

## GC0132 Original solution and WAGCM2

All legal text for WAGCM2 is the same as the Original apart from GR.15.12 would be removed, GR.19.1(g) added and GR22.2(l), GR.22.13 and the definition of EBGL Article 18 Terms and Conditions amended as below.

### WAGCM2 Changes from Original:

- ~~GR.15.12~~ ~~Where a **Grid Code Modification Proposal** constitutes an **EBGL Amendment**, **The Company**, when undertaking its role in the **Grid Code Review Panel** or **Working Groups** during the **Grid Code Modification Process**, shall provide justification for including or not including the views of stakeholders resulting from the **Code Administrator** consultation.~~
- GR.19.1(g) Where a **Grid Code Modification Proposal** constitutes an **EBGL Amendment**, the **Grid Code Review Panel** shall provide a sound justification for including or not including the views of stakeholders resulting from the **Code Administrator** consultation taking into account the EBGL Recitals and the objectives set out in Article 3 of EBGL.
- GR22.2(l) whether the **Grid Code Modification Proposal** or any **Workgroup Alternative Grid Code Modification(s)** constitutes an **EBGL Amendment** and if so, and in addition to (i) above, **The Grid Code Review Panel's** a sound justification for including or not including the views resulting from the relevant consultation in the **Grid Code Modification Report** taking into account the EBGL Recitals and the objectives set out in Article 3 of EBGL.
- GR.22.13 Where GR.22.9 and/or GR.22.11 is applied to a **Grid Code Modification Proposal** which constitutes an **EBGL Amendment**, ~~**The Grid Code Review Panel Company**~~ shall submit an amended **Grid Code Modification Report** within two months following notification of the requirement from the **Authority**.

<b>EBGL Article 18 Terms and Conditions</b>	Terms and conditions which have been approved by the <b>Authority</b> pursuant to and for the purposes of Article 18 of <b>European Regulation (EU) 2017/2195</b> . In the context of the Grid Code these terms and conditions are identified for convenience in Grid Code <b>Governance Rules</b> Annex GR.B and as such which is amended from time to time <u>in accordance with the process set out in Articles 4, 5, 6 and 10 of EBGL.</u>
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### Original Text:

#### Glossary & Definitions Section:

<u><b>EBGL Amendment</b></u>	<u>Any amendment to the Grid Code which amends the <b>EBGL Article 18 Terms and Conditions</b> including to introduce a new provision for the purposes of Article 18 into the Grid Code.</u>
<u><b>EBGL Article 18 Terms and Conditions</b></u>	<u>Terms and conditions which have been approved by the <b>Authority</b> pursuant to and for the purposes of Article 18 of <b>European Regulation (EU) 2017/2195</b>. In the context of</u>

	<p><u>the Grid Code these terms and conditions are identified for convenience in Grid Code Governance Rules Annex GR.B and as such which is amended from time to time.</u></p>
<b>Self-Governance Criteria</b>	<p>A proposed Modification that, if implemented,</p> <ul style="list-style-type: none"> <li>(a) is unlikely to have a material effect on: <ul style="list-style-type: none"> <li>(i) existing or future electricity consumers; and</li> <li>(ii) competition in the generation, distribution, or supply of electricity or any commercial activities connected with the generation, distribution or supply of electricity; and</li> <li>(iii) the operation of the National Electricity Transmission System; and</li> <li>(iv) matters relating to sustainable development, safety or security of supply, or the management of market or network emergencies; and</li> <li>(v) the Grid Code's governance procedures or the Grid Code's modification procedures, and</li> </ul> </li> <li>(b) is unlikely to discriminate between different classes of Users; <u>and-</u></li> </ul> <p><u>(c) will not constitute an EBGL Amendment.</u></p>
<b>Standard Modifications</b>	<p>A <b>Grid Code Modification Proposal</b> that does not fall within the scope of a <b>Significant Code Review</b> subject to any direction by the <b>Authority</b> pursuant to GR.16.3 and GR.16.4, nor meets the <b>Self-Governance Criteria</b> subject to any direction by the <b>Authority</b> pursuant to GR.24.4 and in accordance with any direction under GR.24.2. <u>A Grid Code Modification Proposal that constitutes an EBGL Amendment shall be a Standard Modification except where it is an Urgent.Modification.</u></p>

# GOVERNANCE RULES

## (GR)

### GR.15 GRID CODE MODIFICATION PROPOSALS

GR.15.1 A proposal to modify the **Grid Code** may be made:

- (a) by any **User**; any **Authorised Electricity Operator** liable to be materially affected by such a proposal; the **Citizens Advice** or the **Citizens Advice Scotland**;
- (b) under GR.25.5, by the **Grid Code Review Panel**; or
- (c) by the **Authority**:
  - (i) following publication of its **Significant Code Review** conclusions; or
  - (ii) under GR.17; or
  - (iii) in order to comply with or implement the **Electricity Regulation** and/or any relevant legally binding decisions of the European Commission and/or the **Agency**.

GR.15.2 A **Standard Modification** shall follow the procedure set out in GR.18 to GR.22.

GR.15.3 A **Grid Code Modification Proposal** shall be submitted in writing to the **Panel Secretary** and, subject to the provisions of GR.15.4 below, shall contain the following information in relation to such proposal:

- (a) the name of the **Proposer**;
- (b) the name of the representative of the **Proposer** who shall represent the **Proposer** in person for the purposes of this GR.15;
- (c) a description (in reasonable but not excessive detail) of the issue or defect which the proposed modification seeks to address;
- (d) a description (in reasonable but not excessive detail) of the proposed modification and of its nature and purpose;
- (e) where possible, an indication of those parts of the **Grid Code** which would require amendment in order to give effect to (and/or would otherwise be affected by) the proposed modification and an indication of the nature of those amendments or effects;
- (f) the reasons why the **Proposer** believes that the proposed modification would better facilitate achievement of the **Grid Code Objectives** as compared with the current version of the **Grid Code** together with background information in support thereof;
- (g) the reasoned opinion of the **Proposer** as to why the proposed modification should not fall within a current **Significant Code Review**, whether the proposed modification should be treated as a **Self-Governance Modification** or whether the proposed modification fails to meet the **Self- Governance Criteria** and as a result should proceed along the **Standard Modification** route;
- (h) the reasoned opinion of the **Proposer** as to whether that impact is likely to be material and if so an assessment of the quantifiable impact of the proposed modification on greenhouse gas emissions, to be conducted in accordance with such current guidance on the treatment of carbon costs and evaluation of the greenhouse gas emissions as may be issued by the **Authority** from time to time;
- (i) where possible, an indication of the impact of the proposed modification on **Core Industry Documents** and the **STC**;
- (j) where possible, an indication of the impact of the proposed modification on relevant

computer systems and processes used by **Users**;

(k) whether or not (and to the extent) that in the pProposer's view the **Grid Code Modification Proposal** constitutes an **EBGL Amendment**.

- GR.15.4 The pProposer of a **Grid Code Fast Track Proposal** is not required to provide the items referenced at GR.15.3 (f) – (j) inclusive, unless either:
- (a) the **Grid Code Review Panel** has, pursuant to GR.26.5 or GR.26.6, not agreed unanimously that the **Grid Code Fast Track Proposal** meets the **Fast Track Criteria**, or has not unanimously approved the **Grid Code Fast Track Proposal**; or
  - (b) there has been an objection to the **Approved Fast Track Proposal** pursuant to GR.26.12, whereupon the **Proposer** shall be entitled to provide the additional information required pursuant to GR.15.3 for a **Grid Code Modification Proposal** within 28 days of the **Panel Secretary's** request. Where the **Proposer** fails to provide the additional information in accordance with such timescales, the **Panel Secretary** may reject such proposal in accordance with GR.15.5.
- GR.15.5 If a proposal fails in any material respect to provide the information in GR.15.3 (excluding (e), (i) and (j) thereof), the **Panel Secretary** may reject such proposal provided that:
- (a) the **Panel Secretary** shall furnish the **Proposer** with the reasons for such rejection;
  - (b) the **Panel Secretary** shall report such rejection to the **Grid Code Review Panel** at the next **Grid Code Review Panel** meeting, with details of the reasons;
  - (c) if the **Grid Code Review Panel** decides or the **Authority** directs to reverse the **Panel Secretary's** decision to refuse the submission, the **Panel Secretary** shall notify the **Proposer** accordingly and the proposal shall be dealt with in accordance with these Governance Rules;
  - (d) nothing in these Governance Rules shall prevent a **Proposer** from submitting a revised proposal in compliance with the requirements of GR.15.3 in respect of the same subject-matter.
- GR.15.6 Without prejudice to the development of a **Workgroup Alternative Grid Code Modification(s)** pursuant to GR.20.10 and GR.20.15, the **Grid Code Review Panel** shall direct in the case of (a), and may direct in the case of (b), the **Panel Secretary** to reject a proposal pursuant to GR.15, other than a proposal submitted by **The Company** pursuant to a direction issued by the **Authority** following a **Significant Code Review** in accordance with GR.16.4, or an Authority Led modification, if and to the extent that such proposal has, in the opinion of the **Grid Code Review Panel**, substantially the same effect as:
- (a) a **Pending Grid Code Modification Proposal**; or
  - (b) a **Rejected Grid Code Modification Proposal**, where such proposal is made at any time within two (2) months after the decision of the **Authority** not to direct **The Company** to modify the **Grid Code** pursuant to the **Transmission Licence** in the manner set out in such **Grid Code Modification Proposal**, and the **Panel Secretary** shall notify the **Proposer** accordingly.
- GR.15.7 Promptly upon receipt of a **Grid Code Modification Proposal**, the **Panel Secretary** shall:
- (a) allocate a unique reference number to the **Grid Code Modification Proposal**;
  - (b) enter details of the **Grid Code Modification Proposal** on the **Grid Code Modification Register**;
  - (b)(c) note whether in the pProposer's view the **Grid Code Modification Proposal**

- GR.15.8 Subject to GR.8.6 and GR.26, where the **Grid Code Modification Proposal** is received more than ten (10) **Business Days** prior to the next **Grid Code Review Panel** meeting, the **Panel Secretary** shall place the **Grid Code Modification Proposal** on the agenda of the next **Grid Code Review Panel** meeting and otherwise shall place it on the agenda of the next succeeding **Grid Code Review Panel** meeting.
- GR.15.9 It shall be a condition to the right to make a proposal to modify the **Grid Code** under this GR.15 that the **Proposer**:
- (a) grants a non-exclusive royalty free licence to all **Users** who request the same covering all present and future rights, **IPRs** and moral rights it may have in such proposal (as regards use or application in Great Britain); and
  - (b) warrants that, to the best of its knowledge, information and belief, no other person has asserted to the **Proposer** that such person has any **IPRs** or normal rights or rights of confidence in such proposal, and, in making a proposal, a **Proposer** which is a **Grid Code Party** shall be deemed to have granted the licence and given the warranty in (a) and (b) above.
  - (c) The provisions of this GR.15.9 shall apply to any **WG Consultation Alternative Request**, and also to a **Relevant Party** supporting a **Grid Code Modification Proposal** in place of the original **Proposer** in accordance with GR.15.10 (a) for these purposes the term **Proposer** shall include any such **Relevant Party** or a person making such a **WG Consultation Alternative Request**.
- GR.15.10 Subject to GR.16.1, which deals with the withdrawal of a **Grid Code Modification Proposal** made pursuant to a direction following a **Significant Code Review**, a **Proposer** may withdraw his support for a **Standard Modification** by notice to the **Panel Secretary** at any time prior to the **Grid Code Review Panel Recommendation Vote** undertaken in relation to that **Standard Modification** pursuant to GR.22.4, and a **Proposer** may withdraw his support for a **Grid Code Modification Proposal** that meets the **Self-Governance Criteria** by notice to the **Panel Secretary** at any time prior to the **Grid Code Review Panel Self-Governance Vote** undertaken in relation to that **Grid Code Modification Proposal** pursuant to GR.24.9, and a **Proposer** may withdraw his support for a **Grid Code Fast Track Proposal** by notice to the **Panel Secretary** at any time prior to the **Panel's** vote on whether to approve the **Grid Code Fast Track Proposal** pursuant to GR.26 in which case the **Panel Secretary** shall forthwith:
- (a) notify those parties specified in GR.15.1 as relevant in relation to the **Grid Code Modification Proposal** in question (a "**Relevant Party**") that he has been notified of the withdrawal of support by the **Proposer** by publication on the **Website** and (where relevant details are supplied) by electronic mail. A **Relevant Party** may within five (5) **Business Days** notify the **Panel Secretary** that it is prepared to support the **Grid Code Modification Proposal** in place of the original **Proposer**. If such notice is received, the name of such **Relevant Party** shall replace that of the original **Proposer** as the **Proposer**, and the **Grid Code Modification Proposal** shall continue. If more than one notice is received, the first received shall be utilised;
  - (b) if no notice of support is received under (a), the matter shall be discussed at the next **Grid Code Review Panel** meeting. If the **Grid Code Review Panel** so agrees, it may notify **Relevant Parties** that the **Grid Code Modification Proposal** is to be withdrawn, and a further period of five (5) **Business Days** shall be given for support to be indicated by way of notice;
  - (c) if no notice of support is received under (a) or (b), the **Grid Code Modification Proposal** shall be marked as withdrawn on the **Grid Code Modification Register**; Code Administrator as Critical Friend
- GR.15.11 The **Code Administrator** shall provide assistance insofar as is reasonably practicable and on reasonable request to parties with an interest in the **Grid Code Modification Proposal** process that request it in relation to the **Grid Code**, as provided for in the **Code Administration Code of Practice**, including, but not limited to, assistance with:

- (a) Drafting a **Grid Code Modification Proposal**;
- (b) Understanding the operation of the **Grid Code**;
- (c) Their involvement in, and representation during, the **Grid Code Modification Proposal** process (including but not limited to **Grid Code Review Panel**, and/or **Workgroup** meetings) as required or as described in the **Code Administration Code of Practice**; and
- (d) accessing information relating to **Grid Code Modification Proposals** and/or **Approved Modifications**.

GR.15.12 Where a **Grid Code Modification Proposal** constitutes an **EBGL Amendment**, **The Company**, when undertaking its role in the **Grid Code Review Panel** or **Working Groups** during the **Grid Code Modification Process**, shall provide justification for including or not including the views of stakeholders resulting from the **Code Administrator consultation**.

## **GR.18 GRID CODE MODIFICATION PROPOSAL EVALUATION**

- GR.18.1 This GR.18 is subject to the **Urgent Modification** procedures set out in GR.23 and the **Significant Code Review** procedures set out in GR.16.
- GR.18.2 A **Grid Code Modification Proposal** shall, subject to GR.15.8, be discussed by the **Grid Code Review Panel** at the next following **Grid Code Review Panel** meeting convened.
- GR.18.3 The **Proposer's** representative shall attend such **Grid Code Review Panel** meeting and the **Grid Code Review Panel** may invite the **Proposer's** representative to present his **Grid Code Modification Proposal** to the **Grid Code Review Panel**.
- GR.18.4 The **Grid Code Review Panel** shall evaluate each **Grid Code Modification Proposal** against the **Self-Governance Criteria**.
- GR.18.5 The **Grid Code Review Panel** shall follow the procedure set out in GR.24 in respect of any **Modification** that the **Grid Code Review Panel** considers meets the **Self-Governance Criteria** unless the **Authority** makes a direction in accordance with GR.24.2 and in such a case that **Modification** shall be a **Standard Modification** and shall follow the procedure set out in GR.19, GR.20, GR.21 and GR.22.
- GR.18.6 Unless the **Authority** makes a direction in accordance with GR.24.4, a **Modification** that the **Grid Code Review Panel** considers does not meet the **Self-Governance Criteria** shall be a **Standard Modification** and shall follow the procedure set out in GR.19, GR.20, GR.21 and GR.22.
- GR.18.7 The **Grid Code Review Panel** shall evaluate each **Grid Code Fast Track Proposal** against the **Fast Track Criteria**.
- GR.18.8 The **Grid Code Review Panel** shall follow the procedure set out in GR.26 in respect of any **Grid Code Fast Track Proposal**. The provisions of GR.19 to GR.24 shall not apply to a **Grid Code Fast Track Proposal**.

GR.18.9 The **Grid Code Review Panel** shall evaluate each **Grid Code Modification Proposal** and determine whether the **Grid Code Modification Proposal** constitutes an **EBGL Amendment** (and in the event of disagreement **The Company's** view shall prevail).

## **GR.19 PANEL PROCEEDINGS**

- GR.19.1 (a) The **Code Administrator** and the **Grid Code Review Panel** shall together establish a timetable to apply for the **Grid Code Modification Proposal** process. That timetable must comply with any direction(s) issued by the **Authority** setting and/or amending a timetable in relation to a **Grid Code Modification Proposal** that is in the



respect of a **Significant Code Review**.

- (b) The **Grid Code Review Panel** shall establish the part of the timetable for the consideration by the **Grid Code Review Panel** and by a **Workgroup** (if any) which shall be no longer than six months unless in any case the particular circumstances of the **Grid Code Modification Proposal** (taking due account of its complexity, importance and urgency) justify an extension of such timetable, and provided the **Authority**, after receiving notice, does not object, taking into account all those issues.
- (c) The **Code Administrator** shall establish the part of the timetable for the consultation to be undertaken by the **Code Administrator** under these **Governance Rules** and separately the preparation of a **Grid Code Modification Report** to the **Authority**. Where the particular circumstances of the **Grid Code Modification Proposal** (taking due account of its complexity, importance and urgency) justify an extension of such timescales and provided the **Authority**, after receiving notice, does not object, taking into account all those issues, the **Code Administrator** may revise such part of the timetable.
- (d) In setting such a timetable, the **Grid Code Review Panel** and the **Code Administrator** shall exercise their respective discretions such that, in respect of each **Grid Code Modification Proposal**, a **Grid Code Modification Report** may be submitted to the **Authority** as soon after the **Grid Code Modification Proposal** is made as is consistent with the proper evaluation of such **Grid Code Modification Proposal**, taking due account of its complexity, importance and urgency.
- (e) Having regard to the complexity, importance and urgency of particular **Grid Code Modification Proposals**, the **Grid Code Review Panel** may determine the priority of **Grid Code Modification Proposals** and may (subject to any objection from the **Authority** taking into account all those issues) adjust the priority of the relevant **Grid Code Modification Proposal** accordingly.
- (e)(f) where the **Grid Code Modification Proposal** constitutes an **EBGL Amendment** the timetable shall be such that the **Code Administrator's** consultation is not less than one month.

GR.19.2

In relation to each **Grid Code Modification Proposal**, the **Grid Code Review Panel** shall determine at any meeting of the **Grid Code Review Panel** whether to:

- (a) amalgamate the **Grid Code Modification Proposal** with any other **Grid Code Modification Proposal**;
- (b) establish a **Workgroup** of the **Grid Code Review Panel**, to consider the **Grid Code Modification Proposal**;
- (c) review the evaluation made pursuant to GR.18.4, taking into account any new information received; or
- (d) proceed directly to wider consultation (in which case the **Proposer's** right to vary his **Grid Code Modification Proposal** shall lapse).

GR.19.3

The **Grid Code Review Panel** may decide to amalgamate a **Grid Code Modification Proposal** with one or more other **Grid Code Modification Proposals** where the subject-matter of such **Grid Code Modification Proposals** is sufficiently proximate to justify amalgamation on the grounds of efficiency and/or where such **Grid Code Modification Proposals** are logically dependent on each other. Such amalgamation may only occur with the consent of the **Proposers** of the respective **Grid Code Modification Proposals**. The **Authority** shall be entitled to direct that a **Grid Code Modification Proposal** is not amalgamated with one or more other **Grid Code Modification Proposals**.

GR.19.4

Without prejudice to each **Proposer's** right to withdraw his **Grid Code Modification Proposal** prior to the amalgamation of his **Grid Code Modification Proposal** where **Grid Code Modification Proposals** are amalgamated pursuant to GR.19.3:

- (a) such **Grid Code Modification Proposals** shall be treated as a single **Grid Code Modification Proposal**;

- (b) references in these **Governance Rules** to a **Grid Code Modification Proposal** shall include and apply to a group of two or more **Grid Code Modification Proposals** so amalgamated; and
- (c) the **Proposers** of each such **Grid Code Modification Proposal** shall cooperate in deciding which of them is to provide a representative for any **Workgroup** in respect of the amalgamated **Grid Code Modification Proposal** and, in default of agreement, the **Panel Chairman** shall nominate one of the **Proposers** for that purpose.

GR.19.5 In respect of any **Grid Code Modification Proposal** that the **Grid Code Review Panel** determines to proceed directly to wider consultation in accordance with GR.19.2, the **Grid Code Review Panel**, may at any time prior to the **Grid Code Review Panel Recommendation Vote** having taken place decide to establish a **Workgroup** of the **Grid Code Review Panel** and the provisions of GR.20 shall apply. In such case the **Grid Code Review Panel** shall be entitled to adjust the timetable referred to at GR.19.1(b) and the **Code Administrator** shall be entitled to adjust the timetable referred to at GR.19.1(c), provided that the **Authority**, after receiving notice, does not object.

## GR.21 THE CODE ADMINISTRATOR CONSULTATION

GR.21.1 In respect of any **Grid Code Modification Proposal** where a **Workgroup** has been established GR.21.2 to GR.21.6 shall apply.

GR.21.2 After consideration of any **Workgroup** report on the **Grid Code Modification Proposal** and if applicable any **Workgroup Alternative Grid Code Modification(s)** by the **Grid Code Review Panel** and a determination by the **Grid Code Review Panel** to proceed to wider consultation, the **Code Administrator** shall bring to the attention of and consult on the **Grid Code Modification Proposal** and if applicable any **Workgroup Alternative Grid Code Modification(s)** with:

- (i) **Users; and**
- (ii) such other persons who may properly be considered to have an appropriate interest in it, including **Small Participants**, the **Citizens Advice** and the **Citizens Advice Scotland**; and
- (iii) where the **Grid Code Modification Proposal** and, if applicable, any **Workgroup Alternative Grid Code Modification(s)** constitutes an **EBGL Amendment**, with the **Authority** and other relevant stakeholders.

GR.21.3 The consultation will be undertaken by issuing a Consultation Paper (and its provision in electronic form on the **Website** and in electronic mails to **Users** and such other persons, who have supplied relevant details, shall meet this requirement).

GR.21.4 The Consultation Paper will contain:

- (a) the proposed drafting for the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)** (unless the **Authority** decides none is needed in the **Grid Code Modification Report** under GR.21.5) and will indicate the issues which arose in the **Workgroup** discussions, where there has been a **Workgroup** and will incorporate **The Company's** and the **Grid Code Review Panel's** initial views on the way forward; and
- (b) the date proposed by the **Code Administrator** as the **Proposed Implementation Date** and, where the **Workgroup** terms of reference require and the dates proposed by the **Workgroup** are different from those proposed by the **Code Administrator**, those proposed by the **Workgroup**. In relation to a **Grid Code Modification Proposal** that meets the **Self-Governance Criteria**, the **Code Administrator** may not propose an implementation date earlier than the sixteenth (16) **Business Day** following the publication of the **Grid Code Review Panel's** decision to approve or reject the **Grid Code Modification Proposal**. Views will be invited on these dates.

GR.21.5 Where the **Grid Code Review Panel** is of the view that the proposed text to amend the Grid Code for a **Grid Code Modification Proposal** or **Workgroup**



**Alternative Grid Code Modification(s)** is not needed in the **Grid Code Modification Report**, ~~(and provided the **Grid Code Modification Proposal** or any **Workgroup Alternative Grid Code Modification(s)** does not constitute an **EBGL Amendment**)~~, -the **Grid Code Review Panel** shall consult (giving its reasons as to why it is of this view) with the **Authority** as to whether the **Authority** would like the **Grid Code Modification Report** to include the proposed text to amend the **Grid Code**. If it does not, no text needs to be included. If it does, and no detailed text has yet been prepared, the **Code Administrator** shall prepare such text to modify the **Grid Code** in order to give effect to such **Grid Code Modification Proposal** or **Workgroup Alternative Grid Code Modification(s)** and shall seek the conclusions of the relevant **Workgroup** before consulting those identified in GR.21.2.

GR.21.6 Consultation Papers will be copied to **Core Industry Document Owners** and the secretary of the **STC** committee.

GR.21.7 In respect of any **Grid Code Modification Proposal** where a **Workgroup** has not been established GR.21.8 to GR.21.11 shall apply.

GR.21.8 After determination by the **Grid Code Review Panel** to proceed to wider consultation, such consultation shall be conducted by the **Code Administrator** on the **Grid Code Modification Proposal** with:

- (i) **Users**; ~~and~~
- ~~(ii)~~ such other persons who may properly be considered to have an appropriate interest in it, including **Small Participants**, the **Citizens Advice** and the **Citizens Advice Scotland**; ~~and-~~
- ~~(ii)(iii)~~ where the **Grid Code Modification Proposal** and, if applicable, any **Workgroup Alternative Grid Code Modification(s)** constitutes an **EBGL Amendment** with the **Authority** and other relevant stakeholders.

GR.21.9 The consultation will be undertaken by issuing a Consultation Paper (and its provision in electronic form on the **Website** and in electronic mails to **Users** and such other persons, who have supplied relevant details, shall meet this requirement).

GR.21.10 The Consultation Paper will contain:

- (a) the proposed drafting for the **Grid Code Modification Proposal** (unless the Authority decides none is needed in the **Grid Code Modification Report** under GR.21.11) and will incorporate **The Company's** and the **Grid Code Review Panel's** initial views on the way forward; and
- (b) the date proposed by the **Code Administrator** as the **Proposed Implementation Date**. Views will be invited on this date.

GR.21.11 Where the **Grid Code Review Panel** is of the view that the proposed text to amend the **Grid Code** for a **Grid Code Modification Proposal** is not needed ~~(and provided the **Grid Code Modification Proposal** or any **Workgroup Alternative Grid Code Modification(s)** does not constitute an **EBGL Amendment**)~~, the **Grid Code Review Panel** shall consult (giving its reasons to why it is of this view) with the **Authority** as to whether the **Authority** would like the **Grid Code Modification Report** to include the proposed text to amend the **Grid Code**. If it does not, no text needs to be included. If it does, and no detailed text has yet been prepared, the **Code Administrator** shall prepare such text to modify the **Grid Code** in order to give effect to such **Grid Code Modification Proposal** and consult those identified in GR.21.2.

## GR.22 GRID CODE MODIFICATION REPORTS

GR.22.1 Subject to the **Code Administrator's** consultation having been completed, the **Grid Code Review Panel** shall prepare and submit to the **Authority** a report (the "**Grid Code Modification Report**") in accordance with this GR.22 for each **Grid Code Modification Proposal** which is not withdrawn.

GR.22.2 The matters to be included in a **Grid Code Modification Report** shall be the following (in respect of the **Grid Code Modification Proposal**):

- (a) A description of the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)**, including the details of, and the rationale for, any variations made (or, as the case may be, omitted) by the **Proposer** together with the views of the **Workgroup**;
- (b) the **Panel Members' Recommendation**;
- (c) a summary (agreed by the **Grid Code Review Panel**) of the views (including any recommendations) from **Panel Members** in the **Grid Code Review Panel Recommendation Vote** and the conclusions of the **Workgroup** (if there is one) in respect of the **Grid Code Modification Proposal** and of any **Workgroup Alternative Grid Code Modification(s)**;
- (d) an analysis of whether (and, if so, to what extent) the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)** would better facilitate achievement of the **Grid Code Objective(s)** with a detailed explanation of the **Grid Code Review Panel's** reasons for its assessment, including, where the impact is likely to be material, an assessment of the quantifiable impact of the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)** on greenhouse gas emissions, to be conducted in accordance with such current guidance on the treatment of carbon costs and evaluation of the greenhouse gas emissions as may be issued by the **Authority** from time to time, and providing a detailed explanation of the **Grid Code Review Panel's** reasons for that assessment;
- (e) an analysis of whether (and, if so, to what extent) any **Workgroup Alternative Grid Code Modification(s)** would better facilitate achievement of the **Grid Code Objective(s)** as compared with the **Grid Code Modification Proposal** and any other **Workgroup Alternative Grid Code Modification(s)** and the current version of the **Grid Code**, with a detailed explanation of the **Grid Code Review Panel's** reasons for its assessment, including, where the impact is likely to be material, an assessment of the quantifiable impact of the **Workgroup Alternative Grid Code Modification(s)** on greenhouse gas emissions, to be conducted in accordance with such current guidance on the treatment of carbon costs and evaluation of the greenhouse gas emissions as may be issued by the **Authority** from time to time, and providing a detailed explanation of the **Grid Code Review Panel's** reasons for that assessment;
- (f) the **Proposed Implementation Date** taking into account the views put forward during the process described at GR.21.4 (b) such date to be determined by the **Grid Code Review Panel** in the event of any disparity between such views and those of the **Code Administrator**;
- (g) an assessment of:
  - (i) the impact of the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)** on the **Core Industry Documents** and the **STC**;
  - (ii) the changes which would be required to the **Core Industry Documents** and the **STC** in order to give effect to the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)**;
  - (iii) the mechanism and likely timescale for the making of the changes referred to in (ii);
  - (iv) the changes and/or developments which would be required to central computer systems and, if practicable, processes used in connection with the operation of arrangements established under the **Core Industry Documents** and the **STC**;
  - (v) the mechanism and likely timescale for the making of the changes referred to in (iv);
  - (vi) an estimate of the costs associated with making and delivering the changes referred to in (ii) and (iv), such costs are expected to relate to: for (ii) the costs of amending the **Core Industry Document(s)** and **STC** and for (iv) the costs of changes to computer systems and possibly processes which are established for the operation of the **Core Industry Documents** and the **STC**, together with an analysis and a summary of representations in relation to such matters, including any made by **Small Participants**, the **Citizens Advice** and the

## Citizens Advice Scotland;

- (h) to the extent such information is available to the **Code Administrator**, an assessment of the impact of the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)** on **Users** in general (or classes of **Users** in general), including the changes which are likely to be required to their internal systems and processes and an estimate of the development, capital and operating costs associated with implementing the changes to the **Grid Code** and to **Core Industry Documents** and the **STC**;
- (i) copies of (and a summary of) all written representations or objections made by consultees during the consultation in respect of the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)** and subsequently maintained;
- (j) a copy of any impact assessment prepared by **Core Industry Document Owners** and the **STC** committee and the views and comments of the **Code Administrator** in respect thereof;
- (k) whether or not, in the opinion of **The Company**, the **Grid Code Modification Proposal** (or any **Workgroup Alternative Grid Code Modification(s)**) should be made<sub>:-</sub>

~~(k)(l)~~ whether the **Grid Code Modification Proposal** or any **Workgroup Alternative Grid Code Modification(s)** constitutes an **EBGL Amendment** and if so, and in addition to (i) above, **The Company's** justification for including or not including the views resulting from the relevant consultation in the **Grid Code Modification Report**.

GR.22.3 A draft of the **Grid Code Modification Report** will be circulated by the **Code Administrator** to **Users**, **Panel Members** and such other persons who may properly be considered to have an appropriate interest in it (and its provision in electronic form on the **Website** and in electronic mails to **Users** and **Panel Members**, who must supply relevant details, shall meet this requirement) and a period of no less than five (5) **Business Days** given for comments to be made thereon. Any unresolved comments made shall be reflected in the final **Grid Code Modification Report**.

GR.22.4 A draft of the **Grid Code Modification Report** shall be tabled at the **Panel Meeting** prior to submission of that **Grid Code Modification Report** to the **Authority** as set in accordance with the timetable established pursuant to GR.19.1 at which the Panel may consider any minor changes to the legal drafting and:

- (i) if the change required is a typographical error the **Grid Code Review Panel** may instruct the **Code Administrator** to make the appropriate change and the **Panel Chairman** will undertake the **Grid Code Review Panel Recommendation Vote**; or
- (ii) if the change required is not considered to be a typographical error then the **Grid Code Review Panel** may direct the **Workgroup** to review the change. If the **Workgroup** unanimously agree that the change is minor the **Grid Code Review Panel** may instruct the **Code Administrator** to make the appropriate change and the **Panel Chairman** will undertake the **Grid Code Review Panel Recommendation Vote** otherwise the **Code Administrator** shall issue the **Grid Code Modification Proposal** for further **Code Administrator** consultation after which the **Panel Chairman** will undertake the **Grid Code Review Panel Recommendation Vote**.
- (iii) if a change is not required after consideration, the **Panel Chairman** will undertake the **Grid Code Review Panel Recommendation Vote**.

GR.22.5 A draft of the **Grid Code Modification Report** following the **Grid Code Review Panel Recommendation Vote** will be circulated by the **Code Administrator** to **Panel Members** (and in electronic mails to **Panel Members**, who must supply relevant details, shall meet this requirement) and a period of no less than five (5) **Business Days** given for comments to be made on whether the **Grid Code Modification Report** accurately reflects the views of the **Panel Members** as expressed at the **Grid Code Review Panel Recommendation Vote**. Any unresolved comments made shall be reflected in the final **Grid Code**

## **Modification Report.**

- GR.22.6 Each **Grid Code Modification Report** shall be addressed and furnished to the **Authority** and none of the facts, opinions or statements contained in such may be relied upon by any other person.
- GR.22.7 Subject to GR.22.9 to GR.22.12, in accordance with the **Transmission Licence**, the **Authority** may approve the **Grid Code Modification Proposal** or a **Workgroup Alternative Grid Code Modification(s)** contained in the **Grid Code Modification Report** (which shall then be an "**Approved Modification**" until implemented).
- GR.22.8 The **Code Administrator** shall copy (by electronic mail to those persons who have supplied relevant details to the **Code Administrator**) the **Grid Code Modification Report** to:
- (i) each **Panel Member**; and
  - (ii) any person who may request a copy, and shall place a copy on the **Website**.
- GR.22.9 **Revised Fixed Proposed Implementation Date**
- GR.22.9.1 Where the **Proposed Implementation Date** included in a **Grid Code Modification Report** is a **Fixed Proposed Implementation Date** and the **Authority** considers that the **Fixed Proposed Implementation Date** is or may no longer be appropriate or might otherwise prevent the **Authority** from making such decision by reason of the effluxion of time the **Authority** may direct the **Grid Code Review Panel** to recommend a revised **Proposed Implementation Date**.
- GR.22.9.2 Such direction may:
- (a) specify that the revised **Proposed Implementation Date** shall not be prior to a specified date;
  - (b) specify a reasonable period (taking into account a reasonable period for consultation) within which the **Grid Code Review Panel** shall be requested to submit its recommendation; and
  - (c) provide such reasons as the **Authority** deems appropriate for such request (and in respect of those matters referred to in GR.22.9.2 (a) and (b) above).
- GR.22.9.3 Before making a recommendation to the **Authority**, the **Grid Code Review Panel** will consult on the revised **Proposed Implementation Date**, and may in addition consult on any matters relating to the **Grid Code Modification Report** which in the **Grid Code Review Panel's** opinion have materially changed since the **Grid Code Modification Report** was submitted to the **Authority** and where it does so the **Grid Code Review Panel** shall report on such matters as part of its recommendation under **Grid Code** GR.22.9.4, with:
- (a) **Users**; and
  - (b) such other persons who may properly be considered to have an appropriate interest in it. Such consultation will be undertaken in accordance with GR.21.3 and GR.21.6.
- GR.22.9.4 Following the completion of the consultation held pursuant to GR.22.9.3 the **Grid Code Review Panel** shall report to the **Authority** with copies of all the consultation responses and recommending a **Revised Proposed Implementation Date**.
- GR.22.9.5 The **Authority** shall notify the **Grid Code Review Panel** as to whether or not it intends to accept the **Revised Proposed Implementation Date** and where the **Authority** notifies the **Grid Code Review Panel** that it intends to accept the **Revised Proposed Implementation Date**, the **Revised Proposed Implementation Date** shall be deemed to

be the **Proposed Implementation Date** as specified in the **Grid Code Modification Report**.

GR.22.10 **Authority Approval**

If:

- (a) the **Authority** has not given notice of its decision in respect of a **Grid Code Modification Report** within two (2) calendar months (in the case of an **Urgent Modification**), or four (4) calendar months (in the case of all other **Grid Code Modification Proposals**) from the date upon which the **Grid Code Modification Report** was submitted to it; or
- (b) the **Grid Code Review Panel** is of the reasonable opinion that the circumstances relating to the **Grid Code Modification Proposal** and/or **Workgroup Alternative Grid Code Modification** which is the subject of a **Grid Code Modification Report** have materially changed, the **Grid Code Review Panel** may request the **Panel Secretary** to write to the **Authority** requesting the **Authority** to give an indication of the likely date by which the **Authority's** decision on the **Grid Code Modification Proposal** will be made.

GR.22.11 If the **Authority** determines that the **Grid Code Modification Report** is such that the **Authority** cannot properly form an opinion on the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)**, it may issue a direction to the **Grid Code Review Panel**:

- (a) specifying the additional steps (including drafting or amending existing drafting associated with the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)**), revision (including revision to the timetable), analysis or information that it requires in order to form such an opinion; and
- (b) requiring the **Grid Code Modification Report** to be revised and to be resubmitted.

GR.22.12 If a **Grid Code Modification Report** is to be revised and re-submitted in accordance with a direction issued pursuant to GR.22.11, it shall be re-submitted as soon after the **Authority's** direction as is appropriate, taking into account the complexity, importance and urgency of the **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)**. The **Grid Code Review Panel** shall decide on the level of analysis and consultation required in order to comply with the **Authority's** direction and shall agree an appropriate timetable for meeting its obligations. Once the **Grid Code Modification Report** is revised, the **Grid Code Review Panel** shall carry out its **Grid Code Review Panel Recommendation Vote** again in respect of the revised **Grid Code Modification Report** and re-submit it to the **Authority** in compliance with GR.22.4 to GR.22.6.

GR.22.13 Where GR.22.9 and/or GR.22.11 is applied to a **Grid Code Modification Proposal** which constitutes an **EBGL Amendment**, **The Company** shall submit an amended **Grid Code Modification Report** within two months following notification of the requirement from the **Authority**.

GR.23 **URGENT MODIFICATIONS**

GR.23.1 If a **Relevant Party** recommends to the **Panel Secretary** that a proposal should be treated as an **Urgent Modification** in accordance with this GR.23, the **Panel Secretary** shall notify the **Panel Chairman** who shall then, in accordance with GR.23.2 (a) to (e) inclusive, and notwithstanding anything in the contrary in these Governance Rules, endeavour to obtain the views of the **Grid Code Review Panel** as to the matters set out in GR.23.3. If for any reason the **Panel Chairman** is unable to do that, the **Panel Secretary** shall attempt to do so (and the measures to be undertaken by the **Panel Chairman** in the following paragraphs shall in such case be undertaken by the **Panel Secretary**).

## GR.23.2

- (a) The **Panel Chairman** shall determine the time by which, in his opinion, a decision of the **Grid Review Panel** is required in relation to such matters, having regard to the degree of urgency in all circumstances, and references in this GR.23.1 to the “time available” shall mean the time available, based on any such determination by the **Panel Chairman**;
- (b) The **Panel Secretary** shall, at the request of the **Panel Chairman**, convene a meeting or meetings (including meetings by telephone conference call, where appropriate) of the **Grid Code Review Panel** in such manner and upon such notice as the **Panel Chairman** considers appropriate, and such that, where practicable within the time available, as many **Panel Members** as possible may attend;
- (c) Each **Panel Member** shall be deemed to have consented, for the purposes of GR.8.9. to the convening of such meeting or meetings in the manner and on the notice determined by the **Panel Chairman**. GR.8.10 shall not apply to any such business.
- (d) Where:
  - (i) it becomes apparent, in seeking to convene a meeting of the **Grid Code Review Panel** within the time available, that quorum will not be present; or
  - (ii) it transpires that the meeting of the **Grid Code Review Panel** is not quorate and it is not possible to rearrange such meeting within the time available, the **Panel Chairman** shall endeavour to contact each **Panel Member** individually in order to ascertain such Panel Member’s vote, and (subject to GR.23.2 (e)) any matter to be decided shall be decided by a majority of those **Panel Members** who so cast a vote. Where, for whatever reason no decision is reached, the **Panel Chairman** shall proceed to consult with the **Authority** in accordance with GR.23.5;
- (e) Where the **Panel Chairman** is unable to contact at least four **Panel Members** within the time available and where:
  - (i) It is only **The Company**, who has recommended that the proposal should be treated as an **Urgent Modification**, then those **Panel Members** contacted shall decide such matters, such decision may be a majority decision. Where in such cases no decision is made for whatever reason, the **Panel Chairman** shall proceed to consult with the **Authority** in accordance with GR.23.5; or
  - (ii) any **User** (including any **Authorised Electricity Operator**; **The Company** or a **Materially Affected Party**), the **Citizens Advice** or the **Citizens Advice Scotland** has recommended that the proposal should be treated as an **Urgent Modification**, then the **Panel Chairman** may decide the matter (in consultation with those **Panel Members** (if any) which he managed to contact) provided that the **Panel Chairman** shall include details in the relevant **Grid Code Modification Report** of the steps which he took to contact other **Panel Members** first.

## GR.23.3

The matters referred to in GR.23.1 are:

- (a) whether such proposal should be treated as an **Urgent Modification** in accordance with this GR.23 and
- (b) the procedure and timetable to be followed in respect of such **Urgent Modification** which in the case of a **Grid Code Modification Proposal** which constitutes an **EBGL Amendment** shall meet the minimum consultation period of one month.

## GR.23.4

The **Panel Chairman** or, in his absence, the **Panel Secretary** shall forthwith provide the **Authority** with the recommendation (if any) ascertained in accordance with GR.23.2 (a) to (e) inclusive, of the **Grid Code Review Panel** as to the matters referred to in GR.23.2, and shall consult the **Authority** as to whether such **Grid Code Modification Proposal** is an **Urgent Modification** and, if so, as to the procedure and timetable which should apply in respect thereof.

## GR.23.5

If the **Grid Code Review Panel** has been unable to make a recommendation in



accordance with GR.23.2.(d) or GR.23.2(e) as to the matters referred to in GR.23.3 then the **Panel Chairman** or, in his absence, the **Panel Secretary** may recommend whether he considers that such proposal should be treated as an **Urgent Modification** and shall forthwith consult the **Authority** as to whether such **Grid Code Modification Proposal** is an **Urgent Modification** and, if so, as to the procedure and timetable that should apply in respect thereof.

GR.23.6 The **Grid Code Review Panel** shall:

- (a) not treat any **Grid Code Modification Proposal** as an **Urgent Modification** except with the prior consent of the **Authority**;
- (b) comply with the procedure and timetable in respect of any **Urgent Modification** approved by the **Authority**; and
- (c) comply with any direction of the **Authority** issued in respect of any of the matters on which the **Authority** is consulted pursuant to GR.23.4 or GR.23.5.

GR.23.7 For the purposes of this GR.23.7, the procedure and timetable in respect of an **Urgent Modification** may (with the approval of the **Authority** pursuant to GR.23.4 or GR.23.5) deviate from all or part of the **Grid Code Modification Procedures** or follow any other procedure or timetable approved by the **Authority**, excepting in the case of a **Grid Code Modification Proposal** or any **Workgroup Alternative Grid Code Modification(s)** which constitutes an **EBGL Amendment**, which shall meet the minimum consultation period of one month. Where the procedure and timetable approved by the **Authority** in respect of an **Urgent Modification** do not provide for the establishment (or designation) of a **Workgroup** the **Proposer's** right to vary the **Grid Code Modification Proposal** pursuant to GR.15.10 and GR.20.23 shall lapse from the time and date of such approval.

GR.23.8 The **Grid Code Modification Report** in respect of an **Urgent Modification** shall include:

- (a) a statement as to why the **Proposer** believes that such **Grid Code Modification Proposal** should be treated as an **Urgent Modification**;
- (b) any statement provided by the **Authority** as to why the **Authority** believes that such **Grid Code Modification Proposal** should be treated as an **Urgent Modification**;
- (c) any recommendation of the **Grid Code Review Panel** (or any recommendation of the **Panel Chairman**) provided in accordance with GR.23 in respect of whether any **Grid Code Modification Proposal** should be treated as an **Urgent Modification**; and
- (d) the extent to which the procedure followed deviated from the process for **Standard Modifications** (other than the procedures in this GR.23).

GR.23.9 Each **Panel Member** shall take all reasonable steps to ensure that an **Urgent Modification** is considered, evaluated and (subject to the approval of the **Authority**) implemented as soon as reasonably practicable, having regard to the urgency of the matter and, for the avoidance of doubt, an **Urgent Modification** may (subject to the approval of the **Authority**) result in the **Grid Code** being amended on the day on which such proposal is submitted.

GR.23.10 Where an **Urgent Modification** results in an amendment being made in accordance with GR.25, the **Grid Code Review Panel** may or (where it appears to the **Grid Code Review Panel** that there is a reasonable level of support for a review amongst **Users**) shall following such amendment, establish a **Workgroup** on terms specified by the **Grid Code Review Panel** to consider and report as to whether any alternative amendment could, as compared with such amendment better facilitate achieving the **Grid Code Objectives** in respect of the subject matter of that **Urgent Modification**.

## GR.24 SELF-GOVERNANCE

GR.24.1 If the **Grid Code Review Panel**, having evaluated a **Grid Code Modification Proposal** against the **Self-Governance Criteria**, pursuant to GR.18.4,

considers that the **Grid Code Modification Proposal** meets the **Self-Governance Criteria**, the **Grid Code Review Panel** shall submit to the **Authority** a **Self-Governance Statement** setting out its reasoning in reasonable detail.

- GR.24.2 The **Authority** may, at any time prior to the **Grid Code Review Panel's** determination made pursuant to GR.24.9, give written notice that it disagrees with the **Self-Governance Statement** and may direct that the **Grid Code Modification Proposal** proceeds through the process for **Standard Modifications** set out in GR.19, GR.20, GR.21 and GR.22;
- GR.24.3 Subject to GR.24.2, after submitting a **Self-Governance Statement**, the **Grid Code Review Panel** shall follow the procedure set out in GR.19, GR.20, GR.21 and GR.22.
- GR.24.4 The **Authority** may issue a direction to the **Grid Code Review Panel** in relation to a **Modification** to follow the procedure set out for **Modifications** that meet the **Self-Governance Criteria**, notwithstanding that no **Self-Governance Statement** has been submitted or a **Self Governance Statement** has been retracted.
- GR.24.5 Subject to the **Code Administrator's** consultation having been completed pursuant to GR.21, the **Grid Code Review Panel** shall prepare a report (the "**Grid Code Modification Self- Governance Report**").
- GR.24.6 The matters to be included in a **Grid Code Modification Self-Governance Report** shall be the following (in respect of the **Grid Code Modification Proposal**):
- (a) details of its analysis of the **Grid Code Modification Proposal** against the **Self-Governance Criteria**;
  - (b) copies of all consultation responses received;
  - (c) the date on which the **Grid Code Review Panel Self-Governance Vote** shall take place, which shall not be earlier than seven (7) days from the date on which the **Grid Code Modification Self- Governance Report** is furnished to the **Authority** in accordance with GR.24.8; and
  - (d) such other information that is considered relevant by the **Grid Code Review Panel**.
- GR.24.7 A draft of the **Grid Code Modification Self-Governance Report** will be circulated by the **Code Administrator** to **Users** and **Panel Members** (and its provision in electronic form on the **Website** and in electronic mails to **Users** and **Panel Members**, who must supply relevant details, shall meet this requirement) and a period of no less than five (5) **Business Days** given for comments to be made thereon. Any unresolved comments made shall be reflected in the final **Grid Code Modification Self-Governance Report**.
- GR.24.8 Each **Grid Code Modification Self-Governance Report** shall be addressed and furnished to the **Authority** and none of the facts, opinions or statements contained in such **Grid Code Modification Self-Governance Report** may be relied upon by any other person.
- GR.24.9 Subject to GR.24.11, if the **Authority** does not give written notice that its decision is required pursuant to GR.24.2, or if the **Authority** determines that the **Self-Governance Criteria** are satisfied in accordance with GR.24.4, then the **Grid Code Modification Self-Governance Report** shall be tabled at the **Panel Meeting** following submission of that **Grid Code Modification Self-Governance Report** to the **Authority** at which the **Panel Chairman** will undertake the **Grid Code Review Panel Self-Governance Vote** and the **Code Administrator** shall give notice of the outcome of such vote to the **Authority** as soon as possible thereafter.
- GR.24.10 If the **Grid Code Review Panel** vote to approve the **Grid Code Modification Proposal** pursuant to GR.24.9 (which shall then be an "**Approved Grid Code Self-Governance Proposal**") until implemented).

- GR.24.11 The **Grid Code Review Panel** may at any time prior to the **Grid Code Review Panel's** determination retract a **Self-Governance Statement** subject to GR.24.4, or if the **Authority** notifies the **Grid Code Review Panel** that it has determined that a **Grid Code Modification Proposal** does not meet the **Self-Governance Criteria** the **Grid Code Review Panel** shall treat the **Grid Code Modification Proposal** as a **Standard Modification** and shall comply with GR.22, using the **Grid Code Modification Self-Governance Report** as a basis for its **Grid Code Modification Report**.
- GR.24.12 The **Code Administrator** shall make available on the **Website** and copy (by electronic mail to those persons who have supplied relevant details to the **Code Administrator**) the **Grid Code Modification Self-Governance Report** prepared in accordance with GR.24 to:
- (i) each **Panel Member**; and
  - (ii) any person who may request a copy, and shall place a copy on the **Website**.
- GR.24.13 A **User** (including any **Authorised Electricity Operator**; **The Company** or a **Materially Affected Party**), the **Citizens Advice** or the **Citizens Advice Scotland** may appeal to the **Authority** the approval or rejection by the **Grid Code Review Panel** of a **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)** in accordance with GR.24.9, provided that the **Panel Secretary** is also notified, and the appeal has been made up to and including fifteen (15) **Business Days** after the **Grid Code Review Panel Self-Governance Vote** has been undertaken pursuant to GR.24.9. If such an appeal is made, implementation of the **Grid Code Modification Proposal** shall be suspended pending the outcome. The appealing **User** (including any **Authorised Electricity Operator**; **The Company** or a **Materially Affected Party**), the **Citizens Advice** or the **Citizens Advice Scotland** must notify the **Panel Secretary** of the appeal when the appeal is made.
- GR.24.14 The **Authority** shall consider whether the appeal satisfies the following criteria:
- (a) The appealing party is, or is likely to be, unfairly prejudiced by the implementation or non-implementation of that **Grid Code Modification Proposal** or **Workgroup Alternative Grid Code Modification(s)**; or
  - (b) The appeal is on the grounds that, in the case of implementation, the **Grid Code Modification Proposal** or **Workgroup Alternative**
  - (c) -
  - (d) **Grid Code Modification(s)** may not better facilitate the achievement of at least one of the **Grid Code Objectives**; or
  - (e) The appeal is on the grounds that, in the case of non-implementation, the **Grid Code Modification Proposal** or **Workgroup Alternative Grid Code Modification(s)** may better facilitate the achievement of at least one of the **Grid Code Objectives**; and
  - (f) It is not brought for reasons that are trivial, vexatious or have no reasonable prospect of success and if the **Authority** considers that the criteria are not satisfied, it shall dismiss the appeal.
- GR.24.15 Following any appeal to the **Authority**, a **Grid Code Modification Proposal** or **Workgroup Alternative Grid Code Modification(s)** shall be treated in accordance with any decision and/or direction of the **Authority** following that appeal.
- GR.24.16 If the **Authority** quashes the **Grid Code Review Panel's** determination in respect of a **Grid Code Modification Proposal** or **Workgroup Alternative Grid Code Modification(s)** made in accordance with GR.24.9 and takes the decision on the relevant **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)** itself, following an appeal to the **Authority**, the **Grid Code Review Panel's** determination of that **Grid Code Modification Proposal** and any **Workgroup Alternative Grid Code Modification(s)** contained in the relevant **Grid Code Modification Self Governance Report** shall be treated as a **Grid Code Modification**

**Report** submitted to the **Authority** pursuant to GR.22.6 (for the avoidance of doubt, subject to GR.22.8 to GR.22.12) and the **Grid Code Review Panel's** determination shall be treated as its recommendation pursuant to GR.22.4.

- GR.24.17 If the **Authority** quashes the **Grid Code Review Panel's** determination in respect of a **Grid Code Modification Proposal** or **Workgroup Alternative Grid Code Modification(s)** made in accordance with GR.24.9, the **Authority** may, following an appeal to the **Authority**, refer the **Grid Code Modification Proposal** back to the **Grid Code Review Panel** for further re-consideration and a further **Grid Code Review Panel Self-Governance Vote**.
- GR.24.18 Following an appeal to the **Authority**, the **Authority** may confirm the **Grid Code Review Panel's** determination in respect of a **Grid Code Modification Proposal** or **Workgroup Alternative Grid Code Modification(s)** made in accordance with GR.24.9.

## **GR.25 IMPLEMENTATION**

- GR.25.1 The **Grid Code** shall be modified either in accordance with the terms of the direction by the **Authority** relating to, or other approval by the **Authority** of, the **Grid Code Modification Proposal** or any **Workgroup Alternative Grid Code Modification(s)** contained in the relevant **Grid Code Modification Report**, or in respect of **Grid Code Modification Proposals** or any **Workgroup Alternative Grid Code Modification(s)** that are subject to the determination of the **Grid Code Review Panel** pursuant to GR.24.9, in accordance with the relevant **Grid Code Modification Self-Governance Report** subject to the appeal procedures set out in GR.24.13 to GR.24.18.
- GR.25.2 The **Code Administrator** shall forthwith notify (by publication on the **Website** and, where relevant details are supplied by electronic mail):
- (a) each **User**;
  - (b) each **Panel Member**;
  - (c) the **Authority**;
  - (d) each **Core Industry Document Owner**,
  - (e) the secretary of the **STC** committee;
  - (f) each **Materially Affected Party**; and
  - (g) the **Citizens Advice** and the **Citizens Advice Scotland** of the change so made and the effective date of the change.
- GR.25.3 A modification of the **Grid Code** shall take effect from the time and date specified in the direction, or other approval, from the **Authority** referred to in GR.25.1 or, in the absence of any such time and date in the direction or approval, from 00:00 hours on the day falling ten (10) **Business Days** after the date of such direction, or other approval, from the **Authority**. A modification of the **Grid Code** pursuant to GR.24.9 shall take effect, subject to the appeal procedures set out in GR.24.13 to GR.24.18, from the time and date specified by the **Code Administrator** in its notice given pursuant to GR.25.2, which shall be given after the expiry of the fifteen (15) **Business Day** period set out in GR.24.13 to allow for appeals, or where an appeal is raised in accordance with GR.24.13, on conclusion of the appeal in accordance with GR.24.15 or GR.24.18 but where conclusion of the appeal is earlier than the fifteen (15) **Business Day** period set out in GR.24.13, notice shall be given after the expiry of this period. A modification of the **Grid Code** pursuant to GR.26 shall take effect from the date specified in the **Grid Code Modification Fast Track Report**.
- GR.25.4 A modification made pursuant to and in accordance with GR.25.1 shall not be impaired or invalidated in any way by any inadvertent failure to comply with or give effect to this Section.
- GR.25.5 If a modification is made to the **Grid Code** in accordance with the **Transmission Licence** but other than pursuant to the other **Grid Code Modification Procedures** in these **Governance Rules**, the **Grid Code Review Panel** shall determine whether or not to submit the modification for review by a **Workgroup** established on terms specified by the **Grid Code Review Panel** to consider and report as to whether any alternative modification could, as compared with such modification better facilitate achieving the **Grid Code Objectives** in respect of the subject matter of the original modification. Where

such a **Workgroup** is established the provisions of GR.20 shall apply as if such a modification were a **Grid Code Modification Proposal**.

#### Transitional Issues

GR.25.6 Notwithstanding the provisions of GR.25.3, Modification GC0~~132086~~ changes the **Grid Code** process for **Grid Code Modification Proposals** and therefore may affect other **Grid Code Modification Proposals** which have not yet become Approved Modifications. Consequently, this GR.25.6 deals with issues arising out of the implementation of Modification GC0~~132086~~. In particular this deals with which version of the Grid Code process for **Grid Code Modification Proposals** will apply to **Grid Code Modification Proposal(s)** which were already instigated prior to the implementation of Modification GC0~~132086~~.

Any **Grid Code Modification Proposal** in respect of which a **Grid Code Modification Report** has been sent to the **Authority** prior to the date and time of implementation of Modification GC0~~132086~~ is known as an “Old Modification”. Any **Grid Code Modification Proposal** in respect of which a **Grid Code Modification Report** has not been sent to the **Authority** as at the date and time of implementation of Modification GC0~~132086~~ is known as a “New Modification”. The Grid Code provisions which will apply to any Old Modification(s) are the provisions of the Grid Code in force immediately prior to the implementation of GC0~~132086~~. The provisions of the Grid Code which will apply to any New Modifications are the provisions of the Grid Code in force and as amended from time to time.

## **ANNEX GR.B**

### **Mapping of EBGL Article 18 Terms and Conditions for Balancing Service Providers and Balancing responsible Parties to the Grid Code**

This table constitutes the mapping of the Terms and Conditions for Balancing Services Providers to the GB Frameworks. As such it contains references to not only the Grid Code but also Standard Contract Terms (SCTs) and the Balancing and Settlement Code (BSC). It is presented as approved by Ofgem on 8 October 2019, and may be amended from time to time if so being subject to further approval.

<b><u>Article</u></b>	<b><u>Text</u></b>	<b><u>Code</u></b>	<b><u>Section</u></b>
<b><u>18.2</u></b>	<u>The terms and conditions pursuant to paragraph 1 shall also include the rules for suspension and restoration of market activities pursuant to Article 36 of Regulation (EU) 2017/2196 and rules for settlement in case of market suspension pursuant to Article 39 of Regulation (EU) 2017/2196 once approved in accordance with Article 4 of Regulation (EU) 2017/2196.</u>	<u>Grid Code</u>	<u>OC9.4</u>
		<u>BSC</u>	<u>G3</u>
<b><u>18.4</u></b>	<u>The terms and conditions for balancing service providers shall:</u>		
<b><u>18.4.a</u></b>	<u>define reasonable and justified requirements for the provisions of balancing services;</u>	<u>Grid Code</u>	<u>BC1, BC2, BC3 &amp; BC4</u>
		<u>SCT</u>	<u>FFR Section 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8 and 3.13</u> <u>STOR Section 2.2, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6 and 3.13</u> <u>FR section 2.2, 3.1, 3.2, 3.3, 3.4, and 3.10</u> <u>EFR section 6</u>
		<u>BSC</u>	<u>BSC Section A, H3, H4.2, H4.7, H4.8, H5.5, H6, H10, J3.3, J3.6, J3.7 and J3.8</u>



		<u>CUSC</u>	<u>Section 4.1.3</u>
<u>18.4.b</u>	<u>allow the aggregation of demand facilities, energy storage facilities and power generating facilities in a scheduling area to offer balancing services subject to conditions referred to in paragraph 5 (c);</u>	<u>BSC</u>	<u>K3.3, K8, S6.2, S6.3 and S11</u>
		<u>Grid Code</u>	<u>DRSC 4.2, BC1.4</u>
<u>18.4.c</u>	<u>allow demand facility owners, third parties and owners of power generating facilities from conventional and renewable energy sources as well as owners of energy storage units to become balancing service providers;</u>	<u>BSC</u>	<u>K3.2, K3.3, K8</u>
<u>18.4.d</u>	<u>require that each balancing energy bid from a balancing service provider is assigned to one or more balance responsible parties to enable the calculation of an imbalance adjustment pursuant to Article 49.</u>	<u>BSC</u>	<u>T4, Q7.2, Q6.4</u>
<u>18.5</u>	<u>The terms and conditions for balancing service providers shall contain:</u>	<u>-</u>	<u>-</u>
<u>18.5.a</u>	<u>the rules for the qualification process to become a balancing service provider pursuant to Article 16;</u>	<u>BSC</u>	<u>J3.3, J3.6, J3.7, J3.8, K3.2, K3.3 and K8</u>
		<u>Standard Contract Terms</u>	<u>FFR 4</u> <u>FR 4</u> <u>STOR 2.2</u> <u>EFR 5</u>
		<u>Grid Code</u>	<u>, BC5,</u> <u>BC4.4.2</u>
		<u>CUSC</u>	<u>Section 4.1</u>

<u>Article</u>	<u>Text</u>	<u>Code</u>	<u>Section</u>
<u>18.5.b</u>	<u>the rules, requirements and timescales for the procurement and transfer of balancing capacity pursuant to Articles 32, 33 and 34;</u>	<u>Standard Contract Terms</u>	<u>STOR</u> <u>section 2</u> <u>FR section 2</u> <u>FFR Section 2<sup>1</sup></u>

<sup>1</sup> The obligations on BSPs / BRPs associated with A34 transfer of balancing capacity (the process which would be followed to transfer obligations for providing balancing capacity) will be set out accordingly in SCTs/ code after the annual update process and is planned for December 2019. At the moment transfers only occur in the event of takeover of a company or a novation. .

<b><u>18.5.c</u></b>	the rules and conditions for the aggregation of demand facilities, energy storage facilities and power generating facilities in a scheduling area to become a balancing service provider;	<u>BSC</u>	<u>K3.3 and K8</u>
		<u>Grid Code</u>	<u>BC1.4 and BC1.A.10</u>
<b><u>18.5.d</u></b>	the requirements on data and information to be delivered to the connecting TSO and, where relevant, to the reserve connecting DSO during the prequalification process and operation of the balancing market;	<u>BSC</u>	<u>BSC Section O</u>
		<u>Grid Code</u>	<u>DRC, BC5 BC1.4,</u>
		<u>Standard Contract Terms</u>	<u>STOR - Section 3.13.1, 3.13.2 and 4.7.4</u>
			<u>FFR - Section 4.2</u>
			<u>Fast Reserve – Section 3.10.1 and 3.10.2</u>
			<u>EFR Section 5, 6.38 to 6.42</u>
		<u>CUSC</u>	<u>Section 4.1.3.14 and 4.1.3.19</u>
<b><u>18.5.e</u></b>	the rules and conditions for the assignment of each balancing energy bid from a balancing service provider to one or more balance responsible parties pursuant to paragraph 4 (d);	<u>BSC</u>	<u>T4</u>
<b><u>18.5. f</u></b>	the requirements on data and information to be delivered to the connecting TSO and, where relevant, to the reserve connecting DSO to evaluate the provisions of balancing services pursuant to Article 154(1), Article 154(8), Article 158(1)(e), Article 158(4)(b), Article 161(1)(f) and Article 161(4)(b) of Regulation (EU) 2017/1485;	<u>Grid Code</u>	<u>Grid Code BC1.4, BC1.A.10,</u>
		<u>Standard Contract Terms</u>	<u>STOR - Section 3.13</u>
			<u>FFR - Section 4</u>
			<u>Fast Reserve – Section 3.10</u>
			<u>EFR Section 6.38 to 6.42</u>
		<u>CUSC</u>	<u>4.1.3.19</u>
<b><u>18.5. g</u></b>	the definition of a location for each standard product and each specific product taking into account	<u>Grid Code</u>	<u>BC1.4</u>

	<u>paragraph 5 (c):</u>		
<u>18.5.h</u>	<u>the rules for the determination of the volume of balancing energy to be settled with the balancing service provider pursuant to Article 45;</u>	<u>BSC</u>	<u>BSC T3</u>
<u>18.5.i</u>	<u>the rules for the settlement of balancing service providers defined pursuant to Chapters 2 and 5 of Title V;</u>	<u>BSC</u>	<u>T1.14, T3 and U</u>
		<u>Standard Contract Terms</u>	<u>STOR - Section 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.13 and 4.3</u>
			<u>FFR - Section 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.13, and 5.2</u>
			<u>Fast Reserve – Section 3.1, 3.2, 3.3, 3.4, 3.10 and 5.3</u>
			<u>EFR Section 14</u>
		<u>CUSC</u>	<u>Section 4.1.3.9 and 4.1.3.9A</u>
<u>18.5.j</u>	<u>a maximum period for the finalisation of the settlement of balancing energy with a balancing service provider in accordance with Article 45, for any given imbalance settlement period;</u>	<u>BSC</u>	<u>U2.2</u>
		<u>Standard Contract Terms</u>	<u>STOR - Section 4.3</u>
			<u>FFR - Section 5.2</u>
			<u>Fast Reserve - Section 5.3</u>
			<u>EFR Section 14</u>
		<u>CUSC</u>	<u>Section 4.3.2.6</u>
<u>18.5.k</u>	<u>the consequences in case of non-compliance with the terms and conditions applicable to balancing service providers.</u>	<u>BSC</u>	<u>H3, Z7 and A5.2</u>
		<u>Standard Contract Terms</u>	<u>STOR - Section 3.6</u>
			<u>FFR - Section 3.6</u>
			<u>Fast Reserve – Section</u>

			<u>3.3.18</u>
			<u>EFR Section 16</u>
		<u>CUSC</u>	<u>Sections 4.1.3.9, 4.1.3.9A and 4.1.3.14</u>
<u>18.6</u>	<u>The terms and conditions for balance responsible parties shall contain:</u>	<u>-</u>	<u>-</u>
<u>18.6. a</u>	<u>the definition of balance responsibility for each connection in a way that avoids any gaps or overlaps in the balance responsibility of different market participants providing services to that connection;</u>	<u>BSC</u>	<u>K1.2, P3 and T4.5</u>
<u>18.6. b</u>	<u>the requirements for becoming a balance responsible party;</u>	<u>BSC</u>	<u>A, H3, H4.2, H4.7, H4.8, H5.5, H6, H10, J3.3, J3.6, J3.7, J3.8., K2, K3.3 and K8</u>
<u>18.6.c</u>	<u>the requirement that all balance responsible parties shall be financially responsible for their imbalances, and that the imbalances shall be settled with the connecting TSO;</u>	<u>BSC</u>	<u>N2, N6, N8, N12, and T4,</u>
<u>18.6. d</u>	<u>the requirements on data and information to be delivered to the connecting TSO to calculate the imbalances;</u>	<u>BSC</u>	<u>BSC Section O, Q3, Q5.3, Q5.6, Q6.2, Q6.3, Q6.4</u>
		<u>Grid Code</u>	<u>BC1.4.2,3,4, BC1 Appendix 1 BC2.5.1,</u>
<u>18.6. e</u>	<u>the rules for balance responsible parties to change their schedules prior to and after the intraday energy gate closure time pursuant to paragraphs 3 and 4 of Article 17;</u>	<u>BSC</u>	<u>P2</u>
		<u>Grid Code</u>	<u>BC1.4.3,4,</u>
<u>18.6.f</u>	<u>the rules for the settlement of balance responsible parties defined pursuant to Chapter 4 of Title V;</u>	<u>BSC</u>	<u>T4, U2</u>

<u>Article</u>	<u>Text</u>	<u>Code</u>	<u>Section</u>
<u>18.6.g</u>	<u>the delineation of an imbalance area pursuant to Article 54(2) and an imbalance price area;</u>		<u>GB constitutes one imbalance area and imbalance price area and they are</u>

			<u>equal to the synchronous area</u>
<u>18.6.h</u>	<u>a maximum period for the finalisation of the settlement of imbalances with balance responsible parties for any given imbalance settlement period pursuant to Article 54;</u>	<u>BSC</u>	<u>U2.2</u>
<u>18.6.i</u>	<u>the consequences in case of non-compliance with the terms and conditions applicable to balance responsible parties;</u>	<u>BSC</u>	<u>H3, Z7 and A5.2</u>
<u>18.6.j</u>	<u>an obligation for balance responsible parties to submit to the connecting TSO any modifications of the position;</u>	<u>BSC</u>	<u>P2</u>
<u>18.6.k</u>	<u>the settlement rules pursuant to Articles 52, 53, 54 and 55;</u>	<u>BSC</u>	<u>T4, U2</u>
<u>18.6.l</u>	<u>where existing, the provisions for the exclusion of imbalances from the imbalance settlement when they are associated with the introduction of ramping restrictions for the alleviation of deterministic frequency deviations pursuant to Article 137(4) of Regulation (EU) 2017/1485.</u>	<u>Deterministic frequency deviation is a continental European concept and is not a characteristic of the GB system. Therefore, this requirement does not apply to GB.<sup>2</sup></u>	<u>N/A</u>

#### Non- Mandatory elements

<u>Article</u>	<u>Text</u>	<u>Comment</u>
<u>18.7. a</u>	<u>a requirement for balancing service providers to provide information on unused generation capacity and other balancing resources from balancing service providers, after the day-ahead market gate closure time and after the intraday cross-zonal gate closure time;</u>	<u>NG ESO does not expect to require this from Balancing Service Providers.</u>
<u>18.7. b</u>	<u>where justified, a requirement for balancing service providers to offer the unused generation capacity or other balancing resources through balancing energy bids or integrated scheduling process bids in the balancing markets after day ahead market gate closure time, without</u>	<u>NG ESO does not expect to require this from Balancing Service Providers, except where balancing capacity or energy has been contracted. Although in the BM defaulting rules apply if data is not updated, there is no legal requirement for parties to offer unused generation capacity or any other balancing resource.</u>

<sup>2</sup> For more information on this phenomenon please [click here](#)

	<u>prejudice to the possibility of balancing service providers to change their balancing energy bids prior to the balancing energy gate closure time or the integrated scheduling process gate closure time due to trading within intraday market;</u>	
<b><u>18.7.c</u></b>	<u>where justified, a requirement for balancing service providers to offer the unused generation capacity or other balancing resources through balancing energy bids or integrated scheduling process bids in the balancing markets after intraday cross-zonal gate closure time;</u>	<u>NG ESO does not expect to require this from Balancing Service Providers, except where balancing capacity or energy has been contracted. Although in the BM defaulting rules apply if data is not updated, there is no legal requirement for parties to offer unused generation capacity or any other balancing resource.</u>
<b><u>18.7.d</u></b>	<u>specific requirements with regard to the position of balance responsible parties submitted after the day-ahead market timeframe to ensure that the sum of their internal and external commercial trade schedules equals the sum of the physical generation and consumption schedules, taking into account electrical losses compensation, where relevant;</u>	<u>NG ESO does not expect to require this from Balancing Service Providers. No BSC party is required to contract to match its Final Physical Notifications (FPNs).</u>
<b><u>18.7.e</u></b>	<u>an exemption to publish information on offered prices of balancing energy or balancing capacity bids due to market abuse concerns pursuant to Article 12(4)</u>	<u>NG ESO does not expect to require this exemption. Such data is published on BMRS.</u>
<b><u>18.7.f</u></b>	<u>an exemption for specific products defined in Article 26(3)(b) to predetermine the price of the balancing energy bids from a balancing capacity contract pursuant to Article 16(6)</u>	<u>Such an exemption is required to be requested by 18<sup>th</sup> June 2019. NG ESO shall consider if there is a requirement for this exemption in accordance with these timescales.</u>
<b><u>18.7.g</u></b>	<u>An application for the use of dual pricing for all imbalances based on the conditions established pursuant to Article 52(2)(d)(i) and the methodology for applying dual pricing pursuant to Article 52(2)(d)(ii).</u>	<u>NG ESO does not expect to apply for the use of dual pricing for all imbalances. A single imbalance price was adopted by the GB market in November 2015.</u>