

26/06/2024

# FASS Programme

System Services Code  
Development Working Group  
June



# Agenda

## Working Group Meeting 1

26<sup>th</sup> June 2024

1. Welcome & Introductions 10:00-10:15
2. Ways of Working Overview 10:15-11:00
3. PEV Review: Background & Context 11:00-11:30
4. PEV Review: Legal & Governance 11:30-12:30
5. Lunch 12:30-13:30
6. PEV Review: Participation, Accession & Registration 13:30-14:30
7. PEV Review: Qualification 14:30-15:30



# Welcome

## Introductions



# FASS Programme Overview and Ways of Working



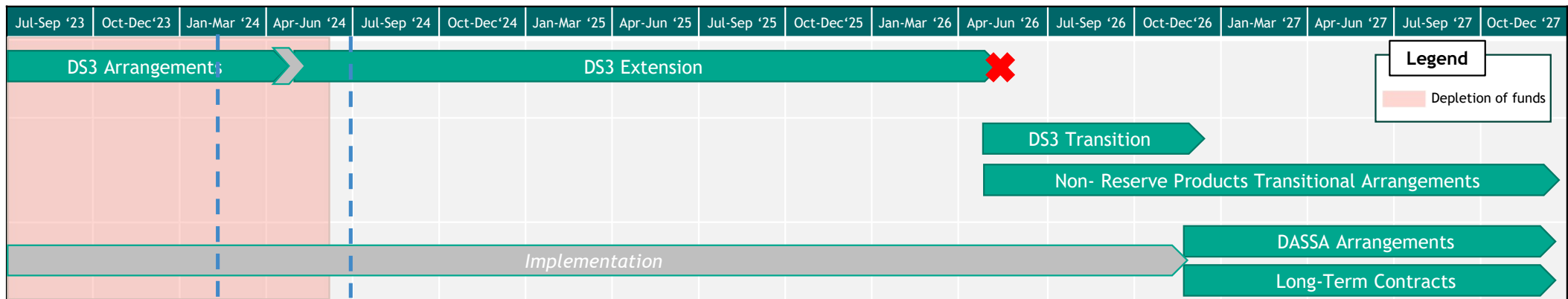
# FASS Programme Overview



As set out in the High-Level Design Decision Paper in April 2022:

‘The objective of FASS is to deliver a competitive framework for the procurement of System Services, that ensures secure operation of the electricity system with higher levels of non-synchronous generation’ - *SEM Committee*

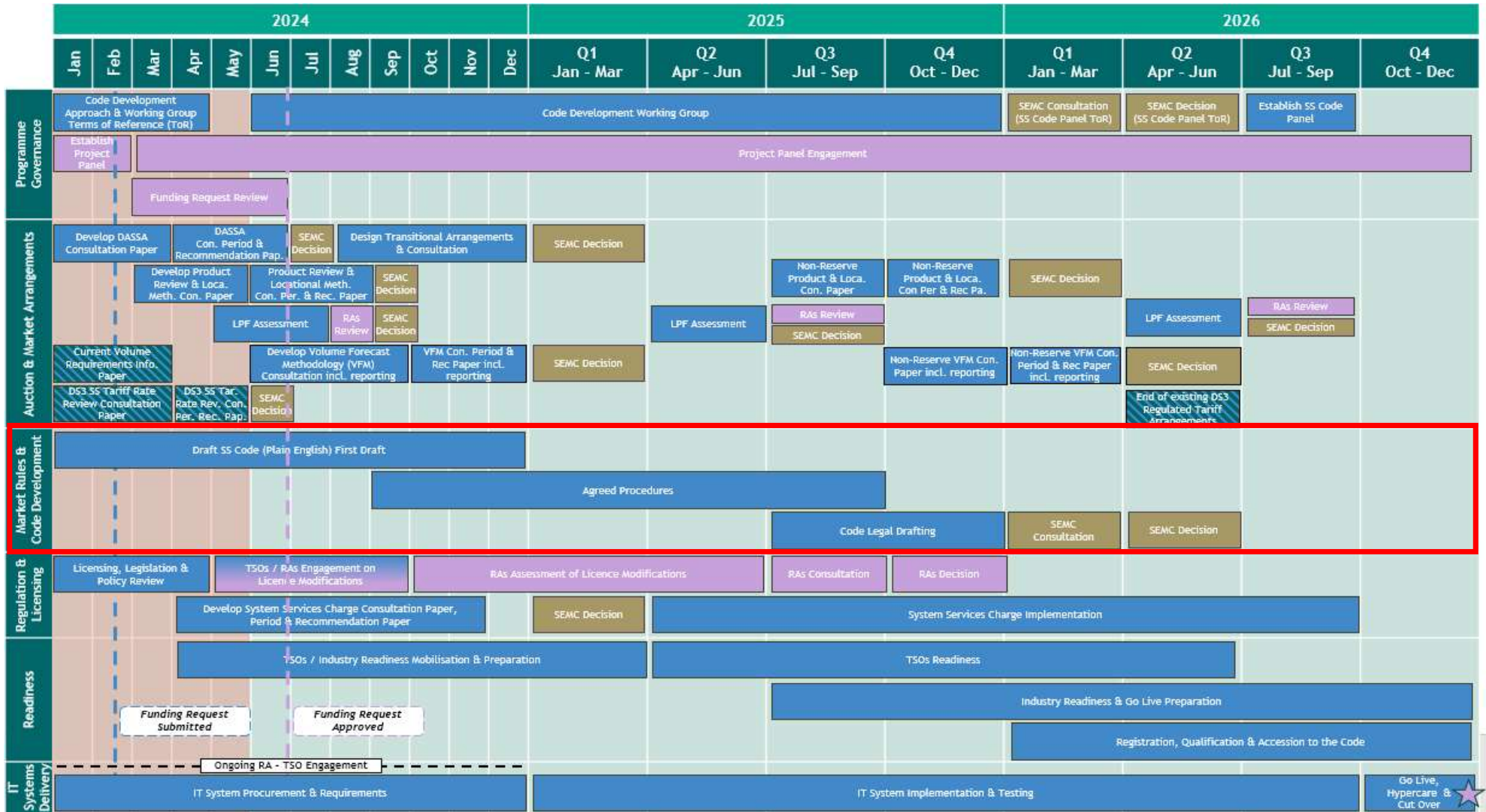
FASS Component	Description	Target Timeline
Day Ahead System Services Auction (DASSA) Arrangements	Daily auction and associated market arrangements. This is a requirement based on EU regulations and SEM Committee decisions.	<ul style="list-style-type: none"> <li>December 2026</li> </ul>
Fixed Term Contracts	Procurement of fixed term contracts and development of future products (e.g.: Low Carbon Inertia Service (LCIS)).	<ul style="list-style-type: none"> <li>TBC, as required by product.</li> <li>LCIS Phase 1 October 2024</li> </ul>
Layered Procurement Framework	Procurement at timeframes greater than one day and less than one year.	<ul style="list-style-type: none"> <li>Pending outcome of annual assessment</li> </ul>



# Phased Implementation Roadmap - Level 1

**Legend**

- TSOs Led Activity
- SEMC Decision
- DS3 Activity
- RAs Led Activity
- RA TSOs Activity
- Depletion of Funds



# Context



- The HLD (SEM-22-012) provided for the phased introduction of a System Services Code which would set out the market rules. System Service providers would accede to the code to allow them to participate in the new market arrangements.
- As part of its most recent decision (SEM-23-103), the SEM Committee invited the TSOs to establish a working group for the development of a System Services Code with appropriate industry membership. The objective of the System Services Code Working Group is to ensure SEM Committee Decisions in relation to FASS are reflected in the System Services Code through collaborative drafting.
- TSOs published System Services Code Working Group Terms of Reference in April 2024, per PIR.

# Scope



The decisions as set out in the SEM Committee publications need to be transposed into a binding set of market rules which require extensive input and review from the Working Group. The System Services market rules should reflect the decisions included in the following SEM Committee decision documents:

- [SEM-21-021 System Services Future Arrangements - Decision Paper 1](#)
- [SEM-22-012 System Services Future Arrangements High Level Design Decision Paper 2](#)
- [SEM-23-103 System Services Future Arrangements - Detailed Design & Implementation - Phased Implementation Roadmap - Decision Paper 3](#)

Note: The System Services Code Working Group will not re-open any previous SEMC Decisions.



# Background Documentation



Published by	Document Name	Document Reference	Link
SEM Committee	System Services Future Arrangements High Level Design Decision	SEM-22-012	<a href="#">Link</a>
SEM Committee	System Services Future Arrangements Phase III: Detailed Design & Implementation Phased Implementation Roadmap for the System Services High Level Design Decision Paper	SEM-23-103	<a href="#">Link</a>
DotEcon/Afry	Future Arrangements for System Services (FASS) Proposals for enduring arrangements and Transition	SOEF Markets - Future Arrangements for System Services - Auction Design - DotEcon Afry Recommendations Paper	<a href="#">EirGrid Link</a> <a href="#">SONI Link</a>
TSOs	Supporting cover note from the TSOs on DotEcon proposal for enduring arrangements and Transition	SOEF Markets - Future Arrangements for System Services - Auction Design - DotEcon Afry Recommendations Paper -Supporting Note	<a href="#">EirGrid Link</a> <a href="#">SONI Link</a>
TSOs	FASS - Proposals for enduring arrangements and transition - DotEcon / Afry Industry Workshop presentation	<b>Future Arrangements for System Services - Auction Design - DotEcon Afry Workshop Slides</b>	<a href="#">EirGrid Link</a> <a href="#">SONI Link</a>
TSOs	DotEcon/Afry Proposals for enduring arrangements and transition - Questions captured in the 20th September Industry Workshop and TSOs' responses	<b>Future Arrangements for System Services - Auction Design - DotEcon Afry Workshop Q&amp;A</b>	<a href="#">EirGrid Link</a> <a href="#">SONI Link</a>

# Background Documentation



- There are several European Directives, Regulations and Decisions which have a bearing on how System Services are procured. The European Commission published a Regulation (EU) 2017/2195 establishing a guideline on electricity balancing (the 'EBGL') on November 23<sup>rd</sup>, 2017; Regulation (EU) 2017/1485 establishing a guideline on electricity transmission system operation, on 2<sup>nd</sup> August 2017; and Regulation (EU) 2017/2196 establishing a network code on electricity emergency and restoration, on 24 November 2017.
- The European Commission published a Regulation (EU) 2019/943 and Directive (EU) 2019/944 relating to the Clean Energy Package and the internal market for electricity (collectively referred to as 'CEP') on June 5<sup>th</sup>, 2019.

[Regulation - 2017/2195 - EN - EUR-Lex \(europa.eu\)](#)

[Regulation - 2017/1485 - EN - EUR-Lex \(europa.eu\)](#)

[Regulation - 2017/2196 - EN - EUR-Lex \(europa.eu\)](#)

[REGULATION \(EU\) 2019/ 943 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL - of 5 June 2019 - on the internal market for electricity \(europa.eu\)](#)

[DIRECTIVE \(EU\) 2019/ 944 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL - of 5 June 2019 - on common rules for the internal market for electricity and amending Directive 2012/ 27/ EU \(europa.eu\)](#)

Where relevant in each jurisdiction.

# Table of Contents

Section Ref.	Code Section
2	Background and Interpretation
3	Legal and Governance
4	Participation, Accession and Registration
5	Qualification
6	Auction format of DASSA
7	Obligations
8	Secondary and Bilateral Trading
9	Final Assignment Mechanism
10	System Service Supplier Charge
11	Long Term Contracts
12	Delivery - Performance Monitoring
13	Transition Arrangements for existing DS3 contracts
14	Settlement
15	Appendices

## Deliverables:

Per the PIR, the Plain English draft of the System Services Code is due for completion by **Q4 2024**. It is envisioned that the Q4 2024 deliverable will consist of a **consolidated word document**, comprising a Plain English Version of each section of the code.

## Timelines:

Commencement of System Services code development will take place prior to publication of final SEM Committee Decisions on several key topics. These include:

- Daily Auctions (Q3 2024)\*
- Secondary and Bilateral Trading (Q3 2024)\*
- System Services Supplier Charge (Q1 2025)
- Volume Forecasting Methodology (Q1 2025)

The timing of the following activities are also considered:

- Licence modification required to implement this framework (Q4 2025)

Therefore, it is proposed to commence work on these topics later in the process in line with publication of the relevant SEM Committee decisions.

**\*Note:** Finalisation of the Plain English Version (PIR milestone FASS.M22) is dependent on the timely progression of business design activities concluding with the publication of the respective SEMC Decisions.

# Ways of Working: Hybrid Approach

The TSOs considered several approaches for the efficient development of a System Services Code to ensure that milestones set out in the PIR can be met with sufficient industry engagement and ultimately deemed the **hybrid approach** to be most suitable.

## One Draft

Code developed in full by TSOs with a single industry consultation period once completed. While this would be faster to develop, it would lack the desired level of engagement with industry.

## Iterative

TSOs develop the code by section and review iteratively with industry via working groups, engaging on a regular basis. The main drawback of this approach is that there would be insufficient time for the completion of Plain English version of the code within the timelines set out in the PIR.

## Hybrid

Combination of the two approaches whereby the TSOs would draft certain sections in full ahead of engaging with industry via working groups, while others would be drafted iteratively over several meetings in conjunction with working group members.

# Ways of Working: Work Breakdown Structure

Iterative topics would entail a five-stage process, while One Draft topics would commence from Step 2:



- Each Working Group meeting will review a combination of an initial proposal of rules in development, a PEV, and an updated PEV for sign-off.
- Feedback and queries from Working Group members will be logged and responses made available, once they are not stated as confidential.
- Following sign-off on the finalised PEV and finalised legal draft, these documents are baselined and will be subject to the FASS change control mechanisms.

# Table of Contents & Proposed Approach

Section Ref.	Code Section	Approach
2	Background and Interpretation	One Draft
3	Legal and Governance	One Draft
4	Participation, Accession and Registration	One Draft
5	Qualification	One Draft
6	Auction format of DASSA	Iterative
7	Obligations	Iterative
8	Secondary and Bilateral Trading	Iterative
9	Final Assignment Mechanism	Iterative
10	System Service Supplier Charge	Iterative
11	Long Term Contracts	Iterative
12	Delivery - Performance Monitoring	Iterative
13	Transition Arrangements for existing DS3 contracts	One Draft
14	Settlement	One Draft
15	Appendices	Iterative

# Ways of Working: Provisional Schedule

#	Workshop Agenda		
	Initial Proposal of Rules	Plain English Version	Updated Plain English Version
1		Terms of Reference Discussion One-Draft Sections	-
2	Auction Format of DASSA* Obligations*		One-Draft Sections
3	Secondary and Bilateral Trading* Final Assignment Mechanism* Long Term Contracts	Auction Format of DASSA* Obligations*	
4	System Services Supplier Charge** Delivery - Performance Monitoring Appendices	Secondary and Bilateral Trading* Final Assignment Mechanism* Long Term Contracts	Auction Format of DASSA* Obligations*
5	-	System Services Supplier Charge** Delivery - Performance Monitoring Remaining One-Draft Sections Appendices	Secondary and Bilateral Trading* Final Assignment Mechanism* Long Term Contracts
6	-	-	System Services Supplier Charge** Delivery - Performance Monitoring Remaining One-Draft Sections Appendices
7	Close Out Plain English Version of Code		

**Notes:**

\* Finalisation of the PEV (PIR milestone FASS.M22) is dependent on the timely progression of business design activities concluding with the publication of the respective SEMC Decisions.

\*\* Work may commence on certain topics in advance of SEMC Decisions given the TSOs will have significant industry feedback following conclusion of relevant industry consultations and submission of recommendation papers, such topics may require amendments following publication of SEMC Decisions.

# Ways of Working: Working Group Meetings



## Schedule

- ✓ Workshops will be scheduled to take place monthly, commencing in June 2024.
- ✓ At a minimum, 6 meetings should occur within a calendar year.
- ✓ Meeting dates shall be scheduled at the start of the calendar year and confirmed with at least 10 business days' notice of each meeting by the secretariat.
- ✓ Legal drafting will commence in 2025. A separate agenda and schedule will be published in due course.



## Attendance

- ✓ A quorum will be required for a meeting to proceed. A quorum will be defined as attendance of at least 50% of members including, a chairperson, a representative from each RA, and a representative from each TSO.
- ✓ Attendance must be confirmed, or an alternate appointed, at least three business days ahead of the meeting.
- ✓ In person attendance at Working Group meetings is strongly encouraged.

## For discussion

- The TSOs anticipate that certain topics may require more than one working group meeting (e.g., spanning two days) to ensure that all necessary issues have sufficient consideration and discussion from industry stakeholders.
- Potential to have rotating location between EirGrid and SONI offices



## Section 2

# Background & Context



# Section 2: Background & Context

## 2.3 Requirements of the System Services Code

Topic	Detail
1. Administration and Governance arrangements	<ul style="list-style-type: none"> <li>a) Roles and responsibilities, including that of the TSOs</li> <li>b) Modification process</li> <li>c) Disputes</li> <li>d) Governing Law</li> <li>e) Hierarchy</li> </ul>
2. Accession to the System Services Code	
3. Registration for DASSA, Secondary Trading and Final Assignment Mechanism (FAM)	<ul style="list-style-type: none"> <li>a) Party registration</li> <li>b) Providing Unit registration</li> </ul>
4. Qualification for the DASSA, Secondary Trading and FAM	<ul style="list-style-type: none"> <li>a) Qualification and Testing</li> <li>b) Qualification Trial Process: the TSOs are required to establish a formalised process for the QTP to ensure the transparency of the process for the enduring arrangements. The TSOs are required to publish a call for evidence at least every 12 months to allow for stakeholders to input into the design of the trial; following this, the TSOs may publicly consult on a QTP proposal</li> </ul>
5. The Operation of the DASSA	<ul style="list-style-type: none"> <li>a) The governance of the auction timetable</li> <li>b) Determination of DASSA Volume Requirements including constraints (Zonal, Quality, Continuous Provision, Locational)</li> <li>c) Validation of offers in the DASSA</li> <li>d) DASSA clearing, pricing rules</li> <li>e) Measures to address Volume Insufficiency</li> <li>f) Publication of DASSA results;</li> <li>g) DASSA Orders</li> <li>h) Clearing Prices</li> <li>i) Rules governing the DASSA Auction suspension or cancellation</li> <li>j) Prohibition on market manipulation</li> <li>k) Prohibition on other unreasonable business methods</li> <li>l) Role of the Auction Monitor and System Services Market Auditor</li> </ul>

# Section 2: Background & Context

## 2.3 Requirements of the System Services Code

Topic	Detail
6. Participant Obligations	<ul style="list-style-type: none"><li>a) Confirmation of DASSA Order (or Lapse)</li><li>b) Compensation payment to be made to the TSOs for failing to provide the entire volume specified in its DASSA Order and the appropriate level of compensation payment</li><li>c) Application of Availability and Event Performance Scalars to payments</li></ul>
7. Secondary Trading	<ul style="list-style-type: none"><li>a) Matching and Validation of Buy and Sell Orders</li><li>b) Timing of Trades</li><li>c) Notification of Trades</li></ul>
8. Bilateral Trades	
9. Final Assignment Mechanism (FAM)	<ul style="list-style-type: none"><li>a) Determination of Volume Requirements ex-post</li><li>b) Determination of Adjusted Supply Function</li><li>c) Determination of merit order of Adjusted Supply Functions</li><li>d) Issuance of FAM assignments</li><li>e) Approval and Notification of FAM results<ul style="list-style-type: none"><li>i. FAM Volumes</li><li>ii. FAM Prices</li></ul></li><li>f) FAM Default Price</li><li>g) Constraints and FAM Prices</li><li>h) Service Availability Requirements</li><li>i) Rules governing the FAM suspension or cancellation</li><li>j) Prohibition on market manipulation</li><li>k) Prohibition on other unreasonable business methods</li><li>l) Role of the Auction Monitor and System Services Market Auditor</li></ul>

# Section 2: Background & Context

## 2.3 Requirements of the System Services Code

Topic	Detail
10. Performance Monitoring	
11. Settlement functions	a) Settlement functions will be included in the System Services Code. The detailed rules for the remuneration of system service providers, including settlement of secondary trades, and the associated rules for system service charges on suppliers will also be set out in the Code. There will be monthly invoicing one month in arrears.
12. Long Term Contracts	
13. Layered Procurement Framework	
14. Arrangements for services that do not partake in DASSA, Secondary Trading or FAM i.e., Ramping, Inertia and Voltage services.	

## Section 3

# Legal & Governance



# Section Overview

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# Section 3: Legal & Governance

## 3.1 Code Scope and Objectives

The System Services Code scope will follow the form of equivalent sections in the Trading and Settlement Code and is expected to describe:

- The legal and regulatory framework under which the System Services Code is formed.
- The objectives of the System Services Market.
- The various trading arrangements in FASS governed by different Codes, and the need for coordination between these trading arrangements for the successful operation of the FASS overall.
- The licence obligations on the TSOs with respect to the operation, administration, and development of the System Services Market.

# Section 3: Legal & Governance

## 3.1 Objectives



To facilitate the efficient discharge by the TSOs of the obligations imposed upon it by the Transmission System Operator Licences.



To facilitate the efficient, economic, and coordinated operation, administration and development of the System Services Market in a financially secure manner.



To facilitate the participation of undertakings including electricity undertakings engaged or seeking to be engaged in the provision of System Services in the System Services Market.



To promote competition in the provision of System Services



To provide transparency in the operation of the System Services Market.



To ensure no undue discrimination between persons who are or may seek to become parties to the System Services Code.



Through the development of the System Services Market, to promote the short-term and long-term interests of consumers of electricity with respect to price, quality, reliability, and security of supply of electricity across the island of Ireland.



The above objectives must also align with EU regulations such as the Clean Energy Package, the Electricity Balancing Guideline and System Operation Guideline in developing an overarching commercial and legal framework to drive necessary third-party investment to meet challenges of high renewables.



# Section 3: Legal & Governance

## 3.1 Code Scope and Objectives

### *3.1.2 Governing Law*

This Code and any disputes arising under, out of, or in relation to the Code shall be interpreted, construed and governed in accordance with the laws of Ireland.

### *3.1.3 Jurisdiction*

Subject to the provisions relating to the Dispute Resolution Process, the Parties hereby submit to the exclusive jurisdiction of the Courts of Ireland for all disputes arising under, out of, or in relation to the Code.

### *3.1.4 Term*

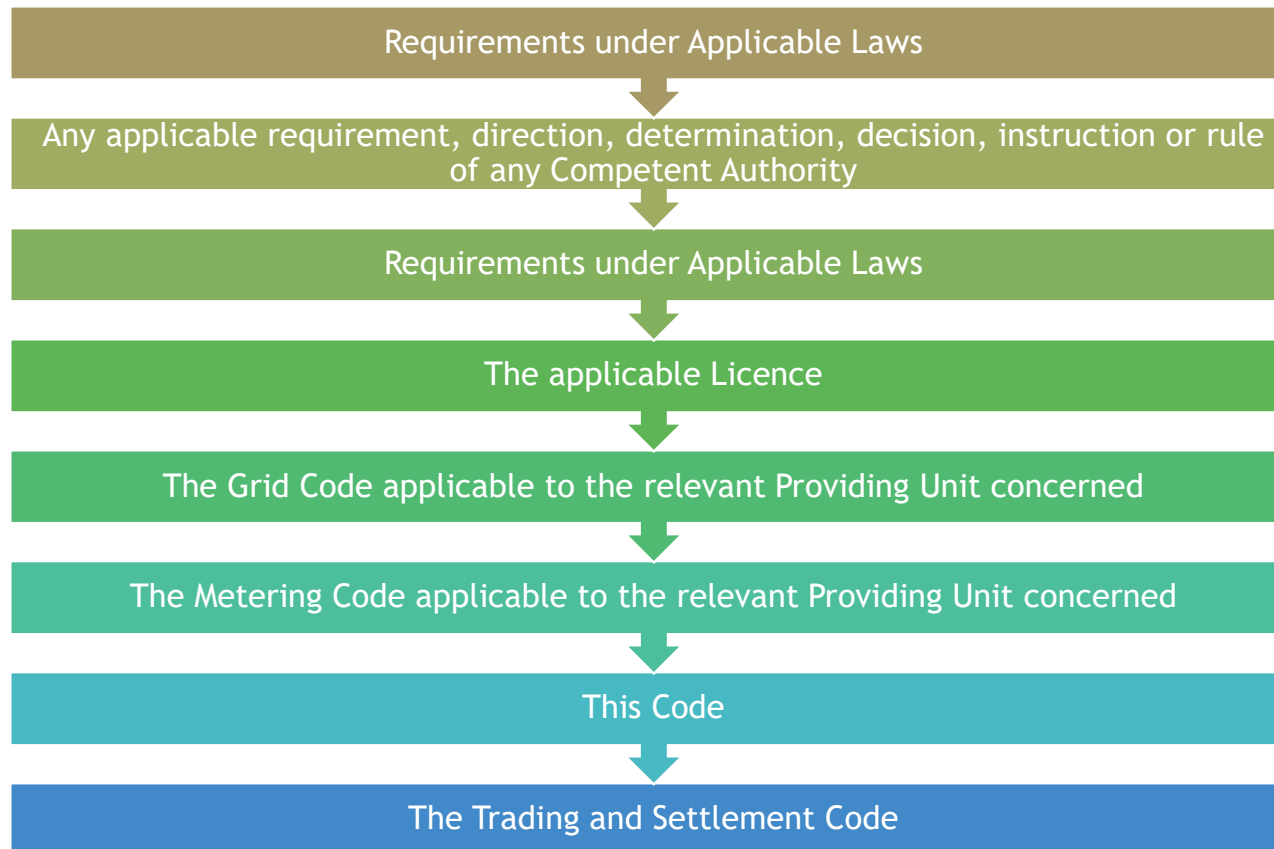
The Code shall commence on the Commencement Date and shall have no fixed duration.

# Section 3: Legal & Governance

## 3.1 Code Scope and Objectives

### 3.1.5 System Services Code Hierarchy

In the event of any conflict between any Party's obligation pursuant to any Legal Requirements and the Code, such conflict shall be resolved according to the following order of priority:



# Section 3: Legal & Governance

## 3.2 Roles & Obligations

### *3.2.1 The Regulatory Authorities*

The Regulatory Authorities will have the following roles/powers with respect to the System Services Code:

- ✓ Making final decisions on the approval, amendment or rejection of modifications to the System Services Code as proposed by the Modifications Committee.
- ✓ Resolution of Disputes should TSOs be party to Dispute.

# Section 3: Legal & Governance

## 3.2 Roles & Obligations

### 3.2.2 The TSOs

The responsibilities of the TSOs will include:

- ✓ Running the Registration and Qualification process;
- ✓ Maintaining a system to support the Registration and Qualification process;
- ✓ Maintaining a register of Registration and Qualification data;
- ✓ Calculating the Volume Requirement for DASSA including any locational considerations;
- ✓ Maintaining a system to validate DASSA offers and conduct DASSA Auction clearing;
- ✓ Maintaining a system to conduct and validate Secondary Trades;
- ✓ Maintaining a system to validate Bilateral Trades;
- ✓ Under exceptional circumstances, participation in Secondary Trading;
- ✓ Monitoring and enforcing commitment obligations of service providers;
- ✓ Calculating the Volume Requirement and Adjusted Supply Curve for FAM;
- ✓ Maintaining a system to conduct FAM Clearing;
- ✓ Maintaining a register of awarded DASSA orders, Secondary and Bilateral Trade data, FAM volume data and associated prices;
- ✓ Publishing auction parameters in accordance with the System Services Code or as otherwise directed by the Regulatory Authorities;
- ✓ Maintaining a register for Fixed Term Contracts;
- ✓ Annual Assessment of Layered Procurement Framework;
- ✓ Managing and maintain a system to calculate and levy System Services Charges;
- ✓ Releasing/publishing DASSA and FAM outcomes in accordance with the System Services Code or as otherwise directed by the Regulatory Authorities;
- ✓ Supporting the process for resolution of Disputes;
- ✓ Advising the Regulatory Authorities of changes to the System Services Code to better achieve the objectives of the Code;
- ✓ Monitoring performance of System Service Providers;
- ✓ Tendering for and contracting the Auction Monitor and System Services Market Auditor;
- ✓ Management of Credit Cover arrangements under the Code; and
- ✓ Administering the System Services Code, including Agreed Procedures.

# Section 3: Legal & Governance

## 3.3 Modification Process

This section describes the process for modifying the System Services Code. From [SEM-21-021 System Services Future Arrangements - Decision Paper 1](#), the Regulatory Authorities stated that:

- A System Services Panel will be established.
- The panel will be consulted on any changes to the System Services Code or other documentation relating to the procurement of System Services. Membership of the Panel will comprise representatives from industry.
- The TSOs will be responsible for drafting and submitting modification recommendations to the Regulatory Authorities and will ensure the views expressed by the Panel are clearly set out.

Note: This will be outlined in an Agreed Procedure, but high-level proposals are outlined here.

# Section 3: Legal & Governance

## 3.3 Modification Process

The TSOs shall establish and maintain the System Services Modification Committee which shall be a standing body constituted to:

- Generally, review and discuss the System Services Code and its workings;
- Review and discuss suggestions for modifications to the System Services Code which the TSOs, the Regulatory Authorities, or any system services participant may wish to submit to the TSOs for consideration by the System Services Modification Committee from time to time;
- Discuss what changes are necessary to the System Services Code arising out of any unforeseen circumstances referred to it by the TSOs; and
- Publish recommendations and ensure that consultation upon such recommendations has occurred through System Services Modifications Committee members.

# Section 3: Legal & Governance

## 3.3 Modification Process

### 3.3.1 Membership of the System Services Modifications Committee

The System Services Modifications Committee shall comprise:

- ✓ A chairperson to be appointed by the SEM Committee
- ✓ A representative from the CRU
- ✓ A representative from the UR
- ✓ A representative from EirGrid
- ✓ A representative from SONI
- ✓ A representative from ESN DSO
- ✓ A representative from NIEN DSO
- ✓ At least 3 Generator representatives
- ✓ At least 3 Supplier Representatives
- ✓ At least 1 DSU representative
- ✓ At least 1 Interconnector representative

- The TSO shall provide the secretariat to the Panel.
- Any person may register to be a member of the Modifications Committee where that person holds a licence, where applicable, relevant to the activities of the Appointor and such activities represent a material element of that person's business.
- The Secretariat shall arrange a Nominating Participant Election for the initial Modifications Panel to fill the vacancies listed above. Each Nominating Participant may put forward one nominee and an alternate for that nominee for appointment to the Modifications Committee.

# Section 3: Legal & Governance

## 3.3 Modification Process

### *3.3.2 Meetings of the Modifications Committee*

- The Modifications Committee shall have a Meeting at least once every 2 months. The Modifications Committee, acting through the Secretariat, shall set the date of each Meeting and, where possible, shall publish such date at least two weeks in advance. Meetings will take place in person.
- Any person may attend Meetings of the Modifications Committee in an observatory capacity where that person has informed the Secretariat to the Modifications Committee in advance and the Secretariat has confirmed that person's attendance. Where space is limited, and with the agreement of the chairperson of the Modifications Committee, attendance of non-members may be limited on a first come first served basis.

### *3.3.3 Modification Proposals*

- A change to the Code or Agreed Procedures can be administered via the Modifications process.
- Any proposed change shall be in the form of a Modification Proposal using the template available on the TSOs' website.



# Section 3: Legal & Governance

## 3.3 Modification Process

### 3.3.4 Procedure for Developing Proposals

- Any person may submit a Modification Proposal. Modification Proposals to the Code can be proposed by any person including the TSOs and the Regulatory Authorities. Any Modification Proposal shall be submitted to the Secretariat.
  - When raising a Modification Proposal, the proposer shall ensure that their proposal is clear and substantiated with the appropriate detail including the way in which it furthers the Code Objectives to enable it to be fully considered by the Modifications Committee.
  - Each Modification Proposal will include a draft text of the proposed Modification to the Code unless, if raising a Provisional Modification Proposal whereby legal drafting text is not imperative.
- At a duly convened meeting of the System Services Modification Committee, the Proposal shall be presented to the Members by the Proposer, who shall endeavour to answer any initial questions which the other Members may have in respect of the Proposal or the presentation. The Modification Committee shall discuss the Proposal.
  - The Secretary shall record the views of the Panel through a round table statement of each Member's position.
  - Members have the responsibility to state their position in accordance with the views and interests of the Appointor. Having:
    - ✓ heard the presentation of the Proposer;
    - ✓ discussed the Proposal; and
    - ✓ had an opportunity to ask questions of the proposing Member in respect of the Proposal.
    - ✓ had their position recorded by the Secretary.

## Section 3: Legal & Governance

### 3.3 Modification Process

#### 3.3.4 Procedure for Developing Proposals (cont.)

The Chairperson taking into account the views of the System Services Modifications Committee may determine that the Proposal:

- does not merit any further consideration;
- shall be submitted by the TSOs to the Regulatory Authorities as a System Services Code modification for approval. The modification application shall include the original Proposal and the views and considerations of the System Service Modifications Committee; or
- merits further consideration.

- In the event further consideration is required, the Chairperson may set up a working group to consider the Proposal further in liaison with the Modifications Committee.
- Each working group shall be chaired by a representative from the TSOs or such other nominees as designated by the TSOs who shall coordinate the further consideration of the Proposal. The working group shall report to the System Services Modifications Committee at each meeting to the progress of the working group.
- When the work of the working group is complete, and following final review by the System Services Modification Committee, the TSOs may apply to the Regulatory Authorities for a revision of the System Services Code and in doing so shall include the original Proposal and the views and considerations of the System Services Modifications Committee.

# Section 3: Legal & Governance

## 3.3 Modification Process

### *3.3.5 Intellectual Property Issues Associated with Modification Proposals*

Each Party submitting a Modification Proposal shall be deemed to have irrevocably licensed any Intellectual Property Rights or other rights to, and to have waived any moral rights in, the content, form or other aspect of the Modification Proposal and such licence and waiver shall be a precondition to the valid submission of a Modification Proposal.

### *3.3.6 No Retrospective Effect*

For the avoidance of doubt, a Modification shall have effect as and from the date specified by the Regulatory Authorities and in no event shall that date be earlier than the date on which the Modification is approved by the Regulatory Authorities. Under no circumstances shall Modifications have retrospective effect.

# Section 3: Legal & Governance

## 3.3 Modification Process

### 3.3.7 Urgent Modification Proposals

A Proposer may mark a Modification Proposal as “Urgent”. A Proposer submitting a Modification Proposal marked “Urgent” shall submit the Modification Proposal to the TSOs and to the Regulatory Authorities.

The TSOs shall, as soon as possible on receipt of a Modification Proposal which is marked “Urgent”, contact the Regulatory Authorities which shall determine whether or not it shall be treated as Urgent.

A Modification Proposal shall be determined to be Urgent by the Regulatory Authorities, if not made, it can reasonably be anticipated that the event or circumstance with which the Modification Proposal is concerned would imminently:

- threaten or prejudice safety, security or reliability of supply of electricity; or
- unduly interfere with, disrupt or threaten the operation of the System Services Market or any of its component markets;
- or if a Modification is required to correct a material error or inconsistency in the Code or between the Code and another market code.

If the Regulatory Authorities determine that a Modification Proposal is Urgent, the System Services shall convene an Emergency Workshop.

# Section 3: Legal & Governance

## 3.3 Modification Process

### *3.3.8 Alternative Modification Proposals*

If any person does not agree with a Modification Proposal to the Code, they may propose an alternative Modification Proposal, which if received in sufficient time to be considered within the Regulatory Authorities' plans for progressing the initial Modification Proposal may be considered in conjunction with, or in substitution for, the initial Modification Proposal.

# Section 3: Legal and Governance

## 3.4 Dispute Resolution

In line with Trading and Settlement Code and Capacity Code:

A “Dispute” means any claim, dispute or difference of whatever nature between any of the Parties howsoever arising under, out of or in relation to the Code or the System Services Framework Agreement (including the existence or validity of the same) in respect of which (i) one Party has served a Notice of Dispute, or (ii) a Notice of Dispute is deemed to have been served.

### 3.4.1 *Dispute Resolution Objectives*

Dispute Process Objectives per Trading and Settlement Code:

1. Be simple, quick and inexpensive;
2. Preserve or enhance the relationship between the Disputing Parties;
3. Resolve and allow for the continuing and proper operation of the Code having regard to the Objectives of the Code;
4. Resolve Disputes on an equitable basis in accordance with the provisions of the Code having regard to the Objectives of the Code;
5. Take account of the skills and knowledge that are required for the relevant procedure; and
6. Encourage resolution of Disputes without formal legal representation or reliance on legal procedures.

# Section 3: Legal and Governance

## 3.4 Dispute Resolution (cont.)

The first step is a written Notice of Dispute issued from one party to another party or parties. It must describe the nature of the dispute.

Negotiation within prescribed timelines is then required

Referral to a SDRB may take place should disputing parties fail to reach an agreement within a prescribed number of Working days following the Notice of Dispute.

Any Dispute in respect of which a notice of dissatisfaction has been issued may only be finally settled by proceedings in a Court having competent jurisdiction.

# Section 3: Legal and Governance

## 3.4.2 Types of Dispute

Types of Dispute (following Trading and Settlement Code):

### General Disputes

1. A Party becomes aware of an issue outside the Formal Query scope and serves the TSOs with a Dispute Notice;
2. A Party does not agree with the resolution of a Formal Query and serves the TSOs with a Dispute Notice;
3. A Formal Query is not responded to within the timelines set by the System Services Code.

### Pricing Dispute

4. Pricing Dispute: provision for scenarios where manifest errors may occur in determination of market prices



## Section 3: Legal and Governance

### *3.4.2 Types of Dispute (cont.)*

Proposed Applicable Timelines for each Type of Dispute:

- for Disputes in relation to Settlement Queries within five Working Days of receipt of the TSOs' response to the relevant Settlement Query; or within 20 Working Days of submission of a query should the TSOs not issue a response.
- for a Pricing Dispute, within 5 Working Days of the relevant DASSA\FAM Price being published;
- for all other Disputes, 20 Working Days of that Party having become aware of the Disputed Event and in any event within 1 year of the Disputed Event having occurred.

## Section 3: Legal and Governance

### *3.4.3 System Services Dispute Resolution Board (SSDRB)*

- The TSOs shall establish and maintain a panel (the “Panel”) consisting of members which have been approved by the Regulatory Authorities. This should be a minimum of 10 members.
- The Regulatory Authorities shall from time to time nominate a member of the Panel to act as chairperson of the Panel.
- The Panel Chairperson and a vice-chairperson shall be retained under contract to the Regulatory Authorities

## Section 3: Legal and Governance

### *3.4.3.1 SDRB: General Dispute*

- If the Disputing Parties are unable to reach agreement within a period of 10 Working Days of first meeting, the General Dispute may within a further period of 20 Working Days be referred by any Disputing Party to the SDRB by way of notice in writing to the other Disputing Party or Parties (“Referral Notice”), otherwise the Notice of Dispute in relation to the General Dispute will be deemed to be withdrawn.
- The Disputing Party shall immediately send a copy of the Referral Notice to the TSOs (or to the Regulatory Authorities where the TSOs are a Disputing Party), and the TSOs shall forward the Referral Notice to the Panel Chairperson.
- The SDRB shall be comprised of either a sole member or three members

# Section 3: Legal and Governance

## 3.4.3.1 SDRB: General Dispute (cont.)

- Where there are *no more than two Disputing Parties*, they may agree within 10 Working Days after the date of receipt by the receiving Party of the Referral Notice to establish a sole member SDRB or a three member SDRB.
  - If the Disputing Parties agree to establish a sole member SDRB, they shall agree to appoint the sole SDRB member from the Panel within a further five Working Days.
  - If the Disputing Parties agree on a three member SDRB, then each Disputing Party shall within a further period of five Working Days nominate one member from the Panel to the SDRB and the two members so nominated shall appoint the third member from the Panel within a further period of five Working Days.
- In the event the Disputing Parties do not within the relevant period notify the Panel Chairperson of their agreement on:
  - the number of members of the SDRB; or
  - having agreed a sole member SDRB, the identity of the sole member,then, the Panel Chairperson shall within a further period of 10 Working Days determine the number of members of the SDRB and appoint the appropriate number from the Panel
- In the event Disputing Parties agree to 3 member SDRB but a Disputing Party does not inform the Chairperson of its nomination; Chairperson will make nomination within 10 Working Days

## Section 3: Legal and Governance

### 3.4.3.1 SDRB: General Dispute (cont.)

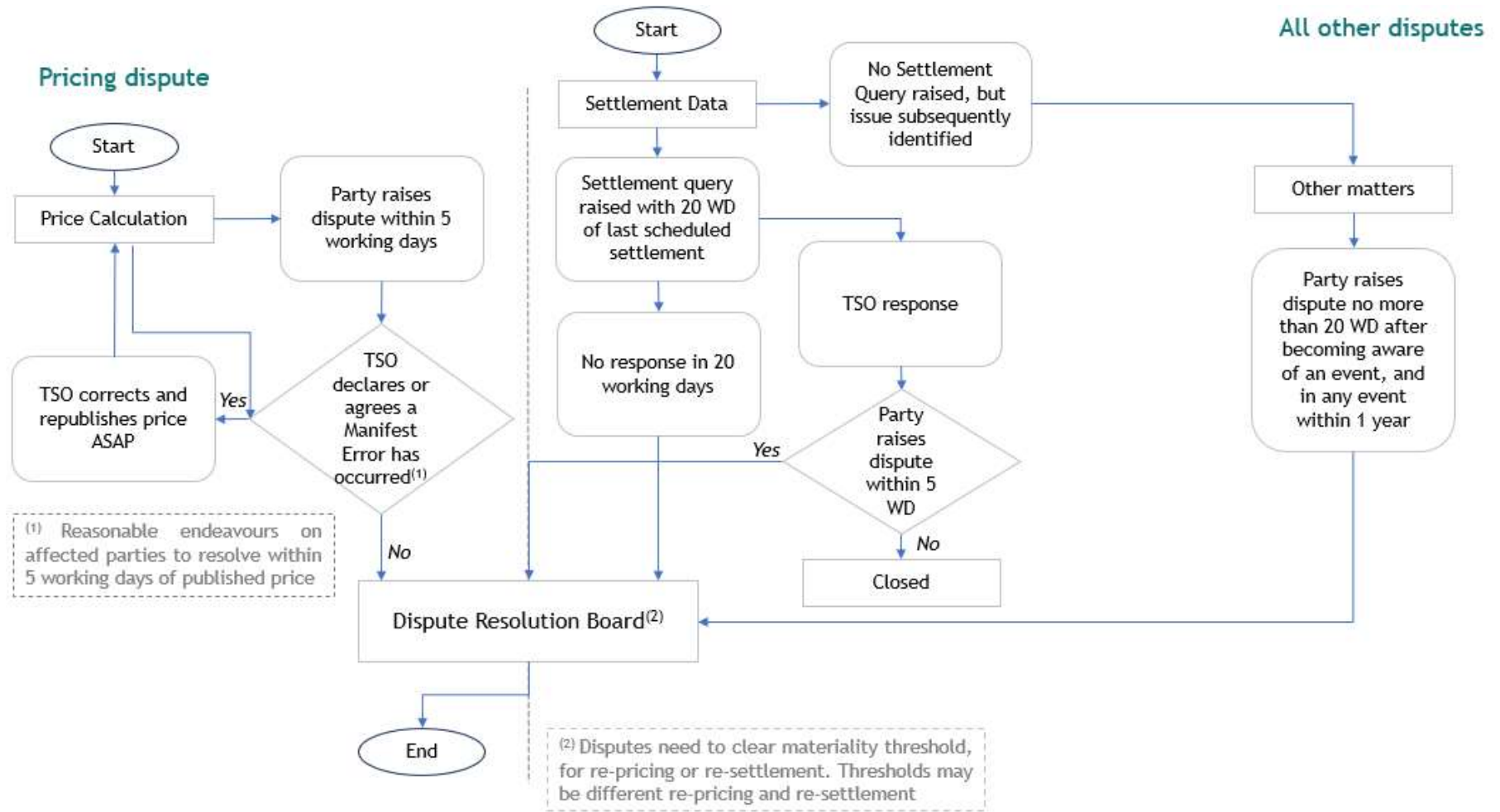
- Where there are *more than two Disputing Parties* to any Dispute, then the SDRB shall be appointed by the Panel Chairperson unless all Disputing Parties have, within 10 Working Days after the date of receipt by the counterparties of the Referral Notice, notified the Panel Chairperson as to both the number of members of the SDRB which shall be either one or three and as to the identity of member(s) to be selected from the Panel.
- In the absence of such notification, the Panel Chairperson shall:
  - Determine whether a sole member or three member SDRB is appropriate; and
  - Appoint the member or members of the SDRB from the Panel, and shall notify the Disputing Parties.

## Section 3: Legal and Governance

### *3.4.3.2 SDRB: Pricing Dispute*

- A materiality threshold will be applied in respect of pricing disputes with the onus being on the party raising the dispute to provide supporting evidence to enable the TSOs to make an assessment as to whether it considers it likely that the matter being disputed will, if the dispute is upheld, satisfy the materiality threshold. The TSOs shall make this assessment within 5 working days.
- The TSOs will also be limited to directing a re-opening of price only where it determines that the threshold will be exceeded. The threshold would be determined as a parameter to be reviewed from time to time as necessary. If the TSOs consider that the threshold has not been exceeded, the matter may be referred to the SDRB with the panel being comprised in a manner similar to a General Dispute

# Section 3: Legal and Governance



## Section 3: Legal and Governance

### 3.4.4 SDRB: Obtaining a Decision

The SDRB shall give its decision in the case of a General Dispute or a Pricing dispute (where the TSOs have determined that a manifest error has not occurred) within:

- 30 Working Days after the appointment of the SDRB where there are no more than two Disputing Parties;
  - 40 Working Days after the appointment of the SDRB where there are more than two Disputing Parties; or
  - such other period as may be proposed by the SDRB and approved by the Disputing Parties.
- 
- Its decision shall be in writing providing reasons, the decision shall be binding on all Disputing Parties, who shall promptly give effect to it unless or until it shall be revised in an amicable settlement. Parties (including SDRB) shall continue to comply with the Code in all respects.
- 
- If during its work the SDRB identified that a Dispute or its Decision is likely to have an impact on the Trading and Settlement Code, it shall promptly notify the Regulatory Authorities and TSOs of the anticipated impact.



## Section 3: Legal and Governance

### *3.4.4 SDRB: Notice of Dissatisfaction*

- If any Disputing Party is dissatisfied with the SDRB's decision, then that Party may, within the period specified in the relevant Disputes Process Timetable (within 15 Working Days in the case of a General or Pricing Dispute) after receiving the decision, give notice to the other Disputing Party or Parties and the SDRB in writing of its dissatisfaction.
- If the SDRB fails to give its decision within the relevant period set out, then any Disputing Party may, within the period specified in the relevant Disputes Process Timetable after such period has expired, give notice to the other Disputing Party or Parties and the SDRB in writing of its dissatisfaction.
- A notice of dissatisfaction shall set out the Dispute and the reason(s) for dissatisfaction. No Disputing Party shall be entitled to commence any Court proceedings of whatever nature in relation to or in connection with a Dispute unless a notice of dissatisfaction has been given.
- If the SDRB has given its decision on a Dispute to the Disputing Parties and no notice of dissatisfaction has been given by any Disputing Party within the period specified in the relevant Disputes Process Timetable after the date of the SDRB's decision, then the decision shall be final and binding upon all Disputing Parties

## Section 3: Legal and Governance

### *3.4.5 Amicable Dispute Settlement*

Where notice of dissatisfaction has been given, the Disputing Parties shall attempt to settle the dispute amicably before the commencement of any court proceedings may take place.

### *3.4.6 Court Proceedings*

Unless settled amicably, any Dispute in respect of which a Notice of Dissatisfaction has been issued may only be finally settled by Court proceedings.

### *3.4.7 Failure to Comply with SDRB's Decision*

In the event that:

- no Disputing Party has given notice of dissatisfaction within the period allowed; and
- the SDRB's related decision (if any) has become final and binding; and
- a Disputing Party fails to comply with this decision,

then any other Disputing Party may take such action as it deems necessary, including the commencement of court proceedings, to enforce the relevant SDRB decision. There shall be no mandatory reference to the SDRB or requirement to refer the matter to amicable settlement in respect of such a reference.

## Section 3: Legal & Governance

### 3.4.7 Failure to Comply with SSSDRB's Decision (cont.)

The actions and timelines associated with disputes are shown in Table 2 below.

Action	Entity	How	When
Raise a Dispute	Any Party to the SSC	Submitting a Dispute Notice to the TSO (or RAs if TSO is a disputing Party)	Within 5 WD of unsatisfactory Settlement Query response or within '28 days of that Party having become aware of the Disputed Event and... within 2 years of the Disputed Event'
Notify all affected Parties and RAs	TSOs	Sending details of Dispute Notice to relevant Parties	Within 5 days of receipt of Dispute Notice
Facilitate the Dispute Resolution process	TSOs (or RAs if TSO is disputing party)	Organise and chair meetings between counterparties to agree a resolution and arrange extensions	First meeting as soon as practical within 10 WD; extension to be agreed within all counterparties.
Resolve Dispute or refer it to Dispute Resolution Board	Raising party	Submit a Dispute Resolution Form or Referral Notice to Dispute Resolution Board	Within 20 WDs of conclusion of the negotiation meetings
Approve members and nominate chair of Dispute Resolution Board Panel	RAs	Provide relevant list to TSOs	From time to time
Nominate DRB members to address the referred issue	All disputing counterparties	Hold meeting	Within 10 WD of receipt of Referral Notice
Refer issue to Court proceedings	Any disputing counterparties	Issue Notice of Dissatisfaction	Within 15WDs of receipt of decision or there being no decision from the DRB within a set timeframe
Assess materiality of Dispute	TSOs	Replicate calculation independently from system	As required in the negotiating meeting
Report on quantities, topic and outcome of Disputes	TSOs	Various performance reports	According to publication of monthly, quarterly and yearly MO reports

# Current Agreements

## Schedule 6

### Dispute Resolution Procedure

- 1 Either Party may notify the other Party following the occurrence or discovery of any item or event which the notifying Party acting in good faith considers to be a dispute under this Agreement.
- 2 Within fifteen (15) Business Days of the notice in Paragraph 1, either Party ("first Party") may, if considered appropriate and by further notice to the other Party ("second Party"), appoint a senior company official with expertise in the area of dispute to represent it. The second Party shall then also appoint a senior company official with expertise in the area of dispute to represent it and shall notify the first Party accordingly within a further ten (10) Business Days. The Parties shall procure that their respective representatives meet within ten (10) Business Days after the date of the second Party's notice and attempt in good faith to satisfactorily resolve the dispute.
- 3 If the dispute shall fail to be resolved pursuant to Section 2 within thirty (30) Business Days of the meeting referred to then, save where expressly stated to the contrary, either Party may refer the matter to the Regulatory Authority for resolution.

## Current Agreements (cont.)

4. If the dispute is of a type which a provision of this Agreement states may be referred for resolution by an Expert, the following provisions shall apply between the Parties in relation to such dispute:
  - (a) The Expert shall be appointed by the Parties, or in default of agreement upon such appointment within seven (7) days of a Party notifying the other Party of its decision to refer the matter to an Expert, the Expert shall be appointed by the President for the time being of Engineers Ireland in the case of a technical dispute and the President for the time being of Chartered Accountants Ireland in the case of a financial dispute.
  - (b) The Parties will refer matters, differences or disputes in issue between them to the appropriate Expert as determined by the reasonable agreement of the Parties. If the Parties do not agree upon whether the dispute is a technical or financial dispute within seven (7) days of a Party notifying the other Party of its decision to refer the matter to an Expert, the Expert shall be appointed by the President for the time being of Chartered Accountants Ireland.
  - (c) The Expert will resolve or settle such matter or dispute in such manner as he shall in his absolute discretion see fit. The Expert shall be requested to reach his decision within thirty (30) days of the matter being referred to him. Any decision of the Expert shall be final and binding on the Parties.
  - (d) Unless otherwise determined by the Expert, the costs of the Expert in settling or determining such matter or dispute shall be borne equally by the Parties.

# Section 3: Legal & Governance

## 3.5 Other Administrative Sections

### 13. Notices

- Default Notices;
- Suspension Orders;
- Termination Orders;
- Notice of Dispute (including Settlement Disputes) and the current status of each;
- Notices of Dissatisfaction;
- Referral Notices;
- Notification of Force Majeure;
- Notice of revocation of an Intermediary's authority
- Notice of proposed revocation of an Interconnector Administrator's authority
- Notice of resignation of an Interconnector Administrator
- Notice of proposed revocation of the authority of the Participant in respect of an Interconnector Error
- Notices required for the purposes of disputes determination procedure as described in detail in Agreed Procedure XX "Disputes".

## Section 4

# Participation, Accession & Qualification



# Section Overview

## 4 Participation, Accession and Registration

- 4.1 Participation under Trading and Settlement Code .....
- 4.2 Accession to the System Services Code .....
- 4.3 Party Registration.....
- 4.4 Intermediaries.....
- 4.5 Providing Unit Registration.....
- 4.6 De registration .....



# Section 4: Participation, Accession and Registration

## 4.1 Participation under Trading and Settlement Code

A person may only become a Party to the Code in accordance with the terms of the System Services Code and the System Services Framework Agreement.

For provision of certain services and technologies there will be a requirement to be registered under the Trading and Settlement Code.

The Participant under the System Services Code with respect to:

- an Interconnector must be the same Party that is, or will be, the Party registered in respect of that Interconnector under Section B.10.1 of the Trading and Settlement Code.
- a Providing Unit that provides any of the following services
  - TOR2, RRD, RRS, SSRP, SIR, RM1, RM3 and RM8
- must be the same Party that is, or will be, the Party registered in respect of that Unit under Section B.7.1 of the Trading and Settlement Code;
- A DSU must be the same Party that is, or will be, the Party registered in respect of that Providing Unit under Section B.7.1 of the Trading and Settlement Code
- In the case of an Aggregator, the Providing Unit is the collection of sites which is controlled by the Aggregator, and the interface with the TSO shall be with the Aggregator.

# Section 4: Participation, Accession and Registration

## 4.2 Accession to the System Services Code

The process described here for Accession to the System Service Code is based on that for the Trading and Settlement Code. While there will be separate requirements for each Code, it is intended to explore possible approaches to combine the accession and registration process as far as is possible.

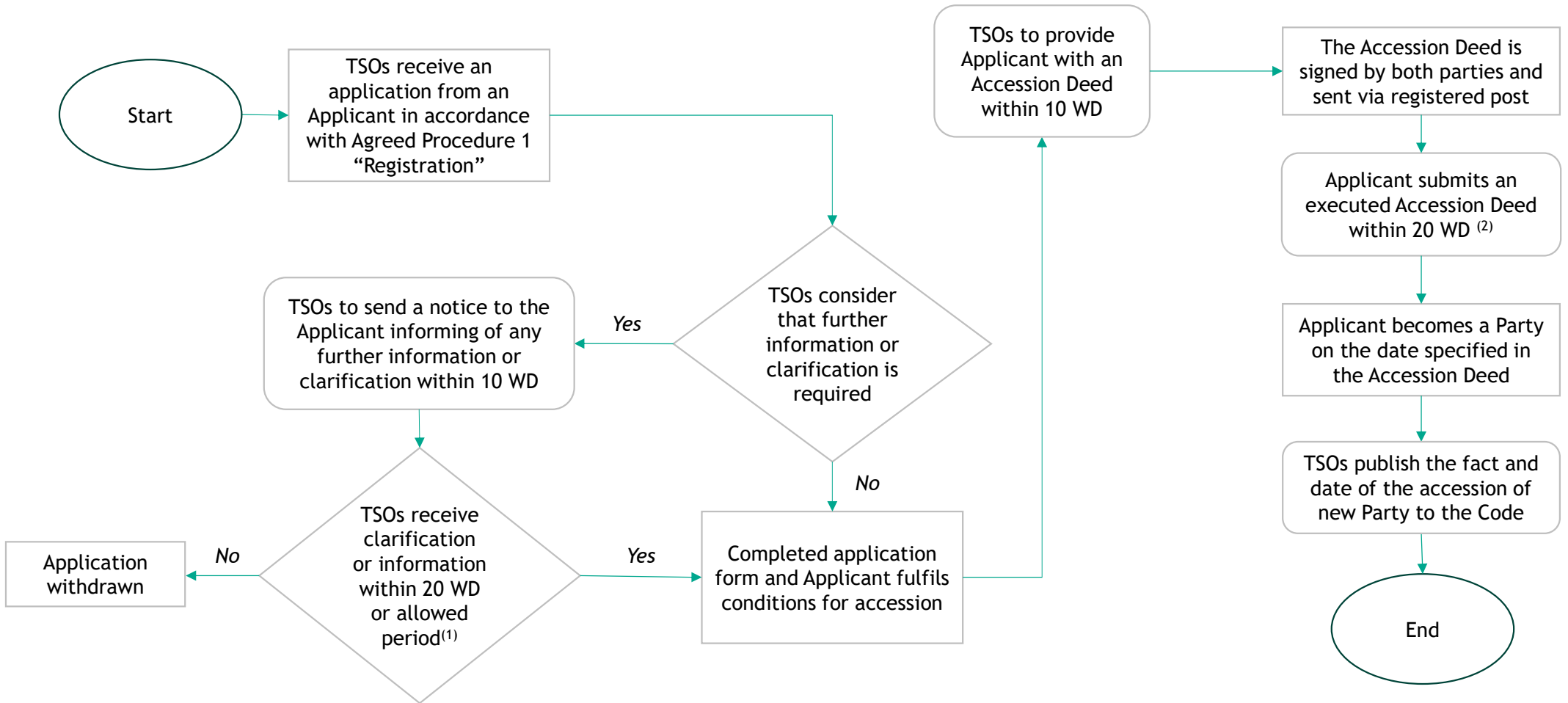
Providing Units that have no involvement in providing System Services are not required to accede to the System Services Code.

A person may only become a Party to the System Services Code (“the Code”) in accordance with the terms of the Code and the System Services Framework Agreement. The original signatories to the Framework Agreement, as determined by the Regulatory Authorities, are Parties to the Code and are not required to complete the Accession Process.

In order to become a Party, a person (the “Applicant”) who is not an Original Party shall complete and sign an application form provided for in Agreed Procedure [“Participant Registration and Deregistration”] and shall submit it to the TSOs. The application form specifies all conditions which the Applicant must meet to become a Party which including that the Applicant shall;

1. pay the Accession Fee<sup>(8)</sup> ;
2. [be registered as a Party under the Trading and Settlement Code where necessary as per section 4.1]; and
3. when provided, execute the Accession Deed to adhere to the System Services Framework Agreement and this Code.

## Accession to the System Services Code Process



(1) An Applicant may request additional time to provide any clarification or additional information and the TSOs shall not unreasonably withhold consent to any such request.

(2) An Applicant may request additional time to submit an executed Accession Deed and the TSOs shall not unreasonably withhold consent to any such request, provided that the date of receipt of the executed Accession Deed shall be earlier than the effective date specified in the Accession Deed.

# Section 4: Participation, Accession and Registration

## 4.2 Accession to the System Services Code

Obligations on parties that accede to the code will be as for the Trading and Settlement Code. And can be paraphrased as follows:

1. Complying with the Code
2. Not obstruct the operation of the Code
3. Grant authority to the System Services TSOs to recover shortfalls /bad debt under the Code
4. Act only with the approval of the Regulatory Authorities where this is required.
5. Comply with Prudent Electric Utility Practice.
6. Maintain and comply with all other regulatory/legal instruments required of it under the Code.
7. Make payments required of it.
8. Provide accurate data when required;
9. Provide data in a timely manner when required; and
10. Provide all reasonable assistance to the TSOs.

# Section 4: Participation, Accession and Registration

## 4.3 Party Registration

- Registration is a process whereby a party gains the ability to participate in certain System Services Market processes [as distinct from being a party to the System Services Code].
- Party registration will be an open application process maintained by the TSOs throughout the year with party registration forms and a registration packs available on the TSO website. Party registration submissions can be made at any time via a portal managed by the TSOs.
- Following submission of the relevant documentation the TSOs will contact the participant within 40 Working Days of the information being submitted and request clarification where necessary. Should clarifications be required from a participant, this must be received within 20 Working Days following the date on which the TSOs requested the clarification. The TSOs will within 90 days of receiving a complete application, when applicable, confirm formally that all required information has been submitted by the applicant and send an acceptance notification to the applicant informing them that they have registered as a party and notify them of the associated Effective Date and Expiry date.
- Each party shall have a unique identifier ID, which cannot be changed once assigned.
- There are several key elements to party registration for which documentation will need to be submitted, these will be outlined in detail in an Agreed Procedure and Registration Pack. This includes information relating to Declarations (e.g Director, Group Affiliate, Sub-contractor), Financial and Economic Standing, Health & Safety, Environment and Employment.

# Section 4: Participation, Accession and Registration

## 4.4 Intermediaries

A Party (or an Applicant, as applicable) may, as an Intermediary, register a system services unit, which is owned or controlled by a third party (the Unit Owner), as a Unit under the Code.

The Intermediary must be a Party to the Code provided that an Applicant may submit an application to register units as an Intermediary prior to becoming a Party except that registration of Units shall not take effect until the Applicant has become a Party. For the purposes of the appointment of an Intermediary under the Code, the person appointing the Intermediary is not required to be a Party to the Code.

An Intermediary may register any Unit in accordance with the registration procedure provided that:

- the Regulatory Authorities have consented to the registration of the relevant Unit by the Intermediary; and
- the Intermediary has submitted a Form of Authority to the TSOs, executed by the Intermediary and the Unit Owner.

The Intermediary shall, for the purposes of the Code, be the Participant for any unit registered in respect of the Intermediary in accordance with the Code unless and until its authority under the Form of Authority has expired or been revoked.

# Section 4: Participation, Accession and Registration

## 4.5 Providing Unit Registration

Providing Unit registration submissions can also be made via a portal managed by the TSOs. Only a registered party is allowed to register a unit. However, unit registration can occur simultaneously if the party registration application is currently in progress.

Following submission of the relevant documentation the TSOs will contact the participant within X working days of the information being submitted and request clarification where necessary. The TSO when applicable will confirm formally that all required information has been submitted by the registered party and to send acceptance to the applicant so that the unit can be confirmed as registered.

Unit registration will be outlined in an Agreed Procedure with required forms included in a Registration Pack. This however would require information relating to:

- ✓ Unit Identifier (unique)
- ✓ Unit Name
- ✓ Site name
- ✓ Confirmation that there is a corresponding registered unit in the Balancing Market (a prerequisite to register a unit for the DASSA)
- ✓ Grid coordinates of the Connection Point
- ✓ Metering reference (MPRN)
- ✓ Jurisdiction
- ✓ Zone

# Section 4: Participation, Accession and Registration

## 4.5 Providing Unit Registration

Specific requirements that must be met to successfully complete unit registration which would be outlined in detail in an Agreed Procedure may include:

- For Distribution connected Providing Units, formal notification from the relevant Distribution Operator confirming appropriate operational protocols are in place is required.

Participants will provide as part of this:

- a TSO-approved System Services Test Report
- a site-specific Wiring Certificate
- meet the minimum capability required is 1MW / 1Mvar / 100MWs<sup>2</sup> as applicable to each service.
- Unless stated otherwise, all quantities provided must be at the Connection Point.
- For Fast Acting Reserve services, the Providing Unit must have monitoring equipment installed on site.

It is important to note that all information submitted as part of the unit registration process will be superseded by that contained within Approved TSO test reports.

A unit may only qualify to participate in DASSA, Secondary Trading and FAM following the Qualification process set out in section 5.



# Section Overview

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# Section 5: Qualification

## 5.1 Qualification Registration

- The qualification process will determine a service provider's capabilities to provide one or more services together with the quality levels and maximum quantity of service a unit can provide, where applicable.
- Only Qualified Units can participate in the FASS processes (DASSA, Secondary Trading, FAM, settlement).
- The TSO will make available a **Qualification Pack**, which will contain a unique identifier/publication date and shall contain a full list of information required for a Unit to be successfully verified as qualified to provide a specific Systems Services product. The Qualification Pack is expected also to be published manually via the TSO website(s).
- The Qualification application will be validated by the TSOs for completeness.

# Section 5: Qualification

## 5.1 Qualification Registration (cont.)

Qualification submissions can be made on a rolling basis via a portal managed by the TSOs. The participant Information to be received as part of the Qualification Process includes:

- ✓ Party Name
- ✓ Unit Name
- ✓ System Service Product
- ✓ Reserve Characteristic
- ✓ PQ Capability
- ✓ Eligible Capacity

The TSOs will review the Qualification information provided by the registered Party and request clarifications where necessary from the registered Party. The TSO shall request information from the relevant DSO should the service provider be connected to the distribution network.

- All of the information included as part of the Qualification Process must be supported by an Approved TSO Test report.
- Unit information emanating from the Qualification Process supersedes any indicative information provided by that as part of Unit or Qualification Registration.
- Should the unit not hold an approved TSO Test report, a test must be booked as part of the Qualification Process.
- Qualification cannot complete in the absence of an approved TSO Test report.
- Where units have previously qualified to provide system services under DS3, those testing results are considered valid (TBC on product review) for FASS unless the unit has applied to alter any details e.g. quality type/ maximum generation.

# Section 5: Qualification

## 5.1 Qualification Registration (cont.)

### *5.1.1 Qualification Testing Process*

The qualification process will undergo a highly iterative process for testing between the TSO, Service Providers and DSOs (where necessary) in order to provide specific test evidence for different System Service Products.

#### *5.1.1.1 Testing Requirements*

All of the relevant Testing requirements and procedures will also be made available within the Qualification Pack. Following completion of testing, the TSO will issue an Approved Test Report to the unit outlining the approved volumes and quality levels for participation in DASSA, Secondary Trading and FAM, following completion of the Testing process.

### *5.1.2 Qualification Outcomes*

All information arising from the Qualification Process will supersede that provided as part of unit registration or earlier in qualification registration. TSOs have a 90-day SLA to confirm acceptance or rejection of the qualification application. Once approved Service Providers, Party/Unit and Product is added to System Service Register.

# Overview of Required Documentation

## Accession Pack

- Director's Declaration regarding due execution of the Accession Deed
- Documents the TSO may request to ensure satisfaction of due execution (e.g. company constitution extracts, Board Resolutions etc.)
- Pay the Accession Fee ;
- Be registered as a Party under the Trading and Settlement Code where necessary as per section 4.1; and
- When provided, execute the Accession Deed to adhere to the System Services Framework Agreement and this Code.

## Registration Pack

- Contact Details of the Tenderer
- General Declaration
- Exclusionary Criteria
- Financial and Economic Standing
- Self-Declaration of Financial and Economic Capacity
- Tax Clearance
- Insurance (employers' liability and public liability)
- Health & Safety, environment and employment

## Qualification Pack

- Party Name
- Unit Name
- System Service Product
- Reserve Characteristic
- PQ Capability
- Eligible Capacity