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18 November 2019

Emergency and Restoration EU Network Code Regulatory proposals (amended proposal)

Dear Leonardo,

In accordance with *COMMISSION REGULATION (EU) 2017/2196 of 24 November 2017 establishing a network code on electricity emergency and restoration (NCER)*, the Transmission System Operators (TSO) of a member state are required to submit the following proposals to the relevant regulatory authority;

- a) the terms and conditions to act as a Defence Service Provider on a contractual basis in accordance with Article 4;
- b) the terms and conditions to act as Restoration Service Providers on a contractual basis in accordance with Article 4.
- c) The list of SGUs responsible for implementing on their installations the measures that result from mandatory requirements set out in Regulations (EU) 2016/631, (EU) 2016/1388 and (EU) 2016/1447 and/or from national legislation and the list of the measures to be implemented by these SGUs, identified by the TSOs under Art. 11(4)(c) and 23(4)(c);
- d) the list of high priority significant grid users referred to in Articles 11(4)(d) and 23(4)(d) or the principles applied to define those and the terms and conditions for disconnecting and re-energising the high priority grid users, unless defined by the national legislation of Member States.
- e) the rules for suspension and restoration of market activities in accordance with Article 36(1);
- f) specific rules for imbalance settlement and settlement of balancing energy in case of suspension of market activities, in accordance with Article 39(1);
- g) the test plan in accordance with Article 43(2).

This obligation was assigned to National Grid as National Electricity System Operator (NGESO) in the TSO allocation dated 10 January 2018¹.

¹ <https://www.ofgem.gov.uk/publications-and-updates/minded-decision-assignment-tso-obligations-under-three-eu-network-codes>

After a [consultation](#) process NG ESO submitted the [first proposals](#) for NCER on 18 December 2018 and on 21 June 2019 Ofgem published a [First Request for Amendment](#) to this proposal.

In response NGESO carried out a second consultation exercise and then submitted a [second proposal](#) on 19 August 2019. Ofgem considered the second proposal and on 23 October 2019 published a [Second Request for Amendment](#) .

In this second request Ofgem highlighted the need to make further amendments to the T&Cs for Defence Service and Restoration Service Providers, the SGU list and the High Priority SGU list.

In addition, on 21 May 2019 NGESO had resubmitted the rules for suspension and restoration of market activities and rules for imbalance which are pending a decision from Ofgem.

What have we changed?

- 1) Replaced the broad references in the mapping with detailed references to the specific provisions of the relevant codes in the T&Cs for compliance with Article 4(4)(a) and 4(4)(b) NCER.
- 2) Provided references to the codes, defining the possibility of and conditions for aggregation of defence and restoration service providers in the T&Cs for compliance with Article 4(4)(b).
- 3) Amended the criteria for the list of SGUs to include all SGUs who are subject to the mandatory requirements of the RfG, DCC and HVDC codes. Appendix A of the System Defence plan and System Restoration plan contain this information and state that it will be CUSC parties that are required to implement measures where required.
- 4) NGESO will include the legal guidance for the proposed allocation of measures to the SGUs in the final submission to Ofgem on 21 December 2019.
- 5) Replaced the broad references in the mapping of the measures to be implemented by SGUs with detailed references to the specific provisions of the Grid Code for compliance with Article 11(4)(c) and 23(4)(c).
- 6) Amended Appendix B of the System Defence Plan and System Restoration plan on the proposal of High Priority SGUs to ensure consistency between the documents and the Grid Cod on the High Priority SGUs in GB.

With the exception of the minor changes contained in Grid Code modifications [GC0127/128](#), no additional GB code provisions have been identified as necessary to complete the T&Cs and to implement the System Defence and Restoration Plans. Hence, there will be no intermediate methodology of the T&Cs within the system defence/restoration plans produced by NGESO and all obligations have been mapped to existing GB code requirements. It is planned to submit GC0127/8 to the Authority for a decision at the beginning of December 2019 following the conclusion of the ongoing public consultation on these changes.

NGESO will now also proceed with proposing amendments to the relevant GB codes to ensure the alignment of the code modification process with the amendment process set out in article 7 of NCER for changes to any code provisions that fall within the mapped T&Cs for defence and restoration service providers.

If you have any queries regarding this proposal, please contact Rob Wilson on Robert.Wilson2@nationalgrid.com.

Yours Sincerely

Rob Wilson

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