitled 'P168 GB Assessment Consultation', by **17:00 on Friday 17 September 2004** to the following e-mail address: modification.consultations@elexon.co.uk.

Any participants who have already responded to the England and Wales P168 Assessment Consultation need only resubmit their response if they identify any additional GB issues which they believe may arise from P168.

Any queries on the content of the consultation pro-forma should be addressed to Kathryn Coffin (020 7380 4030), e-mail address kathryn.coffin@elexon.co.uk.

¹ The current version of the GB Code can be found at [ELEXON - Balancing and Settlement Code \(BSC\) – Live Version](#).

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SUMMARY OF IMPACTED PARTIES AND DOCUMENTS

As far as BSCCo and the P168 Modification Group have been able to assess, the following parties/documents are potentially impacted by Modification Proposal P168.

Parties*	Sections of the BSC	Code	Subsidiary Documents
Suppliers <input checked="" type="checkbox"/>	A	<input type="checkbox"/>	BSC Procedures <input type="checkbox"/>
Generators <input checked="" type="checkbox"/>	B	<input type="checkbox"/>	Codes of Practice <input type="checkbox"/>
Licence Exemptable Generators <input checked="" type="checkbox"/>	C	<input type="checkbox"/>	BSC Service Descriptions <input type="checkbox"/>
Transmission Company <input type="checkbox"/>	D	<input type="checkbox"/>	Service Lines <input type="checkbox"/>
Interconnector <input checked="" type="checkbox"/>	E	<input type="checkbox"/>	Data Catalogues <input type="checkbox"/>
Distribution System Operators <input checked="" type="checkbox"/>	F	<input type="checkbox"/>	Communication Requirements Documents <input type="checkbox"/>
Party Agents			
Data Aggregators <input type="checkbox"/>	G	<input type="checkbox"/>	Reporting Catalogue <input checked="" type="checkbox"/>
Data Collectors <input type="checkbox"/>	H	<input type="checkbox"/>	MIDS <input type="checkbox"/>
Meter Operator Agents <input type="checkbox"/>	J	<input type="checkbox"/>	Core Industry Documents
ECVNA <input type="checkbox"/>	K	<input type="checkbox"/>	Grid Code <input type="checkbox"/>
MVRNA <input type="checkbox"/>	L	<input type="checkbox"/>	Supplemental Agreements <input type="checkbox"/>
BSC Agents			
SAA <input type="checkbox"/>	M	<input type="checkbox"/>	Ancillary Services Agreements <input type="checkbox"/>
FAA <input type="checkbox"/>	N	<input type="checkbox"/>	Master Registration Agreement <input type="checkbox"/>
BMRA <input type="checkbox"/>	O	<input type="checkbox"/>	Data Transfer Services Agreement <input type="checkbox"/>
ECVAA <input type="checkbox"/>	P	<input type="checkbox"/>	British Grid Systems Agreement <input type="checkbox"/>
CDCA <input type="checkbox"/>	Q	<input type="checkbox"/>	Use of Interconnector Agreement <input type="checkbox"/>
TAA <input type="checkbox"/>	R	<input type="checkbox"/>	Settlement Agreement for Scotland <input type="checkbox"/>
CRA <input type="checkbox"/>	S	<input type="checkbox"/>	Distribution Codes <input type="checkbox"/>
Teleswitch Agent <input type="checkbox"/>	T	<input type="checkbox"/>	Distribution Use of System Agreements <input type="checkbox"/>
SVAA <input type="checkbox"/>	U	<input type="checkbox"/>	Distribution Connection Agreements <input type="checkbox"/>
BSC Auditor <input type="checkbox"/>	V	<input checked="" type="checkbox"/>	BSCCo
Profile Administrator <input type="checkbox"/>	W	<input type="checkbox"/>	Internal Working Procedures <input checked="" type="checkbox"/>
Certification Agent <input type="checkbox"/>	X	<input type="checkbox"/>	Other Documents
MIDP <input type="checkbox"/>			Transmission Licence <input type="checkbox"/>
Other Agents			
SMRA <input type="checkbox"/>			
Data Transmission Provider <input type="checkbox"/>			

*P168 requires no changes to any systems or processes used by Parties. However, P168 impacts Parties to the extent that the GC and DC values for their BM Units would be made available to all interested parties via the BSC Website. Publication of GC and DC values may also aid Parties in carrying out certain activities (to be determined by this consultation).

1. DESCRIPTION OF MODIFICATION PROPOSAL

1.1 Modification Proposal P168

1.1.1 Aim of Modification Proposal

Modification Proposal P168 'Publication of BMU GC and DC values on ELEXON website' ('P168') was raised by SmartestEnergy Ltd ('the Proposer') on 27 July 2004.

P168 proposes that Generation Capacity (GC) and Demand Capacity (DC) values be published on the BSC (ELEXON) Website for all live BM Units. The Proposer argues that this data should be made available to participants in order to aid market analysis, and that its publication would further the openness and transparency of the electricity market.

The Proposer therefore believes that P168 would better facilitate Applicable BSC Objective (c):

'promoting effective competition in the generation and supply of electricity, and (so far as consistent therewith) promoting such competition in the sale and purchase of electricity'.

Publication of GC and DC values on the BSC Website requires a Modification Proposal, since such data falls within the category of Confidential Information under the Balancing and Settlement Code ('the Code').

1.1.2 Code's existing definition of Confidential Information

Annex X-1 of the Code defines Confidential Information as being:

'in relation to a Party, all data, documents and other information supplied to that Party, that Party's Party Agent or any nominee of that Party by or on behalf of another Party (or Party Agent) or by or on behalf of the Panel, any Panel Committee, any Modification Group, a BSC Agent or a Market Index Data Provider under or pursuant to the provisions of the Code or any Code Subsidiary Document and, additionally, where the Party is a Supplier who was also a Distribution System Operator [...] any data and other information which is held in respect of a Customer and which was previously acquired by that Supplier acting in its capacity as such a Distribution System Operator'.

BSCCo is included as a Party for the purposes of the above definition. Since GC and DC values are issued to BSCCo by the Central Registration Agent (CRA), this data therefore constitutes Confidential Information for the purposes of the Code.

1.1.3 Code's existing rules regarding Disclosure of Confirmation Information

Section H4.2 prohibits Disclosure of Confidential Information, except where it falls within an exception described in H4.2.3 or where its Disclosure is expressly permitted within another part of the Code (for instance, in Section V 'Reporting'). This obligation applies to each BSC Party (including BSCCo), who are defined as Restricted Parties for such purposes.

H4.2.3 allows Confidential Information to be Disclosed by a Restricted Party to the Authority, or in the following circumstances:

- The Restricted Party is permitted to Disclose the Confidential Information under the terms of a Nominated Agreement, or to comply with any Relevant Instrument or Legal Requirement;
- The Restricted Party believes, on reasonable grounds, that market arrangements set out or contemplated by the Code require or permit it to Disclose the Confidential Information;
- The person to whose affairs the Confidential Information relates gives prior written consent to the Disclosure;

- The Confidential Information is already in the public domain; or
- The person to whom the Confidential Information is Disclosed is an Affiliate of the Restricted Party.

However, under such circumstances the data must remain Confidential Information. Disclosure of GC and DC values by BSCCo using the BSC Website would therefore not qualify as an exception under H4.2.3.

Under Section B3 of the Code, the BSC Panel ('the Panel') also has a restricted ability to Disclose data. However, this Section prohibits the Panel from Disclosing any Trading Data unless this is expressly provided for by Section V.

Section V states that 'where data is or may be published pursuant to this Section V, such data shall not be regarded as Confidential Information for the purposes of H4.2' (V1.3.1(b)). Examples of BM Unit information which Section V permits to be published on the BSC Website include Credit Assessment Load Factor values and BM Unit identification numbers (IDs).

Section V does not provide for GC and DC values to be Disclosed by BSCCo. Currently, individual BSC Parties receive GC and DC values for their own BM Units (or, where a Party is part of a Trading Unit, for all BM Units in that Trading Unit) via the CRA-I014 flow. However, Parties wishing to receive other Parties' CRA-I014 flows can only do so by submitting a report request to BSCCo under BSCP41 'Report Requests and Authorisation', and obtaining the consent of the other Party in accordance with H4.2.3.

A modification to the Code is therefore required before GC and DC values can be published by BSCCo on the BSC Website.

1.2 Process followed to date

The P168 Initial Written Assessment (IWA, Reference 1) was presented at the Panel Meeting held on 12 August 2004, where the Panel determined that P168 should be submitted to a one-month Assessment Procedure by a new Modification Group composed of members of the Governance, Settlement and Volume Allocation Standing Modification Groups. Section 2 of this consultation document summarises the initial views and discussions of the P168 Modification Group (P168 MG) at its meetings held on 16 August and 1 September 2004.

An England and Wales Assessment Consultation in respect of P168 was issued on 20 August 2004 (P168 Assessment Consultation, Reference 2). The responses received to the England and Wales consultation are included as a separate attachment to this document.

At its meeting on 2 September 2004, the Panel noted that (following BETTA Go-Active on 1 September) it was now required under the GB BSC to make its recommendation in respect of any Modification Proposal in the context of the wider GB arrangements. The Panel additionally noted that, in order to aid it in making such a recommendation, any Assessment Report presented after 1 September must contain an assessment of the Modification Proposal against the amended GB Applicable BSC Objectives – including a GB-wide industry consultation.²

The Panel therefore agreed that P168 should be resubmitted to the Assessment Procedure for an additional month, in order that a GB-wide consultation be undertaken by industry (including any new Scottish BSC Parties) and a GB Assessment Report be presented at its meeting of 14 October 2004.

1.3 Interaction with Modification Proposal P169

Modification Proposal P169 'Publication of BMU names on ELEXON website' ('P169') was also raised by SmartestEnergy Ltd on 27 July 2004, and proposes that BM Unit names be published against the existing BM

² More information regarding BETTA Go-Active can be found in an ELEXON Press Release, which is available to download from the BSC Website at the following link: http://www.elexon.co.uk/documents/Newsroom/Press_Releases_2004/Go-Active_Press_Release.pdf

Unit IDs on the BSC (ELEXON) Website. Since the defects identified by P168 and P169 are similar, the Panel agreed that the two Proposals should be considered by the same Modification Group.

The Panel initially determined that the Proposals should be progressed separately under a one-month Assessment Procedure for P168 and a two-month Assessment Procedure for P169. The Panel requested that the P168 discussions focus only on developing the solution for publishing GC and DC values, with any broader issues relating to Confidential Information or data publication to be considered under P169.

Please note that, although the Panel has now extended the P168 Assessment timetable by one month in order to undertake a GB-wide consultation, the two Proposals are still being considered separately. A GB consultation has also been issued for P169 (see P169 Assessment Consultation document, Reference 3); however the response deadlines for P168 and P169 remain different.

Separate P168 and P169 GB Assessment Reports will now be presented to the Panel at its meeting of 14 October 2004.

2. MODIFICATION GROUP'S DISCUSSION OF ISSUES RAISED BY THE MODIFICATION PROPOSAL

2.1 Format and frequency of publication

The P168 MG noted that GC and DC values had previously been published by BSCCo as part of the 'Registered BMU' spreadsheet within the Central Registration Service (CRS) Registration Data section of the BSC Website. The Group noted that these values had been published from shortly after NETA Go-Live until December 2003, when they were withdrawn following BSCCo's legal advice that the data falls within the category of Confidential Information under the Code.

The P168 MG noted that the aim of Modification Proposal P168 is therefore to reinstate GC and DC values on the BSC Website, by amending Section V of the Code in order to expressly provide for its publication.

The Group noted that the Modification Proposal does not prescribe the format or frequency under which GC and DC values would be published. The Proposer clarified that his intention was that the data be published within the 'Registered BMU' spreadsheet as previously, and that this spreadsheet continue to be updated on its current weekly basis.³ The P168 MG accepted this clarification, and also noted that the Panel had expressed its preference for this solution at its August meeting. However the Group noted that since the removal of GC and DC values from the website, Modification P123 had been implemented to allow Parties to downwardly-revise DC twice during a BSC Season.⁴ The P168 MG therefore considered whether any additional or alternative reporting requirements should be developed as a result of P123, but agreed that none were required.

The P168 MG therefore agreed that GC and DC values should be published as previously within the 'Registered BMU' spreadsheet, and that this should continue to be updated on its current weekly basis. The Group noted that BSCCo receives GC and DC values from the CRA as part of the CRA-I020 flow (Operations Registration Report) sent to ELEXON's Trading Operations Market Analysis System (TOMAS) – and that the values would therefore need to be extracted from TOMAS before they could be published on the BSC Website.

³ The existing 'Registered BMU' spreadsheet is published by BSCCo every Monday, and contains the previous Friday's data. The spreadsheet currently provides Party names and Party IDs against each BM Unit ID. GC and DC values had previously been published as two additional columns of data.

⁴ Modification Proposal P123 'Assessment of Credit Cover following a change in a Party's Portfolio' (implemented 27 February 2004).

2.2 Estimated impact of P168

The P168 MG noted the following initial estimates of the impact of P168, as identified by BSCCo:

Impact on Balancing and Settlement Code documentation

Item	Potential Impact of P168
Section V 'Reporting'	Amendment to expressly provide for GC and DC values to be published on the BSC Website – possibly as an addition to the CRS registration data set out in V4.2.3.
Reporting Catalogue	Addition of GC and DC values to Section 8.1 'BSCCo Reports Published on BSC Website'.

Impact on BSCCo

BSCCo Function	Estimated Impact of P168
BSC Configuration Administration	5 man days' effort would be required to implement changes to Section V of the Code.
Market Monitoring	½ man day's effort would be required to add new 'GC' and 'DC' fields to the TOMAS manual report template used to produce the 'Registered BMU' spreadsheet.
BSC Website	½ man day's effort would be required to amend the existing explanatory text for the 'Registered BMU' spreadsheet on the CRS Registration Data page (Market Data section).
CVA Programme	1 man day's effort would be required to amend the Reporting Catalogue as part of a scheduled Release. 4 man days' effort would be required to amend the Reporting Catalogue as a stand-alone change.
Corporate Assurance	½ man day's effort would be required to provide assurance to the CVA Programme and amend BSCCo's Obligations Register.

The P168 MG noted that P168 would have no impact on any BSC Systems or processes. The Group also noted that P168 would require no changes to any systems or processes used by Parties, but would impact Parties to the extent that the GC and DC values for their BM Units would be made available to all interested parties via the BSC Website.

The P168 MG also considered the similarities between the estimated BSCCo implementation effort for P168 and P169. The Group noted BSCCo's advice within the IWA that combining the implementation of the P168 and P169 Proposed Modifications would incur only the P168 implementation costs, due to the similarities in the solutions (and since the Proposed Modification P169 is estimated to require less effort than P168).

The P168 MG also noted the potential Alternative Modification being considered for P169, under which all BM Unit registration data contained in the CRA-I020 flow would be published on the BSC Website. The Group noted that if this potential P169 Alternative was implemented P168 would no longer be required.

3. MODIFICATION GROUP'S INITIAL ASSESSMENT OF P168 AGAINST THE APPLICABLE BSC OBJECTIVES

The initial view of the P168 MG is that P168 would better facilitate Applicable BSC Objective (c).

The Group agreed that publication of GC and DC values would promote the transparency of the market, and thereby facilitate competition. Members of the Group suggested that such data would help participants with

market-modelling activities, such as monitoring Parties' individual interactions and positions or identifying mothballed plant. The Group therefore considered that GC and DC values may be particularly useful to small players or new entrants seeking to better understand the market. Other members also noted that the information might be useful to large or existing Parties as a means to monitor their submitted BM Unit Metered Volume estimates.

The P168 MG suggested that, since no Parties had objected to BSCCo's previous publication of GC and DC values, publication of such values was therefore welcomed by industry and widely held to be non-contentious. BSCCo reported that it had received seven calls to the ELEXON Helpdesk requesting such data since it had been removed from the website in December 2003. The Group noted that these calls had been raised by a mixture of large Parties, small Parties and consultants.

An attendee at the first P168 meeting suggested that larger Parties or those with a longer history of market participation could already derive GC and DC using existing available data, such as the Maximum Import Limit/Maximum Export Limit. The Group considered that non-publication of GC and DC values therefore potentially discriminated against small Parties or new entrants, since these would not necessarily have the resources or knowledge required to undertake such calculations.

The P168 MG discussed whether there were any wider common-law confidentiality rights which might override the provisions of the Code. The Group noted BSCCo's legal advice that, under the existing provisions of V1.3, Parties 'irrevocably and unconditionally' consent to publication of data on the BSC Website (as well as the use and Disclosure of that data by other Parties) where such data is published under paragraph V4 of the Code. The Group noted BSCCo's legal view that no additional confidentiality waiver by Parties would be required in respect of their GC and DC values – since this data would be published in accordance with paragraph V4 under the P168 legal text, and the views of Parties regarding its publication would have been sought during P168 consultation.

The P168 MG agreed that they did not believe there to be any reason why GC and DC values needed to be Confidential Information under the Code. However, one member of the Group – while noting that there did not appear to be any downside to publishing GC and DC values – stated that they found it difficult to say whether this would better facilitate competition, since it was not clear how the data would be used by participants. An attendee at the first P168 meeting stated their view that making data available only aids transparency to the extent that the data is useful to industry.

On balance, the P168 MG agreed that publication of GC and DC values on the BSC Website would better facilitate Applicable BSC Objective (c). However, in order to provide more detail in support of this view, the Group agreed that the P168 Assessment Consultation should seek to identify whether participants believe such data to be useful and the activities in which it would be used. The Group also agreed to seek the views of small players and new entrants as to whether the current non-publication of GC and DC values represents a barrier to participation in the market.

The majority of respondents to the England and Wales Assessment Consultation agreed that P168 would better facilitate Applicable BSC Objective (c), although they did not necessarily believe non-publication of GC and DC values to be a barrier to participation in the market. Respondents to the consultation argued that publication of GC and DC values would increase transparency, aid market analysis and help Parties monitor their submitted BM Unit Metered Volume estimates. Copies of the England and Wales responses are contained in a separate attachment to this document.

Having considered these responses, the view of the P168 MG remained that P168 would better facilitate achievement of Applicable BSC Objective (c) in the context of the England and Wales arrangements. The Group's final recommendation will be made against the GB Applicable BSC Objectives following consideration of the GB Assessment Consultation responses provided in respect of this document.

Respondents’ views are therefore sought as to whether P168 would better facilitate the GB Applicable BSC Objectives.

In particular, respondents are invited to provide an indication of the extent to which they would use GC and DC values if published on the BSC Website, and the activities in which such data would be used.

The P168 MG also specifically invites the views of smaller BSC Parties and new entrants as to whether publication of GC and DC values would reduce barriers to participation in the GB-wide electricity market.

For reference the GB Applicable BSC Objectives, as contained in the Transmission Licence, are;

- (a) The efficient discharge by the licensee of the obligations imposed upon it by this licence and, during the transition period, shall include the efficient discharge by the licensee of those obligations which it is known (or reasonably anticipated) during the transition period are to be imposed on the licensee by this licence after the expiry of the transition period;
 - (b) The efficient, economic and co-ordinated operation of the licensee’s transmission system and the efficient, economic and co-ordinated operation of the GB transmission system;
 - (c) Promoting effective competition in the generation and supply of electricity, and (so far as consistent therewith) promoting such competition in the sale and purchase of electricity;
 - (d) Promoting efficiency in the implementation and administration of the balancing and settlement arrangements;
 - (e) Without prejudice to the foregoing objectives and subject to paragraph 3A, the undertaking of work by BSCCo (as defined in the BSC) which is:
 - (i) necessary for the timely and effective implementation of BETTA; and
 - (ii) relevant to the proposed GB wide balancing and settlement code; and does not prevent BSCCo performing its other functions under the BSC in accordance with its objectives;
- 3A For the purpose of, and without prejudice to, paragraph 5(a), in order to better achieve the objective referred to in 3(e), any modification to the BSC providing for the undertaking of work by the BSCCo pursuant to paragraph 3(e) must include express provision that:
- (i) such work is proposed by BSCCo and approved by the Authority prior to its commencement; and
 - (ii) the costs of such work as may be carried out by BSCCo shall be identified and recorded separately by BSCCo.

4. DOCUMENT CONTROL

4.1 Authorities

Version	Date	Author	Reviewer	Change Reference
0.1	18/08/04	Kathryn Coffin	Roger Salomone	Chairman review
0.1	18/08/04	Kathryn Coffin	P168 MG	Modification Group review
1.0	20/08/04	P168 MG		For industry consultation
2.0	08/09/04	P168 MG		For GB-wide consultation

4.2 References

Ref.	Document Title	Owner	Issue Date	Version
1	Initial Written Assessment for Modification Proposal P168 'Publication of BMU GC and DC values on ELEXON website' ELEXON - Modification Proposal 168	BSCCo	06/08/04	1.0
2	England & Wales Assessment Consultation for Modification Proposal P168 'Publication of BMU GC and DC values on ELEXON website' ELEXON - Modification Proposal 168	BSCCo	20/08/04	1.0
3	GB Assessment Consultation for Modification Proposal P169 'Publication of BMU names on ELEXON website' ELEXON - Modification Proposal 169	BSCCo	20/08/04	2.0