The Irish Times 32x4 (169) IT Generator

Published in accordance with Section 22(3) of the Electricity Regulation Act, 1999 (“the Act”) ELECTRICITY GENERATION LICENCES

In the matter of Section 19, 20, 21, 22 and 29 of the Act.


The modifications are as follows:

1. Generation Licences will be modified as arises in Section C thereof by the insertion of the following new conditions:
   a. Condition 15a Balancing Market Principles Code of Practice;
   b. Condition 20 Capacity Market Code;
2. Generation Licences will be modified as arises in Section C thereof by amendments to the following existing conditions:
   c. Condition 1 Interpretation and Construction;
   d. Condition 14 Trading and Settlement Codes; and
3. TAKE FURTHER NOTICE THAT the nature of the modifications and the reasons therefor are stated in the Annex to this notice.
4. A decision paper setting out the background for the modifications of Generation Licences and the background to the nature and reasons for the modifications stated in this notice is published on the Commission’s website www.cer.ie.
5. The text for the modifications referred to at point 1 and point 2 above can be found in the example Generation Licence published alongside the decision paper.
6. The licence modifications will come into effect on (16 October 2017) (subject to the requirements contained therein for particular provisions to be brought into effect on such later date(s) as may be specified by direction of the Commission).
7. In accordance with Section 29 of the Act, a person who is a holder of a licence or an authorisation and who wishes to appeal against a decision of the Commission to modify the licence or authorisation concerned may, within 28 days of the making of the decision to modify a licence or an authorisation, request the Minister to establish a panel to be known and in the Act referred to as an “Appeal Panel”.
8. For further information please see the Commission's decision paper at www.cer.ie.

NOTE: A COPY OF THIS NOTICE WILL BE SERVED ON THE LICENCE HOLDER. IF YOU, AS LICENCE HOLDER, HAVE NOT RECEIVED A COPY OF THIS NOTICE BY POST OR OTHERWISE PLEASE CONTACT paul.mcgowan@cer.ie SO THAT YOUR RECORDS CAN BE UPDATED.

Signed:

Paul McGowan
Chair of the Commission
(15 September 2017)

ANNEX: STATEMENT OF THE NATURE OF MODIFICATIONS AND REASONS THEREFOR

<table>
<thead>
<tr>
<th>Condition</th>
<th>Nature of modification</th>
<th>Reason(s) for modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Condition</td>
<td>Condition 15a Balancing Market Principles Code of Practice</td>
<td>Introduce a new condition requiring the licence holder to comply with the Balancing Market Principles Code of Practice (BMPCOP) in formulating and submitting Commercial Offer Data for the Single Market Operation Business in the Balancing Market. The Commission will publish the BMPCOP and will make provision to secure that Commercial Offer Data are reasonably reflective of short run marginal costs (thereby facilitating, by contributing to the mitigation of market power in the SEM, the efficient operation of the Balancing Market). The Commission will also have powers to issue directions and request explanations from licensees. The licensees will be obliged to retain records for a period of four years and will be required to provide annual certifications to the Commission that it has acted independently.</td>
</tr>
<tr>
<td>New Condition</td>
<td>Condition 20 Capacity Market Code</td>
<td>Introduce a new condition requiring licence holders to sign up to and comply with the Capacity Market Code (insofar as applicable to them). If any of the licence holder’s generation units have been registered by an Intermediary, the licence holder will be obliged to ensure that the Intermediary will comply with the Code in relation to those generation units. The modification is required to ensure the efficient operation of the Capacity Market Code. Similarly, in light of representations received the power of the Commission to modify the BMPCOP is now also made subject to any additional requirements as regards modification set out in the BMPCOP.</td>
</tr>
<tr>
<td>Existing Condition</td>
<td>Conditions to Apply from SEM Go Live Condition 1 Interpretation and Construction</td>
<td>Delete the definition of the term “Trading and Settlement Code”. The definition is no longer required as this code has been replaced by the Single Electricity Market Trading and Settlement Code. As such, the term is now redundant.</td>
</tr>
<tr>
<td>Existing Condition</td>
<td>Conditions to Apply from SEM Go Live Condition 14 Trading and Settlement Codes</td>
<td>Amend the title of the condition to “Single Electricity Market Trading and Settlement Code” and delete paragraph 1 of the Condition which obliges the licence holder to comply with the “Trading and Settlement Code”. The modification is required to reflect the fact that the Trading and Settlement Code has been replaced by the Single Electricity Market Trading and Settlement Code and as such, the condition no longer needs to refer to the (now defunct) Trading and Settlement Code. The modification is required to enable the Commission to turn off the condition at the relevant point in time when the new condition, Condition 15a Balancing Market Principles Code of Practice will come into effect.</td>
</tr>
</tbody>
</table>