

Redlined Extract of BSCP11 v8.0 showing changes proposed by CP1223

5.2 Trading Disputes Process

REF.	WHEN	ACTION	FROM	TO	INFORMATION REQUIRED	METHOD
5.2.1	Following 5.1.5, 5.1.9 or 5.1.11.	Commence investigation to identify whether further information is required. If so, request additional information from the Raising Party or from relevant experts including the BSCCo, BSC Agents and/or the TC ¹ . If no additional information is required, proceed to step 5.2.3.	DS	Raising Party, BSCCo, BSC Agents and/or any relevant expert.	Evidence of settlement error (Form BSCP11/01); Request for Assistance (Form BSCP11/03 Form)	Email, fax.
5.2.2	Within 5 WD of 5.2.1.	Respond to Request for Assistance providing data and/or information as requested by the DS ² .	Raising Party, BSCCo, BSC Agents and/or any relevant expert.	DS	Information as requested and Form BSCP11/03.	Email, fax.
5.2.3	Upon receipt of all information required.	Collate information and prepare to submit Trading Dispute to TDC for consideration at the next practicable TDC meeting.	DS		All relevant data, forms and evidence of settlement error.	Internal process

¹ The Disputes Secretary may issue as many Requests for Assistance as necessary to gather all information required for analysis of the Trading Dispute.

² Persistent failure to respond to Requests for Assistance will result in the Disputes Secretary reporting the offending Party to the Performance Assurance Board.

REF.	WHEN	ACTION	FROM	TO	INFORMATION REQUIRED	METHOD
5.2.4	Following 5.2.3 at next practicable meeting of the TDC.	<p>Consider whether the Trading Dispute was initially raised as a Trading Query in accordance with the applicable Query Deadline (or whether it should exercise its discretion under section W of the Code). In relation to those affected Settlement Periods (if any) for which it determined that the Trading Query was raised by the applicable Query Deadline, or exercised its discretion in accordance with section W of the Code, consider whether a settlement error occurred.</p> <p>If the TDC considers that some or all of the affected Settlement Periods were raised within applicable timescales (or, where appropriate, that discretion should be applied), then in relation to those affected Settlement Periods proceed to 5.2.5.</p> <p>If the TDC considers that some or all of the affected Settlement Periods in the Trading Query were not raised in accordance with the applicable Query Deadline and that the TDC should not exercise its discretion, issue a determination either rejecting those Settlement Periods or the Trading Dispute as applicable and proceed to 5.2.6.</p> <p>Where further information and/or technical assistance is required, the Trading Dispute may be deferred. Refer to section 5.4 and proceed to 5.2.6.</p>	TDC		All relevant data, forms and evidence of settlement error.	Internal Process

REF.	WHEN	ACTION	FROM	TO	INFORMATION REQUIRED	METHOD
5.2.5	At TDC meeting.	<p>If no settlement error has occurred, reject the Trading Dispute and proceed to 5.2.6.</p> <p>If a settlement error has occurred uphold the Trading Dispute (for all or part of the affected Settlement Periods as appropriate) and, if the materiality of the Trading Dispute exceeds £500, determine a means of rectification (in accordance with Appendix 6.10) and proceed to 5.2.6.</p> <p>Where further information and/or technical assistance is required, the Trading Dispute may be deferred. Refer to Section 5.4 and proceed to 5.2.6.</p> <p>A Party may refer the matter to the Panel in accordance with section W of the Code.</p>	TDC		All relevant data, forms and evidence of settlement error.	Internal process
5.2.6	Within 5 WD of TDC meeting.	Complete TDC Finding Form /Deferral Form ³ (including TDC Chair signature) and distribute to Raising Party, affected Parties and relevant BSC Agents.	DS	Raising Party, affected Parties and relevant BSC Agents.	TDC Findings <u>Trading Disputes Finding Form</u> (Form BSCP11/07) ⁴ /Deferral Form (Form BSCP11/08).	Email, fax.
5.2.7	At same time as 5.2.6.	Communicate TDC decision to all BSC Parties.	DS	Parties, Party Agents and BSC Auditor	Non-confidential details of Trading Dispute.	Email

³ Where appropriate, the Finding Form should include instructions for rectification. If it is envisaged that Deferral will result in a need for data to be retained beyond the 40 month cut-off, this should be noted on the Deferral form.

⁴ Where rectification of the Trading Dispute requires corrective action by a Raising Party's agent(s), it should be specified on the BSCP11/07 ~~Findings~~ Trading Disputes Finding Form that the Raising Party should instruct its agent(s) to make the amendments required.

5.3 'No Changes'

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5.5 Performing a Post-Final Settlement Run

REF.	WHEN	ACTION	FROM	TO	INFORMATION REQUIRED	METHOD
5.5.1	Following TDC's determination and its recommendation under 5.2.5 (in accordance with Appendix 6.10) to rectify a Trading Dispute in the Post-Final Settlement Run.	Determine window within which it is practicable to perform a Post-Final Settlement Run ⁵ , in association with impacted agents.	DS	Impacted Agents	Settlement Day and Run Type, Agents' schedules.	Email, fax.
5.5.2	At next practicable Panel meeting.	Present TDC recommendation that a Post-Final Settlement Run be carried out ⁶ .	DS on behalf of TDC	Panel	TDC recommendation to rectify the Trading Dispute in the Post-Final Settlement Run, together with available window within which the Post-Final Settlement Run can be performed.	Panel Paper
5.5.3	Panel meeting.	Consider recommendation of TDC and decide whether or not to authorise Post-Final Settlement Run.	Panel		TDC recommendation.	Internal process

⁵ A Post Final Settlement Run must be performed within 28 months of the relevant Settlement Day(s) in accordance with Section U of the Code.

⁶ The TDC's presentation to the Panel may also include a recommendation to the Panel, in accordance with Appendix 6.12, that a particular Party or Parties shall bear all or part of the cost incurred through rectification of the Trading Dispute.

REF.	WHEN	ACTION	FROM	TO	INFORMATION REQUIRED	METHOD
5.5.4	Within 5 WD of the Panel meeting.	Inform Raising Party of Panel decision.	Panel Secretary via DS.	Raising Party.	TDC Trading Dispute Findings Finding Form (Form BSCP11/07)	Email, fax.
5.5.5	Within 5 WD of the Panel meeting.	If the Panel endorsed the TDC's recommendation, advise all Trading Parties that a Post-Final Settlement Run is to be carried out. ⁷	Panel Secretary via DS.	All BSC Agents, BSC Parties and BSC Auditor.	Reason for Post-Final Settlement Run (i.e. non-confidential details of the Trading Dispute) and scheduled run date.	Email
5.5.6	Within 5 WD of Panel meeting, if decision is to carry out Post-Final Settlement Run.	Schedule data amendments and run dates within window agreed by Panel, in association with impacted Agents. ⁸	DS	Relevant agents and relevant Parties ⁹ .	Details of all replacement data and run dates to be included in Post-Final Settlement Run	Email, fax.
5.5.7	Post-Final Settlement Run schedule day.	Perform Post-Final Settlement Run in accordance with TDC requirements and Panel authorisation.	Relevant agents and relevant Parties			Internal Process
5.5.8	Within 5 WD after the Post-Final Settlement Run schedule day.	Confirm that corrective action authorised by the TDC has been implemented.	Relevant agents and relevant Parties	DS	Confirmation of implementation	Email, fax.

⁷ If the Panel did not endorse the TDC's decision, advise all Trading Parties that the Dispute will not be rectified.

⁸ Each BSC Agent and each Party shall take or procure its agent to take such steps as are necessary to give effect to a determination of the Panel following a recommendation of the TDC.

⁹ CDCA, SAA, SVAA, FAA and where applicable the CRA, ECVA, Transmission Company and/or and Interconnector Administrators.