

The Capacity Market (Amendment) (No. 2) Rules 2024

Presented to Parliament pursuant to Section 41(9)
of the Energy Act 2013

The Capacity Market (Amendment) (No. 2) Rules 2024

1. Citation, Commencement and Interpretation

- 1.1 These Rules may be cited as the Capacity Market (Amendment) Rules (No. 2) 2024.
- 1.2 These Rules come into force on the day after the day on which these Rules are made.
- 1.3 In these Rules:
 - 1.3.1 “the Rules” means the Capacity Market Rules 2014 as amended by:
 - (i) the Capacity Market (Amendment) Rules 2014;
 - (ii) the Capacity Market (Amendment) (No. 2) Rules 2014;
 - (iii) the Capacity Market (Amendment) Rules 2015;
 - (iv) the Capacity Market (Amendment) (No. 2) Rules 2015;

- (v) the Capacity Market (Amendment) Rules 2016;
- (vi) the Capacity Market (Amendment) (No. 2) Rules 2016;
- (vii) the Capacity Market (Amendment) (No. 3) Rules 2016;
- (viii) the Capacity Market (Amendment) Rules 2017;
- (ix) the Capacity Market (Amendment) (No. 2) Rules 2017;
- (x) the Capacity Market (Amendment) (No. 3) Rules 2017;
- (xi) the Capacity Market (Amendment) (No. 4) Rules 2017;
- (xii) the Capacity Market (Amendment) Rules 2018;
- (xiii) the Capacity Market (Amendment) Rules 2019;
- (xiv) the Capacity Market (Amendment) (No. 2) Rules 2019;

- (xv) the Capacity Market (Amendment) (No. 3) Rules 2019;
- (xvi) the Capacity Market (Amendment) (No. 4) Rules 2019;
- (xvii) the Capacity Market (Amendment) (No. 5) Rules 2019;
- (xviii) the Capacity Market (Amendment) Rules 2020;
- (xix) the Capacity Market (Amendment) Rules (No. 2) 2020;
- (xx) the Capacity Market (Amendment) Rules (No. 3) 2020;
- (xxi) the Capacity Market (Amendment) Rules 2021;
- (xxii) the Capacity Market (Amendment) (No. 2) Rules 2021
- (xxiii) the Capacity Market (Amendment) Rules 2022;
- (xxiv) the Capacity Market (Amendment) (No. 2) Rules 2022;

(xxv) the Capacity Market (Amendment) Rules 2023;

(xxvi) the Capacity Market (Amendment) Rules 2024; and

(xxvii) the Capacity Market (Amendment) (No. 2) Rules 2024

1.3.2 a reference to a Chapter, Rule or numbered Schedule by number alone is a reference to the Chapter, Rule or Schedule so numbered in the Rules; and

1.3.3 expressions which are defined in the Rules have the same meaning as in the Rules.

2. Amendments

2.1 The Rules are amended as set out in the Schedule to these Rules.

SCHEDULE

Part 1

Secondary Trading with CMU Metering Aggregation Rules

1. Amendments to Chapter 1 (General Provisions)

1.1 In Rule 1.2 (Definitions):

1.1.1 After the definition of “clearing round”, insert:

**“CM
Aggre
gation
Rules”**

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

1.1.2 Amend the definition of “**Approved Metering Solution**” as that it appears as follows:

**“Appro
ved**

means:
(a) a Metering

**Metering
Solution”**

Configuration
Solution (including
CM Aggregation
Rules) approved by
the CM Settlement
Body which is an
arrangement of
Metering Equipment
for:

(i) a Generating Unit
that is not a BM
Unit;

(ii) a DSR CMU
Component that is
not a BM Unit;

(iii) a CMU that is a
partial BM Unit; or

(b) a Metering
Configuration
Solution in respect
of a Generating Unit
or a DSR CMU
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
in place

2. Amendments to Chapter 8 (Obligations of Capacity Providers and System Stress Events)

2.1 In Rule 8.3.3 (Metering):

2.1.1 Omit the “and” after paragraph (h) (iii) (bb).

2.1.2 After paragraph (h), insert:

“(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 evidence that an Approved Metering Solution is in place 5 Working Days prior to the start of the Delivery Year;”

3. Amendments to Chapter 9 (Transfer of Capacity Obligations)

3.1 In Rule 9.2.5 (Transfers of a Capacity Agreement):

3.1.1 After paragraph (b), insert a new subclause (ba):

“(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 within the Delivery Year or less than one month prior to the start of the Delivery Year, where the Transferee has evidenced that an Approved Metering Solution is in place before submitting the transfer to the Delivery Body for registration.”

Part 2

Capacity Volume Register Publication Deadline

4. Amendments to Chapter 10 (Volume Reallocation)

- 4.1 In Rule 10.5.1 and Rule 10.5.2, for “5pm”
substitute “5:30pm”.

Part 3

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

5. Amendments to Chapter 1 (General Provisions)

5.1 In Rule 1.2 (Definitions):

5.1.1 In the definition of “Applicant Confidential Information” after “Delivery Body”, insert “, or CM Settlement Body”.

5.1.2 After the definition of “Capacity Market Register”, insert:

“Capacity Market Metering Register	means a register maintained by the CM Settlement Body to record approved metering solutions and related information, metering related obligations set out in Chapter 7 for each CMU and DSR Component Reallocation set out in
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Chapter 8.3.4 from time to time”

5.1.3 After the definition of “CM Settlement Body”, insert:

“CM Settlement Body Portal	means the IT online service through which relevant Rules are administered by the CM Settlement Body or its agents. Pursuant to which, without limitation, information pertinent to an approved metering solution and all notifications to be made by, or to, the CM Settlement Body in relation to the relevant Rules must be submitted”
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5.1.4 In the definition of “Metering Assessment”, replace “EMR Delivery Body Portal” with “CM Settlement Body Portal”.

5.1.5 In the definition of “Metering Statement”, omit “by an Applicant”.

5.2 In Rule 1.6 (Notices):

5.2.1 After Rule 1.6.2, insert a new 1.6.2A:

“1.6.2A All notices, submissions and or communications by, or to, the CM Settlement Body pursuant to the Regulations or the Rules must be in writing and:

- (a) submitted via the CM Settlement Body Portal
- (b) for all other purposes, submitted via email.”

5.2.2 In Rule 1.6.3:

5.2.2.1 after “Neither the Delivery Body”, insert “,” and omit “nor”.

5.2.2.2 after “the Auctioneer”, insert “or the CM Settlement Body”.

5.2.2.3 After “Rule 1.6.1” insert “,”

5.2.2.4 After “Rule 1.6.2” insert “or Rule 1.6.2A”.

6. Amendments to Chapter 3 (Prequalification Information)

6.1 In Rule 3.4.3 (Nominations relating to the CMU):

6.1.1 Omit paragraph (a) (ii) and insert “Not used;”

6.1.2 Omit paragraph (a) (iv) and insert “Not used”.

6.1.3 Omit paragraph (b) and insert “Not used”.

6.2 In Rule 3.6.4 (Metering Arrangements):

6.2.1 Omit paragraphs (a) (b) (c) (d) and insert “Not used”.

6.3 In Rule 3.6A.3 (Metering Arrangements):

6.3.1 Omit paragraphs (a) (b) (c) and insert “Not used”.

6.4 In Rule 3.9.4 (Metering Arrangements):

6.4.1 Omit paragraphs (a) (b) (c) (d) and insert “Not used”.

6.5 In Rule 3.10.2 (Required Testing):

6.5.1 Omit paragraphs (b) and (c).

6.6 In Rule 3.11.2 (Opt-out Notifications):

6.6.1 In paragraph (d), omit “and Meter Point Administration Numbers for all the relevant Meter(s)”.

6.7 After 3.11.2A, insert a new clause 3.11.2B:

“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 Delivery Year.”

6.8 After Rule 3.15, insert a new Rule 3.16:

“3.16 (Provisions of information by Delivery Body)

3.16.1 The Delivery Body must send the relevant component information received as part of Prequalification to the CM Settlement Body as soon as reasonably practical.

7. Amendments to Chapter 6 (Capacity Agreements)

7.1 In Rule 6.7 (Achieving the Substantial Completion Milestone):

7.1.1 In paragraph 6.7.2 (b) omit “provided detailed line diagrams and”.

7.1.2 In paragraph 6.7.3 (b) omit “provided detailed line diagrams”.

7.1.3 In paragraph 6.8.3 (b) omit “provided detailed line diagrams”.

7.1.4 In paragraph 6.8.3A (b) omit “provided detailed line diagrams”.

8. Amendments to Chapter 7 (Capacity Market Register)

8.1 After the title “7. Capacity Market Register” insert “and Capacity Market Metering Register”

8.2 In Rule 7.1 (Purpose of this Chapter):

8.2.1 At the end of 7.1.1, insert “and the Capacity Market Metering Register by the CM Settlement Body.”

8.3 In Rule 7.2 (Establishment, form and maintenance of the Capacity Market Register)

8.4 After Rule 7.2.5, insert a new clause 7.2A:

“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 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 the end of the 2024 Prequalification Assessment Window.

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 on which the content was received by the CM Settlement Body, in the case of data referred to in Rule 7.4A; and
- (b) 5 years from the date of the expiry or earlier termination of the Capacity Agreement, in the case of data referred to in Rule 7.4A.”

8.5 In Rule 7.4 (Contents of the Capacity Market Register):

8.5.1 In Rule 7.4.1 (a), omit sub-paragraph (iv) and insert “Not used;”

8.5.2 In Rule 7.4.1 (a), omit sub-paragraph (vii) and insert “Not used.”

8.5.3 In Rule 7.4.1 (d), omit sub-paragraph (xi) and insert “ Not used;”

8.5.4 In Rule 7.4.1 (d), omit sub-paragraph (xv) and insert “Not used;”

8.5.5 In Rule 7.4.5, omit sub-paragraph (c), and insert “Not used;”

8.5.6 In Rule 7.4.5, omit sub-paragraph (l), and insert “Not used;”

8.5.7 In Rule 7.4.5, omit sub-paragraph (la), and insert “Not used;”

8.5.8 After rule 7.4, insert a new clause 7.4A:

“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 Prequalification Results Day

(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 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.”

8.6 In Rule 7.5 (Delivery Body amendments to the Capacity Market Register):

8.6.1 In Rule 7.5.1, omit sub-paragraphs (k), (l), (la), (cc) and insert “Not used;”

8.6.2 After Rule 7.5, insert a new Rule 7.5A:

“7.5A Settlement Body amendments to the Capacity Market Register

7.5A.1 The Settlement Body must update the Capacity Market Register:

- (a) to record the responses to, and result of, any Metering Assessment within five Working Days of the Metering Assessment;
- (b) to record the issue of a Metering Test Certificate for a CMU within five Working Days of receipt of the Metering Test Certificate;
- (c) 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;

(d) 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 Settlement Body;”

8.7 In Rule 7.6 (Capacity Market Register to be publicly available):

8.7.1 After Rule 7.6, insert a new Rule 7.6A:

“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 online.

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.”

8.8 In Rule 7.7 (Applications for rectification of the Capacity Market Register and Appeals):

8.9 In Rule 7.7.1, after “Chapter 7” insert “as it pertains to the Capacity Market Register”.

8.10 After Rule 7.7, insert a new Rule 7.7A:

“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 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 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

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.

7.7A.4 If the Capacity Provider disagrees with the decision of the CM Settlement Body pursuant to Rule 7.7A.3, they may submit a further request to the CM Settlement Body within 5 Working Days to have them reconsider the decision, stating why they do not agree with the decision.

7.7A.5 If the CM Settlement Body accepts a request received under Rule 7.7A.4, 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.6 If the CM Settlement Body refuses a request for rectification received under Rule 7.7A.4, 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.

7.7A.7 If the Capacity Provider does not accept a decision of the CM Settlement Body pursuant to Rule 7.7A.6, they may submit the dispute to an expert for determination in accordance with the Expert Determination Procedure and,

following the determination by the expert in accordance with the Expert Determination Procedure, within 5 working days the CM Settlement Body will either

- (a) rectify the Capacity Market Metering Register and notify the person who made the request for rectification of the Capacity Market Metering Register that it has been rectified; or
- (b) refuse the request for rectification”

9. Amendments to Chapter 8 (Obligations of Capacity Providers and System Stress Events)

9.1 In Rule 8.3.3 (Metering):

- 9.1.1 In sub-paragraph (a), omit “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),”.

- 9.1.2 In sub-paragraph (a) after “the Capacity Provider must provide” insert “to the CM Settlement Body a”
- 9.1.3 In sub-paragraph (a), omit “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”.
- 9.1.4 In sub-paragraph (a), for “complete a Metering Assessment” substitute “completed Metering Assessment”.
- 9.1.5 In sub-paragraph (b), insert the following text at the end: “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),.”

9.1.6 In sub-paragraph (ba) omit sub-paragraph (i) and insert “Not used”.

9.1.7 In sub-paragraph (c), for “Delivery Body” substitute “CM Settlement Body”.

9.1.8 In sub-paragraph (c), omit (i) and (ii).

9.1.9 In sub-paragraph (c) insert the following text at the end: “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”.

9.1.10 In sub-paragraph (d) (i) for “Delivery Body” substitute “CM Settlement Body”.

9.1.11 In sub-paragraph (d) (ii) for “Delivery Body” substitute “CM Settlement Body”.

9.1.12 In sub-paragraph (d) for “provide” substitute “obtain”.

9.1.13 In sub-paragraph (d), following “the Capacity Provider must [obtain] a Metering Test Certificate with respect to that CMU” insert “from the CM Settlement Body”.

9.1.14 After sub-paragraph (d), insert a new Rule (da):

“(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.”

9.1.15 In sub-paragraph (e), for “provide” substitute “be awarded”.

9.1.16 In sub-paragraph (ea), omit “and has not made a declaration in accordance with Rule 3.6.4(b), 3.6A.3(aa) or Rule 3.9.4(b),”.

9.1.17 In sub-paragraph (ea), for “Delivery Body” substitute “CM Settlement Body”.

9.1.18 In sub-paragraph (f), amend (i) so that it provides as follows:

“Provide to the CM Settlement Body as soon as reasonably practicable and, in any event, within 10 Working Days ensure the accurate submission of the following information the CM Settlement Body as applicable;”

9.1.19 In sub-paragraph (f) (i), insert:

- “(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.”

9.1.20 In sub-paragraph (f) (ii), omit “the Delivery Body and”.

9.1.21 In Rule 8.3.3, insert a new paragraph (g):

“(j) 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.”

9.2 In Rule 8.3.3A (Notifying DSR Components):

9.2.1 In sub-paragraph (a), omit (ii) and insert “Not used;”

9.2.2 After sub-paragraph (a), insert a new Rule (aa):

(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.

9.2.3 In sub-paragraph (b), for “Rule” substitute “Rules”.

9.2.4 In sub-paragraph (b), after “The date referred to in Rules 8.3.3A(a)” insert “and 8.3.3A(aa)”.

9.3 In Rule 8.3.4 (Changing DSR Components):

9.3.1 In sub-paragraph (b), omit “the Delivery Body and”.

9.3.2 In sub-paragraph (e), omit “the Delivery Body and”.

9.3.3 In sub-paragraph (f), omit “Delivery Body and”.

9.3.4 In sub-paragraph (f), for “Delivery Body” substitute “CM Settlement Body”.

9.3.5 In sub-paragraph (h), omit “the Delivery Body and”.

9.3.6 In sub-paragraph (h), omit (aa).

9.3.7 In sub-paragraph (i), omit “Delivery Body and”.

9.3.8 In sub-paragraph (k), for “Delivery Body” substitute “CM Settlement Body”.

- 9.3.9 In sub-paragraph (k), for “Capacity Market Register” substitute “Capacity Market Metering Register”.
- 9.3.10 In sub-paragraph (l), for “Delivery Body” substitute “CM Settlement Body”.
- 9.3.11 In sub-paragraph (l), for “Capacity Market Register” substitute “Capacity Market Metering Register”.
- 9.3.12 In sub-paragraph (m), for “Delivery Body” substitute “CM Settlement Body”.
- 9.3.13 For sub-paragraph (m), after the text “the [CM Settlement Body] must” insert a “:” and insert a sub-paragraph “(i)”:
- 9.3.14 In sub-paragraph (m) (i), for “Capacity Market Register” substitute “Capacity Market Metering Register”.
- 9.3.15 For sub-paragraphs “(i)”, “(ii)”, “(iii)” substitute “(aa)”, “(bb)”, and “(cc)” respectively.
- 9.3.16 Insert sub-paragraph (ii):

“(ii) Update the Delivery Body as soon as reasonably practicable and, in any event, within 5 days on the updated completion details and status for all Added or Removed DSR CMU Components.”

9.4 For Rule 8.3.7 (Notifying change of address):

9.4.1 Omit sub-paragraph (d) and insert “Not used;”.

9.4.2 Omit sub-paragraph (e) and insert “Not used;”.

9.4.3 Omit sub-paragraph (i) and insert “Not used.”.

9.4.4 For sub-paragraphs “(a)”, “(b)”, “(c)”, “(d)”, “(e)”, “(f)”, “(g)”, “(h)” and “(i)” substitute “(i)”, “(ii)”, “(iii)”, “(iv)”, “(v)”, “(vi)”, “(vii)”, “(viii)” and “(ix)” respectively.

9.4.5 Create a new sub-paragraph (a) for 8.3.7.

9.4.6 At the end of Rule 8.3.7, insert a new Rule, sub-paragraph (b):

“(b) A Declaration that the Capacity Provider will notify the CM Settlement

Body as soon as reasonably practicable and, in any event, within 5 days of Notifying change of address 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 explaining 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 Test Certificate
- (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 40 working days.”

10. Amendments to Chapter 9 (Transfer of Capacity Obligations)

10.1 In Rule 9.2 (Restrictions on transfer and eligibility to trade):

10.1.1 At rule 9.2.4(a) after “and the Rules (including the requirements relating to the updating of the Capacity Market Register)” include the wording “and the Capacity Market Metering Register.”

10.1.2 At rule 9.2.5(a) after “can only be effected on the Capacity Market Register” include the wording “and the Capacity Market Metering Register”.

10.1.3 At rule 9.2.6(e)(ii) insert a new subclause (cc) as follows:

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

11. Amendments to Chapter 10

11.1 In rule 10.1A (CMVR Registered Participant):

11.1.1 Amend the clause number at 10.1 to 10.1A.1.

11.2 In rule 10.2 (Capacity Market Volume Reallocation Notification):

11.2.1 After rule 10.2.1 insert a new Rule 10.2.1A as follows:

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

12. Amendments to Chapter 13 (Testing Regime)

12.1 In Rule 13.2 (DSR Test):

12.1.1 In Rule 13.2.5, omit “Delivery Body” and insert “CM Settlement Body”.

12.1.2 After Rule 13.2.5, insert a new Rule 13.2.5A:

“13.2.5A 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).”

12.1.3 In Rule 13.2.9 (b), after “receipt of data from the” insert “CM”.

12.1.4 In Rule 13.2.12B, omit “Delivery Body and the”.

12.1.5 In Rule 13.2.12C, omit “Delivery Body and the”.

12.1.6 In Rule 13.2.12C, omit sub-paragraphs (a) and insert “Not used”.

12.1.7 In Rule 13.2.12D omit “provide” and insert “obtain”.

12.1.8 In Rule 13.2.12E omit “Delivery Body and the”.

12.2 In Rule 13.2A (New DSR Test):

12.2.1 In Rule 13.2A.3, omit “Delivery Body” and replace with “CM Settlement Body”.

12.3 In Rule 13.2B (Joint DSR Test):

12.3.1 In Rule 13.2B.5, omit “Delivery Body” and replace with “CM Settlement Body”.

12.3.2 After Rule 13.2B.5, insert a new rule 13.2B.5A:

“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)”

12.3.3 In Rule 13.2B.20, omit “the Delivery Body and”.

12.3.4 In Rule 13.2B.21, omit “Delivery Body and the”.

12.3.5 In Rule 13.2B.21, omit sub-paragraph (a) and insert “Not used”.

12.3.6 In Rule 13.2B.22, omit “provide” and replace with “obtain”.

12.3.7 In Rule 13.2B.23 omit “the Delivery Body and”.

12.4 In Rule 13.2C (New Joint DSR Test):

12.4.1 In Rule 13.2C.3, omit “Delivery Body” and replace with “CM Settlement Body”.

12.5 In Rule 13.3 (Metering Test):

12.5.1 At the end of Rule 13.3.10, after “pursuant to this Rule 13.3” insert “ and confirm the date that the Metering Test Certificate was awarded.”

12.6 In Rule 13A.5 (Submission of incorrect information):

12.7 In Rule 13A.5.1, omit “Delivery Body or”.

12.7.1 In Rule 13A.5.2, in sub-paragraph (b), omit “the line diagrams provided in accordance with, as applicable, Rule 3.6.4(a)(i), Rule 3.9.4(a)(i) or Rule 8.3.3(ba), and/or”.

13. Amendments to Schedule 1: Template Capacity Agreement Notice

13.1 In Part D: CMU Details, omit (ii) and (iii) and insert “Not used”.

14. Amendments to Schedule 5: Expert Determination Procedure

14.1 In Rule 1 (Purpose of expert determination procedure):

14.1.1 After “pursuant to” insert a sub-paragraph with the following text:

“1.1 Rule 7.7A.1 and no resolution is agreed pursuant to Rule 7.7A.6, the Capacity Provider may submit the dispute to expert determination in accordance with Rule 7.7A.7 and the procedure set out in this Schedule 5 (the “Expert Determination Procedure”).

14.1.2 Insert a sub-paragraph “1.2” before “Rule 13.3.6(b)”

14.2 In Rule 2 (Submission of dispute to expert determination):

14.2.1 After Rule 2.1, insert a new Rule 2.1A:

“2.1A In order to submit the dispute to expert determination in accordance with Rule 7.7A.7, the Capacity Provider must give a

notice (an “Expert Determination Notice”) to the CM Settlement Body, no later than 10 Working Days after notification of refusal received under 7.7A.6, which includes:

- 2.1A.1 a statement that the Capacity Provider considers that the dispute should be referred for expert determination in accordance with Rule 7.7A.7 and the Expert Determination Procedure;
- 2.1A.2 a description of the subject matter of the dispute and the issues to be resolved;
- 2.1A.3 where the Capacity Provider considers it appropriate, copies of any supporting information on which the Capacity Provider intends to rely; and
- 2.1A.4 a proposal as to the identity, and terms of reference, of the person to be appointed in accordance with the Expert Determination Procedure to determine the dispute (“Expert”) and the relevant expertise that the Capacity

Provider considers qualifies the Expert
to determine the relevant matter.”



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