

INITIAL WRITTEN ASSESSMENT for Modification Proposal P159 Extending the Scope of E-mail Communications under the Code

Prepared by: ELEXON¹ Limited

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This document has been distributed in accordance with Section F2.1.10² of the Balancing and Settlement Code.

RECOMMENDATIONS

On the basis of the initial assessment BSCCo recommends that the Panel:

- **DETERMINE that Modification Proposal P159 should be submitted to the Assessment Procedure;**
- **AGREE the Assessment Procedure timetable such that an Assessment Report should be completed and submitted to the Panel for consideration at its meeting of 13 May 2004;**
- **DETERMINE that the Assessment Procedure should be undertaken by the Governance Standing Modification Group; and**
- **AGREE any refinement to the Modification Group Terms of Reference.**

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1.1.1.1

¹ ELEXON Ltd currently fulfils the role of the Balancing and Settlement Code Company ('BSCCo'), pursuant to Annex X-1 of the Balancing and Settlement Code (the 'Code').

² The current version of the Code can be found at www.elxon.co.uk/ta/bscrl_docs/bsc_code.html

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SUMMARY OF IMPACTED PARTIES AND DOCUMENTS

As far as BSCCo has been able to assess, the following parties/documents have been initially identified as potentially impacted by Modification Proposal P159.

Parties	Sections of the BSC	Code Subsidiary Documents
Suppliers <input checked="" type="checkbox"/>	A <input checked="" type="checkbox"/>	BSC Procedures <input checked="" type="checkbox"/>
Generators <input checked="" type="checkbox"/>	B <input type="checkbox"/>	Codes of Practice <input type="checkbox"/>
Licence Exemptable Generators <input checked="" type="checkbox"/>	C <input type="checkbox"/>	BSC Service Descriptions <input type="checkbox"/>
Transmission Company <input checked="" type="checkbox"/>	D <input type="checkbox"/>	Service Lines <input type="checkbox"/>
Interconnector <input checked="" type="checkbox"/>	E <input type="checkbox"/>	Data Catalogues <input type="checkbox"/>
Distribution System Operators <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Communication Requirements Documents <input type="checkbox"/>
Party Agents		
Data Aggregators <input type="checkbox"/>	G <input type="checkbox"/>	Reporting Catalogue <input type="checkbox"/>
Data Collectors <input type="checkbox"/>	H <input checked="" type="checkbox"/>	MIDS <input type="checkbox"/>
Meter Operator Agents <input type="checkbox"/>	J <input type="checkbox"/>	Core Industry Documents
ECVNA <input type="checkbox"/>	K <input type="checkbox"/>	Grid Code <input type="checkbox"/>
MVRNA <input type="checkbox"/>	L <input type="checkbox"/>	Supplemental Agreements <input type="checkbox"/>
BSC Agents		
SAA <input type="checkbox"/>	M <input type="checkbox"/>	Ancillary Services Agreements <input type="checkbox"/>
FAA <input type="checkbox"/>	N <input type="checkbox"/>	Master Registration Agreement <input type="checkbox"/>
BMRA <input type="checkbox"/>	O <input type="checkbox"/>	Data Transfer Services Agreement <input type="checkbox"/>
ECVAA <input type="checkbox"/>	P <input type="checkbox"/>	British Grid Systems Agreement <input type="checkbox"/>
CDCA <input type="checkbox"/>	Q <input type="checkbox"/>	Use of Interconnector Agreement <input type="checkbox"/>
TAA <input type="checkbox"/>	R <input type="checkbox"/>	Settlement Agreement for Scotland <input type="checkbox"/>
CRA <input type="checkbox"/>	S <input type="checkbox"/>	Distribution Codes <input type="checkbox"/>
Teleswitch Agent <input type="checkbox"/>	T <input type="checkbox"/>	Distribution Use of System Agreements <input type="checkbox"/>
SVAA <input type="checkbox"/>	U <input type="checkbox"/>	Distribution Connection Agreements <input type="checkbox"/>
BSC Auditor <input type="checkbox"/>	V <input type="checkbox"/>	BSCCo
Profile Administrator <input type="checkbox"/>	W <input type="checkbox"/>	Internal Working Procedures <input checked="" type="checkbox"/>
Certification Agent <input type="checkbox"/>	X <input type="checkbox"/>	Other Documents
MIDP <input type="checkbox"/>		Transmission Licence <input type="checkbox"/>
TLFA <input type="checkbox"/>		
Other Agents		
SMRA <input type="checkbox"/>		
Data Transmission Provider <input type="checkbox"/>		

1 DESCRIPTION OF PROPOSED MODIFICATION

1.1 Modification Proposal

1.1.1 Background

Modification Proposal P159 'Extending the Scope of E-mail Communications under the Code' ('P159', Reference 1), attached as Annex 1, was raised on 28 January 2004 on behalf of the Balancing and Settlement Code Panel ('the Panel') in accordance with paragraph F 2.1.1(d)(i) of the Balancing and Settlement Code ('the Code'). P159 was raised by the Panel on the recommendation of BSCCo following the Panel's discussion of Paper 71/013 (Reference 2), which outlined a requirement for extension of the current provisions regarding use of e-mail for individual notices and communications under the Code (and thereby under Code Subsidiary Documents).

The Panel agreed to raise P159 on the grounds that expanding the Code's recognition of e-mail as an efficient form of communication may better facilitate Applicable BSC Objective (d):

'promoting efficiency in the implementation and administration of the balancing and settlement arrangements'.

In so doing, the Panel took account of the Authority's determination in respect of previous Modification Proposal P113 'E-mail Communications under the Code' ('P113', Reference 3), which was implemented on 10 July 2003. This Modification introduced the Code provision that where a general communication is to be given by BSCCo, the Panel, a Panel Committee, a Modification Group, or their respective secretaries, to all Parties (or a class of Parties) simultaneously the communication may be given by e-mail. Prior to P113, the Code only expressly provided for communications to Parties to be sent by post or fax.

1.1.2 Modification Proposal P113

P113 was raised on 27 November 2002 on behalf of the Panel, following BSCCo's recommendation to the Panel at its meeting of 14 November 2002 that a Modification Proposal be raised (Paper 52/021, Reference 4). P113 sought to confirm BSCCo's existing practice with regard to general communications sent to all Parties simultaneously under the Code (and thereby under Code Subsidiary Documents) – examples of which include ELEXON Circulars, Modification/Change Proposal Circulars, Project Circulars and notifications relating to Modification Proposals. The Panel, in its recommendation to the Authority, agreed that e-mail represents the most efficient means of correspondence for such communications since it enables fast dissemination of information to large numbers of interested parties. The Panel also noted that if these communications were to be sent by means other than e-mail this would add considerably to the cost to BSCCo of making such communications, and lengthen the time between their issue and receipt by Parties. In its decision letter, the Authority agreed that P113 would better facilitate Applicable Objective (d) – and stated that the distribution of general notices by e-mail has demonstrated itself to be as reliable as post or fax, whilst delivering significant gains in administrative efficiency. The Authority also considered that the potential efficiency gains which might result from P113 would outweigh any perceived increase in risk to Parties from use of e-mail.

The Panel and the Authority noted that P113 did not seek at that time to alter the provisions by which communications under the Code are given to individual Parties, as the issues relating to use of e-mail for individual communications were felt to be potentially less self-evident. P113 also did not cover communications from individual Parties to BSCCo, on the same grounds.

More information can be found in the P113 Initial Written Assessment (Reference 5), Modification Report (Reference 6) and Authority Decision letter (Reference 7).

1.1.3 Modification Proposal P159

Paper 71/013 recognises that, in the period of time following the submission of P113, e-mail has become even more widely acknowledged as an efficient and cost-effective form of communication. This paper therefore suggested that an opportune time has been reached at which to reconsider the Code's provisions relating to e-mail for all other notices and communications. The Panel agreed that a Modification Proposal should be raised to assess the potential expansion of current provisions to include use of e-mail for individual notices and communications under the Code and Code Subsidiary Documents. This would include communications sent both from and to BSCCo.

P159 notes that a number of Balancing and Settlement Procedures (BSCPs) already envisage individual e-mail communications between Parties, and that the proposed expansion of the Code provisions would therefore confirm current practice in this regard. Some existing BSCP provisions regarding use of e-mail were carried over during conversion of the Agreed Procedures under the Pool into BSCPs, and thereby led to the inclusion of additional similar provisions under NETA. P159 argues that such provisions have become widely accepted by Parties since NETA Go-Live as an appropriate means of sending and receiving communications to and from BSCCo.

However, P159 recognises that expansion of the current Code provisions to all notices and communications under the Code may also legitimise use of e-mail for communications which are not currently sent (or envisaged to be sent) by such means. The Proposal therefore suggests that a set of express exceptions should be developed where it may be inappropriate for individual communications to be given by e-mail.

Finally, P159 suggests that some additional rules for the governance of e-mail transmissions may be required in order to reflect the different kinds of communications under the Code and Code Subsidiary Documents. It is proposed that these be included within an appropriate BSCP, and suggests the use of BSCP38 'Authorisations'.

Draft legal text has been provided as an attachment to the Proposal, and is attached as Annex 2.

1.2 Issues raised by the Modification Proposal

An initial assessment of P159 has identified the following potential areas of impact and issues which will need to be considered and addressed in progressing the Modification Proposal.

a) Existing Code baseline and provisions of P113

P159 is not intended to alter the provisions implemented for general communications under P113. Although some of the P113 provisions may require amendment (via the P159 legal text and review of current BSCP provisions) in order to reflect the additional e-mail communications which P159 seeks to introduce, assessment of P159 is not intended to 'undo' any aspect of P113. A decision by the Authority to reject P159 would therefore not alter the existing Code baseline containing P113. This will need to be noted during the progression of P159 as part of any Modification Group's Terms of Reference.

b) Choice of communications medium under P159 – by Parties or by BSCCo

Under P113, use of e-mail to send general communications to all Parties simultaneously is at BSCCo's discretion. These communications typically have several hundred recipients – and if such correspondence was to be sent by means other than e-mail this would therefore add considerably to the cost to BSCCo of making such communications, and would lengthen the time between information becoming available and its communication to interested Parties. Upon receiving an undeliverable receipt from a Party's e-mail account under P113, BSCCo undertakes 'best endeavours' to contact that Party to arrange an alternative method of communication or to correct a Party's e-mail address details. Where BSCCo is notified in advance of a Party's e-mail unavailability, an alternative method of communication is used for the duration of the outage.

However, Paper 71/013 suggests that use of e-mail to send and receive individual notices and communications under P159 should be voluntary by Parties. If this is adopted as the preferred approach for individual communications there will therefore be two co-existing processes for e-mail communications under the Code – a mandatory use of e-mail for receiving general communications under P113, and voluntary adoption of individual e-mail communications under P159.

Paper 71/013 does not suggest any particular process by which Parties would voluntarily elect to use e-mail for communications under P159. If this was to be on a 'per communication' basis, a register would be required to record which Parties had elected to use e-mail for all the different individual communications listed in the Code and Code Subsidiary Documents. The maintenance of such a register would be labour-intensive – requiring additional resources to be put in place by BSCCo – and could adversely impact BSCCo's efficiency.

Another potential solution would therefore be to offer Parties the opportunity to opt in, or opt out, of use of e-mail collectively for all individual communications covered by P159. This would still require the maintenance and checking of a register recording each Party's preference, but would involve less administrative effort for BSCCo. Where BSCCo received an undeliverable receipt from a Party's e-mail account (or was notified in advance of a Party's e-mail outage), either post or fax would be chosen as an alternative method of communication at BSCCo's discretion. In accordance with BSCCo's Business Continuity strategy, it would also need to be recognised that alternative provisions may be used by BSCCo for the duration of any outage of its own e-mail system.

However, it should be noted that there is currently no similar register for communications by post or fax, and that Parties do not necessarily have an existing choice regarding which of these mediums are used to issue communications to them under the Code. Since P159 seeks to develop a list of individual communications where use of e-mail would not be appropriate (see below), this may provide sufficient reassurance for Parties that sensitive or critical notices would not be issued via e-mail. A solution could therefore be developed whereby all individual communications not subject to explicit exception could be sent by post, fax or e-mail at BSCCo's discretion. Where BSCCo received an undeliverable receipt from a Party's e-mail account (or was notified in advance of a Party's e-mail outage), either post or fax would be chosen as an alternative method of communication at BSCCo's discretion. It should also be noted that if Parties had the option to 'opt out' of sending or receiving any individual e-mail communications which currently require this medium to be used, this would require BSCCo to put in place additional resources to manage a switch to use of post or fax. Examples of such communications include submission of Modification/Change Proposals and responses to consultations and impact assessments.

It is recommended that these different potential solutions be considered by a Modification Group as part of its Terms of Reference and consulted on during progression of P159.

c) Rules for exceptions to e-mail communications under P159

The Proposal states that a set of exceptions should be developed for any individual communications where use of e-mail would not be appropriate, and that such exceptions would include communications sent both to and from BSCCo. Rather than compiling a list of disparate communications within the Code and Code Subsidiary Documents (which could be subjective), BSCCo recommends that a rule be established regarding what kinds of communication should be excluded and that this be applied to any examples of such communications within the Code and Code Subsidiary Documents. P159 suggests that a Party's notice to BSCCo that it had referred a matter to arbitration, or BSCCo's notice to a Defaulting Party under Section H constitute two possible examples of such communications where use of e-mail should be excluded since these represent notices sent to a company rather than a personal address. Other options include communications containing commercially confidential, financial or business-critical information; those which require action to be taken by a Party within a specified time period; those which require paper signatures; or those which impose rights or obligations.

P159 proposes that these exceptions be placed in the Code. Rather than create one list in the Code which Parties would have to cross-reference from other Code Sections and BSCPs, BSCCo initially recommends that the rules for exclusion be included in Section H whilst the provisions relating to the relevant individual communications within the Code and Code Subsidiary Documents be amended to exclude e-mail. Where new communications were introduced into the Code or Code Subsidiary Documents following approval of P159, these would therefore need to be assessed against the rules and any necessary exclusion applied.

A related issue is whether excluded communications could be sent by e-mail providing they were additionally confirmed via post or fax. This would match some current BSCP provisions, and the current process whereby some notices under the Code (such as Authority determinations, and the corresponding NGC notices to modify the Code) are sent to BSCCo by e-mail and confirmed by either fax or post. Consideration would need to be given as to whether action is taken from receipt of the e-mail communication (as with Authority determinations) rather than any subsequent postal or faxed confirmation.

It is recommended that the rules for exclusion be developed by a Modification Group as part of its Terms of Reference and consulted upon during progression of P159.

d) Current, and potential additional, BSCP provisions regarding use of e-mail

There are currently numerous provisions within BSCPs regarding use of e-mail for individual communications. Some (such as those within BSCP38 regarding submission of BSCP forms) require security passwords to be given, whilst some do not. However the BSCP38 password provisions additionally apply to BSCP forms submitted by post or fax – and this security check therefore arises from the type of communication rather than the medium used. Such levels of security may not be required for other individual communications.

It is recommended that the progression of P159 involves an examination of any current differences in security provisions for individual communications under the Code and Code Subsidiary Documents which result from the type of communication, in order to maintain these under P159. Any security risks which are felt to be particular to e-mail (as opposed to post or fax) should also be considered and addressed.

Individual communications under BSCPs are contained in process ('step') tables, which currently specify the allowed mediums for that communication. Current references to use of e-mail should be examined during progression of P159 to see if any of these communications should be excluded from being sent by such means. Conversely, current references to post or fax should be reviewed in order to establish if these should additionally include e-mail.

It is recommended that BSCCo conduct a review of existing provisions for e-mail communications to and from individual Parties during the progression of P159, and that any security risks which may be particular to such communications are examined by a Modification Group as part of its Terms of Reference.

e) Deemed receipt rules

It is intended that the provisions for use of e-mail for individual communications under P159 follow the deemed receipt rules introduced by P113 for general communications. Under P113, e-mail communications are deemed to be received one hour after being sent or, where the end of this hour falls after 5pm, at 9am the next day – and this is consistent with the provisions for fax communications. Communications regarding Urgent Modification Proposals form a current exception to this rule, and are deemed to have been received one hour after being sent regardless of whether this falls outside of

normal working hours.³ Consideration will therefore need to be given to whether any individual notices or communications under P159 should form minority exceptions to the current deemed receipt rules.

The deemed receipt rules introduced by P113 only covers communications from BSCCo to Parties, and should therefore also be examined to see if any additional provisions are required for communications from Parties to BSCCo.

It should also be noted that provisions for e-mail communications (like those for post and fax) currently do not make a distinction between a Working Day and a non-Working Day.

It is therefore recommended that any additional deemed receipt rules resulting from P159 be considered by a Modification Group as part of its Terms of Reference and consulted upon during progression of P159.

f) Organisations classed as 'Parties' under the Code

It should be noted that P159 is not intended to alter any provisions for communications to BSC Agents or Party Agents, as these are covered by Section O of the Code and within the Communication Requirements Document. BSC Agents and Party Agents are not classed as 'Parties' for the purposes of communications under the Code and Code Subsidiary Documents. However, the Transmission Company is considered to be a Party for the purposes of some parts of the Code, and care will need to be taken that any data flows sent to NGC in its role of Transmission Company are not adversely impacted by P159.

BSCCo is classed as a Party for the purposes of communications under the Code and Code Subsidiary Documents. Initial legal advice has indicated that there are currently no communications referred to within the Code or Code Subsidiary Documents where BSCCo is not either the sender or receiver of the communication. This will need to be confirmed, as any communications between Parties which do not involve BSCCo would be difficult to govern.

It is recommended that these issues be examined and addressed by a Modification Group as part of its Terms of Reference during progression of P159.

g) Provisions of other Code Subsidiary Documents

The provisions of those Code Subsidiary Documents other than BSCPs should also be examined by BSCCo as part of the progression of P159, in order to confirm that there is no inadvertant impact from P159 on any electronic data flows referred to in documents such as the Data Transfer Catalogue.

h) Party impact assessment required

A Detailed Level Impact Assessment will be required to assess any consequential impact of P159 upon Parties' own e-mail systems, and the lead time required for any changes.

i) Additional communications outside the scope of P159

There may be many additional 'day-to-day' communications between ELEXON and Parties (or between Parties themselves) which fall outside the scope of notices and communications under the Code. These may be sent by e-mail or otherwise, and are not intended to be covered by P159 or by the Code/Subsidiary Documents.

This clarification will need to be noted during the progression of P159 as part of any Modification Group's Terms of Reference.

j) Draft legal text

Although suggested draft legal text has been provided for P159, this will need to be examined and amended as required to fit the final solution.

It is recommended that the draft legal text is reviewed as part of a Modification Group's Terms of Reference in assessing P159.

k) Expertise of Governance Standing Modification Group

It is suggested that any provisions which may exist regarding use of e-mail for communications under other Core Industry Documents could be considered as potential example solutions for P159. It is recommended that the expertise of the Governance Standing Modification Group be used in progressing P159.

These issues are to be included within any Modification Group's Terms of Reference.

2 COSTS⁴**PROGRESSING MODIFICATION PROPOSAL**

Demand Led Cost	£0
ELEXON Resource	60 Man days (equating to approximately £7,950)

3 INITIAL ASSESSMENT OF IMPACTS OF MODIFICATION PROPOSAL**3.1 Impact on BSC Systems and processes**

No impact upon any BSC Systems has been identified during the initial assessment of P159.

3.2 Impact on other systems and processes used by Parties

An initial assessment has been undertaken in respect of systems and processes used by Parties and the following areas have been identified as potentially impacted by P159.

System / Process	Potential Impact of Proposed Modification
Party e-mail systems	A Detailed Level Impact Assessment will be required to ascertain any consequential impact of P159 to Parties' own e-mail systems.

3.3 Impact on documentation**3.3.1 Impact on Balancing and Settlement Code**

An initial assessment has been undertaken in respect of all Sections of the Code and the following Sections have been identified as potentially impacted by P159.

Item	Potential Impact of Proposed Modification
Section A:	Additional process within paragraph A 3.1 for Parties to notify e-

1.1.1.1 _____

⁴ Clarification of the meanings of the cost terms in this section can be found in Annex 4 of this report.
Issue/Version number: Final/1.0

Item	Potential Impact of Proposed Modification
Parties and Participation	<p>mail addresses to be used to receive individual communications under P159. This would tie in with any changes made to BSCP65 (see Section 3.3.2).</p> <p>(See suggested draft legal text attached as Annex 2, although this is subject to change).</p>
Section H: General	<p>Amendment to paragraph H 9.2 to allow use of e-mail for individual communications under the Code, subject to any exceptions or special rules.</p> <p>(See suggested draft legal text attached as Annex 2, although this is subject to change).</p>

Changes may also be required to other Code Sections in order to explicitly exclude particular communications from being sent or received by e-mail.

3.3.2 Impact on Code Subsidiary Documents

A review will be required of all current provisions for individual e-mail communications within Code Subsidiary Documents. Although it is anticipated that most impacts will be minor (see Sections 1.2 (d) and (g) above), more detailed amendments may be required to the following BSCP:

Item	Potential Impact of Proposed Modification
BSCP38: Authorisations	Possible amendments to include governance rules pertaining to individual e-mail communications under the Code.

3.4 Impact on Core Industry Documents

No impact on any Core Industry Documents has been identified as a result of the initial assessment of P159 (although see Issue (g) in Section 1.2).

3.5 Impact on other configurable items

No impact on any other configurable items has been identified as a result of the initial assessment of P159.

4 IMPACT ON BSCCO

An initial assessment has been undertaken in respect of BSCCo and the following areas have been identified as potentially impacted by P159.

Area of Business	Potential Impact of Proposed Modification
BSCCo Procedures and Documentation	<p>The degree of impact will depend on to what extent P159 confirms BSCCo's existing practice with regard to e-mail communications. Potentially, P159 may introduce e-mail as a new medium for some communications under the Code and Code Subsidiary Documents – and this would therefore require changes to BSCCo's working practices and documentation.</p> <p>If Parties are to voluntarily select their preferred medium for different communications, a 'register' of these preferences will be required along with corresponding processes for updating and</p>

	checking these details.
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5 IMPACT ON BSC AGENT CONTRACTUAL ARRANGEMENTS

An initial assessment has identified that no BSC Agent contractual arrangements are impacted by P159.

6 RATIONALE FOR BSCCO'S RECOMMENDATIONS TO THE PANEL

BSCCo believes that further assessment of P159 by a Modification Group is required in order to address, and consult upon, the issues raised by this Initial Written Assessment. A Detailed Impact Assessment by Parties will also be required in order to ascertain any impact to Parties' own e-mail systems resulting from P159.

Due to the number of issues to be addressed, BSCCo recommends a three-month Assessment Procedure for P159.

7 PROCESS, TIMETABLE AND COST FOR PROGRESSING THE MODIFICATION PROPOSAL

BSCCo therefore recommends that P159 be submitted to a three-month Assessment Procedure by the Governance Standing Modification Group. An Assessment Report would be presented to the Panel at its meeting of 13 May 2004.

It is estimated that the progression of P159 will require:

- 4 Modification Group meetings;
- 1 (potentially 2) industry consultation(s);
- One Detailed Level Impact Assessment by Parties; and
- One request for Transmission Company analysis.

The proposed timetable for the progression of P159 is shown in Annex 3 of this report.

The progression of P159 through the Modification Procedures is estimated to require 60 ELEXON man days' effort and to incur no third-party costs (see Section 2).

The cost of implementing any Proposed or Alternative Modification will be determined during the Assessment Procedure.

8 DOCUMENT CONTROL

8.1 Authorities

Version	Date	Author	Reviewer	Change Reference
0.1	03/02/04	Kathryn Coffin	Change Delivery	Technical/Quality Review
1.0	06/02/04	Change Delivery		For Panel Decision

8.2 References

Ref.	Document Title	Owner	Issue Date	Version
1	Modification Proposal P159 'Extending the Scope of E-mail Communications under the Code'	BSCCo	28/01/04	1.0
2	Paper 71/013: Recommendation to Raise a Modification Proposal – Extending the Scope of E-mail Communications under the Code	BSCCo	15/01/04	1.0

3	Modification Proposal P113 'E-mail Communications under the Code'	BSCCo	27/11/02	1.0
4	Paper 52/021: Recommendation to Raise a Modification Proposal – E-mail Communications under the Code	BSCCo	14/11/02	1.0
5	Initial Assessment of Modification Proposal P113 'E-mail Communications under the Code'	BSCCo	06/12/02	1.0
6	Modification Report: Modification Proposal P113 'E-mail Communications under the Code'	BSCCo	22/01/03	1.0
7	Authority Decision and Direction in relation to Modification Proposal P113 'E-mail Communications under the Code'	Ofgem	09/04/03	1.0

ANNEX 1 MODIFICATION PROPOSAL

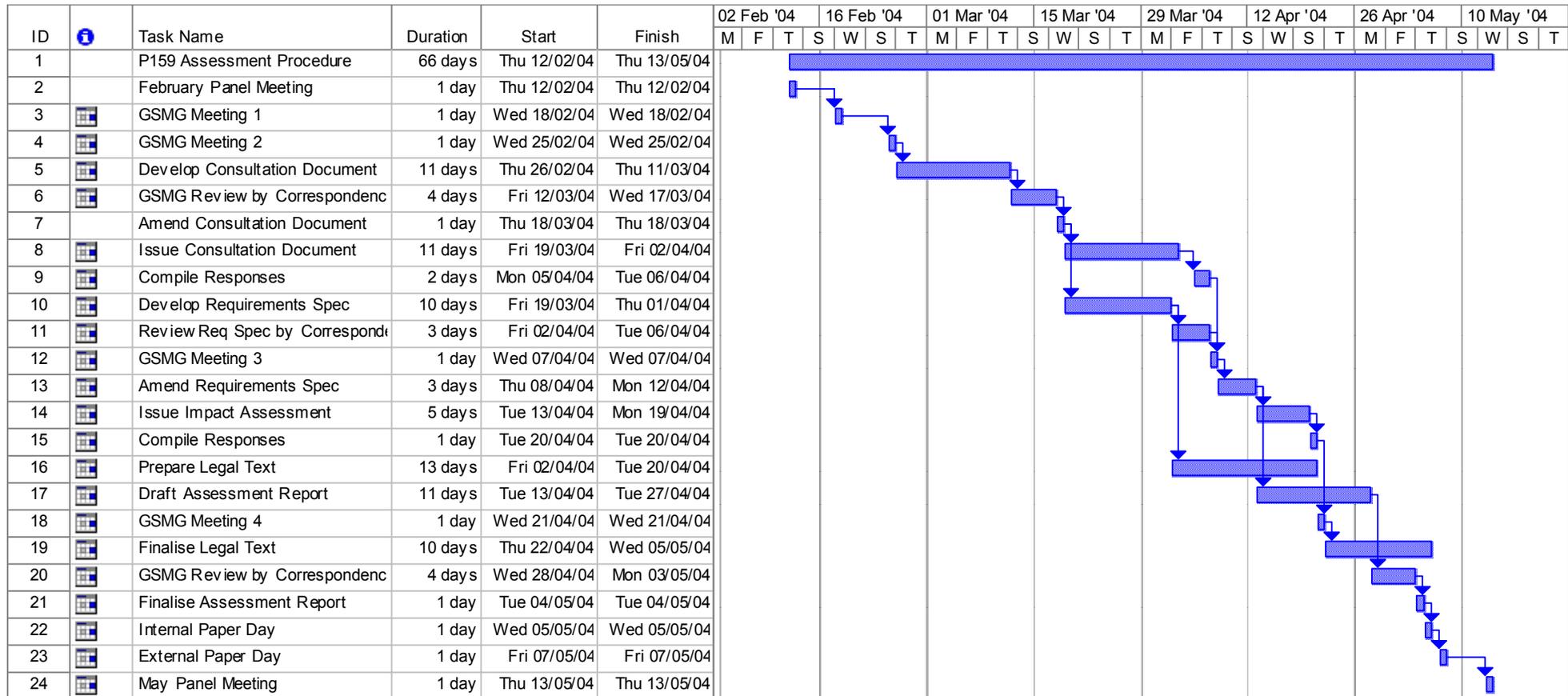
Modification Proposal	MP No: P159 <i>(mandatory by BSCCo)</i>
Title of Modification Proposal <i>(mandatory by proposer):</i> Extending the scope of e-mail communications under the Code.	
Submission Date <i>(mandatory by proposer):</i> 28 January 2004	
Description of Proposed Modification <i>(mandatory by proposer):</i> To confirm that, save where expressly provided in the Code, notices and communications given in relation to matters contemplated by the Code (and any Code Subsidiary Document) may be sent by e-mail.	
Description of Issue or Defect that Modification Proposal Seeks to Address <i>(mandatory by proposer):</i> The provisions of the Code relating to e-mail communications require clarification. A number of Code Subsidiary Documents include provision for the sending of e-mail communications between individual Parties. The purpose of this modification is to extend the current rules and confirm existing practice.	
Impact on Code <i>(optional by proposer):</i> Amendment of Sections A and H to allow communications between Parties to be sent by email – please see attached legal text.	
Impact on Core Industry Documents <i>(optional by proposer):</i> BSC Procedure 38 contains provisions which allow Parties to provide authorised e-mail addresses and passwords in order to communicate via e-mail for the purposes of several BSC Procedures. It is envisaged that this BSC Procedure and possibly other existing BSC Procedures will require some amendment to reflect the envisaged Code changes.	
Impact on BSC Systems and Other Relevant Systems and Processes Used by Parties <i>(optional by proposer):</i> [None]	
Impact on other Configurable Items <i>(optional by proposer):</i>	
Justification for Proposed Modification with Reference to Applicable BSC Objectives <i>(mandatory by proposer):</i> Sending certain communications by e-mail may be more efficient than using other forms of communication. This Modification Proposal, by confirming that e-mail communication is effective, better facilitates the objective set out in Condition C3(3)(d) of the Transmission Licence, namely to promote efficiency in the implementation and administration of the balancing and settlement arrangements.	

Modification Proposal	MP No: P159 <i>(mandatory by BSCCo)</i>
Details of Proposer: Name: Organisation: BSC Panel Telephone Number: Email Address:	
Details of Proposer's Representative: Name: Peter Davies Organisation: Elexon Ltd Telephone Number: Email Address:	
Details of Representative's Alternate: Name: Organisation: Telephone Number: Email Address:	
Attachments: NO If Yes, Title and No. of Pages of Each Attachment:	

ANNEX 2 DRAFT LEGAL TEXT

Attached as separate document.

ANNEX 3 GANTT CHART



ANNEX 4 CLARIFICATION OF COSTS

PROGRESSING MODIFICATION PROPOSAL	
Demand Led Cost	This is the third-party cost of progressing a Modification Proposal through the Modification Procedures in accordance with Section F of the Code. Service Provider Impact Assessments are covered by a contractual charge and so the Demand-Led cost will typically be zero unless external legal assistance or external consultancy is required.
ELEXON Resource	This is the ELEXON Resource requirement to progress the Modification Proposal through the Modification Procedures. This is estimated using a standard formula based on the length of the Modification Procedure.