

Statutory Instrument: The Electricity and Gas (Internal Markets) Regulations 2011

Tom Ireland, GCRP, 17th Nov 2011



Third Package Implementation

- Third Package should have been implemented March 2011
- Statutory Instrument fully transposes Third Package into UK law
- Laid before Parliament in July 2011
- Approved by both Houses of Parliament October 2011
- Signed by Secretary of State November 2011
- Came into effect 10th November 2011

Impact on Grid Code (1)

- New Applicable Grid Code Objective (C14)
 - “(iv) to efficiently discharge the obligation imposed upon the licensee by this license to comply with the Electricity Regulation and any relevant legally binding decision of the European Commission and/or the Agency.”
- New objective also applies to BSC and CUSC
- “Electricity Regulation” = Regulation 2009/714/EC
- “Agency” = Agency for the Cooperation of Energy Regulators

Impact on Grid Code (2)

■ Revision of C14.1.2(b):

“2B. The review undertaken under paragraph 2A shall:

(a) where the Authority reasonably considers it necessary to comply with or implement the Electricity Regulation and/or any relevant legally binding decisions of the European Commission and/or the Agency, proceed in accordance with any timetable(s) directed by the Authority under this paragraph in relation to the progress of the review and/or implementation of any revisions to the Grid Code; and

(b) involve an evaluation of whether any revision ...”

Impact on other Codes

- Authority ability to raise CUSC and BSC Modification Proposals **only** where necessary to comply with relevant European legislation
- Does not apply to Grid Code

Next Steps

Can the GCRP please **NOTE:**

- **No** Grid Code Modification required
- BSC & CUSC Modification Proposals to be raised
- STC changes to be considered