

P291 DRAFT PROPOSED LEGAL TEXT

SECTION Q: BALANCING MECHANISM ACTIVITIES (Version 22.0)

1. INTRODUCTION

1.1 Scope

Amend paragraph 1.1.1 to read as follows:

1.1.1 This Section Q provides for:

- (a) the submission of data items in respect of relevant BM Units in accordance with the Grid Code;
- (b) the submission of Physical Notifications in accordance with the Grid Code such as to enable Final Physical Notification Data to be submitted by the Transmission Company and Point FPNs to be established by the SAA in respect of BM Units for each Settlement Period;
- (c) the submission of Final Physical Notification Data to enable Period FPNs to be established by the ECVAA in respect of Interconnector BM Units and for each Credit Qualifying BM Unit for each Settlement Period;
- (d) arrangements for the submission by Lead Parties of Bid-Offer Pairs in respect of relevant BM Units and for the acceptance of Bids and Offers by the Transmission Company;
- (e) the submission by the Transmission Company of Acceptance Data for the purposes of Section T and Section V;
- (f) the submission by the Transmission Company of Balancing Services Adjustment Data for the purposes of Settlement;
- (g) the submission by the Transmission Company to the BMRA of other operational data items for the purposes of Section V;
- (h) the submission of "**Large Combustion Plant Data**" (LCP Data) in respect of BM Units associated with "**Large Combustion Plants**" (LCPs) by relevant BSC Parties for the purposes of Section V; ~~and~~
- (i) the submission by BSCCo to the BMRA of LCP Data for the purposes of Section V; and
- (j) the submission by relevant Market Participants of Inside Information Data to the BMRA via the Transmission Company or BSCCo (as the case may be) for the purpose of Section V.

6. SUBMISSION OF DATA BY THE TRANSMISSION COMPANY

6.1 Submission of data to the BMRA

Insert new paragraph 6.1.24 to read as follows:

6.1.24 The Transmission Company shall send to the BMRA all Inside Information Data described in paragraph 11.2.3 that it receives from time to time from a Market Participant (in accordance with the Grid Code), as soon as reasonably practicable after receipt taking into account any technical constraints.

Insert new paragraph 11 to read as follows:

11. SUBMISSION OF INSIDE INFORMATION DATA

11.1 Application

11.1.1 For the purposes of the Code, references in this paragraph 11 to a Party shall be construed as a reference to a Party which is a Market Participant in the Wholesale Energy Market in possession of Inside Information Data.

11.2 Inside Information Data

11.2.1 A Party may submit Inside Information Data to the BMRA via the BSC Website provided that the submission shall comply with the requirements of paragraph 11.2.3.

11.2.2 Inside Information Data shall be submitted by an authorised person previously approved or a delegate otherwise approved in accordance with BSCP38.

11.2.3 An Inside Information Data submission shall contain the following data items, where applicable:

- (a) a message heading summarising the contents of the message;
- (b) the type of event to which the message refers;
- (c) the date and time that the message was published;
- (d) the asset (e.g. a BM Unit) to which the message refers;
- (e) whether the asset to which the message refers is a generation, demand, transmission or distribution asset;
- (f) the Market Participant to which the asset belongs (e.g. the Lead Party of the relevant BM Unit);
- (g) the area of Great Britain that the asset lies in;
- (h) if applicable, the fuel type of the asset at the time of the event to which the message refers;

- (i) the normal operating capacity of the asset at the time of the event to which the message refers (in MW);
- (j) the available operating capacity of the asset during the event to which the message refers (in MW);
- (k) the date and time that the event commenced or is expected to commence;
- (l) the date and time that the event concluded or is expected to conclude;
- (m) where applicable, the anticipated uncertainty in the expected commencement and/or conclusion time;
- (n) the cause of the event to which the message refers;
- (o) the status of the event (e.g. whether the event is still on-going, has concluded or has been cancelled); and
- (p) where applicable, any further information that the participant deems necessary.

11.2.4 Without prejudice to the generality of Section V, paragraph 1.1.4, each Party acknowledges and agrees that no Party shall have any claim or entitlement against BSCCo (including its agents), BSC Agents, the Transmission Company or any other Party in respect of the availability, non-availability, accuracy, inaccuracy, completeness or incompleteness of the Inside Information Data published on the BMRS from time to time and nothing in the Code shall operate to relieve a Party, where applicable, from its obligations and responsibilities pursuant to REMIT.

11.3 Submission of Data by BSCCo

11.3.1 BSCCo shall send to the BMRA all Inside Information Data described in paragraph 11.2.3 that it receives from time to time from a Market Participant, as soon as reasonably practicable after receipt taking into account any technical constraints.

11.4 Submission of Data by Non-Parties

11.4.1 BSCCo shall ensure that any non-Party wishing to submit Inside Information Data to the BMRS:

- (a) undergoes a relevant authorisation process; and
- (b) complies with the requirements set out in this Section Q.

SECTION V: REPORTING (Version 26.0)

2. BMRS

2.1 General

Amend paragraph 2.1.2 to read as follows:

2.1.2 The BMRS is a service for reporting to Parties and others and publishing:

- (a) data relating to the Transmission System (and established pursuant to the Grid Code) or relating to the arrangements provided for or referred to in Section Q, provided by (or converted from data provided by) the Transmission Company;
- (b) data (derived in whole or part from the data referred to in paragraph (a)) established by the BMRS pursuant to paragraph 2.6; ~~and~~
- (c) certain other data as provided or referred to in paragraph 2.7 or elsewhere in the Code; and
- (d) Inside Information Data which may be submitted by a Party in accordance with Section Q for the purpose of reporting on BMRS.

2.2 Specification of BMRS

Amend paragraph 2.2.1 to read as follows:

- 2.2.1 The BMRA shall operate and make available the BMRS in accordance with this paragraph 2, Table 1, ~~and~~ Table 1A and Table 1B in Annex V-1, and the BMRS Specification.

Insert new paragraph 2.2.2B to read as follows:

2.2.2B Table 1B sets out:

- (a) the data referred to in paragraph 2.1.2(d) which is to be available on the BMRS and the period to which such data relates;
- (b) the frequency with which such data is to be available on the BMRS; and
- (c) the format (in accordance with paragraph 2.4) in which such data is to be available on the BMRS.

2.3 Grades of service

Amend paragraph 2.3.3 to read as follows:

- 2.3.3 BMRS data will be available on the BMRS as follows:

- (a) data provided by the Transmission Company pursuant to Section Q (and listed in Table 1) will be available within 5 minutes after the BMRA received such data from the Transmission Company;
- (b) data relating to a Settlement Period and established by the BMRA in accordance with paragraph 2.6 will be available within 45 minutes after the end of the relevant Settlement Period; ~~and~~
- (c) data provided by the BSCCo pursuant to Section Q (and listed in Table 1A) will be available within 1 Business Day after the BMRA received such data from the BSCCo; ~~and~~

- (d) Inside Information Data will be published as soon as reasonably practicable (taking into account any technical constraints) after being received from the Transmission Company or BSCCo.

2.5 Supporting obligations of BMRA – receipt of data

Amend paragraphs 2.5.1 and 2.5.2 to read as follows:

2.5.1 The BMRA shall:

- (a) receive data from:
 - (i) the Transmission Company, at such times and with such frequency as provided in Section Q, as provided below in this paragraph 2.5;
 - (ii) each Market Index Data Provider, at such times and with such frequency as provided in Section T1.6;
 - (iii) the CRA and BSCCo as provided below in this paragraph 2.5;
- (b) report to the person providing such data any failure to provide the data or to provide it in the form required under the Code;
- (c) store all such data received by the BMRA for a period of at least 12 months commencing on the Settlement Day or earliest Settlement Day to which such data relates or (in relation to forecast data) the day on which such data was provided; ~~and~~
- (d) store "**Large Combustion Plant Data**" (LCP Data) received by the BMRA for a period of at least seven years commencing on the day on which such data was provided; ~~and~~
- (e) store Inside Information Data received by the BMRA for a period of at least ten (10) years commencing on the day on which such data was received.

2.5.2 The data to be received by the BMRA is as follows:

- (a) from the Transmission Company (pursuant to Section Q) the data items specified in Section Q6 as being provided to the BMRA;
- (b) from each Market Index Data Provider (as provided in Section T) the data items specified in Section T1.6 as being provided to the BMRA;
- (c) from the CRA (pursuant to Section K) BM Unit registration data;
- (d) from BSCCo the data items listed below:
 - (i) ETLMO⁺ following determination by and then as and when revised by the Panel pursuant to paragraph 2.6.3;
 - (ii) ETLMO⁻ following determination by and then as and when revised by the Panel pursuant to paragraph 2.6.3; ~~and~~
 - (iii) LCP Data as specified in Section Q9; ~~and~~

(iv) Inside Information Data as specified in Section Q11.

Amend Annex V-I to insert the following Table 1B between Table 1A and Table 2:

TABLE 1B – BMRS: INSIDE INFORMATION DATA

Notes:

1. Column 1 (data) specifies the data which is to be made available.
2. Column 2 (frequency) specifies the frequency with which data is provided.
3. Column 3 (format) specifies the format in which data is made available.

<u>DATA</u>	<u>FREQUENCY</u>	<u>FORMAT</u>
<u>Inside Information Message</u>	<u>As received</u>	<u>Tabular</u>

ANNEX X-1: GENERAL GLOSSARY (Version 55.0)

Amend the following definition in Table X-1 to read as follows:

“BSC Website”; means the website established and maintained by BSCCo in whole or in part for the purposes of the Code;

Insert the following new definitions into the general glossary in alphabetical order to read as follows:

"Inside Information": shall have the same meaning given to the term “inside information” as specified in Article 2(1) of REMIT;

"Inside Information Data": means the data items set out in Section Q11.2.3;

"Inside Information Message": means a message containing the data items specified in Section Q11.2.3;

"Market Participant": shall have the same meaning given to the term “market participant” as specified in Article 2(7) of REMIT;

"Regulation on Wholesale Energy Market Integrity and Transparency” or “REMIT”: means Regulation (EU) 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency;

"Wholesale Energy Market": has the meaning given to the term “wholesale energy market” as specified in Article 2(6) of REMIT;