

# Consultation

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## Statutory Consultation on Capacity Market Rule change proposals CP368, CP369 and CP373

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We<sup>1</sup> are consulting on three Change Proposals (CP) to the Capacity Market Rules, namely CP368 – Capacity Volume Register Publication Deadline, CP369 – Secondary Trading with Capacity Market Unit Metering Aggregation, and CP373 - Aggregation, Metering and Demand Side Response Component Reallocation process transfer from Delivery Body to Settlement Body. We would like views from people with an interest in the Capacity Market. We particularly welcome responses from Capacity Market participants, but we also welcome responses from other stakeholders and the public.

This document outlines the scope, purpose, and questions of the consultation and how you can get involved. Once the consultation is closed, we will consider all responses. We want to be transparent in our consultations. We will publish the non-confidential responses we receive alongside a decision on next steps on our website at [ofgem.gov.uk/consultations](https://www.ofgem.gov.uk/consultations). If you want your response – in whole or in part – to be considered confidential, please tell us in your response and explain why. Please clearly mark the parts of your response that you consider to be confidential, and if possible, put the confidential material in separate appendices to your response.

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<sup>1</sup> References to the "Authority", "Ofgem", "us", "we", "our" are used interchangeably in this document. The Authority refers to GEMA, the Gas and Electricity Markets Authority. The Office of Gas and Electricity Markets (Ofgem) supports GEMA in its day-to-day work.

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## Introduction

### What are we consulting on?

The Capacity Market (CM) is governed by secondary legislation through a combination of the Electricity Capacity Regulations<sup>2</sup> (the CM Regulations) and the Capacity Market Rules<sup>3</sup> (the CM Rules). The CM Rules provide the detail for implementing much of the Capacity Market operating framework set out in the CM Regulations. Ofgem, in our role as the Authority, share responsibility for the CM Rules with the Secretary of State and we are granted the power to amend, add to, revoke or substitute any provision of the CM Rules under Regulation 77.<sup>4</sup>

In the past, we have typically published a single annual call for input on our website for proposed changes to the CM Rules. We would then decide which of these proposals would be taken forward and would launch a single statutory consultation for all of them to give interested stakeholders the opportunity to input to support our decision making. We would then publish the final decisions on the proposed rule changes, with justification and provide the updated CM Rules text.

While this system progressed a number of CM rule change proposals, it did not provide much opportunity for development and dialogue around CM rule change proposals before they were submitted to Ofgem. It also did not allow for a back-and-forth approach to developing CM rule changes without going through several annual cycles of submissions and rejections.

To improve upon this, Ofgem first proposed the Capacity Market Advisory Group (CMAG) in our Five-Year Review of the CM Rules on 16 April 2019. Our intention by establishing CMAG was to ensure that there was a forum for industry to develop, scrutinise and prioritise proposals to improve the CM Rules. We expected CMAG to be a route to establish industry's priorities for CM rule changes and to facilitate industry participants to collaborate effectively to identify the most beneficial changes.

CMAG has now been operating for over a year, with Elexon acting as the secretariat, and it has provided a platform for industry participants and delivery partners to meet and discuss issues and opportunities in the CM and evaluate potential CM rule changes in a forum that emphasises transparency and collaboration. This

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<sup>2</sup> [The Electricity Capacity Regulations 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

<sup>3</sup> [Informal Consolidated Version of the Capacity Market Rules July 2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

<sup>4</sup> [Regulation 77 of The Electricity Capacity Regulations 2014](https://www.legislation.gov.uk)

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consultation represents the first CM rule change proposals that have gone through this new CMAG process, and the details of the CMAG discussion will be included in the description of each of the proposed Rule Changes.

This Statutory Consultation provides policy backgrounds to 3 different rule change proposals in the Capacity Market.

- CP368<sup>5</sup> – CVR Publication Deadline
- CP369<sup>6</sup> – Secondary Trading with CMU Metering Aggregation Rules
- CP373<sup>7</sup> – Aggregation, Metering and DSR Component Reallocation process transfer from Delivery Body to Settlement Body

We are seeking feedback from stakeholders on the proposed rule changes. Each proposal section ends with a few questions for interested stakeholders.

We have provided details about the background to each of the CM rule change proposals, including the CMAG discussion and the Ofgem minded-to position to provide context. We include the suggested changes to the legal text for each of the change proposals in Annex A and welcome feedback from stakeholders on the proposed amendments.

## How to respond

We want to hear from anyone interested in this consultation. Please send your response to the person or team named on this document's front page.

We've asked for your feedback in each of the questions throughout. Please respond to each one as fully as you can.

We will publish non-confidential responses on our website at [www.ofgem.gov.uk/consultations](http://www.ofgem.gov.uk/consultations).

## Your response, data and confidentiality

You can ask us to keep your response, or parts of your response, confidential. We'll respect this, subject to obligations to disclose information, for example, under the Freedom of Information Act 2000, the Environmental Information Regulations 2004, statutory directions, court orders, government regulations or where you give

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<sup>5</sup> [CP368: CVR Publication Deadline - Elexon CMAG](#)

<sup>6</sup> [CP369: Secondary Trading with CMU Metering Aggregation Rules - Elexon CMAG](#)

<sup>7</sup> [CP373: Process Transfer from DB to SB - Elexon CMAG](#)

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us explicit permission to disclose. If you do want us to keep your response confidential, please clearly mark this on your response and explain why.

If you wish us to keep part of your response confidential, please clearly mark those parts of your response that you **do** wish to be kept confidential and those that you **do not** wish to be kept confidential. Please put the confidential material in a separate appendix to your response. If necessary, we'll get in touch with you to discuss which parts of the information in your response should be kept confidential, and which can be published. We might ask for reasons why.

If the information you give in your response contains personal data under the General Data Protection Regulation (Regulation (EU) 2016/679) as retained in domestic law following the UK's withdrawal from the European Union ("UK GDPR"), the Gas and Electricity Markets Authority will be the data controller for the purposes of GDPR. Ofgem uses the information in responses in performing its statutory functions and in accordance with section 105 of the Utilities Act 2000. Please refer to our Privacy Notice on consultations, see Appendix 4.

If you wish to respond confidentially, we'll keep your response itself confidential, but we will publish the number (but not the names) of confidential responses we receive. We won't link responses to respondents if we publish a summary of responses, and we will evaluate each response on its own merits without undermining your right to confidentiality.

## General feedback

We believe that consultation is at the heart of good policy development. We welcome any comments about how we've run this consultation. We'd also like to get your answers to these questions:

1. Do you have any comments about the overall process of this consultation?
2. Do you have any comments about its tone and content?
3. Was it easy to read and understand? Or could it have been better written?
4. Were its conclusions balanced?
5. Did it make reasoned recommendations for improvement?
6. Any further comments?

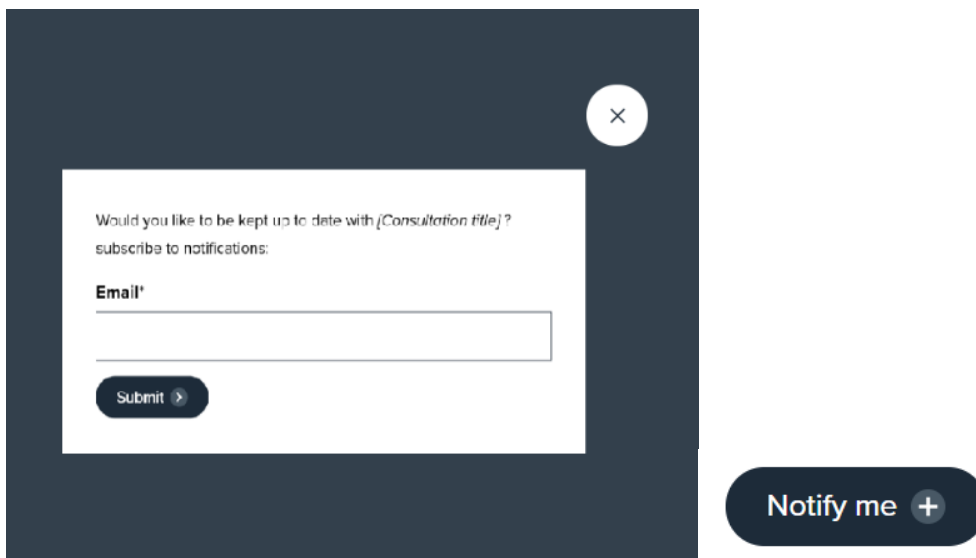
Please send any general feedback comments to [stakeholders@ofgem.gov.uk](mailto:stakeholders@ofgem.gov.uk)

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## How to track the progress of the consultation

You can track the progress of a consultation from upcoming to decision status using the 'notify me' function on a consultation page when published on our website.

[Ofgem.gov.uk/consultations](https://www.ofgem.gov.uk/consultations)



The image shows a dark-themed modal window with a white background for the form. The form contains the text: "Would you like to be kept up to date with [Consultation title]?" followed by "subscribe to notifications:". Below this is a text input field labeled "Email\*" and a "Submit" button with a right-pointing arrow. To the right of the modal is a dark blue rounded button with the text "Notify me" and a plus sign icon.

Once subscribed to the notifications for a particular consultation, you will receive an email to notify you when it has changed status. Our consultation stages are:

**Upcoming** > **Open** > **Closed** (awaiting decision) > **Closed** (with decision)

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## **CP368 – Capacity Volume Register (CVR) Publication Deadline**

### **Section summary**

In this section we outline the policy background of CP368, which proposes to move the CVR publication deadline from 17:00 to 17:30. We also provide an overview of the discussion held by CMAG on the proposal, the proposed solution and its implications. This section ends with some questions for stakeholder feedback.

### **Background**

CM rule change CP368 was proposed by the Electricity Settlement Company (ESC)<sup>8</sup> on 23 November 2022.

Participants in the Capacity Market can reallocate excess capacity arising from the over-delivery of capacity during a System Stress Event, to other CM participants who have under-delivered during this event. The aim is to incentivise delivery and support the respective flow of payments. This short-term trading measure is known as Volume Reallocation.

Volume reallocation involves a CMVR (Capacity Market Volume Reallocation) registered participant submitting a file (for positive volume) for the CMU which is trading away excess volume (the 'transferor'), and an equal but opposite file (for negative volume) being submitted by the owner of the CMU receiving the volume (the 'transferee'). These files are known as Capacity Market Volume Reallocation Notifications (CMVRNs).

In the case of a System Stress Event, the ESC is required to manage this Volume Reallocation using a Capacity Volume Register (CVR). The CVR is published to provide information on each CMU's performance in relation to its obligation. The CVR must include the most recent data provided to the CM Settlement Body (CMSB)<sup>9</sup> via CMVRN submissions by CM participants.

Rule 10.5.1 requires the CMSB to publish the CVR at 17:00, 10 Working Days (WD) after the end of a month where a CM Stress Event has occurred. The CVR also must

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<sup>8</sup> The ESC is responsible for financial transactions relating to the energy Capacity Market, including making capacity payments to capacity providers, controlling collateral, and managing auction bid bonds

<sup>9</sup> [Home - Low Carbon Contracts](#)

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be re-published every day thereafter from WD11 to WD19 after the end of a month where a Stress Event has occurred.

The intent of Rule 10.5.1 is to allow CMVRN submissions to continue up to 17:00. However, to generate and publish the CVR at 17:00, the ESC needs 30 minutes to process the submissions, run calculations, carry out final sign offs and publish. Thus, the proposer of CP368 believes that practically the last submissions incorporated in the register are as of 16:30.

Rule 10.2.4 states that all submissions up to 17:00 are valid for that day. A low-risk approach for ESC is to be compliant with both rules, however that results in the CVR being out of date as soon as its published. This is because it will not include the last 30 mins of trades, but in the "back-end" system trades have been accepted.

Therefore, CP368 proposes to amend Rule 10.5.1 to allow an extension of 30 minutes to the CVR publication time, proposing a new time of 17:30, to account for the additional time required by ESC for calculating and processing the CVR prior to publishing.

## **CMAG Discussion**

CMAG discussed CP368 at Meeting 3 (13 December 2022) and meeting 5 (2 March 2023). CMAG Members highlighted that the Change Proposal was minor in nature and benefits associated with the change will be relatively minor and limited primarily to the efficient operation of the Capacity Market by allowing ESC to include all accepted CMVRNs in a given working day in the given CVR. Members also highlighted that in practice it is expected that most CMVRNs would be submitted by parties towards the end of the WD and as a result, at present, the CVR is likely to be significantly out of date by the time it is published.

CMAG Members discussed whether CP368 would better facilitate promoting investment in capacity to ensure security of electricity supply. The Proposer expressed the view that the proposal would better facilitate this CM Rule Objective on the basis that more reliable and better understood processes regarding Volume Reallocation could lower investment risk and promote investment in the Capacity Market. CMAG Members believed that the impacts of CP368 on potential or existing Capacity Providers are likely to be too small to credibly make this argument and agreed that in their view this proposal is neutral against this objective.

The Proposer believes it is difficult for the ESC to ensure compliance with Rule 10.5.1 and 10.5.2 whilst providing useful and accurate information to stakeholders through the CVRs, the extended publication window would ensure that the ESC had

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sufficient time to validate CMVRNs for inclusion in the relevant CVR and ensure stakeholders had accurate and up to date information through the published CVRs. The CMAG agreed unanimously with the Proposer's rationale and in their view CP368 this proposal is positive against this objective. ESC confirmed that 1 month will be required to implement the changes detailed in this proposal.

Both the proposer and CMAG agreed that CP368 will have a positive impact on facilitating the efficient operation and administration of the capacity market. Additionally, while the proposer stated that this Change Proposal will have a positive impact on promoting investment in capacity to ensure security of electricity supply, CMAG members unanimously agreed that the benefits to parties would be so small that it would unlikely impact any investment decisions. Lastly, both the proposer and CMAG believe that CP368 will have a neutral impact on Ofgem's Principal Objective.

## **Current Ofgem Position**

Taking into consideration the discussion by industry through CMAG, we are minded to take this proposal forward, and we agree with both the proposer and CMAG on their views about the impact of CP368 on Ofgem's principal objective, CM rule change objectives, and expected costs. We agree with the CMAG view that CP368 will positively impact the efficient operation and administration of the CM. Additionally, we expect the change proposal to have a neutral impact on Ofgem's Principal Objective. We also believe that CP368 would not have any enduring costs on CM participants. Finally, we agree that the benefits to the parties through this change proposal would be sufficiently minor that they would be unlikely to impact any investment decisions.

## **Questions**

Do you agree with the proposal to move the CVR publication deadline from 17:00 to 17:30?

Do you have any comments on the specific changes to the legal text of the CM Rules proposed in Annex A?

Do you foresee any unintended consequences as a result of implementing this proposal?

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## **CP369 – Secondary Trading with Capacity Market Unit Metering Aggregation Rules**

### **Section summary**

In this section we outline the background of CP369, which proposes to include an additional control point for Secondary Trades that require aggregation rules to be fully set up. We also provide an overview of the discussion held by CMAG on the proposal, proposed solution, and its implications. This section ends with some questions for stakeholder feedback.

### **Background**

CM rule change CP369 was proposed by the Electricity Settlement Company on 1 December 2022.

Capacity Market Units (CMUs) can consist of individual or multiple components that can be configured with a wide variety of different metering arrangements. To determine the CMU Metered Volume - the net amount of energy (imported or exported) to the Transmission System or Distribution Network by a CMU over a Settlement Period - meter aggregation rules are required by the Capacity Provider. The CMU Meter aggregation rules are a set of algebraic equations that determine how the import or export of electricity associated with a CMU should be calculated in a System Stress Event. Meter aggregation rules are also used in Satisfactory Performance Day (SPD) testing, Extended Performance (EP) Testing and Demand Side Response (DSR) testing.

In case of a System Stress Event, if aggregation rules have not been approved by the Capacity Market Settlement Body (CMSB), it is not possible to calculate the metered volume for a CMU. This is because there is no way of accurately measuring the volume of energy that is being delivered to the transmission or distribution system for each relevant Settlement Period during the System Stress Event. If this were to occur, Capacity Providers would be unable to demonstrate that they had met their capacity obligation and would therefore be charged the maximum penalty amount. This could potentially mean that Capacity Providers are charged significant sums (roughly between £10m and £1000 depending on the size of the capacity agreement and the duration of the System Stress Event(s)) with no way to retrospectively correct the penalty payment.

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Additionally, if the Capacity Provider fails to have approved aggregation rules in place prior to the Delivery Year or before accepting a secondary trade, capacity payments to providers may be suspended which could have a material impact on capacity providers who were expecting payments. This may not be immediately visible as payments lag two months behind the collection mechanism.

CP369 proposes to insert a requirement that if secondary trading is submitted to the EMR DB after a T-1 auction, but before the start of the Delivery Year, the meter aggregation rules must be set up for the transferee CMU 5 WDs before the start of a Delivery Year. Additionally, CP369 recommends inserting a requirement that if secondary trading is submitted to the EMR DB within a Delivery Year, meter aggregation rules must be set up for the transferee CMU before submitting the transfer to the EMR-DB for registration.

## **CMAG Discussion**

CP369 is expected to have positive impacts on CM participants. The main benefits highlighted by CMAG members are:

- CMUs that have accepted secondary trades (the “transferee”) without meter aggregation rules within the active Delivery Year do not receive payments. Implementation of CP369 would ensure that Capacity Providers do not miss expected payments.
- If there is a System Stress Event, CMUs would be charged maximum penalties if they have not set up aggregation rules. Implementation of CP369 would ensure that such transferees do not get charged the maximum penalties due to a lack of aggregation rules.

CMAG members noted that additional work will be required from a small number of Capacity Providers that have accepted secondary trades and do not have aggregation rules set up. It is also expected that some Capacity Providers will have to set up aggregation rules at an earlier stage than under current processes.

CMAG Members also discussed impacts on Delivery Partners (EMR-Delivery Body<sup>10</sup> and Capacity Market Settlement Body). It is expected that CP369 will reduce the administrative burden associated with setting up aggregation rules.

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<sup>10</sup> The EMR Delivery Body undertakes analysis and creates a report to outline recommendations to support the UK Government with determining how much capacity is needed in future years to maintain security of supply.

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Both the proposer and CMAG expect CP369 to positively promote investment in capacity to ensure security of electricity supply and ensure the compatibility of capacity market rules with other subordinate legislation under Part 2 of the Act. Additionally, both the parties agree that this Change Proposal will positively impact the efficient operation and administration of the capacity market. Lastly, they expect CP369 to have a neutral impact on Ofgem's Principal Objective.

### **Current Ofgem Position**

Taking into consideration the discussion by industry through CMAG, we are minded to take this proposal forward and agree with both the proposer and CMAG on their view about the impact of CP369 on Ofgem's Principal Objective, CM rule change Objective, and expected costs. We believe that CP369 reduces the administrative burden on CMSB/EMR-DB in the approval of meter aggregation rules. Additionally, we expect that this change proposal will neutrally impact Ofgem's Principal Objective and the investment in capacity to ensure security of electricity supply. Finally, we have not identified any costs associated with the implementation of this rule change.

### **Questions**

Do you agree with the expected positive impacts of CP369 on CM participants?

Do you have any comments on the specific changes to the legal text of the CM Rules proposed in Annex A?

Do you foresee any unintended consequences as a result of implementing this proposal?

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## **CP373 – Aggregation, Metering and Demand Side Response Component reallocation process transfer from Delivery Body to Settlement Body**

### **Section summary**

In this section we outline the background of CP373, which proposes the process transfer from the DB to the SB. We also provide an overview of the discussion held by CMAG on the proposal, proposed solution, and its implications. This section ends with some questions for stakeholder feedback.

### **Background**

CM rule change CP373 was proposed by the Electricity Market Reform – Delivery Body (EMR-DB) and Capacity Market Settlement Body (CMSB) on 8 August 2023.

In progressing the New Portal project<sup>11</sup>, the EMR DB and CMSB identified areas in the existing metering processes where the data owner is not currently the data controller. This proposal considers resolving this by moving data items from the CM Register to a new CM Metering Register.

The four core changes proposed by CP373 are as follows:

1. Simplify capacity provider obligations at prequalification by extracting metering processes from the prequalification process to move to become a post-prequalification process for applicants/capacity providers to be provided directly to the CMSB. This includes metering information, metering arrangements, and relevant declarations.
2. Clarify within the CM Rules that Metering Arrangements are to be supplied and validated with the CMSB as a prerequisite to provision of relevant milestones. CP373 will amend the Rules to include confirmation of metering status from the CMSB as prerequisites to the Substantial Completion Milestone, Secondary Trade Request, Location Change Request & DSR Test processes. All Metering related information and processes will be validated with CMSB and will be required and checked prior to meeting delivery milestones.

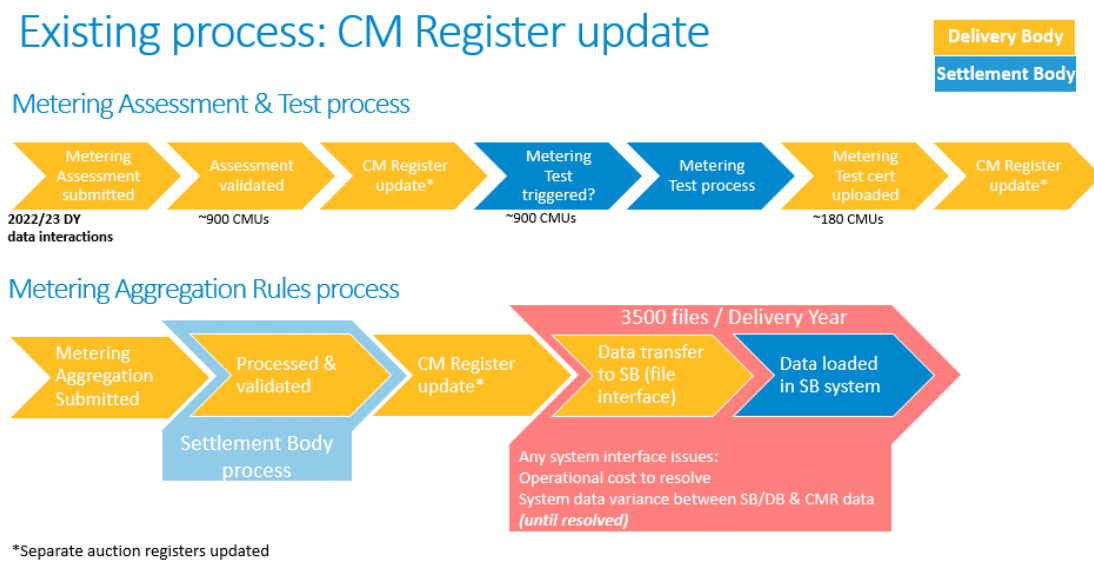
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<sup>11</sup> The new EMR Delivery Body Portal will soon replace the existing system: [EMR Delivery Body Portal | ESO \(nationalgrideso.com\)](https://www.nationalgrideso.com)

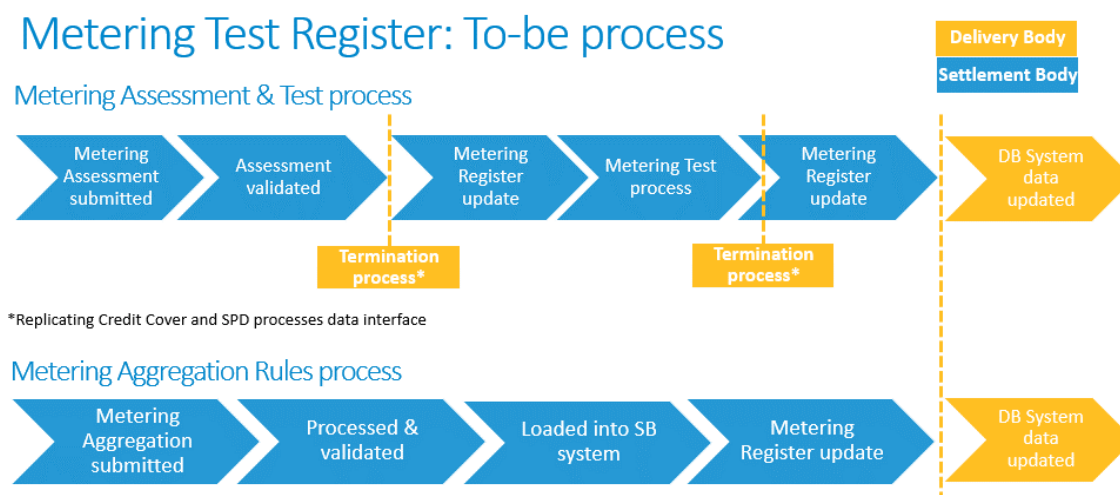
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3. Transfer the process of DSR Component reallocation from the EMR DB to the CMSB, with requests issued to and validated by the CMSB to enable metering validation in line with Rule obligations. CP373 will clarify that the process owner for DSR Component Reallocation will be transferred from the EMR DB to CMSB.
4. Create a Capacity Market Metering Register. The CMSB will create and maintain a register of metering information. This will include Approved Metering Solution (including CM Aggregation Rules) for each component as well as for each CMU their Meter Point Asset Number (MPAN), Balancing Mechanism Unit (BMU) ID, Metering Assessment, Meter Test deadlines, Metering Assessment Responses, confirmation of Meter Test Certificate issue date and the status of DSR components.

**Figure 2: Current Capacity Market Register Process**



**Figure 3: Proposed Capacity Market Metering Register Process**



## CMAG Discussion

CMAG discussed CP373 at Meeting 9 (20 June 2023), Meeting 11 (15 August 2023) and Meeting 12 (21 September 2023). The CM Settlement Body (CMSB) informed CMAG that CP373 will include a Capacity Market Register (CMR) enhancement, proposing there are two registers moving forwards; one register to be owned and published by the CMSB which includes metering data and a second register owned and published by the EMR DB which includes milestones and CMU data. CMAG Members noted they support having two registers and do not envisage any issues from this, but having both registers accessible from a single location would be useful from a usability perspective.

The CMSB noted that having two separate registers will allow for a cleaner process rather than creating a new interface to transmit metering data from Settlement Body to Delivery Body for a single register. The CMSB stated the objective of the two registers will be to ensure data is not duplicated between both and there is a single version of the truth for each data set.

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The CMSB noted the first area of change proposed by CP373 will seek to simplify the obligations on Capacity Providers at Prequalification and review the timing of when metering data is provided.

The CMSB also noted they had considered the removal of the requirement to submit Single Line Diagrams (SLD) as part of the metering assessment. The CMSB highlighted it was unclear whether the submission of SLDs was required, as the CMSB and EMR DB do not audit these as part of the metering assessment.

Both the proposer and CMAG believe that CP373 will positively promote investment in capacity to ensure security of electricity supply and ensure the compatibility of capacity market rules with other subordinate legislation under Part 2 of the Act. Additionally, both the parties agreed that this Change Proposal will positively impact the efficient operation and administration of the capacity market. Lastly, they expect CP373 to have a neutral impact on Ofgem's Principal Objective.

Following are the expected impacts of CP373 on CM Participants:

- Improved customer experience, clarity on Delivery Partner accountability, and metering process ownership
- Improved access to the Metering data on CMSB Portal as there will be less issues due to interface issues
- Transitioning metering obligations to be submitted post agreement. This simplifies prequalification obligations and reduces customer risk at prequalification.
- Centralises metering and settlement activities under the CMSB
- Introduction of a separate CMMR for metering information will mean that CPs will need to access two registers to see all their published information. Mitigations include ensuring all relevant CMU information is held in the CMR and retaining up-to-date links on DB and ESC websites

## **Current Ofgem Position**

Taking into consideration the discussion by industry through CMAG, we are minded to take this proposal forward and agree with both NGENSO and CMAG on their views about impact of CP373 on Ofgem's Principal Objective, CM rule change Objectives, and expected costs. We expect this change proposal to positively impact the efficient operation and administration of the CM. Additionally, we believe CP373 has a neutral impact on both Ofgem's Principal Objective and promoting investment in capacity to ensure security of electricity supply. Finally, we do not expect any

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additional enduring costs other than the implementation cost incurred to accommodate the use of the CMMR.

**Questions**

Do you agree this rule change supports the efficient operation and administration of the capacity market?

Do you foresee any unintended consequences as a result of implementing this proposal?

Do you think this rule change will impact the consumers within CM functions?

Do you have any comments on the specific changes to the legal text of the CM Rules proposed in Annex A?

Do you agree with the expected impacts of CP373 on CM participants?

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## **Annex A – Proposed amendments to the Capacity Market Rules**

### **CP368 – CVR Publication Deadline**

#### 10.5 Information

10.5.1 By ~~5pm~~**5.30pm** on WD10, the CM Settlement Body must publish on the Capacity Volume Register, for each Settlement Period in the previous calendar month which was a System Stress Event and in respect of each CMU, using the most recent data provided to it under Regulation 35:

- (a) the energy delivered by CMU<sub>i</sub> in a given Settlement Period<sub>j</sub> (E<sub>ij</sub>);
- (b) the Adjusted Load Following Capacity Obligation (ALFCO);
- (c) (if any) the Initial Over-Delivery Volume; and
- (d) (if any) the Initial Under-Delivery Volume.

10.5.2 The CM Settlement Body must determine the Aggregate Traded Capacity Market Volume and Adjusted E<sub>ij</sub> for each CMU and submit this data to the Capacity Volume Register no later than ~~5pm~~**5.30pm** on each Settlement Day from WD11 to WD19 inclusive.

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## **CP369 – Secondary Trading with CMU Metering Aggregation Rules**

### **1. Amendments to Chapter 1: General Provisions**

*Insert the following new definition:*

**CM Aggregation Rules** for an Approved Metering Solution means the formula used to calculate relevant volumes for any Settlement Period

*Amend the following definitions:*

#### **Approved Metering Solution**

means:

- (a) a Metering Configuration Solution (including CM Aggregation Rules) approved by the CM Settlement Body which is an arrangement of Metering Equipment for:
  - ~~(a)(i)~~ a Generating Unit that is not a BM Unit;
  - ~~(b)(ii)~~ a DSR CMU Component that is not a BM Unit; ~~or~~
  - ~~(c)(iii)~~ a CMU that is a partial BM Unit; or
- (b) a Metering Configuration Solution in respect of a Generating Unit or DSR Component where such Metering Configuration Solution is comprised of a BM Unit that is registered in the Central Meter Registration Service in accordance with the BSC and CM Aggregation Rules are in place

### **2. Amendments to Chapter 8:**

*Amend paragraph 8.3.3 as follows:*

#### **8.3.3 Metering**

- (a) If an Existing Generating CMU, Existing Interconnector CMU, or a Proven DSR CMU is awarded a Capacity Agreement then, where the Capacity Provider made a declaration in the Application for that CMU in accordance with Rule 3.6.4(b), 3.6A.3(aa) or Rule 3.9.4(b) (as applicable), the Capacity Provider must provide detailed line diagrams showing electrical configurations and metering sites at which the Generating Units or DSR CMU Components (as applicable)
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are located (or in the case of an Existing Interconnector CMU provide detailed line diagrams showing the location at which the Interconnector CMU is metered) and complete a Metering Assessment with respect to that CMU by:

- (i) no later than the date falling three years prior to the commencement of the Delivery Year in the case of an Existing CMU or a Proven DSR CMU that has been awarded a Capacity Agreement in a T-4 Auction; or
  - (ii) no later than the date falling six months prior to the commencement of the Delivery Year in the case of an Existing CMU or a Proven DSR CMU that has been awarded a Capacity Agreement in any auction other than a T-4 Auction; or
  - (iii) no later than the date falling four months after the auction in the case of the time period between the Delivery Year and the auction is less than eight months.
- (b) If an Unproven DSR CMU is awarded a Capacity Agreement then the Capacity Provider must complete a Metering Assessment with respect to that CMU.
- (ba) If a Prospective CMU is awarded a Capacity Agreement then the Capacity Provider must, as soon as reasonably practicable after the CMU becomes Operational, and in any event not later than the Long Stop Date:
- (i) provide to the Delivery Body detailed line diagrams showing electrical configurations and metering sites at which the Generating Units are located or the location at which the Interconnector CMU is metered; and
  - (ii) complete a Metering Assessment in relation to the CMU.
- (c) Following the completion of a Metering Assessment pursuant to Rule 8.3.3(a), (b) or (ba), or 8.3.4(h)(i)(bb) (and following the completion of amendments made to a Metering Assessment, pursuant to Rules 3.6.4(d), 3.6A.3(c), 3.9.4(d), or 8.3.3(h) where applicable) the Delivery Body must:
- (i) notify the relevant Capacity Provider whether or not, based on such Metering Assessment, the metering arrangements for such CMU will be subject to a Metering Test
  - (ii) send a copy of any completed Metering Assessment to the CM Settlement Body.
- (d) If:
- (i) a Prospective CMU or an Unproven DSR CMU has been awarded a Capacity Agreement and the Delivery Body notifies the relevant Capacity Provider, pursuant to Rule 8.3.3(c)(i), that such CMU is subject to a Metering Test; or
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- (ii) an Existing CMU or a Proven DSR CMU has been awarded a Capacity Agreement and the Delivery Body notifies the relevant Capacity Provider, pursuant to Rule 8.3.3(c)(i), that such CMU is subject to a Metering Test

the Capacity Provider must provide a Metering Test Certificate with respect to that CMU by no later than the relevant date specified in Rule 8.3.3(e).

- (e) The date by which a Capacity Provider must provide a Metering Test Certificate where required to do so under Rule 8.3.3(d) is:
    - (i) in the case of a Unproven DSR CMU, the date falling two weeks prior to the start of the relevant Delivery Year (or, if the Capacity Agreement is of a duration exceeding one Delivery Year, by the date falling two weeks before the commencement of the second Delivery Year of the Capacity Agreement);
    - (ii) in the case of an Existing CMU or a Proven DSR CMU that has been awarded a Capacity Agreement in a T-4 Auction, the date falling 18 months prior to the start of the first Delivery Year;
    - (iii) in the case of an Existing CMU or a Proven DSR CMU that has been awarded a Capacity Agreement in a T-1 Auction or where the time period between the Delivery Year and the auction is less than eight months, the date falling two weeks prior to the start of the first Delivery Year.
    - (iv) in the case of a Prospective CMU, as soon as reasonably practicable after the date on which the Capacity Provider receives notification under Rule 8.3.3 (d)(i), and in any event not later than the Long Stop Date; and
    - (v) In the case of a Proven DSR CMU that is adding components within a Delivery Year pursuant to Rule 8.3.4, within the period specified in accordance with Rule 8.3.4(h).
  - (ea) In relation to any CMU for which a Capacity Provider has received a Capacity Agreement and has not made a declaration in accordance with Rule 3.6.4(b), 3.6A.3(aa) or Rule 3.9.4(b), the Capacity Provider must, for each Generating Unit or DSR CMU Component comprised in a CMU, or the Electricity Interconnector comprised in an Interconnector CMU, confirm to the Delivery Body that:
    - (i) it complies with the Metering Configuration Solution requirements set out in the applicable Governing Documents; and
    - (ii) if applicable, the metering arrangements have not changed since the Metering Test was carried out by the CM Settlement Body.
  - (f) A Capacity Provider or CMVR Registered Participant must:
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- (i) ensure the accurate submission of information to the Delivery Body and the CM Settlement Body in meeting the requirements under Rule 3.6.4(a), Rule 3.6A.3(a) and Rule 13.3.2 as applicable;
  - (ii) notify the Delivery Body and the CM Settlement Body in advance of any proposed change to:
    - (aa) the metering configuration for any Generating Unit or DSR CMU Component, or any Interconnector CMU;
    - (bb) the arrangements specified in the information provided pursuant to Rule 3.4.3; or
    - (cc) the arrangements specified in the information provided pursuant to Rule 8.3.3(ea).
  - (iii) obtain the prior confirmation of the CM Settlement Body that such proposed changes:
    - (aa) will meet the standards required at Prequalification; and
    - (bb) in the case of a DSR CMU or a DSR CMU Component, will not affect its ability to determine the Baseline Demand with accuracy on a Settlement Period basis;
  - (iv) in the case of a proposed change pursuant to paragraph (ii)(aa) above, obtain a Metering Test Certificate for the DSR CMU with the new metering configuration after the change has taken effect;
  - (v) if notified by a third party that the Metering Equipment is faulty and/or the Meter is recording inaccurate data, notify the CM Settlement Body within two Working Days of being notified by the third party and within five Working Days either:
    - (aa) correct the fault; or
    - (bb) submit a rectification plan to the CM Settlement Body setting out how and when the fault will be corrected;
  - (vi) ensure that all replacement Metering Equipment is installed and tested in accordance with the relevant Governing Documents;
  - (vii) ensure that all replacement Metering Equipment complies with the change procedures set out in the relevant Governing Documents and in the event the Delivery Body no longer operates a Relevant Balancing Service, the Capacity Provider or CMVR Registered Participant must amend the metering configuration to one of the other Metering Configuration Solutions; and
  - (viii) ensure the Metering Configuration Solution for each Generating Unit or DSR CMU Component, or for the Interconnector CMU, complies with any changes to the process for submitting meter
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data as requested by the CM Settlement Body.

- (g) In respect of a CMU that is a subset of a BM Unit, the Capacity Provider must:
  - (i) divide the BM Unit into further BM Units that represent the output of the CMU; or
  - (ii) when confirming the Metering Configuration Solution under Rule 8.3.3(ea)(i) select the Bespoke Metering Configuration Solution to identify the output of the CMU.

For the purposes of the definition of the Bespoke Metering Configuration Solution, Schedule 7 has effect

- (h) A Capacity Provider may amend a Metering Assessment completed in compliance with Rules 8.3.3(a), 8.3.3(b), or 8.3.3(ba) provided that:
    - (i) in the case of an Existing Generating CMU, Existing Interconnector CMU, or a Proven DSR CMU awarded a Capacity Agreement in a T-4 Auction, any amendments are made by the earlier of:
      - (aa) the earliest date the Capacity Provider provides any Metering Test Certificate; and
      - (bb) the date falling 18 months prior to the start of the first Delivery Year;
    - (ii) in the case of an Existing Generating CMU, Existing Interconnector CMU, or a Proven DSR CMU awarded a Capacity Agreement in a T-1 Auction or where the time period between the Auction Results Day and the start of the Delivery Year is less than eight months, any amendments are made by the earlier of:
      - (aa) the earliest date the Capacity Provider provides any Metering Test Certificate; and
      - (bb) the date falling two weeks prior to the start of the first Delivery Year.
    - (iii) in the case of an Unproven DSR CMU any amendments are made by the earlier of:
      - (aa) the earliest date the Capacity Provider provides any Metering Test Certificate; and
      - (bb) the date falling two weeks prior to the start of the relevant Delivery Year; ~~and~~
    - (iv) in the case of a Prospective CMU any amendments are made by the earlier of:
      - (aa) the earliest date the Capacity Provider provides any Metering Test Certificate; and
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(bb) as soon as reasonably practicable after the date on which the Capacity Provider receives a notification under Rule 8.3.3 (d)(i), and in any event not later than the Long Stop Date; and

(i) In the case of a CMU Transferee to which a Capacity Obligation transfer is to be registered prior to the Delivery Year, the Transferee must ensure that an Approved Metering Solution will be in place by no later than 5 Working Days prior to that Delivery Year; and

(j) in the case of a CMU Transferee to which a Capacity Obligation transfer is to be registered within the Delivery Year, the Transferee must ensure that an Approved Metering Solution is in place before submitting the transfer to the Delivery Body for registration.

### **3. Amendments to Chapter 9: Transfer of Capacity Obligations**

*Amend paragraph 9.2.5 as follows:*

#### **9.2.5 Transfers of a Capacity Agreement:**

- (a) under Rule 9.2.4(a) can only be effected on the Capacity Market Register after the T-1 Auction for the relevant Delivery Year has concluded (or, in the case of an SA Agreement, after 30th May 2017) and provided that:
- (i) in the case of a Prospective Generating CMU and its second or third Delivery Year, it has achieved the Substantial Completion Milestone by the Prequalification Results Day for the T-1 Auction for that Delivery Year; and
  - (ii) in the case of a Prospective Interconnector CMU in relation to which a Capacity Agreement has been awarded for a Delivery Year ("Y") as well as for either or both of the two immediately following Delivery Years Y+1 and Y+2, and in respect of either of the latter two Capacity Agreements, it has achieved the Substantial Completion Milestone by the Prequalification Results Day for the T-1 Auction for Delivery Year Y+1 or Y+2 as the case may be; and
  - (iii) in the case of an Unproven DSR CMU that has been awarded a Capacity Agreement of a duration exceeding one Delivery Year, the Delivery Body has issued a DSR Test Certificate to the Applicant or Capacity Provider (as applicable) under Rule 13.2.11 and the Capacity Provider has satisfied the requirements of Rule 8.3.6 (Evidence of Total Project Spend).
- (b) under Rule 9.2.4(a) can only be effected in respect of a CMU Transferor and CMU Transferee:
- (i) for which no amount payable under the Regulations is due and
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unpaid;

- (ii) for which no suspension of capacity payments as described in Rule 13.4.1ZA(b) is in effect for failure to demonstrate satisfactory performance days;
- (iii) in respect of which there is not a breach of Rule 8.3.3(f) (metering changes); and
- (iv) in respect of which there is not a breach of Rule 14.5.7;

(ba) under Rule 9.2.4(a) can only be effected in respect of a CMU Transferee:

- (i) in the case of a Capacity Obligation transfer that is to be registered prior to the Delivery Year, where the Transferee has ensured that an Approved Metering Solution will be in place by no later than 5 Working Days prior to that Delivery Year;
- (ii) in the case of a Capacity Obligation transfer that is to be registered within the Delivery Year, where the Transferee has ensured that an Approved Metering Solution is in place before submitting the transfer to the Delivery Body for registration;

- (c) under Rule 9.2.4(b), 9.2.4(c) and 9.2.4(d) can be effected on the Capacity Market Register at any time.
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## **CP373 – Aggregation, Metering and Demand Side Response**

### **Component reallocation process transfer from Delivery Body to Settlement Body**

#### CHAPTER 1: GENERAL PROVISIONS

#### 1. General Provisions

#### 1.2 Definitions

##### 1.2.1 In these Rules:

**Capacity Market  
Metering Register**

means a register maintained by the CM Settlement Body to record metering information and obligations set out in Chapter 7 for each CMU from time to time

**CM Settlement  
Body Portal**

means the IT infrastructure through which relevant Rules are administered by the CM Settlement Body and pursuant to which any relevant notifications to be made by, or to, the CM Settlement Body in relation to the relevant Rules must be submitted. means the IT infrastructure through which relevant Rules are administered by the CM Settlement Body and pursuant to which, without limitation all notifications to be made by, or to, the CM Settlement Body in relation to the relevant Rules must be submitted.

**Metering  
Assessment**

means a questionnaire relating to the metering arrangements for a CMU, hosted on the CM Settlement~~EMR-Delivery~~ Body Portal

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1.6 Notices

1.6.3 All notices, submissions and or communications by, or to, the CM Settlement Body pursuant to the Regulations or the Rules must be in writing via electronic method.

~~1.6.43~~ Neither the Delivery Body, ~~nor~~ the Auctioneer or the CM Settlement Body has any obligation to respond to, or otherwise act upon, any notice, submission or other communication received by it other than in accordance with Rule 1.6.1 or Rule 1.6.2 (as applicable) which it will be deemed not to have received for any purposes under the Regulations or the Rules.

CHAPTER 3: PREQUALIFICATION INFORMATION

3. Application for Prequalification: Process and Information

3.4 Information to be provided in all Applications

3.4.3 Nominations relating to the CMU

Each Applicant must:

- (a) specify in the Application:
  - (ii) ~~all relevant Meters, and Meter Point Administration Numbers, for all the relevant Meter(s), except in respect of Unproven DSR CMUs Not used;~~
- (b) ~~except in respect of an Unproven DSR CMU, if any Meter Point Administration Number specified in the Application has already been:~~
  - ~~(i) registered to another CMU which is a Capacity Committed CMU in respect of one or more of the same Delivery Years; or~~
  - ~~(ii) specified in a prior Application submitted in respect of another CMU in the same Prequalification Window,~~

~~include in the Application a declaration explaining how the two CMUs relate and how metering will separately identify the output of each of them Not used.~~

3.6 Additional Information for an Existing Generating CMU

3.6.4 Metering Arrangements

- ~~(a) Each Applicant for an Existing Generating CMU must, subject to Rule 3.6.4(b):~~
    - ~~(i) provide detailed line diagrams showing electrical configurations and metering sites at which the Generating Units are located; and~~
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- ~~(ii) — complete a Metering Assessment in relation to that CMU.~~
- ~~(b) — An Applicant may elect to defer the requirements in Rule 3.6.4(a) until after the Capacity Auction to which the application relates, in which case the Applicant must declare that it will provide detailed line diagrams showing electrical configurations and metering sites at which the Generating Units are located and complete a Metering Assessment for that Existing Generating CMU by:
  - ~~(i) — no later than the date falling three years prior to the start of the relevant Delivery Year in the case of an Existing Generating CMU that has been awarded a Capacity Agreement in a T-4 Auction; or~~
  - ~~(ii) — no later than the date falling six months prior to the start of the relevant Delivery Year in the case of an Existing Generating CMU that has been awarded a Capacity Agreement in any auction other than a T-4 Auction; or~~
  - ~~(iii) — no later than the date falling four months prior to the start of the relevant Delivery Year where the time period between the Auction Results Day and the start of the Delivery Year is less than eight months.~~~~
- ~~(c) — The Delivery Body must send to the CM Settlement Body a copy of any completed Metering Assessment, or other information provided by the applicant under (a), (b) and (d).~~
- ~~(d) — An Applicant may amend a Metering Assessment completed in compliance with Rule 3.6.4(a)(ii), provided that:
  - ~~(i) — if the application relates to a T-4 Auction, any amendments are made by the earlier of:
    - ~~(aa) — the earliest date the Applicant provides any Metering Test Certificate; and~~
    - ~~(bb) — the date falling 18 months prior to the start of the first Delivery Year; and~~~~
  - ~~(ii) — if the application relates to a T-1 Auction or where the time period between the Auction Results Day and the start of the Delivery Year is less than eight months, any amendments are made by the earlier of:
    - ~~(aa) — the earliest date the Applicant provides any Metering Test Certificate; and~~
    - ~~(bb) — the date falling two weeks prior to the start of the first Delivery Year~~Not used.~~~~

### 3.6A Additional information for an Existing Interconnector CMU

#### 3.6A.3 Metering Arrangements

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- ~~(a) Each Applicant for an Existing Interconnector CMU must, subject to Rule 3.6A.3(aa):
    - ~~(i) provide detailed line diagrams showing the location at which the Interconnector CMU is metered; and~~
    - ~~(ii) complete a Metering Assessment in relation to that CMU.
      - ~~(aa) An Applicant may elect to defer the requirements in Rule 3.6A.3(a) until after the Capacity Auction to which the application relates, in which case the Applicant must declare that it will provide detailed line diagrams showing the location at which the Interconnector CMU is metered and complete a Metering Assessment for that Existing Interconnector CMU by:
        - ~~(i) no later than the date falling three years prior to the start of the relevant Delivery Year in the case of an Existing Interconnector CMU that has been awarded a Capacity Agreement in a T-4 Auction; or~~
        - ~~(ii) no later than the date falling six months prior to the start of the relevant Delivery Year in the case of an Existing Interconnector CMU that has been awarded a Capacity Agreement in any auction other than a T-4 Auction; or~~
        - ~~(iii) no later than the date falling four months prior to the start of the relevant Delivery Year where the time period between the Auction Results Day and the start of the Delivery Year is less than eight months.~~~~~~~~
- ~~(b) The Delivery Body must send to the CM Settlement Body a copy of any completed Metering Assessment or other information provided by an Applicant under (a), (aa) and (c).~~
- ~~(c) An Applicant may amend a Metering Assessment completed in compliance with Rule 3.6A.3(a)(ii), provided that:
  - ~~(i) if the application relates to a T-4 Auction, any amendments are made by the earlier of:
    - ~~(aa) the earliest date the Applicant provides any Metering Test Certificate; and~~
    - ~~(bb) the date falling 18 months prior to the start of the first Delivery Year; and~~~~
  - ~~(ii) if the application relates to a T-1 Auction or where the time period between the Auction Results Day and the start of the Delivery Year is less than eight months, any amendments are made by the earlier of:
    - ~~(aa) the earliest date the Applicant provides any Metering Test~~~~~~

~~Certificate; and~~

~~(bb) the date falling two weeks prior to the start of the first  
Delivery Year Not used.~~

### 3.9 Additional Information for a Proven DSR CMU

#### 3.9.4 Metering Arrangements

~~(a) Each Applicant for a Proven DSR CMU must, subject to Rule 3.9.4(b):~~

~~(i) provide detailed line diagrams showing electrical configurations  
and metering sites at which the DSR CMU Components are  
located; and~~

~~(ii) complete a Metering Assessment in relation to that CMU.~~

~~(b) An Applicant may elect to defer the requirements in Rule 3.9.4(a)  
until after the Capacity Auction to which the Application relates, in  
which case the Applicant must declare that it will provide detailed  
line diagrams showing electrical configurations and metering sites at  
which the Proven DSR CMU Components are located and complete a  
Metering Assessment for that Proven DSR CMU by:~~

~~(i) no later than the date falling three years prior to the start of  
the relevant Delivery Year in the case of a Proven DSR CMU  
that has been awarded a Capacity Agreement in a T-4 Auction;  
or~~

~~(ii) no later than the date falling six months prior to the start of the  
relevant Delivery Year in the case of a Proven DSR CMU that  
has been awarded a Capacity Agreement in any auction other  
than a T-4 Auction; or~~

~~(iii) no later than the date falling four months prior to the start of  
the relevant Delivery Year where the time period between the  
Auction Results Day and the start of the Delivery Year is less  
than eight months.~~

~~(c) The Delivery Body must send to the CM Settlement Body a copy of  
any completed Metering Assessment, or other information provided  
by the applicant under (a), (b) and (d).~~

~~(d) An Applicant may amend a Metering Assessment completed in  
compliance with Rule 3.9.4(a)(ii), provided that:~~

~~(i) if the application relates to a T-4 Auction, any amendments are made  
by the earlier of:~~

~~(aa) the earliest date the Applicant provides any Metering Test  
Certificate; and~~

~~(bb) the date falling 18 months prior to the start of the first  
Delivery Year; and~~

~~(ii) if the application relates to a T-1 Auction or where the time period~~

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~~between the Delivery Year and the auction is less than eight months,  
any amendments are made by the earlier of:~~

~~(aa) the earliest date the Applicant provides any Metering Test  
Certificate; and~~

~~(bb) the date falling two weeks prior to the start of the first  
Delivery Year~~Not used.

### 3.10 Additional Information for an Unproven DSR CMU

#### 3.10.2 Required Testing

Each Applicant for an Unproven DSR CMU must confirm that it will complete in relation to that CMU prior to the date falling one month before the commencement of the Delivery Year to which the Capacity Auction relates (or in the case of an Applicant intending to bid for a Capacity Agreement of a duration exceeding one Delivery Year, prior to the date falling one month before the commencement of the second Delivery Year to which the Capacity Auction relates), a DSR Test or Joint DSR Test;

~~(b) prior to the date falling four months before the commencement of the Delivery Year to which the Capacity Auction relates (or, in the case of an Applicant intending to bid for a Capacity Agreement of a duration exceeding one Delivery Year, prior to the date falling four months before the commencement of the second Delivery Year to which the Capacity Auction relates), a Metering Assessment (including providing line diagrams as described in Rule 3.9.4(a)(i)); and~~

~~(c) prior to the date falling two weeks before the commencement of the Delivery Year to which the Capacity Auction relates (or, in the case of an Applicant intending to bid for a Capacity Agreement of a duration exceeding one Delivery Year, prior to the date falling two weeks before the commencement of the second Delivery Year to which the Capacity Auction relates), if required, a Metering Test.~~

### 3.11 Opt-out Notifications

#### 3.11.2 An Opt-out Notification must state:

(d) the CMU to which the Opt-out Notification relates including a description of, and the full postal address with postcode and the two letter prefix and six-figure Ordnance Survey grid reference numbers of, the Electricity Interconnector or the Generating Unit(s) and/or DSR CMU Component(s); ~~and Meter Point Administration Numbers for all the relevant Meter(s);~~

3.11.2B Pursuant to 3.11.2 (d) following provision of an opt out notification, a Mandatory CMU must provide Meter Point Administration Numbers for all the relevant Meters to the CM Settlement Body prior to the relevant

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Delivery Year.

3.16 Provision of information by Delivery Body

- 3.16.1 The Delivery Body must send the following relevant component information received as part of Prequalification to the CM Settlement Body.

CHAPTER 4: DETERMINATION OF ELIGIBILITY

4. Determination of eligibility

4.4 Decisions to be made by the Delivery Body

- 4.4.2 Subject to Rule 3.8.1A(c)(ii), the Delivery Body must not Prequalify a CMU where:

- (c) ~~any Meter Point Administration Number specified in relation to the CMU pursuant to Rule 3.4.3(a)(ii) has already been registered to another CMU in respect of which a person either:~~
- ~~(i) has a Capacity Agreement in relation to one or more of the same Delivery Years; or~~
  - ~~(ii) has submitted a prior Application in the same Prequalification Window;~~
- ~~unless the Application includes a declaration under Rule 3.4.3(b); or Not used;~~
- (d) ~~any Generating Unit comprised in a CMU which is also a BM Unit has already been registered to another CMU in respect of which a person either:~~
- ~~(i) has a Capacity Agreement in relation to one or more of the same Delivery Years; or~~
  - ~~(ii) has submitted a prior Application in the same Prequalification Window~~Not used;

## CHAPTER 6: CAPACITY AGREEMENTS

### 6. Capacity Agreements

#### 6.10 Termination

##### 6.10.1 Termination Events

Each of the following events is a Termination Event with respect to a Capacity Agreement (other than a Capacity Agreement that has been transferred under Rule 9.2.4(a)), and the Capacity Provider must notify the Delivery Body if any of the following events has occurred and is continuing:

- (ha) where the Capacity Agreement relates to an Existing CMU, a Proven DSR CMU or an Unproven DSR CMU and, ~~in any such case, the Capacity Provider has made a declaration in its Application in accordance with Rule 3.6.4(b), 3.6A.3(aa), 3.9.4(b) or 3.10.2(b) that it will complete a Metering Assessment for that CMU,~~ the Capacity Provider has failed to complete a Metering Assessment in accordance with Rule 8.3.3(a) or 8.3.3(b);

CHAPTER 7: CAPACITY MARKET REGISTER AND CAPACITY MARKET METERING REGISTER

7. Capacity Market Register and Capacity Market Metering Register

7.1 Purpose of this Chapter

7.1.1 The Rules govern the establishment and maintenance by the Delivery Body of the Capacity Market Register and the Capacity Market Metering Register by the CM Settlement Body.

7.2A Establishment, form and maintenance of the Capacity Market Metering Register

7.2A.1 The CM Settlement Body must establish and maintain a Capacity Market Metering Register in accordance with the Regulations and the Rules.

7.2A.2 The Capacity Market Metering Register may be in electronic form.

7.2A.3 The Capacity Market Metering Register must be established by [TBD] the time the new version of the EMR Delivery Body Portal is implemented.

7.2A.4 The Delivery Body and the CM Settlement Body will make arrangements for such data transmission facilities as are necessary to give the Delivery Body secure access to the Capacity Market Metering Register.

7.2A.5 The CM Settlement Body shall retain all data submitted to or stored on the Capacity Market Metering Register for a period of:

(a) 5 years from the date of the expiry or earlier termination of the Capacity Agreement in Agreement in the case of data referred to in Rule 7.4A .

7.4 Contents of the Capacity Market Register

With respect to each Capacity Auction, the Delivery Body must ensure that the following entries are made on the Capacity Market Register:

7.4.1 On the day on which the Secretary of State is given the notification required by Regulation 23(1):

(a) in relation to each Mandatory CMU and any CMU that is the subject of an Application:

(iv) ~~the Meter Point Administration Numbers for the relevant Meters relating to the CMU~~ Not used;

(v) the Connection Capacity or DSR Capacity (as applicable) of the CMU; and

(vi) Not used

(vii) ~~the responses submitted in the Metering Assessment (if completed)~~ Not used.

(d) in relation to any Prequalified CMU:

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(xi) ~~the results of the Metering Assessment for the CMU~~Not used;

7.4.5 By no later than 5 Working Days after the date of issue of a Capacity Agreement Notice for a Capacity Committed CMU:

(c) ~~BM Unit ID and other identification codes for the relevant Meters (as applicable)~~Not used;

(l) ~~in relation to each Capacity Committed CMU is a Prospective CMU, an Existing CM, or a Proven DSR CMU or an Unproven DSR CMU whether the Capacity Provider is subject to a requirement to complete a Metering Assessment and, if so, the date by which it must be completed~~Not used;

(la) ~~where applicable, the date on which a valid Metering Test Certificate was awarded to a Capacity Committed CMU which is a Prospective CMU, an Existing CMU, a Proven DSR CMU or an Unproven DSR CMU~~Not used;

7.4A Contents of the Capacity Market Metering Register

7.4A.1 With respect to each Capacity Auction, the CM Settlement Body must ensure that the following entries are made on the Capacity Market Metering Register from [TBD]:

(a) Reference data, which, where applicable, refers to data items as defined in Rule 7.4 and 7.5 required to distinguish the relevant metering data:

(b) Metering data:

i. the Meter Point Administration Numbers for the relevant Meters relating to the CMU;

ii. whether the Capacity Provider is subject to a requirement to complete a Metering Assessment and, if so, the date by which it must be completed

iii. where applicable, the date on which a valid Metering Test Certificate was awarded to a Capacity Committed CMU within 5 days of completion

iv. the responses submitted in the Metering Assessment within 5 days of completion

v. Confirmation based on the results of the Metering Assessment on whether a Metering Test is required within 5 days of completion

vi. BM Unit ID and other identification codes for the relevant Meters

vii. to record any changes to the Meter Point Administration Numbers, BM Unit IDs and other identification codes for the relevant Meters relating to the CMU within five Working Days following approval

viii. Status of a DSR Component in accordance with Rule 8.3.4.

7.5 Delivery Body amendments to the Capacity Market Register

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7.5.1 The Delivery Body must update the Capacity Market Register:

- (k) ~~to record the responses to, and result of, any Metering Assessment within five Working Days of the assessment~~Not used;
- (l) ~~to record the issue of a Metering Test Certificate for a CMU within five Working Days of receipt of the Metering Test Certificate~~Not used;
- (la) ~~to record the date on which a Capacity Committed CMU is awarded a Metering Test Certificate, within five Working Days of receipt of the Metering Test Certificate~~Not used;
- (cc) ~~to record any changes to the Meter Point Administration Numbers, BM Unit IDs and other identification codes for the relevant Meters relating to the CMU within five Working Days following approval from the Delivery Body~~Not used;

7.6A Capacity Market Metering Register to be publicly available

7.6A.1 ~~The contents of the Capacity Market Metering Register must be available for inspection by the public on request at reasonable notice during the CM Settlement Body's working hours or on-line.~~

7.6A2 At the request of any person the CM Settlement Body must provide a written statement of any entry on the Capacity Market Metering Register within five Working Days.

7.7 Applications for rectification of the Capacity Market Register and Appeals

7.7.1 Where any person considers that an entry maintained in respect of it or any Capacity Committed CMU for which they are the Capacity Provider under this Chapter 7 ~~as it pertains to the Capacity Market Register~~ is factually inaccurate, they may request to the Delivery Body that the entry be amended or deleted.

7.7.4 A person who receives a notice under Rule 7.7.3 may dispute the decision and request that the Delivery Body reconsider its decisions to refuse the request for rectification of the Capacity Market Register in accordance with Regulation 69.

7.7A Application for rectification of the Capacity Market Metering Register and Appeals

7.7A.1 Where any person considers that an entry maintained in respect of it or any Capacity Committed CMU for which they are the Capacity Provider under this Chapter 7 is factually inaccurate, they may request to the CM Settlement Body that the entry be amended or deleted.

[Any such request must—

1. set out the reasons why the Capacity Provider believes that the entry is factually inaccurate together with such supporting information as may be relevant; and
  2. be given not later than 28 days after the entry has been made to the Capacity Market Metering Register.]
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[The CM Settlement Body may, to assist in determining whether the entry is factually inaccurate, appoint an independent person to consider the matter.]

7.7A.2 If the CM Settlement Body accepts a request received under Rule 7.7A.1 the CM Settlement Body must within five Working Days of receiving the request:

(a) \_\_\_\_\_ rectify the relevant entry in the Capacity Market Metering Register as set out in the request; and

(b) \_\_\_\_\_ notify the person who made the request for rectification of the Capacity Market Metering Register that it has been rectified.

7.7A.3 If the CM Settlement Body refuses a request for rectification received under Rule 7.7A.1, the CM Settlement Body must within five Working Days notify the person who made the request that the CM Settlement Body has refused the request and shall provide reasons for that decision.

## CHAPTER 8: OBLIGATIONS OF CAPACITY PROVIDERS AND SYSTEM STRESS EVENTS

### 8. Obligations of Capacity Providers

#### 8.3 Specific obligations and consequences

##### 8.3.3 Metering

- (a) If an Existing Generating CMU, Existing Interconnector CMU, or a Proven DSR CMU is awarded a Capacity Agreement then, ~~where the Capacity Provider made a declaration in the Application for that CMU in accordance with Rule 3.6.4(b), 3.6A.3(aa) or Rule 3.9.4(b) (as applicable),~~ the Capacity Provider must provide to the CM Settlement Body detailed line diagrams showing electrical configurations and metering sites at which the Generating Units or DSR CMU Components (as applicable) are located (or in the case of an Existing Interconnector CMU provide detailed line diagrams showing the location at which the Interconnector CMU is metered) and complete a Metering Assessment with respect to that CMU by:
- (i) no later than the date falling three years prior to the commencement of the Delivery Year in the case of an Existing CMU or a Proven DSR CMU that has been awarded a Capacity Agreement in a T-4 Auction; or
  - (ii) no later than the date falling six months prior to the commencement of the Delivery Year in the case of an Existing CMU or a Proven DSR CMU that has been awarded a Capacity Agreement in any auction other than a T-4 Auction; or
  - (iii) no later than the date falling four months after the auction in the case of the time period between the Delivery Year and the auction is less than eight months.
- (b) If an Unproven DSR CMU is awarded a Capacity Agreement then the Capacity Provider must complete a Metering Assessment with respect to that CMU prior to the date falling four months before the commencement of the Delivery Year to which the Capacity Auction relates (or, in the case of an Applicant intending to bid for a Capacity Agreement of a duration exceeding one Delivery Year, prior to the date falling four months before the commencement of the second Delivery Year to which the Capacity Auction relates),.
- (ba) If a Prospective CMU is awarded a Capacity Agreement then the Capacity Provider must, as soon as reasonably practicable after the CMU becomes Operational, and in any event not later than the Long Stop Date:
- (i) provide to the ~~CM Settlement~~Delivery Body detailed line diagrams showing electrical configurations and metering sites at which the Generating Units are located or the location at which the Interconnector CMU is metered; and
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- (ii) complete a Metering Assessment in relation to the CMU.
- (c) Following the completion of a Metering Assessment pursuant to Rule 8.3.3(a), (b) or (ba), or 8.3.4(h)(i)(bb) (and following the completion of amendments made to a Metering Assessment, pursuant to Rules 3.6.4(d), 3.6A.3(c), 3.9.4(d), or 8.3.3(h) where applicable) the CM Settlement Delivery Body must notify the relevant Capacity Provider and the Delivery Body whether or not, based on such Metering Assessment, the metering arrangements for such CMU will be subject to a Metering Test:
  - ~~(i) notify the relevant Capacity Provider whether or not, based on such Metering Assessment, the metering arrangements for such CMU will be subject to a Metering Test~~
  - ~~(ii) send a copy of any completed Metering Assessment to the CM Settlement Body.~~
- (d) If:
  - (i) a Prospective CMU or an Unproven DSR CMU has been awarded a Capacity Agreement and the CM Settlement Delivery Body notifies the relevant Capacity Provider, pursuant to Rule 8.3.3(c)(i), that such CMU is subject to a Metering Test; or
  - (ii) an Existing CMU or a Proven DSR CMU has been awarded a Capacity Agreement and the CM Settlement Delivery Body notifies the relevant Capacity Provider, pursuant to Rule 8.3.3(c)(i), that such CMU is subject to a Metering Test

the Capacity Provider must obtain~~provide~~ a Metering Test Certificate with respect to that CMU from the CM Settlement Body by no later than the relevant date specified in Rule 8.3.3(e).

- ~~(da) The CM Settlement Body must notify the Delivery Body within five working days from the date that a Metering Test Certificate has been issued to the Capacity Provider, including confirmation of the date that the Metering Test Certificate was awarded. reference~~
  - (e) The date by which a Capacity Provider must be awarded~~provide~~ a Metering Test Certificate where required to do so under Rule 8.3.3(d) is:
  - (ea) In relation to any CMU for which a Capacity Provider has received a Capacity Agreement, ~~and has not made a declaration in accordance with Rule 3.6.4(b), 3.6A.3(aa) or Rule 3.9.4(b),~~ the Capacity Provider must, for each Generating Unit or DSR CMU Component comprised in a CMU, or the Electricity Interconnector comprised in an Interconnector CMU, confirm to the CM Settlement Delivery Body that:
  - (f) A Capacity Provider or CMVR Registered Participant must:
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- (i) ~~Provide to the CM Settlement Body as soon as reasonably practicable and ensure the accurate submission of the following information to the Delivery Body and the CM Settlement Body in meeting the requirements under Rule 3.6.4(a), Rule 3.6A.3(a) and Rule 13.3.2 as applicable;~~
  - ~~(aa) All relevant Meters, and Meter Point Administration Numbers, for all the relevant Meter(s),~~
  - ~~(bb) BM Unit Identifiers (as defined in the Balancing and Settlement Code), if applicable; and~~
  - ~~(cc) in the case of an Interconnector CMU, the relevant interconnector identifier(s) as specified for the purposes of the BSC in file CDCA- I041 of the Central Data Collection Agent (CDCA).~~
  - ~~(dd) If any Meter Point Administration Number specified has already been registered to another CMU which is a Capacity Committed CMU in respect of one or more of the same Delivery Years, include a declaration explaining how the two CMUs relate and how metering will separately identify the output of each of them.~~
- (ii) notify ~~the Delivery Body and~~ the CM Settlement Body in advance of any proposed change to:
  - ~~(i) Where a Metering Assessment is amended the CM Settlement Body must notify the Delivery Body as soon as reasonably practicable whether based on such updated Metering Assessment, the metering arrangements for such CMU will be subject to a Metering Test.~~

#### 8.3.3A Notifying DSR Components

- (a) A Capacity Provider in respect of an Unproven DSR CMU must, by no later than the date specified in Rule 8.3.3A(b) below, give a notice to the Delivery Body specifying:
    - (ii) ~~all relevant Meters, and Meter Point Administration Numbers, for those Meters if applicable~~Not used; and
  - ~~(aa) A Capacity Provider in respect of an Unproven DSR CMU must, by no later than the date specified in Rule 8.3.3A(b) below, give a notice to the CM Settlement Body specifying all relevant Meters, and Meter Point Administration Numbers, for those Meters if applicable.~~
  - (b) The date referred to in Rules 8.3.3A(a) and 8.3.3A(aa) is the earlier of the dates on which the Capacity Provider:
    - (i) completes a Metering Assessment under Rule 8.3.3(b); or
    - (ii) provides the Delivery Body with the information required in order to carry out a DSR Test under Rule 13.2.5, or a Joint DSR Test under Rule 13.2B.5.
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#### 8.3.4 Changing DSR Components

- (b) A Capacity Provider may notify ~~the Delivery Body and~~ the CM Settlement Body that it wishes to remove one or more DSR CMU Component from a DSR CMU that is a Capacity Committed CMU (except if the CMU has been awarded a Capacity Agreement of a duration exceeding one Delivery Year and has not yet met the requirements of Rule 8.3.2 (DSR Test) and Rule 8.3.6 (Evidence of Total Project Spend)).
- (e) A Capacity Provider may notify the ~~Delivery Body and the~~ CM Settlement Body, during the relevant Delivery Year and no later than two months prior to the subsequent Delivery Year, that it wishes to add one or more DSR CMU Component to a DSR CMU that is a Capacity Committed CMU (except if the CMU has been awarded a Capacity Agreement of a duration exceeding one Delivery Year and has not yet met the requirements of Rule 8.3.2 (DSR Test) and Rule 8.3.6 (Evidence of Total Project Spend)).
- (f) When the Capacity Provider has notified ~~Delivery Body and~~ the CM Settlement Body in accordance with Rule 8.3.4(e), the Capacity Provider must provide the ~~CM Settlement~~ ~~Delivery~~ Body with the information for the new component(s), in accordance with Rules 8.3.3A(a)(i) and 8.3.3A(a)(ii).
- (h) Where Rule 8.3.4(e) applies, within five Working Days of notification to ~~the Delivery Body and~~ the CM Settlement Body:
- (i) A Capacity Provider may make notifications pursuant to Rules 8.3.4(b) and 8.3.4(e) jointly or separately for more than one component, and where applicable one or more CMUs, as part of one notification to the ~~Delivery Body and~~ CM Settlement Body.
- (k) Following receipt of a notification pursuant to Rule 8.3.4(b) or Rule 8.3.4(e), the ~~CM Settlement~~ ~~Delivery~~ Body must update the Capacity Market ~~Metering~~ Register within two Working Days to reflect the status of the relevant DSR CMU Components, as appropriate, as either:
  - (l) If a component is rejected during the process, the ~~CM Settlement~~ ~~Delivery~~ Body must update the Capacity Market ~~Metering~~ Register within two Working Days to reflect the status of the relevant DSR CMU as:
- (m) Where the requirements of Rule 8.3.4(c) and Rule 8.3.4(g) have been met, the ~~CM Settlement~~ ~~Delivery~~ Body must:
  - (i) update the Capacity Market ~~Metering~~ Register within two Working Days to reflect the status of the relevant DSR CMU Components, as appropriate, as:
    - (aa) "Added - Live"; or

- (~~bb~~) "Removed"; or
- (~~cc~~) "Original/Default – Live".

(ii) Update the Delivery Body as soon as reasonably practicable on the updated completion details and status for all Added or Removed DSR CMU Components.

### 8.3.7 Notifying change of address

(a) A New Build CMU or DSR CMU notifying the Delivery Body pursuant to Rule 7.5.1(r) that the location of a Generating Unit(s) and/or DSR CMU Component(s) is or will be different from the location described in the Application must provide the Delivery Body with the following as applicable:

- (~~ia~~) Relevant Planning Consents as required by Rule 3.7.1;
- (~~ib~~) Connection Arrangements as required by Rule 3.7.3;
- (~~iii~~) A report confirming they have met the Financial Commitment Milestone;
- (~~iv~~) ~~An updated Metering Assessment, details of the Metering Configuration Solution and/or new Metering Test Certificate and any Detailed Line Diagrams~~Not used;
- (~~v~~) ~~Confirmation from the CM Settlement Body confirming the change to the Metering Configuration, as set out in Rule 8.3.3~~Not used;
- (~~vi~~) Confirmation of the new location and new Ordnance Survey grid reference;
- (~~vii~~) Omitted
- (~~viii~~) Low Carbon Exclusion and Low Carbon Grant status as set out in Rule 3.4.7;
- (~~ix~~) ~~Meter Point Administration Numbers of the relevant Meter(s) at the new location and, where a MPAN is already in use by another CMU, a declaration that explaining the relationship between these CMUs and the metering solutions necessary to identify their individual~~Not used.

(b) New A Declaration that the Capacity Provider will contact the CM Settlement Body as soon as reasonably practicable to:

- (i) Provide Meter Point Administration Numbers of the relevant Meter(s) at the new location and, where a MPAN is already in use by another CMU, a declaration that explains the relationship between these CMUs and the metering solutions necessary to identify their individual outputs.
  - (ii) Complete an updated Metering Assessment and provide details of the Metering Configuration Solution and/or new Metering
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Test Certificate and any Detailed Line Diagrams;

- (iii) Confirm with the CM Settlement Body any change to the Metering Configuration, as set out in Rule 8.3.3
  - (iv) Where a change of address is notified after the deadlines set in Rule 8.3.3, the Capacity Provider must fulfil updated obligations within forty working ~~"n"~~ working days.rule
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## CHAPTER 9: TRANSFER OF CAPACITY OBLIGATIONS

### 9. Transfer of Capacity Obligations

#### 9.2 Restrictions on transfer and eligibility to trade

9.2.4 A Capacity Provider may transfer a Capacity Agreement by:

...

in each case such transfer of the Capacity Agreement to be in accordance with the Regulations and the Rules (including the requirements relating to the updating of the Capacity Market Register) and the Capacity Market Metering Register. An individual transfer under Rule 9.2.4(a) may not relate to more than one Delivery Year.

9.2.5 Transfers of a Capacity Agreement:

(a) under Rule 9.2.4(a) can only be effected on the Capacity Market Register and the Capacity Market Metering Register after the T-1 Auction for the relevant Delivery Year has concluded (or, in the case of an SA Agreement, after 30th May 2017) and provided that:

9.2.6 An Acceptable Transferee in relation to Rule 9.2.4(a), for any Delivery Year, is any of the persons in paragraphs (a) to (d) who meets the conditions in Rule 9.2.6(e)(i) to (xii):

(e) the conditions in this Rule 9.2.6(e) are that:

(ii) the CMU Transferee:

(cc) has provided metering information, completed a Metering Assessment, provide a Single Line Diagram and where applicable holds a Metering Test Certificate with the CM Settlement Body.

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CHAPTER 10: VOLUME REALLOCATION

10. Volume Reallocation

10.2 Capacity Market Volume Reallocation Notification

10.2.1A Before becoming a CMVR Transferee, the CMVR Registered Participant must provide metering information and a Single Line Diagram to the CM Settlement Body, complete a Metering Assessment and, where applicable, hold a Metering Test Certificate.

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## CHAPTER 13: TESTING REGIME

### 13. Testing Regime

#### 13.2 DSR Test

13.2.5 In order to carry out a DSR Test with respect to a DSR CMU, an Applicant or Capacity Provider (as applicable) must provide the CM Settlement~~Delivery~~ Body with:

13.2.5A. ~~N~~The CM Settlement Body must confirm to the Delivery Body that they have received information required in accordance with 13.2.5(a) or 13.2.5(b).ew rule

13.2.12B In the event that the metering configuration details provided pursuant to Rule 13.2.5 change, then the Capacity provider must notify ~~the Delivery Body and the~~ Settlement Body as soon as practicable.

13.2.12C Within five Working Days of notification to ~~the Delivery Body and the~~ CM Settlement Body under Rule 13.2.12B, a Capacity Provider must, for each DSR CMU Component where metering configuration details differ from those provided pursuant to Rule 13.2.5:

13.2.12D If, as a consequence of Rule 13.2.12C(b), a Capacity Provider has been informed, pursuant to Rule 8.3.3(c)(i), that a Metering Test is required, then a Capacity Provider must ~~obtain~~provide a Metering Test Certificate within forty Working Days from the date of notification under Rule 8.3.3(c)(i).

13.2.12E Where one or more notifications have been made to ~~the Delivery Body and the~~ Settlement Body pursuant to Rule 13.2.12B, the DSR Test Certificate for the relevant DSR CMU shall:

#### 13.2A New DSR Test

13.2A.3 To enable the Delivery Body to carry out a new DSR Test with respect to the relevant DSR CMU, the Capacity Provider must provide the CM Settlement~~Delivery~~ Body with the information set out in Rule 13.2.5, except for the information required by Rule 13.2.5(b)(ii).

#### 13.2B Joint DSR Test

13.2B.5 In order to carry out a Joint DSR Test with respect to a group of DSR CMUs, an Applicant or Capacity Provider (as applicable) must provide the CM Settlement~~Delivery~~ Body with:

13.2B.5A The CM Settlement Body must confirm within five days to the Delivery Body that they have received information required in accordance with 13.2B.5(a) or 13.2B.5(b)

13.2B.20 In the event that the metering configuration details provided pursuant to Rule 13.2B.5 change, then the Capacity provider must notify ~~the Delivery Body and~~ the Settlement Body as soon as practicable.

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13.2B.21 Within five Working Days of notification to the ~~Delivery Body and the~~ CM Settlement Body under Rule 13.2B.20, a Capacity Provider must, for each DSR CMU Component where metering configuration details differ from those provided pursuant to Rule 13.2B.5:

13.2B.22 If, as a consequence of Rule 13.2B.21(b), a Capacity Provider has been informed, pursuant to Rule 8.3.3(c)(i), that a Metering Test is required, then a Capacity Provider must ~~obtain~~provide a Metering Test Certificate within forty Working Days from the date of notification under Rule 8.3.3(c)(i).

13.2B.23 Where one or more notifications have been made to ~~the Delivery Body and~~ the Settlement Body pursuant to Rule 13.2B.20, the DSR Test Certificate for the relevant DSR CMU shall:

### 13.2C New Joint DSR Test

13.2C.3 To enable the Delivery Body to carry out a new Joint DSR Test with respect to the relevant DSR CMUs, the Capacity Provider must provide the ~~CM Settlement~~Delivery Body with the information set out in Rule 13.2B.5, except for the information required by Rule 13.2B.5(b)(ii).

### 13.3 Metering Test

13.3.10 The CM Settlement Body shall notify the Delivery Body of the outcome of any Metering Test carried out pursuant to this Rule 13.3 ~~and confirm~~ the date that the Metering Test Certificate was awarded.

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CHAPTER 13A: METERING RECOVERY FAULTS AND REPAYMENT OF CAPACITY PAYMENTS

13A. Metering Recovery Faults and Payments

13A.5 Submission of incorrect information

13A.5.1 If the CM Settlement Body becomes aware that a Capacity Provider has submitted incorrect information to the ~~Delivery Body or~~ CM Settlement Body regarding a CMU, Generating Unit or DSR component in purported compliance with Rule 8.3.3(f)(i), the CM Settlement Body must, as soon as reasonably practicable, issue a Metering Recovery Payment Notice to the Capacity Provider.

SCHEDULE 1: TEMPLATE CAPACITY AGREEMENT NOTICE

CAPACITY AGREEMENT NOTICE

*This Capacity Agreement Notice is issued pursuant to the Capacity Market Rules (the "Rules"). Terms have the meaning prescribed to them in the Rules unless otherwise indicated.*

*The Registered Holder of the Capacity Agreement to which this Capacity Agreement Notice relates has the rights and obligations of a Capacity Provider pursuant to the Regulations and the Rules.*

*Neither the registration of a Capacity Committed CMU (or its Capacity Provider) nor the issuance of a Capacity Agreement Notice is intended to create contractual relations and does not give rise to contractual rights for the benefit of a Capacity Provider or any Administrative Party. Where there is an inconsistency between a Capacity Agreement or a Capacity Agreement Notice and the terms of the Capacity Market Register, the terms of the Capacity Market Register prevail.*

**Part D: CMU Details**

(i)	Description and the full postal address with postcode, if available, and the two letter prefix and six-figure Ordnance Survey grid reference numbers of Generating Unit(s) and/or DSR CMU Component(s) or the Electricity Interconnector	
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(ii)	<del>Meter Point Administration Numbers for relevant Meter(s) or details of metering and communications arrangements</del>	
(iii)	<del>BM Unit ID (if applicable)</del>	



## **Annex B - Submitting CM rule change Proposals to CMAG**

To raise a change, you can complete the CM rule change proposal form<sup>12</sup> and submit it to [CMAG@Elexon.co.uk](mailto:CMAG@Elexon.co.uk). The CMAG Secretariat will provide all Proposers with 'critical friend' support to ensure there is appropriate level of detail in the Change Proposal to ensure productive CMAG prioritisation and development. Alongside the CMAG Secretariat's 'critical friend' work, CM Delivery Partners and Ofgem will complete their own assessment of the proposal form.

Proposers will be invited to attend a CMAG meeting to present their CM rule change proposal form to CMAG. CMAG will prioritise the change in line with other active changes, and it will be added to the CMAG forward work plan. CMAG will assess the issue and solution presented, confirming any impacts to both participants and consumers. Proposers will be invited to attend all CMAG meetings where their proposal is being discussed. CMAG will answer a list of standard change proposal questions during the development stage and confirm if any specific questions are required for the proposal. Proposers will be requested to share their responses to the standard and specific questions relating to their change proposal.

The CMAG Secretariat will work with the Delivery Partners to complete an impact assessment of all CM rule change proposals. This impact assessment will consider: the technical feasibility of the solution, implementation, ongoing costs for implementation, expected impacts to Delivery Partners and expected timescales for implementation.

CMAG will look to make a recommendation to Ofgem to approve or reject for each CM rule change proposal it receives. The recommendation will be noted within the CM rule change proposal report, which CMAG produces to accompany each of the CM rule change proposals it submits to Ofgem.

All CM rule change proposals will be consulted on by Ofgem via a statutory consultation, giving interested stakeholders the opportunity to share their feedback on the proposals, including where appropriate on the proposed drafting of the legal text.

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<sup>12</sup> [CM-Change-Proposal-Template-2023.docx \(live.com\)](#)

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## **Appendix 1 - Privacy notice on consultations**

### **Personal data**

The following explains your rights and gives you the information you are entitled to under the General Data Protection Regulation (GDPR).

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

#### **1. The identity of the controller and contact details of our Data Protection Officer.**

The Gas and Electricity Markets Authority is the controller, (for ease of reference, "Ofgem"). The Data Protection Officer can be contacted at [dpo@ofgem.gov.uk](mailto:dpo@ofgem.gov.uk)

#### **2. Why we are collecting your personal data.**

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

#### **3. Our legal basis for processing your personal data.**

As a public authority, the GDPR makes provision for Ofgem to process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

#### **4. Your personal data will not be shared outside of Ofgem.**

#### **5. For how long we will keep your personal data, or criteria used to determine the retention period.**

Your personal data will be held for 12 months after the consultation has closed.

#### **6. Your rights**

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right to:

- know how we use your personal data
  - access your personal data
  - have personal data corrected if it is inaccurate or incomplete
  - ask us to delete personal data when we no longer need it
  - ask us to restrict how we process your data
  - get your data from us and re-use it across other services
  - object to certain ways we use your data
-

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- be safeguarded against risks where decisions based on your data are taken entirely automatically
- tell us if we can share your information with 3<sup>rd</sup> parties
- tell us your preferred frequency, content and format of our communications with you
- to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

**7. Your personal data will not be sent overseas.**

**8. Your personal data will not be used for any automated decision making.**

**9. Your personal data will be stored in a secure government IT system.**

**10. More information** For more information on how Ofgem processes your data, click on the link to our "[ofgem privacy promise](#)".

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