


<h1>Proposal for a Capacity Market Rules Change</h1>		 Making a positive difference for energy consumers
		Reference number <i>(to be completed by Ofgem)</i> : CP143
Name of Organisation(s) / individual(s): National Grid Electricity Transmission Ltd	Date Submitted: 15/01/16	
Type of Change: <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Addition <input type="checkbox"/> Revoke <input type="checkbox"/> Substitution	If applicable, whether you are aware of an alternative proposal already submitted which this proposal relates to:	
What the proposal relates to and if applicable, what current provision of Rules the proposal relates to <i>(please state provision number):</i> This proposal relates to the Rules concerning Relevant Planning Consents, specifically 3.7.1 and the definition of Relevant Planning Consents in Rule 1.2.		
Description of the issue that the change proposal seeks to address: Following the 2014 Rule change process Ofgem introduced provisions requiring applicants to provide evidence of their Relevant Planning Consent and provide a declaration that they possess the legal right to use the land upon which the CMU is/will be located. The introduction of these rules, whilst welcome, created some ambiguity in interpretation. There are a number of areas which require clarification and further rule changes in the following areas would be welcome. <ul style="list-style-type: none"> • Where the planning consents contains details of the size of generating station this should be equal to or in excess of the Connection Capacity of the CMU and any other CMU to which the Planning Consents relate. • The Planning Consents must be valid (in date) at the point of Prequalification • The Planning consent should be specific on what consent is granted for. E.g. it must specifically be for a generating unit. • Where the planning consent is granted for a number of MW at a certain temperature, evidence of this should also be provided, including details of the range of output. 		
If applicable, please state the proposed revised drafting <i>(please highlight the change)</i> : Relevant Planning Consent means, as applicable: (a) a section 36 EA 1989 consent; (b) a section 37 EA 1989 consent;		

- (c) an Order under the Transport and Works Act 1992 or the Transport and Works (Scotland) Act 2007;
- (d) a Town and Country Planning Act 1990 permission or a Town and Country Planning (Scotland) Act 1997 permission and may include one or more of the same;
- (e) a Development Consent Order under the Planning Act 2008;
- (f) a deemed planning permission granted under section 90 of the Town and Country Planning Act 1990 or section 57 of the Town and Country Planning (Scotland) Act 1997 in conjunction with the consents listed in (a) to (e) above;
- (g) a marine licence under the Marine and Coastal Access Act 2009; or
- (h) in the case of an Interconnector CMU, the corresponding consents under the law of another country or territory required for the construction of the Non-GB Part

This must permit construction of a Generating Unit equal to the CMU Connection Capacity, it must be valid at the point of Prequalification and any range of sizes must be supported by accompanying technical evidence.

Analysis and evidence on the impact on industry and/or consumers including any risks to note when making the revision - including, any potential implications for industry codes:

The positive impact of the changes above is that the rules in this area will be much clearer making the process more efficient.

Justification against the Objectives

- promoting investment in capacity to ensure security of electricity supply - *Ensures CMUs have the capacity they have planning permission for and not more. Helping to ensure the security of supply*
- facilitating the efficient operation and administration of the Capacity Market - *Removes ambiguity from the Rules improving the efficiency of the CM.*
- ensuring the compatibility of the Capacity Market Rules with other subordinate legislation under Part 2 of the Energy Act 2013 - *Neutral.*

Details of Proposer (please include name, telephone number, email and organisation):

Matthew Magill
EMR - Capacity Market Manager
National Grid
E: matthew.magill@nationalgrid.com
T: 07790 357992