

ENERGY

ELECTRICITY

MODIFICATIONS TO DOCUMENTS MAINTAINED UNDER LICENCES (EMR No. 1 of 2015)

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The Secretary of State makes the following modifications to licences and to documents maintained under licences, in exercise of the powers conferred by sections 26 and 64(8), (9) and (13) of the Energy Act 2013 (“the Act”).

The Secretary of State has before making these modifications consulted in accordance with section 26(4) of the Act.

A draft of these modifications has been laid before Parliament in accordance with section 64(2) of the Act. Neither House of Parliament resolved, within the 40-day period referred to in section 64(3) of the Act, that the Secretary of State should not make the modifications.

Interpretation

1 In these modifications—

- (a) “Balancing and Settlement Code” means the code for the governance of electricity balancing and settlement in Great Britain which is maintained in accordance with the conditions of a transmission licence granted or treated as granted under section 6(1)(b) of the Electricity Act 1989;
- (b) “BSCP503” means the document of that name which is maintained by the BSC code administrator in accordance with the Balancing and Settlement Code.

Modifications to the Balancing and Settlement Code

2 The provisions of the Balancing and Settlement Code are modified in accordance with paragraphs 4 to 7, with effect from 25th June 2015.

3 As modified the provisions of each relevant section of the Balancing and Settlement Code shall be comprised in a new version of that section of the Balancing and Settlement Code, which version shall bear the next sequential number after the version which applied immediately before the modifications had effect.

4 In Section F, for paragraph 1.1.9 substitute—

“1.1.9 Notwithstanding paragraph 2 and subject to paragraph 1.1.10, the following Code provisions may not be amended without the prior written consent of the Secretary of State:

- (a) paragraphs 1.1.9, 1.1.10, 1.6.1B, 1.6.3(e), 1.6.3(f), 1.9.3, 2.1.1(e), 2.1.1(f), 2.1.10(a)(viii), 2.7.6(b)(iii) and paragraph 1(d)(viii) of Annex F-1;
- (b) any paragraph in this Section F to the extent only that it makes reference to the persons referred to in paragraph 1.9.3 or refers to the Capacity Market Rules and/or the AF Rules;

- (c) Sections C1.2.1B, C11, paragraphs 1.1 and 1.2 of Annex C-1, Section D7, Section K3.1.2A, Section K3.1.8, Sections K3.3.12 to K3.3.14 (inclusive), Section L7.6.1A, Sections S2.4.1(i), S2.9, S2.10 and S4.1.1(f), Section V5 and Section W1.5.3;
- (d) all terms and expressions that are defined in Annex X-1 and that are used only in the Code provisions specified in paragraphs 1.1.9(a), (b) and (c); and
- (e) any reference elsewhere in the Code to a CFD Settlement Services Provider, a CfD Counterparty, a Contract for Difference, a CM Settlement Services Provider, the CM Settlement Body, the Capacity Market Rules and/or an EMR Legal Requirement.”

5 In Section K insert new paragraph 3.1.2A directly after 3.1.2 to read as follows—

“3.1.2A A BM Unit (other than a Supplier BM Unit or Interconnector BM Unit) comprised of EII Assets shall not be comprised of any:

- (a) Plant or Apparatus that are not EII Assets; and/or
- (b) EII Assets with a different Exemption Proportion.”.

6 In Section S, insert new paragraph 2.10 to read as follows—

“2.10 Provision of Data relating to EII Assets

2.10.1 Where a Supplier is the Registrant of an SVA Metering System associated with EII Assets then that Supplier shall ensure that its Half Hourly Data Aggregator provides metered data relating to that SVA Metering System to an EMR Settlement Services Provider in accordance with BSCP503.”.

7 In Annex X-1, insert the following new definitions in the relevant places—

"EII Asset":	means Plant and Apparatus associated with Metering Systems in respect of which an EII Certificate is in force;
"EII Certificate":	means a certificate issued by the Secretary of State pursuant to the EII Regulations;
"EII Regulations":	means The Electricity Supplier Obligations (Amendment & Excluded Electricity) Regulations 2015;

"Exemption Proportion":

in respect of EII Assets, means the exemption proportion specified in an EII Certificate, or as amended by notice from the Secretary of State in accordance with the EII Regulations;

Modifications to BSCP503

- 8 The provisions of BSCP503 are modified in accordance with paragraphs 9 to 18, with effect from 25th June 2015.
- 9 As modified the provisions of each BSC subsidiary document comprises a new version of that BSC subsidiary document, each new version shall bear the next sequential number after the version which applied immediately before the modifications had effect.
- 10 In section 1.2 before “will be discharged” insert “, including EMR responsibilities (see section 1.2A).”.
- 11 For section 1.2A substitute—

“1.2A EMR Responsibilities

The HHDA shall send to an EMR Settlement Services Provider Half Hourly metered data for specific Metering Systems for which it is responsible. The HHDA’s Supplier shall instruct the HHDA of the specific Metering Systems. The data shall be submitted for each VAR and in accordance with the SVAA calendar. Please note that this requirement is for the purposes of submitting certain Capacity Market Capacity Providers, and certain Energy Intensive Industry (EII) SVA Customers energy volumes to EMR settlement.

Once the HHDA has accepted to send the metered data for specific Metering Systems it must continue to send the metered data for all Settlement Days from the effective from settlement date to the effective to settlement to date in the instructions.”.

- 12 In section 1.4 at the end insert—
- 13 “(j) Provide, where applicable, Half Hourly metered data for the CFD Arrangements to a CFD Settlement Services Provider in accordance with Section S 2.10.”.
- 14 In section 1.6.1—
 - (a) omit the row in the table containing the definition of CMSSP;
 - (b) insert the following row into the table at the appropriate place—

EMRSSP	EMR Settlement Services Provider
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- 15 In section 3.4.2—

- (a) in the table on row 3.4.2.3A—
 - (i) in the column headed “Action”—
 - (A) for “Capacity Market” substitute “EMR”;
 - (B) for “MWh” substitute “kWh”;
 - (ii) in the column headed “To” for “CMSSP” substitute “EMRSSP”;
 - (iii) in the column headed “Information” for “D0XXX Half Hourly Metered Data for the Capacity Market – to be replaced with actual flow number for implementation” substitute “D0357 Half Hourly Metered Data for EMR”;
- (b) in footnote 1 for “CMSSP” substitute “EMRSSP”.

16 In section 3.6

- (a) in the heading for “the CM” substitute “EMR”;
- (b) for the table substitute—

REF.	WHEN	ACTION	FROM	TO	INFORMATION REQUIRED	METHOD
3.6.1	<p><u>Where request received from Capacity Provider:</u> Within 1 WD of valid request from Capacity Provider.</p> <p><u>Where EII Certificate issued or commencing supply¹ to an EII holding a valid EII Certificate:</u> On being notified by an EII customer that it holds a valid EII Certificate, by the later of the 30th day after the date the notification was received, or the effective from date stated on the EII Certificate.</p> <p><u>Where a supplier ceases to supply an EII:</u> By the 30th day after the supplier ceased supplying the EII that held the EII Certificate².</p> <p><u>Where EII Certificate expires or is revoked:</u> On being notified that an EII Certificate is being or has been revoked, by the later of the 30th day after the date the notification was received, or the date the revocation notice takes effect³.</p> <p>Where no notification of revocation is received relating to an EII Certificate, by the 30th day after the date that the EII certificate ceased to be valid⁴.</p>	Send EMR Reporting Notification	Supplier	HHDA	D0354 EMR Reporting Notification	Electronic or other method, as agreed.

¹ Suppliers do not need to wait until its supply has commenced for its EII customer before sending the D0354 EMR Reporting Notification. Suppliers should endeavour to get its HHDA to submit metered data to the EMRSSP from its Supply Start Date.

² Suppliers should send the D0354 EMR Reporting Notification setting the Effective to Settlement Date (J1870) to the last day of supply.

REF.	WHEN	ACTION	FROM	TO	INFORMATION REQUIRED	METHOD
3.6.2	Within 1 WD of 3.6.1	Process notification and validate	HHDA		Appendix 4.6	Internal Process
3.6.3	Within 1 WD of 3.6.1	If EMR Reporting Notification cannot be processed or is invalid send reporting rejection notice. Return to 3.6.1 if Supplier wishes to provide revised notification.	HHDA	Supplier	D0356 EMR Reporting Rejection	Electronic or other method, as agreed.
3.6.4	Within 1 WD of 3.6.1	If EMR Reporting Notification valid send confirmation of acceptance.	HHDA	Supplier	D0355 EMR Reporting Confirmation	Electronic or other method, as agreed.
3.6.5	Within 1 WD of 3.6.4 and where Instruction relates to an EII customer	Provide details of EMR Reporting Confirmation ⁵	Supplier	EMRSSP	Date EMR Reporting Confirmation Sent, MPAN Core, Effective from Settlement Date, and Effective to Settlement Date	Email, or other agreed method

17 For section 4.4.3 substitute—

“4.4.3 EMR Data

In addition to performing aggregation for the SVAA, the HHDA will collate and process data relating to Metering Systems that have been notified by the Supplier as supporting EMR. The HHDA must provide the results of this processing to the EMRSSP.

Where the Supplier has notified the HHDA of Metering Systems supporting EMR, the HHDA will, for each relevant SVA Metering System, for each Settlement Period, calculate the line losses by applying the appropriate Line Loss Factor to the energy volumes that it has received from the Half Hourly Data Collector. Where data is not received from the HHDC the HHDA shall use the existing provisions in section 4.3.

³ Suppliers should send the D0354 EMR Reporting Notification setting the Effective to Settlement Date (J1870) to the date the revocation notice takes effect.

⁴ Suppliers should send the D0354 EMR Reporting Notification setting the Effective to Settlement Date (J1870) to the expiry date of the certificate.

⁵ This includes sending an instruction with an effective to and an effective from date.

The D0357 Half Hourly Metered Data for EMR gives the full data list produced by the aggregation run.

The HHDA will provide the EMRSSP with the collated data, grouped by Supplier.”.

18 For section 4.6 substitute—

“4.6 EMR Reporting Notification Validation

The HHDA will validate the EMR Reporting Notification files in accordance with the Data Transfer Catalogue.

A record of all validation failures must be kept for audit and control purposes.”.

Date

Minister of State
Department of Energy and Climate Change

GUIDANCE NOTE

(This note is not part of the modifications)

These modifications make amendments to the Balancing and Settlement Code (BSC) to enable the CFD Counterparty to identify electricity supplied to certain electricity intensive businesses so that an exemption from certain levies can be applied to that electricity under the Contracts for Difference (Electricity Supplier Obligations) Regulations 2014/2014 (as they will be amended by the Electricity Supplier Obligations (Amendment and Excluded Electricity) Regulations 2015 which come into force on 1st April 2015). The CFD Counterparty will raise levies on all licensed electricity suppliers in Great Britain to pay for the liabilities that it has to make payments to electricity generators under contracts for difference (CFDs), and to cover its operational costs. To ensure that highly electricity intensive businesses are not made uncompetitive by increased electricity costs resulting from these levies, the Government intends to exempt eligible businesses from CFD costs on a proportion of the electricity that they consume. In order to implement this exemption, the CFD Counterparty will need to be able to identify the volume of electricity supplied to exempt businesses. These amendments to the BSC, and to BSC subsidiary document BSCP503, will ensure that the CFD Counterparty receives the data it requires to apply the exemption.

The Secretary of State will publish the modifications on the website of the Department of Energy and Climate Change as soon as reasonably practicable.