

## Report Phase Consultation Responses: P291 'REMIT Inside Information Reporting Platform for GB Electricity'

**Consultation issued on 14 June 2013**

We received responses from the following Parties

Company	No BSC Parties / Non-Parties Represented	Role of Parties/non-Parties represented
Drax Power Limited	1 / 0	Generator
IBM UK Ltd for and on behalf of the ScottishPower Group	7 / 0	Supplier / Generator / Trader / Consolidator / Exemptable Generator / Distributor
EDF Energy	10 / 0	Generator / Supplier / Party Agent / Consolidator / Exemptable Generator / Trader
National Grid	1 / 0	Transmission Company
SSE plc	11 / 0	Supplier / Generator / Trader / Consolidator / Distributor
E.ON	5 / 0	Supplier / Generator / Trader / Consolidator / Exemptable Generator
TMA Data Management Ltd	0 / 1	Party Agent

What stage is this document in the process?

01 Initial Written Assessment

02 Definition Procedure

03 Assessment Procedure

04 Report Phase

Question 1: Do you agree with the Panel's initial unanimous recommendation that P291 should be approved?

**Summary**

Yes	No	Neutral/No Comment
6	0	1

**Responses**

Respondent	Response	Rationale
Drax Power Limited	Yes	<p>We agree with the Panel's initial unanimous recommendation that P291 should be approved. Specifically, P291 will better facilitate Applicable BSC Objective (c) as publishing wholesale inside information on a public platform will ensure that this information is freely accessible to all Parties. We also note that although non-BSC Parties will be able to benefit from P291 without having to contribute towards the costs, this will be outweighed by the ancillary benefits arising from BSC Parties being able to see messages from non-BSC Parties on the platform. P291 will also better facilitate Applicable BSC Objective (e) as it aligns with the spirit of the ACER guidance and will better facilitate Parties' compliance with the relevant REMIT regulations.</p> <p>Moreover, the hybrid approach adopted, whilst incurring higher central implementation costs, can be expected to lower the overall costs incurred by individual BSC Parties, since participants can choose to use the submission route that is best for them i.e. minimises costs. We also expect that the Hybrid approach will maximise participation on the Platform and thus realise the full benefits associated with P291.</p>
IBM UK Ltd for and on behalf of the ScottishPower Group	Yes	<p>ScottishPower agrees with the Panel's recommendation that P291 should be approved as we believe P291 would better facilitate the Applicable BSC Objective (c) and (e) in that:-</p> <ul style="list-style-type: none"> <li>• Publishing REMIT information on a public platform will ensure that this information is freely and easily accessible to all Parties, which would better enable effective competition; and</li> <li>• It is consistent with the requirements of European Regulation on Energy Market Information Transparency (REMIT) and better facilitates Parties' compliance with the relevant</li> </ul>

Respondent	Response	Rationale
EDF Energy	Yes	<p>REMIT regulations.</p> <p><b>While it is difficult to demonstrate benefits explicitly against BSC objectives, although they may exist as described below, we think the proposal is a pragmatic approach to adapt the existing market reporting platform under the BSC for wider use. We support the development of central platforms, and think the costs are likely to be less than the total cost across the industry of developing a brand new system. Shared across all BSC Parties, the central costs do not appear excessive, and there is flexibility for us to manage our own costs for using the proposed functionality, with no requirement to change Grid Code interfaces if we choose not to.</b></p> <p>We think an alternative proposal using only the Elexon Portal to submit data would better meet BSC objectives, because it would deliver similar benefits with lower cost and earlier delivery. The benefits are described below against BSC objectives (b) and (c), and earlier implementation would obviously increase them. Lower cost would give less detriment to BSC Objective (d). However, we acknowledge majority support for a hybrid solution also allowing message submission via NGET, the uncertain cost of which would be borne by all parties in some proportion to market share, regardless of their usage. If the proposal is approved, we expect Elexon and NGET to maintain rigorous control of costs, with full transparency.</p> <p>The system operator might be able to use additional information provided on the platform to operate the transmission system more efficiently and securely, better meeting BSC Objective (b), however we think that the information to do this is already provided by participants in accordance with the Grid Code.</p> <p>Increased transparency for participants should facilitate forward trading to better balance positions, which might also better facilitate BSC Objective (b), but the extent of this is hard to quantify.</p> <p>There are potential benefits to competition in having a central GB platform to facilitate market transparency. This should better promote BSC objective (c) concerning competition, by allowing participants to allocate costs and risks between themselves more efficiently. However, the materiality</p>

Respondent	Response	Rationale
		<p>of the benefit is hard to quantify, particularly as use of the platform would not be mandatory.</p> <p>Sharing of the development and possible operating costs with participants that do not use or benefit from the platform would tend not to better meet BSC objective (c) concerning competition.</p> <p>The development and potential operating costs borne by all BSC Parties via BSCCo and NGET would not improve the efficiency of BSC administrative processes. This would not better meet the usual interpretation of BSC Objective (d). Nor would the costs borne directly by parties obviously improve BSC processes.</p> <p>However, there are potential efficiency benefits in modifying the existing GB BMRS platform for central GB reporting of REMIT data, rather than developing a new central platform. Similarly, there are potential benefits in modifying BMRS to act as a GB “marshalling” platform for future EU Data Transparency obligations.</p> <p>While the requirement for a central GB platform is not currently mandatory, and would not be mandatory if this proposal were approved, expenditure by BSCCo, NGET and parties on the proposal would not obviously allow BSC Objective (d) to be better met.</p> <p>EU Regulations do not currently mandate a GB central reporting platform, and even if they were to in future, it would not be obligated to be a platform created under the BSC, even though guidance may indicate a preference for existing platforms. Therefore, BSC Objective (e) concerns EU regulations does not appear to be directly relevant.</p>
National Grid	Neutral	<p>National Grid has raised a modification (P295), at the July 2013 panel, proposing that Elexon is the GB data provider for the ‘submission and publication of data in electricity markets’ commonly known as the Transparency Regulation, which was published in its final form in the Official Journal of the European Union on the 14th June 2013 . Whilst we support the principle of having an information reporting platform for the publication of information pursuant to obligations imposed on wholesale energy market participants under Regulation (EU) No 1227/2011 (“REMIT”), we believe there is merit in a holistic consideration of such publication requirements and the Transparency Regulation.</p>

Respondent	Response	Rationale
		<p>The Transparency Regulation sets out the data that market participants will be required to publish on a Central Information Platform. The information covers a wide area ranging from demand information, forecast margins, through to unavailability of transmission infrastructure, actual and forecast generation. The Transparency Regulation will also require the publication of generation and consumption unit outages.</p> <p>P291 concerns a platform for the publication of Inside Information which in most cases will be a sub-set of data that will be required under the Transparency Regulation; the publication of some outage information. Under P291 publication of information which market participants consider to be Inside Information will not be mandatory (in that participants may choose to publish information on other routes rather than via the P291 solution), whilst under the Transparency Regulation the submission of outage information, (where such information concerns generation over a certain MW category) will be mandatory.</p> <p>P291 proposes publication of Inside Information on the BMRS (outage data); the National Grid modification proposes publication of essentially the same outage information on the BMRS under the Transparency Regulation. The eventual destination of the Transparency data is the European Information Platform (EMFIP).</p> <p>The legal text of P291 defines Inside Information by reference to the REMIT definition of Inside Information: 'information of a precise nature which has not been made public.....'.</p> <p>Mandatory submissions of outage data and publication on the BMRS or on EMFIP under the Transparency Regulation should be considered alongside REMIT obligations. The P291 workgroup recognised the link between P291 and Transparency and the implementation date of P291 was chosen in recognition of this close linkage, however the Transparency Regulation was considered outside the scope of P291.</p> <p>The Transparency Regulation has since been published in its final form on the 14th June 2013 and we consider there is merit in holistic consideration of P291 and the Transparency Regulation data</p>

Respondent	Response	Rationale
		publication requirements.
SSE plc	Yes	<p>As the Proposer of P291 we believe that a defect in the BSC exists and that P291 seeks to correct that defect. The proposed solution developed by the Workgroup, in consultation with BSC Parties, has produced, in our view, a pragmatic and very 'elegant' solution which both addresses the defect fully whilst also taking account of the different data input routes that parties (BSC and none BSC) have expressed a preference for.</p> <p>We therefore fully agree with the Panel's initial unanimous recommendation that P291 should be approved.</p>
E.ON	Yes	<p>Enabling publication of REMIT information on BMRS as a central source that could be widely disseminated would be an improvement on the present situation where parties publish on their own websites, suggested by ACER to be an interim solution. Thus better in line with the Sept 2012 ACER guidance on REMIT.</p> <p>P291 should also help companies to meet their obligations under REMIT to publish inside information by providing two potential routes to do so in addition or in place of any they may set up themselves. Providing both the option to submit via the BMRS website, for any non-parties and others who might prefer this route, and via expanded flows already submitted for Grid Code compliance, for those who would prefer not to duplicate submissions, would provide useful flexibility. Potentially one route could provide an alternative for the other, meaning that parties publishing via their own websites but confident of BMRS reliability could also choose to cease regular publication on their own site should they wish. The mixed views in response to the Assessment consultation and uncertainty over IT cost estimates for each submission route also supports implementing the two routes to publication, thus we support both the Workgroup decision not to go forward with an Alternative, and the Panel recommendation that P291 be approved.</p>
TMA Data Management Ltd	Yes	-

## Question 2: Do you agree with the Panel that the redlined changes to the BSC deliver the intention of P291?

### Summary

Yes	No	Neutral/No Comment	Other
5	0	0	2

### Responses

Respondent	Response	Rationale
Drax Power Limited	Yes	We believe it does.
IBM UK Ltd for and on behalf of the ScottishPower Group	Yes	The draft legal text appears appropriate and in line with ACER guidance.
EDF Energy	-	<p>We have not subjected the text to formal legal review, but make the following comments:</p> <p>Section Q:</p> <ol style="list-style-type: none"> <li>We suggest the same form of words should be used in Q6.1.24 (concerning submission of data received by NGET to the BMRA) as in Q11.3.1 (concerning submission of data received by BSCCo to the BMRA). Section Q11.2.3, to which they both refer, contains a list of data items but does not describe the format. Also, the data is received by the Transmission Company or BSCCo from participants from time to time, but should be sent to BMRA immediately, not from time to time. Therefore the following form of words for 6.1.24 and 11.3.1 would be preferable:</li> </ol> <p>“[6.1.24/11.3.1] The [Transmission Company/BSCCo] shall send to the BMRA all Inside Information Data described in section 11.2.3 that it receives from time to time from a Market Participant [in accordance with the Grid Code/], as soon as reasonably practicable after receipt taking into account any technical constraints”.</p> <p>Note that the interfaces between a participant and the Transmission Company or BSCCo, between the Transmission Company and BSCCo and the BMRA, and between BMRA and its users</p>

Respondent	Response	Rationale
		<p>are all different, but the content for each is described by Q11.2.3.</p> <p>2. We have some concerns that the form of words in sections Q6.1.24 (NGET to BMRA), Q11.3.1 (BSCCo to BMRA) and V2.3.3(d) (BMRA publishing) "as soon as reasonably practical ... taking into account any technical constraints" do not give clear enough indication of expected performance, in terms of accepting (or rejecting) submitted messages, transferring them to BMRA, and BMRA publishing them. We recognize there is an interaction between cost and performance, both in speed and reliability, but think there should be firmer indication of normally expected performance. The draft modification report suggests expected timescales less than 5 minutes for NGET to BMRA, 1 minute for BSCCo to BMRA, and 1 minute for BMRA to publish. We would expect performance normally to be well within these timescales.</p> <p>3. "11.2.3 An Inside Information Data submission shall contain the following data items, where applicable: ....."</p> <p>11.2.1 requires submission to comply with the requirements of 11.2.3, and 11.2.3 requires a submission to contain certain data items, where applicable. This appears to limit the data that can be submitted to those items described, but does not indicate what would be applicable in any particular circumstance. 11.2.3(p) allows any further information, where applicable. Are the items in 11.2.3 intended to be mandatory, apart from (h), (m) and (p)?</p> <p>Suggest instead:</p> <p>"11.2.3 An Inside Information Data submission shall contain the following data items, except the information in sub-paragraph (h) which is only required for changes in generation, the information in sub-paragraph (m) [which is only required where known,?] and the information in sub-paragraph (p) which is optional: "</p> <p>and</p> <p>"(p) where applicable, any further textual information that the participant deems</p>



Respondent	Response	Rationale
		<p>necessary."</p> <p>4. 11.2.1(d) requires an asset name "eg. a BM Unit", (e) requires the asset to be categorised as generation, demand, transmission or distribution, and (f) refers to the "the participant to which the asset belongs (eg. the Lead Party of the relevant BM Unit)".</p> <p>A potential issue with this is that REMIT doesn't necessarily relate to asset owners, but to market participants.</p> <p>i) although an asset might correspond well with an individual BM Unit, and it might be useful to use the BM Unit identification, other names are likely to be possible. Where there is not a one-to-one correspondence between an asset and a BM Unit, for example generation or demand which is in a wider BM Unit, the name may not be as informative. If an asset can be spread over multiple BM Units (eg. consumers demand spread over several sites), it might be difficult to fit into the description options. While it might be useful for BSC Parties to be obliged to reference the BM Unit in which the asset lies (not currently drafted), as well as the asset name, it is difficult to place an obligation on non BSC Parties.</p> <p>ii) although the asset should usually be easily classified, there could be situations where a net effect results from change to generation and demand at the same time. Eg. a CHP or other complex site. In that case, a further category of "other" might be of use.</p> <p>iii) the asset owner is not necessarily the licence holder or the BSC (and possibly MRA) registrant. Under REMIT regulations, there is expected to be a register of self-declaring participants, and this might be more relevant.</p> <p>A licensed generator is required to be a BSC Party and the generating units must be registered in CDCA and will generally be BM Units in their own right (with usual complications for renewable generators and</p>

Respondent	Response	Rationale
		<p>non-standard BM Units). But the asset might ultimately belong to someone else, eg. a joint venture, rather than the entity registering and operating it.</p> <p>The asset owner may not be the name of the person/party submitting the message, and may not be the name of the party/person that has registered the meters and BM Unit associated with the asset under the BSC (and potentially MRA). Eg. Asset owner different to operator; unlicensed generation registered by a BSC party (though few above 100 MW); generation or demand registered by a private-wires operator; generation or demand registered by a Licensed Supplier. Even for licensed generation where the operator is a BSC Party and registrant, it might not be the owner. The asset may be essentially a BM Unit in its own right, may be metered as part of a BM Unit, or may be part of a site metered as a BM Unit or part of a BM Unit. It should always be possible to identify in which BM Unit an asset sits, and therefore the BSC Party taking responsibility for the flows, but that isn't a REMIT requirement, or a requirement of the drafted legal text.</p> <p>These issues will be faced by REMIT data users regardless of the BSC Proposal, but consistency, or clarification over what is meant by an asset and its owner here in the BSC might be useful.</p> <p>5. Proposed Q11.2.3(i) refers to the "normal operating capacity" of an asset. We note this is not particularly clear, given that the normal operating capacity may change over time.</p> <p>Section X:</p> <p>6. A definition is proposed for ""Inside Information Data": shall have the same meaning given to the term "inside information" as specified in Article 2(1) of REMIT;".</p> <p>The regulation refers to "Inside Information" in general, whereas Inside Information Data as proposed for the BSC is a particular set of data items. Although the intention is that the data items should cover all possibilities, it might be preferable to distinguish "Inside Information" from the particular data items used under BSC Q11.2.3 to describe it. Suggest "Inside</p>

Respondent	Response	Rationale
		<p>Information” refers to the regulation, as drafted, while “Inside Information Data” means “the data items in Section Q11.2.3 used to describe Inside Information. An “Inside Information Message” as referred to in proposed Table 1B of Annex V-1 could also be defined as “a message containing data items specified in Section Q11.2.3”.</p> <p>Annex V-1</p> <p>7. Proposed Table 1B is referred to within the text of Section V (eg. V2.2.2B), but contains no useful information. It refers to an “Inside Information Message”, but this is not defined anywhere, or any reference given for its meaning. See comments above on Section X.</p>
National Grid	-	<p>On further evaluation of the BSC legal text and the REMIT regulation there are some interactions that may merit consideration.</p> <p>REMIT Article 2(1) defines ‘inside information’ as means information of a precise nature which has not been made public.....</p> <p>Article 3(1)(b) prohibits disclosure and states; ..... disclosing that information to any other person unless such disclosure is made in the normal course of the exercise of their employment, profession or duties.</p> <p>Article 4(3) states; ..... Whenever a market participant.....discloses inside information ...as referred to in point (b) of Article 3(1), that market participant shall ensure simultaneous, complete and affective effective public disclosure of that information.</p> <p>Under P291, Elexon is the publication platform for information from parties through either direct submission (for outage and other information) or via National Grid (for outage information).</p> <p>Given that participants will (including National Grid), under REMIT Article 4(3), be ensuring public disclosure of ‘inside information’ before submission to Elexon for further publication and once public that information is no longer ‘inside information’ under Article 2(1), the question arises if the BSC text should refer to ‘information’ rather than ‘inside information’ and if the reference to the REMIT regulation definition of ‘inside information’ is appropriate.</p>

Respondent	Response	Rationale
		Elexon will be providing a platform to which parties will submit data which they consider merits wider publication. Information submitted to Elexon will not be 'inside information' because it will have been, simultaneously, made public by parties.
SSE plc	Yes	We agree with the Panel that the proposed changes to the BSC deliver the intention of P291.
E.ON	Yes	As a lay reader the 6.1.24 wording could perhaps be a little neater, and is it necessary to say from time to time?  'As soon as reasonably practicable after receipt (taking into account any technical constraints), the Transmission Company shall send to the BMRA all Inside Information Data it receives from a Market Participant in accordance with the Grid Code from time to time and paragraph 11.2.3.'  But legally I presume it is fine.
TMA Data Management Ltd	Yes	-

## Question 3: Do you agree with the Panel's recommended Implementation Date?

### Summary

Yes	No	Neutral/No Comment	Other
6	0	0	1

### Responses

Respondent	Response	Rationale
Drax Power Limited	Yes	Yes. We welcome the intention to align implementation with changes required as part of the Transparency regulation.
IBM UK Ltd for and on behalf of the ScottishPower Group	Yes	ScottishPower believes P291 should be implemented as soon as possible and agrees with the Panel's recommended Implementation Date, which would also enable synergy to be realised with the forthcoming EU Transparency Regulations changes.
EDF Energy	-	<p>We would expect to use the Portal submission method, and can accommodate implementation on 31 December 2014 and/or a 9 month lead time provided there are no mandatory changes to Grid Code interfaces.</p> <p>BSCCo and NGET have advised during assessment that there should not be any mandatory impacts on Grid Code participants as a result of P291, but this is not explicitly confirmed in the Assessment Report. If there are mandatory impacts even for parties not intending to use Grid Code data submission methods, we may require longer notice, and our costs would be increased.</p>
National Grid	Yes	Given the close linkage to the P291 information publication and the Transparency information publication it is appropriate that they are implemented at the same time.
SSE plc	Yes	The proposed implementation date (of 31 <sup>st</sup> December 2013, if a decision is provided by the end of March 2013) is both appropriate and pragmatic taking into account system changes for National Grid, Elexon and BSc Parties whilst, in passing, also being desirable with respect to the Transparency Regulations.
E.ON	Yes	We agree with the Workgroup logic in light of the time required for IT development.
TMA Data	Yes	-

Respondent	Response	Rationale
Management Ltd		

## Question 4: Do you have any further comments on P291?

### Summary

Yes	No
3	4

### Responses

Respondent	Response	Rationale
Drax Power Limited	Yes	<p>We note National Grid's comments on the suitability of the TOGA architecture for REMIT reporting, in particular the absence of real-time publication functionality. We consider that there is merit in investigating the potential upgrade/replacement of TOGA to provide this functionality so as to ensure REMIT reporting requirements can be more efficiently met by market participants.</p> <p>We note the list of reasons for the 'Cause' field presented on page 33 of the report. We suggest that, for coal plant, the following definitions are used for each of these reasons:</p> <p><b>Planned Outage</b></p> <p>Definition = Major Overhaul planned at least one month ahead</p> <p><b>Boiler</b></p> <p>Definition = FD Fan intake through to Induced Draft Fan outlet Economiser through to Boiler stop Valves</p> <p><b>Turbine Generator</b></p> <p>Definition = From Boiler stop valves to Condenser Hotwell Generator and Exciter Train and Generator and Unit Transformers Stator Water, Lubricating Oil and Hydrogen Systems</p> <p><b>Feed System</b></p> <p>Definition = Condenser Extraction Pumps to Economiser Inlet</p> <p><b>Fuel Supply</b></p> <p>Definition = Fuel delivery to site up to the burners</p> <p><b>Testing</b></p> <p>Definition = Any change in availability due to the</p>

Respondent	Response	Rationale
		<p>testing of onsite equipment</p> <p><b>Ash &amp; Dust and Flue Gas Desulphurisation</b></p> <p>Definition = Induced Draft Fan outlet to Chimney Flue Furnace Ash Hopper, Precipitators, ash and dust pipes, pumps, sluiceways and disposal</p> <p><b>Common Water Services</b></p> <p>Definition = Cooling water systems, Water Treatment Plant, Hyperchlorite</p> <p><b>Control and I.T.</b></p> <p>Definition = Computer and control systems and Software</p> <p><b>Electric Power Supply Systems</b></p> <p>Definition = Power switchboards, cables, transformers and associated apparatus. From low voltage DC to Transmission sub station</p> <p><b>Other (see 'Related Information')</b></p> <p><b>Unknown/Under Investigation</b></p> <p>We recognise that the definitions must provide guidance for all plant types. We recommend that further work is carried out to ensure the range of definitions can be applied across all plant types. This could be done outside of the Modification process (e.g. by way of a guidance note).</p>
IBM UK Ltd for and on behalf of the ScottishPower Group	Yes	ScottishPower continues to believe that Portal-only option would offer the industry the best value and simplest solution (assuming the necessary security and authorisation arrangements are in place and that the integrity of the system is robust), but accepts that the Proposed solution is a pragmatic approach that would suit all parties. However, we remain concerned that through the Grid Code option, REMIT information could simply contain every single Grid Code submission of MEL changes rather than selective ones that could affect the market price.
EDF Energy	Yes	Page 22 of the draft report says "It was noted that consumers of more than 600GWh/year are regarded as wholesale participants, which equates to around 68MWh peak demand,...". This should be corrected to say around 68 MW average demand, and could also mention that consumers with peak demand



Respondent	Response	Rationale
		<p>above 100 MW but with non-uniform load could well fall below the 600 GWh/year threshold.</p> <p>Some concerns remain that other mandatory developments could interact over these timescales and render the "Grid Code" part of the solution, the part which requires long timescales, inefficient. For example, BMRS reporting requirements arising from the recently published EU Data Transparency regulation 543/2013, expected to come into force about 4 July 2013, and to be implemented by about 4 January 2015.</p>
National Grid	No	-
SSE plc	No	-
E.ON	No	-
TMA Data Management Ltd	No	-