

GC0149 Legal Text

P – Preface

P.2. The Grid Code is designed to: [...] (iv) efficiently discharge the obligations imposed upon the licensee by this license and to comply with the **Electricity Regulation** and any relevant **Legally Binding Decisions of the European Commission and/or the Agency** ~~legally binding decisions of the European Commission and/or the Agency~~.

GD – Glossary & Definitions

Authorised Certifier: An entity that issues **Equipment Certificates** and **Power Generating Module Documents** and whose accreditation is given by the ~~national affiliate of the European cooperation for Accreditation ('EA'), established in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council (1)~~. United Kingdom Accreditation Service or such other body as may be established from time to time to carry out the function of accreditation.

Closed Distribution System or CDSO: A distribution system classified ~~pursuant to Article 28 of Directive 2009/72/EC~~ as a **Closed Distribution System** by the **Authority** which distributes electricity within a geographically confined industrial, commercial or shared services site and does not supply household **Customers**, without prejudice to incidental use by a small number of households located within the area served by the **System** and with employment or similar associations with the owner of the **System**.

Data Publisher: The person providing a reporting service, in relation to data which is submitted to the reporting service under OC2.4.2.3; or a **Transmission Licensee**, in relation to data which the **Transmission Licensee** is required to publish.

Electricity Balancing Regulation: as defined in the **CUSC**.

Equipment Certificate: A document issued by an **Authorised Certifier** for equipment used by a **Power Generating Module**, **Demand Unit**, **Network Operators System**, **Non-Embedded Customers System**, **Demand Facility** or **HVDC System**. The **Equipment Certificate** defines the scope of its validity at a national ~~or other level at which a specific value is selected from the range allowed at a European~~ level. For the purpose of replacing specific parts of the compliance process, the **Equipment Certificate** may include models or equivalent information that have been verified against actual test results.

EU Transparency Availability Data: Such **relevant** data as **Customers** and **Generators** are required to provide under Articles 7.1(a) and 7.1(b) and Articles 15.1(a), 15.1(b), 15.1(c), 15.1(d) of **Retained EU Law (European Commission Regulation (EU) No. 543/2013)** respectively (~~known as the Transparency Regulation~~), and which also forms part of DRC Schedule 6 (Users' Outage Data).

~~**European Regulation (EU) 2016/631:** Commission Regulation (EU) 2016/631 of 14 April 2016 establishing a Network Code on Requirements of Generators~~

~~**European Regulation (EU) 2016/1388:** Commission Regulation (EU) 2016/1388 of 17 August 2016 establishing a Network Code on Demand Connection~~

~~**European Regulation (EU) 2016/1447:** Commission Regulation (EU) 2016/1447 of 26 August 2016 establishing a network code on requirements for Grid Connection of High Voltage Direct Current Systems and Direct Current-connected Power Park Modules~~

~~**European Regulation (EU) 2017/1485:** Commission Regulation (EU) 2017/1485 establishing a guideline on electricity transmission system operation~~

~~**European Regulation (EU) 2017/2195:** Commission Regulation (EU) 2017/2195 of 17 December 2017 establishing a guideline on electricity balancing~~

~~**European Regulation (EU) 2017/2196:** of 24 November 2017 establishing a network code on emergency and restoration.~~

IP Completion Day: As defined in Section 39 of the European Union (Withdrawal Agreement) Act 2020.

Legally Binding Decisions of the European Commission and/or the Agency: Any relevant legally binding decision or decisions of the **European Commission** and/or the **Agency**, but a binding decision does not include a decision that is not, or so much of a decision as is not, **Retained EU Law**.

Retained EU Law: As defined in European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020.

Single Intraday Coupling: ~~Has the meaning set out in the Regulation (EU) 2015/1222~~ The continuous process where collected orders are matched and cross-zonal capacity is allocated simultaneously for different bidding zones in the intraday market.

Storage User: A **Generator** who owns or operates one or more **Electricity Storage Modules**. For the avoidance of doubt:

(a) **Retained EU Law** (Commission ~~European~~ Regulation (EU) 2016/631, ~~European~~ Commission Regulation (EU) 2016/1388 and ~~European~~ Commission Regulation (EU) 2016/1485) shall not apply to Storage Users; and

(b) the **European Connection Conditions (ECC's)** shall apply to **Storage Users** on the basis set out in Paragraph ECC1.1(d).

System Defence Plan: A document prepared by **The Company**, as published on its **Website**, outlining how the requirements of the “defence plan”, as provided for by **Retained EU Law (European Commission Regulation (EU) 2017/2196)**, has been implemented within the **GB Synchronous Area**.

System Restoration Plan: A document prepared by **The Company**, as published on its **Website**, outlining how the requirements of the “restoration plan”, as defined in **Retained EU Law (Commission European Regulation (EU) 2017/2196)**, has been implemented within the **GB Synchronous Area**.

TERRE: Trans European Replacement Reserves Exchange – a market covering the procurement of replacement reserves across Europe. ~~as described in European Regulation (EU) 2017/2195 (EBGL) and European Regulation (EU) 2017/1485~~

GD.2.1 [...] (xiii) For the purposes of the Grid Code, physical quantities such as current or voltage are not defined terms as their meaning will vary depending upon the context of the obligation. For example, voltage could mean positive phase sequence root mean square voltage, instantaneous voltage, phase to phase voltage, phase to earth voltage. The same issue equally applies to current, and therefore the terms current and voltage should remain undefined with the meaning depending upon the context of the application. **Retained EU Law (European Commission Regulation (EU) 2016/631)** defines requirements of current and voltage but they have not been adopted as part of EU implementation for the reasons outlined above.

(xiv) Except where expressly stated to the contrary, reference to Commission Regulations means the Commission Regulation as it forms part of **Retained EU Law**, as such regulation may be amended.

PC – PLANNING CODE

PC.A.3.1.4 [...] a) In the case of an **Embedded Small Power Station** first connected on or after 1 January 2015, the production type must be selected from the list below ~~derived from the Manual of Procedures for the ENTSO-E Central Information Transparency Platform~~:

ECC – EUROPEAN CONNECTION CONDITIONS

ECC.1.1 [...]

(c) The requirements of **Retained EU Law (European Commission Regulation (EU) 2016/631)** shall not apply to

(i) **Power Generating Modules** that are installed to provide backup power and operate in parallel with the **Total System** for less than 5 minutes per calendar month while the **System** is in normal state. Parallel operation during maintenance or commissioning of tests of that **Power Generating Module** shall not count towards that five-minute limit.

(ii) **Power Generating Modules** connected to the **Transmission System** or **Network Operators System** which are not operated in synchronism with a **Synchronous Area**.

(iii) **Power Generating Modules** that do not have a permanent **Connection Point** or **User System Entry Point** and used by **The Company** to temporarily provide power when normal **System** capacity is partly or completely unavailable.

(iv) Electricity Storage Modules

(d) **Storage Users** are required to comply with the entirety of the ECC but are not subject to the requirements of **Retained EU Law (European Commission Regulation (EU) 2016/631, European Commission Regulation (EU) 2016/1388 and European Commission Regulation EU 2016/1485)**. The requirements of the ECC shall therefore be enforceable against **Storage Users** under the Grid Code only (and not under any of the aforementioned **Retained EU Law European Regulations**) and any derogation sought by a **Storage User** in respect of the ECC shall be deemed a derogation from the Grid Code only (and not from the aforementioned **Retained EU Law European Regulations**).

ECC.2.1 The objective of the **ECC** is to ensure that by specifying minimum technical, design and operational criteria the basic rules for connection to the **National Electricity Transmission System** and (for certain **Users**) to a **User's System** are similar for all **Users** of an equivalent category and will enable **The Company** to comply with its statutory and **Transmission Licence** obligations—and **European Regulations** and the applicable **Retained EU Law**.

ECC.6.3.17.1.5 All parties identified by **The Company** as relevant to each **Grid Entry Point** or **User System Entry Point** (if **Embedded**) , including the **Relevant Transmission Licensee**, shall contribute to the studies and shall provide all relevant data and models as reasonably required to meet the purposes of the studies. **The Company** shall collect this data and, where applicable, pass it on to the party responsible for the studies in accordance with **Retained EU Law** (Article 10 of **European Commission Regulation 2016/1447**). Specific information relating to the interface schedules, input/output requirements, timing and submission of any studies or data would be agreed between the **User** and **The Company** and specified (where applicable) in the **Bilateral Agreement**.

ECC.6.3.17.1.7 **The Company** in coordination with the **Relevant Transmission Licensee** may review or replicate the study. The **HVDC System Owner** shall

provide **The Company** with all relevant data and models that allow such studies to be performed. Submission of this data to **Relevant Transmission Licensee's** shall be in accordance with the requirements of **Retained EU Law** (Article 10 of **European Commission Regulation 2016/1447**).

ECC.6.3.17.2.3 All **User's** identified by **The Company** as relevant to the connection , and where applicable **Relevant Transmission Licensee's**, shall contribute to the studies and shall provide all relevant data and models as reasonably required to meet the purposes of the studies. **The Company** shall collect this input and, where applicable, pass it on to the party responsible for the studies in accordance with **Retained EU Law** (Article 10 of **European Commission Regulation 2016/1447**). Specific information relating to the interface schedules, input/output requirements, timing and submission of any studies or data would be agreed between the **User** and **The Company** and specified (where applicable) in the **Bilateral Agreement**.

EUROPEAN COMPLIANCE PROCESSES

ECP.1.1

The **European Compliance Processes** ("ECP") specifies the compliance process in relation to directly connected and **Embedded Power Stations** (subject to a **Bilateral Agreement**), **HVDC Systems**, and **Network Operator's** or **Non-Embedded Customer's Plant and Apparatus**. For the avoidance of doubt, the requirements of the **European Compliance Processes** do not apply to **Demand Response Providers** unless they are also an **EU Code User** and have entered into a **CUSC Contract** with **The Company**. **Generators** in respect of **Electricity Storage Modules** are required to meet the requirements of this ECC but are not required to satisfy the requirements of **Retained EU Law** (**Commission European Regulation (EU) 2016/631**, **Commission European Regulation 2016/1388** or **Commission European Regulation 2016/1485**). Any derogation in respect of **Electricity Storage Modules** would therefore be against the GB Grid Code as the requirements applicable to **Electricity Storage Modules** are not enforceable by EU Law:

DRS – DEMAND RESPONSE SERVICES CODE

DRSC.1.5

The **Demand Response Services Code** which would form part of an **Ancillary Services** agreement between a **Demand Response Provider** and **The Company** and to discharge the obligations under **Retained EU Law European** (**Commission**

Regulation (EU) 2016/1388). The **Ancillary Services** agreement will include an obligation on the **Demand Response Provider** to satisfy the applicable requirements of this **Demand Response Services Code**.

The objectives of the **DRSC** are to

DRSC.2.1 Ensure the obligations of **Retained EU Law European** (Commission Regulation (EU) 2016/1388) have been discharged; and

OC – OPERATING CODE

OC2.4.2.3 Under **Retained EU Law** (~~European~~ Commission Regulation No. 543/2013), **Users** are required to submit certain data ~~for publication to the Data Publisher for publication. on the Central European Transparency Platform managed by the European Network of Transmission System Operators for Electricity (ENTSO-E).~~ **The Company** is required to facilitate the collection, verification and processing of data from **Users** for onward transmission to **the Data Publisher** ~~the Central European Transparency Platform~~.

OC2.4.7

such **Non-Embedded Customer** or **Generator** shall provide **The Company** with the **EU Transparency Availability Data** in accordance with **DRC** Schedule 6 (Users' Outage Data) using **MODIS** and, with reference to points OC2.4.7(a) to (f), ~~EU Transparency~~ Commission Regulation (EU) No. 543/2013 articles 7.1(a), 7.1(b), 15.1(a), 15.1(b), 15.1(c) and 15.1(d) respectively.

SCHEDULE 6 - USERS OUTAGE INFORMATION

The data below is to be provided to **The Company** as required for compliance with the ~~applicable~~ **Retained EU Law** (~~European~~ Commission Regulation (EU) No 543/2013 (OC2.4.2.3)). Data provided under Article Numbers 7.1(a), 7.1(b), 15.1(a), 15.1(b), and 15.1(c) and 15.1(d) is to be provided using **MODIS**.

ECR ARTICLE No. 7.1(a) Planned unavailability of the **Apparatus** belonging to a **Non-Embedded Customer** where OC2.4.7 (a) applies ~~–Energy Identification Code (EIC)* [...]~~

ECR ARTICLE No. 7.1(b) Changes in actual availability of the **Apparatus** belonging to a **Non-Embedded Customer** where OC2.4.7 (b) applies ~~–Energy Identification Code (EIC)* [...]~~

~~* Energy Identification Coding (EIC) is a coding scheme that is approved by ENTSO-E for standardised electronic data interchanges and is utilised for~~

~~reporting to the Central European Transparency Platform. The Company will act as the Local Issuing Office for IEC in respect of GB.~~

GR – Governance Rules

GR.15.1 A proposal to modify the Grid Code may be made: [...] (c) by the **Authority**: [...] (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** ~~legally binding decisions of the European Commission and/or the Agency~~.

GR.16.4 (p.14) A **Grid Code Modification Proposal** that falls within the scope of a **Significant Code Review** may be made where: [...] (c) it is raised by the **Authority** pursuant to GR15.1(c) (i) who reasonably considers the **Grid Code Modification Proposal** to be necessary to comply with or implement the **Electricity Regulation** and/or any relevant **Legally Binding Decisions of the European Commission and/or the Agency** ~~legally binding decisions of the European Commission and/or the Agency~~;

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 amendment to the **Regulated Sections** of the Grid Code and its expected impact on the objectives of **Retained EU Law (European Commission Regulation (EU) 2017/2195)** (and in the event of disagreement **The Company's** view shall prevail).

GR.22.2

(m) where a **Grid Code Modification Proposal** or any **Workgroup Alternative Grid Code Modification(s)** constitutes an amendment to the **Regulated Sections**, the expected impact on the objectives of **Retained EU Law (European Commission Regulation (EU) 2017/2195)**.

ANNEX GR.B Regulated Sections

Mapping of ~~EBGL~~ **Electricity Balancing Regulation** Article 18 Terms and Conditions for Balancing Service Providers and Balancing Responsible Parties to the Grid Code

The Grid Code sections identified in this table are considered to be **Regulated Sections**.

Commission European Regulation (EU) 2017/2195 Reference (Retained EU Law)	Description	Grid Code Reference